

AGENDA

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines**

December 19, 2013 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

CONSENT CALENDAR

PUBLIC MEETING

Page 1 Item 1:

REQUEST FOR MINOR DEVIATION, BLUEBERRY LANE PUD

Staff Presentation:

Planning, Building and Public Works Director
Dan Brewer

NEXT MEETING DATE

January 2, 2014 Regular City Council Meeting

ADJOURNMENT

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Blueberry Lane Preliminary PUD –
Minor Deviation Request

FOR AGENDA OF: December 19, 2013

ATTACHMENTS:

1. Draft Resolution No. 13-272
2. Resolution 1023 - Preliminary Blueberry Lane PUD Subdivision
3. Environmental Mitigation Agreement
4. Minor Deviation Request Submittal
5. Surface Water Management Review Comments

DEPT. OF ORIGIN: Planning, Building and
Public Works

DATE SUBMITTED: December 11, 2013

CLEARANCES:

- [X] Legal JG
 [] Finance _____
 [] Marina _____
 [] Parks, Recreation & Senior Services _____
 [X] Planning, Building & Public Works DJG
 [] Police _____
 [] Courts _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: LJB

Purpose and Recommendation

In accordance with DMMC 17.16.190(3), the purpose of this agenda item is to seek a determination from the Council on whether proposed deviations to the preliminary Blueberry Lane Planned Unit Development (PUD) Subdivision that was approved by Resolution 1023 on December 14, 2006, are consistent with the plat concept and layout of the original preliminary subdivision, meet the criteria for Minor Deviations pursuant to DMMC 17.16.230(2), and meet the conditions of the July 20, 2006 Environmental Mitigation Agreement for the project.

Administration has reviewed the Applicant's proposed deviations to the PUD Subdivision and has concluded that the changes meet the City's criteria for a subdivision and a PUD; however there is a question as to whether the proposed deviations from the approved PUD Subdivision are minor. The following motion is provided for Council consideration:

Motion

Motion: "I move to adopt Draft Resolution No. 13-272 approving minor deviations to the preliminary Blueberry Lane PUD subdivision and the attached Findings of Fact."

Background

Approval of the preliminary plat for Blueberry Lane PUD subdivision (Attachment 2) and the related Environmentally Sensitive Areas development exception focused on the proposed project compliance with the criteria established by Des Moines Municipal Code; specifically sections 17.16.130(2), 18.52.100, and 18.86.094(6). The City's PUD regulations (Chapter 18.52 DMMC) act as an overlay that modifies the underlying zoning classification. The goal of the PUD regulations is to encourage a more creative approach in the development of land that results in a more efficient, aesthetic, and desirable use of open area while maintaining substantially the same population density by permitting flexibility in the design and placement of buildings, use of open space, circulation facilities, and lot size requirements (lot area, width, and depth).

The SEPA Environmental Mitigation Agreement (Attachment 3) established the mitigation measures to be employed to ensure that probable adverse environmental impacts created by the proposed project are minimized or eliminated. This Agreement was a Finding of Fact the Council considered when the original PUD was approved in 2006.

On November 19, 2013, the City received a request for Minor Deviations (Attachment 4) from the approved preliminary plat of the Blueberry Lane PUD Subdivision. The Minor Deviation request is being requested pursuant to DMMC 17.16.190(3) and DMMC 17.16.230(2) as identified below:

17.16.190 Effect of preliminary subdivision approval.

(3) Deviations from the Preliminary Plat. The city shall not authorize improvements to be constructed, unless the improvements are consistent with the plat concept and layout of the preliminary subdivision approved by the city council. In making such a determination, the public works director and planning official shall utilize the criteria for minor deviations set forth in DMMC 17.16.230(2). If consistency with the criteria is not clear, the public works director or planning official shall request a determination from the city council. [Ord. 1341 § 13, 2004; Ord. 1287 § 18, 2001; Ord. 931 § 33, 1992.]

17.16.230 City council action.

(2) Minor Deviations. The city council may approve a final plat that is different from the preliminary subdivision if any change:

- (a) Is necessary because information provided in the survey for final plat was not available and reasonably could not have been provided during consideration of the preliminary subdivision; and
- (b) Does not increase the number of lots; and
- (c) Complies with the provisions of chapter 17.36 DMMC; and
- (d) Does not substantially change the location or nature of any improvements or any other element of the subdivision; and
- (e) In no way significantly alters the subdivision.

Final plats with changes that do not meet the criteria for minor deviations shall be processed as new preliminary subdivisions and shall require a new application fee. [Ord. 1174 § 50, 1996; Ord. 931 § 37, 1992.]

Discussion

The request for Minor Deviation (refer to Attachment 4) includes a project narrative describing the proposed deviations and why the Applicant believes the proposed deviations meet the criteria stipulated in DMMC 17.60.230(2). The Applicant states that the deviations are intended to improve the engineering design and affordability of the development, while still retaining the fundamental components of the PUD as summarized below:

1. Reduce the number of proposed lots from 67 lots to 62 lots to reduce the road length and total impervious surface area by approximately two-thirds of an acre.
2. Eliminate alley-load units and townhome units to provide a more cohesive design theme and reduce inefficiencies associated with building only three townhomes.
3. Revise the pedestrian path to shift the southern connection from Des Moines Memorial Drive to 11th Avenue South.
4. Deviate from the following design guidelines stipulated in the SEPA Environmental Mitigation Agreement:
 - 2.a. All front loaded garages shall be offset a minimum of 10 feet from the front of the building façade or 7 feet from the back of the porch. The Applicant has proposed a site plan that will have a front setback of 10 feet, a side setback of 5 feet, and a garage setback of 20 feet. This is consistent with the setbacks required in the original PUD approval.
 - 2.e. Single family residential structures on interior lots will have windows that do not directly face the windows on the single family residential structure located on the adjacent lot. The Applicant has proposed that windows on interior lots will offset from windows on structures located on the adjacent lot to the maximum extent practicable.
 - 2.g. All porches and stoops must have a permanent walkway which connects to the back of the public sidewalk. The Applicant has proposed that it will comply with the intent of this condition by ensuring that all porches and stoops will have a permanent connection to the sidewalk, via a driveway or other walkway.
5. Revise the stormwater design from a one (1) pond tract (Tract J) to two (2) pond tracts (Tract C and Tract J) to better mitigate the stormwater flow and volume as it is released to offsite wetlands and better mimic pre-developed conditions.
6. Revise internal roadways and eliminate alleys to improve internal circulation and pedestrian access. This includes realignment of reducing the pedestrian path from 1,600 feet to 1,460 feet; adjusting the alignment of 11th Place S and modifications to the intersections at South 195th Street and 11th Place South and at South 197th Street and 11th Avenue South.
7. Increase the size of the open space and stormwater/utility tracts. This includes redesigning the storm/utility Tract J into two tracts as described under item 3.

Administration has conducted a preliminary review of the documents submitted for the proposed deviations to the PUD, and offers the following comments:

- Removing the townhome element seems reasonable provided the applicant can demonstrate a diversity of housing price points comparable to townhomes.
- Although the alleys were identified as a design element to deemphasize the visual impact of the automobile and garages for small lot development, their removal allows nine lots that front Des Moines Memorial Drive to be reoriented and better integrated into the development along a realigned 11th Avenue South.
- The pedestrian path deviations may not meet the initial intent to provide a connection from South 194th Street through the neighborhood to Des Moines Memorial Drive. As currently shown on the proposed revised plans, the pedestrian path dead ends and does not extend the full length of the roadway to the west. Staff recommends that the pedestrian path be maintained as initially approved.
- The proposed design deviations do not appear to meet the intent of the conditions of approval for the PUD which were stipulated through the SEPA Environmental Mitigation Agreement that are intended to result in a more desirable and aesthetic development and to de-emphasize the automobile and establish a streetscape that is more human scale by putting street facing garages back behind the front porch.
- Comments and clarifications related to how the requested deviations might impact the stormwater system design are described in Attachment 5. Following are some highlights:
 - Staff concurs that the design deviation will reduce the pond outflow through the reduction of impervious surface (by two-thirds of an acre).
 - The proposed design deviation indicates two separate detention facilities with one facility discharging to Wetland A and the other facility discharging to Wetland C. This design assumes that Wetland A is a closed depression (no outlet or correlation to Wetland C) and therefore the detention facility discharging to Wetland A would be subject to higher flow control standard (Level 3). Without reviewing a revised hydrology model, it is uncertain whether the area provided in Tract C, as shown on the revised plat map, is sufficient to provide a larger facility for the higher flow control standard. In addition, further evaluation would be necessary to determine the feasibility of an overflow from Wetland A to the adjacent detention facility in Tract J, thereby maintaining the water elevation of the wetland without the wetland being a closed depression.
- The proposed revisions to roadway network appear to provide a better transportation product with the re-designed connection to 197th and the lack of an interim dead end at the south end of 11th Ave South.
- South King Fire and Rescue commented that the proposed lot configuration may require sprinklers in some residences where dead end streets are longer than 100 feet without a turnaround such as a cul-de-sac.

While the general consensus of staff is that in many ways the proposed deviations would produce a better PUD when compared to the approved Preliminary Plat, the question to be addressed can be boiled down to the following:

Does the Council find that the proposed deviations are consistent with the plat concept and layout of the preliminary subdivision approved by the City Council in 2006?

To answer this question, the criteria identified in DMMC 17.16.230(2) must be addressed. A summary of the staff evaluation on the Applicant's response to the Minor Deviation Criteria in DMMC 17.16.230(2) is as follows:

- Criterion (a) – Staff questions whether the inability to obtain the utility easement is survey related, but rather a development assumption that cannot be met.
- Criterion (b) and (c) – Staff agrees these criterion are met.
- Criterion (d) – Staff questions whether the proposed deviations from the approved PUD Subdivision are “minor”. While the “nature” of the improvements are not necessarily changing, the “location” of the proposed improvements are changing. Staff is seeking direction from the Council on whether the proposed relocation of the improvements are “*substantial*”.
- Criterion (e) – Staff agrees that the changes meet the city criteria for a subdivision and a PUD; however there is question as to whether the proposed deviations “*significantly alter*” the approved PUD Subdivision. Staff is seeking direction from the Council on this criterion.

If Council determines that the Applicant has met the criteria for minor deviations thereby approving the proposed changes, the following next steps would occur:

- The Applicant would need to submit plan revisions along with the revised hydrology model and mitigation plan for civil plan approval;
- Civil improvements would need to be constructed prior to final plat approval; and
- The final plat must be filed for record on or before December 14, 2016 pursuant to RCW 58.17.170(2)(b).

If Council determines that the applicant has not met the criteria for minor deviations, thereby not approving the proposed changes, the applicant would still have the option to move forward with constructing the civil improvements and plat as previously approved.

Alternatives

Alternative 1: Council can approve the minor deviation request through the adoption of Resolution No. 13-272 and Findings of Fact.

Alternative 2: Council can deny the minor deviation request.

Financial Impact

The modified subdivision would result in the development of 62 new single family homes which will provide additional recurring property tax revenue to the City of Des Moines.

Recommendation or Conclusion

The consistency of the proposed deviations to the approved preliminary plat with the criteria in 17.6.230(2) is unclear. Therefore, in accordance with DMMC 17.16.190(3), staff is seeking direction from the Council.

Concurrence

The Legal and Planning, Building, and Public Works Departments concur.

City Attorney's FIRST DRAFT 12/10/2013**DRAFT RESOLUTION NO. 13-272**

A RESOLUTION OF THE CITY OF DES MOINES, WASHINGTON approving the minor deviations to the preliminary Blueberry Lane Planned Unit Development (PUD) Subdivision subject to conditions specified herein.

WHEREAS, the City Council, in a public hearing on December 14, 2006, adopted Resolution No. 1023 thereby approving the Blueberry Lane PUD Subdivision, the environmental documents, and recommendations from the Planning Agency and Administration, and

WHEREAS, Civil Engineering & Surveying NW, on behalf of the Bank of Washington (hereinafter, the Applicant), and the owners of the real property in the City of Des Moines, filed an application for a Minor Deviation from the preliminary Blueberry Lane PUD Subdivision on November 19, 2013, and

WHEREAS, minor deviations to the preliminary plat are allowed in accordance with DMMC 17.16.190(3) and DMMC 17.16.230(2), and

WHEREAS, pursuant to DMMC 17.16.190(3), if consistency with the minor deviation criteria is not clear, the Planning, Building and Public Works Director or planning official shall request a determination from the City Council, and

WHEREAS, consideration of the minor deviation by City Council is a Type IV Land Use Action that is appealable to the Superior Court of King County, Washington as set forth in DMMC 18.94.300, and

WHEREAS, notice of the public meeting was provided to the Seattle Times on December 2, 2013 and a 15-day public comment period was provided, and

WHEREAS, the public meeting notice was mailed to residents and property owners within 300 feet of the property and a public information sign was posted at the site, and

WHEREAS, the Des Moines Planning, Building and Public Works staff reviewed the minor deviation request for the preliminary Blueberry Lane PUD Subdivision and provided comments and recommendations as set out in the Findings of Facts; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. Findings of Fact. The Findings of Facts set forth in Exhibit 1, attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to approve the minor deviations to the Blueberry Lane project subject to specific conditions.

Sec. 2. Minor deviation decision criteria. The criteria used in making the decision to approve the minor deviation presented by the Applicant are those required by DMMC 17.16.230(2). The City Council finds that the Blueberry Lane request for minor deviations are in compliance with the required criteria, as set forth in the Findings of Fact in Exhibit 1, adopted above.

Sec 3. Approved Deviations. Consistent with the provisions of DMMC 17.16.230(2) the following deviations to the preliminary Blueberry Lane PUD Subdivision are approved:

Subdivision Layout and Design Deviations (Chapter 17.36 DMMC)

- (1) The overall number of lots has been reduced from 67 lots to 62 lots, and
- (2) The alleys have been removed and affected lots have been reoriented along a realigned 11th Avenue South, and
- (3) The townhome units have been removed,
- (4) The pedestrian path has been modified to shift the southern connection from Des Moines Memorial Drive to 11th Avenue South.
- (5) The residential design deviates from the following design guidelines stipulated in the SEPA Environmental Mitigation Agreement:

(a) Criteria 2.a. All front loaded garages shall be offset a minimum of 10 feet from the front of the building façade or 7 feet from the back of the porch;

(b) Criteria 2.e. Single family residential structures on interior lots will have windows that do not directly face the windows on the single family residential structure located on the adjacent lot;

(c) Criteria 2.g. All porches and stoops must have a permanent walkway which connects to the back of the public sidewalk; and

- (6) The stormwater detention facility design has been revised from a one (1) pond tract (Tract J) to two (2) pond tracts (Tract C and Tract J) to better mitigate the stormwater flow and volume as it is released to offsite wetlands and better mimic pre-developed conditions; and
- (7) The internal roadway network has been revised to provide a better transportation design with the re-designed connection to 197th, removal of an interim dead end at the south end of 11th Ave South, removal of some on-street parking, and removal of alleys.

Sec. 4. Approval subject to conditions. The minor deviations to the preliminary Blueberry Lane PUD Subdivision are approved subject to the following conditions and modifications:

- (1) Except where otherwise stated herein, the applicant shall comply with the conditions of preliminary plat approval established through Resolution No. 1023 adopted on December 14, 2006.
- (2) A revised hydrology model for the revised stormwater detention pond is necessary to determine whether the area provided in Tract C is sufficient to meet the required flow control standard while maintaining the water elevation of Wetland A without the wetland being a closed depression.
- (3) The Applicant shall make modification to the approved civil plans as determined necessary by the Planning, Building, and Public Works Director.

Sec. 5. Compliance with other law. Nothing in this Resolution shall be construed as excusing the Applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

Sec. 6. Resolution attached to approval documents. A certified copy of this Resolution, along with the herein referenced Findings of Facts and preliminary plat, shall be attached to and become a part of the evidence of the approval of

said preliminary Planned Unit Development subdivision to be delivered to the applicant.

Sec. 7. Distribution of resolution following Council action. Certified or conformed copies of this Resolution shall be delivered to the following:

- (1) City of Des Moines Planning, Building and Public Works Department;
- (2) South King Fire and Rescue; and
- (3) City Clerk of the City of Des Moines.

Sec 8. Distribution of resolution by Planning, Building and Public Works Director. Within five days following adoption of this Resolution, the planning official shall distribute the Resolution to the Applicant, and to each person who submitted timely written or oral testimony to the City Council for inclusion in the record.

Sec. 9. Reconsideration. A request to reconsider this decision of the City Council may be made by the Applicant, or by any person who submitted timely written or oral testimony to the City Council for inclusion in the record. The request for reconsideration, in the form of a letter, shall be delivered to the Planning, Building, and Public Works Department within 10 days following the date of adoption of this Resolution. The request shall contain a clear reference to the preliminary subdivision to be reconsidered and a statement of the specific factual findings or conclusions of the City Council disputed by the person filing the request for reconsideration. The City Council shall reconsider a decision if the Council finds that an error of fact, law, or procedure that is more likely than not to affect the outcome of the decision has been made; or if the person requesting reconsideration is seeking to enter previously unavailable information that is more likely than not to effect the outcome of the decision. The request for reconsideration shall be processed in conformance with City Council Rules of Procedure, chapter 4.12 DMMC.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2013 and signed in authentication thereof this ____ day of _____, 2013.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

FINDINGS OF FACTS AND CONCLUSIONS**DRAFT RESOLUTION NO. 13-272, EXHIBIT 1****December 10, 2013****FINDINGS OF FACT**

The Des Moines City Council, upon review of an application requesting minor deviations for the Blueberry Lane Preliminary Planned Unit Development (PUD) Subdivision and in consideration of the record presented to the City Council in the City Council Agenda, including but not limited to the Draft Resolution No. 13-272 (Attachment 1), the Preliminary Blueberry Lane PUD Subdivision (Attachment 2), the Environmental Mitigation Agreement (Attachment 3), Minor Deviation Request Submittal (Attachment 4), Surface Water Management Review Comments (Attachment 5), are referenced and incorporated hereto as though fully set out, the files and records of the City and information communicated to the Council during the public meeting held on December 19, 2013 hereby finds:

(1) On November 19, 2013, the City received a request for Minor Deviations (Attachment 4) from the approved preliminary plat of the Blueberry Lane PUD Subdivision.

(2) The Minor Deviation request is being requested pursuant to DMMC 17.16.190(3) and DMMC 17.16.230(2)

(3) The applicant is seeking a minor deviation to the approved preliminary PUD under Des Moines Municipal Code 17.16.320(2). The proposed site plan associated with the deviation request complies, or will comply, with all provisions in the Agreement, with the exception of three design standards cited in Section 2 of the Agreement.

(4) The application packet (Attachment 4) includes a project narrative describing the proposed deviations and how the applicant feels the proposed deviations meet the criteria stipulated in DMMC 17.60.230(2). The applicant states that the deviations are intended to improve the engineering design and affordability of the development, while still retaining the fundamental components of the PUD as summarized below:

(a) Reduce the number of proposed lots from 67 lots to 62 lots to reduce the road length and total impervious surface area by approximately two-thirds of an acre;

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Exhibit 1

(b) Eliminate alley-load units and townhome units to provide a more cohesive design theme and reduce inefficiencies associated with building only three townhomes;

(c) Deviate from the following design criteria 2.a., 2.e., and 2.g. as stipulated in the SEPA Environmental Mitigation Agreement:

(i) Criteria 2.a. All front loaded garages shall be offset a minimum of 10 feet from the front of the building façade or 7 feet from the back of the porch. The applicant has proposed a site plan that will have a front setback of 10 feet, a side setback of 5 feet, and a garage setback of 20 feet. This is consistent with the setbacks required in the original PUD approval.

(ii) Criteria 2.e. Single family residential structures on interior lots will have windows that do not directly face the windows on the single family residential structure located on the adjacent lot. The applicant has proposed that windows on interior lots will offset from windows on structures located on the adjacent lot to the maximum extent practicable.

(iii) Criteria 2.g. All porches and stoops must have a permanent walkway which connects to the back of the public sidewalk. The applicant has proposed that it will comply with the intent of this condition by ensuring that all porches and stoops will have a permanent connection to the sidewalk, via a driveway or other walkway.

(d) Revise the stormwater design from a one (1) pond tract (Tract J) to two (2) pond tracts (Tract C and Tract J) to better mitigate the stormwater flow and volume as it is released to offsite wetlands and better mimic pre-developed conditions;

(e) Revise internal roadways and eliminate alleys to improve internal circulation and pedestrian access. This includes realignment of reducing the pedestrian path from 1,600 feet to 1,460 feet; adjusting the alignment of 11th Place S and modifications to the intersections at South 195th Street and 11th Place South and at South 197th Street and 11th Avenue South.

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Exhibit 1

(f) Increase the size of the open space and stormwater/utility tracts. This includes redesigning the storm/utility Tract J into two tracts as described under item 3.

(5) The City Council approved the preliminary Blueberry Lane Planned Unit Development ("PUD") subdivision ("Project") on December 14, 2006 via Resolution No. 1023, subject to certain conditions. The review and approval process included review under the State Environmental Policy Act (SEPA), which resulted in a Mitigated Determination of Nonsignificance ("MDNS") for the Project issued July 20, 2006.

(6) In addition to the MDNS, the City and developer entered into an Environmental Mitigation Agreement ("Agreement") pursuant to Chapter 43.21 RCW and Title 16 of Des Moines Municipal Code to provide for mitigation of impacts associated with the proposal. The Agreement was executed on July 20, 2006 and included as a condition of the PUD approval. See Condition 2 of Resolution No. 1023.

(7) Based on a preliminary review of the documents submitted and proposed deviations to the PUD the administration offers the following comments:

(a) Removing the townhome element seems reasonable provided the applicant can demonstrate a diversity of housing price points comparable to townhomes.

(b) Although the alleys were identified as a design element to deemphasize the visual impact of the automobile and garages for small lot development, their removal allows nine lots that front Des Moines Memorial Drive to be reoriented and better integrated into the development along a realigned 11th Avenue South.

(c) The pedestrian path deviations may not meet the initial intent to provide a connection from South 194th Street through the neighborhood to Des Moines Memorial Drive given the location of the SR 509 right of way. As currently shown on the proposed revised plans, the pedestrian path dead ends on 11th Avenue South and does not extend the full length of

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Exhibit 1

the roadway to the west. Staff recommends that the pedestrian path be maintained as initially approved.

(d) Proposed design deviations do not appear to meet the intent of the conditions of approval for the PUD which were stipulated through the SEPA Environmental Mitigation Agreement that are intended to result in a more desirable and aesthetic development and to de-emphasize the automobile and establish a streetscape that is more human scale by putting street facing garages back behind the front porch.

(e) Comments and clarifications related to how the requested deviations might impact the stormwater system design are highlighted below:

(i) Staff concurs that the design deviation will reduce the pond outflow through the reduction of impervious surface (by two-thirds of an acre).

(ii) The proposed design deviation indicates two separate detention facilities with one facility discharging to Wetland A and the other facility discharging to Wetland C. This design assumes that Wetland A is a closed depression (no outlet or correlation to Wetland C) and therefore the detention facility discharging to Wetland A would be subject to higher flow control standard (Level 3). Without reviewing a revised hydrology model, it is uncertain whether the area provided in Tract C, as shown on the revised plat map, is sufficient to provide a larger facility for the higher flow control standard. In addition, further evaluation would be necessary to determine the feasibility of an overflow from Wetland A to the adjacent detention facility in Tract J, thereby maintaining the water elevation of the wetland without the wetland being a closed depression.

(f) The proposed revisions to roadway network appear to provide a better transportation product with the re-designed connection to 197th and the lack of an interim dead end at the south end of 11th Ave South.

(g) South King Fire and Rescue commented that the proposed lot configuration may require sprinklers in some

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Exhibit 1

residences where dead end streets are longer than 100 feet without a turnaround such as a cul-de-sac.

(8) Except where otherwise stated herein, the proposed plat is consistent with the applicable provisions of the comprehensive plan, zoning code, and other City policies and regulations that were in place at the time of preliminary plat approval.

(9) The developer has submitted the requisite application materials for a minor deviation from the preliminary plat utilizing the provisions of a PUD subdivision codified in Chapter 17.16 and 18.52 of the Des Moines Municipal Code.

(10) The application requests the following deviations as a means to improve the engineering design and affordability, while still retaining the fundamental components of the PUD. The requested deviations are outlined in Exhibit 2 and summarized below:

(a) Reduce the number of proposed lots from 67 lots to 62 lots to reduce the road length and total impervious surface area by approximately two-thirds of an acre; and

(b) Eliminate alley-load units and townhome units to provide a more cohesive design theme and reduce inefficiencies associated with building only three townhomes; and

(c) Revise the pedestrian path; and

(d) Deviate from the design criteria 2.a., 2.e., and 2.g. established in the SEPA Environmental Mitigation Agreement; and

(e) Revise the stormwater design from a one (1) pond tract to two (2) pond tracts to better mitigate the increased stormwater flow and volume as it is released to offsite wetlands; and

(f) Revise the internal the roadway network to eliminate the alleys and improve the internal circulation and

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Exhibit 1

pedestrian access. This includes realignment of reducing the pedestrian path from 1,600 feet to 1,460 feet; adjusting the alignment of 11th Place South and modifications to the intersections at South 195th Street and 11th Place South and at South 197th Street and 11th Avenue South; and

(g) Increase the size of the open space and stormwater/utility tracts. This includes redesigning the storm/utility Tract J into two tracts.

(11) The zoning for the property is B-P Business Park; however, under State vesting laws the subdivision would vest under the RS-7200 zone provided that all civil improvements are completed and the final plat is recorded on or before December 14, 2015.

(12) PUD's are authorized in all single family residential zoned areas.

(13) The Des Moines Planning, Building, and Public Works Department provided a notice of public meeting on December 2, 2013 and provided a 15-day public comment period from December 2, 2013 to December 17, 2013. The notice of public meeting was mailed to residents and property owners within 300 feet of the property and a public information sign was posted at the site in accordance with DMMC 16.04.160(1).

CONCLUSIONS

The Des Moines City Council approves the Applicant's request for minor deviations to the Blueberry Land PUD based on the Findings of Fact set out above and incorporated herein by this reference:

(1) Proposed deviations from the approved preliminary PUD are consistent with the intent of Chapters 17.16 and 18.52 DMMC and maintain adequate provisions for drainage ways, rights-of-way, sidewalks, easements, water supplies, sanitary waste, fire protection, power service, parks, playgrounds and schools.

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Exhibit 1

(2) The proposed plat design will serve the public use and interest and is consistent with the public health, safety, and welfare.

(3) Pedestrian amenities in the PUD are maintained.

(4) The evidence submitted by Richmond Homes at the December 19, 2013 hearing demonstrated that compliance with Sections 2.a, 2.e., and 2.g of the Agreement is not feasible, and that the proposed site plan will incorporate standards that are equivalent or superior to the design standards required by Sections 2.a, 2.e, and 2.g of the Agreement.

(5) Accordingly, the Council concludes that, in addition to approving the request for a minor deviation, it is also appropriate to waive the requirement to comply with Sections 2.a, 2.e, and 2.g of the Agreement, subject to Richmond's commitment to ensuring an equivalent or superior design as described in Findings 1.5 - 1.7.

(6) SEPA review was completed for the Blueberry Lane PUD on July 20, 2006. The proposed alterations to the site plan constitute a minor deviation to the approved preliminary PUD, and they do not pose substantial new impacts. Similarly, waiver of the three design standards described above will not result in new or different environmental impacts. In fact, the environmental impacts of the approved preliminary PUD and the proposed site plan are substantially similar. Accordingly, the City may rely on its existing SEPA review; it need not require a new SEPA checklist or issue a new threshold determination. Pursuant to WAC 197-11-600, it will use the existing environmental documents unchanged for this proposal.

(7) In reaching its decision, the Council considered the entire record, including the MDNS, the Agreement, and the submittals and argument of the applicant.

(8) The SEPA determination of the responsible official is entitled to substantial weight. RCW 43.21C.057(3); WAC 197-11-680(3).

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Exhibit 1

(9) Modifications to the infrastructure design improve the engineering design and affordability of the development, while still retaining the fundamental components of the PUD.

(10) A revised hydrology model for the revised stormwater detention pond is necessary to determine whether the area provided in Tract C is sufficient to meet the required flow control standard while maintaining the water elevation of Wetland A without the wetland being a closed depression.

RESOLUTION NO. 1023

A RESOLUTION OF THE CITY OF DES MOINES, WASHINGTON approving the preliminary Blueberry Lane Planned Unit Development subdivision (hereinafter, Blueberry Lane), subject to conditions specified herein.

WHEREAS, PBC, Inc. and Richard Williams (hereinafter, the applicant), the owners of the real property in the City of Des Moines, filed an application on April 22, 2005 for a preliminary PUD subdivision, and

WHEREAS, Development Services Division issued a notice of incomplete application on May 6, 2005, and

WHEREAS, Development Services Division determined that the application met the procedural submittal requirements on May 17, 2005 and subsequently issued a notice of complete application, and

WHEREAS, Blueberry Lane is located on property within the RS-7200 zone, and

WHEREAS, Planned Unit Developments are authorized in all single family residential zones, and

WHEREAS, Planned Unit Developments provide opportunities for unique and innovative development designs not able to be accomplished under traditional subdivision requirements, and

WHEREAS, an environmental checklist for Blueberry Lane was submitted to the City of Des Moines and was reviewed by the SEPA responsible official for the City of Des Moines, and

WHEREAS, the SEPA official determined that significant and adverse environmental impacts could occur and subsequently issued a Mitigated Determination of Non-Significance for the proposed Blueberry Lane project, and

WHEREAS, the environmental documents have been available for review with the Blueberry Lane application during the review process, and

WHEREAS, the Des Moines Planning Agency reviewed the Blueberry Lane at its regular meeting on October 2, 2006, and

WHEREAS, the Des Moines Planning Agency, after review of the Blueberry Lane at a public meeting and consideration of the recommendations by administration, recommended approval of the application subject to specific conditions, and

WHEREAS, the City Council, in a public hearing on October 26, 2006, November 6, 2006, November 30, 2006, and December 14, 2006, considered the Blueberry Lane Planned Unit Development Subdivision, the environmental documents, recommendations from the Planning Agency, and recommendations from administration; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. Findings of fact. The findings of fact set forth in Exhibit 1, attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to approve the Blueberry Lane project subject to specific conditions.

Sec. 2. Decision criteria. The criteria used in making the decision are those required by DMMC 17.16.130 and chapter 18.52

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DMMC. The City Council finds that Blueberry Lane is in compliance with the required criteria, as set forth in the findings of fact in Exhibit 1, adopted above.

Sec 3. Approved Deviations. Consistent with the provisions of DMMC 17.36.010 and 18.52.100 the following deviations to the subdivision code and zoning code are approved:

Subdivision Layout and Design Deviations (DMMC 17.36)

(1) Lots 9, 15, 16, 18, 19, 27, 28, 29, 30, 31, 34, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, and 59 shall not be required to meet the lot depth to width ratio as specified in DMMC 17.36.020(2), and

(2) Corner lots shall not be required to be 5 feet wider than the 60 foot width established by the underlying zoning as specified in DMMC 17.36.020(5), and

(3) Two alleys shall be authorized to be built to private street standards and shall be allowed to serve more than four lots deviating from the provisions of DMMC 17.36.040 and DMMC 17.36.050. Alley 1 shall serve 12 lots and Alley 2 shall serve 5 lots.

Zoning Code Deviations (DMMC 18.08 and DMMC 18.52)

(1) Except for lot 43 all lots shall be less than the minimum lot area of 7,200 square feet specified in DMMC 18.08.030. The average lot size within the PUD shall be 4,065 square feet, and

(2) Except lots 9, 35, 36, 43, 44, 51, and 60 the minimum lot width specified in DMMC 18.08.050 shall be reduced from sixty (60) feet to a minimum of forty (40) feet for all lots, and

(3) Except lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 34 the minimum front yard setback specified in DMMC 18.08.060 shall be reduced from twenty (20) feet to ten (10) feet for all lots, and

(4) The minimum side yard setback specified in DMMC 18.08.070 shall be five (5) for all side yards except as otherwise stated in the following:

(a) For the common side yards between lots 45/46, 47/48, and 50/49, the side yard setback shall be zero (0) feet and the remaining side yards within these lots shall be five (5) feet, and

(b) For lots 1, 43, 44, 51, 52, 59, and 61, the side yard along the perimeter of the planned unit development shall be ten (10) feet and the remaining side yard shall be five (5) feet, and

(c) For lot 10, the side yard setback along Tract E shall be ten (10) feet and the remaining side yard shall be five (5) feet, and

(d) For lots 9 and 19, the side yard along the perimeter shall be fifteen (15) feet and the remaining side yard shall be five (5) feet, and

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Page 3 of 5

(5) The minimum rear yard setback specified in DMMC 18.08.075 shall be reduced from twenty (20) feet to ten (10) feet for all lots except for lots 20, 21, 22, 23, 24, 27, 28, and 29 which shall be fifteen 15 feet, and

(6) The following planned unit development perimeter yard areas specified in DMMC 18.52.100(2) shall be established as follows:

(a) For lots along Des Moines Memorial Drive (Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9) the required twenty (20) feet perimeter yard area shall not be modified or reduced, and

(b) For lots 1, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61 the required twenty (20) foot perimeter yard area shall be modified and reduced to ten (10) feet, and

(c) For the lot adjacent to South 194th Street (Lot 34) the required twenty (20) feet perimeter yard area shall not be modified or reduced, and

(d) For lots 9, 19, 20, 21, 22, 23, 24, 27, 28, and 29 the required twenty (20) foot perimeter yard area shall be modified and reduced to fifteen (15) feet.

Sec. 4. Approval subject to conditions. Blueberry Lane is approved subject to the following conditions and modifications:

(1) The applicant shall comply with the Environmental Mitigation Agreement dated July, 20, 2006.

(2) All driveways shall be a minimum of sixteen (16) feet except for alley loaded driveways which can be either ten (10) feet or greater than or equal to sixteen (16) feet, and

(3) The applicant shall submit a complete landscaping plan consistent with the conceptual landscaping plan provided as attachment 32 of staff's October 26, 2006 City Council Packet, and

(4) The applicant shall pay the required park in lieu fee in the amount to be determined at the time of the applicant files for final plat approval. The fee will be based on an appraisal submitted by the applicant for the value of land and the square footage development rate at the time of final plat. The fee shall be paid prior to recording of the final plat.

(5) The applicant shall place playground equipment of his choice at a location of his choice to be installed by the time the landscaping is installed for use by the owners of lots 1 through 67 inclusive. On-going use, repair, maintenance and possible replacement of these improvements shall be determined by the owners of lots 1 through 67 inclusive, and

(6) The applicant shall pay the substitute wetland mitigation fee in the amount of \$155,480.00 in the base month of October 2006. This fee shall be adjusted quarterly for inflation until the fee is paid by the applicant. The fee shall be paid prior to City Council review of the final plat, and

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Page 4 of 5

(7) The applicant shall submit to the City the statutory warrant deed required to convey surface water detention tract to the City of Des Moines prior to City Council review of the final, and

(8) Tracts B, D, G, H, and K shall be owned and maintained by owners of lots 1 through 67 inclusive as equal undivided common interest, and

(9) Tract A shall be owned and maintained by the owners of lots 1 through 6 inclusive and 12 through 17 inclusive as an equal undivided common interest, and

(10) Tract C shall be owned and maintained by the owners of lots 7 through 11 inclusive as an equal undivided common interest, and

(11) Tract F shall be owned and maintained by the owners of lots 18 and 19 as an equal undivided common interest; except, that the applicant shall record a covenant which establishes that the City will act as the attorney in-fact for the future dedication of Tract F to the City of Des Moines as public ROW at the time Lot 1 & 2 of KCSP 779007 redevelops upon demand of the City of Des Moines, and

(12) All of the roof drain systems will be a private system owned in common by the owners of lots 1 through 67 inclusive, who will share equal responsible for all maintenance, repair, and future replacement of the system.

Sec. 5. Approved preliminary planned unit development plat map. The Preliminary Planned Unit Development Subdivision in Exhibit 2, attached hereto and incorporated by this reference, is adopted in full by the City Council.

Sec. 6. Compliance with other law. Nothing in this resolution shall be construed as excusing the applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

Sec. 7. Resolution attached to approval documents. A certified copy of this resolution, along with the herein referenced findings of fact and preliminary plat, shall be attached to and become a part of the evidence of the approval of said preliminary Planned Unit Development subdivision to be delivered to the applicant.

Sec. 8. Distribution of resolution following council action. Certified or conformed copies of this resolution shall be delivered to the following:

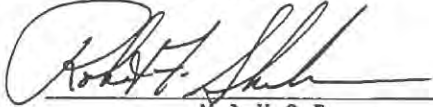
- (1) City of Des Moines Planning, Building and Public Works Department;
- (2) South King Fire and Rescue; and
- (3) City Clerk of the City of Des Moines.

Sec 9. Distribution of resolution by Planning Official. Within five days following adoption of this resolution, the Planning Official shall distribute the resolution to the applicant, and to each person who submitted timely written or oral testimony to the City Council for inclusion in the record.

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Sec. 10. Reconsideration. A request to reconsider this decision of the City Council may be made by the applicant, or by any person who submitted timely written or oral testimony to the City Council for inclusion in the record. The request for reconsideration, in the form of a letter, shall be delivered to the Planning, Building, and Public Works department within 10 days following the date of adoption of this resolution. The request shall contain a clear reference to the preliminary subdivision to be reconsidered and a statement of the specific factual findings or conclusions of the City Council disputed by the person filing the request for reconsideration. The City Council shall reconsider a decision if the council finds that an error of fact, law, or procedure that is more likely than not to affect the outcome of the decision has been made; or if the person requesting reconsideration is seeking to enter previously unavailable information that is more likely than not to affect the outcome of the decision. The request for reconsideration shall be processed in conformance with City Council rules of procedure, Chapter 4.12 DMMC.

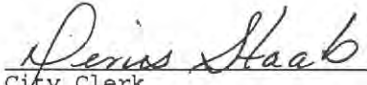
ADOPTED BY the City Council of the City of Des Moines, Washington this 14th day of December, 2006 and signed in authentication thereof this 14th day of December, 2006.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

FINDINGS OF FACT

RESOLUTION NO.1023, EXHIBIT 1

December 14, 2006

The Des Moines City Council, upon review of an application requesting approval of a preliminary Planned Unit Development PUD subdivision allowing for the subdivision of 67 single residential lots and in consideration of information communicated during a public hearing hereby finds:

(A) Subdivision

1. Except where otherwise stated herein, the proposed plat is consistent with the applicable provisions of the comprehensive plan, zoning code, and other City policies and regulations.
 - a. The developer has submitted the requisite permit applications for a preliminary plat utilizing the provisions of a PUD subdivision codified in Chapter 17.16 and 18.52 of the Des Moines Municipal Code.
 - b. The application specifically requests to divide 11.61 acres of underdeveloped land into 67 lots for single-family residential use.
 - c. The zoning for the property is RS-7200
 - d. PUD's are authorized in all single family residential zoned areas.
 - e. The Preferred Land Use Map for the Des Moines Comprehensive Plan indicates the subject property as preferred for single-family development.
 - f. The Des Moines Planning, Building, and Public Works Department issued a written notice of complete application on May 17, 2005 providing official notice that the application met the procedural submittal requirements established by the City.
 - g. The SEPA Official and the Des Moines Planning, Building, and Public Works Department issued a notice of preliminary PUD subdivision application on January 10, 2006
 - h. A MDNS was issued in accordance with WAC 197-11-350 and DMMC 16.04.110 on July 20, 2006.
 - i. A public comment period for the MDNS was provided from February July 20, 2006 to August 4, 2006 for the SEPA determination.
 - j. The Des Moines Planning Agency met on October 2, 2006 to discuss Blueberry Lane. There were no public comments at the meeting. The Planning Agency recommended that the Council approve the preliminary modified subdivision as originally recommended by administration. The Planning Agency voted 4-0 in support of this recommendation.

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Page 2 of 8
Exhibit 1

- k. The Des Moines Planning, Building, and Public Works Department provided a notice of public hearing on October 5, 2006 and provided additional public comment period from October 5, 2006 to October 26, 2006.
- l. At the October 26, 2006, November 9, 2006, and November 30, 2006 public hearing, an opportunity to receive public comment was afforded to that applicant and interested citizens regarding the proposed modified subdivision.
2. There are adequate provisions for drainage ways, rights-of-way, sidewalks, easements, water supplies, sanitary waste, fire protection, power service, parks, playgrounds and schools. These provisions include:
 - a. The City has reviewed the Blueberry Plan PUD Traffic Analysis prepared by JTE, Inc. dated March 31, 2005; the Blueberry Plan PUD Revised Traffic Analysis prepared by JTE, Inc. dated December 18, 2005; and the Blueberry Lane PUD Addendum Letter prepared by JTE, Inc. dated May 18, 2006.
 - b. The subdivision is served by the development of 5 new public rights-of-way, consistent with City requirements.
 - c. The road layout provides connections to South 194th Street, South 197th Street and Des Moines Memorial Drive.
 - d. Future connections will be provided for on the south western corner of the project site. This connection is a vacant developable property to the south which will provide for future development of that property.
 - e. The site has 499.17 feet of frontage on Des Moines Memorial Drive, and 103.36 feet of frontage on South 194th Street.
 - f. The applicant is required to construct frontage improvements along the frontages to the City of SeaTac Standards.
 - g. The applicant is required to dedicate 10' of property to the City of SeaTac for public right-of-way use along Des Moines Memorial Drive.
 - h. The City has reviewed a Technical Information Report prepared by Sound Engineering dated April 2005 and revised December 2005.
 - i. The proposed surface water detention pond is consistent with the 2005 King County Surface Water Design Manual.
 - j. All electrical and communication systems shall be installed underground by the applicant. Existing above-ground electrical and communication systems

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 Exhibit 1

located in all rights-of-way adjoining the proposed subdivision and extending from the subdivision to the nearest utility pole also shall be undergrounded.

- k. New fire hydrants within the subdivision will be installed in the approximate location as shown on the Preliminary PUD plans. Installation of the new fire hydrant will be done concurrently with the installation of the required right-of-way improvements.
 - l. All sewer, water, or surface water utilities will be within the ROW or contained within the appropriate easement.
 - m. The applicant is required to make a payment in lieu of park dedication.
3. The proposed plat design will serve the public use and interest and is consistent with the public health, safety, and welfare.
- a. Staff reviewed the proposal and coordinated with the neighboring jurisdiction of SeaTac, the Washington State Department of Transportation (WSDOT), and the Port of Seattle.
 - b. Copies of the site plan were provided to the City of SeaTac during the review of the preliminary PUD since the City of Des Moines jurisdictional boundaries end on the western side of Des Moines Memorial Drive and the southern side of South 194th Street. On February 3, 2006, the City of Des Moines received a letter from the City of SeaTac's Engineering Department which concurred with the proposed intersection of 11th Place South and South 194th Street and the intersection of South 197th Street and Des Moines Memorial Drive
 - c. In order to coordinate development with the SR-509 project the project was designed to ensure that the proposed PUD will meet the City's requirements independent of the status of the actual construction of the SR-509 project.
 - d. The area that is proposed for the future SR-509 ROW is labeled as Tract L and labeled as area to be obtained by WSDOT under King County Court Number 05-2-39263-1 KNT as requested by WSDOT.
 - e. After consultation with the Federal Aviation Administration and review of WSDOT's SR-509 proposal, the Port of Seattle decided not to pursue acquisition of the portion of Blueberry Lane within the ATZ.
 - f. The Part 150 study prepared by the Port of Seattle indicates that areas with noise levels typical within southern ATZ for the 3rd runway can be utilized for single family residences with

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 Page 4 of 8
 Exhibit 1

appropriate construction methods to reduce the noise level within the buildings.

- g. As part of the City's MDNS the applicant will be required to use the City prescribed sound control measures and utilize sound transmission control (STC) 44 windows instead of the traditional STC 38 windows.

(B) Planned Unit Development (PUD)

1. DMMC § 18.52.100 allows for the reduction in lot width and lot size requirements for PUD subdivisions as long as the density within the PUD subdivision does not exceed density for the net development for the underlying zone.
2. DMMC § 18.52.100(5) defines net development as the area remaining after subtracting the area set aside for churches, schools, or commercial use from the total development area.
3. Blueberry Lane is better than a traditional subdivision by applying a more creative approach which will result in a more efficient, aesthetic, and desirable community while at the same time maintaining the same population density and area coverage permitted in the zone in which the project is located.
 - a. The maximum density allowable is established by DMMC 18.52.100(5). The maximum number of dwelling units (DU) for the site is equal to:

$$\text{Net Development Area/Minimum Lot Size} = \text{Maximum Number of Dwelling Units.}$$

$$505,732 / 7,200 = \text{Maximum DU}$$

$$70 = \text{Maximum DU.}$$
 - b. The subdivision will result in the creation of 67 lots for single family residence and the maximum density allowed under PUD subdivision would be 70 lots.
 - c. The applicant is required to plant street trees adjacent to the sidewalk on the internal street. Street trees, landscape strips, and open space tract maintenance and upkeep shall be the responsibility of Homeowners Association.
 - d. Design of infrastructure improvements has been done in such a manner as to enhance the community not just on a functional level but on a visual level. Instead of a standard stormwater pond; a stormwater wetland will be constructed adjacent to an existing wetland which will enhance the natural feel and look of the community.
 - e. The street pavement has been widened to provide on street parking without blocking the two standard size travel lanes.

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 Exhibit 1

f. The project has been designed with varying lot sizes and housing types in order to provide housing for multiple income groups and to provide visual interest.

4. Deviations to the street standards are authorized by DMMC 18.52.100 and DMMC 17.36.010.

5. The applicant will incorporate pedestrian amenities in the PUD that are not normally found in a standard subdivision. These amenities include:

a. An increased relationship between the public and private realms through the placement of the homes in close proximity to the sidewalk.

b. Visual impact of the automobile has been de-emphasized through the use of alley lot homes and street-facing garages located back behind front porches.

c. Bulb-outs at all intersections have been installed to reduce the amount of area dedicated to traffic a pedestrian crosses and acts as a traffic calming measure by visually reducing the road width without reducing the size of the travel lane.

d. Tracts of open space have been strategically placed through the PUD to provide areas for pedestrians to engage in recreational opportunities. Approximately 356 square feet per home or over ¼ acre of open passive recreation area was provided as part of the PUD.

e. Aesthetic design guidelines were established as part of the MDNS.

f. The applicant will develop a full landscaping plan for the lots, open spaces, and ROWs to enhance the pedestrian quality of the PUD and provide for continuity of design for the entire project.

(C) WETLAND "A"

1. The City has reviewed a wetland delineation report prepared by Sewall Wetland Consulting, Inc. (formerly B-12 Wetland Consulting, Inc.) dated April 1, 2005.

2. Wetland "A" is an isolated 35,367 square foot scrub-shrub wetland. Vegetation within Wetland A consists mainly of Pacific Willow, red alder, horsetail, soft rush, and sedge. However, only 1,061 square feet of the wetland is located on the project site.

3. Wetland "A" is classified as an important wetland, due to its size (less than 1 acre), presence of two vegetative classes, and the fact that it is not located in a stream corridor.

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 Exhibit 1

4. Pursuant to DMMC § 18.86.070 "Important" wetlands require a 35 foot buffer measured from the wetland edge.
5. Alteration of the wetland occurred approximately in 1922 when the driveway was installed for the home build on the adjacent lot (Tax Parcel 0522049006).
6. A 9,892 square foot environment tract will be established to act as buffer for the wetland located offsite on Tax Parcels 0522049026 and 0522049006

(D) WETLAND "B"

1. The City has reviewed a wetland delineation report prepared by Sewall Wetland Consulting, Inc. (formerly B-12 Wetland Consulting, Inc.) April 1, 2005.
2. Wetland "B" is an isolated 3,275 square foot scrub-shrub wetland. Vegetation within the Wetland B consists mainly of one Pacific Willow, red alder, red-osier dogwood, Japanese knotweed, creeping buttercup, Himalayan blackberry, evergreen blackberry, trailing, blackberry, reed canary grass, and tansy ragwort.
3. Wetland "B" consists mainly of invasive species and the wetland was originally part of Wetland A that was fragmented by the development of the driveway.
4. Wetland "B" is classified as an important wetland, due to its size (less than 1 acre), presence of two vegetative classes, and the fact that it is not located in a stream corridor.
5. Pursuant to DMMC § 18.86.070 "Important" wetlands require a 35 foot buffer measured from the wetland edge.
6. Fragmentation of the wetland occurred as early as 1922 when the existing home was built on the adjacent lot (Tax Parcel 0522049006).
7. A home and barn exist on the subject property that was constructed in 1925 and renovated in 1985.
8. The wetland has historically been used as a pasture for farm animals

(E) WETLAND "C"

1. The City has reviewed a wetland delineation report prepared by Sewall Wetland Consulting, Inc. (formerly B-12 Wetland Consulting, Inc.) dated April 1, 2005.
2. Wetland "C" is the remnant of a wetland that was historically located on the adjacent lots (Tax Parcels: 0246000146 and 0246000145). Vegetation within the Wetland C consists mainly of Pacific willow, Sitka willow, Scouler's willow, red alder, Japanese knotweed, and creeping buttercup. Wetland C consists mainly of invasive species

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 Exhibit 1

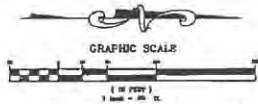
3. Wetland "C" is classified as an important wetland, due to its size (less than 1 acre), presence of two vegetative classes, and the fact that it is not located in a stream corridor.
4. Pursuant to DMMC § 18.86.070 "Important" wetlands require a 35 foot buffer measured from the wetland edge.
5. Wetland "C" was originally part of Wetland "A" fragmented by a historic re-grade in order to develop a driveway for the home located on the project site (Tax Parcel 0522049005). According to the King County Assessor's website the home was constructed in 1928.
6. The remaining portion of the wetland is part of a historically filled wetland located on the adjacent site (Tax Parcel 0246000146). According to the King County Assessor's website the home was constructed in 1955.
7. A portion of the wetland located in the proposed SR-509 ROW will be filled during the construction of SR-509.

(F) SLOPES

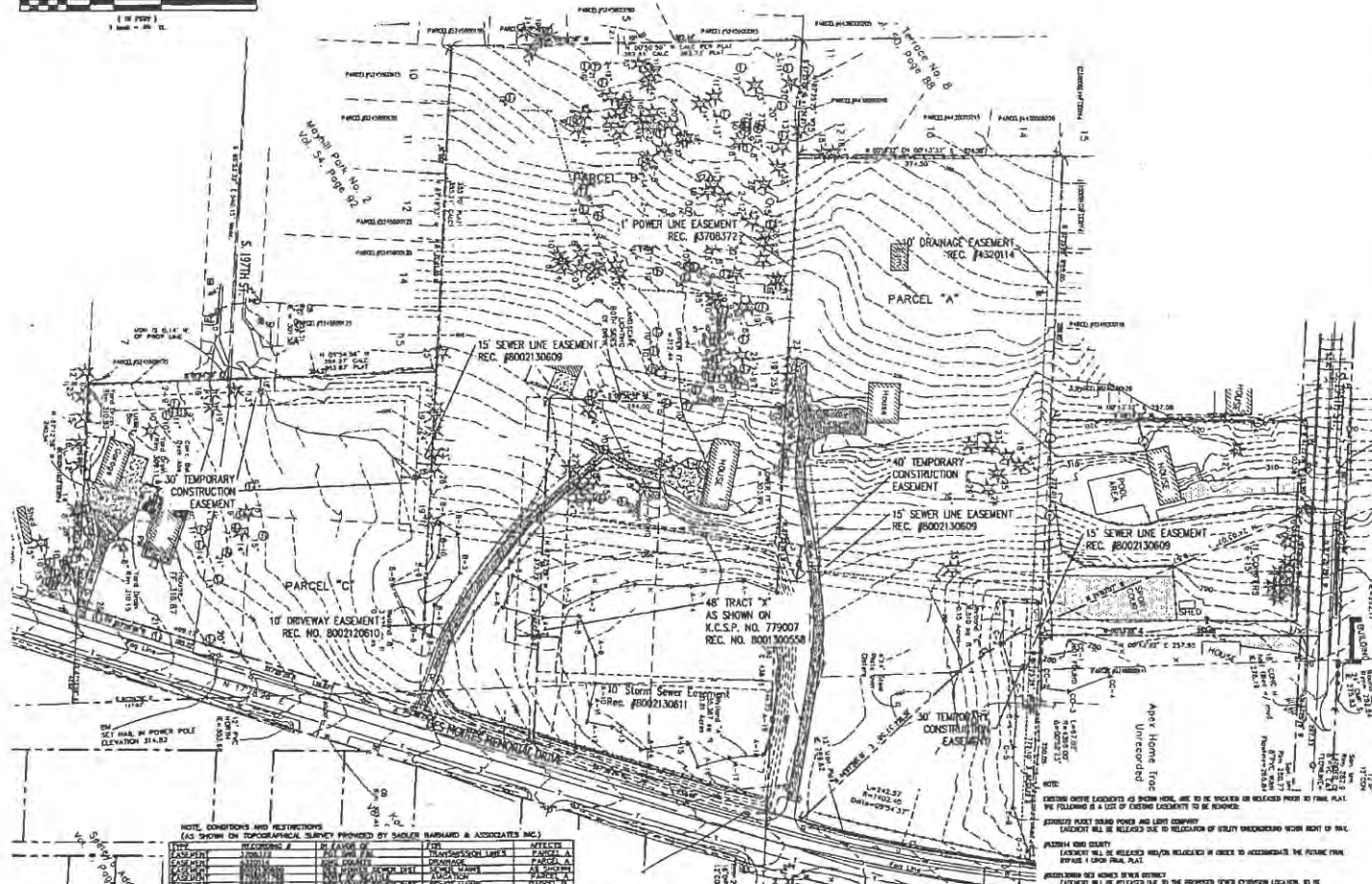
1. The City has reviewed a geotechnical report prepared by GeoReources, LLC dated September 10, 2004.
2. DMMC 18.04.363 defines potential landslide hazard areas as those areas of the city subject to a severe risk of landslide. This site contains the combination of slopes greater than 15 percent; impermeable soils (usually silt and clay) frequently interbedded with granular permeable soils (usually sand and gravel); and springs or ground water seepage.
3. As a prescriptive method to protect these potential landslide hazard areas the City adopted slope disturbance allowances based on the percentage of the slope (DMMC § 18.86.077).
4. Lidar slope analysis reveals that:
 - i. 83.5% of the site has 0-15% slopes.
 - ii. 13% of the site has 15-25% slopes.
 - iii. 3.5% of the site has 25-40% slopes.
 - iv. 0% of the site has slopes greater than 40%.
5. Staff's slope analysis further reveals that 0.83 acres should be left undisturbed in order to comply with the prescriptive slope protection calculation established by DMMC § 18.86.077.
6. The geotechnical report did not classify the area as a landslide hazard due to the favorable soil conditions and the absence of groundwater or springs.

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Exhibit 1

7. The report concluded that the grading will not significantly alter the existing contour of the land and does not pose a significant erosion hazard if an erosion control plan is implemented.
8. The site has been significantly altered by the past development of driveways, homes, barns, and pasture areas.
9. The project site is not considered a landslide hazard; therefore, the slope development exception is approved in order to allow the developer conduct a mass grade of the project site.



BLUEBERRY LANE PUD A PORTION OF THE NE 1/4 OF SECTION 5, TOWNSHIP 22 N, RANGE 4 E, W.M. KING COUNTY, WASHINGTON



NOTE: CONDITIONS AND RESTRICTIONS
(AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.)

ITEM	DESCRIPTION	DATE	BY
1	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
2	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
3	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
4	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
5	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
6	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
7	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
8	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
9	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET
10	AS SHOWN ON TOPOGRAPHICAL SURVEY PROVIDED BY SAGLER BARNARD & ASSOCIATES INC.	11/23/2007	SET

CURVE	LENGTH	BEARING	DELTA
1	112.37	110.00	110.00
2	112.37	110.00	110.00
3	112.37	110.00	110.00
4	112.37	110.00	110.00

PLAN REVIEW

DATE

BY

REVIEW

DATE

BY

PLAN REVIEW

DATE

BY

REVIEW

DATE

BY

SEAL OF SOUND ENGINEERING, INC.
11/23/2007

SEAL OF SOUND ENGINEERING, INC.
11/23/2007

SET
SOUND ENGINEERING, INC.
CIVIL ENGINEERING - LAND PLANNING
10000 1st Avenue NE, Suite 100
Bellevue, WA 98004
TEL: 206.276.1000 FAX: 206.276.1001
WWW.SET-ENGINEERING.COM

PROJECT:
BLUEBERRY LANE PUD

CLIENT:
PAC, INC.
10000 1st Avenue NE, Suite 100
Bellevue, WA 98004
TEL: 206.276.1000 FAX: 206.276.1001
WWW.SET-ENGINEERING.COM

PROJECT NUMBER: 11000
SHEET: 11000-01

DATE: 11/23/2007

BY: SET
CHECKED: SET

SHEET: 11000-01

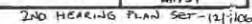
P2

SHEET 1 OF 1

2ND HEADING PLAN SET-111106

38







CITY OF DES MOINES, WASHINGTON
 Planning, Building, and Public Works Department
 21650 11th Avenue South, Suite D
 Des Moines, WA 98198
 Phone: (206) 870-7576 Fax: (206) 870-6544



ENVIRONMENTAL MITIGATION AGREEMENT

Project File No: LUA05-008

Project Name: Blueberry Land PUD

Project Address: 19659 Des Moines Memorial Drive

Applicants: PBC, Inc.
 19904 Des Moines Memorial Drive
 Seattle, WA 98148
 (206) 241-1640

Rick Williams
 19904 Des Moines Memorial Drive
 Seattle, WA 98148
 (206) 241-1640

Judith Henning
 1045 South 194th Street
 Des Moines, WA 98148
 (206) 824-6451

Contact: PBC, Inc.
 Attn: Rick Williams
 19904 Des Moines Memorial Drive
 Seattle, WA 98148
 (206) 241-1640

Staff Contact: Jason Sullivan; Land Use Planner

Date of Decision: July 20, 2006

THIS AGREEMENT is entered into by and between the City of Des Moines, a municipal corporation hereinafter referred to as the "City" and PBC and Rick Williams hereinafter referred to as the "Developer".

WHEREAS, this agreement is executed pursuant to Chapter 43.21 RCW, the State Environmental Policy Act (SEPA), and Title 16 Des Moines Municipal Code, to provide for mitigation of existing and known environmental impacts associated with the development hereinafter described. This agreement is not, and shall not be construed as a voluntary agreement pursuant to RCW 82.02.020, and the provisions of RCW 82.02.020 shall not be applied hereto. This agreement does not preclude any evaluation and determination by the City of Des Moines upon later actions or proposals undertaken by the Developer that may require a determination of significance and environmental review under SEPA;

WHEREAS, the Developer has submitted a PUD application in order to subdivide 11.61 acres into 65 single family lots;

WHEREAS, the lots created by the subdivision will have an average size of approximately 4,237 square feet;

WHEREAS, the City has reviewed the "Statement of Intent for Blueberry Lane P.U.D. Des Moines, Washington" (dated April 2005; revised December 2005, and revised May 2006) prepared by Sound Engineering, Incorporated;

WHEREAS, when the lot size of a subdivision falls below approximately 4,500 square feet the subdivision would be considered a small lot subdivision;

WHEREAS, the Developers intends to create a small lot development;

WHEREAS, the Developer intends to de-emphasize the automobile and establish a streetscape that is more human scale by accessing garages from alleys and pulling street-facing garages back behind the porch;

WHEREAS, the Developer has requested reduced front yard setbacks to strengthen the connection between the public realm and the private home since the proximity of homes to the street allows residence to have their eyes on the street which enhances safety and fosters social interaction between neighbors;

WHEREAS, a small lot infill development generally causes some change in the look and feel of the neighborhood. An important way to mitigate the impacts of change is to ensure that the development has high quality in design, construction, materials and landscaping;

WHEREAS, aesthetic are an environmental element subject to review under RCW Chapter 43.21 and WAC Chapter 197-11 pursuant to WAC 197-11-444;

WHEREAS, the City has reviewed a study entitled, "Blueberry Lane Wetland Analysis Report" (dated April 4, 2005) and a study entitled "Blueberry Lane Revised Wetland Analysis Report and Concept Mitigation" (dated December 15, 2005) prepared by B-12 Wetland Consulting Inc. and a study entitled "Wetland Mitigation Development Exception for Blueberry Lane PUD" dated May 2006 prepared by Sewell Wetland Consulting (formally B-12 Wetland Consulting Inc.) which delineated and established mitigation measures for the wetlands located on the project site;

WHEREAS, the City has reviewed a study entitled, "Blueberry Lane PUD Traffic Impact Analysis" (dated March 31, 2005) and a study entitled "Blueberry Lane PUD Revised Traffic Impact Analysis" (dated December 13, 2005) and a study entitled "Blueberry Lane PUD Addendum Letter" (dated May 18, 2006) prepared by JTE, Inc. which evaluated the traffic impacts associated with the project;

WHEREAS, the City has reviewed a study entitled, "Geotechnical Engineering Services: Blueberry Lane Site" (dated September 10, 2004) prepared by GeoResources, LLC., which evaluated surface and subsurface conditions at the project site in order to develop geotechnical recommendations and design criteria;

WHEREAS, the property located in the City is further legally described as:

TAX PARCEL # 0522049005

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION AND RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 820.02 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE NORTH ALONG A LINE PARALLEL TO WEST LINE OF SAID SUBDIVISION 274.5 FEET; THENCE EASTERLY ALONG A LINE PARALLEL TO SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION TO WESTERLY LINE OF DES MOINES WAY; THENCE SOUTHERLY ALONG SAID WESTERLY LINE TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY ALONG SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

TAX PARCEL #0522049156

LOT 3, KING COUNTY SHORT PLAT NUMBER 779007, ACCORDING TO THE SHORT PLAT RECORDED UNDER RECORDING NUMBER 8001300558, RECORDS OF KING COUNTY, WASHINGTON

TAX PARCEL #0522049071

THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 87°19'51" WEST, 179.19 FEET ALONG THE NORTH LINE OF SAID

GF MA RW RW JH JA

SUBDIVISION TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 03°06'02" WEST, 187.77 FEET; THENCE SOUTH 86°53'58" EAST, 195.78 FEET TO THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH 02°00'17" EAST, 173.95 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 87°21'26" WEST, 345.40 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE NORTH 02°06'53" WEST, 364.05 FEET ALONG THE WEST LINE OF SAID SUBDIVISION; THENCE SOUTH 87°19'51" EAST, 167.45 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING; EXCEPT THAT PORTION LYING WITHIN DES MOINES WAY (DES MOINES MEMORIAL DRIVE) (ALSO KNOWN AS PARCEL "A" OF CITY OF DES MOINES LOT LINE ADJUSTMENT NO 99-058 RECORDED MARCH 6, 2000 UNDER RECORDING NO. 20000306900003)

TAX PARCEL #0522049022

THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 87°19'51" WEST, 179.19 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION; THENCE SOUTH 03°06'02" WEST, 187.77 FEET; THENCE SOUTH 86°53'58" EAST, 150.00 FEET TO THE WEST MARGIN OF DES MOINES WAY (DES MOINES MEMORIAL DRIVE); THENCE NORTH 01°41'55" WEST, 56.10 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING.

TAX PARCEL #0246000127 (3 LOTS COMBINED)

LOT 1

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 282.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR SOUTH 194TH STREET BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 5070288 (BEING KNOWN AS A PORTION OF LOTS 11 AND 12, BLOCK 2, APEX HOME TRACTS, ACCORDING TO THE UNRECORDED PLAT).

LOT 2

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 282.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,186 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET TO THE TRUE POINT OF BEGINNING.

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JH JH

EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR SOUTH 194TH STREET BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 5070288 (BEING KNOWN AS A PORTION OF LOTS 12 AND 13, BLOCK 2, APEX HOME TRACTS, ACCORDING TO THE UNRECORDED PLAT).

LOT 3

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 274.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF NORTHEAST QUARTER A DISTANCE OF 234 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF NORTHEAST QUARTER A DISTANCE OF 268 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF NORTHEAST QUARTER A DISTANCE OF 156 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER OF NORTHEAST QUARTER A DISTANCE OF 8 FEET TO THE TRUE POINT OF BEGINNING.

WHEREAS, the City has a traffic impact fee program codified in DMMC Chapter 12.56

WHEREAS, multi-jurisdictional review is required as construction activity extends outside the jurisdictional limits of the City; limited construction activity will occur within jurisdictional limits of the City of SeaTac;

WHEREAS, the City of SeaTac has requested that the developer pay the City of SeaTac's Traffic impact fee;

WHEREAS, the Developer is required to dedicate 10' of property along the frontage of the project site which abuts Des Moines Memorial Drive to the City of SeaTac;

WHEREAS, the Developer is required to install frontage improvements along Des Moines Memorial Drive which is listed as project number 9.1 in the City of SeaTac's Comprehensive Transportation Plan;

WHEREAS, the Developer is entitled to a credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the capital facilities plan and that are required by the county, city, or town as a condition of approving the development activity pursuant to RCW 82.02.060(3);

WHEREAS, the northern half of the proposed subdivision is located within the Approach Transition Zone for the Port of Seattle's third runway;

WHEREAS, the Port of Seattle's third runway is currently under construction;

WHEREAS, aircraft utilizing the third runway will generate noise levels which will exceed 65 Ldn's.

WHEREAS, the eastern portion of the subdivision abuts the future SR-509 roadway;

WHEREAS, the construction of SR-509 will result in a 35' fill adjacent to the subdivision

WHEREAS, the Developer is required obtain a Development Exception for Environmental Sensitive Areas from the City of Des Moines approved by the City of Des Moines City Council prior to the proposed filling of the wetlands located on the project site;

WHEREAS, the Developer is required to obtain a Clearing, Grading and Filling Permit from the City Planning, Building and Public Works Department for construction of the required infrastructure and the residential structures which emphasizes land development practices that result in a minimal disturbance to the city's vegetation and soils by providing protection to reduce degradation of streams or other water bodies located in and adjacent to the project site via scouring, siltation, and water pollution.

GF

[Signature]

RW

[Signature]

JH

[Signature]

WHEREAS, Native American and other historically and culturally significant artifacts have been uncovered within the City of Des Moines;

WHEREAS, the City of Des Moines Planning, Building, and Public Works Department has determined that the proposed development on the subject property will not result in probable significant adverse environmental impacts and that those environmental impacts identified in the SEPA application will be addressed by entering into an agreement to mitigate such impacts;

NOW, THEREFORE, the City and Developer agree that the following mitigation measures shall be employed by the Developer to ensure that probable adverse environmental impacts created by the proposed project are minimized or eliminated.

1. The Developer shall send a "Notice of Intent to Commence Work" a minimum of 30 days prior to commencing the grading operations needed to install the required infrastructure improvements together with a project work schedule including the phasing of the construction activity, and a reduced scale map identifying the project to all property owners within 300 feet of the project site and the City.
2. The design of the single family residential structures located within the proposed subdivision shall comply with the following guidelines:
 - a. All front loaded garages shall be offset a minimum of 10 feet from the front of the building façade or 7 feet from the back of the porch;
 - b. No more than two of the same model and elevation shall be built on the same block frontage nor shall the same model and elevation be built on adjacent lots. (Models are defined as having significant variations in floor plans, which allows for variety in the massing of the home);
 - c. When the same model and elevation is located on the same block, the developer shall differentiate the same model through the use of at least two building materials and color schemes;
 - d. The primary front building elevation shall have at least one 24 inch articulation or change in plane. The articulation may involve the use of an covered porch, a dormer facing the street, a well-defined entry element, or similar type of protrusion or recess in the building wall as determined by the City's planning division;
 - e. Single family residential structures on interior lots will have windows that do not directly face the windows on the single family residential structure located on the adjacent lot;
 - f. All buildings will have a covered porch, stoop, or a similar main entry point oriented toward the public realm;
 - g. All porches and stoops must have a permanent walkway which connects to the back of the public sidewalk;
3. The Developer shall comply with the City's prescriptive noise remedy methods; except the developer will be required to use Sound Transmission Control (STC) 40 windows instead of the STC-38 windows.
4. The Developer shall install a 15 foot wide landscaping strip adjacent to the proposed SR-509 right-of-way which will be placed in a separate tract as an equal undivided interest property owned by all property owners within the subdivision prior to final plat approval by the City of Des Moines. The landscaping strip shall consist of a mix of evergreen and deciduous plantings. Evergreen trees shall be a minimum height of six feet at time of planting. Plantings shall be chosen and spaced so as to grow together within two years sufficient to provide a 100 percent sight-obscuring screen.
5. The Developer shall pay traffic impact fees to the City of SeaTac at the time the developer files for final plat; however, the developer will receive a credit to apply against the SeaTac impact fees based on the value of the right-of-way dedication on Des Moines Memorial Drive and the cost of the infrastructure improvements on Des Moines Memorial Drive.
6. The Developer shall receive a \$44,880.00 credit to apply against the traffic impact fees paid to the City at the time of building permit issuance pursuant to DMMC § 12.56.
7. The Developer shall properly dispose of the anticipated unusable excavated soils to the satisfaction of the City of Des Moines. The developer shall submit a grading plan that accurately reflects the amounts and locations of cuts and fills. The plan will also identify the amount of any export soils and a proper disposal method and/or disposal site prior to issuance of the City Grading Permit.

GF RW JH 

Environmental Mitigation Agreement - LUAC5-008
July 20, 2006
Page 6 of 7

8. Should the Developer or its contractor uncover any landmarks or evidence of archeological, scientific or cultural importance, the Developer shall cease all work and contact the City of Des Moines and the Washington State Department of Historic Preservation.
9. Should a term, provision, condition or other portion of the Agreement be held to be inoperative, invalid, or void, the same shall not affect any other term, provision, condition or other portion of this Agreement; and the remainder of this Agreement shall be effective as if such term, provision, condition or portion had not been contained herein.

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Environmental Mitigation Agreement - LUA05-008
 July 20, 2006
 Page 7 of 7

CITY:

Des Moines

Grant Fredricks, P.E.
 Planning, Building, and Public Works Director
 City of Des Moines

DEVELOPER:

Rick Williams

Rick Williams
 PBC, Inc.

STATE OF WASHINGTON)

) ss.

COUNTY OF King)

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 17th day of July, 2006, Richard J. Williams personally appeared before me, to me known as the individual(s) empowered to execute the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

David L. Steen
 Notary Public in and for the State of Washington,
 Residing at King County
 My commission expires 4/29/2008

DEVELOPER:

Judith Henning

Judith Henning

STATE OF WASHINGTON)

) ss.

COUNTY OF King)

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 17th day of July, 2006, Judith Henning personally appeared before me, to me known as the individual(s) empowered to execute the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

David L. Steen
 Notary Public in and for the State of Washington,
 Residing at King County
 My commission expires 4-29-2008

GF _____

RW RWJH JH

LUA 2013-0034

ATTACHMENT 4



Development Services
21630 11th Avenue South
Suite D
Des Moines, WA 98198-6398
(206) 870-7576
www.desmoineswa.gov



DSA-01

Master Development Application

Property Information

Site Address/ Location: 19659 Des Moines Memorial Drive S.Tax Parcel Number: 052204-9071, -9022, -9156, -9005
024600-0127Project Name: Blueberry Lane PUD

Current Property Use

Vacant

Current Zoning

B-P: Business ParkSite Area: 11.61 AcresProposed Building Square Footage: Varies

Current Comprehensive Plan Designation

Proposed Number of Units or Lots: 62BP: Business Park

List All Environmentally Critical Areas located on the site (See DMMC 18.86 for a complete list)

Wetlands A, B, and C exist onsite and are documented in the Wetland Analysis Report prepared by Sewall Wetland Consulting, dated April 2005. Under Resolution No. 1023, the applicant will pay a wetland mitigation fee in lieu of a mitigation plan.

Project Description: (Provide a complete description of the project)

Review of modifications to prior approved preliminary plat (Resolution No 1023). More specifically, modifications include lot count reduction from 67 lots to 62 lots, an additional stormwater pond, and minor modifications to the roadway layout. Please refer to the attached narrative and exhibits.

Applicant /Contact

Name: C.E.S. NW Inc.
Mailing Address: 310 29th Street NE, Suite 101
City, State, Zip: Puyallup, WA 98372
Phone Number: (253) 848-4282
Relationship to the Property: Agent

Owner

☐ Same As Applicant

Name: Bank of Washington
Mailing Address: 16424 NE 79th Street
City, State, Zip: Redmond, WA 98052
Phone Number: (425) 867-2265

Type of Review(s)

Check all reviews types that apply.

Fees are based on the current Development Services Fee Schedule

Planning and Land Use Services

- | | |
|---|--|
| ☐ Conditional Use Permit | ☐ Unclassified Use Permit |
| ☐ Comprehensive Plan Amendment | ☐ Zone Reclassification |
| ☐ Design Review | ☐ Variance |

Subdivision and Land Alteration Services

Lot Line Adjustments

- ☐ Lot Consolidations
- ☐ Encroachment Resolution/Minor
- ☐ Reorientations

Subdivisions

- ☐ Preliminary
- ☐ Final

Short Subdivisions

- ☐ Preliminary
- ☐ Final

Modified Short Subdivisions

- ☐ Preliminary
- ☐ Final

Planned Unit Developments (PUD)

- ☐ Preliminary
- ☐ Final

Modified Subdivisions

- ☐ Preliminary
- ☐ Final

Binding Site Plans

- ☐ Preliminary
- ☐ Final

Master Plan Review

- ☐ North Subarea
- ☐ South Subarea

Environmental Services

- | | |
|--|---|
| ☐ State Environmental Policy Act (SEPA) | ☐ Critical Area Reviews |
| ☐ Shorelines | ☐ Flood Hazard Area Review |
| ☐ Land Clearing, Grading, or Filling | |

Statement of Ownership and Hold Harmless Agreement

Statement of ownership:

The undersigned property owner(s), under penalty of perjury, each state that they are all the legal owners of the property described herein and authorize individuals or entities identified herein as applicants to file this application allowing for said property's development.

Authority to enter property:

The undersigned property owner(s), do hereby authorize employees of the City of Des Moines to enter onto property described in this application to examine and inspect as necessary to process this development application.

Hold Harmless Agreement:

The undersigned, certifies under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay and save harmless the City of Des Moines, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees and agents, and arising out of reliance by the City of Des Moines, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

Bruce Addison

Signature

Bruce Addison, S.U.P. for
The Bank of Washington

Name

STATE OF WASHINGTON)

County of Snohomish)

Signature



I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 15th day of November, 2013, Bruce Addison personally appeared before me, to me known as the individual(s) empowered to execute the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Susan L. Skidmore

NOTARY PUBLIC in and for the State of Washington, residing at Edmonds County.
My Commission expires: 9-1-14

TO BE COMPLETED BY DEVELOPMENT SERVICES STAFF

Application Number: _____

Submittal Date: _____

Land Use Type: _____

Complete Application Date: _____

McCULLOUGH HILL LEARY, PS

November 20, 2013

City Council Members
City of Des Moines
21630 11th Ave S
Des Moines, WA 98198



RE: Blueberry Lane, Request to Approve Minor Deviation from Preliminary Plat

Dear Council Members,

We are writing on behalf of Richmond American Homes ("Richmond"), contract purchaser of an 11.61 acre property located at 19659 Des Moines Memorial Drive South ("Property"). Richmond American is seeking a minor deviation to the approved preliminary Planned Unit Development ("PUD") subdivision on the Property known as "Blueberry Lane." This request meets the City Code criteria for approving a minor deviation in Des Moines Municipal Code ("DMMC") 17.16.320(2).

This letter provides the narrative supporting the request. Attached to this narrative are (1) a Master Development Application, (2) the \$1200 application fee; (3) the original PUD approval for reference; (4) two exhibits depicting the revised plat proposal, one of which is annotated with explanations of the revisions; and (5) two exhibits depicting the original and revised pedestrian pathways.

We believe the revised site plan is superior to the original, approved preliminary plat. In addition, the proposed revisions comply with the minor deviation criteria in DMMC 17.16.320(2). For these reasons, we ask the Council to approve the minor deviation request.

I. Background

Richmond American Homes is a national homebuilder currently operating in 11 states. It recently opened a Washington Division headquartered in Puyallup and is eager to expand its presence in the Pacific Northwest. Richmond American builds high-quality residential communities that are unique and personalized, with the majority of plans featuring a great room and ranging from three to five bedrooms. The Washington Division offers a two-story plan with a multi-generational layout, which is ideally suited to families with grown children or elderly parents. Richmond American believes Des Moines is an ideal City partner and looks forward to building a high-quality residential project in Des Moines that will benefit the entire community.

In December 2006, the City Council approved the Blueberry Lane preliminary PUD subdivision. When Richmond put the Property under contract, it originally intended to build the plat as approved, but a thorough review of the approved plans revealed that it could not be constructed as proposed. Richmond has since invested a considerable amount of time and resources on engineering and in discussions with City staff, and it is now proposing minor changes to the

approved PUD. Richmond's goal was to retain all fundamental features of the original plat (same or reduced number of lots and impervious surface, same access points and internal circulation, similar open space and stormwater tract design), while proposing revisions necessary to make development of the plat feasible.

II. Summary of Proposed Revisions

Richmond believes that its proposed revisions to the preliminary plat result in superior design, engineering and affordability, while still retaining the fundamental components of the PUD.

The proposed revisions are detailed in the attached exhibits and summarized below:

- **The overall number of lots and impervious surface has been reduced.** The preliminary plat proposed 67 lots (70 units); the proposed final plat proposes 62 lots and 62 units. Given the reduced lot count and less proposed road length, the layout reduces the total impervious area by approximately two thirds of an acre.
- **The proposed site plan eliminates alley-load and townhome units but retains varying lot sizes for multiple income groups.** The original plat proposed three housing types: traditional detached single-family, alley-loads, and duplex townhomes. Richmond determined that the cost of constructing alley-loads is not materially different from traditional detached single-family, and that the inefficiencies associated with building only three duplexes eliminates any cost advantages. In addition, eliminating the alley-loads and townhomes improves the aesthetics of the community by providing a more cohesive and singular design theme. The proposed site plan maintains varying lot sizes, which provides homes at different price points to serve different income groups.
- **The stormwater design has been revised to better mimic existing conditions and accommodate projected flows.** The original design proposed flow control with one pond facility and two control structures in a storm tract of 36,467 sq. ft. Though the original design meets the designated flow control standard, the overall pond outflow discharge volume has increased by over 2.25 times as compared to the pre-developed condition, thus potentially raising wetland water levels. The revised design proposes two pond tracts (with tract area slightly increased to 40,962 sq. ft.) to better mitigate the increased stormwater flow and volume as it is released from the site into both offsite wetlands (Wetland A and C). The additional stormwater pond will have a similar total surface area and the same overall number of control structures. The new site layout with two ponds has fewer catch basins, and less conveyance pipe is necessary to construct the project. In fact, the cost to maintain the storm system with the two ponds is projected to decrease based on fewer structures, less pipe and roadway.
- **Access points remain the same, and internal pedestrian access has been improved.** The primary access points to the community will remain the same. Internally, the proposed layout has removed the alleys but maintains and improves the pedestrian access element and

still prohibits direct access from Des Moines Memorial Drive. Pedestrians can exit residences through the front door and circulate via a dedicated sidewalk along a local road as compared to a portion of the route being along a major arterial. Please refer to the attached pedestrian path exhibits that show the typical path length is ultimately reduced from 1,600 LF down to 1,460 LF along a more user friendly route. Sidewalks are proposed from all lots providing connectivity to all portions of the site.

- **Overall tract sizes have been increased.**

Proposed park Tract B (11,741 sq. ft.) is larger than the original Tract B (11,680 sq. ft.)
Proposed open space Tract K (11,587 sq. ft.) is larger than the original Tract K (8,188 sq. ft.)
Proposed storm Tracts C and J (40,962 sq. ft.) are larger than the original Tract J (36,467 sq. ft.)

III. Compliance With the Minor Deviation Criteria in DMMC 17.16.230(2)

As described above, the revisions to the approved preliminary plat result in fewer lots, less impervious surface, a superior stormwater control plan, better pedestrian circulation, and a more cohesive design. These revisions also meet the standards in DMMC 17.16.230(2), which allow the Council to approve a minor deviation to an approved preliminary plat.

The relevant code criteria (in bold type) and explanation of how the revised site plan meets the criteria is set forth below.

DMMC 17.16.230(2) provides that the city council may approve a final plat that is different from the preliminary subdivision if any change:

(a) Is necessary because information provided in the survey for final plat was not available and reasonably could not have been provided during consideration of the preliminary subdivision;

Response: Information provided in the survey for final plat was not available and reasonably could not have been provided during consideration of the preliminary subdivision. The project engineers have discovered several technical errors in the survey for the preliminary plat. The errors include no easements and property additions. The resolution of those errors has necessitated many of the minor design changes in the proposed final plat, including roadway, tract and lot adjustments. This code criterion is satisfied.

(b) Does not increase the number of lots;

Response: The preliminary plat proposed 67 lots (70 units); the proposed final plat proposes 62 lots (62 units). This code criterion is satisfied.

(c) Complies with the provisions of chapter 17.36 DMMC;

Response: The lot sizes and dimensions in the proposed final plat comply with the provisions of chapter 17.36 DMMC. This code criterion is satisfied.

(d) Does not substantially change the location or nature of any improvements or any other element of the subdivision;

Response: The primary elements of a subdivision are the access points, internal circulation routes, general lot configuration, and stormwater and open space tracts. As explained above, the proposed final plat does not substantially change the location or nature of any of these improvements or other elements of the subdivision. The access points remain the same, and the internal circulation routes have been altered in minor respects to reflect a more traditional subdivision and remove the townhome and alley products. The general lot configuration is the same (but the overall number of lots has been reduced) but the stormwater and open space tracts have been altered to better accommodate stormwater flows. As noted, the original design proposed one pond facility and two control structures in a storm tract of 36,467 sq. ft. The revised design proposes two pond tracts (with total tract area slightly increased to 40,962 sq. ft.). The same overall number of control structures remains the same. This revision to the project stormwater design will not be material to the residents or public, but it will improve stormwater control on the site, and it is anticipated to reduce maintenance costs. In sum, although some of the improvements and elements of the proposed plat have been revised, these revisions do not constitute “substantially changes.” The fundamental aspects of the site plan remain the same. This code criterion is satisfied.

(e) In no way significantly alters the subdivision.

Response: The changes between the approved preliminary plat and proposed final plat do not significantly alter the subdivision. The six townhomes have been removed and replaced with single-family units, partially because the cost of building such a small number of townhomes would have rendered those units economically infeasible to build and sell. The alleys have also been removed, but the proposed site plan better meets the PUD intent of pedestrian-oriented design. Finally, the size of the detention pond tract was reduced and another was added to accommodate project stormwater, consistent with the 2005 drainage manual. In sum, all fundamental aspects of the site plan remain the same: the number of lots has been reduced, the general site circulation and access points are the same, and the Tracts are generally in the same location as the approved preliminary plat. In fact, the minor changes to the site plan have reduced impacts; fewer code deviations are required, and there is less impervious surface in the proposed final site plan. For these reasons, the proposed changes do not significantly alter the subdivision. This code criterion is satisfied.

Richmond believes the proposed final plat is superior to the approved plat, and that the changes may be approved as a minor deviation under Des Moines Municipal Code section 17.16.230(2).

We appreciate the Council’s attention to this request and would be happy to provide any other information that would assist the Council in its review.

City Council Members
November 20, 2013
Page 5 of 5

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Flora', with a long horizontal flourish extending to the right.

Courtney E. Flora

cc: Patricia Bosmans, City Attorney
Denise Lathrop, City Planning Manager
Michael Del Castillo, Richmond American Homes
Bruce Addison, Bank of Washington

Enclosures

PARCEL NUMBERS

0522048071
0522048072
0522048158
0522048003
0246000127

ADDRESS

19659 DES MONES MEMORIAL DRIVE SOUTH
DES MONES, WA

UTILITIES

WATER: HIGHLINE WATER DISTRICT
SEWER: MIDWAY SEWER UTILITY
POWER: PUGET SOUND ENERGY
TELEPHONE: QWEST COMMUNICATIONS
GAS: PUGET SOUND ENERGY

STATISTICAL INFORMATION

ZONING: RS-7.200
SMALLEST LOT SIZE: 2,024 S.F.
LARGEST LOT SIZE: 7,237 S.F.
LARGEST LOT SIZE USED FOR AVERAGING: 7,237 S.F.
AVERAGE LOT SIZE: 4,065 S.F.
MINIMUM LOT SIZE AS PER ZONING CODE: 7,200 S.F.
BASE DENSITY: 6 DU/AC
SITE = 11.61 ACRES = 505,783± S.F.

TRACT AREAS DEEDS

TRACT A: 7,686 S.F. - PRIVATE PARK TRACT - OWNED AND MAINTAINED BY LOTS 1-6 AND 12-17 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT B: 11,880 S.F. - PRIVATE PARK TRACT - OWNED AND MAINTAINED BY LOTS 1-67 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT C: 1,869 S.F. - PRIVATE ALLEY/ACCESS TRACT - OWNED AND MAINTAINED BY LOTS 7-11 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT D: 4,202 S.F. - PRIVATE PARK TRACT - OWNED AND MAINTAINED BY LOTS 1-67 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT E: 3,795 S.F. - WETLAND TRACT - DEEDED TO THE CITY OF DES MONES
TRACT F: 2,528 S.F. - PRIVATE ALLEY/ACCESS TRACT - OWNED AND MAINTAINED BY LOTS 18-19 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT; EXCEPT, THAT THE TRACT SHALL BE DEDICATED AS PUBLIC ROW TO THE CITY OF DES MONES AT THE TIME LOT 1 & 2 OF 103P 77007 REDVELOPS UPON DEMAND OF THE CITY OF DES MONES.
TRACT G: 1,910 S.F. - PRIVATE PARK TRACT - OWNED AND MAINTAINED BY LOTS 1-67 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT H: 5,122 S.F. - PRIVATE PARK TRACT - OWNED AND MAINTAINED BY LOTS 1-67 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT I: 6,097 S.F. - WETLAND TRACT - DEEDED TO THE CITY OF DES MONES
TRACT J: 36,487 S.F. - STORM AND UTILITY TRACT - DEEDED TO THE CITY OF DES MONES
TRACT K: 8,188 S.F. - LANDSCAPING BUFFER/OPEN SPACE TRACT - OWNED AND MAINTAINED BY LOTS 1-67 AS AN EQUAL UNDIVIDED COMMON INTEREST TRACT
TRACT L: 35,069 S.F. - AREA TO BE OBTAINED BY WSDOT UNDER KING COUNTY COURT NUMBER 05-2-39263-1 KMT

RIGHT OF WAY DEEDS

STREETS ARE TO BE DEEDED TO THE CITY OF DES MONES
10' DEDICATION FOR DES MONES MEMORIAL DRIVE SOUTH TO BE DEDICATED TO THE CITY OF SEACAC

DENSITY CALCULATIONS

POSSIBLE MAXIMUM ALLOWABLE UNITS (PER DMMC 18.52.100(5)):
NET DEVELOPMENT AREA/MINIMUM LOT AREA
11.61 ACRES/0.165 ACRES/UNIT = 70.36
70 UNITS PERMISSIBLE BASED ON THE ABOVE VARIATION

BOUNDARY & TOPOGRAPHY BY

SADLER/BARNARD & ASSOC. INC.
12714 VALLEY AVENUE E., SUITE B
SUMNER, WA 98390
P-(253) 826-8153
F-(253) 826-8136

PLANNING BY:

HACKWORTH ARCHITECTURE PLANNING INC.
1932 FIRST AVENUE, SUITE 1100
SEATTLE, WA 98101
P-(206) 443-1181
F-(206) 448-8909

ENGINEERING BY:

SOUND ENGINEERING INC.
1019 PACIFIC AVENUE, SUITE 906
TACOMA, WA 98402
P-(253) 873-0040
F-(253) 873-0142

SUBDIVISION LAYOUT AND DESIGN DEVIATIONS (DMMC 17.36)

- LOTS 9, 15, 16, 18, 19, 27-31, 34, 37-43, 45-50, 52, AND 58 WILL NOT MEET THE LOT DEPTH TO WIDTH RATIO.
- CORNER LOTS ARE NOT 5 FEET WIDER THAN THE 60 FOOT WIDTH ESTABLISHED BY THE UNDERLYING ZONING.
- TWO ALLEYS WILL BE BUILT TO PRIVATE STREET STANDARDS BUT WILL SERVE MORE THAN FOUR LOTS. ALLEY 1 WILL SERVE 12 LOTS AND ALLEY 2 WILL SERVE 5 LOTS.

ZONING CODE DEVIATIONS (DMMC 18.08 AND DMMC 18.52)

- MINIMUM LOT AREA WILL BE LESS THAN 7,200 SQUARE FEET EXCEPT LOT 43. THE AVERAGE LOT SIZE WITHIN THE PUD IS 4,065 SQUARE FEET.
- THE MINIMUM LOT WIDTH FROM SIXTY (60) FEET IS REDUCED TO A MINIMUM OF FORTY (40) FEET FOR ALL LOTS EXCEPT LOTS 9, 35, 36, 43, 44, 51 AND 60.
- THE MINIMUM FRONT YARD SETBACK IS REDUCED FROM TWENTY (20) FEET TO TEN (10) FEET FOR ALL LOTS EXCEPT LOTS 1-9, AND 34.
- THE SIDE YARD SETBACK FOR ALL LOTS WITHIN THE PUD IS FIVE (5) FEET FOR EACH SIDE FOR ALL LOTS, EXCEPT THE FOLLOWING LOTS:
 - FOR LOTS 45/46, 47/48, AND 50/49 THE SIDE YARD SETBACK IS ZERO (0) FEET AND THE OTHER SIDE IS FIVE (5) FEET.
 - FOR LOTS 1, 43, 44, 51, 52, 58, AND 61 THE SIDE YARD ALONG THE PERMETER IS TEN (10) FEET AND THE OTHER SIDE IS FIVE (5) FEET.
 - FOR LOT 10 THE SIDE YARD SETBACK ALONG TRACT E IS TEN (10) FEET AND THE OTHER SIDE IS FIVE (5) FEET.
 - FOR LOTS 9 AND 19 THE SIDE YARD ALONG THE PERMETER IS FIFTEEN (15) FEET AND THE OTHER SIDE IS FIVE (5) FEET.
- THE MINIMUM REAR YARD SETBACK IS REDUCED FROM TWENTY (20) FEET TO TEN (10) FEET FOR ALL LOTS EXCEPT FOR LOTS 20-24 AND 27-29 WHICH SHALL BE FIFTEEN (15) FEET.
- THE FOLLOWING PERMETER BUFFER/YARD AREAS ARE ESTABLISHED FOR THE BLUEBERRY LANE PUD.
 - FOR LOTS ALONG DES MONES MEMORIAL DRIVE (LOTS 1-9) THE REQUIRED 20' FRONT YARD OR BUFFER AS MEASURED FROM THE PERMETER LINE ADJACENT TO DES MONES MEMORIAL DRIVE SHALL NOT BE MODIFIED OR REDUCED.
 - FOR LOTS ADJACENT TO THE EXTERNAL BOUNDARY LINE (LOTS 1, 34-44, AND 51-61) THE REQUIRED 20' FRONT YARD OR BUFFER AS MEASURED FROM THE PERMETER LINE SHALL BE MODIFIED AND REDUCED TO 10'.
 - FOR THE LOT ADJACENT TO SOUTH 194TH STREET (LOT 34) THE REQUIRED 20' FRONT YARD OR BUFFER AS MEASURED FROM THE PERMETER LINE ADJACENT TO SOUTH 194TH STREET SHALL NOT BE MODIFIED OR REDUCED.
 - FOR LOTS ADJACENT TO THE INTERNAL BOUNDARY LINE (LOTS 9, 19-24, AND 27-29) THE REQUIRED 20' FRONT YARD OR BUFFER AS MEASURED FROM THE PERMETER LINE SHALL BE MODIFIED AND REDUCED TO 15'.

STREET TREE PROGRAM

- TREES SHOULD BE A MINIMUM OF 2-12 INCH CALIPER
- TREES SHOULD BE SPACED A MINIMUM OF 25 FEET ON CENTER
- TREES WILL BE A MINIMUM OF 10' (FROM CENTER) FROM FIRE HYDRANTS AND LIGHT STANDARDS
- STREET TREE PROGRAM WILL BE CONSISTENT WITH THE REQUIREMENTS OF DMMC 18.41.110
- TREES WILL BE PLANTED PER THE RECOMMENDED STREET TREE PLANTING SCHEDULE WITHIN THE SEATTLE TREE PLANTING PROCEDURES
- STREET TREES WILL HAVE A CANOPY NO LOWER THAN 5' CAUTION WILL BE TAKEN IN TREE SELECTION AND PLACEMENT SO THAT GROWTH DOES NOT OBSTRUCT VIEWS

ELECTRICAL AND TELECOMMUNICATION UTILITIES

PER DMMC 17.36.120 ALL ELECTRICAL AND TELECOMMUNICATION UTILITIES SHALL BE PLACED UNDERGROUND 4'-5' COMBINED UTILITY TRENCH.

ALL EXISTING OVERHEAD UTILITIES ALONG SOUTH 194TH STREET FRONTAGE SHALL BE PLACED UNDERGROUND

LEGAL DESCRIPTION

PARCEL #0522048003
THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION AND RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 820.00 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE NORTH ALONG A LINE PARALLEL TO WEST LINE OF SAID SUBDIVISION 274.5 FEET; THENCE EASTERLY ALONG A LINE PARALLEL TO SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION TO WESTERLY LINE OF DES MONES WAY; THENCE SOUTHERLY ALONG SAID WESTERLY LINE TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

PARCEL #0522048158
LOT 3, KING COUNTY SHORT PLAT NUMBER 779007, ACCORDING TO THE SHORT PLAT RECORDED UNDER RECORDING NUMBER 8001300558, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #0522049071
THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 87°19'51" WEST, 179.19 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 03°06'02" WEST, 187.77 FEET; THENCE SOUTH 86°53'58" EAST, 195.78 FEET TO THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH 02°00'17" EAST, 173.95 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 87°21'28" WEST, 345.40 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 87°19'51" EAST, 167.45 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING; EXCEPT THAT PORTION LYING WITHIN DES MONES WAY (DES MONES MEMORIAL DRIVE) (ALSO KNOWN AS PARCEL "A" OF CITY OF DES MONES LOT LINE ADJUSTMENT No. 99-058 RECORDED MARCH 6, 2000 UNDER RECORDING No. 2000030990003)

PARCEL #0522049022
THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 87°19'51" WEST, 179.19 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION; THENCE SOUTH 03°06'02" WEST, 187.77 FEET; THENCE SOUTH 86°53'58" EAST, 150.00 FEET TO THE WEST MARGIN OF DES MONES WAY (DES MONES MEMORIAL DRIVE); THENCE NORTH 17°22'03" EAST, 137.45 FEET ALONG THE WEST MARGIN OF DES MONES WAY (DES MONES MEMORIAL DRIVE); THENCE NORTH 01°14'58" WEST, 56.10 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING.

PARCEL #0246000127 (3 PARCELS COMBINED)
LOT 1
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 282.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR SOUTH 194TH STREET BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 5070288, (BEING KNOWN AS A PORTION OF LOTS 11 AND 12, BLOCK 2, APEX HOME TRACTS, ACCORDING TO THE UNRECORDED PLAT).

LOT 2
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 282.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR SOUTH 194TH STREET BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 5070288, (BEING KNOWN AS A PORTION OF LOTS 12 AND 13, BLOCK 2, APEX HOME TRACTS, ACCORDING TO THE UNRECORDED PLAT).

LOT 3
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 274.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 234 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 280 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 156 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 8 FEET TO THE TRUE POINT OF BEGINNING.

NOTE:
BOUNDARY AND TOPOGRAPHY PROVIDED
BY SADLER/BARNARD AND ASSOCIATES, INC.
LOT AND ROAD DESIGNS PROVIDED BY SOUND
ENGINEERING, INC.

SHEET INDEX
P1 COVER SHEET
P2 EXISTING SITE EASEMENTS
P3 PRELIMINARY PLAT
P4 GRADING AND UTILITY
P5 NOTES AND DETAILS



EXISTING	LEGEND	PROPOSED
	POWER POLE	
	GUY WIRE	
	POWER VAULT	
	GAS METER	
	BOLLARD	
	WATER VALVE	
	FIRE HYDRANT	
	WATER METER	
	TELEPHONE MH	
	TELEPHONE RISER	
	CABLE BOX	
	LIGHT	
	SIGNAL BOX	
	MAIL BOX	
	SIGN	
	CATCH BASIN	
	DRAIN MH	
	SANITARY MH	
	MONUMENT AS DESCRIBED	
	REBAR AND CAP	
	IRON PIPE	
	PK NAIL	
	DECIDUOUS TREE	
	CONIFER	
	ROCKERY	
	CROSSWALK	
	STOP BAR	
	UTILITY EASEMENT AREA	
	CONCRETE	
	PAVEMENT	
	GREEN SPACE	
	UNDISTURBED AREA	
	WETLAND BUFFER	
	CHAIN LINK FENCE	
	WIRE FENCE	
	WOOD FENCE	
	UTILITY EASEMENT	
	SANITARY SEWER	
	WATER	
	STORM DRAIN	
	BUILDING SETBACKS	

PLAN REVIEW		COMMIT	
NO.	DATE	NO.	DATE
PLAN REVISIONS		COMMIT	
NO.	DATE	NO.	DATE
SOUND ENGINEERING, LLC CIVIL ENGINEERS - LAND PLANNERS 11802 COMMERCIAL ST., SUITE 200 TACOMA, WA 98402 PHONE: (253) 873-0040 - FAX: (253) 873-0142 WWW.SOUNDENGINEERING.COM - WWW.SOUNDENGINEERING.COM			
PROJECT: BLUEBERRY LANE PUD			
CLIENT: PBC, INC. 19904 DES MONES MEMORIAL DRIVE SEATTLE, WASHINGTON 98148 TEL: (206) 241-1640 FAX: (206) 246-7102 EMAIL: Rick@pbcinc.com			
PROJECT ENGINEER: J. BARR EMAIL: JBARR@SOUNDENGINEERING.COM			
DRAWN: J. BARR BY: 12/5/06 DATE			
QR: JDL BY: 12/5/06 DATE			
SCALE: NTS DATE: 2/28/2005 PROJECT #: 04105.10			
SHEET NAME: 			
SHEET 1 OF 5			

2ND HEARING PLAN SET - 121106
LWA-2013-0034 12/19/2013

BLUEBERRY LANE PUD

A PORTION OF THE NE 1/4 OF SECTION 5 TOWNSHIP 22 N, RANGE 4 E.
WILLAMETTE MERIDIAN, KING COUNTY, WASHINGTON

PARCEL NUMBERS
0522049071
0522049022
0522049156
0522049005
0246000127

SITE ADDRESS
19659 DES MOINES MEMORIAL DRIVE SOU
DES MOINES, WA

EXISTING ZONING: RS-7,200

EXISTING ZONING:	RS-7,200
SITE AREA:	505,732 SQ. FT. (11.61 ACRES)
NET DEVELOPABLE AREA:	505,732 SQ. FT. (11.61 ACRES)
RIGHT-OF-WAY AREA:	139,415 SQ. FT. (3.20 ACRES)
MAXIMUM DWELLING UNITS (NDA/MIN. LOT SIZE):	505,732/7,200 = 70 LOTS
TOTAL DWELLING UNITS PROPOSED:	62 UNITS

FRONT YARD SETBACK:	10 FEET, 20 FEET FOR GARAGE
SIDE YARD SETBACK:	5 FEET
REAR YARD SETBACK:	10 FEET, EXCEPT LOTS 17-28
MAXIMUM BUILDING HEIGHT:	30 FEET

LINEAR FEET OF ROADS: 2,411 FEET

SMALLEST LOT AREA:	3,167 SQ. FT. (0.07 ACRES)
LARGEST LOT AREA:	9,273 SQ. FT. (0.21 ACRES)
AVERAGE LOT AREA:	4,451 SQ. FT. (0.10 ACRES)

TRACT "A" (VACANT):	2,763 SQ. FT. (0.08 ACRES)
TRACT "B" (PARK):	11,743 SQ. FT. (0.27 ACRES)
TRACT "C" (STORM):	14,833 SQ. FT. (0.34 ACRES)
TRACT "D" (PARK/OPEN SPACE):	6,995 SQ. FT. (0.16 ACRES)
TRACT "E" (WETLAND BUFFER):	3,797 SQ. FT. (0.09 ACRES)
TRACT "F" (PRIVATE ACCESS):	2,488 SQ. FT. (0.06 ACRES)
TRACT "G" (PARK/OPEN SPACE):	1,796 SQ. FT. (0.04 ACRES)
TRACT "H" (PARK/OPEN SPACE):	5,132 SQ. FT. (0.12 ACRES)
TRACT "I" (WETLAND BUFFER):	6,095 SQ. FT. (0.14 ACRES)
TRACT "J" (STORM):	26,129 SQ. FT. (0.60 ACRES)
TRACT "K" (LANDSCAPE BUFFER/OPEN SPACE):	11,587 SQ. FT. (0.27 ACRES)

NOTES:
1. TRACT NOT DENOTED ON ORIGINAL APPROVED PRELIMINARY PLAT

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft

[illegible]

C.E.S. NW INC.
 RAIL MAINTENANCE & SURVEYING

CIVIL ENGINEERING & SURVEYING

310 - 20TH ST. NE, SUITE 101
PUTALLAP, WA 98372

BUS: (363) 848-4282
FAX: (363) 848-4278
ceservices@cedwinac.com

BLUEBERRY LANE PUD
PLAT MAP

RICHMOND

ct:	t:
-----	----

Designed:	CAD
Drawn:	MRL
Checked:	CAD

Scale: 1"=50'
Date: 11.13.13
Job No.: 13094

Sheet No.:

D1

PI

1 of 1 Sheets

LUAZ03-034 11/17/13

61



STATISTICAL BREAKDOWN OF PROJECT

EXISTING ZONING:	RS-7,200
SITE AREA:	505,732 SQ. FT. (11.61 ACRES)
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AVERAGE LOT AREA:	4,451 SQ. FT. (0.10 ACRES)

NOTES:
1. TRACT NOT DENOTED ON ORIGINAL APPROVED PRELIMINARY PLAT

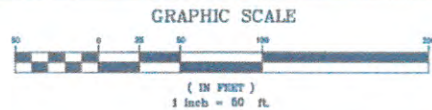


RICHMOND
AMERICAN HOMES

Designed:	CAD
Drawn:	MRL
Checked:	CAD
Scale:	1"=50'
Date	11.13.13
Job No.:	13094

1 of 1 Sheets

11A2013-0034 11/19/11



BLUEBERRY LANE PUD
A PORTION OF THE NE 1/4 OF SECTION 5, TOWNSHIP 22 N, RANGE 4 E, W.M.
KING COUNTY, WASHINGTON

LINE	LENGTH	BEARING
L1	33.60	N22°33'30"E
L2	12.81	N22°33'30"E
L3	10.02	S01°54'56"E
L4	22.07	S01°54'56"E
L5	4.73	S28°32'26"W
L6	12.76	S87°25'29"E
L7	16.83	S87°25'29"E
L8	16.16	S25°55'16"W
L9	6.05	S02°34'31"W
L10	14.48	N85°06'33"W
L11	31.73	S27°11'23"W
L12	13.24	N61°41'11"E
L13	11.66	N02°34'31"E
L14	31.99	N02°34'44"E
L15	1.89	S87°25'29"E
L16	7.31	S02°34'31"W
L17	7.31	S02°34'31"W
L18	11.08	S87°25'27"E
L19	11.06	S24°03'07"E
L20	23.98	N87°25'29"W
L21	17.98	S44°37'58"E
L22	51.50	S90°00'00"E
L23	15.00	N87°25'29"W
L24	10.73	S87°25'29"E
L25	34.70	N47°03'49"E
L26	16.30	S72°45'58"E
L27	16.00	S06°15'52"E
L28	16.87	S87°25'29"E
L29	10.35	N87°25'29"W
L30	10.35	S87°25'29"E

CURVE TABLE				CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA	CURVE	LENGTH	RADIUS	DELTA
C1	31.42	20.00	90°00'00"	C27	173.91	185.33	53°45'56"
C2	22.06	1330.00	0°57'01"	C28	18.41	185.33	5°41'33"
C3	51.54	1330.00	2°13'14"	C29	24.57	193.81	7°15'54"
C4	30.68	20.00	87°52'39"	C30	31.42	20.00	90°00'00"
C5	35.91	184.00	1°11'00"	C31	21.99	14.00	90°00'00"
C6	48.22	184.00	1°50'53"	C32	30.22	24.00	72°08'30"
C7	16.52	184.00	5°08'36"	C33	37.90	51.00	42°34'38"
C8	24.11	20.00	68°04'13"	C34	46.18	51.00	51°52'47"
C9	6.60	184.00	2°03'23"	C35	20.92	51.00	23°29'51"
C10	35.96	184.00	1°11'56"	C36	20.13	51.00	22°36'56"
C11	47.32	36.00	75°18'35"	C37	31.05	51.00	34°52'42"
C12	18.40	14.00	75°18'35"	C38	20.13	51.00	22°36'56"
C13	106.27	124.00	48°06'16"	C39	20.64	51.00	23°11'20"
C14	30.68	20.00	87°52'39"	C40	27.49	51.00	30°53'21"
C15	97.33	1330.00	4°11'34"	C41	25.11	39.00	36°53'38"
C16	31.42	20.00	90°00'00"	C42	29.40	39.00	43°11'57"
C17	22.00	1270.00	0°59'33"	C43	7.07	39.00	10°22'46"
C18	76.58	1270.00	32°7'18"	C44	31.42	20.00	89°59'58"
C19	40.67	1270.00	1°50'05"	C45	31.42	20.00	89°59'59"
C20	11.07	36.00	17°36'50"	C46	31.42	20.00	90°00'00"
C21	9.53	36.00	15°09'40"	C47	32.24	20.00	92°20'59"
C22	96.01	1270.00	4°19'54"	C48	30.60	20.00	87°39'01"
C23	35.78	1270.00	1°56'51"				
C24	5.04	124.00	2°19'36"				
C25	73.05	124.00	33°45'14"				
C26	58.45	124.00	27°00'33"				
C27	173.91	185.33	53°45'56"				

PLAN REVIEW

PLAN REVISIONS

SOUND ENGINEERING, INC.
CIVIL ENGINEERS - LAND PLANNERS
1382 COMMERCIAL ST., SUITE 200
TACOMA, WA 98402
PHONE: (206) 573-0944 FAX: (206) 573-6142
WWW.SOUNDENGINEERING.COM

PROJECT:
BLUEBERRY LANE PUD

CLIENT:
PBC, INC.
1904 DES MOINES MEMORIAL DRIVE
SEATTLE, WASHINGTON 98148
TEL: (206) 241-1540 FAX: (206) 246-7182
EMAIL: Risk@pbc.com

PROJECT ENGINEER: J. BARR
E-MAIL: JBARR@SOUNDENGINEERING.COM

DRAWN: J. BARR

CR: JTB
BY: [Signature]
DATE: 12/05/06

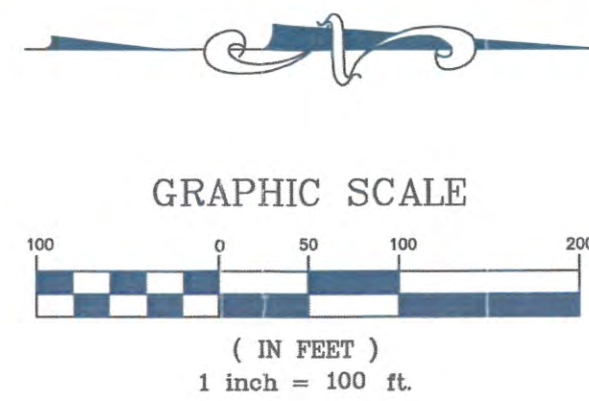
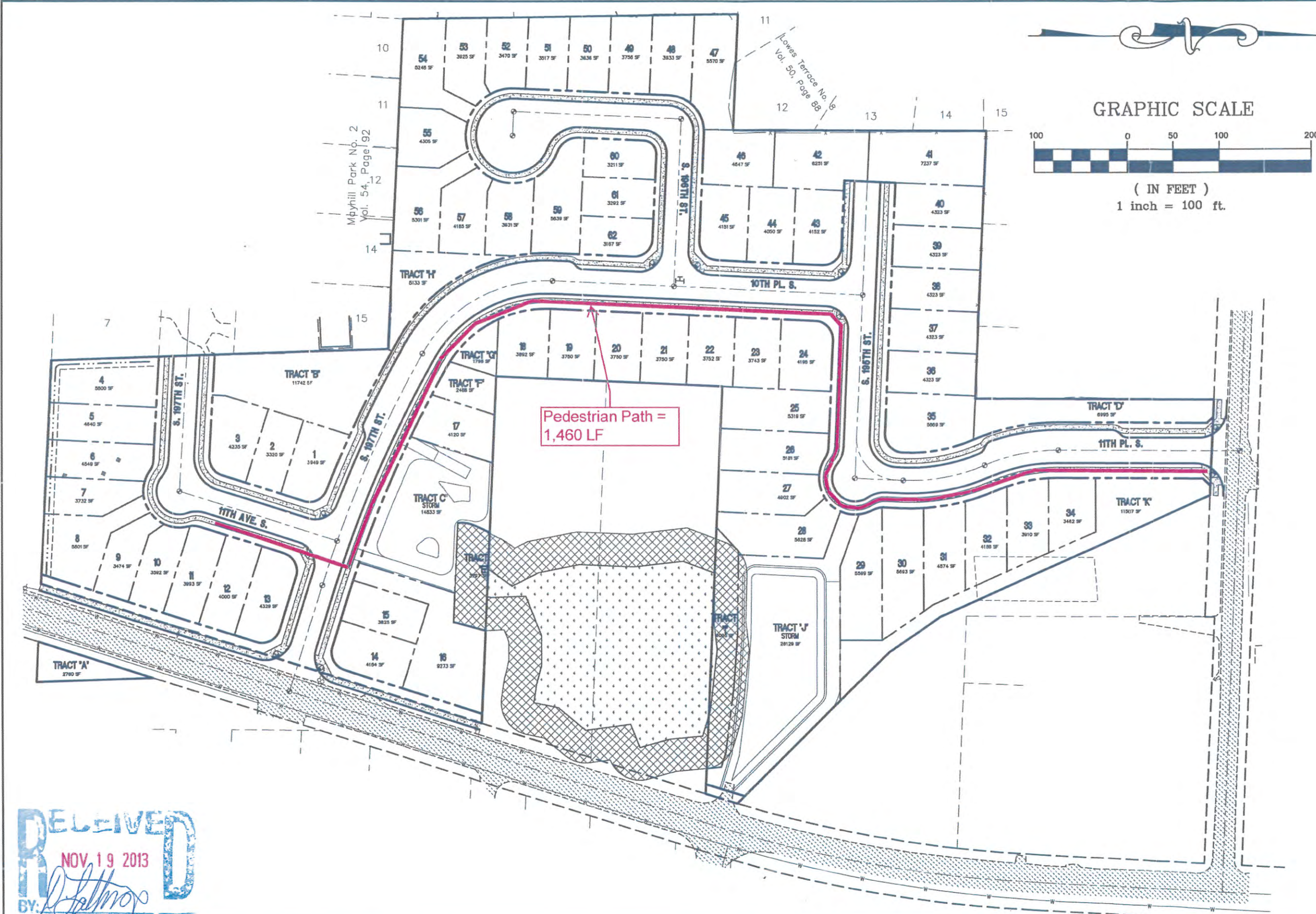
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PROJECT #: 04185.10

SHEET NAME:

NOV 19 2013

P3

SHEET 3 OF 5



RECEIVED
NOV 19 2013
BY: [Signature]

C.E.S. NW INC.
CIVIL ENGINEERING & SURVEYING

Project:
Designed:
Drawn:
Checked:
Scale: 1" = 100'
Date: 11/8/13
Job No.: 13094.0
Sheet No.: **1**
1 of 1 Sheets

Client:
MRL

**PEDESTRIAN PATH EXHIBIT
BLUEBERRY LANE PUD**

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PUYALLUP, WA 98372 Fax: (253) 848-4278

LWA 2013-0034

From: Barbara Napier [bnapier@cesnwinc.com]
Sent: Wednesday, December 11, 2013 5:06 PM
To: Denise Lathrop
Cc: Craig Deaver; DelCastillo, Michael
Subject: RE: Blueberry Lane Minor Deviation Request
Attachments: 131210_Blueberry Lane Plan Set.pdf

Denise,

In response to your question regarding requesting a change to design element 2.a from the Environmental Mitigation Agreement, you are correct, we need to include this request into the Council Agenda Packet.

Richmond American Homes will not be able to comply with Design Element 2.a and requests relief from this element. We will fully meet the setbacks identified in Resolution No. 1023, as shown on our proposed plan previously provided in the original deviation request.

I have also included RAH's proposed house plans which reflect the product mixture to be utilized on the project.

Please contact me if you have any questions regarding this issue.

Thank you,

Barbara A. Napier
Senior Planner
 C.E.S. NW, Inc.
 310 29th St NE, Suite 101
 Puyallup, WA 98372
 253-848-4282 Office
 253-848-4278 Fax
bnapier@cesnwinc.com

From: Denise Lathrop [mailto:DLathrop@desmoineswa.gov]
Sent: Tuesday, December 10, 2013 11:01 AM
To: Craig Deaver; Barbara Napier
Subject: Blueberry Lane Minor Deviation Request
Importance: High

Hi Craig and Barbara:

Although it is not included in your deviation request, I am wondering if you intended to include the change to the design element 2.a. from the Environmental Mitigation Agreement since this agreement is included in the conditions of approval.

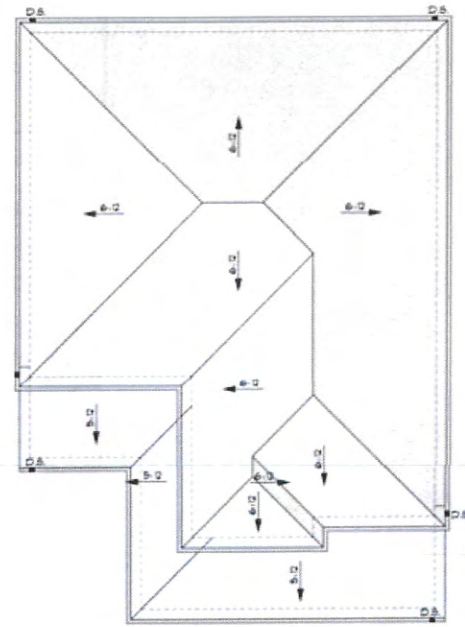
Also, a while back you mentioned changes to the cut and fill volumes. Was this driven by the roadway alignments?

I am finalizing Council agenda packet today and want to make sure we have all of your proposed changes/deviations.

Denise E. Lathrop, AICP
Community Development Manager
City of Des Moines Planning, Building and Public Works Department
21630 11th Avenue S, Suite D
Des Moines, WA 98198-6398
Phone: 206-870-6563
Fax: 206-870-6544



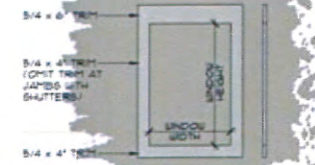
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5 ROOF PLAN D
SCALE: 1/8"=1'-0"



1 FRONT ELEVATION D
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION D
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION D
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"

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Date: 06Dec2013

Drawn By: RJJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W29A

Plan Name:

SETH

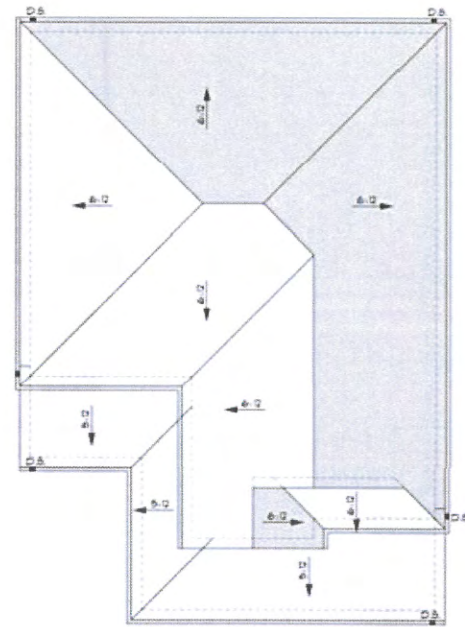
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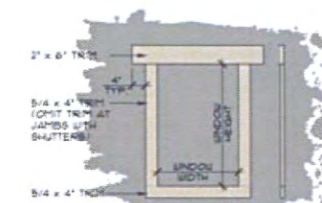
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1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION C
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION C
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: RJJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W29A

Plan Name:

SETH

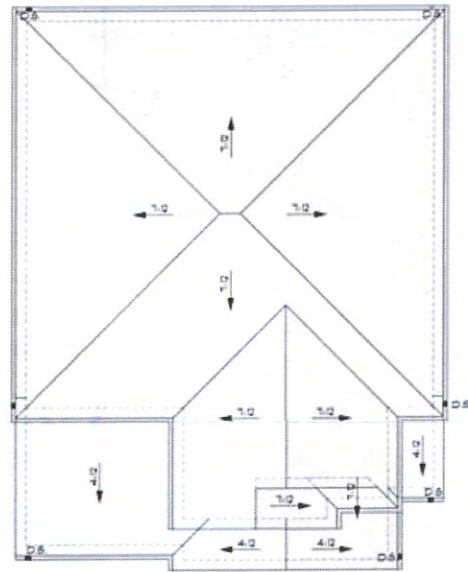
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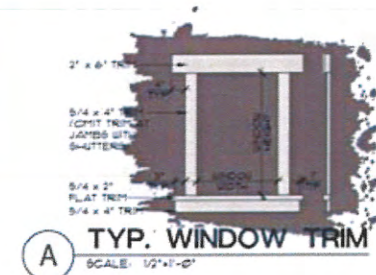
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5 ROOF PLAN E
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1 FRONT ELEVATION E
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



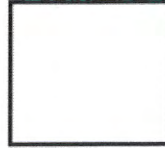
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4 LEFT ELEVATION E
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION E
SCALE: 3/16"=1'-0"



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Date: 06/Dec/2013

Drawn By: RH/JA

Revisions:

NO.	DESCRIPTION	DATE

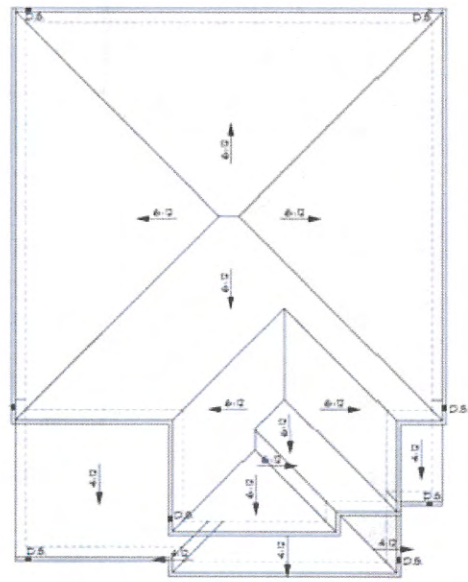
BLUEBERRY LANE

Plan Number:
W288

Plan Name:
IVY

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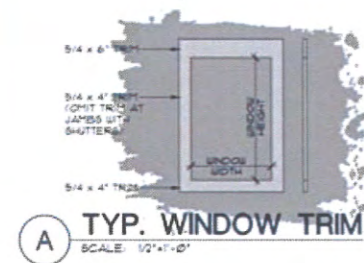
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1 FRONT ELEVATION D
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A TYP. WINDOW TRIM
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2 REAR ELEVATION D
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION D
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: R.H.J.A.

Revisions:

BLUEBERRY LANE

Plan Number:

W288

Plan Name:

IVY

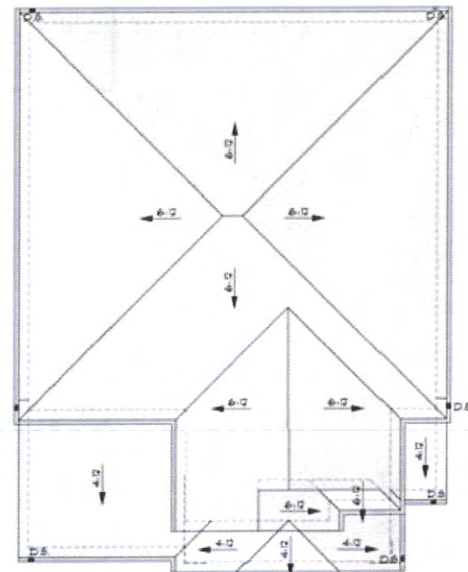
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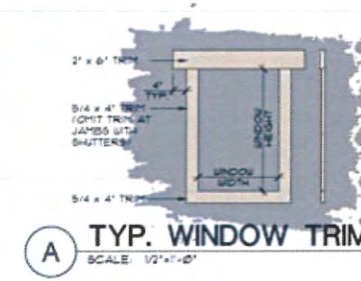
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1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION C
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION C
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: RJJJA

Revisions:

BLUEBERRY LANE

Plan Number:

W288

Plan Name:

IVY

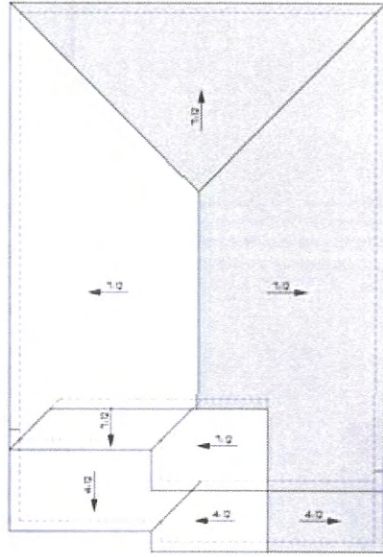
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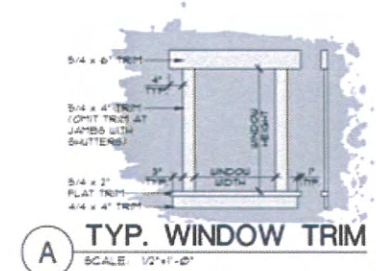
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1 FRONT ELEVATION E
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A TYP. WINDOW TRIM
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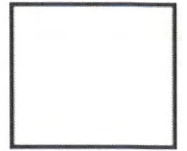
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4 LEFT ELEVATION E
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3 RIGHT ELEVATION E
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Date: 06Dec2013

Drawn By: RJJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W269

Plan Name:

FREMONT

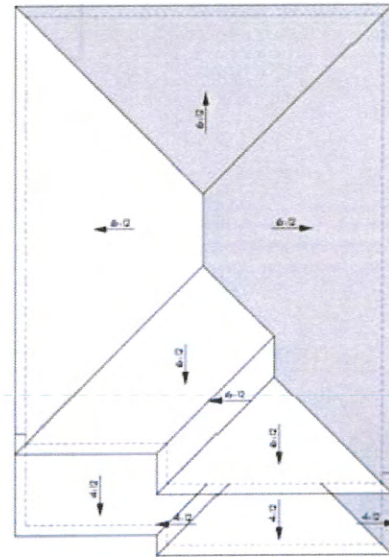
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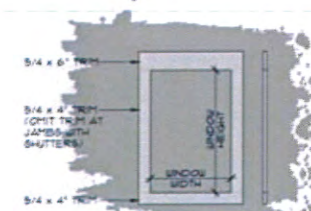
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1 FRONT ELEVATION D
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A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



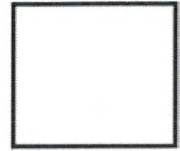
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4 LEFT ELEVATION D
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3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: RJJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W269

Plan Name:

FREMONT

Sheet Title:

ELEVATION D

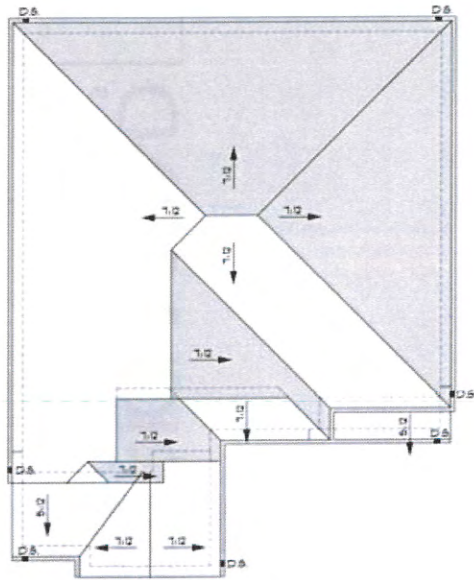
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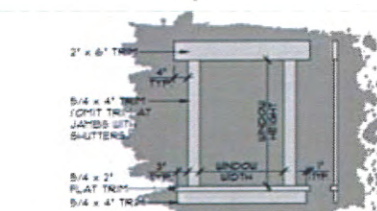
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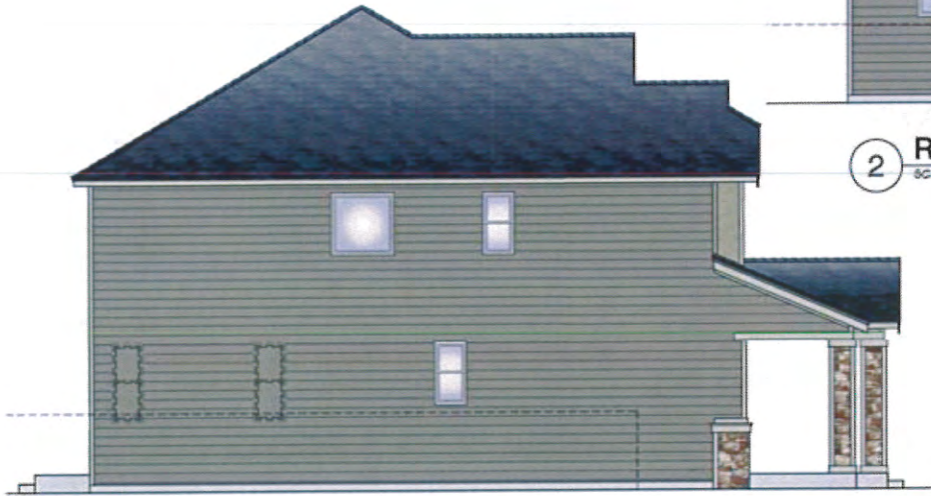
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A TYP. WINDOW TRIM
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2 REAR ELEVATION E
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION E
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION E
SCALE: 3/16"=1'-0"



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Date: 06Dec2010
Drawn By: R.H.J.A.
Revisions:

BLUEBERRY LANE

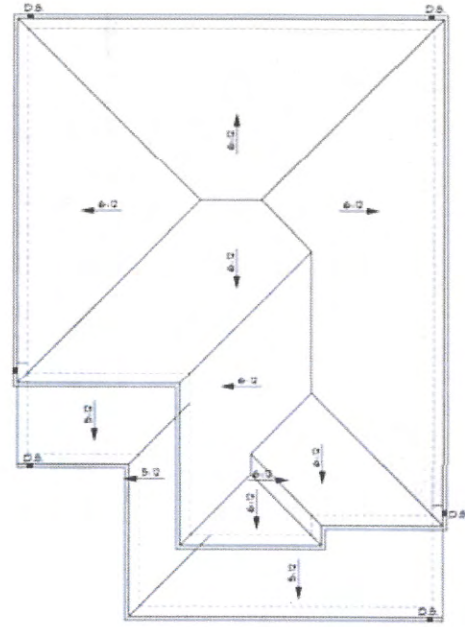
Plan Number:
W24A

Plan Name:
ALISON

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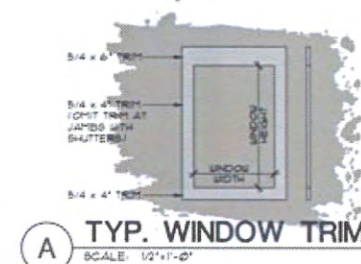
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5 ROOF PLAN D
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1 FRONT ELEVATION D
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A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION D
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4 LEFT ELEVATION D
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06Dec2013
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Revisions:

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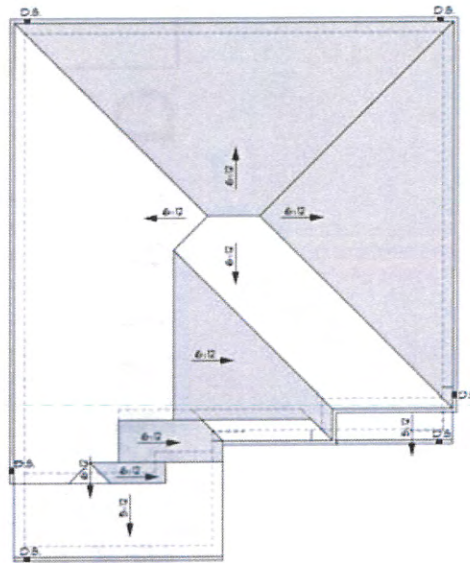
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Plan Name:
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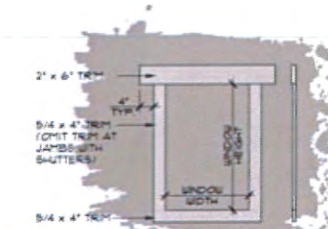
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5 ROOF PLAN C
SCALE: 1/8"=1'-0"



1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION C
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION C
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: RHJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W24A

Plan Name:

ALISON

Sheet Title:

ELEVATION C

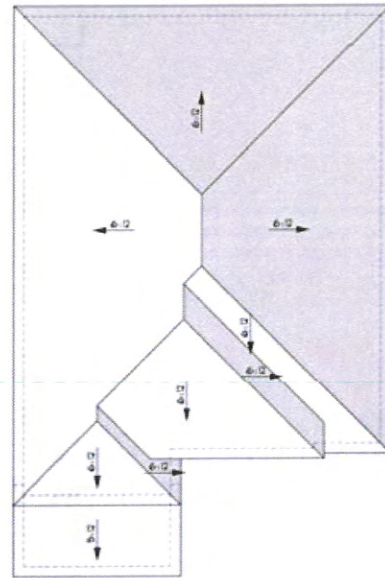
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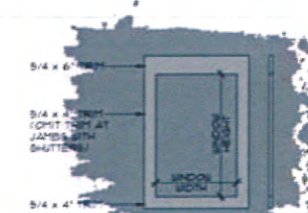
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5 ROOF PLAN D
SCALE: 1/8"=1'-0"



1 FRONT ELEVATION D
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
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SCALE: 3/16"=1'-0"



4 LEFT ELEVATION D
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"

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Date: 06Dec2013

Drawn By: RHJA

Revisions:

BLUEBERRY LANE

Plan Number:

W241

Plan Name:

FRANKLIN

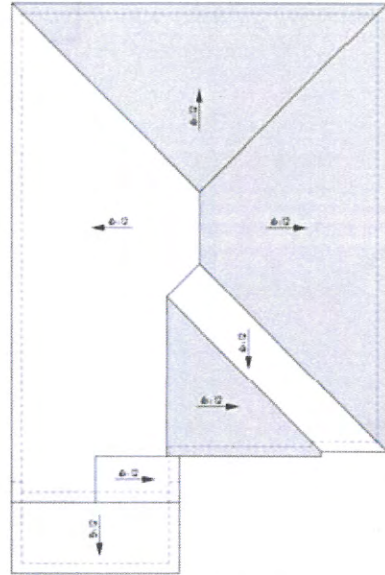
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ELEVATION D

Sheet Number:

A2.4

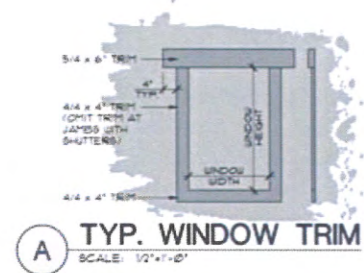
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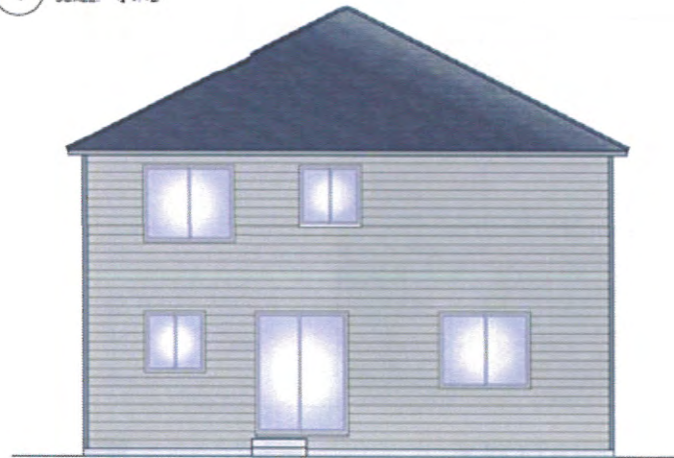
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1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



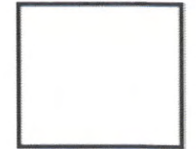
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4 LEFT ELEVATION C
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec2013
Drawn By: R.H.J.A.
Revisions:

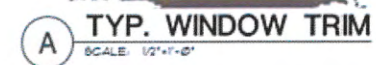
BLUEBERRY LANE

Plan Number:
W241

Plan Name:
FRANKLIN

Sheet Title:
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Sheet Number:
A2.3



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Date: 06Dec2013

Drawn By: RHJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W21L

Plan Name:

LAUREN

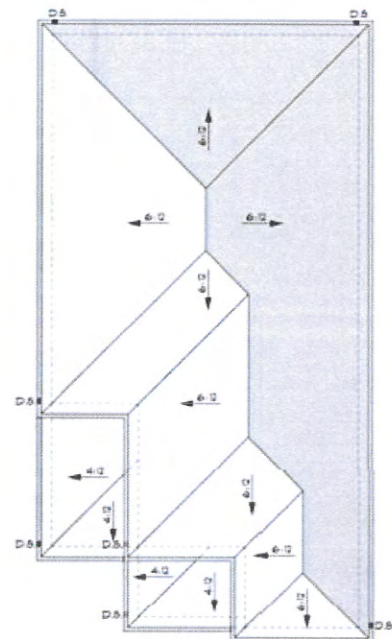
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Sheet Number:

A2.5

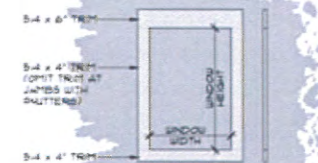
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5 ROOF PLAN D
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1 FRONT ELEVATION D
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



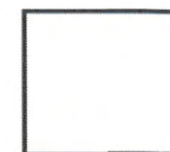
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4 LEFT ELEVATION D
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3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06-Dec-2013

Drawn By: RJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W21L

Plan Name:

LAUREN

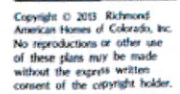
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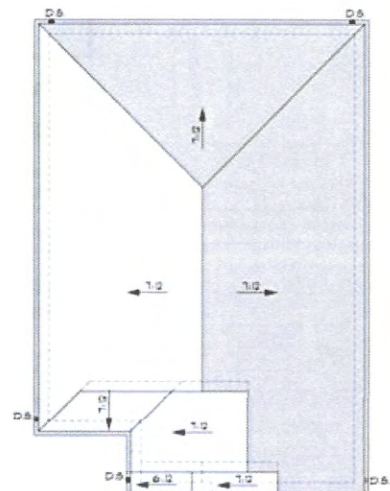
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LANE

W21L

LAUREN

ELEVATION C

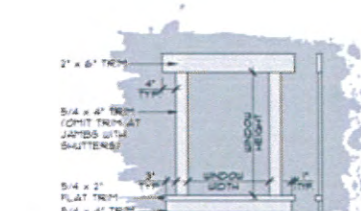
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1 FRONT ELEVATION E
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



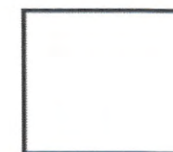
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4 LEFT ELEVATION E
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION E
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: R.H.J.A.

Revisions:

BLUEBERRY
LANE

Plan Number:

W19L

Plan Name:

LAYNE

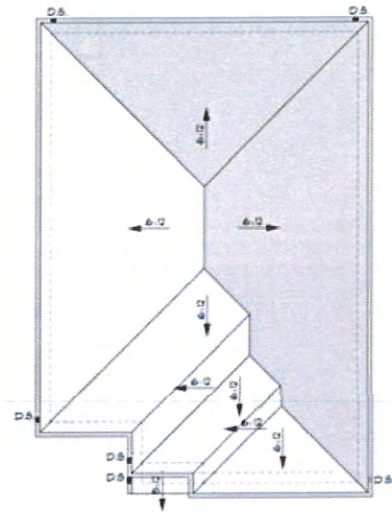
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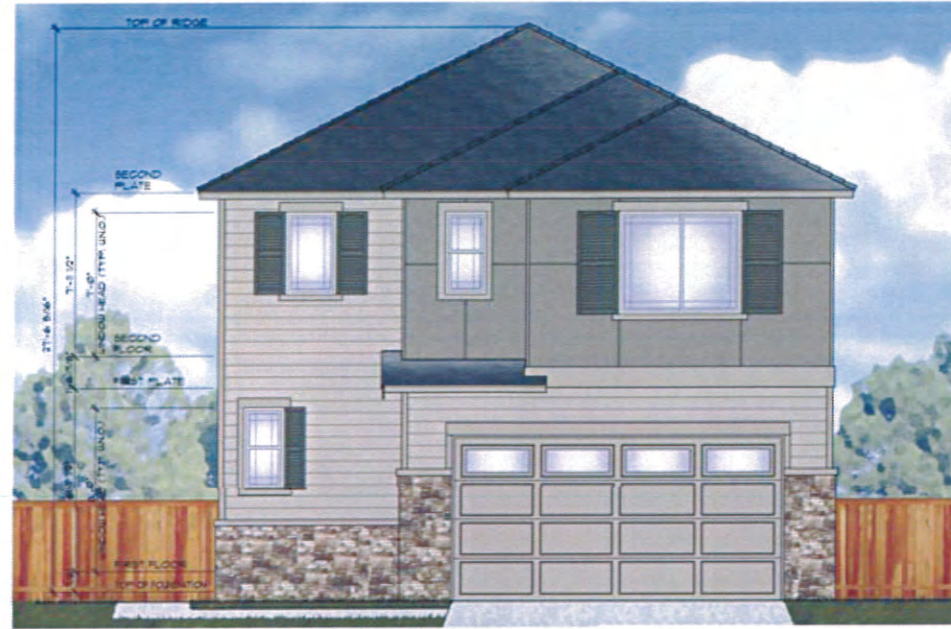
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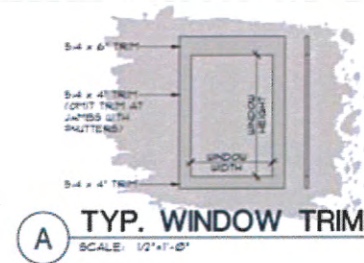
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1 FRONT ELEVATION D
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION D
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION D
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06/06/13
Drawn By: RJA
Revisions:

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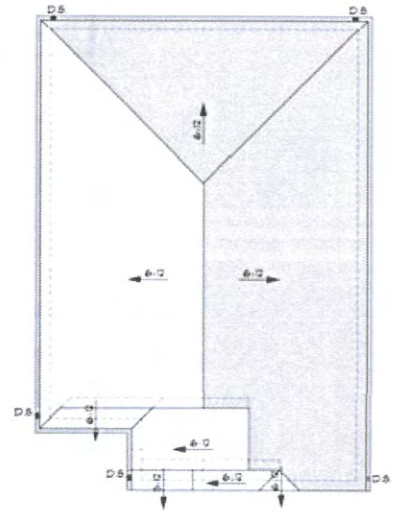
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Plan Name:
LAYNE

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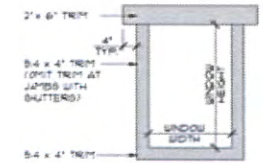
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1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION C
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION C
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec013

Drawn By: RJA

Revisions:

NO.	DESCRIPTION	DATE

BLUEBERRY LANE

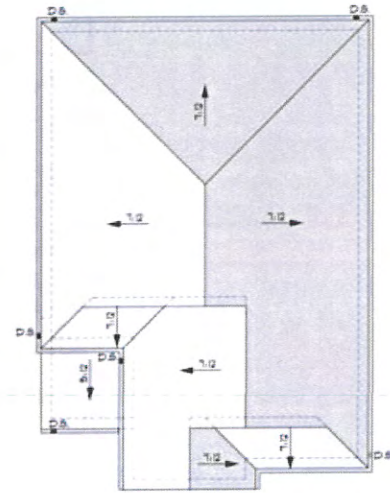
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W19L

Plan Name:
LAYNE

Sheet Title:
ELEVATION C

Sheet Number:
A2.3

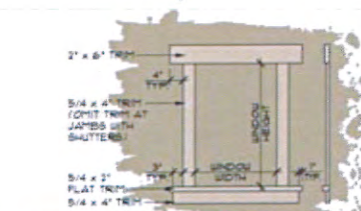
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5 ROOF PLAN E
SCALE: 1/8"=1'-0"



1 FRONT ELEVATION E
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



2 REAR ELEVATION E
SCALE: 3/16"=1'-0"



4 LEFT ELEVATION E
SCALE: 3/16"=1'-0"



3 RIGHT ELEVATION E
SCALE: 3/16"=1'-0"



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Date: 06Dec2013

Drawn By: R-HJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W18L

Plan Name:

LINDSAY

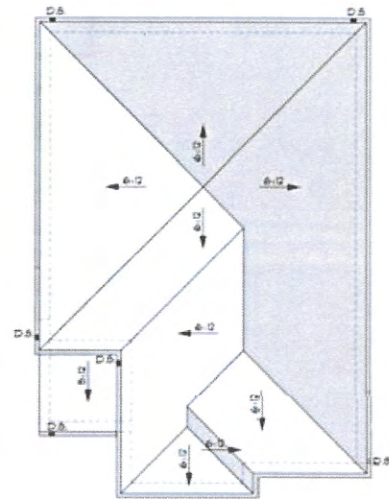
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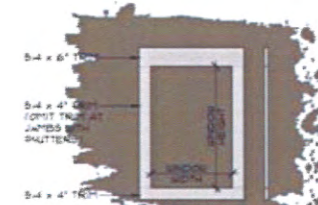
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5 ROOF PLAN D
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1 FRONT ELEVATION D
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



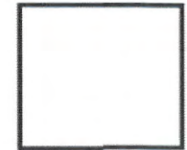
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4 LEFT ELEVATION D
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3 RIGHT ELEVATION D
SCALE: 3/16"=1'-0"



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Date: 06/20/13

Drawn By: RJA

Revisions:

BLUEBERRY
LANE

Plan Number:

W18L

Plan Name:

LINDSAY

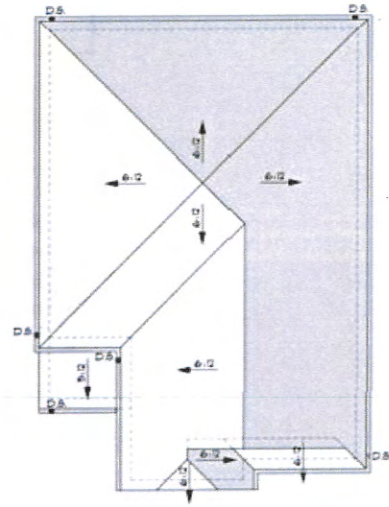
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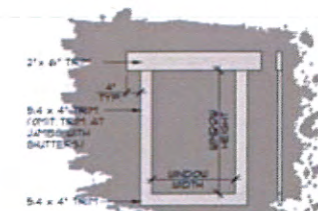
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5 ROOF PLAN C
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1 FRONT ELEVATION C
SCALE: 1/4"=1'-0"



A TYP. WINDOW TRIM
SCALE: 1/2"=1'-0"



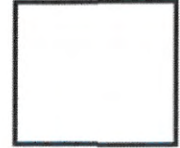
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4 LEFT ELEVATION C
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3 RIGHT ELEVATION C
SCALE: 3/16"=1'-0"



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Date: 06Dec13

Drawn By: RJA

Revisions:

BLUEBERRY LANE

Plan Number:

W18L

Plan Name:

LINDSAY

Sheet Title:

ELEVATION C

Sheet Number:

A2.3

a

**CITY OF DES MOINES
PLANNING, BUILDING AND PUBLIC WORKS DEPARTMENT
SURFACE WATER MANAGEMENT**

MEMORANDUM

Date: December 5, 2013

To: Denise Lathrop, Community Development Manager

From: Loren Reinhold, P.E., SWM Utility Manager

Subject: Blueberry Lane: LUA2013-0034 (LUA05-0008)

Action Needed:

None. The below comments are for consideration for minor deviations to a preliminary plat approved by Council 12/14/2006.

Comments:

The following comments are provided in response to a letter requesting to approve Minor Deviation issued by McCullough Hill Leary, dated 11/20/2013 and an attached plat map dated 11/13/2013 prepared by CES NW.

1. Letter states that the new stormwater design better mimics the existing conditions and accommodates projected flows. The letter also states that although the original design meets the flow control standard the overall pond outflow has increased by over 2.25 times as compared to the existing conditions. Staff agrees that the design deviation will reduce the pond outflow through the reduction of impervious surface (by two-thirds of an acre). However, it must be recognized that the original design is for a wetland that is not located in a closed depression. The original detention pond design, with dual control structures, is meant to control the water elevation of Wetland A yet allowing excess flows to discharge to Wetland C, which does have a flow outlet.

The design deviation indicates two separate detention facilities with one facility discharging to Wetland A and the other facility discharging to Wetland C. This design assumes that Wetland A is a closed depression (no outlet or correlation to Wetland C) and therefore the detention facility discharging to Wetland A would be subject to a higher flow control standard (Level 3). It is uncertain without reviewing a revised hydrology model whether the area provided in Tract C, as shown on the plat map, is sufficient to provide a larger facility for the higher flow control standard. Further evaluation of the proposed design would also need to be made to determine the feasibility of an overflow from Wetland A to the adjacent

detention facility in Tract J, thereby maintaining the water elevation of the Wetland without the wetland being a closed depression.

2. The proposed design provides water quality treatment for the area of Des Moines Memorial Drive that discharges directly to Wetland A. The original design did not include treatment for this area because the additional pollution generating impervious surface area was less than 5,000 square feet, a threshold under the 2005 King County Surface Water Design Manual. However, given that half of the roadway discharges to the wetland directly that previously sheet flowed across 50-100 feet of grass cover from the road to the wetland, staff agrees that this area should be treated and may be required to be treated under the Ecology Manual for the protection of wetlands.
3. Staff agrees that the design is an improvement and a reduction in future City maintenance costs by the reduction of storm system piping and catch basins; however, some of the maintenance savings is offset by the need to maintain two detention facilities rather than one. Private alley/access Tracts A and C have been eliminated reducing future maintenance of the private storm pipes within those alleys by the PUD homeowners association.

No redline comments were made. If you have any questions or need additional information, please email Loren Reinhold at lreinhold@desmoineswa.gov or call at (206)870-6524.