

PLANNING COMMISSION MEETING AGENDA

Duvall Visitor Center, 15619 Main Street, Duvall
Wednesday, July 25, 2018, at 7:00 p.m.

1. **Call to Order – Flag Salute**
2. **Roll Call**
3. **Announcements**
4. **Approval of Minutes**
Minutes from the July 11, 2018 Planning Commission Meeting
5. **Citizens' Comments and Requests – Items Not on the Agenda**
6. **Public Hearing(s)**
7. **Old Business**
8. **New Business**
 - A. *Design Review* – Riverview Plaza Monument Sign
 - B. *Design Review* – Duvall Village
9. **Presentation**
10. **Good of the Order**
11. **Adjournment**

Materials List

- *Agenda*
- *Draft Minutes from the July 11, 2018 Planning Commission Meeting*
- *Design Review Packet for Riverview Plaza Monument Sign*
- *Design Review Packet for Duvall Village*

(Please call Diana Hart [425] 788-2779 if you have any questions or if you cannot attend the meeting.)

Meeting Room is Wheelchair Accessible. Americans With Disabilities Act - Reasonable Accommodations Provided Upon Request - (425) 788-2779



Small Town. Real Life.

Meeting Minutes
City of Duvall Planning Commission Meeting

Date: July 11, 2018

Time: 7:00 PM

Place: Duvall Visitor Center, 15619 Main Street NE, Duvall WA 98019

Commissioners Present: Jim Deal, Ronn Mercer, Michael Yelle, Eric Preston

Commissioners Absent: Robert Walker, Jason Brown

Staff Present: Troy Davis, Senior Planner

Others Present: Katie Pond, Steve Busig, Ruby Perez

Call to Order – Flag Salute

The Planning Commission meeting was called to order by Commissioner Mercer at 7:06 PM.

1. Announcements

- A. Senior Planner Troy Davis announced that planning commission interviews are next week and that we received four applications.
- B. Senior Planner Troy Davis announced that Jr. Cadillac was playing that night at Music in the Park.
- C. Senior Planner Troy Davis announced that Austin Jenkes will be playing next week at Music in the Park.

2. Approval of Minutes

It was moved and seconded (*Deal-Preston*) to approve the minutes from the June 27, 2018 Planning Commission meeting. The motion carried.

3. Public Hearings

None.

4. Presentation

None.

5. Old Business

None.

6. New Business

A. *Design Review* – Riverview School District

Katie Pond, Architect from Hutteball + Oremus Architecture, gave a presentation on the proposed portable installation on Cherry Valley Elementary school, on behalf of the Riverview School District, outlining the reason for the portable, the reasons for its location, fire and ADA access, building ingress/egress, building color, and covered entries/exists.

Discussion between the Planning Commission and Katie Pond and Steve Busig ensued regarding the access gate, handrails, heating/cooling, fire safety, date of installation, and the impact of the McCleary Decision on the school district.

A motion was made and seconded (Deal, Yelle) to recommend approval of the portable design to the Hearing examiner.

7. Good of the Order

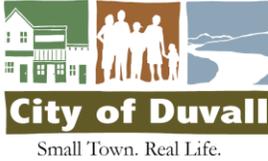
None.

8. Citizens' Comments and Requests – Items Not on the Agenda

None.

9. Adjournment

There being no further business, Commissioner Mercer adjourned the meeting at 7:25 PM.



DESIGN REVIEW STAFF REPORT

TO: Planning Commission
FROM: Troy Davis, Senior Planner
DATE: July 25, 2018
FILE: Riverview Plaza Monument Signs Replacement

I. INTRODUCTION

A. APPLICATION

Submittal Date: June 19, 2018

Contractor/Contact: TubeArt
Attn: Shawn Bowen
11715 SE 5th Street
Bellevue, WA 98005
206.864.2954

Property Owner: Azose Properties
Attn: Kevin Schaps
8451 SE 68th Street #200
Mercer Island, WA 98040

Project Name: Riverview Plaza Monument Signs Replacement

Project Location: 15321 Main Street NE
Duvall, WA 98019
(Parcel No. 2129900030)

Zoning: Mid-Town – Commercial & Office

Existing Uses: Commercial/Office

Request: Design Review & Recommendation

Design Review Date: July 25, 2018

B. EXHIBITS

1. Staff Report
2. Sign Permit Application

II. REVIEW PROCESS AND ANALYSIS

Riverview Plaza is a multi-tenant commercial facility located in the 15300 of Main Street NE. These tenants include Amonos Mexican Kitchen, Duvall Fitness, Twin Dragon, and Storage Court among others.

The applicant is proposing to replace two existing double-sided tenant monument signs with two new double-sided tenant monument signs. The new signs will utilize the existing supports and brick base.

The Planning Commission serves as the Design Review Board for monument sign review and approval per DMC 14.50.070.

The proposed monument sign is subject to the following DMC regulations and findings:

Allowed Sign Types and Design Review (DMC 14.50.080)

1. Per Table 14.50.1 (Allowed Sign Types and Design Review) permissible signs are regulated by type and zone.

Internally illuminated monument signs are permissible within the Mid-Town Zone with approval by the Design Review Board (Planning Commission).

Monument Signs (DMC 14.50.130.F.1)

One freestanding sign, a maximum of two per parcel, is allowed per three hundred (300) feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of one hundred fifty (150) feet,

Replacement of two existing monument signs is proposed. Riverview plaza has 300'0" of street frontage. The signs are separated by 165'0".

- a. The monument signs shall include a cap, body and base and shall comply with the basic design elements in Figure 14.50.11:
 - i. The cap shall be a distinct architectural element of the sign, differing from the body in shape and/or size;
The proposed cap provides a distinct architectural element to the sign, differing from the body in shape and size.
 - ii. The base shall be distinct element of the sign, the base may not be less than one-half the width of the body;
The base provides a distinct element of the sign and is not less than one-half the width of the body.
 - iii. In no case shall the size of the base or cap exceed the size of the body. The body and cap intended to be subordinate elements of a monument sign.
The size of the base and cap does not exceed the size of the body. (Note: This code section is in conflict with subsection "I" below which allows the base to be up to 125% of the sign body.)

- b. The sign may be up to ten (10) feet in height;
The proposed sign height is 8' 4".
- c. Monument signs shall comply with the basic design elements shown in Figure 14.50.11;
The monument sign complies with the basic design element shown in Figure 14.50.11.
- d. The total sign area contained within a monument sign shall not exceed forty-eight (48) square feet;
The total sign area within the monument sign is less than 48 square feet. The total square feet of the sign is 32.
- e. All text shall be displayed in the body of the sign, except the name of the development may display on the cap or base;
All proposed text is displayed on the body of the sign.
- f. The minimum letter height for primary text and secondary text shall be four inches:
Title bar letter height is 6 inches.
- g. Monument sign shall be set back five feet from the public right-of-way except as allowed in DMC Section 14.50.120(C)(2);
The sign setback from the right-of-way equals 5' 0".
- h. Type III landscaping per DMC Section 14.38.080 is required within five feet of the sign; however, existing landscaping may count toward this requirement;
There is existing landscaping that meets this requirement.
- i. The base of the sign shall not exceed one hundred twenty-five (125) percent of the body;
The base of the sign does not exceed one hundred and twenty-five percent of the body.
- j. Monument signs may be internally or externally illuminated.
Internal Illumination is proposed.

External Illumination (DMC 14.50.120.B)

1. Illumination shall be limited to the allowed uses in Table 14.50.1, provided that no sign may be both internally and indirectly illuminated;
Internal illumination is proposed. No indirect illumination is proposed.
2. Indirect sign illumination shall be no further away from the sign than the height of the sign;
No indirect illumination is proposed.
3. Externally illuminated signs shall be arranged so that no direct light is projected into residences or onto any street right-of-way;
No external illumination is proposed.
4. External sign light fixtures shall be consistent with the design of the sign and building facades or structures associated with the sign;

No external illumination is proposed.

5. External sign lighting shall be "full cutoff" and shall not result in direct illumination of the sky and adjacent properties and structures, and shall be designed to minimize reflected glare to adjacent properties and structures;
No external illumination is proposed.
6. Sign illumination within a mixed-use development shall automatically turn off within one hour of the close of the business, use, or activity; and, additional illumination standards may be contained in DMC Chapter 14.46.
The sign is not within a mixed use.

Location (DMC 14.50.120.C.2)

Freestanding signs:

- a. Shall be located on the lot or development for which it is advertising;
The freestanding signs are on the lot for which it is advertising.
- b. Located on private property shall be no closer than five feet from the public right-of-way; unless, additional public right-of-way exists which allow placement of the sign while maintaining a five-foot setback from the improved right-of-way. The Director of Public Works shall approve the setback departure and may require the applicant to record an easement prior to installation of the sign.
The proposed signs will be located on private property and will be setback 5' 0" feet from the right-of-way.

Compatibility and Design Review Requirements (DMC 14.50.140)

The following criteria will be used for sign permit review at an administrative level and by the Design Review Board. The goal of this section is:

- A. To encourage signs that reflect the goals and policies of the City-Wide Visioning, Duvall Municipal Code Section 14.34.060(B)(10) and Comprehensive Plan, create an intimate pedestrian environment associated with the Downtown Sub-Area Plan when applicable;
Proposed sign meets applicable goals, policies, and code.
- B. Architectural compatibility: The signs shall be compatible in size, proportion, shape, character, and quality of design with the exterior architecture of the premises and other structures in the immediate area;
The proposed signs will be compatible in size, proportion, shape, character, and quality of design with the exterior architecture on-site and within the vicinity.
- C. Simplicity: To the extent feasible, the sign should be graphic and with limited use of words, with the design emphasis on simplicity of style. A simple design or abstract graphic design is preferred;
A simple design with limited graphic and wording is proposed.

- D. Target Audience: Only one sign per building elevation should be designed for vehicle use. Signs that are targeted primarily to serve pedestrians are generally preferred over signs targeted for both pedestrian and vehicle audiences;
Two signs are proposed as allowed by code. These signs will serve both pedestrian and vehicular audiences as the buildings are setback from the road and the proposed signs are adjacent to the sidewalk.
- E. Identification: A commercial sign should be designed for the primary purpose of identifying a business or office;
The proposed signs are designed for the primary purpose of advertising the commercial and offices spaces on-site.
- F. Shape, size, and orientation: The shape of a sign should not conflict with the architectural lines of its setting. Signs should be directed toward the passing motorist or pedestrian. No sign should be designed to be readable or to attract motorists from a great distance;
The shape of the proposed signs does not conflict with the architectural lines of its setting. The sign is directed toward motorists and pedestrians and is not designed to be readable from a great distance.
- G. Illumination and colors: A sign must not overpower its surroundings through hue, saturation, or brilliance or close combination of incompatible colors. Sources of illumination shall be screened from public view and shall be designed to avoid glare onto a street or adjacent property;
The proposed signs do not overpower their surrounds through hue, saturation, brilliance, or combination of incompatible colors.
- H. Landscaping: Signs shall be placed with consideration for existing and future growth of trees and other landscaping. A monument sign reviewed under this section must be placed in a landscaped area or planter, with landscaping maintained;
Signs will be located within an existing landscaped area.
- I. Compatibility with adjacent uses: The design, illumination, and location of a sign shall not impair the visibility or the design quality of existing, conforming signs, adjacent buildings, or adjacent uses;
The design, illumination, and location of the proposed signs will not impair the visibility of design quality of existing, conforming signs, adjacent buildings, or uses.
- J. To ensure that signs are part of, and consistent with, the overall design approach of a project.
The proposed signs are part of and consistent with the overall design of the associated commercial building.

III. STAFF RECOMMENDATION

Based on the foregoing findings, Staff recommends the Design Review Board **APPROVE** the Riverview Plaza monument signs as proposed (*see Exhibit 2*).



City of Duvall

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Public Works
14525 Main St NE
Duvall, WA 98019
(425) 788-3434 Fax: (425) 788-0311

PERMIT # _____

Exhibit 2

Sign/Monument/Banner Permit Application

Business Name: River Bend Plaza Parcel No. _____

Business Address: 15321 Main St Contact phone # 206 264 2954

Describe the scope of work **in detail:** Replace existing sign cabinets with new ones the same size as the existing ones.

Building Owner/Developer	
Name:	Azose Properties
Manager/Contact Person:	Kevin Schaps
Address:	8451 SE 68th St #200
City:	Mercer Island ST/Zip: Wa, 98040
Phone(s):	Fax:

Contractor	
Company Name:	TubeArt
ID#:	TUBEAD*311QS
Address:	11715 SE 5th St
City:	Bellevue ST/Zip: Wa 98005
Phone(s):	206 264 2954 Fax:

Sign: (Scale 1" = 20') 2 color & 2 copies, minimum size 8 1/2" x 11". Includes:

- Show view of sign, as it will appear on building.
- Show site plan of location of sign (building or monument)
*Monument signs must be 3 feet from any fire apparatus (ie: hydrants)
- Show weight and dimensions.
- Provide cross section showing foundation, structural members (studs, beam, post, wall) and how attached (bolts, screws, lags nails, welds) to building and into what framing member.
- Show what kind of material sign is made of, include color, whether lighted or not and all structural components. (size included)
- If applicant is not owner of building, must have a signed letter from owner approving sign & location
- Banner poles on the corner of Main & Woodinville/Duvall Rd is 12ft.
- Banners are allowed four (4) times per calendar year for a fourteen (14) day period, except grand openings which may be displayed for a period of forty-five (45) days.

TOTAL CONSTRUCTION COST ESTIMATE: \$ 15,000

Applicant: OWNER OWNER'S AGENT CONTRACTOR CONTRACTOR'S AGENT

I have read this application and declare under penalty of perjury that the information contained herein is correct and complete. I agree to comply with all City Ordinances and State Building Codes. I, hereby authorize representatives of this city to enter upon the above mentioned property for inspection purposes. I am owner of said property, the Washington State registered contractor responsible for the work, or I represent the owner or contractor as signified above and I am acting with the owner's/contractor's consent.

Shawn Bowen 6/19/2018

Shawn Bowen 6/18/2018

Print name

Date

Signature

Date

Application expires 1 year after submittal date.

OFFICE USE ONLY (Please do not write below this line)

PLANNING: Planning Approval _____ Date _____

Conditions: _____

BUILDING: Permit fee _____ Plan check fee _____ IT 5% _____ Total fees \$ _____

Building Department Approval _____ Date _____

Legend

Private Catchments
Type

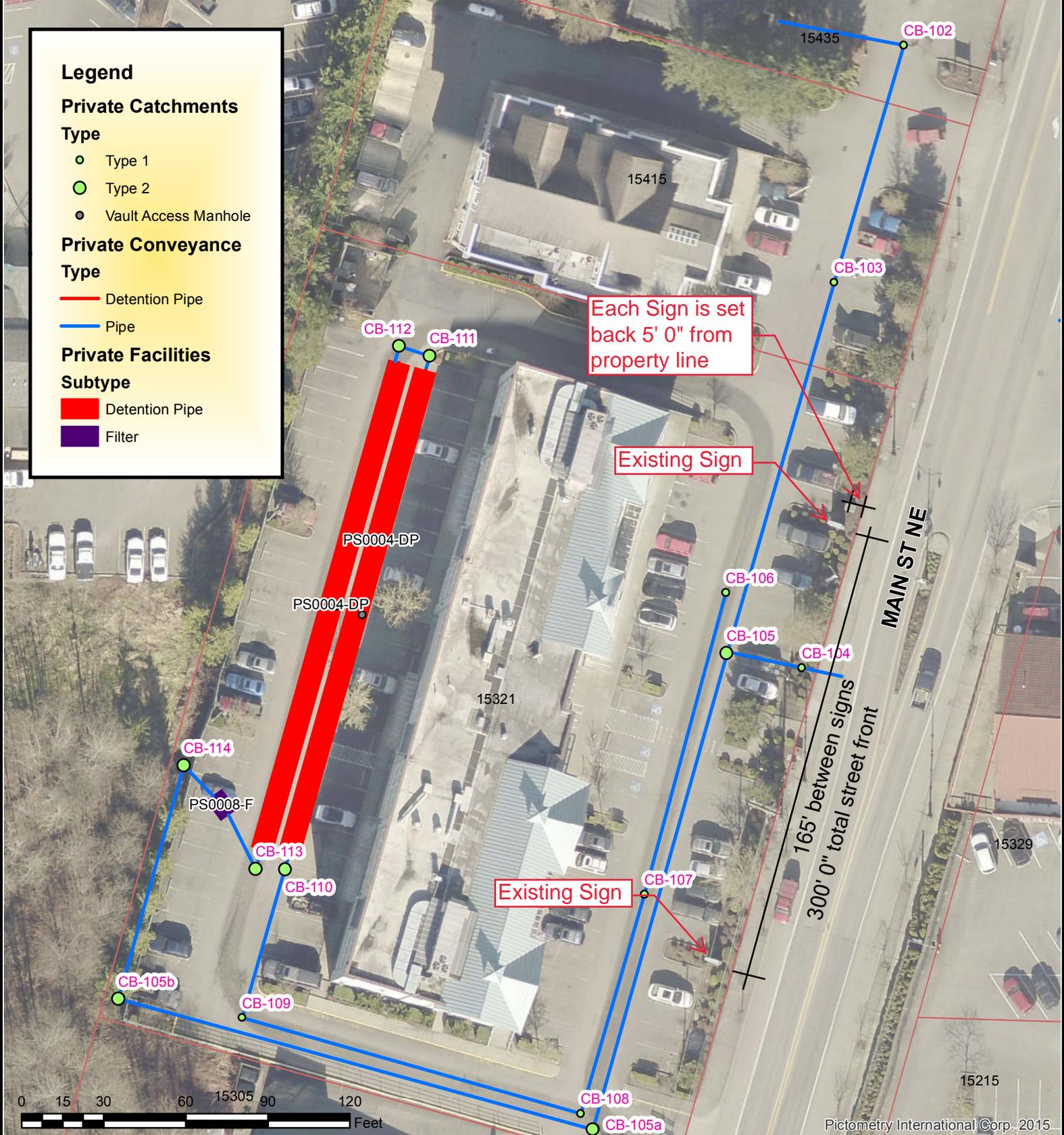
- Type 1
- Type 2
- Vault Access Manhole

Private Conveyance
Type

- Detention Pipe
- Pipe

Private Facilities
Subtype

- Detention Pipe
- Filter



Stormwater Facility Map

Facility ID: PS0004-DP; PS0008-F
Location: 15321 Main Street NE
Name: Riverview Plaza

Date: 12/4/2017



Created by the City of Duvall in 2017. The City makes no representation or warranty as to the product's accuracy of location of any map features therein. The City disclaims any warranty of merchantability or warranty for fitness or use for a particular purpose, expressed or implied, with respect to this product. For more information, contact the City of Duvall at 425.788.3434. Parcel Data provided by permission of King County

Sign Area = 32 sq feet



② End View
Scale: 1/2" = 1'-0"

① Front View of Monument #1 & Sign #2 (Side A)
Scale: 1/2" = 1'-0"

Remove two existing double sided tenant monument signs. Replace with two new double face illuminated monument signs

- Ⓐ Header cabinet will have an extruded aluminum frame and retainers with a full bleed aluminum face with routed out graphics. Back with white acrylic, adding a blue vinyl to the center "wave" graphic.
- Ⓑ Tenant sign will also have a TAG extruded aluminum sign cabinet with TAG extruded aluminum retainers and divider bars. Paint both sign cabinets dark beige, satin finish. Illuminate both signs internally with cool white LEDs.
- Ⓒ Decorative top cap will be a 4"x2" alum rec tube, with angled ends that are capped. Support "arm" will be 2" alum square tube. Paint both burgundy, mount to cabinet body with oversized hex bolts.
- Ⓓ **Reuse existing supports and brick base. Verify all conditions and dimensions prior to fabrication. Verify tenant locations for each sign**



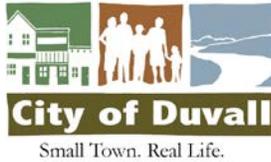
③ Monument #1- Existing Conditions (Side A)
Scale: ±1/4" = 1'-0"



④ Monument #2 - Existing Conditions (Side A)
Scale: +1/4" = 1'-0"

 Dark Beige MP12860 Chukker Brown	 Burgundy MP13306 Brown Bomber	 Process Blue Gerber #230-337
 Femco Green TBD	 EastWeight Dk Green TBD	 EastWeight Lt Green TBD
 Storage Court PMS 361 C		 Storage Court PMS 7693 C

⑤ Color Palette



CITY OF DUVALL
Planning Department
PO Box 1300, Duvall, WA 98019 425.788.2779
www.duvallwa.gov

Exhibit 1

DESIGN REVIEW STAFF REPORT

TO: Planning Commission
FROM: Troy Davis, Senior Planner
DATE: July 25, 2018
FILE: DRA18-001 Duvall Village & Duvall Cultural & Performing Arts Center

I. INTRODUCTION

A. APPLICATION

Submittal Date: June 18, 2018

Applicant/Contact: Melanie Davies
1010 Market Street
Kirkland, WA 98033

Property Owner: 1303-WLD Duvall Village, LLC
1010 Market Street
Kirkland, WA 98033

Project Name: Duvall Village and Duvall Foundation for the Arts Duvall Cultural & Performing Arts Center Building Design Review Amendment

Project Location: 14300 Block of Main Street NE
Duvall, WA 98019
(Parcel No.24260690800)

Request: Site Plan (Design Review & Recommendation Only)

Site Plan Review Date: July 25, 2018

Peer Review Architect: Andrew Kovach
Kovach Architects
2115 Colby Avenue
Everett, WA 98201

B. EXHIBITS

1. Design Review Staff Report
2. Master Permit Application
3. Site Plan Review Permit Application

4. Project Narrative
5. Departure Request DMC Section 14.34.042.B.9
6. Departure Request DMC Section 14.34.051.F.2.a
7. Departure Request DMC Section 14.34.051.F.2.d
8. Departure Request DMC Section 14.34.061.B.1.b
9. Departure Request DMC Section 14.34.061.B.1.c
10. Departure Request DMC Section 14.34.061.G.4:
11. Departure Request DMC Sections 14.34.062.C.8; 14.34.062.D.4-5; 14.34.062.H.1,4
14.34.062F
12. Design Review Response Letter
13. Amended Townhome Elevation Drawings
14. Amended Community Duvall Cultural & Performing Arts Center (CPAC) Elevation
Drawings
15. Exterior 3D CPAC Rendering
16. Notice of Complete Application
17. Notice of Application
18. Affidavit of Posting & Mailing
19. Planning Commission Review Criteria
20. Peer Review Matrix – Townhomes
21. Peer Review Matrix – CPAC
22. Pre-Annexation Agreement
23. Design Review Packet (*dated January 7, 2014[sic]*)
24. Approved Planning Commission Meeting Minutes (*dated January 7, 2015*)
25. Memorandum of Understanding (*Signed April 30, 2018*)
26. Development Agreement (*dated June 18, 2015*)
27. Preliminary Plat Hearing Examiner Decision (*dated July 6, 2015*)
28. June 27, 2018 Planning Commission Minutes – public comments

II. BACKGROUND INFORMATION

A. PROJECT HISTORY

The Duvall Village project dates to October 18, 1993, when the former property owners, Help Services, filed a notice of intent to annex with the City of Duvall. On December 9, 1993, the City adopted Resolution No. 93-2, accepting notice of intent to annex. Following this, Help Services filed with the City an annexation petition meeting all legal requirements on August 23, 1994. The King County Boundary Review Board approved the annexation on October 28, 1994. As a condition of the annexation, the City required Help Services to dedicate a portion of what is now McCormick Park (Parcel# 232606900). The City approved an amended Pre-Annexation Agreement on March 27, 1995 (*see Exhibit 22*), and the property annexed into the City on April 13, 1995.

Following the annexation, Help Services filed a land use application for the Duvall Village Project for 226 residential units and retail uses on April 12, 1999. During this time the City and Help Services begin negotiations to resolve the disagreement between the parties regarding vesting and maximum allowable densities in lieu of imminent litigation. As a result, the City entered into a Settlement Agreement with the Developer, dated November 13, 2000. In 2001, the developer applied for entitlement to move a project forward and included provisions for

relocating an on-site yellow barn (Thayer Barn) in coordination with the Duvall Foundation for the Arts (DFA) and allowing the city 10 years to use the Thayer Barn to create a community center/parks department site. In 2003, Help Services decided not to move forward with the project and the Thayer Barn relocation stalled per the conditions of the Settlement Agreement. In 2006, the Mayor notified the Council and DFA that the Thayer Barn project was no longer moving forward. From 2008 to 2010, the city worked with the developer on conceptual site designs, including a public parking lot with trail access to the Snoqualmie Valley Trail. Finally, in 2010, the owner abandoned work on the project.

In 2013, 1303-WLD Duvall Village LLC (Westcott Homes) initiated contact with the City regarding development options for the subject property. During this time, City staff began an informal review of 1303-WLD Duvall Village LLC. In early 2014, Westcott Homes purchased the property and submitted permit applications for preliminary plat, site plan review, and shoreline substantial development permit. Following this, 1303-WLD Duvall Village LLC formally submitted a draft Development Agreement. During the initial review of the Development Agreement and preliminary plat, the parties agreed that proposed Commercial Parcels C2 and C3 should be used as a park or another public amenity. It was ultimately determined that Parcel C2 should be used for a public park and trail parking and that the Thayer Barn should be deconstructed and utilized, if possible, for construction of a new CPAC on Parcel C3. At this time DFA became the third and final party of the Development Agreement.

The three parties determined that a Memorandum of Understanding (MOU) should be developed to supersede and clarify requirements associated with the 1995 Amended Pre-Annexation Agreement, which was recorded against the property, and a 2000 Settlement Agreement with the former property owner. The purpose of the MOU was to ensure all parties agree on key points and to craft an agreement that would take the place of the two outdated agreements as described in the MOU. On September 25, 2014, City Council approved the MOU at a public hearing (*see Exhibit 25*). Following this the parties finalized the Development Agreement that established a framework for a new CPAC, park acquisition, impact fee credits, impact fee vesting, frontage improvements, park improvements, phasing of the development, and extinguishment of all previous agreements (*see Section III*) upon recording a final plat and dedication of the C2 parcel to the City and the C3 parcel to DFA. City Council approved the Development Agreement on June 9, 2015.

On April 14, 2014, Wescott Homes submitted land-use applications for Preliminary Plat, Site Plan Review, and Shoreline Substantial Development. The Planning Commission conducted site plan review for on January 7, 2015 (*see Exhibits 23 & 24*) and recommended approval. On July 6, 2015, the Hearing Examiner approved the Duvall Village project inclusive of the Planning Commission's recommendation (*see Exhibit 27*).

The approved plans included two different architectural styles for the townhomes: Style A—Modern and Style B—Craftsman (*see Exhibit 23*). The Thayer Barn was to be used as part of the new Cultural & Performing Arts Center which was to reference the Thayer Barn with some additions that were to be consistent with barn style architecture.

In January of 2018, 1303-WLD Duvall Village LLC, approached the City seeking design changes to the townhomes and the Duvall Cultural & Performing Arts Center and on June 18, 2018,

submittal formal application for a design review amendment on behalf of Westcott Homes and the Duvall Foundation for the Arts (*see Exhibits 2 & 3*).

B. PROPOSED LAND USE ACTION

The Applicant is proposing architectural changes to the previously approved townhomes and Duvall Cultural & Performing Arts Center (CPAC).

The Applicant is proposing to change the Style A—Modern townhomes to a new “Modern Farmhouse” architectural style along with a different color and material scheme (*see Exhibit 13*). The Applicant is also proposing changes to the design elements, materials, and colors of the Style B—Craftsman townhomes (*see Exhibit 13*).

The Applicant is also proposing architectural design changes to the Duvall Cultural & Performing Arts Center, formerly referred to as Thayer Barn. The deterioration of Thayer Barn made it impractical to restore as originally planned. The newly constructed CPAC (*see Exhibit 14-15*), will feature some similarity to the original design (*see Exhibit 13*).

The Applicant has also re-submitted the same departure requests from certain Design Guidelines in Duvall Municipal Code Chapter 14.34 that were granted with the current approved design for both the townhomes and CPAC (*see Exhibits 5-11*).

The Applicant is not proposing changes to the overall site plan and this landuse action does not include site plan modification.

C. PUBLIC COMMENTS

A Notice of Application for this proposal was issued on June 27, 2018 (*see Exhibit 17*). This notice went to property owners within 500 feet of the site and was posted at city hall and the library (*see Exhibit 18*). No comments were received.

D. EXISTING SITE CONDITIONS

Lot Size: 1,494,979 Square Feet (34.32 Acres)

Current Land Use: Vacant - Approved Preliminary Plat, Engineering Plans, Clear and Grade Permit

Comprehensive Plan Designation: CO (Commercial)

Zoning Classification: MU12 (Mixed Use – Commercial and Residential)

Site Description: The project has approved engineering plans and the Applicant has begun clearing and grading.

Site & Situation: The subject property is located in the 14300 block of Main Street NE. This is within the southwest corner of the City west of Main Street and east of the Snoqualmie Valley Trail. To the north is the City’s wastewater treatment plant, to the west is City owned parks and

open space, to the south is an operating nursery and the east is vacant commercial land. The development will consist of a commercial pad, a performing arts center, and attached townhomes.

E. GENERAL DESCRIPTION OF PROPOSED DESIGN ELEMENTS

Townhomes: The revised townhomes will remain exactly the same size with the same street level front-loaded garages and living space on the upper floors as was previously approved. They will feature primary gable roof forms with accents and some shed roof secondary roof forms with rear balconies for all residential units. Materials consist of lap, shingle, and board and baton siding with stone accents. Colors will be a mix of various earth tone paint colors. Exterior light fixtures, garage doors, and front doors will be consistent with either farmhouse or craftsman detailing.

Duvall Cultural & Performing Arts Center: The facility will be a newly constructed building with design features similar to the original barn. The exterior of the exterior of the building will consist primarily of lap boarded siding and will be painted a yellow color similar to the original barn while also blending into the color scheme of the townhome project. The base will consist of concrete and the additions to the primary barn structure will consist of blackened steel and artistically treated perforated metal.

III. REVIEW PROCESS AND ANALYSIS

A. SITE PLAN/DESIGN REVIEW PROCESS

Site Plan Review applications submitted to the City are subject to review by the City's Planning Commission pursuant to DMC 14.08.010.C.2 (*see Exhibit 19*). Site Plan review by the Planning Commission occurs during regularly scheduled meetings of the Planning Commission. Staff provides the Planning Commission with review materials and its findings a week ahead of the scheduled site plan review. During the review, the Applicant presents their proposal, including how it conforms to the City's Design Guidelines. The Planning Commission will have the opportunity to ask clarifying questions, discuss the proposal as a body, and make a recommendation if ready.

The Planning Commission is responsible for reviewing a proposal for conformance with the City's applicable Design Guidelines codified in Duvall Municipal Code Chapter 14.34 with respect to building design (DMC 14.34.060). After its review, the Planning Commission then makes a recommendation to the City's Hearing Examiner. The Planning Commission may recommend approval, approval with conditions, or denial. Staff presents the Planning Commission's recommendation during the public hearing on the proposal before the Hearing Examiner; however, staff can note in their staff report to the Hearing Examiner whether they are in agreement or disagreement with the planning commission's recommendation (*see Exhibit 19*).

B. DEPARTURE REQUESTS

Pursuant to Duvall Municipal Code (DMC) Section 14.34.010.E, the planning director may require or allow departures from required standards in the following circumstances: 1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards; 2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards; 3. In each case above, the applicant must utilize other methods per the Planning

Director's satisfaction that meet the intent of the applicable standard(s); and 4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the Planning and Public Works directors.

The applicant is seeking the same departure requests from six Design Guidelines within DMC Chapter 14.34 (Design Guidelines) applicable to the Duvall Village Townhomes (*see Exhibits 5-10*). These are the same departures that were approved and granted with the previous design review and the Applicant has request the approved departures are being carried over to this design review:

1. DMC Section 14.34.061.B.1.b: *“No more than two of the same model and elevation shall be built on the same block frontage (four hundred (400) feet) or across a public right-of-way. Where longer blocks are approved by the city, a four hundred (400) foot interval shall be used for purposes of this section. Where curvilinear roads are used, the city may consider an increase to three of the same model and elevation if they meet the intent of this section.”*
2. DMC Section 14.34.061.B.1.c: *“The same model and elevation shall not be built next to each other.”*
3. DMC Section 14.34.061.G.4: *“Porches and stoops shall be raised above the grade at the front elevation, ideally a minimum of eighteen (18) inches, except where accessibility (ADA) is required. An accessible route may also be taken from a front driveway.”*

The applicant is also seeking departure requests from four Design Guidelines within DMC Chapter 14.34 (Design Guidelines) applicable to the DFA CPAC (*see Exhibit 11*):

1. DMC Section 14.34.062.C.8: *“Secondary building forms or intersecting rooflines shall be used to break up continuous sloped roofs.”*
2. DMC Sections 14.34.062.D.4-5: *“4. Building facades in the OT, UT-1, MUI2 and RIV zoning districts must include further modulation and other features to reflect the pattern and the City of Duvall's traditional building lot pattern. The following standards must be met:
a. Use of windows, entries and other features that create a regular rhythm of twenty-five-foot storefront spaces, linking ground floor and upper stories. b. Use of awnings, weather protection, and architectural features that reinforce a regular pattern of twenty-five-foot storefronts. For example, for a business that occupies three lots, use building and roofline modulation, change in materials/colors, and awnings to break down the scale of the storefronts. c. Change of roofline. d. Change in building material or siding style (coordinated with change in building color where appropriate). e. Horizontal building modulation (depth at least two feet and preferably tied with to roofline modulation). f. Other methods as determined by the Planning Director.
5. Rooflines of all buildings shall include a prominent cornice design that integrates all elements of the building's massing and articulation. Dormers, chimneys, stepped roofs, gables and other accents to the roofline are permitted and encouraged. The width of any continuous flat roofline should extend no more than fifty (50) feet without modulation. Modulation should consist of a change in elevation of the visible roofline of at least four feet. The Director may*

reduce or eliminate these requirements where other treatments are successfully used to meet the intent of the standard.”

3. DMC Sections 14.34.062.F.1.a-c,f-k;3: *“All new buildings shall substantially include the following elements on their primary facades subject to Planning Director approval. Items used to meet DMC 14.34.050 B or C, or other sections of this chapter, shall not be used to meet this requirement. Treatments that create a false sense of historicism are discouraged. a. Display windows divided into a grid of multiple panes. Display windows can vary between storefronts to avoid uniform appearance on multi-tenant buildings. b. Transom windows; c. Recessed windows ... f. Window bays; g. Recessed entry; h. Sills; i. Pilasters; j. Landscaped trellises or other decorative element that incorporates landscaping near the building entry (element must be integrated into the building and not a simple potted plant); k. Decorative light fixtures ... 3. All new or remodeled buildings shall include protective awnings or canopies over all sidewalks with a minimum width of six feet. Canopies and awnings shall meet all clearance requirements set forth by the city.”*
4. DMC Sections 14.34.062.H.1,4: *“Additional Standards for Commercial and Industrial Buildings. Building facades of large-scale buildings such as commercial, office, industrial, or institutional buildings where the building is multi-story or wider than sixty (60) feet (measured along the primary façade) shall substantially include the following modulation and other features: 1. Two building modulations for every one hundred twenty (120) feet of linear distance with a minimum depth of two feet. Building modulation shall extend from ground plane to the roof ... 4. Roof modulation through changes in height, pitch (i.e. flat to sloped), material, overhangs or roof cap detail (banding, cornice treatment etc.).”*

C. REVIEW CRITERIA

In accordance with Duvall Municipal Code Title 14, the proposed Duvall Village and Duvall Cultural & Performing Arts Center design review amendment is consistent with the following criterion:

1. DMC Chapter 14.08 (Permit Processing): Exhibits 16-18 demonstrate compliance with the permit processing requirements of this chapter.
2. DMC Chapter 14.34 (Design Guidelines): Exhibits 20 and 21 demonstrate compliance with the applicable design guidelines of this chapter.

IV. STAFF RECOMMENDATION

A. RECOMMENDATION

Based on staff’s Findings of Fact, planning staff recommends that the Planning Commission make a recommendation of **APPROVAL** to the Hearing Examiner subject to the following conditions:

1. Townhome and CPAC construction drawings shall be in substantial conformance with the elevation plans as recommended by the Planning Commission.

Received Stamp	 City of Duvall Small Town. Real Life.	Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov
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Master Permit Application

This form must be completed (clearly printed or typed) and submitted to the Planning Department to file an application. Additional materials are required for specific types of applications. For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY

File No.:		Received By:		Date Received:			
Type of Application:	TYPE I <input type="checkbox"/> Administrative Interpretation <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Wireless Facility <input type="checkbox"/> Other Construction Permits – no SEPA required <input type="checkbox"/> Final Site Plan	TYPE II <input type="checkbox"/> Building Permit-SEPA required <input type="checkbox"/> Other construction permit – SEPA required <input type="checkbox"/> Sensitive Area Permits <input type="checkbox"/> Site Plans, Parks less than ½ acre in new area	TYPE III <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Shoreline Substantial Development Permit <input type="checkbox"/> Preliminary Short Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Vacations/Alterations <input type="checkbox"/> Reasonable Use Exception	<input type="checkbox"/> Shoreline Conditional Use Permit <input type="checkbox"/> Shoreline Variance <input type="checkbox"/> Preliminary Long Subdivision <input type="checkbox"/> Variance	TYPE IV <input type="checkbox"/> Rezone	TYPE V <input type="checkbox"/> Final Plat	TYPE VI <input type="checkbox"/> UDR Text Amendment <input type="checkbox"/> Annexation <input type="checkbox"/> Area-Wide Zoning Map Amendment <input type="checkbox"/> Comp. Plan Amendment <input type="checkbox"/> Development Agreement <input type="checkbox"/> Street Vacation
<input checked="" type="checkbox"/> Other Application (please explain): <i>Design Review</i>							

APPLICANT

Name (please print): 1303-WLD Duvall Village, LLC		Phone # (425) 576-9390	
Email Address: mdavies@westcotthomes.com			
Street Address: 1010 Market Street	City: Kirkland	State: WA	Zip: 98033

BASIC PROJECT INFORMATION

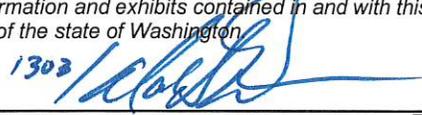
Project / Development Name: 1303-WLD Duvall Village	Project / Development Location (including nearest intersections): SR203 & NE 143 rd Place		
Description of Proposed Action: Revisions to residential building exteriors and CPAC exterior			
Assessor / Tax Parcel Numbers (include 10-digit parcel number for all parcels within project boundaries):			
242606-9080-0			
Land Area of Project Site (sq. ft. & acres): 34.32 acres	Zoning District:	Comp Plan Designation:	
Present use of property: pasture	Are there Sensitive Areas on the property? yes		

CONTINUED ON NEXT PAGE

OWNER (if other than applicant)

Name (please print): Email Address:		Phone #: ()	
Street Address:	City:	State:	Zip:

AUTHORIZATION TO FILE APPLICATION (all persons with an ownership interest in property)

Name (please print):		<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contract Purchaser
Address: 1010 Market Street, Kirkland, WA 98033		<input type="checkbox"/> Option Purchaser	
Phone #: (425) 576-9390	Option Expiration Date:		
Assessor Parcel Number(s): 242606-9080-0			
<i>I certify that the information and exhibits contained in and with this application is true and correct to the best of my knowledge and under the penalty of perjury by the laws of the state of Washington.</i>			
Signature: 			
Name (please print):		<input type="checkbox"/> Owner	<input type="checkbox"/> Contract Purchaser
Address:		<input type="checkbox"/> Option Purchaser	
Phone #: ()	Option Expiration Date:		
Assessor Parcel Number(s):			
Other Documents Required: 1. Application / Information for specific permit type. 2. SEPA Checklist.			
<i>I certify that the information and exhibits contained in and with this application is true and correct to the best of my knowledge and under the penalty of perjury by the laws of the state of Washington.</i>			
Signature: _____		Date: _____	

CONTINUED ON NEXT PAGE

APPLICANT NOTARY

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the City of Duvall may nullify any decision made in reliance upon information given on this application form should there be any willful omission of significant information or any misrepresentation or willful lack of full disclosure on my part.

Applicant's Signature 1303 / [Signature]

STATE OF WASHINGTON }
COUNTY OF KING } SS

On this 18th day of June, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Mark Dwyer, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as she free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL THIS 18th day of June, 2018.



Notary Seal Affixed Here

Melanie Davies

Notary Public in and for the State of Washington
residing at Snohomish

OWNER NOTARY (if other than Applicant)

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the City of Duvall may nullify any decision made in reliance upon information given on this application form should there be any willful omission of significant information or any misrepresentation or willful lack of full disclosure on my part.

Owner's Signature _____

STATE OF WASHINGTON }
COUNTY OF KING } SS

On this _____ day of _____, 20__, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ day of _____, 20__.

Notary Public in and for the State of Washington
residing at _____

The following tables set out the project permit decision making and appeal processes, the division of action types into permit types and the required procedure for each permit type.

Table 14.08.010.C.1 Project Permit Applications – Action Type

Project Permit Applications – Action Type					
TYPE I	TYPE II	TYPE III	TYPE IV	TYPE V	TYPE VI
Boundary Line Adjustments	Building Permits – SEPA required	Conditional Use Permits	Rezones	Final Plats	UDR Text Amendments
Minor exterior remodels, no building permit required		Shoreline Conditional Use Permits			Annexations ⁽²⁾
Building Permits – no SEPA required	Other Construction permits – SEPA required	Shoreline Substantial Development Permits			Area-Wide Zoning Map Amendments
Other Construction Permits – no SEPA required	Sensitive Area Permits	Shoreline Variances			Comprehensive Plan Amendments
Wireless Facilities on Existing Structure – Camouflaged	Site Plans, Parks less than ½ acre in new area		Preliminary Short Subdivisions		
Final Site Plan Permits		Site Plans			
Administrative Interpretations		Preliminary Long Subdivisions			
Shoreline Exemptions		Variances			
		Vacations or Alterations – Subdivisions			
		Reasonable Use Exceptions			

Table 14.08.010.C.2 Project Permit Applications – Decision Making and Appeal Process

Project Permit Applications – Decision Making and Appeal Process						
	TYPE I	TYPE II	TYPE III	TYPE IV	TYPE V	TYPE VI
Final Decision made by	Director	Director	Hearing Examiner	City Council	City Council	City Council
Recommendation made by	N/A	N/A	Planning Department Planning Commission ⁽¹⁾	Planning Commission Public Meeting	Engineering Department	Planning Commission
Open Record Public Hearing – Decision	No	No	Yes – Hearing Examiner	Yes – City Council	No	Yes - Planning Commission Yes - City Council
Open Record Public Hearing - Appeal	Yes	Yes	No	No	No	No
Closed Record Appeal	No	No	No	No	No	No
Appeal to:	Hearing Examiner	Hearing Examiner	King County Superior Court	King County Superior Court	King County Superior Court	King County Superior Court
Judicial Appeal	Yes	Yes	Yes	Yes	Yes	Yes

(1) Site plan applications only shall require a recommendation by both the Planning Commission and the Planning Department.

(2) Annexation petition decisions are not appealable.

Table 14.08.010.C.3 Required Procedures for Project Permit Applications

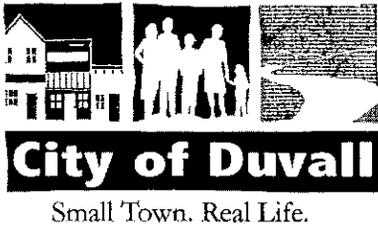
Required Procedures for Project Permit Applications						
	TYPE I	TYPE II	TYPE III	TYPE IV	TYPE V	TYPE VI
Pre-Application Meeting	No	No	Yes	Yes	No	No
Notice of Completeness	No	Yes	Yes	Yes	Yes	No
Notice of Application	No	Yes	Yes	Yes	No	No
SEPA Determination ⁽¹⁾	No	Yes	Yes	Yes	No	Yes
Notice of Hearing	No	No	Yes	Yes	No	Yes
Notice of Decision	No	Yes	Yes	Yes	Yes	No
120 Day Review ⁽²⁾	No	Yes	Yes	Yes	No	No

- (1) SEPA not required for projects that are categorically exempt in accordance with DMC 14.60.
- (2) 120 Day Review does not apply to preliminary or final plats. Preliminary long or short plats have a 90-day review clock and final short or long plats, a 30-day review clock in accordance with RCW 58.17.140.

Table 14.08.010.C.4 Notice Requirements for Project Permit Applications

Notice Requirements for Project Permit Applications ¹							
	Send to Property Owners within 300'	Post Property	Publish Notice	Send to Agencies (including DRC)	Send to Applicant	Provide to PC	Provide to CC
Notice of Completeness	No	No	No	No	Yes	No	No
Notice of Application	Yes	Yes	No	Yes	Yes	Yes	Yes
SEPA Determination	No	No	Yes	Yes	Yes	Yes	Yes
Notice of Open Record Predecision Hearing, if applicable ²	Yes	Yes	Yes	No	Yes	Yes	Yes
Notice of Decision ⁽¹⁾	No	No	No	No	Yes	Yes	Yes
Notice of Open Record Appeal Hearing, if applicable	Yes	Yes	Yes	No	Yes	Yes	Yes

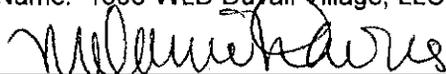
- (1) Notices are sent to parties of record. (See DMC 14.08.030.)
- (2) Preliminary plats; see additional notice requirements in DMC 14.08.030.F.4.b.

<p>Received Stamp</p>		<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 www.duvallwa.gov</p>
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Site Plan Review Permit Application

This form must be completed (clearly printed or typed) and submitted to the City to file an application, along with the Master Permit Application. Additionally, the applicant shall provide all information as required by the attached checklist, as well as all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY

File No.:	Received By:	Date Received:
Applicant Name: 1303-WLD Duvall Village, LLC		Phone # (425) 576-9390x204
Signature: 		
Project / Development Name: Duvall Village		
Street Address / Location of Site: SR 203 & NE 143 rd Place		
Assessor / Tax Parcel Number(s): 242606-9080-0		
Zoning:	Comprehensive Plan Designation:	

A. Justification
An applicant shall demonstrate that the site plan review application meets all criteria as defined in DMC 14.62.030, as well as provide the following information:

1. Provide a written description of the project.
2. Provide written documentation that the project is consistent with the Comprehensive Plan and Unified Development Regulations.
3. Discussion of how the proposed project is consistent with the City's development regulations in consideration of:
 - a. The type of land use of the proposed project;
 - b. The level of development, such as units per acres or other measures of density;
 - c. Availability of infrastructure, including public facilities and services needed to serve the development; and
 - d. The character of development, including compliance with DMC 14.34, Design Guidelines and all other provisions of this Title.
4. Explain how the project conforms with the following principles set out in DMC 14.34.020:
 - a. A unifying organization that takes into account site conditions (e.g., topography, slopes, streams, wetlands) and adjacent uses;
 DUVALL VILLAGE HAS AN APPROVED PRELIMINARY PLAT AND APPROVED ENGINEERING PLANS AND HAS SHOWN IT CONFORMS TO PRINCIPALS AND DMC.N/A

- b. Convenient and connected pedestrian and vehicular circulation, including a range of street types, pedestrian pathways, and trails that support a variety of street and frontage types;
 DUVALL VILLAGE HAS AN APPROVED PRELIMINARY PLAT AND APPROVED ENGINEERING PLANS AND PROVIDES CONVENIENT AND CONNECTED STREETS AND TRAILS. N/A
- c. A variety of building types, with assorted floor plans and elevations that complement the village character of Duvall and enhance adjacent uses and buildings;
 DUVALL VILLAGE HAS AN APPROVED PRELIMINARY PLAT AND APPROVED ENGINEERING PLANS AND THERE ARE A VARIETY OF BUILDING STYLES, SIZES, FLOOR PLANS, AND ELEVATIONS APPROVED ALREADY HOWEVER WITH THIS APPLICATION WE ARE PROVIDING UPDATED STYLES AND ELEVATIONS FOR APPROVAL. THESE UPDATES ARE MORE COMPLEMENTARY TO THE RURAL NATURE OF THE COMMUNITY. SEE SUBMITTAL FOR DETAILS.
- d. Façade designs, landscaping, usable open space and other common amenities that serve to organize the site, create points for community gathering, and incorporate screening, environmental mitigation, utilities, and drainage as positive amenities in the overall site design;
 DUVALL VILLAGE HAS AN APPROVED PRELIMINARY PLAT AND APPROVED ENGINEERING PLANS. N/A
- e. Where abutting developed land provides road stub-outs, easements, or other methods to provide the opportunity for future road connections, the interior street, sidewalk and trail network of new development shall be designed to link up to those connections and provide a clear public path of travel for both vehicles and pedestrians, unless there are site constraints such as topography or sensitive areas that make such connections infeasible.
 DUVALL VILLAGE HAS AN APPROVED PRELIMINARY PLAT AND APPROVED ENGINEERING PLANS. N/A

- A. A Site Plan Checklist has been included in the application packet. It included all items that are required at time of submittal.**
- B. Any other information deemed pertinent by the DRC, Planning Commission or City Council or required to be submitted with the site plan under other provisions of the Duvall Municipal Code.**

Ms. Lara Thomas, City Planner
City of Duvall
15535 Main Street NE
Duvall, WA 98019



Date: January 29, 2018
RE: 1303-WLD Duvall Village
Proposed changes to approved Building Design

Dear Ms. Thomas:

On July 6, 2015 the Duvall Village project received preliminary plat approval which included preliminary design review of the proposed townhome buildings. In the years following approval of the preliminary plat the preliminary buildings were designed, permitted, and constructed on other projects and in the process, many of the details shown were refined and improved. In addition, over the years the marketability of different styles and colors has shifted.

The Applicant, 1303-WLD Duvall Village, LLC would like to request review and administrative approval of several proposed changes to the building elevations. The proposed changes will bring the buildings into better conformance with the City's design standards and lessen the contrast between the building styles creating a more cohesive neighborhood. In addition, the proposed changes to the Duvall Village building elevations better reflect the current design trends of the housing market, are more sensitive to the rural feeling of the area, and will further integrate the character of the townhome portion of project to the Community Performing Arts Center to be constructed at the center of the neighborhood.

The Applicant proposes the following changes:

- Architectural Style – The approved building elevations consisted of two architectural styles: Style A – Modern, and Style B – Craftsman. During design review it was recognized that the contrast between the modern style and the craftsman style made for a less cohesive project. The Applicant would like to replace Style A – Modern with a new *Style A – Modern Farmhouse*. The Modern Farmhouse style not only conforms more readily with the City's design standards, but also fits the character and the history of the City. While Style A – Modern Farmhouse is still distinctly different from Style B - Craftsman, the two styles are more complementary than the two previously approved. Both of these styles would also blend in well and complement the style and character of the proposed performing arts center that would be located in the center of the project.
- Materials and Colors – The previously approved materials and colors were chosen because they worked to bring common elements to significantly different old Style A – Modern, and Style B – Craftsman. The materials and colors approved are not representative of the Craftsman style by itself and now that the Applicant is proposing two more compatible styles, the materials and colors have been updated. The materials and colors are also updated to meet market current trends.

- Departures – Both Style A – Modern Farmhouse and Style B- Craftsman benefit from the same departures previously approved by the City and there are no additional departures necessary.

When introducing the new Style A – Modern Farmhouse, there were several details that were updated or changed on the Style B – Craftsman to bring them more closely together as a cohesive project. Below is a list of the specific detail changes made to Style B that differ from what was in the approved drawings:

- Garage Doors – These were changed from a standard garage door to a craftsman style door with glass panels at the top.
- Entry Doors – These were changed out from a standard 6-panel door to a craftsman style door with glass at the top.
- Windows – Generally the window sizes and locations remained the same, but some additional windows were added and window grids were added.
- Patio & Deck Doors – These were upgraded from sliding glass doors to swing doors that provide locations for accent colors to be introduced on the rear elevation of the buildings.
- Additional Modulation at Roof – Some secondary roof gable elements have been added to add additional hierarchy to the primary bay forms of each unit. Some additional craftsman detail features have been added to the peaks of several of these gables.
- Deck Roofs – Previously all the decks were covered with a shed type roof. We have introduced a gable style roof on some of the decks to provide some additional variety and interest at the rear elevations.
- Materials and Colors – As mentioned previously these were updated to be more in line with what is used traditionally on the craftsman style. The solid panel siding and the horizontal board siding were replaced with the more traditional horizontal lap siding and shingle siding.
- Stone – The use of stone was increased slightly from what was shown previously to wrap further around the sides of the building while eliminating some of the stone walls to create a more open feel at the unit entries.
- Entry Columns – the style of columns was changed at the unit entries to simplify the look but still use a classic craftsman style column.
- Entry Roofs – To add variety and individuality to the unit entries the gables of the end units were rotated to give a different look along the front elevation.

Below is a list of design differences and similarities used In order to maintain distinct separation between the new proposed Style A – Modern Farmhouse and the revised Style B – Craftsman, as well as to maintain a cohesive unified project where the styles complement each other.

Differences:

- Roof Pitch – The Modern Farmhouse style uses a much steeper roof pitch.

- Entry Doors – The Modern Farmhouse style uses an 8’ entry door with different panel styles as opposed to the standard size craftsman style door in the other style.
- Gable detail elements – The Farmhouse Style shows clean gables while the Craftsman shows knee braces and other gable detail elements.
- Materials – The main accent material is different for each style. Board and Batten for the Modern Farmhouse style and Shingle for the Craftsman style. Also each style has a unique material added as a special feature for that style: Metal roofs for all the low roofs in the Farmhouse style, and stone at the base along the front and sides for the Craftsman style.
- Entry Columns – The Modern Farmhouse uses a simple subdued column style while the others are the distinctive Craftsman style columns.

Similarities:

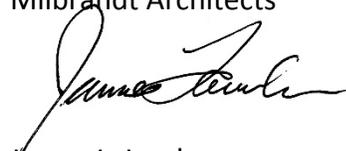
- Garage Doors – Both use a similarly styled garage door.
- Window Trim – While the trim is similarly styled, the trim on the Craftsman style is larger and more pronounced.
- Window Grids – While similar they each have a unique application of window grid system.
- Base Materials and Colors – There is an effort to use similar base colors and material between the two styles.

Please consider the Applicant’s proposed changes an improvement of the preliminary concepts and character of the building elevations that were presented and approved during the design review process. The result of the proposed changes will be a more refined and visually attractive residential development.

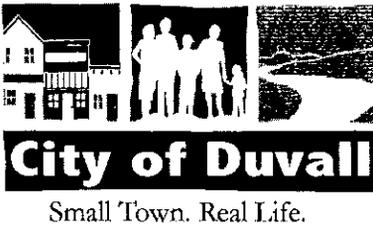
Please do not hesitate to contact me if you have any questions.

Thank You,

Milbrandt Architects



James L. Lawler
Project Architect
425-454-7130

<p>Received Stamp</p>		<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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Departure Request from DMC14.34 Design Guidelines

This form must be completed (clearly printed or typed) and submitted to the City to file an application along with the Master Permit Application. In addition, the applicant shall provide all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY

File No.:	Received By:	Date Received:
Applicant Name: Westcott Homes, Melanie Davies		
Phone # (425) 576-9390 Ext. 204		
Signature: <i>Melanie Davies</i>		
Project / Development Name: Duvall Village		
Assessor / Tax Parcel Number(s): 242606-9090-00		

The Planning Director may require or allow departures from required standards in the following circumstances:

1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met: NA

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met:

The code section requires streets in subdivisions to have a 5' wide planter strip and sidewalk on both sides of the street. The code indicates this requirement applies to subdivisions and it appears that the intent is for single family subdivisions. However, in keeping with the intent of the code we incorporated sidewalks and planter strips in all common areas, adjacent to open space areas and in between buildings. Where we altered from the code section was along the face of the buildings across the garage aprons. In these locations we jogged the sidewalk out to the drive and eliminated the planter strip. This is demonstrated on the site plan, S1. If the sidewalk was not jogged out at the aprons what would result would be a 5' paved area, then a 5' sidewalk and then the garage apron. This would add additional pervious area and make the aprons seem that much longer. By jogging the sidewalks we can move the buildings 5' closer to the main drive, thus reducing pervious area. The jogged sidewalk will also provide variety along the drive lanes by providing more of a meandering sidewalk appearance.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met:

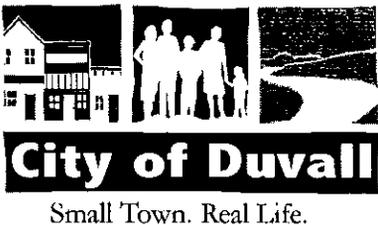
We are providing 5' wide sidewalk and planter strip through most of the site plan. It is only across the aprons that we are requesting a departure. The intent of the code is to provide landscaping between the sidewalk and the drive. However, where the aprons cross in front of the garages there will not be any landscaping, just additional paving. We have jogged the sidewalk back where we can and added landscaping.

4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met: NA

Duvall municipal Code Section 14.34.010(E)

Description of Departure: Requesting departure from 5' wide sidewalk and planter strip on both sides of the street. Code section 14.34.042 B.9

<p>Received Stamp</p>		<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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Departure Request from DMC14.34 Design Guidelines

This form must be completed (clearly printed or typed) and submitted to the City to file an application along with the Master Permit Application. In addition, the applicant shall provide all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY

File No:	Received By:	Date Received:
Applicant Name: Westcott Homes, Melanie Davies		
Phone # (425) 576-9390 Ext. 204		
Signature: 		
Project / Development Name: Duvall Village		
Assessor / Tax Parcel Number(s): 242606-9080-00		

The Planning Director may require or allow departures from required standards in the following circumstances:

1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met: NA

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met:

The code requires that all aprons be 20' deep from back of sidewalk. As indicated the purpose of the code section is to provide sufficient space for a car to park without encroaching into the sidewalk area. In order to reduce pervious areas and reduce the impact on the site we are requesting a reduction from 20' deep aprons to 18' deep aprons. Due to the wetlands, steep slopes and buffers much of the site is unbuildable. As a result our goal is to reduce the impact to the site as much as possible by reducing the impervious area and placing our buildings so they have the least impact. Reducing the depth of the aprons will assist in reducing the impact. As indicated in code section 14.44.130 standard parking stalls are 18' deep. If we reduce the apron to 18' the actual depth will be 18'-6" due to the garage door being recessed.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met:

As indicated above standard parking stall are required to be 18' deep which is consistent with the standard parking stall depth. By reducing the impervious area we are able to provide larger rear yards for the tenants and provide more landscaping across the entire site.

4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met: NA

Duvall municipal Code Section 14.34.010(E)

Description of Departure: Requesting departure from 20' aprons. Code section 14.34.050 F.1.a

<p>Received Stamp</p>	 <p>City of Duvall Small Town. Real Life.</p>	<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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Departure Request from DMC14.34 Design Guidelines

This form must be completed (clearly printed or typed) and submitted to the City to file an application along with the Master Permit Application. In addition, the applicant shall provide all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

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1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met: NA

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met:

The code section requires that the garage facing the street occupy no more than 50% of the ground level façade. The purpose of this section is to reduce the mass of the garage and reduce its impact. The way in which front loaded townhomes are designed makes this requirement impossible to meet. In order to provide a variety of units we designed some narrow units with 8' wide garage doors and some larger units with 16' wide garage doors. The smaller, narrow units which are 18' wide with an 8' garage door meet the requirements. The larger units which are around 23' wide with a 16' wide garage door do not meet the requirements. In order to compensate for not meeting the code we have recessed all ground floor garage doors back behind the second and third floors above. In addition, all unit entries have been brought forward in front of the garage doors thus emphasizing the entry and living spaces and deemphasizing the garage doors. Large columns have been introduced at the ground floor, forward of the garage door to add visual impact to the façade to help direct the eye away from the garage doors.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

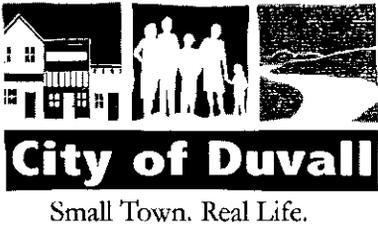
Explain how this circumstance has been met: We have recessed the garage doors back behind the second and third floors and introduced architectural features such as trellis and unique column designs at the first floor. These elements help reduce the impact of the garage doors more than would be achieved by reducing their size.

4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met: NA

Duvall municipal Code Section 14.34.051(F)(1)(d)

Description of Departure: Requesting departure from garage doors occupying more than 50% of the ground level façade.

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Project / Development Name: Duvall Village		
Assessor / Tax Parcel Number(s): 242606-9080-00		

The Planning Director may require or allow departures from required standards in the following circumstances:

1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met:

N/A.

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met:

This code section is oriented toward single family detached developments to limit the number of identical appearing buildings to be built along a single block façade. The code does not take into account the use of multiple identical units within a multifamily building. The architectural nature of the proposed multifamily buildings, while utilizing the same unit multiple times within the same building, has an individual character consistent with the intent of this code. Alternate building styles and different paint schemes have been introduced to provide adjacent buildings that have similar unit makeup with differing character.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met: While there are identical units within individual buildings, the buildings when treated as a whole meet the intent of this section of code. Buildings with the same model (unit makeup) and elevation (Building Style / Paint Scheme) are spaced out such that no two identical buildings are within the same block frontage (400 feet) or across a public right-of-way. This provides the diversity intended by the code while preserving the cohesive architectural character of the building as a whole.

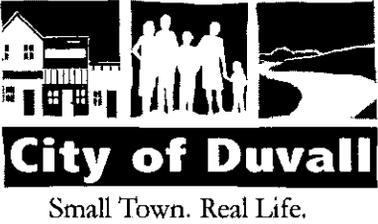
4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met:

N/A.

Duvall municipal Code Section 14.34.061 (B)(1)(b)

Description of Departure: Requesting departure to allow more than two of the same model and elevation of residential unit to be built on the same block frontage(400 feet).

<p>Received Stamp</p>		<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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Departure Request from DMC14.34 Design Guidelines

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Assessor / Tax Parcel Number(s): 242606-9080-00		

The Planning Director may require or allow departures from required standards in the following circumstances:

1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met:

N/A.

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met:

This code section is oriented primarily toward single family detached developments to prevent identical homes being built and repeated side by side. The code does not take into account the necessity of re-use of building types within a multifamily development. There are two instances of identical buildings adjacent to each other within the project and alternate paint schemes and fixtures have been introduced to provide the identical adjacent buildings with differing character.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met: There are three different paint color schemes proposed for the adjacent identical buildings as well as different fixtures proposed for each that are different from each neighboring building. This combination along with the number of different building types and different elevations, colors and fixtures throughout the development when treated as a whole meet the intent of this section of code. This provides the diversity intended by the code while allowing re-use of the daylight basement building type.

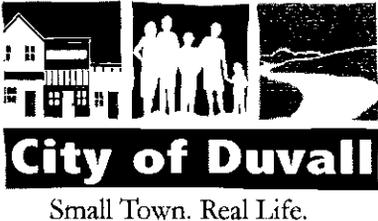
4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met:

N/A.

Duvall municipal Code Section 14.34.061 (B)(1)(c)

Description of Departure: Requesting departure to allow the same model and elevation to be built next to each other (buildings 8 and 9; and 19, 21-23).

<p>Received Stamp</p>		<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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1. Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards;

Explain how this circumstance has been met: NA

2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards.

Explain how this circumstance has been met: Rather than provide an entry stoop that is elevated to raise the living space above the level of the adjacent pedestrian circulation, since there is really no living space on the ground floor of these townhomes, we have chosen to provide an at grade entry and instead provided a vaulted ceiling within the entry to create a larger sense of space within the entry since it is such a small space that only leads directly to stairs going up to the living space above.

Adding an elevated porch to these designs would only add additional stairs to enter the dwelling unit or eliminate efforts to provide an architectural feature of the vaulted entry. Neither of which adds value to the design or any additional sense of privacy to the dwelling.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met: Due to the grading on the site the finished floor of all the units are above the level of the adjacent sidewalk by at least 10" for all units, and with the majority of the units having a finished floor between 18 and 24" and some as much as 38" above. While the stoops are only elevated minimally above the grade at the front elevation, there is a significant elevation above the adjacent sidewalk.

4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met: NA

Duvall municipal Code Section 14.34.010(E)

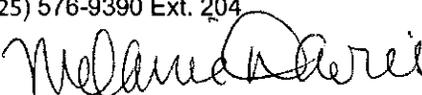
Description of Departure: Requesting departure from raising stoop above grade at front elevation. Code section 14.34.060A(7)d.

<p>Received Stamp</p>	 <p>City of Duvall Small Town. Real Life.</p>	<p>Planning Department 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 FAX (425) 788-8097 www.duvallwa.gov</p>
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Project / Development Name: Duvall Village		
Assessor / Tax Parcel Number(s): 242606-9080-00		
<p>The Planning Director may require or allow departures from required standards in the following circumstances:</p> <ol style="list-style-type: none"> Where unique natural features or unique lot configuration makes it extraordinarily difficult to conform to the standards; <p>Explain how this circumstance has been met:</p> <p>The sloping nature of the site provides a great opportunity for view out across the valley. The proposed location for the Thayer Barn would maximize the viewing opportunity by situating it between the residential portions with a direct view down slope to the valley. The size of the barn and the sloping nature of the site make it difficult to put the parking to the rear of the barn. Putting the parking to the rear of the structure would also present an undesirable impact to the viewing opportunities.</p> <p>Siting of this structure places it within the natural landscape, maximizing opportunity for views and creating exterior gathering spaces on multiple sides of the building for gathering and enjoyment by the Duvall community. As a result, most of the structure does not abut a sidewalk and, therefore, does not allow for 6' wide protective awnings over the sidewalk per 14.34.062F3.</p> Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the design standards, as well as all other city standards. <p>Explain how this circumstance has been met:</p> <p>The Thayer Barn structure represents a significant historic period of the Duvall area. The intent of this project is to provide a strong reference to the historic Thayer Barn. Recalling the barn's form results in a singular building massing featuring one gothic arch roof. To preserve the clarity of the reference to the historic structure, a complimentary element on the east side that encloses vertical circulation and the terraces on west side are designed in a more contemporary way.</p> 		

Adherence to 14.34.062C8, 14.34.062D4a-f, 14.34.062D5, 14.34.062F1a-d and f-l, and 14.34.062H1 providing guidance for massing, modulation and building details conflicts with the reinterpretation of the Thayer Barn. Features including roof cupolas and barn doors provide details authentic to a barn structure. The complimentary circulation element and terraces provide modulation and scale while maintaining clarity of the agricultural architecture.

3. In each case above, the applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standard(s); and

Explain how this circumstance has been met:

The intent of the code is to ensure that new development adheres to the quality and vision set forth in the Duvall comprehensive plan. The reinterpretation of the Thayer Barn recalls the historic significance of that structure to the Duvall community and provides space for cultural and arts use that will serve as a significant activity hub, enlivening both the development and the community. While many of the design guidelines will be met, the attempt to recall the historic nature and appearance of the structure will take precedence over portions of the design guidelines that may conflict with this endeavor.

4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors. (Ord. 1056 § 1 Exh. A (part), 2007)

Explain how this circumstance has been met:

The grading on the site has been designed to minimize the impact on the sensitive areas while allowing for the new function of arts and cultural use of the building. The barn structure has been designed with a partially daylight basement so all the additional spaces could be added without changing the interpretation of the original barn massing from the street. Access to the basement level of the building supports connection to exterior arts and events space, furthering the connection between the site and the building.

Duvall municipal Code Section 14.34

Description of Departure

Departure request from the specific application of design guidelines as set forth in the Duvall Municipal Code Sections 14.34.062C, 14.34062 D, 14.34.062F, and 14.34062H related to the reinterpretation of the Thayer Barn to become the Duvall Cultural and Performing Art Center.

June 18, 2018
City of Duvall
Planning Department
Public Works



Attn: Lara Thomas, Planning Department
Andrew Kovach, Design Review Consultant

Re: 1303-WLD Duvall Village 4th Review: April 23, 2018 Submittal
Applicant: Westcott Homes

Ms. Thomas and Mr. Kovach,

This letter contains the responses to the Pre-Application review matrix provided by Kovach Architects dated 4-23-18. I will address all items from the Kovach review matrix that received a rating of IV or V. Those items receiving a rating of I, II or III are not addressed in this letter unless there are comments from Kovach that warrant further information to explain efforts to bring the design further into compliance. For those items receiving a rating of I, II or III additional details will be provided during the construction phase that will demonstrate our efforts to bring many of these further into compliance. It is understood from city planners that items receiving a rating of I, II or III are sufficiently compliant as shown currently.

Responses to Design Review Comments

Building Elevation/Design/Site Plan Review:

14.34.060 Building Design.

A.2.a Elevations and Models – A request was made to provide a building style site location key, as well as submittal of all building types for review.

- A. The building style and paint scheme site location key is located in the bottom left corner of sheet S2.

The building types submitted are representative of all the building types to be included in the project. The CBAD building type was chosen because it includes all the unit types in the project for this style of building. There are building configurations that will have a unit added or subtracted from what is shown, as well as various architectural building steps added due to site conditions, but the design and look of all the buildings will be consistent with what is being shown in the submitted 4-plex building. The HGGH building type is a daylight basement type plan and is only shown with one paint scheme as the other paint schemes are represented on the CBAD version. The non-daylight basement version of this plan is not shown as it is identical except for the removal of the basement level.

- A.7.c Porch and stoop – Request to confirm dimensional requirements, as well as a note that the stoops are not in compliance with the 18” above grade requirement.
- A. All of the stoops meet the minimum dimensional requirements as set forth in the DMC. Typical townhome construction does not have elevated entry porches or stoops, and this is covered in the departure request 14.34.060 A.7.d.
- A.9 Roof pitch – Request to confirm that roof overhangs are in compliance.
- A. All of the roof overhangs for all the styles and building types are at least 12” and are in compliance.
- A.10 Architectural details – Request to confirm that trim dimensions are in compliance.
- A. All of the trim at doors and windows for all the styles and building types are at least 3 ½” and are in compliance.
- A.10.d.ii Columns – Request to confirm that all posts are wrapped.
- A. All of the columns in the project will be wrapped and there will be no exposed 4x4 or 6x6 posts.

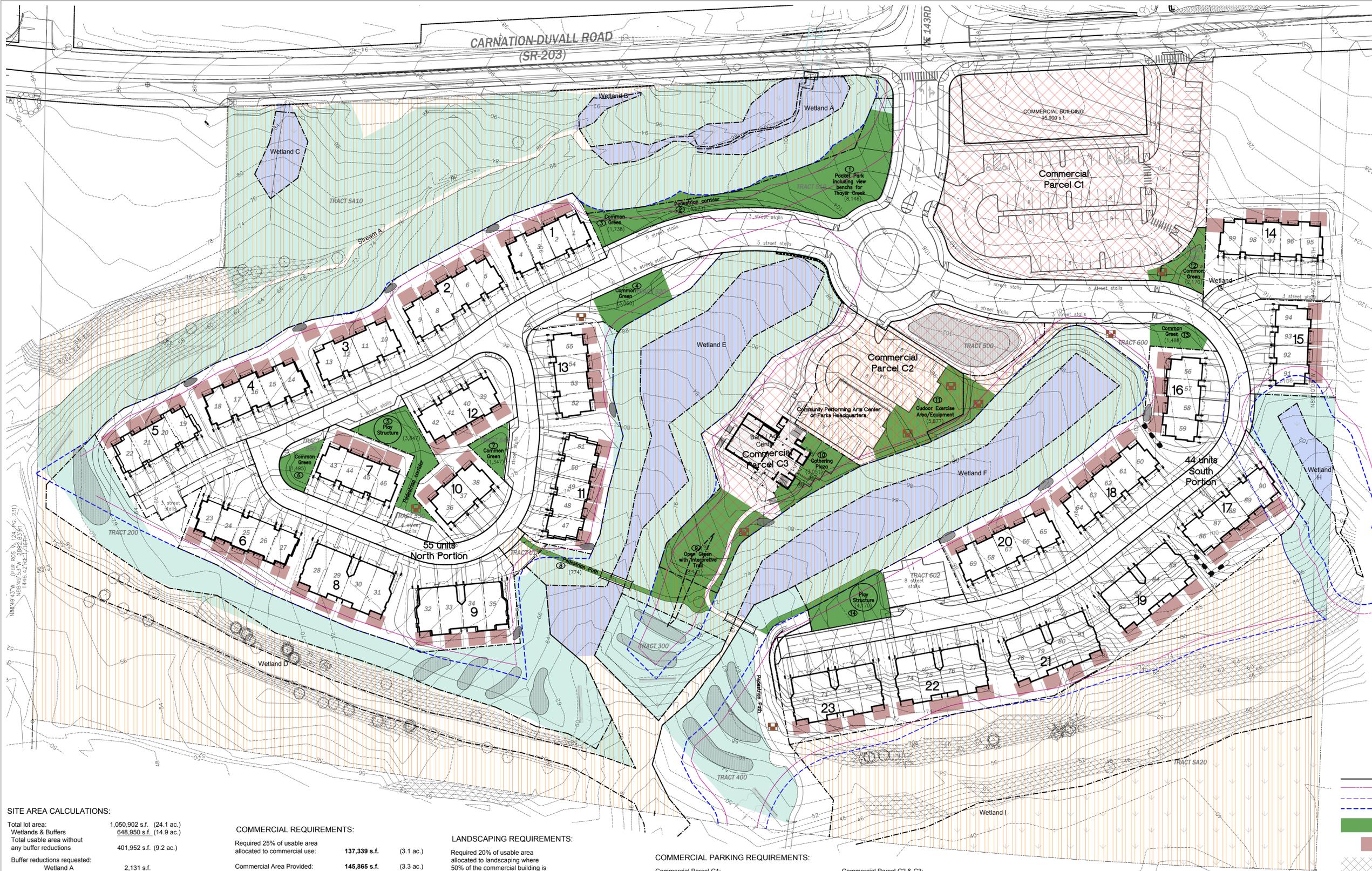
If you have any further questions, please feel free to call our office at 425-454-7130.

Sincerely,

Milbrandt Architects



James L. Lawler
Project Architect



OPEN SPACE:
 Public open space requirement:
 10% of developable area (site - sensitive area & right-of-way) required to be dedicated to open space.
 549,357 s.f. (site minus wetlands) - 93,561 s.f. (right-of-way) X 10% = **45,579 s.f. required open space**
 All spaces counted toward public open space must be 25' min in width, 5% or less grade, or trail system within sensitive area
 49,403 s.f. open space provided
 Private open space requirement:
 250 s.f. open space required per unit.
 Private open space provided will exceed what is required by code. Graphic indication also shows the minimum space required. Additional open space is provided in front and side yards as well as an additional 60+ s.f. of deck space per unit.

Open Space Number	Active or Passive Space	Size	Description
1	Active	8,142 s.f.	Pedestrian Path at the entry to the site with benches for viewing of Thayer Creek.
2	Active	4,073 s.f.	Pedestrian Corridor acting as entry element to the park from the north residential portion. To include landscaping & meandering public artwork.
3	Passive	1,738 s.f.	Green space at the end of the pedestrian corridor with lawn and landscaping.
4	Active	3,060 s.f.	Zone green space with an exercise station and meandering sidewalk with view benches toward the residential portion.
5	Active	3,847 s.f.	Central open space with play structure. Includes a pedestrian corridor for entry from the opposite side. An exercise station will be incorporated into the end of the pedestrian corridor.
6	Passive	1,495 s.f.	Open lawn and landscaping.
7	Passive	1,347 s.f.	Open lawn and landscaping.
8	Active	774 s.f.	Meandering pedestrian path through the wetland buffer that provides a connection to the meandering trail and to the southern portion of the project. Wooden bridges will be incorporated over the fingers of wetland to minimize impact to the sensitive area.
9	Active	8,171 s.f.	Large central green space with open lawn and picnic area. Interpretive signs will be provided for the site users. This area also includes an outdoor patio area for the barn's center for outdoor exhibits or activities.
10	Active	3,051 s.f.	Temporary gathering space at the entrance to the barn for outdoor exhibits and recreation for barn parties.
11	Active	5,877 s.f.	A central open space for outdoor exercise equipment stations to be together the network of the meandering trail and to the southern portion of the project. A "jumping off" point for public access to the Snoqualmie Hill system.
12	Active	2,170 s.f.	Green space for providing pedestrian connection to commercial area and to wetland. An exercise station will be incorporated into this location.
13	Passive	1,488 s.f.	A small green space at the entry to the southern portion of the development. Will provide open lawn and landscaping.
14	Active	4,170 s.f.	Open space to include a play structure and the end of the connecting trail to the Snoqualmie Hill system and the northern portion of the site.
Total:			49,403 s.f.

COMMON OPEN SPACE NARRATIVE:
 The site has large portions of wetland projecting deep within the site that provides opportunities for viewing and interacting with the natural environment. Rather than provide formally designed open spaces it is our design intent to provide both passive and active spaces that invite interaction with the natural landscape. While these areas of wetland effectively break up the site into several individual areas, the network of pedestrian paths connect and unify these individual sections back into one linked community.

We are providing several generic common green spaces for public use scattered throughout the site. There are active play structures provided in each of the residential phases of the project. There is a small pocket park to the east of the roundabout that will provide viewing benches with views to Thayer Creek. There is a large green area to the west of the proposed barn location that will provide informal picnic areas and interpretive trail information.

We are proposing a network of pedestrian paths connecting all the open spaces together and connecting to the Snoqualmie Valley Trail to the west. These will consist of sidewalks, trails and landscaped pedestrian corridors linking open spaces. There will be several widened areas of these paths where we will provide benches for rest and viewing of the natural environment. We are also proposing to have fitness stations at various locations along these pedestrian paths to encourage circulation throughout the site and to provide a variety of uses for these connections. There will be a central fitness station near the large green space between wetland E and F.

LEGEND

- Building setback from buffer (10'-0")
- Wetland buffer with no reduction proposed
- Wetland Buffer after reduction
- Open Space: 48,974 s.f.
- Potential location of fitness station along pedestrian pathways
- Minimum private yard open space requirement for each unit of 250 s.f. with a minimum dimension of 15' wide
- Area of steep slope greater than 40%
- Area dedicated for commercial use: 137,272 s.f.
- Area of wetland buffer enhancement planting
- Area of wetland enhancement
- Public Tract to be dedicated to the City of Duvall

SITE AREA CALCULATIONS:

Total lot area:	1,050,902 s.f. (24.1 ac.)
Wetlands & Buffers	648,950 s.f. (14.9 ac.)
Total usable area without any buffer reductions	401,952 s.f. (9.2 ac.)
Buffer reductions requested:	
Wetland A	2,131 s.f.
Stream A	47,343 s.f.
Wetland D	8,128 s.f.
Wetland E	37,107 s.f.
Variance for E	3,074 s.f.
Wetland F	39,569 s.f.
Wetland H	8,561 s.f.
Variance for H	1,492 s.f.
Total requested reductions	147,405 s.f. (3.4 ac.)
Total Adjusted usable Area:	549,357 s.f. (12.6 ac.)

COMMERCIAL REQUIREMENTS:

Required 25% of usable area allocated to commercial use:	137,339 s.f. (3.1 ac.)
Commercial Area Provided:	145,865 s.f. (3.3 ac.)

LANDSCAPING REQUIREMENTS:

Required 20% of usable area allocated to landscaping where 50% of the commercial building is abutting the public right-of-way:	109,871 s.f.
Total usable area:	549,357 s.f.
Building footprints:	107,027 s.f.
Paved areas:	123,561 s.f.
Sidewalks / paths:	38,488 s.f.
Total Landscaping provided:	280,281 s.f. (51.0%)

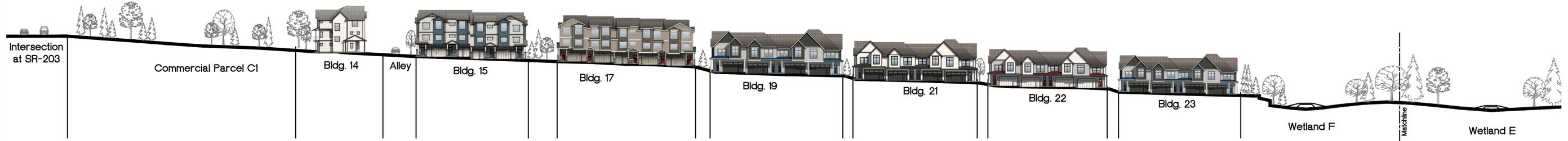
COMMERCIAL PARKING REQUIREMENTS:

Commercial Parcel C1: Assumed 15,000 s.f. commercial building proposed	Commercial Parcel C2 & C3: 10,000 s.f. Community center / Barn structure proposed
Min. 20% of commercial use s.f. assumed to be restaurant @ 1 stall / 75 s.f.	Required parking calculated @ 1 stall / 300 s.f. = 34 stalls
Remaining calculated @ 1 stall / 300 s.f. = 40 stalls	TOTAL REQUIRED PARKING = 80 stalls
Provided parking stalls for commercial Parcel C1 including on street parking: = 87 stalls	Provided parking stalls for Park & Barn Structure including on street parking: = 38 stalls

SITE PLAN
 Scale: 1" = 50'



Site Section A-A
1:40



Site Section B-B
1:40



Site Section B-B
1:40



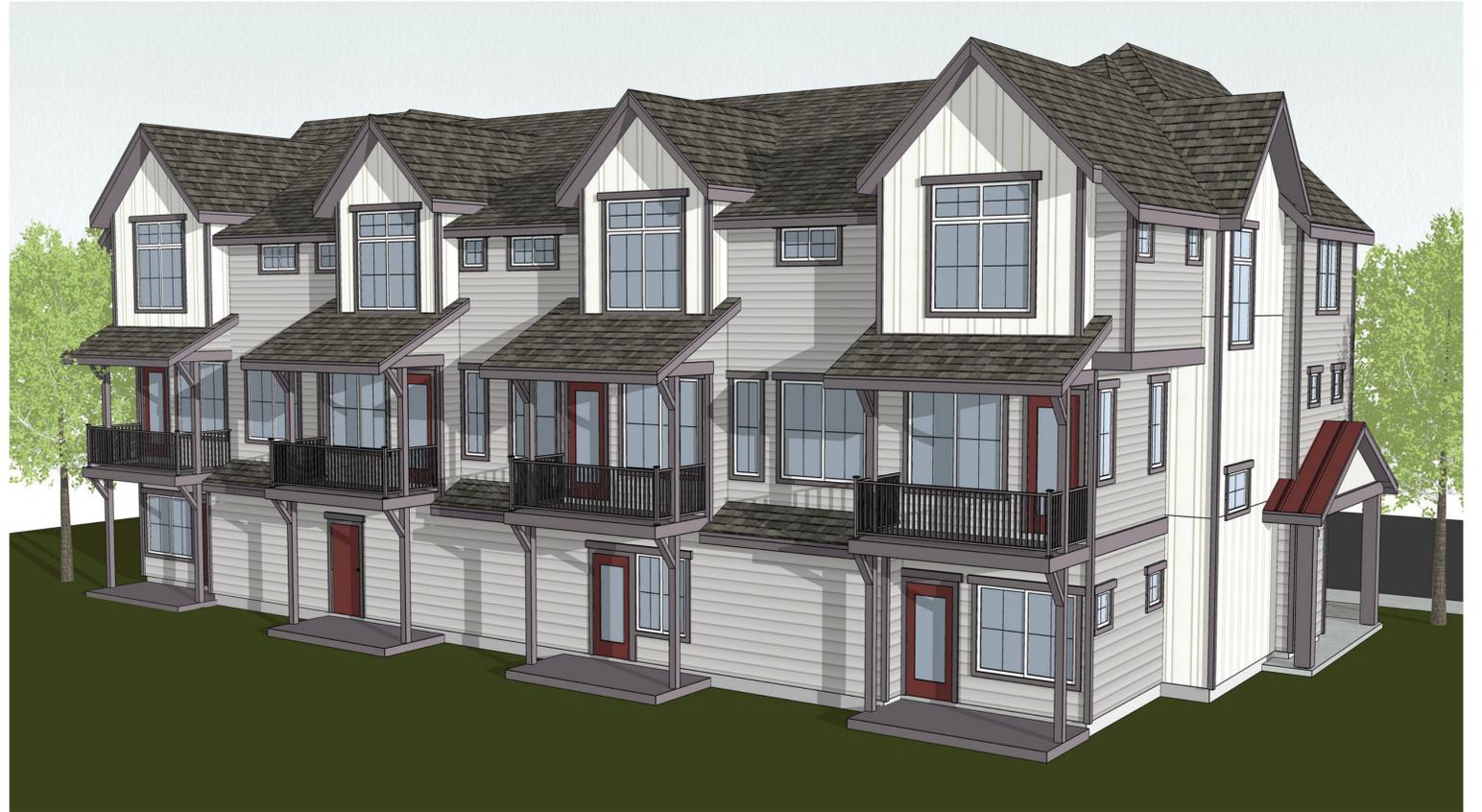
SITE PLAN
Scale: 1" = 100'

BUILDING TYPES AND PAINT SCHEMES

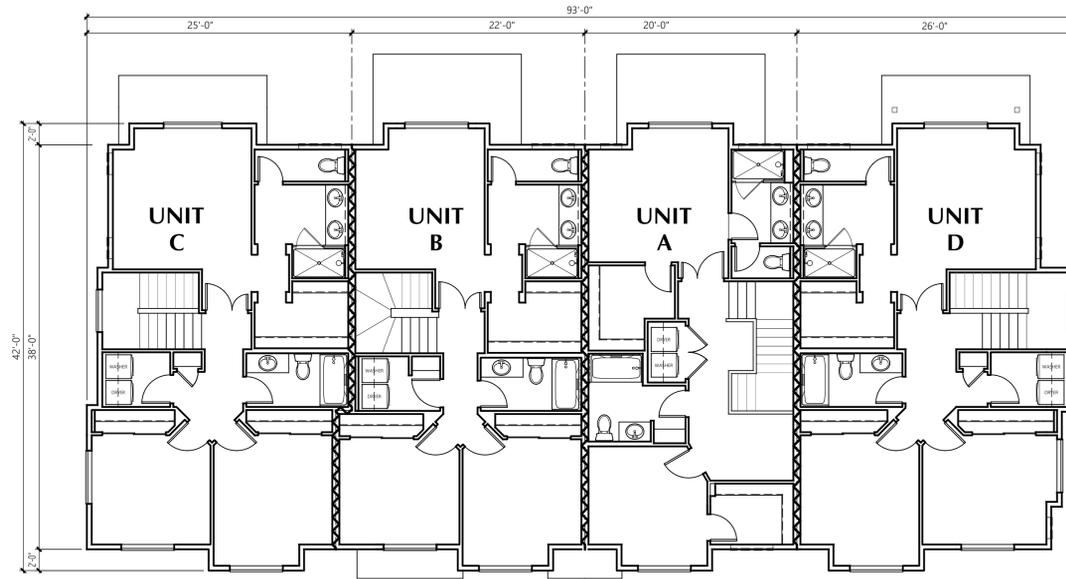
NORTH PORTION OF SITE			SOUTH PORTION OF SITE		
Building No.	Design Style	Paint Scheme	Building No.	Design Style	Paint Scheme
1	A	2	14	A	3
2	A	1	15	B	5
3	B	5	16	A	1
4	B	4	17	B	4
5	B	5	18	B	5
6	B	4	19	A*	2
7	A	3	20	B	4
8	A*	2	21	A*	3
9	A*	1	22	A*	1
10	B	5	23	A*	2
11	B	4			
12	A	2			
13	A	3			

* = 2-story or daylight basement units

UNIT TYPE	UNIT COUNT	PERCENTAGE	
UNIT A 2 Bedroom interior Unit	18	18%	Total 3 Bedroom Units: 57%
UNIT B 3+ Bedroom Interior Unit	23	23%	
UNIT C 3+ Bedroom End Unit	23	23%	
UNIT D End Upgrade 3+ Bedroom End Unit	11	11%	Total 4+ Bedroom Daylight Basement Units: 16%
UNIT G (Daylight Basement) 4+ Bedroom Interior Unit	8	8%	
UNIT H (Daylight Basement) 4+ Bedroom End Unit	8	8%	Total 2 Story 3 Bedroom Units: 8%
UNIT G1 (2-Story Variant) 3 Bedroom Interior Unit	4	4%	
UNIT H1 (2-Story Variant) 3 Bedroom End Unit	4	4%	
TOTAL:	99 Units	100%	



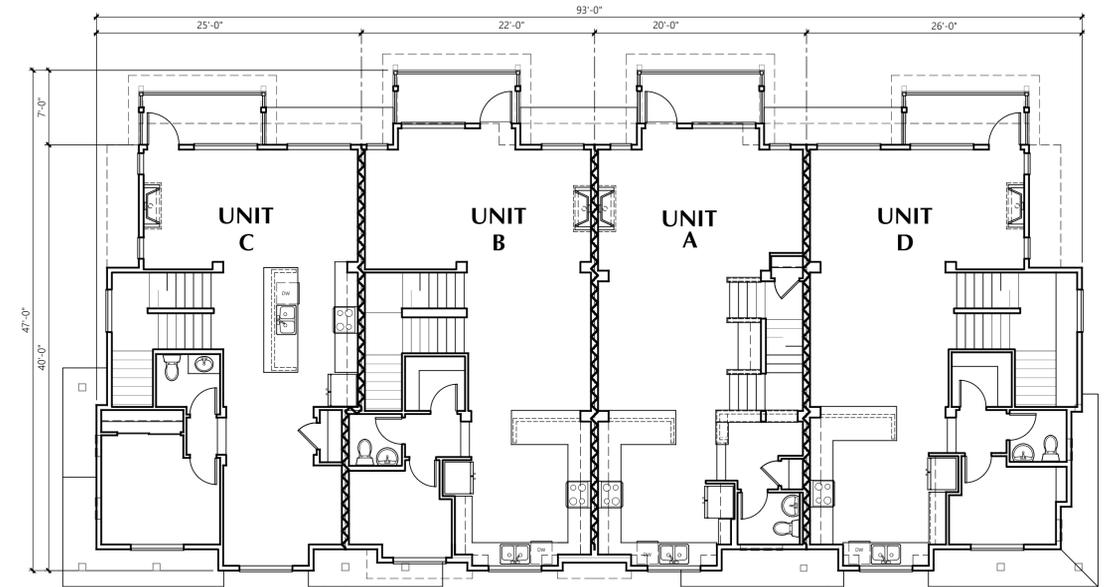
HP:\1344\PRESENTATION\MODEL\CAD TO SKETCHUP.DWG



Building Type CBAD

1/8" = 1'-0"

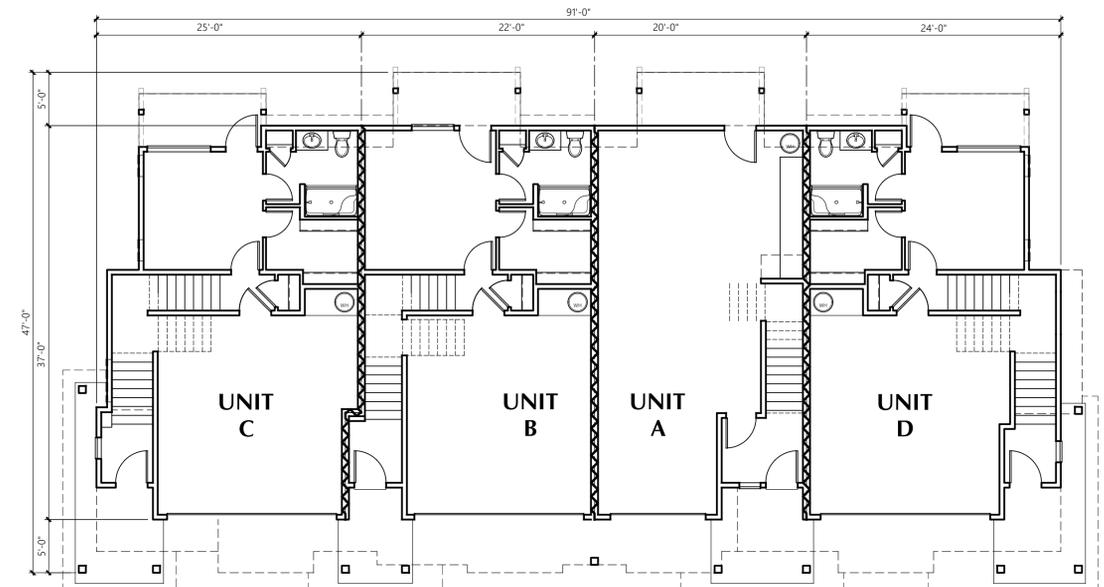
UPPER LEVEL PLAN



Building Type CBAD

1/8" = 1'-0"

MIDDLE LEVEL PLAN



Building Type CBAD

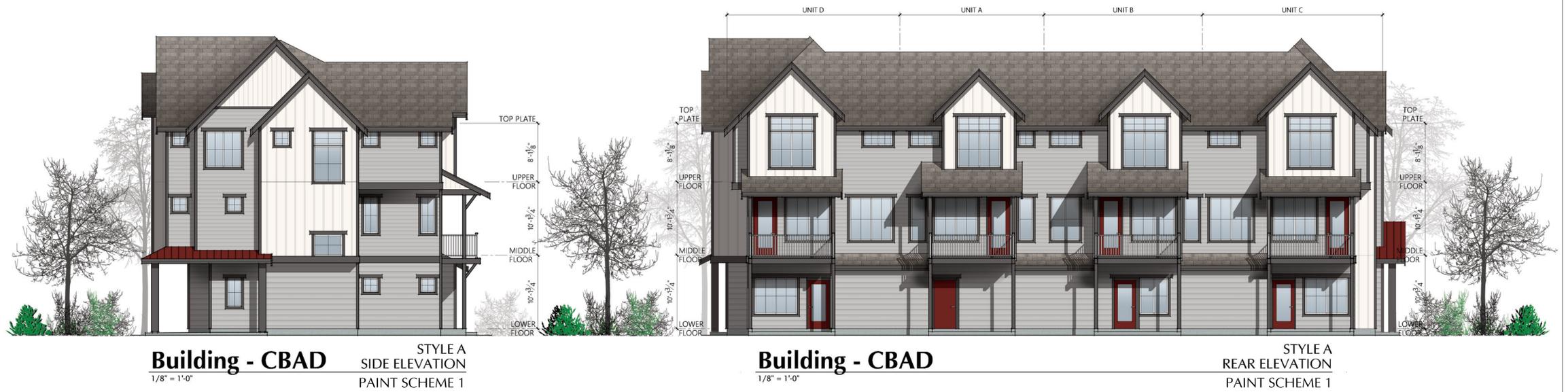
1/8" = 1'-0"

LOWER LEVEL PLAN



Building - CBAD STYLE A
 SIDE ELEVATION
 PAINT SCHEME 1
 1/8" = 1'-0"

Building - CBAD STYLE A
 FRONT ELEVATION
 PAINT SCHEME 1
 1/8" = 1'-0"



Building - CBAD STYLE A
 SIDE ELEVATION
 PAINT SCHEME 1
 1/8" = 1'-0"

Building - CBAD STYLE A
 REAR ELEVATION
 PAINT SCHEME 1
 1/8" = 1'-0"



H:\1344\BUILDING C-B-A-0.DWG



Milbrandt Architects, Inc., P.S.
25 Central Way, Suite 210, Kirkland, Washington 98033 Phone: 425-454-7130 Fax: 425-658-1208 Website: <http://www.milbrandtarch.com>

Duvall Village
A 99 Unit Townhome Development
Duvall, Washington
1313-WLD Duvall Village, LLC

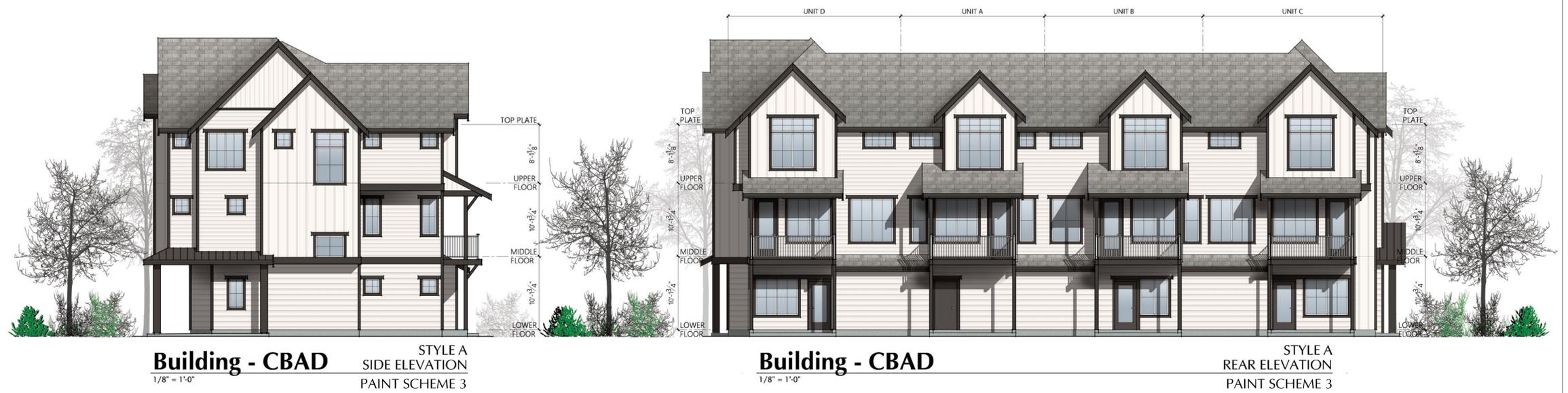
Building Type CBAD
Preliminary Elevations Style A
Modern Farmhouse - Paint Scheme 2

Scale: 1/8" = 1'-0" Drawn By: JLL Date: June 18, 2018 Date Plotted:

Sheet No.:

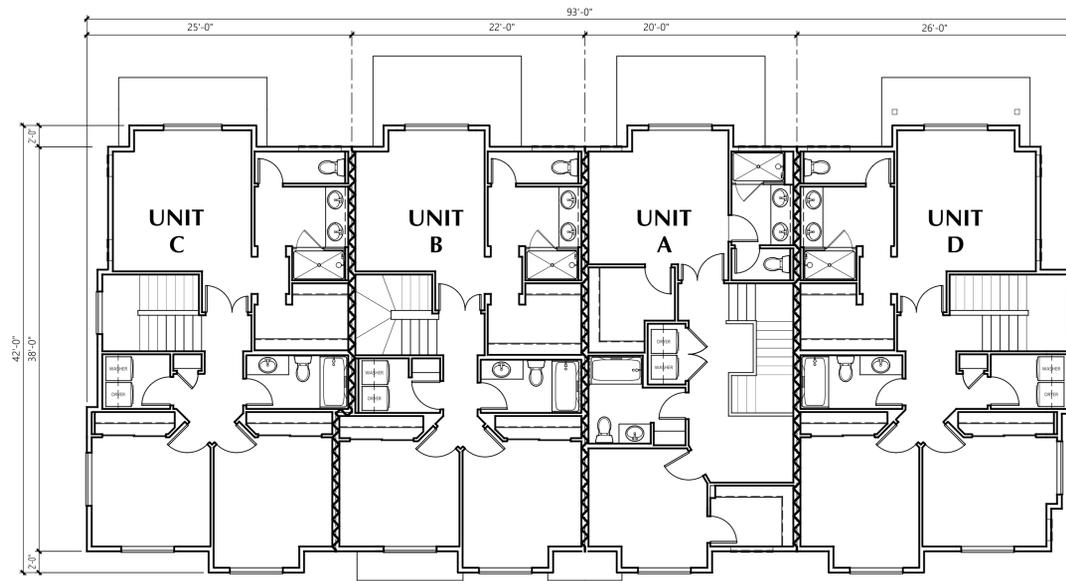
A4

Job No.: 13-44



H:\1344\BUILDING C-B-A-0.DWG

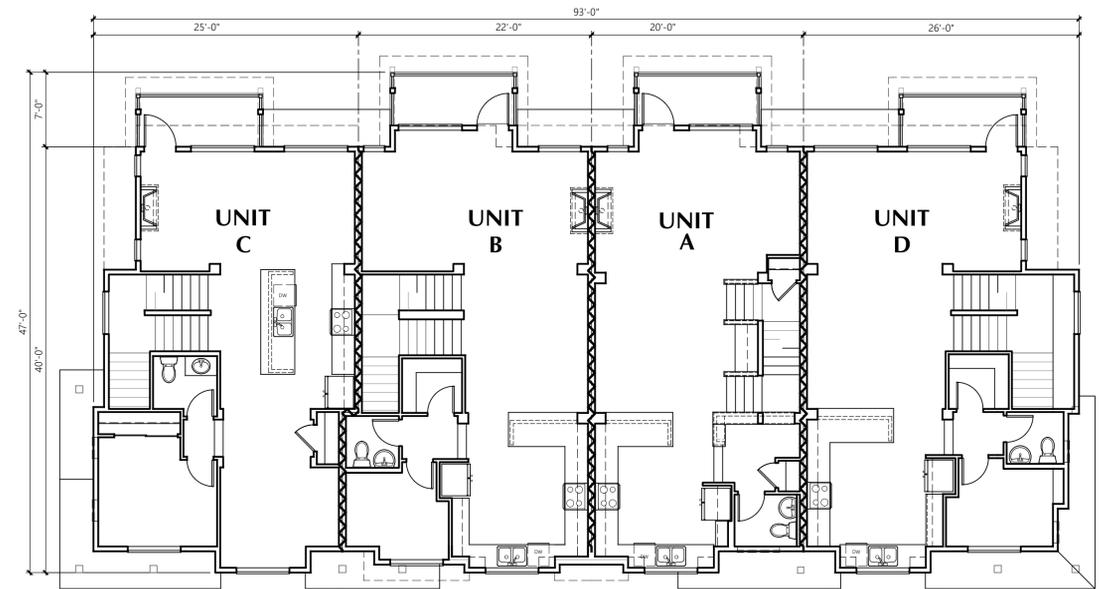




Building Type CBAD

1/8" = 1'-0"

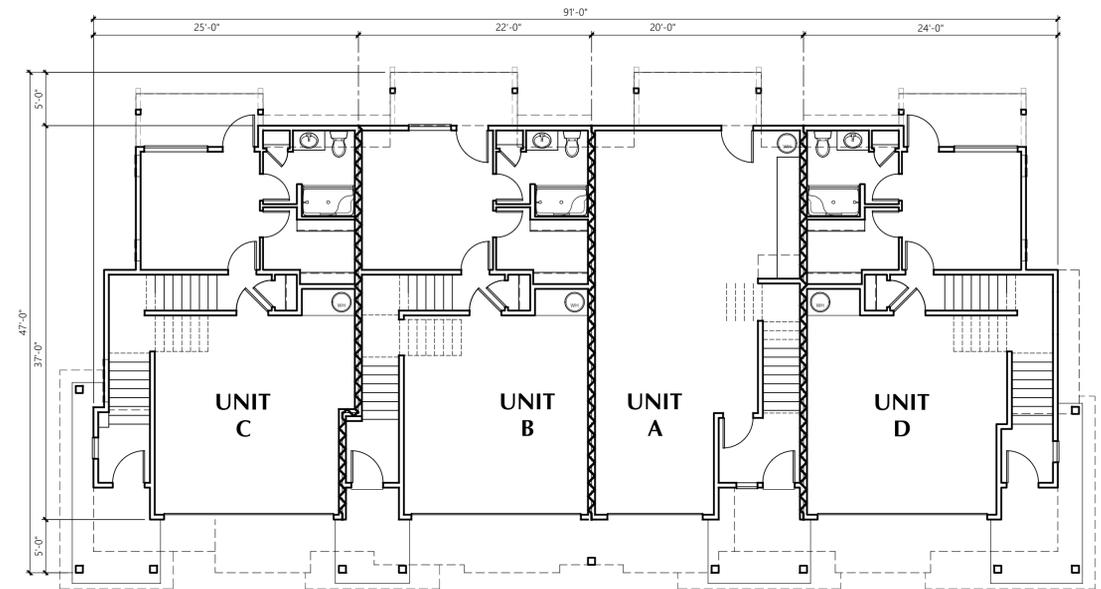
UPPER LEVEL PLAN



Building Type CBAD

1/8" = 1'-0"

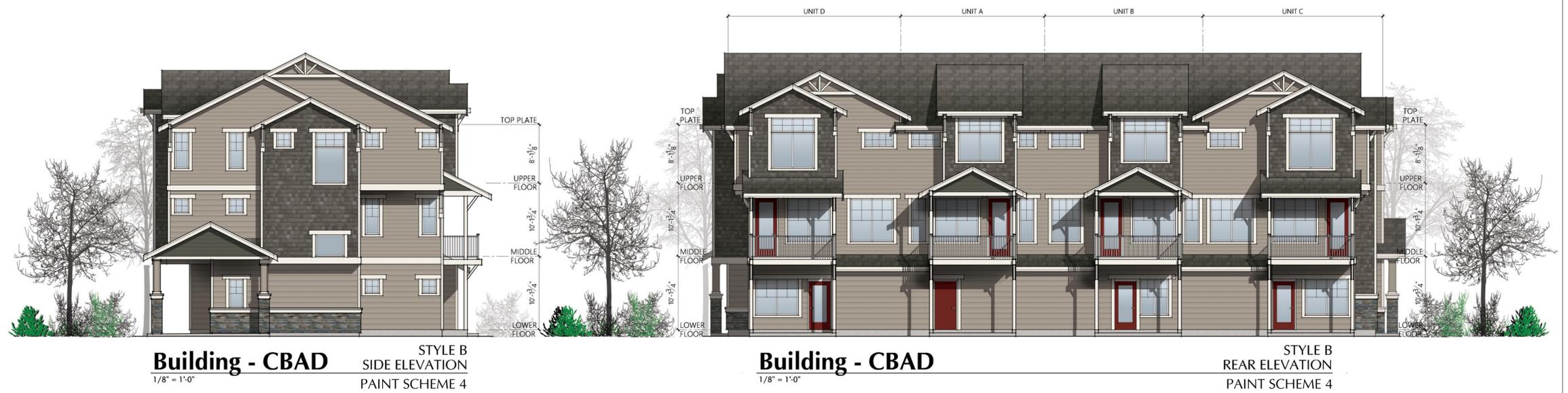
MIDDLE LEVEL PLAN



Building Type CBAD

1/8" = 1'-0"

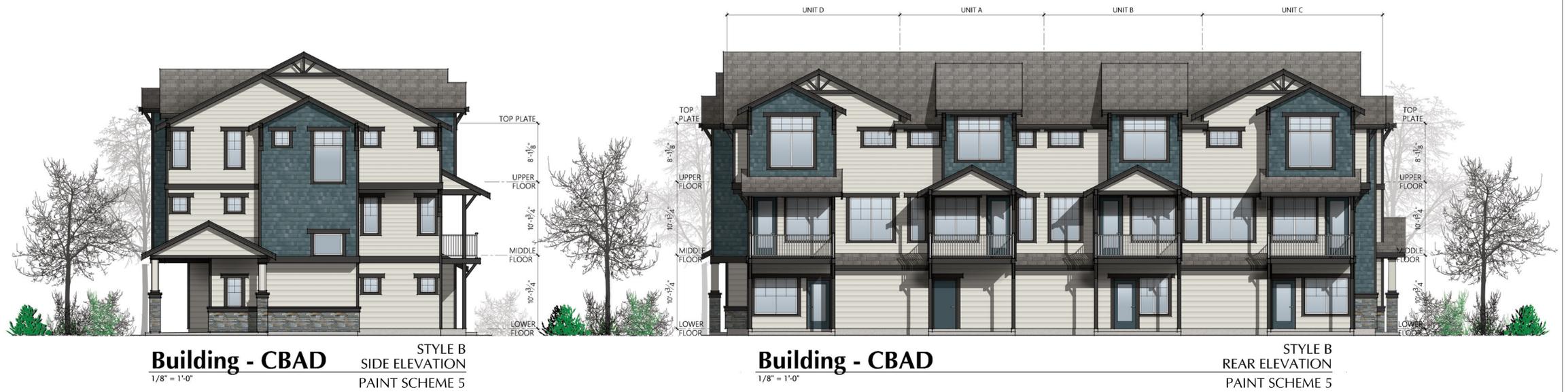
LOWER LEVEL PLAN





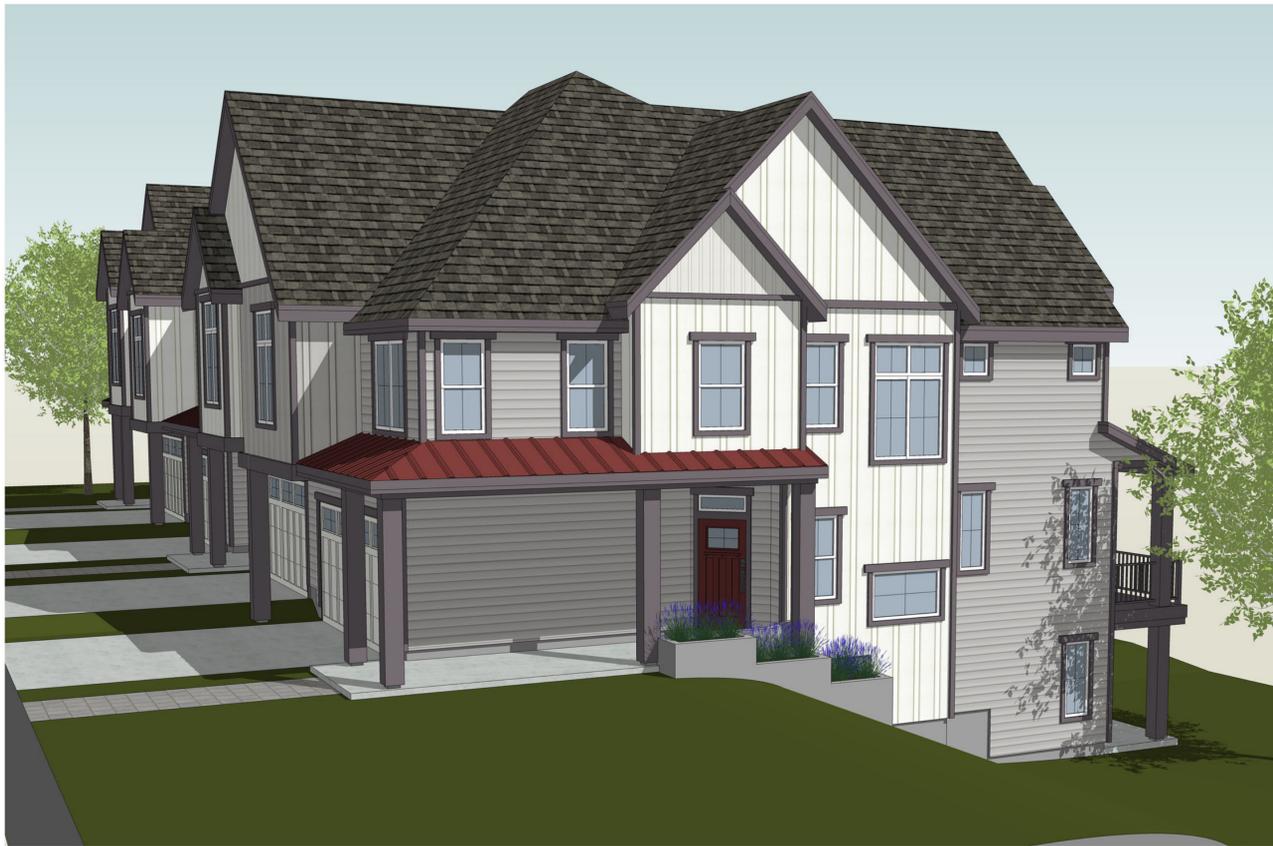
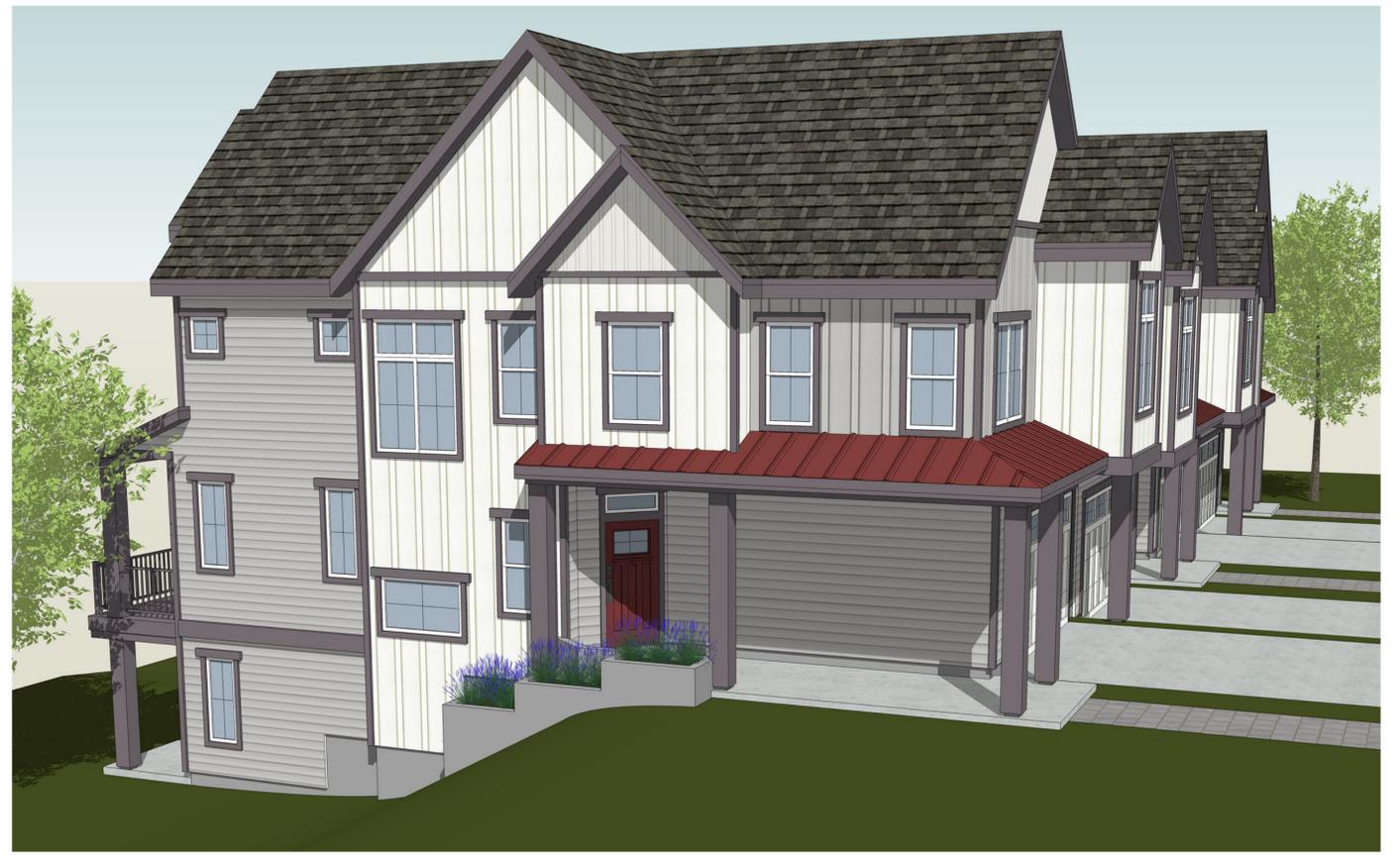
Building - CBAD STYLE B
SIDE ELEVATION
PAINT SCHEME 5
1/8" = 1'-0"

Building - CBAD STYLE B
FRONT ELEVATION
PAINT SCHEME 5
1/8" = 1'-0"

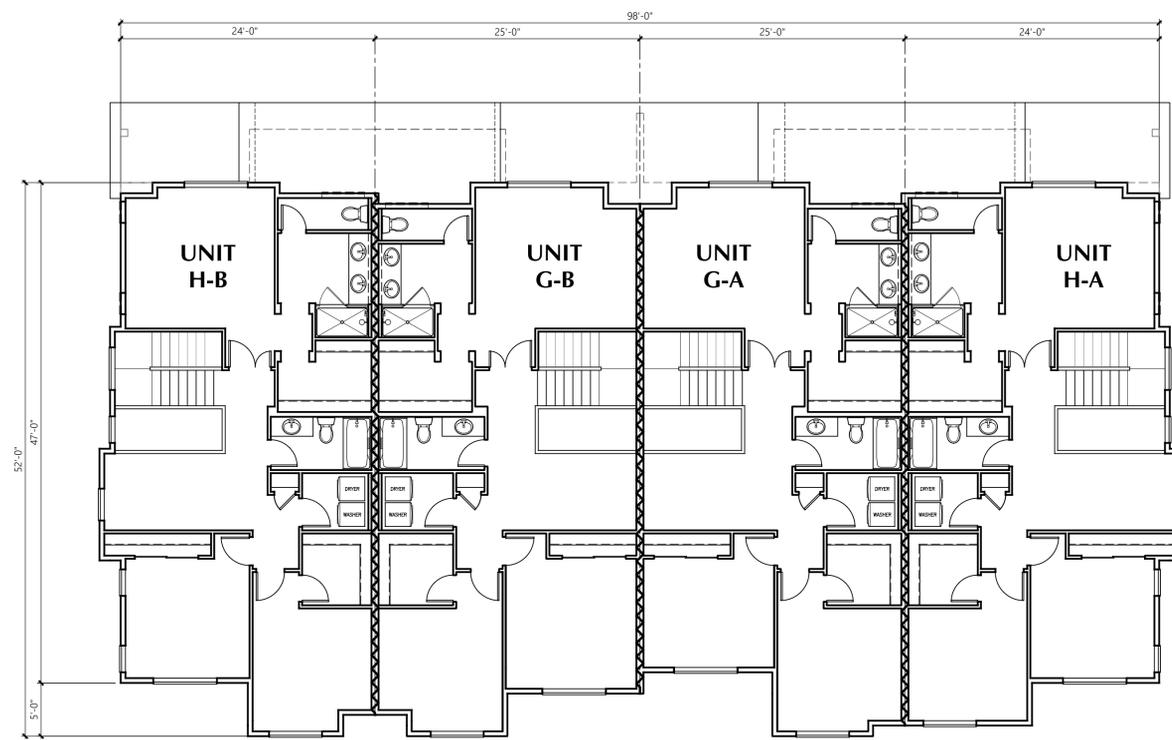


Building - CBAD STYLE B
SIDE ELEVATION
PAINT SCHEME 5
1/8" = 1'-0"

Building - CBAD STYLE B
REAR ELEVATION
PAINT SCHEME 5
1/8" = 1'-0"



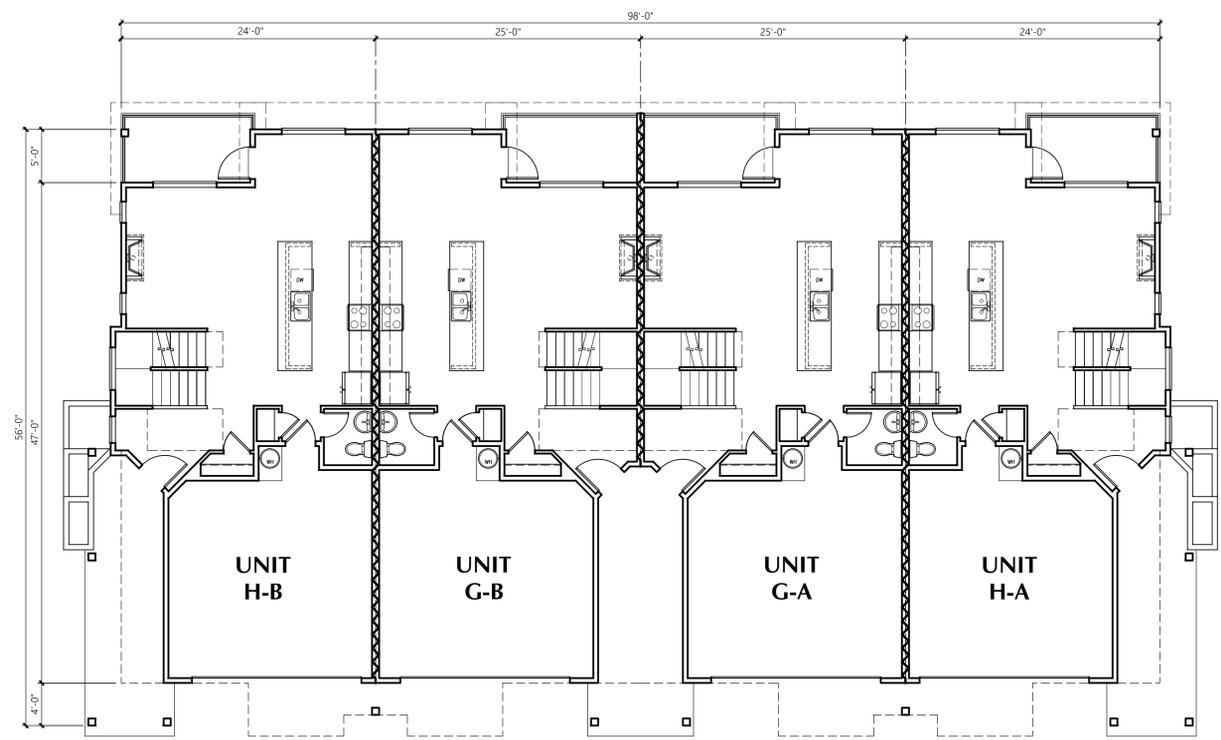
HP:\1344\PRESENTATION\MODEL\CAD TO SKETCHUP.DWG



Building Type HGGH

1/8" = 1'-0"

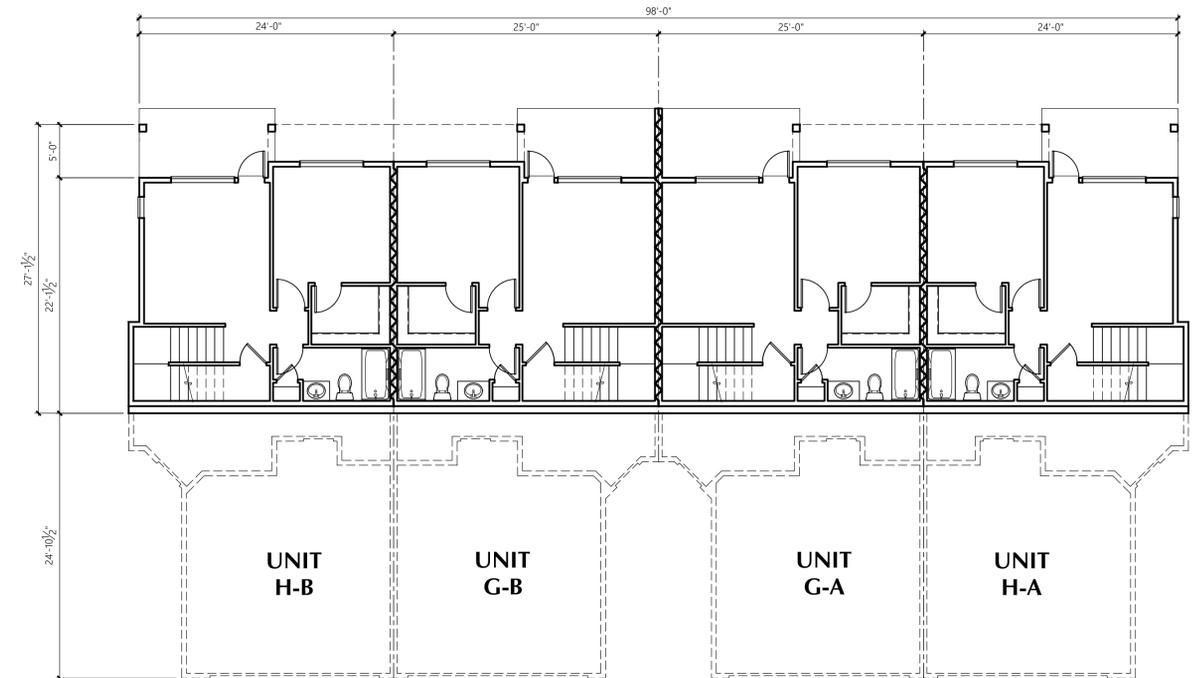
UPPER LEVEL PLAN



Building Type HGGH

1/8" = 1'-0"

MAIN LEVEL PLAN



Building Type HGGH

1/8" = 1'-0"

BASEMENT LEVEL PLAN



Building HGGH STYLE A
LEFT ELEVATION
1/8" = 1'-0" PAINT SCHEME 1



Building - HGGH STYLE A
FRONT ELEVATION
1/8" = 1'-0" PAINT SCHEME 1



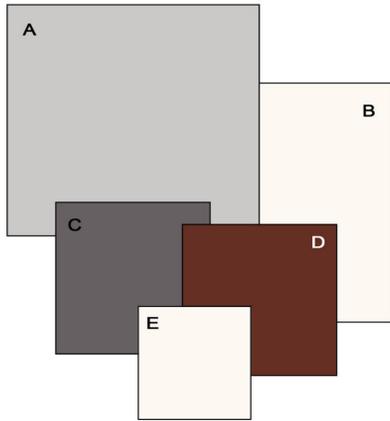
Building Type HGGH STYLE A
RIGHT ELEVATION
1/8" = 1'-0" PAINT SCHEME 1



Building - HGGH STYLE A
REAR ELEVATION
1/8" = 1'-0" PAINT SCHEME 1

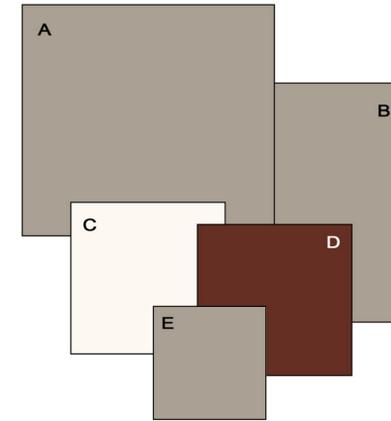
FARMHOUSE COLOR SCHEME 1

- (A) BODY 1
ZIRCON
SW# 7667
- (B) BODY 2
HIGH REFLECTIVE
WHITE SW# 7695
- (C) TRIM
STUNNING SHADE
SW# 7082
- (D) DOOR/METAL ROOF
ROOKWOOD RED
SW# 2802
- (E) GARAGE DOOR
HIGH REFLECTIVE
WHITE SW# 7695



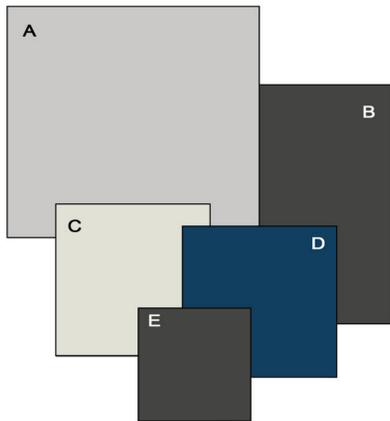
CRAFTSMAN COLOR SCHEME 4

- (A) BODY 1
TAUPE TONE
SW# 7633
- (B) BODY 2
TAUPE TONE
SW# 7633
- (C) TRIM
HIGH REFLECTIVE
WHITE SW# 7695
- (D) DOOR
ROOKWOOD RED
SW# 2802
- (E) GARAGE DOOR
TAUPE TONE
SW# 7633



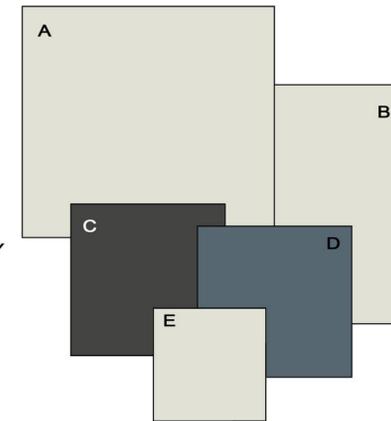
FARMHOUSE COLOR SCHEME 2

- (A) BODY 1
ZIRCON
SW# 7667
- (B) BODY 2
IRON ORE
SW# 7069
- (C) TRIM
NUANCE
SW# 7049
- (D) DOOR/METAL ROOF
LOYAL BLUE
SW# 6510
- (E) GARAGE DOOR
IRON ORE
SW# 7069



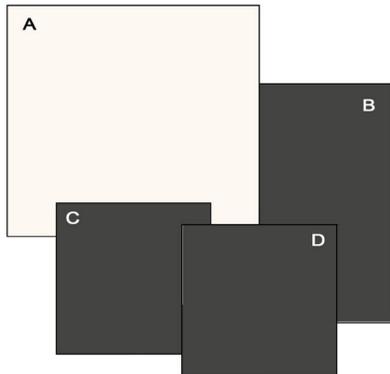
CRAFTSMAN COLOR SCHEME 5

- (A) BODY 1
NUANCE
SW# 7049
- (B) BODY 2
NUANCE
SW# 7049
- (C) TRIM
IRON ORE
SW# 7069
- (D) ACCENT/DOOR
NEEDLEPOINT NAVY
SW# 0032
- (E) GARAGE DOOR
NUANCE
SW# 7049



FARMHOUSE COLOR SCHEME 3

- (A) BODY 1
HIGH REFLECTIVE
WHITE SW# 7695
- (B) TRIM
IRON ORE
SW# 7069
- (C) DOOR/METAL ROOF
IRON ORE
SW# 7069
- (D) GARAGE DOOR
IRON ORE
SW# 7069



FARMHOUSE FEATURES

EXTERIOR LIGHT FIXTURE



FRONT DOOR STYLE



GARAGE DOOR STYLE



CRAFTSMAN FEATURES

EXTERIOR LIGHT FIXTURE



FRONT DOOR STYLE



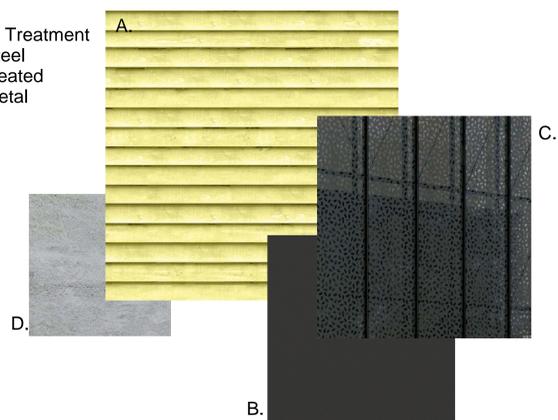
GARAGE DOOR STYLE



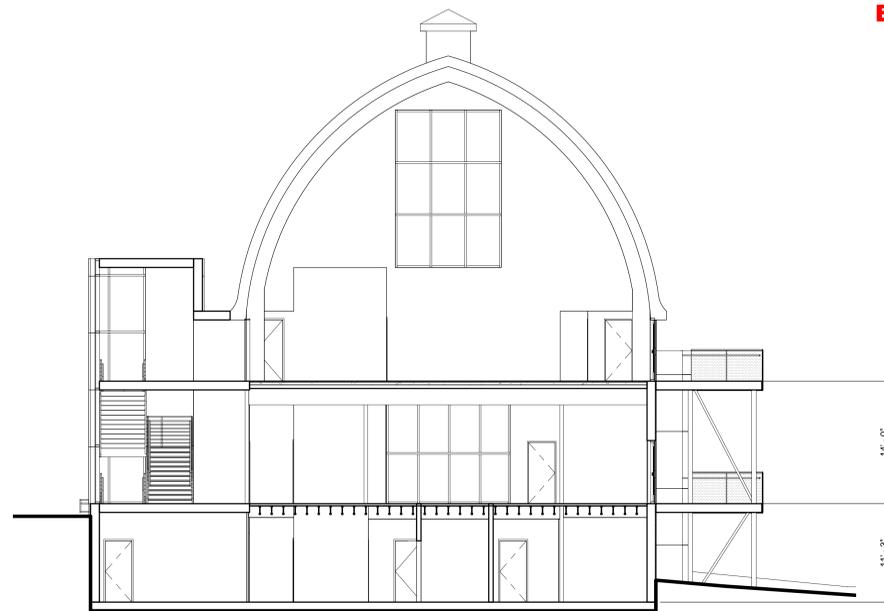
HF-VT344\BUILDING_C-B-A-D.DWG

DCPAC MATERIAL PALLET

- A. Yellow Wood Treatment
- B. Blackened Steel
- C. Artistically Treated Perforated Metal
- D. Concrete



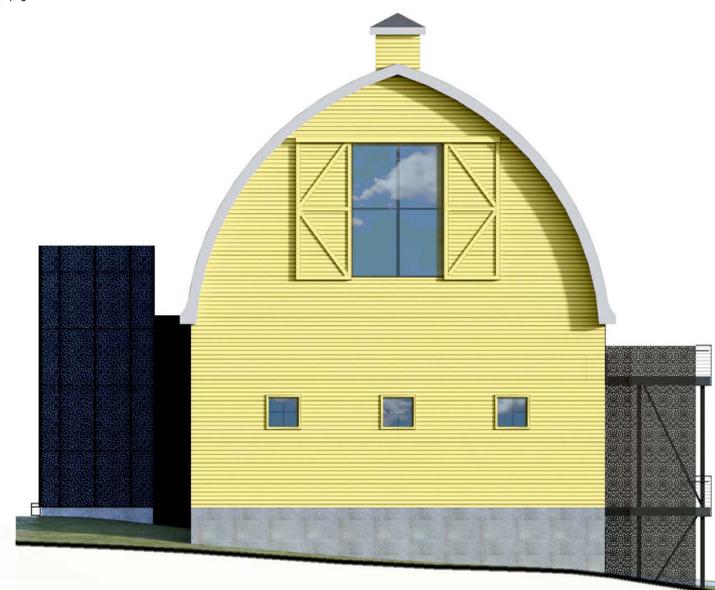
YELLOW BARN ALTERNATES



1
E1 1/8" = 1'-0"



2
E1 1/8" = 1'-0"



3
E1 1/8" = 1'-0"



5
E1 1/8" = 1'-0"



4
E1 1/8" = 1'-0"

Professional Stamp

DPD Review Stamp

Duvall Cultural and Performing Arts Center

Submittal

Phase

Revisions		
No.	Date	Description

Drawn	Author
Checked	Checker
LMN Proj No	16000-01
Date	12/01/2017

Sheet Title

BUILDING ELEVATIONS

Sheet Number

E1



Professional Stamp

DPD Review Stamp

**Duvall Cultural
and Performing
Arts Center**

Submittal

Phase

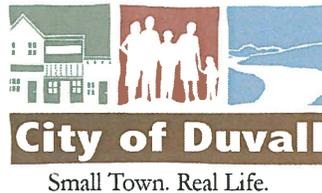
Revisions
No. Date Description

Drawn Author
Checked Checker
LMN Proj No 16000-01
Date 12/01/2017

Sheet Title

Exterior View

Sheet Number



**DETERMINATION OF COMPLETENESS
FOR DUVALL VILLAGE DESIGN REVIEW AMENDMENT (FILE № DRA18-001)**

June 25, 2018

Melanie Davies
1010 Market Street
Kirkland, WA 98033

Dear Ms. Davies,

The City of Duvall's Planning Department received an application for Design Review Amendment from you on June 18, 2018 for proposed design revisions to the previously approved Duvall Village mixed use development located in the 14300 block of Main Street NE (Parcel 2426069080). In accordance with RCW 36.70.B.070, this letter serves as formal notice that Planning staff has reviewed your application and determined it to be complete as of the date of this letter.

This determination of completeness has been made because staff has determined that the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The city's determination of completeness does not preclude the City from requesting additional information or studies either at the time of the determination or at a later time, if new information is required or where there are significant changes in the proposed action.

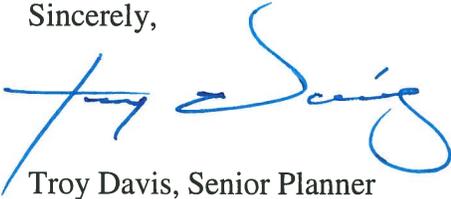
Your application will be processed as a Type III project permit in accordance with Duvall Municipal Code Chapter (DMC) 14.08 (Permit Processing). Under DMC 14.08.020.G, a final decision on your application will be issued within 120 days of the date of this letter. Please note, for purposes of calculating the number of days under review, certain periods of time are excluded from calculation (see DMC 14.08.020.G.4). City staff will now begin processing your application thoroughly. The City anticipates providing you any with first round review comments from staff by July 5, 2018.

Additionally, within 14 days of the date of this letter, staff will provide a formal Notice of Application to surrounding property owners within 500 feet of the project site and other

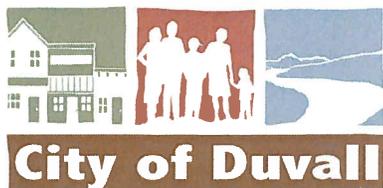
government agencies. This Notice of Application includes a 14-day public comment period after which time staff will forward all comments to you for your consideration.

We look forward to helping you through the permitting process. Please call or email with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy Davis". The signature is fluid and cursive, with a large loop at the end of the last name.

Troy Davis, Senior Planner
City of Duvall Planning Department



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**Planning Department
NOTICE OF APPLICATION
DUVALL VILLAGE DESIGN REVIEW AMENDMENT
File № DRA18-001
June 27, 2018**

PROJECT INFORMATION

The following permit application was submitted on June 18, 2018 and determined complete on June 25, 2018: *Duvall Village Design Review Amendment (DRA18-001)*. The applicant, Melanie Davies on behalf of 1303-WLD Duvall Village LLC, is seeking approval of proposed architectural changes to previously approved townhomes that make up the residential component of the Duvall Village mixed-use project located in the 14300 block of Main Street NE (TPN 24260690800). The Comprehensive Plan Land Use Designation for this property is CO (Commercial) and the zoning classification of this property is MU12 (Mixed Use-12 Units/Acre).

APPLICANT CONTACT INFORMATION

Melanie Davies, 1303-WLD Duvall Village LLC, 1010 Market Street, Kirkland, WA 98033, mdavies@westcotthomes.com, 425-576-9390.

OPPORTUNITY FOR PUBLIC COMMENT

Any interested person may send written comments about this application to Lara Thomas, Planning Director, City of Duvall, P.O. Box 1300, Duvall, WA 98019, or by submitting to City of Duvall Planning Department, 15535 Main Street N.E., Duvall, Washington. **Comments will be accepted until 4:30 PM, Wednesday, July 11, 2018.**

PUBLIC HEARINGS ON THIS PROJECT

This is a Type III permit application which requires a decision from the City's Hearing Examiner after a public hearing is held. Notice of the public hearing will be advertised at least 10 days prior to the public hearing. The public hearing notice will be published in the Seattle Times, sent to property owners within 500 feet, posted at the subject property, City Hall, and the Duvall Library.

WHAT PERMITS WOULD THIS PROJECT NEED? WHAT STUDIES HAVE BEEN REQUESTED?

Preliminary Subdivision, Site Plan Review, Shoreline Substantial Development, Variance, Right-of-Way, Clearing & Grading.

WHAT CITY OF DUVALL REGULATIONS WILL APPLY TO THIS PROJECT?

2006 City of Duvall Comprehensive Plan, Duvall Municipal Code, and Public Works Design Standards.

ARE THERE ANY EXISTING ENVIRONMENTAL REPORTS OR DOCUMENTS THAT EVALUATE THIS PROJECT?

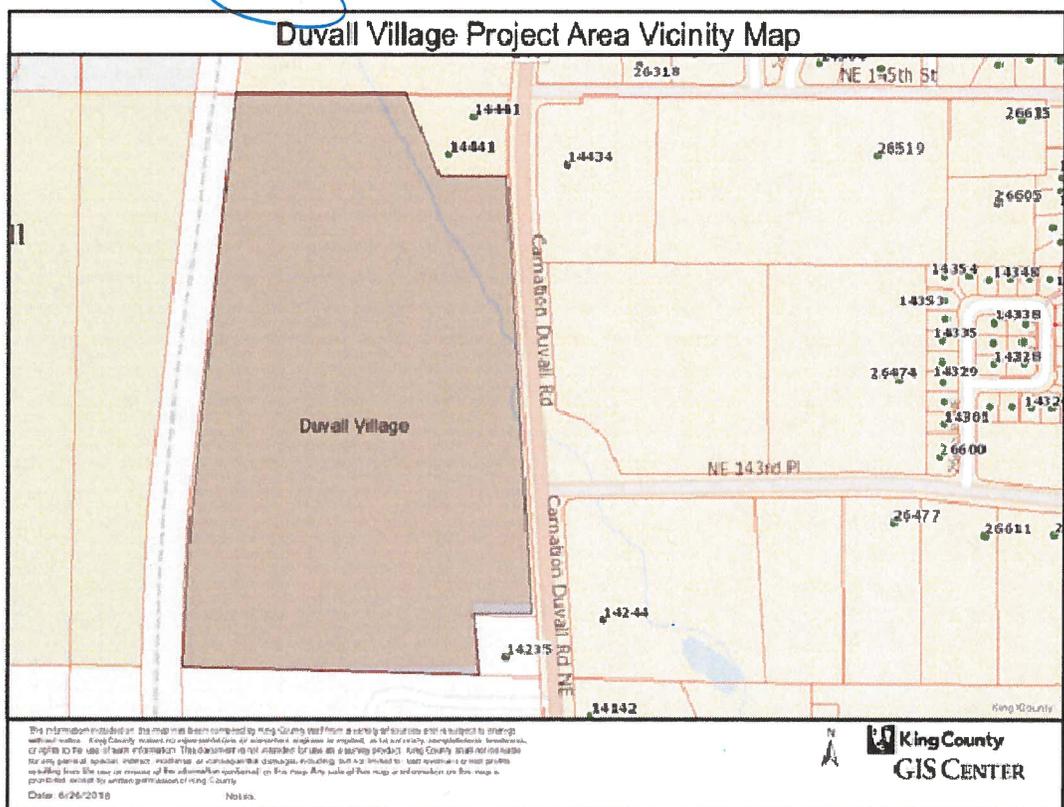
State Environmental Policy Act (SEPA), Technical Information Report, Critical Areas Report, Traffic Impact Analysis, and Cultural Resources Report.

FILE REVIEW / APPEALS

Anyone may view the contents of the application file by first filing a public records request with the City Clerk at (425) 939-8088. The application file for this project is available at City Hall, located at 15535 Main Street NE in Duvall. You may request a copy of any decision, information on hearings, and your appeal rights by calling the Planning Department at (425) 788-2779.

Lara Thomas
For Lara Thomas, Planning Director, City of Duvall

June 27, 2018
Issuance Date





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**AFFIDAVIT OF INSTALLATION OF MARKERS
AND POSTING OF PUBLIC INFORMATION SIGN(S)**

RE: Duvall Village Design Review Amendment (DRA 18-001)

I Diana Hart (print name) understand that UDR 14.08.030 requires me to post the subject property at time of public hearing.

I certify that on 6/27/18 (date), the signs were placed on the subject property at

- Sign 1: 14300 Block Main St. NE (give general location of each marker.)
- Sign 2: _____ (give general location of each marker.)
- Sign 3: City Hall (give general location of each marker.)
- Sign 4: Library (give general location of each marker.)

Other Land Use Notices

I certify that on 6/27/18 (date), the signs (provided by the City) were placed on the subject property, library, and city hall with the SEPA Determination, Planning Commission public meeting Public Hearing, or Other Land Use Notice; attached to the face of the signs, at

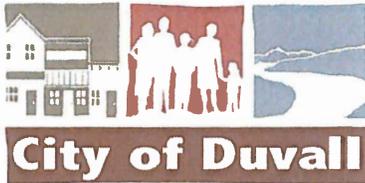
- Sign 1: 14300 Block Main St. NE (give general location of each marker.)
- Sign 2: _____ (give general location of each marker.)
- Sign 3: City Hall (give general location of each marker.)
- Sign 4: Library (give general location of each marker.)


Applicant (or representative) Signature

6/27/18
Date

City of Duvall Planning Department
14525 Main Street – PO Box 1300, Duvall, WA 98019

ph (425) 788-2779
fax (425) 788-8097



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Planning Department
NOTICE OF APPLICATION
DUVALL VILLAGE DESIGN REVIEW AMENDMENT
File No DRA18-001
June 27, 2018

PROJECT INFORMATION

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APPLICANT CONTACT INFORMATION

Melanie Davies, 1303-WLD Duvall Village LLC, 1010 Market Street, Kirkland, WA 98033,
mdavies@westcotthomes.com, 425-576-9390.

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WHAT PERMITS WOULD THIS PROJECT NEED? WHAT STUDIES HAVE BEEN REQUESTED?

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2006 City of Duvall Comprehensive Plan, Duvall Municipal Code, and Public Works Design Standards.

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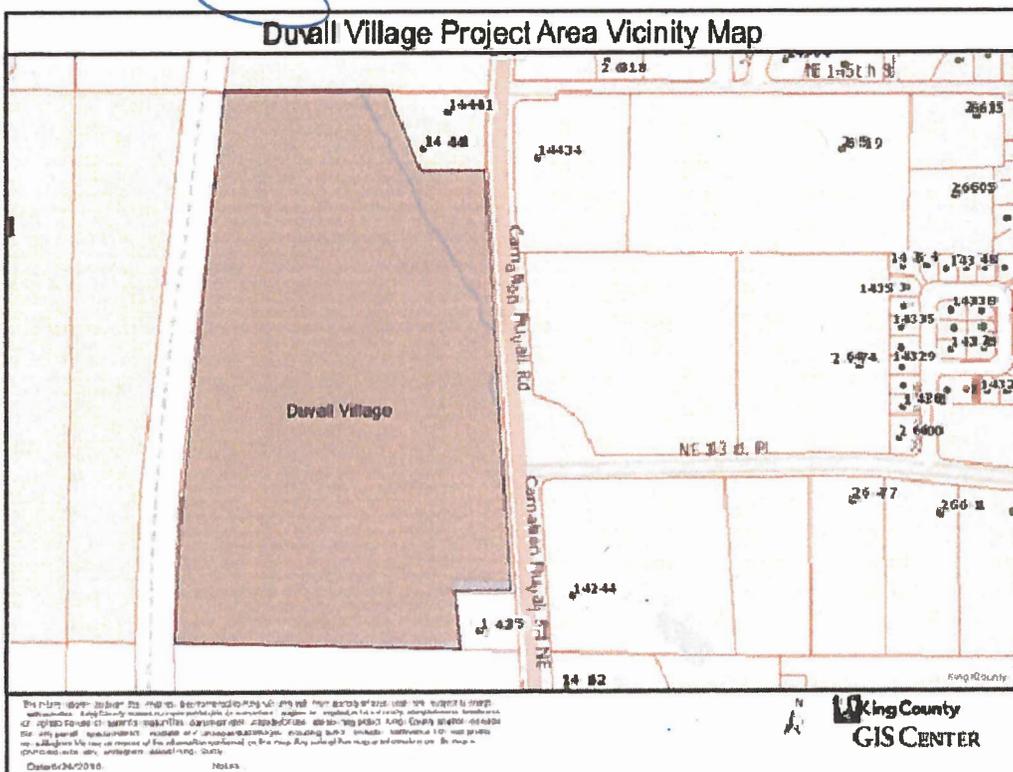
State Environmental Policy Act (SEPA), Technical Information Report, Critical Areas Report, Traffic Impact Analysis, and Cultural Resources Report.

FILE REVIEW / APPEALS

Anyone may view the contents of the application file by first filing a public records request with the City Clerk at (425) 939-8088. The application file for this project is available at City Hall, located at 15535 Main Street NE in Duvall. You may request a copy of any decision, information on hearings, and your appeal rights by calling the Planning Department at (425) 788-2779.

Lara Thomas
FOR Lara Thomas, Planning Director, City of Duvall

June 27, 2018
Issuance Date





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DECLARATION OF MAILING AND ELECTRONIC MAILING

Re: Duvall Village Design Review Amendment (DRAB-001)

The undersigned declares under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

That on the 27 day of June, 2018 the undersigned declarant

emailed

mailed

a copy of:

Notice of Application

in the above-referenced matter directed to:

Attached is the list of agencies, names and addresses to whom this information was emailed and/or mailed.

Diana Hart, 6/27/18

Name, Date

KING COUNTY PARKS
201 S. JACKSON ST.
KSC-NR-0700
SEATTLE, WA, 98104

HARDING SARA F
23729 NE 127TH ST
REDMOND, WA 98053

KEMPER DARRELL
17543 102ND AVE NE #300
BOTHELL, WA 98011

1303-WLD DUVALL VILLAGE
LLC
1010 MARKET ST
KIRKLAND, WA 98033

TNC INVESTMENTS LLC
14701 MAIN ST NE #A4
DUVALL, WA 98019

SAFEWAY INC
250 E PARKCENTER BLVD
BOISE, ID 83706

MARTY FARM LLC
PO BOX 1377
FALL CITY, WA 98024

CHAPMAN MIKE E
PO BOX 790
DUVALL, WA 98019

COPPER HILL SQUARE HOA
14616 MAIN ST NE
DUVALL, WA 98019

ROSENBAACH RUTH
10901 176TH CIR NE #137
REDMOND, WA 98052

SCHADER ROBERT M II+MARISE
8017 N THORNE LN
LAKEWOOD, WA 98498

FUTURE SUCCESS ENTERPRISE
8115 NE 8TH ST
MEDINA, WA 98039

BLACKBURN ERIC+ZOELLER
14235 CARNATION-DUVALL RD
NE DUVALL, WA 98019

DUVALL RIO VISTA LLC
PO BOX 473
REDMOND, WA 98073

PEARSON FAMILY
INVESTMENTS
23632 HWY 99 #F-413
EDMONDS, WA 98026

Diana Hart

From: Diana Hart
Sent: Wednesday, June 27, 2018 9:36 AM
To: Adam Ob; Alana McCoy; Amy McHenry; Amy Ockerlander; Carey Hert; Cindy Spiry; Dave Weiss; Dianne Brudnicki; Doug Peters; E Harris; Eric Preston; Gary Kriedt; Jacob Sheppard; Jason Walker; Jennifer Knaplund; Jim Deal; Kurt; Lara Thomas; Matt Baerwalde; Matthew Eyer; Melanie Young; Michael Remington; Michelle Hogg; Ramin Pazooki; Randy Sandin; Ronn Mercer; SEPA Adesk; SEPA Center; SEPA Register; SEPA Unit; Shaun Tozer; Steve Mullen-Moses; Steve Roberge; Team Mill Creek; Troy Davis; Ty Peterson; Wally Archuleta; Jason Brown; Robert Walker; Michael Yelle
Cc: Troy Davis; 'mdavies@westcotthomes.com'
Subject: City of Duvall - Notice of Application - Duvall Village Design Review Amendment (DRA18-001)
Attachments: 180627 NOA_DV_DRA18-001_Signed.pdf
Categories: Planning

Dear Agency –

Attached is the Notice of Application for Design Review Amendment for Duvall Village. They are seeking approval of proposed architectural changes to previously approved townhomes that make up the residential component of the Duvall Village mixed-use project.

Diana Hart

City of Duvall | Administrative Assistant
15535 Main Street NE, Duvall WA 98019
425.939.8077



<http://www.duvallwa.gov/>



NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account is a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

14.62.035 - Planning commission criteria.

- A. The planning commission shall review site plan applications to ensure that they are generally in compliance with DMC 14.34.060, Building design, and DMC 14.34.050.B.8, Pedestrian-Oriented Space. The director can also request planning commission review of additional site plan criteria.
- B. Staff shall include a recommendation from the planning commission to the hearing examiner. Such recommendation shall be included in a staff report. Staff can agree or disagree with the planning commission's recommendation and should note their position in the staff report.

(Ord. No. 1107, § 2, 12-9-2010)

		Project: Duvall Village			
Review Date:	5/7/14	Project Address:	14441 Carnation-Duvall Rd. NE		
Review 2	8/19/14				
Rev 2.1	9/2/14				
Review 3	10/31/14				
Review 4	4/23/18				
Review 5	7/17/18				
Reviewer:	ASK				
Kovach Architects 2115 Colby Ave. Everett, WA 98201 andrew@kovacharchitects.com	Parcel Number	2426069080			
	File Number	SU14-001			
	Current Zoning:	MU12			
	Comprehensive Plan Designation:	LI			
	Review Type:	Peer			
	Regulatory Code:	City of Duvall Municipal Code			
	Section:	Unified Development Regulations			
	Chapter:	14.34 Design Guidelines	Version: 2007 UDR Update (Vested)		
	Companion Documents:	Duvall Comprehensive Plan, Downtown Sub-area Plan, City Wide Visioning Plan.			
	Applicability:	Criteria 1. Proposed Subdivision meets criteria for Design Review Process			
	Project Status:	Third Submittal			
	Initial Review Date:	April 22nd 2014		1st Review comments in black type	
	Second Review Date:	August 19th 2014 Updated Sept. 2nd 2014 Rev.2.1 (corrections/clarifications)		2nd Review comments in blue type	
	Third Review Review Date:	October 31st 2014		3rd Review comments in gold type	
	Fourth Review Review Date:	April 23rd 2018		4th Review comments in red type	
	Fifth Review Review Date:	July 17th 2018		5th Review comments in green type	
	Conformance Rating	Category		Description	
	I	Conforms		Fully meets intent and specific code requirements	
	II	High Level of Conformity		Fully meets intent but not specific code requirements	
	III	Moderate Level of Conformity		Mostly meets intent but not specific code requirements	
	IV	Low Level of Conformity		Somewhat meets intent but not specific code requirements	
	V	Non-Conforming		Does not meet intent or code requirements	
		Design Guideline			
	Section	Title	Summary	Analysis	Comments / Recommendations
					Rating
	14.34.020	Site Planning	Site Review not part of review #2 or #3 or #4		
	1		Site conditions		
	2		Circulation		
	3		Building variety		
	4		Positive site amenities		
	5		Linkage		
	14.34.030	Grading Storm Water Management and Site Coverage			
	B.1				
	a.		Minimize cut and fill		
	b.		Terraced grades		
	c.		Minimize retaining walls		
	d.		Planted slope in lieu of retaining		
	e.		Daylight basements		
			Other methods		
	B.1				
	a.		Limited retaining wall height		
	b.		Retaining wall landscaping		
	c.		Retaining wall material		



	d.		"Ecology Block" walls		
	e.		Retaining wall fit		
	f.		Residential retaining wall		
	g.		Retaining wall landscape setback		
	h.		Departures		
	14.34.030	Storm Water Management and Sensitive Areas			
	C.1	Open Stormwater ponds			
	a.		Stormwater ponds per standards		
	b.		Stormwater pond screening		
	C.2	Bioswales	Encouraged treatment method		
	D	Site coverage			
	1		Per specific zoning requirements		
	2		Preservation of native vegetation		
	3		Pervious surfaces encouraged		
	14.34.040	Street Network			
	A	Pedestrian Facilities			
	1	Purpose			
	2	Sidewalk and Pathway Development Standards			
	14.34.041	Pedestrian Facilities			
	B.1	Primary Pedestrian Corridors Main Street frontage			
	a.		12 ft. minimum sidewalk		
	b.		Street trees @ 30 intervals in tree grates		
	c.		Street trees @ 30 intervals in planter strips		
	d.		12-14 ft. high pedestrian lighting		
	e.		Sidewalks not adjacent to public streets		
	B.2	Secondary Pedestrian Corridors Stephens Street frontage			
	a.		10 ft. minimum sidewalk		
	b.		Street trees @ 30 intervals in tree grates or planters		
	c.		12-14 ft. high pedestrian lighting @ 40-60 ft. OC		
	d.		Sidewalks not adjacent to public streets min 8' wide		
	B.3	Interior pedestrian pathways	Minimum 5 ft unobstructed width		
	14.34.042	New Streets			
	B.1	Purpose			
	B.2	General Goals			
	a.		Safe and convenient network connected to surrounding area		
	b.		Connection to existing and proposed trail systems		
	c.		prototypical street template		
	d.		Duplicate parallel public/private streets discouraged		
	e.		Mid-block connections		
	f.		Calming strategies		
	g.		Signage		
	h.		Gated Community restrictions		
	i.		Sidewalks and Planters		
	14.34.050	Lot Standards			

	14.34.051	Residential developments			
	A				
	1	Purpose			
	2	Old Town			
	3	General Standards			
	a.		Variation		
	b.		Porches, stoops ,window projections		
	c.		Architectural Elements		
	d.		Setback Encroachments		
	4	Building Relationship with Street Grade.			
	a.		Finish floor elevations		
	b.		Down slope entries		
	5	Open Space Requirements			
	a.i		Private yards		
	a.ii		Minimum useable yard		
	a.iii		Private yard reduction		
	a.iv		Reciprocal use easement		
	a.v		Minimum open space		
	b.	Common Open Space Requirements			
	b.i	Purpose			
	b.ii (A)		Hierarchy of space		
	b.ii (B)		Distribution		
	b.ii (C)		Variety		
	b.ii (D)		Pathways and features		
	b.iii		25' Minimum width		
	b.iv		Solar Orientation		
	b.v		Visibility		
	b.vi		Trail bonus		
	b.vii		Pedestrian entry bonus		
	b.viii		Tree preservation		
	b.ix		Ground floor access		
	c.	Reciprocal Use Easements			
	c.i		Recording		
	c.ii		Privacy walls		
	c.iii		Foundation protection		
	6	Parking, Garages, and Vehicular Access			
	a.	Front Loaded Garages			
	a.i		20' Property line setback		
	a.ii		5' Building facade setback		
	a.iii		2' Tuck under setback		
	a.iv		50% Max width of ground level facade		
	a.iv (A)		Cul-de-sac exception		
	a.iv (B)		Steep slope exception		
	a.v		Detached garages		
	b.	Side Loaded Garages			
	b.i	20% Maximum per plat			
	b.i (A)		15' Front yard setback		
	b.i (B)		Architectural design elements required		
	b.i (C)		Separation to entry access required		
	b.ii		Rear side load garage allowance		
	b.iii		Repeat restriction		
	b.iv		10' separation requirement @adjacent side entry drives		
	c.	Shared Garages and Driveways.			
	c.i		Where permitted		
	c.ii		Permitted with special provisions		
	c.iii		Assignment of parking space		
	c.iv		44' max ganged width		
	d.	Additional Driveway Standards.			
	d.i		SFR restrictions for multiple driveways		
	d.ii		Tandem parking allowance		
	d.iii		Alley Access		
	d.iv		20' maximum width		
	d.v		Shared driveways are encouraged		

	7	Utility Placement.			
	a.		Priority accommodations for street design elements		
	b.		Utility appurtenance to be screened/hidden to the furthest extent possible		
	c.		Underground utilizes to allow for street trees and lighting		
	d.		Vaults are prohibited from sidewalk areas		
	e.		Utility boxes to be grouped		
	8	Additional Standards for Multifamily Residential Developments.			
	a.		Primary building entry must face public or open space		
	b.		Individual ground floor entries must face public or open space		
	c.		Must include windows that face public streets or space		
	d.		Special provisions option		
	e.		10' min. residential setback from sidewalks		
	f.		36" high raised ground floor levels above street encouraged		
	g.		Fence setbacks and height limits.		
	9	Additional Standards for Old Town Neighborhood District			
	14.34.052	Mixed Use and Non-Residential Developments		N/A (Residential Development)	
	B	General Site Design			
	1		Compliment adjacent structures		
	2		Environmental respect		
	3		Pedestrian features and interaction		
	4		Pedestrian safety		
	5		Overall Title compliance		
	C.1	Primary Pedestrian Corridors			
	a.		Pedestrian oriented facades		
	b.		Behind building parking		
	C.2	Secondary Pedestrian Corridors			
	a.		Main pedestrian entry		
	b.		Ground floor to be near grade of sidewalk		
	c.		Pedestrian oriented facades		
	d.		Behind building parking		
	e.		Landscape screening		
	f.		Abutting non-residential or mixed use zones		
			Two frontages		
	D	Main Street South of Old Town			
	E	Big Rock Road			
	F	All other streets not designated			
	G	Pedestrian Access			
	1		Sidewalk access		
	2		8 ft. minimum walk		
	3		Multiple buildings entry linkage		
	4		Future linkage opportunities		
	5		Internal elements linkage to public ROW's		
	6		Pedestrian linkage to existing offsite pedestrian ways		
	7		Linkage to City trail systems		
	8		Commercial / residential onsite linkage		
	9.a		Safe pedestrian passage through parking lots		
	b.		Minimum 5' walkways (exclusive of car overhang)		

	c.		Walkway design feature credit for DMC. 14.34.52.D			
	d.		Maximum 14 ft. high pedestrian lighting required			
	e.		Access shall accommodate ADA accessibility standards			
	f.		Articulated crosswalk designation may be required			
	H	Pedestrian-Oriented Spaces				
	1		Accessible public courtyards and plazas			
	2	Qualification				
	a.		Pedestrian access from street to building, parking and courts			
	b.		Concrete or unit pavers required			
	co.	(2-foot candles throughout the space)	Complimentary pedestrian lighting required			
	d.		Seating requirement			
	e.		Space must be located areas strategic to primary pedestrian ways			
	f.		Seasonal interest landscaping			
	3	Encouraged features				
	a.		Pedestrian amenities			
	b.		Pedestrian oriented facades			
	c.		Environmental factors for consideration			
	d.		Optional pedestrian related uses			
	e.		Movable seating			
	4	Prohibited features	Undesirable materials and elements			
	l.	Additional Landscaping Requirements	Main Street landscape screening			
	j.	Parking, Garages, and vehicular Access				
	1		Parking lots to be located behind buildings			
	2		Parking lots to be located behind buildings			
	3		Parking lots to be located away from intersections			
	4		Exceptions to location			
	5		Parking lot scale			
	6		Shared parking encouraged			
	7		Perpendicular aisle alignment to buildings encouraged			
	8		Shared parking access encouraged			
	9		Main Street special driveway regulations			
	10		Main Street access restrictions			
	11		Main Street shared driveways encouraged			
	14.34.060	Building Design				
		Residential developments				
	A	Residential Building Design				
	1	Purpose				
	2	General Provisions			Note: All building model types will be required for review (Director to address	
	a.	Elevations and Models.			June 18th Response Letter request)	
	a.i		Variation and modulation required	There is adequate modulation and strong variation between A and B style elevations		I
	a.ii		Model repetition restrictions	Building elevations appear limited to 2 per 400' block	Confirmed provided via June 18th Response Letter	I
	a.iii		Elevation repetition restrictions	Adjacent Buildings 8,9,19,21,22 and 23 appear to be identical models and elevation types	Suggest Departure request or provide elevation modifications for conformance	III
	a.iv		Color and material variation	The color palette is subtle but pleasing with material variation between A and B style elevations		I
	a.v		Architectural style variation	There is adequate Architectural style variation between A and B style elevations		I
	a.vi		Significant floor plan and modulation variations	Building elevations appear limited to 2 per 400' block w / limited floor plan variation	Director to address June 18th Response Letter request	II
	a.vi (A)		Floor plan configurations and massing	Additional information is required to determine variation between building model types	Director to address June 18th Response Letter request	II
	a.vi B.1		Roof Types	Building model types CBAD and HGGH appear to be in compliance		I
	a.vi B.2		Siding styles	Building model types CBAD and HGGH appear to be in compliance		I
	a.vi B.3		Window configurations/detailing	Building model types CBAD and HGGH appear to be in compliance		I
	3	Massing and Composition				
	a.		Clear pattern of massing and interest	Building model types CBAD and HGGH appear to be in compliance		I
	b.		Primary and secondary elements	Building model types CBAD and HGGH appear to be in compliance		I
	4		One story porch height	Building model types CBAD and HGGH appear to be in compliance		I
	5	Massing and Composition				I

	a.		Primary forms to be dominant	Building model types CBAD and HGGH appear to be in compliance		I
	b.		Secondary forms to be proportional	Building model types CBAD and HGGH appear to be in compliance		I
	c.		Primary porch to be one story and proportional to main structure	Building model types CBAD and HGGH appear to be in compliance		I
	d.		Multistory porches allowed if appropriate to building scale	N/A (Non proposed)		
6		Building Modulation				
	a.	Multifamily Residential Buildings				
	a.i		Modulation requirements	Building model types CBAD and HGGH appear to be in compliance		I
	a.ii		Modulation options			
	a.iii		Dormers and interrupted rooflines	Building model types CBAD and HGGH appear to be in compliance		I
	a.iv		Primary facade physical breaks	Building model types CBAD and HGGH appear to be in compliance		I
	b.	Attached and detached residential buildings				
	b.i		Modulation requirements	In Compliance		I
	b.ii		Modulation locations	In Compliance		I
	b.iii		Change in materials/colors/details allowances	In Compliance		I
	b.iv		Number of joined units (8 max)	In Compliance		I
7		Entries				
	a.		Covered porches and stoops required	In Compliance		I
	b.		Architectural design must be integrated	In Compliance		I
	c.		Porch and stoop size	In Compliance		I
	c.i	Porch	48 sq. ft min (6'w x 8'd)	Both building types appear to be in compliance (please confirm code dimensional conformance)		I
	c.ii	Stoop	30 sq. ft. min. (6'w x5'd)	Both building types appear to be in compliance (please confirm code dimensional conformance)		I
	c.iii	Porches and stoops	To be raised 18" above grade	Elevations provided indicate potential for two porch / stoop risers which is acceptable	Departure request currently under review	III
	c.iv		Wrap round porch on corner lots	Wrap around porches for HGGH building types only	Very few "corner lots"	I
8		Decks				
	a.		To be architecturally integrated with main structure	In Compliance		I
	b.		To key into primary structure	In Compliance		I
	b.i		To be architecturally integrated with main structure	In Compliance		I
	b.ii		To key into primary structure	In Compliance		I
	b.iii		Minimum support thickness of 7.25" w10' max unsupported height	Acceptable as designed		I
	b.iv		Covered deck structures to be architecturally integrated with primary roof	Acceptable as designed		I
9		Roof Pitch	To be residential in character	Acceptable as designed		I
	a.		Minimum 12" overhangs	Appears to be in compliance	Confirmed via June 18th Response Letter	I
10		Architectural Details				
	a.	Doors				
	a.i		Entry doors to match architectural style of building	Appears to be in compliance -Additional detail required-In Compliance		I
	a.ii		Panels or inset glass required on entry doors	In Compliance		I
	a.iii		Sliding glass entry doors prohibited	In Compliance		I
	a.iv		3 1/2" trim required at all entry doors	Appears to be in compliance	Confirmed via June 18th Response Letter	I
	b.	Primary Windows				
	b.i		Vertical orientation required	In Compliance		I
	b.ii		Window trim required throughout	In compliance		I
	b.iii		Trim to be 3 1/2" min and complimentary to architectural style of building	Appears to be in compliance	Confirmed via June 18th Response Letter	I
	b.iv		Vertical windows may be ganged	In Compliance		I
	b.v		Divided lite windows encouraged	N/A		
	c.	Chimneys	Chimney's to compliment architectural style of building	Additional detail required. N/A-no chimney's-To be Verified	It appears there are no wood or gas fireplaces	
	c.i		20"x24" min. cross section above roof dimension	N/A-To be Verified		
	c.ii		Metal cap shrouds required	N/A-To be Verified		
	c.iii		Chimney shape and materials to compliment architectural style of building	N/A-To be Verified		
	d.	Columns, Trim and Corner boards				
	d.i		Trim detailing and materials to compliment architectural style of building	Appears to be in compliance		I
	d.ii		Exposed 4x4 and 6x6 posts prohibited	Appears to be in compliance	Confirmed via June 18th Response Letter	I
	d.iii		Metal or wood corner clips/boards required	Appears to be in compliance		I
	d.iv		2 1/2" min corner board width	Appears to be in compliance	Confirmed via June 18th Response Letter	I
	e.	Architectural Detail and Features	To provide elements of human interest			
	e.i		Shutters	N/A		
	e.ii		Flower boxes	N/A		
	e.iii		Knee braces	In Compliance		I
	e.iv		Columns	In Compliance		I
	e.v		Trellises	In Compliance		I
	f.	Trash and Recycling Containers				
	f.i		Within garages or screened enclosures	Additional detail required.		
	f.ii		Prohibited in front yards	Additional detail required.		
	f.iii		Locate to minimize odor and visibility	Additional detail required.		

	f.iv		To be easily accessed by residents	Additional detail required.	
	f.v		Enclosures to be made of wood/masonry. Chin link prohibited	Additional detail required.	
	g.	Mail and Newspaper Boxes.			
	g.i		Design and materials to compliment architectural style of building	Additional detail required.	
	g.ii		To be well lit, accessible and non obstructive to walkways	Additional detail required.	
	g.iii		To be clustered and architecturally enhanced and complimentary with buildings	Additional detail required.	
	h.	Accessory structures			
	h.i		Design and materials to compliment architectural style of building	N/A	
	h.ii		12' max height/18' max height w/ pitched roof	N/A	
	h.iii		Portable storage containers prohibited	N/A	
	11	Materials			
	a.		Vertical material transitions to wrap corners	In Compliance	I
	b.		Horizontal material transitions to have separation trim	In Compliance	I
	c.		Acceptable materials		
	d.		Trim requirement and materials	In Compliance	I
	e.		Finish materials to wrap corners	In Compliance	I
	12	Color			
	a.		Multiple colors to be used	In Compliance	I
	b.		Muted colors to be dominant	In Compliance	I
	c.		Grey's and beige colors to be secondary	In Compliance	I
	d.		Color palettes to be submitted for approval	In Compliance	
	14.34.062	Mixed Use and Non-Residential Developments		N/A (Residential Development)	
	A	Purpose and Design intent	Preserve and enhance village character in OT, foster innovative yet regionally complimentary expression elsewhere		
	B	Applicability	Zones (includes OT)		
	C	Massing and Composition			
	1		Clearly defined base, middle and top		
	2		Primary entries require focal expression		
	3		Multi-tenant buildings to express individual storefronts		
	4		Primary uses to focus toward street frontage		
	5		Buildings with split entries must establish a primary entry		
	6	Parapets to avoid false front appearance			
	a.		Parapets must be integrated with overall massing/design		
	b.		Back sides of parapets must not be visible to public areas		
	7		Overhead balconies are encouraged but subject to review		
	8		Roof slopes to be broken up by secondary building elements		
	D	Building Modulation			
	1		50 ft. minimum building modulation		
	2		75% fenestration required		
	3		Pedestrian-oriented spaces to be integrated with building design		
	4	Zone specific façade requirements	Including OT district		
	a.		25 ft. lot rhythm required		
	b.		Design elements that enhance a 25 ft. rhythm required		
	c.		Rooflines to enhance a traditional building lot pattern		
	d.		Material/color changes to enhance a traditional building lot pattern		
	e.		Modulation to enhance a traditional building lot pattern		
	f.		Other means available per Planning Director		
	5		Prominent cornice required & 50 ft. max. roofline w/o modulation.		
	6		6/12 minimum roof slope		
	7		Hip roofs are discouraged		

	E	Blank Wall Treatments			
	1		Blank walls are prohibited		
	a.		Doors and windows		
	b.		Display windows		
	c.		Landscape plantings		
	d.		Landscape trellis		
	e.		Other methods		
	F	Building Details			
	1		Requirements for new buildings to be substantially provided		
	a.		Display Windows		
	b.		Transom windows		
	c.		Recessed windows		
	d.		Decorative weather protection features		
	e.		Upper and lower level distinction		
	f.		Window bays		
	g.		Recessed entry		
	h.		Sills		
	i.		Pilasters		
	j.		Landscape trellises		
	k.		Decorative light fixtures		
	l.		Decorative finish materials		
	m.		Artwork		
	n.		Other approved details		
	2		Include decorative signage keeping with the style of the building		
	3		6' wide protective awnings over all sidewalks		
	G	Building Materials and Colors			
	1		High quality and durable		
	2		Metal to be trimmed and in combination with other durable materials		
	3		Concrete block restrictions		
	4		Stucco restrictions		
	5	Prohibited materials			
	a.		More than 10% mirrored glass		
	b.		Plywood siding		
	c.		Stucco board		
	d.		Window film		
	6		Bright colors are discouraged		
	7		Color selections samples to be submitted for review		
	8		Linear building lighting prohibited @ facades and rooflines		
	9		Facades shall not be designed to resemble logos		
	H	Additional Commercial Building Standards			
	1		Additional building modulation		
	2		Significant focal elements		
	3		Vertical modulation		
	4		Roof modulation		
	5		Finish material variety		
	6		Accessories and features following rhythm of modulation		
	7		Repetitive distinctive window patterns		
	8		Other approved methods		
	I	Service areas			

		All utilities and service areas shall:			
	1		Be enclosed and screened		
	2		Have doors		
	3		Compliment building design and materials		
	4		Be practically located		
	5		Shall not interfere with primary purpose of development		
	6		Be sized to meet project needs		
	7		Shall accommodate recycling		
	8		Be approved by refuse purveyor		
	9		Shall be landscaped on 3 sides		
	10		Service and loading berths to not interfere with pedestrian ways		
	11		Service areas shall be sited for convenient use and access		
	12		Roof Mounted equipment to be located away from public view		
	13		Roof Mounted equipment to be screened from public view		
	J	Non-Residential Signage			
		Shall be as follows:			
	1		Compliment the character and scale of the project		
	2		Be compatible to scale of the building design and adjacent signs		
	3		Compliment the building colors		
	K	Non-Residential Lighting			
		Shall be as designed follows:			
	1		To ensure safety and security, and encourage activity		
	2		Lighting color selection restrictions		
	3		Accent architectural and landscape lighting encouraged		
				End of Section	

	f.		Residential retaining wall		
	g.		Retaining wall landscape setback		
	h.		Departures		
	14.34.030	Storm Water Management and Sensitive Areas			
	C.1	Open Stormwater ponds			
	a.		Stormwater ponds per standards		
	b.		Stormwater pond screening		
	C.2	Bioswales	Encouraged treatment method		
	D	Site coverage			
	1		Per specific zoning requirements		
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	e.		Sidewalks not adjacent to public streets		
	B.2	Secondary Pedestrian Corridors Stephens Street frontage			
	a.		10 ft. minimum sidewalk		
	b.		Street trees @ 30 intervals in tree grates or planters		
	c.		12-14 ft. high pedestrian lighting @ 40-60 ft. OC		
	d.		Sidewalks not adjacent to public streets min 8' wide		
	B.3	Interior pedestrian pathways	Minimum 5 ft unobstructed width		
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	B.2	General Goals			
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	b.		Down slope entries		
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	a.ii		Minimum useable yard		
	a.iii		Private yard reduction		
	a.iv		Reciprocal use easement		
	a.v		Minimum open space		
	b.	Common Open Space Requirements			
	b.i	Purpose			
	b.ii (A)		Hierarchy of space		
	b.ii (B)		Distribution		
	b.ii (C)		Variety		
	b.ii (D)		Pathways and features		
	b.iii		25' Minimum width		
	b.iv		Solar Orientation		
	b.v		Visibility		
	b.vi		Trail bonus		
	b.vii		Pedestrian entry bonus		
	b.viii		Tree preservation		
	b.ix		Ground floor access		
	c.	Reciprocal Use Easements			
	c.i		Recording		
	c.ii		Privacy walls		
	c.iii		Foundation protection		
	6	Parking, Garages, and Vehicular Access			
	a.	Front Loaded Garages			
	a.i		20' Property line setback		
	a.ii		5' Building facade setback		
	a.iii		2' Tuck under setback		
	a.iv		50% Max width of ground level facade		
	a.iv (A)		Cul-de-sac exception		
	a.iv (B)		Steep slope exception		
	a.v		Detached garages		
	b.	Side Loaded Garages			
	b.i	20% Maximum per plat			
	b.i (A)		15' Front yard setback		
	b.i (B)		Architectural design elements required		
	b.i (C)		Separation to entry access required		
	b.ii		Rear side load garage allowance		
	b.iii		Repeat restriction		
	b.iv		10' separation requirement @adjacent side entry drives		
	c.	Shared Garages and Driveways.			
	c.i		Where permitted		
	c.ii		Permitted with special provisions		
	c.iii		Assignment of parking space		
	c.iv		44' max ganged width		
	d.	Additional Driveway Standards.			
	d.i		SFR restrictions for multiple driveways		
	d.ii		Tandem parking allowance		
	d.iii		Alley Access		
	d.iv		20' maximum width		
	d.v		Shared driveways are encouraged		
	7	Utility Placement.			
	a.		Priority accommodations for street design elements		

	b.		Utility appurtenance to be screened/hidden to the furthest extent possible		
	c.		Underground utilizes to allow for street trees and lighting		
	d.		Vaults are prohibited from sidewalk areas		
	e.		Utility boxes to be grouped		
	8	Additional Standards for Multifamily Residential Developments.			
	a.		Primary building entry must face public or open space		
	b.		Individual ground floor entries must face public or open space		
	c.		Must include windows that face public streets or space		
	d.		Special provisions option		
	e.		10' min. residential setback from sidewalks		
	f.		36" high raised ground floor levels above street encouraged		
	g.		Fence setbacks and height limits.		
	9	Additional Standards for Old Town Neighborhood District			
	14.34.052	Mixed Use and Non-Residential Developments			
	B	General Site Design			
	1		Compliment adjacent structures		
	2		Environmental respect		
	3		Pedestrian features and interaction		
	4		Pedestrian safety		
	5		Overall Title compliance		
	C.1	Primary Pedestrian Corridors			
	a.		Pedestrian oriented facades		
	b.		Behind building parking		
	C.2	Secondary Pedestrian Corridors			
	a.		Main pedestrian entry		
	b.		Ground floor to be near grade of sidewalk		
	c.		Pedestrian oriented facades		
	d.		Behind building parking		
	e.		Landscape screening		
	f.		Abutting non-residential or mixed use zones		
			Two frontages		
	D	Main Street South of Old Town			
	E	Big Rock Road			
	F	All other streets not designated			
	G	Pedestrian Access			
	1		Sidewalk access		
	2		8 ft. minimum walk		
	3		Multiple buildings entry linkage		
	4		Future linkage opportunities		
	5		Internal elements linkage to public ROW's		
	6		Pedestrian linkage to existing offsite pedestrian ways		
	7		Linkage to City trail systems		
	8		Commercial / residential onsite linkage		
	9.a		Safe pedestrian passage through parking lots		
	b.		Minimum 5' walkways (exclusive of car overhang)		
	c.		Walkway design feature credit for DMC. 14.34.52.D		
	d.		Maximum 14 ft. high pedestrian lighting required		

	e.		Access shall accommodate ADA accessibility standards		
	f.		Articulated crosswalk designation may be required		
	H	Pedestrian-Oriented Spaces			
	1		Accessible public courtyards and plazas		
	2	Qualification			
	a.		Pedestrian access from street to building, parking and courts		
	b.		Concrete or unit pavers required		
	cc.	(2-foot candles throughout the space)	Complimentary pedestrian lighting required		
	d.		Seating requirement		
	e.		Space must be located areas strategic to primary pedestrian ways		
	f.		Seasonal interest landscaping		
	3	Encouraged features			
	a.		Pedestrian amenities		
	b.		Pedestrian oriented facades		
	c.		Environmental factors for consideration		
	d.		Optional pedestrian related uses		
	e.		Movable seating		
	4	Prohibited features	Undesirable materials and elements		
	i.	Additional Landscaping Requirements	Main Street landscape screening		
	j.	Parking, Garages, and vehicular Access			
	1		Parking lots to be located behind buildings		
	2		Parking lots to be located behind buildings		
	3		Parking lots to be located away from intersections		
	4		Exceptions to location		
	5		Parking lot scale		
	6		Shared parking encouraged		
	7		Perpendicular aisle alignment to buildings encouraged		
	8		Shared parking access encouraged		
	9		Main Street special driveway regulations		
	10		Main Street access restrictions		
	11		Main Street shared driveways encouraged		
	14.34.060	Building Design			
		Residential developments			N/A (Commercial Development)
	A	Residential Building Design			
	1	Purpose			
	2	General Provisions			
	a.	Elevations and Models.			
	a.i		Variation and modulation required		
	a.ii		Model repetition restrictions		
	a.iii		Elevation repetition restrictions		
	a.iv		Color and material variation		
	a.v		Architectural style variation		
	a.vi		Significant floor plan and modulation variations		
	a.vi (A)		Floor plan configurations and massing		
	a.vi (B)		Roof Types		
	a.vi (B)(A)		Siding styles		
	a.vi (B)(B)		Window configurations/detailing		
	3	Massing and Composition			
	a.		Clear pattern of massing and interest		
	b.		Primary and secondary elements		
	4		One story porch height		
	5	Massing and Composition			
	a.		Primary forms to be dominant		
	b.		Secondary forms to be proportional		

	c.		Primary porch to be one story and proportional to main structure		
	d.		Multistory porches allowed if appropriate to building scale		
	6	Building Modulation			
	a.	Multifamily Residential Buildings			
	a.i		Modulation requirements		
	a.ii		Modulation options		
	a.iii		Dormers and interrupted rooflines		
	a.iv		Primary facade physical breaks		
	b.	Attached and detached residential buildings			
	b.i		Modulation requirements		
	b.ii		Modulation locations		
	b.iii		Change in materials/colors/details allowances		
	b.iv		Number of joined units (8 max)		
	7	Entries			
	a.		Covered porches and stoops required		
	b.		Architectural design must be integrated		
	c.		Porch and stoop size		
	c.i	Porch	48 sq. ft min (6'w x 8'd)		
	c.ii	Stoop	30 sq. ft. min. (6'w x5'd)		
	c.iii	Porches and stoops	To be raised 18" above grade		
	c.iv		Wrap round porch on corner lots		
	8	Decks			
	a.		To be architecturally integrated with main structure		
	b.		To key into primary structure		
	b.i		To be architecturally integrated with main structure		
	b.ii		To key into primary structure		
	b.iii		Minimum support thickness of 7.25" w10' max unsupported height		
	b.iv		Covered deck structures to be architecturally integrated with primary roof		
	9	Roof Pitch	To be residential in character		
	a.		Minimum 12" overhangs		
	10	Architectural Details			
	a.	Doors			
	a.i		Entry doors to match architectural style of building		
	a.ii		Panels or inset glass required on entry doors		
	a.iii		Sliding glass entry doors prohibited		
	a.iv		3 1/2" trim required at all entry doors		
	b.	Primary Windows			
	b.i		Vertical orientation required		
	b.ii		Window trim required throughout		
	b.iii		Trim to be 3 1/2" min and complimentary to architectural style of building		
	b.iv		Vertical windows may be ganged		
	b.v		Divided lite windows encouraged		
	c.	Chimneys	Chimney's to compliment architectural style of building		
	c.i		20"x24" min. cross section above roof dimension		
	c.ii		Metal cap shrouds required		
	c.iii		Chimney shape and materials to compliment architectural style of building		
	d.	Columns, Trim and Corner boards			
	d.i		Trim detailing and materials to compliment architectural style of building		
	d.ii		Exposed 4x4 and 6x6 posts prohibited		
	d.iii		Metal or wood corner clips/boards required		
	d.iv		2 1/2" min corner board width		
	e.	Architectural Detail and Features	To provide elements of human interest		
	e.i		Shutters		
	e.ii		Flower boxes		
	e.iii		Knee braces		
	e.iv		Columns		
	e.v		Trellises		
	f.	Trash and Recycling Containers			
	f.i		Within garages or screened enclosures		
	f.ii		Prohibited in front yards		
	f.iii		Locate to minimize odor and visibility		
	f.iv		To be easily accessed by residents		
	f.v		Enclosures to be made of wood/masonry. Chin link prohibited		

	g.	Mail and Newspaper Boxes.				
	g.i		Design and materials to compliment architectural style of building			
	g.ii		To be well lit, accessible and non obstructive to walkways			
	g.iii		To be clustered and architecturally enhanced and complimentary with buildings			
	h.	Accessory structures				
	h.i		Design and materials to compliment architectural style of building			
	h.ii		12' max height/18' max height w/ pitched roof			
	h.iii		Portable storage containers prohibited			
	11	Materials				
	a.		Vertical material transitions to wrap corners			
	b.		Horizontal material transitions to have separation trim			
	c.		Acceptable materials			
	d.		Trim requirement and materials			
	e.		Finish materials to wrap corners			
	12	Color				
	a.		Multiple colors to be used			
	b.		Muted colors to be dominant			
	c.		Grey's and beige colors to be secondary			
	d.		Color palettes to be submitted for approval			
	14.34.062	Mixed Use and Non-Residential Developments				
	A	Purpose and Design intent	Preserve and enhance village character in OT, foster innovative yet regionally complimentary expression elsewhere	The Thayer Barn conveyance to the City of Duvall is conditioned upon a renovation or replication of the barn building	Design is an innovative approach to complimenting traditional and modern elements	I
	B	Applicability	Zones (includes OT)	Standards apply to both current zoning (MU-12) and Comprehensive plan zoning (LI)		
	C	Massing and Composition				
	1		Clearly defined base, middle and top	The design submittal appears to be in compliance.	Provide calculations for non-compliant instances	I
	2		Primary entries require focal expression	The design submittal appears to be in compliance.		I
	3		Multi-tenant buildings to express individual storefronts	N/A Multi-use building		I
	4		Primary uses to focus toward street frontage	The design submittal appears to be in compliance.	The building is internal to the overall site and oriented toward parking and open space.	I
	5		Buildings with split entries must establish a primary entry	The design submittal appears to be in compliance.		I
	6	Parapets to avoid false front appearance				
	a.		Parapets must be integrated with overall massing/design	The design submittal appears to be in compliance.	Parapets on the elevator / stair tower are minor with minimal visual impact	I
	b.		Back sides of parapets must not be visible to public areas	The design submittal appears to be in compliance.	The back side of parapets are not visible from public areas	I
	7		Overhead balconies are encouraged but subject to review	The design submittal appears to be in compliance.	Proposed balconies provide public territorial view potential	I
	8		Roof slopes to be broken up by secondary building elements	Close adherence to replicating historic barn architecture does not align with code intent to provide roof modulation focused on reducing roof mass and promoting interest in this instance	An administrative deviation is recommended in lieu of code compliance	V
	D	Building Modulation				
	1		50 ft. minimum building modulation	The design submittal appears to be in compliance.		I
	2		75% fenestration required	The design submittal appears to be in compliance.	N/A no at grade retail element	I
	3		Pedestrian-oriented spaces to be integrated with building design	The design submittal appears to be in compliance.	Building entry elements and pedestrian oriented spaces exhibit a strong vitality due to the juxtaposition between traditional historic and contemporary elements	I
	4	Zone specific façade requirements	Including OT district			
	a.		25 ft. lot rhythm required	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	V
	b.		Design elements that enhance a 25 ft. rhythm required	"	"	V
	c.		Rooflines to enhance a traditional building lot pattern	"	"	V
	d.		Material/color changes to enhance a traditional building lot pattern	"	"	V
	e.		Modulation to enhance a traditional building lot pattern	"	"	V
	f.		Other means available per Planning Director	"	"	V
	5		Prominent cornice required & 50 ft. max. roofline w/o modulation.	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	V
	6		6/12 minimum roof slope	The design submittal appears to be in compliance.		I
	7		Hip roofs are discouraged	The design submittal appears to be in compliance.		I
	E	Blank Wall Treatments				

	1		Blank walls are prohibited	The design submittal appears to be in compliance, please note following comments:		I
	a.		Doors and windows	Doors and windows not associated with proposed contemporary entry elements and integral to the replication of a historic barn building must target authentic reference to opening sizes, location, pattern, and scale of the original Thayer Barn to the highest degree possible.	Proposed revisions successfully reference the original Thayer Barn architectural style, features, and detailing.	I
	b.		Display windows			
	c.		Landscape plantings			
	d.		Landscape trellis			
	e.		Other methods			
	F	Building Details				
	1		Requirements for new buildings to be substantially provided	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	
	a.		Display Windows	"	"	V
	b.		Transom windows	"	"	V
	c.		Recessed windows	"	"	V
	d.		Decorative weather protection features	"	Barn storm doors provide adequate detailing and historic reference	I
	e.		Upper and lower level distinction	The design submittal appears to be in compliance.	Proposal exhibits strong level distinctions	I
	f.		Window bays	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	V
	g.		Recessed entry	"	"	V
	h.		Sills	"	"	V
	i.		Pilasters	"	"	V
	j.		Landscape trellises	"	"	V
	k.		Decorative light fixtures	"	"	V
	l.		Decorative finish materials	Proposal includes a variety of materials and finishes	Historic references work well with contemporary features	I
	m.		Artwork	Contemporary super graphics provide a creative sense of place	Juxtaposition between contemporary and traditional elements lends an artistic appeal	II
	n.		Other approved details	Contrast between historic and contemporary elements provide key visual interest	Planning Director to review offset benefit in lieu of code required items	I
	2		Include decorative signage keeping with the style of the building	The design submittal appears to be in compliance.	Signage graphics are consistent with the contemporary elements of the proposal	I
	3		6' wide protective awnings over all sidewalks	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	V
	G	Building Materials and Colors				
	1		High quality and durable	The design submittal appears to be in compliance.		I
	2		Metal to be trimmed and in combination with other durable materials	The design submittal appears to be in compliance.		I
	3		Concrete block restrictions	The design submittal appears to be in compliance.		I
	4		Stucco restrictions	The design submittal appears to be in compliance.	None proposed	I
	5	Prohibited materials				
	a.		More than 10% mirrored glass	The design submittal appears to be in compliance.	None proposed	I
	b.		Plywood siding	The design submittal appears to be in compliance.	None proposed	I
	c.		Stucco board	The design submittal appears to be in compliance.	None proposed	I
	d.		Window film	The design submittal appears to be in compliance.	None proposed	I
	6		Bright colors are discouraged	Close adherence to replicating historic barn architecture does not align with code intent	Proposed color range is slightly off code approved range but acceptable	I
	7		Color selections samples to be submitted for review	Digital colors samples have been provided		I
	8		Linear building lighting prohibited @ facades and rooflines	The design submittal appears to be in compliance.		I
	9		Facades shall not be designed to resemble logos	The design submittal appears to be in compliance.		I
	H	Additional Commercial Building Standards				
	1		Additional building modulation	Close adherence to replicating historic barn architecture does not align with code intent	An administrative deviation is recommended in lieu of code compliance	V
	2		Significant focal elements	The design submittal appears to be in compliance.	The proposed design provides a strong sense of focal elements	I
	3		Vertical modulation	The design submittal appears to be in compliance.	The design proposal successfully meets code intent for commercial modulation	I
	4		Roof modulation	"	"	V
	5		Finish material variety	The design submittal appears to be in compliance.	The pleasing variety of materials is complimentary to the proposed building style	I
	6		Accessories and features following rhythm of modulation	The design submittal appears to be in compliance.	Accessories and features are complimentary to the buildings architectural form	I
	7		Repetitive distinctive window patterns	Repetitive window patterns historically aligned with the original Thayer Barn are encouraged	Proposed window patterns successfully meet code intent	I
	8		Other approved methods			
	I	Service areas				
		All utilities and service areas shall:				
	1		Be enclosed and screened	Not part of this review		

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Please print neatly or type information

Document Title(s)

Settlement Agreement

Reference Numbers(s) of related documents

Additional Reference #'s on page

Grantor(s) (Last, First and Middle Initial)

H.E.L.P. Services, INC. Gary D. Jones
NJ Land Development, INC. Greg Newhall

Additional grantors on page

Grantee(s) (Last, First and Middle Initial)

City of Duvall

Additional grantees on page

Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)

Government Lot 1, Section 23, Township 26 North, Range 6 East,
W.M., in King County Washington

Additional legal is on page

Assessor's Property Tax Parcel/Account Number

2426069080 2426069003

Additional parcel #'s on page

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

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SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into as of this 13th day of NOVEMBER, 2000, between H.E.L.P. SERVICES, INC., a Washington corporation ("H.E.L.P."), NJ LAND DEVELOPMENT, INC. (collectively "the Developer"), and the CITY OF DUVALL (hereafter "City") in order to resolve a good-faith dispute regarding development issues related to a mixed use project, commonly known as "Duvall Village," located within the City of Duvall.

RECITALS

A. H.E.L.P. owns certain real property in the City of Duvall legally described in Attachment A which is the subject of a March 27, 1995 Amended Pre-Annexation Agreement. H.E.L.P. proposes to develop its property for a mixed use project (known as Duvall Village) of residential units, work/live units, and retail/office uses consistent with the underlying "mixed use 12" zoning.

B. On April 12, 1999, the Developer filed an application with the City of Duvall for the Duvall Village project, with 226 residential units and certain retail uses. On May 10, 1999, the City issued a letter of completeness pursuant to RCW 36.70B.070(1).

C. Initially, the City did not believe that the "mixed use 12" zoning would allow 226 residential units. The Developer disagreed with the City's interpretation and calculation of residential lot yield in the "mixed use 12" zone.

D. On August 19, 1999, the City determined that, although a letter of completeness had issued, the Duvall Village project would not be considered "vested" within the meaning of Ordinance No. 885 because the application failed to comply with applicable maximum density restrictions in the Mxd 12 zone. Ordinance No. 885 places a moratorium on the City's acceptance of land use applications that will burden the City's wastewater treatment plant, while exempting from the moratorium "vested" applications. The Developer disagreed with the City's interpretation.

E. On September 2, 1999, the Developer invited and the City agreed to participate in negotiations to resolve the disagreement between the parties regarding vesting and maximum allowable densities, in lieu of immediate litigation.

F. Between September 2, 1999 and the present, the parties have continued to work together to resolve the parties' differences regarding maximum allowable densities and vesting issues.

G. The City believes that the Duvall Village project is governed by the "Site Plan/Design Review" process set forth in Duvall Municipal Code Chapter 14.20. Under this process, staff

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c. Based on the existing zoning, the City will also allow land use permits with a maximum of ten (10) work/live units. The work/live units will provide for retail/service/professional/artisan workroom spaces on one level of the units; and living areas located above or below the retail/service, professional/artisan workrooms, depending on topography; provided workroom spaces shall always be on the groundfloor in terms of pedestrian access. The 10 work/live units in this section shall not be counted toward the 176 residential units. The Developer may build more than ten (10) work/live units provided any units over ten (10) shall be counted against the 176 residential units.

176
+ 10

= 186

d. All developable property between SR 203 and a point two hundred and fifty (250) feet west of the SR 203 right-of-way and one additional acre of property shall be developed as commercial property (including parking). The Developer shall locate/identify the additional one acre during the site plan review process. The one-acre may contain live/work units and parking areas for commercial uses.

e. Notwithstanding the March 27, 1995 Amended Pre-Annexation Agreement and the April 3, 1995 Lease Agreement, the parties agree that the existing barn may be relocated on the H.E.L.P. property. This parcel shall be known as the "relocated barn parcel." ~~The exact location shall be determined through negotiation and the site plan review process.~~ If the parties are unable to agree, they agree to binding arbitration on the location of the relocated barn parcel, consistent with the rules of the American Arbitration Association. The Developer will provide the relocated barn parcel and the preparation of stubs for utilities (gas, water, sewer, electricity, telephone, and storm sewer) at the relocated barn parcel property line. ~~The site shall be sufficient in size to relocate the barn, to provide area for 50 parking spaces, and for an outbuilding (for kitchen and restroom) and to otherwise meet zoning and building code requirements for the intended usage. The outbuilding shall not exceed 1300 square feet.~~ The amount of land provided under this section shall be deducted from the Developer's property for purposes of calculating any utility or land use assessments or fees based on square footage of property.

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f. The City will be responsible for the relocation of the barn within one year and four months of the date of this Agreement; provided that the City may extend the time for relocation for upto one additional year upon thirty days written notice to Developer. Within thirty (30) days of approval of land use permits (including the expiration of all appeal periods or the termination of any appeals filed), the Developer will convey to the City the relocated barn parcel by deed as set forth, above for the same uses allowed in the Amended pre-Annexation Agreement, subject to a reversionary interest in the grantor as further described below in subparagraph 2(1). The legal description for the deed to the relocated barn parcel shall be in metes and bounds based on a survey. The City agrees to give the Developer reasonable notice of the schedule for the relocation, to avoid interfering with any work of the Developer which is scheduled for the same time as the relocation, and to indemnify, defend, and hold the Developer harmless from any claims for personal injury or

[Handwritten signatures]

property damage arising from the relocation, to keep the H.E.L.P. property free from liens or encumbrances arising from the relocation of the barn, and to otherwise repair or restore the H.E.L.P. property as a result of any damage arising from the relocation. ~~If the barn is relocated, by mutual agreement before the relocated barn parcel is deeded to the City, the parties agree to modify the legal description of the April 3, 1995 Lease Agreement.~~ However, nothing in this agreement requires that H.E.L.P. or NJ Land agree to the relocation of the barn prior to issuance of the land use permits. In the event the Developer's time frame for deeding the relocated barn parcel is extended due to appeals of its land use permits, then the City's timeframe for relocating the barn shall be extended for an equal time.

g. Upon relocation of the barn, the Developer shall have the right of possession and use of the SR 203 frontage in the area formerly occupied by the barn, notwithstanding the provisions of the Lease Agreement and the Amended Pre-Annexation Agreement.

h. The Developer will provide land for the relocated barn parcel. ~~In addition, the Developer shall grant to the City the right to use or reserve two (2) handicapped parking spaces at the parking area for the trail access.~~ The exact location of the parking site for trail access shall be determined through the land use permit process.

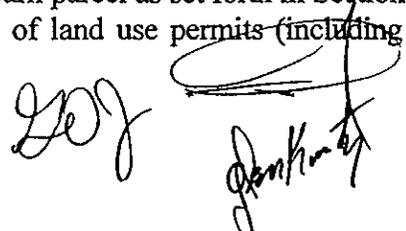
i. ~~The relocated barn parcel shall be conveyed by deed to the City of Duvall. Park Impact Fee credits are applicable to this dedication and the Developer's prior dedication of land under the terms of the Amended Pre-Annexation Agreement.~~

j. The Amended Pre-Annexation Agreement shall be amended to provide for the property use under the current barn location to revert to H.E.L.P. upon dedication of the land in Section 2.i above to the City of Duvall.

k. Nothing in this Agreement shall be construed to authorize any single family detached dwelling units in the project.

l. The conveyance of the relocated barn parcel shall be subject to a right of reversion to the grantor(s) if the City subsequently fails to relocate the barn within the time frames set forth in this Agreement or if the City does not use the barn for the purposes identified in the Amended Pre-Annexation Agreement. If the event of such reversion, the Developer shall grant by deed to the City an area which encompasses and includes twenty (20) parking stalls in an area selected by the City within the relocated barn parcel or such other area outside of the relocated barn parcel closer to the trailhead, as mutually agreed by the parties.

3. Nothing in this Agreement shall operate to amend or modify the "Amended Pre-Annexation Agreement" or the "Lease Agreement" relating to the barn previously executed by the parties except as to the possible relocation of the barn and the barn parcel as set forth in Section 2.3 of the Amended Pre-Annexation Agreement. Upon approval of land use permits (including the



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expiration of all appeal periods or the termination of all appeals), the parties agree to execute and record a modification thereof.

4. Subject to Section 5 below, should the City Council approve the land use permits for Duvall Village project with the conditions enumerated above, the Developer will forever release, discharge, and hold harmless the City, its agents, employees, and representatives from all claims, lawsuits, or causes of action, known or unknown, or directly or indirectly related to the subject matter of this Agreement. This release is intended to cover all past injuries, damages, or losses, whether known or unknown, related to the subject matter of this Agreement.

5. Should the City Council elect to amend, modify, or remove the conditions enumerated in Section 2, or otherwise substantially modify the staff proposed conditions for the Duvall Village project with conditions which are inconsistent with adopted city codes and policies, and which the Developer believes unduly burden the Duvall Village project, this Agreement shall be null and void; provided that in any event Developer shall have no claim for delay damages accruing after the date of mutual execution of this Agreement.

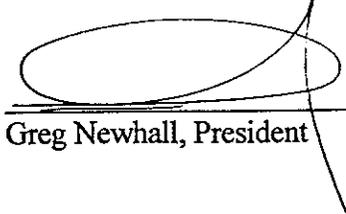
6. The undersigned warrant that no other person or entity has, or has had, any interest in the claims or causes of action referred to in this Agreement, and that they have the sole right and exclusive authority to execute this Agreement and to fulfill the terms specified herein.

7. This Agreement shall be construed and interpreted according to the laws of the State of Washington. Each party was represented by counsel.

8. Subject to Section 4 above, this Agreement expresses the full and complete settlement of all claims of either party against the other for matters arising out of the subject matter of this Agreement. Regardless of the adequacy of the above consideration, the acceptance of this Agreement shall not operate as an admission of liability on the part of either party.

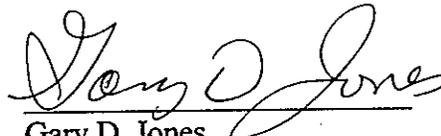
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NJ LAND DEVELOPMENT CO., INC.



Greg Newhall, President

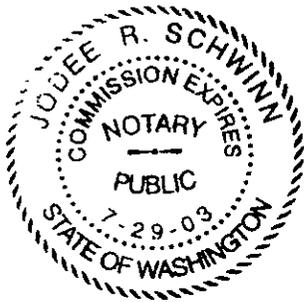
H.E.L.P. SERVICES, INC.



Gary D. Jones
Secretary/Treasurer

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

On this 13th day of November, 2000, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Greg Newhall, to me known to be the President of NJ Land Development, Inc. and Gary D. Jones. To me known as the Secretary/Treasurer of H.E.L.P. Services, Inc., the corporations that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporations, for the uses and purposes therein mentioned, and on oath stated that he is authorized to executed the said instrument.



Jodee R. Schwinn

(Printed or Typed Name)
NOTARY PUBLIC in and for the State
of Washington residing at DUVALL
My appointment expires 7-29-00

2001 013 0000902

CITY OF DUVALL, WASHINGTON

ATTEST

Glen Kuntz
Glen Kuntz, Mayor
City of Duvall

Gloria Judd
Gloria Judd, City Clerk

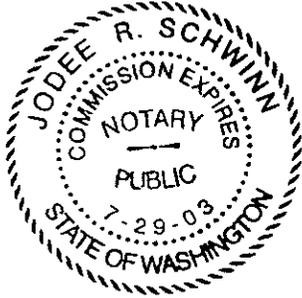
APPROVED AS TO FORM

Lisa Marshall
Lisa Marshall, City Attorney

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

On this day personally appeared before me Glen Kuntz, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 13th day of November, 2000.



Jodee R. Schwinn
(Printed or Typed Name)
NOTARY PUBLIC in and for the State
of Washington residing at DUVALL
My appointment expires 7-29-03

2001 013 0000902

EXHIBIT A

PARCEL A:

Government Lot 1, Section 23, Township 26 North, Range 6 East, W.M., in King County, Washington.

PARCEL B:

That portion of the northwest quarter of the northwest quarter of Section 24, Township 26 North, Range 6 East, W.M., in King County, Washington, lying westerly of State Highway No. 15B;

EXCEPT that portion condemned in King County Superior Court Cause No. 73343 for Chicago, Milwaukee and Puget Sound Railway Company right-of-way; AND EXCEPT the east 157 feet of the south 150 feet thereof;

AND EXCEPT the following described property:

Commencing at the northeast corner of that portion of the northwest quarter of the northwest quarter of Section 24, Township 26 North, Range 6 East, W.M., in King County, Washington, lying westerly of State Highway No. 15B;

thence south 4 degrees 01 minutes east 200 feet;

thence westerly parallel with the north line of said northwest quarter of the northwest quarter, 175 feet;

thence northwesterly 225 feet, more or less, to a point of said north line which is 260 feet westerly of the point of beginning;

thence easterly along said north line 260 feet to the point of beginning.

AND AS MODIFIED by the Boundary Line Adjustment and Quit Claim Deed, dated December 23, 1998, recorded at King County Recording No. 9902041611;

AND AS MODIFIED by the Boundary Line Adjustment and Quit Claim Deed, dated June 27, 1998, recorded at King County Recording No. 9811022163;

AND WHICH Boundary Line Adjustments are depicted on the survey performed by Leonard E. Emerson, filed for record on September 24, 1998, in Vol. 124 of Surveys at p. 231, King County Recording No. 980924-9002.

End of Exhibit A



2001 013 0000902



100-100-100

BERKEY & KOOISTRA
ATTORNEYS AT LAW
LONGHOUSE BUILDING B
10229 N.E. 65TH STREET
KIRKLAND, WA 98033

I need a map of parcels A & B

**AMENDED
PRE-ANNEXATION AGREEMENT**

THIS AMENDED AGREEMENT is made this 27 day of MARCH, 1995, between the City of Duvall, hereinafter "City," and Handicapped Equipment Leasing Programs Services, Inc., a Washington corporation, hereinafter "HELP Services," in contemplation of annexation by the City of property owned by HELP Services, as more fully described below.

I. RECITALS

1.1 The City is a municipal corporation of the State of Washington, organized under the Optional Municipal Code, Title 35A, RCW, located in King County, Washington.

1.2 HELP Services is the owner of approximately 63 acres located adjacent to the City, legally described in Exhibit "A" attached hereto, and currently proposed for annexation to the City (the "Property").

1.3 On October 18, 1993, HELP Services filed with the City a Notice of Intention to Petition for Annexation.

1.4 On December 9, 1993, the Duvall City Council adopted Resolution No. 93-26, accepting the notice of intent petition.

1.5 On August 23, 1994, HELP Services filed with the City an annexation petition meeting all legal requirements.

1.6 On October 28, 1994, the King County Boundary Review Board approved the proposed annexation.

1.7 In the event the Property is annexed prior to the adoption of the new zoning code, the portion of the Property currently designated IC shall be designated CB under the current zoning until such time as the entire Property is rezoned with the adoption of the new zoning code. That portion of the Property currently designated Agricultural shall remain under the Agricultural designation until such time as the entire Property is rezoned with the adoption of the new zoning code. It is understood that the Property will be designated for C/be (commercial/business employment) use with equivalent zoning under the new zoning code adopted pursuant to the 1994 Comprehensive Plan. C/be zoning, pursuant to the new zoning code, will allow areas of multi-family residential use to create a mixed use development. The permitted density for multi-family development will be based on performance criteria as outlined in the Comprehensive Plan. The dedications and conveyances of land by HELP Services under this agreement may be considered in determining the applicability of those

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performance criteria to the HELP Services property. The City anticipates that the new zoning code will be adopted in the summer of 1995. It is understood that the City Council's decision to change the land use designation of a portion of the Property at the time of annexation to CB will not prohibit (under DMC §12.15.030) the subsequent legislative change of the property designation upon the adoption of a new land use map, zoning code and development regulations. It is also understood by all parties that CB zoning under the current zoning code does not permit stand-alone multi-family development and allows only very limited residential development in conjunction with commercial development as outlined in DMC §11.08.020(5).

1.8 It is understood by all parties that any development will be subject to all new development regulations, zoning regulations, impact and development fees, adopted pursuant to the 1993 Comprehensive Plan, regardless of when an application is filed. It is understood that the City would have the right to withhold the issuance of any development permits for the site until the new regulations were adopted pursuant to the Comprehensive Plan and could be applied to any pending application, except as provided below. The City agrees that any complete permit application filed prior to December 31, 1995, will be subject to the development regulations and fees in effect as of December 31, 1995, to the extent that the vesting doctrine generally applies to the regulations and fees in question. The City would further agree to process in a timely manner all pending permits as of December 31, 1995 regardless of whether or not the City has adopted its new regulations.

1.9 The City intends to enact an annexation ordinance after a CB designation under the current zoning is established for the property currently designated I/C. If the annexation is approved by the City, it will be in order to accomplish the goals of the Comprehensive Plan as outlined in this Agreement. The purpose of this Agreement is to define the rights and obligations of the parties in insuring that the Comprehensive Plan Goals are met through the annexation, zoning and subsequent development of the parcel.

1.10 The parties recognize that the City must and will remain independent in processing the annexation and any subsequent development applications. This Agreement is undertaken without any commitment by the City in any way compromising the City's obligations to objectively and independently carry out its governmental responsibilities.

1.11 This Agreement is not intended to set forth the fees and improvements which a developer of the subject property may be required to pay and construct. The general fees and development requirements will be set forth in the SEPA process, zoning, fee, development and subdivision regulations adopted pursuant to the Comprehensive Plan and in effect at the time a development application is filed, except as otherwise set forth in this Agreement. Any fees paid by HELP Services to Duvall for the development

of the Property prior to the adoption of the development regulations for the 1993 Comprehensive Plan (the new development regulations) shall be credited towards fees required under the new development regulations. This Agreement sets forth the particular conditions on the subject property which are intended to further specific identified goals in the Comprehensive Plan.

1.12 This Agreement is based upon the foregoing premises, and in consideration of the mutual promises and covenants herein and the mutual benefits to be derived by the parties therefrom.

II. AGREEMENT

2.1 HELP Services agreed to fund a water modeling study for a conceptual development, prior to the annexation being submitted to the Boundary Review Board. The recommendations of the water modeling study are outlined in the letter, dated June 6, 1994, from Hammond, Collier & Wade-Livingstone Associates, Inc. to Linda Chapman, City of Duvall Planner, and were submitted to the BRB in support of annexation. The actual requirements for the HELP Services' development shall be determined at the time of permit approval, based on more detailed site and project development information. It is understood that as part of any development proposal for the property to be annexed, the developer will be required to construct improvements indicated as necessary in the studies and permit approvals to adequately serve the development with water, and including, specifically, the construction to City standards of a twelve (12) inch water main from the subject property south along SR 203 and then east on Big Rock Road connecting to the Tolt pipeline at the intersection of Big Rock Road and the Puget Power right-of-way. Any necessary studies shall be done at the sole expense of HELP Services and shall, at the request of the City, include an updated water modeling analysis by Hammond, Collier & Wade-Livingstone Associates, Inc. The City agrees to enter into recovery contracts with HELP Services, as permitted by state law, to require the owners of other properties connecting to the utility improvements constructed by HELP Services to pay their proportionate share of the costs of such improvements, including any required oversizing. HELP Services understands that no residential building permit applications will be accepted by the City for the subject property until the water storage tank and tank distribution lines generally identified in the letter, dated June 6, 1994, from Hammond, Collier & Wade-Livingstone Associates, Inc. to Linda Chapman, City of Duvall Planner, have been completed and accepted by the City.

2.2 HELP Services agrees to deed to the City of Duvall, by statutory warranty deed free and clear of all liens and encumbrances the property described as Parcel A in the attached Exhibit "A." The deed shall restrict the use of the property to park and recreational purposes only. Rights reserved in federal patents or state deeds, building, use or floodplain restrictions general to the area, existing easements, covenants, and

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3) restrictions of record not inconsistent with the City's intended use of the property and building and land use regulations shall not be deemed liens or encumbrances. Said deed shall also include an easement for ingress and egress from Parcel A to the Snoqualmie Valley Trail across the northerly ten (10) feet of Parcel B between Parcel A and the Snoqualmie Valley Trail. The deed shall be executed and delivered to the City at the time of annexation. HELP Services further agrees to deed to the City, by statutory warranty deed, free and clear of all liens and encumbrances that portion of Parcel B lying west of the Chicago, Milwaukee and Puget Sound Railway Company right-of-way, condemned in King County Superior Court Cause No. 73343, and now known as the Snoqualmie Valley Trail. The conveyance shall be by statutory warranty deed. The deed shall restrict the use of the use of the Parcel B property to park and recreational uses only. Rights reserved in federal patents or state deeds, building, use or floodplain restrictions general to the area, existing easements, covenants, and restrictions of record not inconsistent with the City's intended use of the property and building and land use regulations shall not be deemed liens or encumbrances. This conveyance is conditional upon the issuance of acceptable development permits to HELP Services. The deed shall be executed and delivered to the City at the time that HELP Services picks up its development permits. HELP Services shall have the right, with the prior approval of the City, to develop the Parcel B property for recreational/park use. All improvements to the property shall also be dedicated to the City. HELP Services shall receive a credit against park impact fees equal to the appraised value of all property and the costs of the improvements deeded and dedicated to the City pursuant to §2.2 and §2.3. Park impact fee credits may not be transferred to other parcels or projects. Provided, however, on the event Duvall Municipal Code (DMC) Section 12.29.050 is amended to permit the transfer of impact fee credits, such amendment shall be applied to HELP Services to transfer any excess park impact fee credits to other property owned by HELP Services or its affiliates or successors in the City of Duvall.

Value →

8) 2.3 HELP Services agrees to deed to the City of Duvall by statutory warranty deed, free and clear of all liens and of all encumbrances, an 8050 square foot parcel (the "barn parcel") being a portion of Parcel B described in attached Exhibit "A." Rights reserved in federal patents or state deeds, building, use or floodplain restrictions general to the area, existing easements, covenants, and restrictions of record not inconsistent with the City's intended use of the property and building and land use regulations shall not be deemed liens or encumbrances. Said parcel shall include the existing yellow barn which is sited on Parcel B and shall include an easement over the existing driveway to the barn, from the state highway. The precise location and precise dimensions of the barn parcel shall be determined by the City and HELP Services prior to final development approval. The deed shall restrict the use of the barn parcel to development of the existing barn (or a replacement of a replica structure in the event the barn cannot be rehabilitated or is otherwise destroyed by fire or other casualty) and property as a community performing arts center or

9)

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headquarters for the Duvall Parks Department. This conveyance is conditional upon the issuance of acceptable development permits to HELP Services. The parcel shall be deeded to the City, at or before the time HELP Services picks up its development permits. In the event the City has not developed the parcel or structure (or replacement structure) as a community performing arts center or as headquarters for the Duvall Parks Department within ten years of the property being deeded to the City, the property shall revert to HELP Services. In the event the property reverts to HELP Services, the City shall be reimbursed for any park impact fee credits granted for the barn and the site, which are actually used by HELP Services. Upon annexation of the property and until such time as HELP Services deeds the parcel to the City, HELP Services agrees to enter into a lease for \$1.00 per year with the City for the barn and the existing driveway. The lease shall be triple net and shall require the City to maintain and insure the property (including the barn) against casualty and hazard up to \$500,000. HELP Services shall be named as an additional insured. The intent of the parties is to insure that the barn site will not be allowed to deteriorate so as to detract from the marketability of the adjacent HELP Services development. The lease shall terminate at such time as the property is deeded to the City, or at such time as the City elects, in its sole discretion, to abandon plans for the use of the property and releases HELP Services from its obligations to deed the barn parcel to the City, but in any event, the lease shall terminate within fifteen (15) years from the date of execution. Termination shall not be effective until HELP Services reimburses the City for its actual expenditures in renovating or improving the barn, but excluding expenditures for routine maintenance and for repairs arising from wear and tear.

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2.4 This Agreement shall become effective upon adoption of the Annexation Ordinance annexing the property to the City of Duvall.

2.5 This Agreement shall remain in full force and effect until terminated by mutual agreement of the parties, by a party's election pursuant to §2.9.

2.6 Venue and jurisdiction to enforce all obligations under this Agreement, except those subject to mediation or arbitration, shall lie in the King County Superior Court. The obligations of the parties hereunder do not have an adequate remedy by way of an action for damages and may be enforced by an action for specific performance. The City may condition its approvals of development application for the property upon HELP Services' obligations under this Agreement.

2.7 In the event either party commences proceedings in King County Superior Court to enforce this Agreement, the prevailing party shall be entitled to an award of attorney's fees and actual costs and disbursements, including expert witness fees, reasonably incurred or made in such proceedings, including appellate proceedings.

2.8 This Agreement is entered into under the laws of the State of Washington, and the parties intend that Washington law shall apply to the interpretation thereof.

2.9 In the event a court of competent jurisdiction declares any material provision of this Agreement invalid, unconstitutional, or otherwise unenforceable, either party may elect to terminate the remainder of this Agreement. In the event a non-material provision of this Agreement is declared invalid, unconstitutional or otherwise unenforceable, such provisions hereof as are not affected by such declaration shall remain in full force and effect.

2.10 This Agreement may be modified only by written instrument duly executed by both parties, after approval of the Duvall City Council.

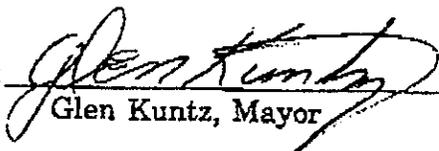
2.11 This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors and assigns.

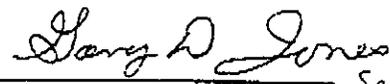
2.12 This agreement has been jointly negotiated and drafted by the parties. The interpretation rule of "construction against" the drafting party shall not be applicable.

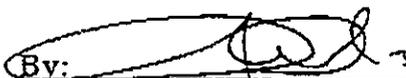
Executed the day and year first above written.

CITY OF DUVALL

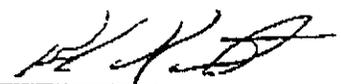
HELP SERVICES, INC.

By: 
Glen Kuntz, Mayor

By:  Sec/Treas
Gary D. Jones,
Secretary Treasurer

By:  3-27-95
Greg A. Newhall
President

Approved as to form;


Brad Kooistra of Berkey &
Kooistra, City Attorneys

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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 27 day of MARCH, 1995, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Greg A. Newhall and Gary D. Jones**, to me known to be the President and Secretary/Treasurer respectively of Handicapped Equipment Leasing Program Services, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

Witness My Hand and official seal hereto affixed the day and year first written above.



Debra L. Heltemes
DEBRA L. HELTEMES
(Printed or Typed Name)
NOTARY PUBLIC in and for the
State of Washington, residing at KING CO
My commission expires: 1-25-97

9504191225

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 19th day of April, 1995, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Glen Kuntz**, to me known to be the Mayor of the City of Duvall, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

Witness My Hand and official seal hereto affixed the day and year first written above.

Glen Kuntz
Glen Kuntz
(Printed or Typed Name)
NOTARY PUBLIC in and for the
State of Washington, residing at KING CO
My commission expires: 4/19/98

Exhibit "A"
Duvall Pre-Annexation Agreement

LEGAL DESCRIPTION:

PARCEL A:

Government Lot 1, Section 23, Township 26 North, Range 6 East, W.M., in King County, Washington.

PARCEL B:

That portion of the northwest quarter of the northwest quarter of Section 24, Township 26 North, Range 6 East, W.M., in King County, Washington, lying westerly of State Highway No. 15B;

EXCEPT that portion condemned in King County Superior Court Cause No. 73343 for Chicago, Milwaukee and Puget Sound Railway Company right-of-way;

AND EXCEPT the east 157 feet of the south 150 feet thereof;

AND EXCEPT the following described property:

Commencing at the northeast corner of that portion of the northwest quarter of the northwest quarter of Section 24, Township 26 North, Range 6 East, W.M., in King County, Washington, lying westerly of State Highway No. 15B;

thence south 4 degrees 01 minutes east 200 feet;

thence westerly parallel with the north line of said northwest quarter of the northwest quarter, 175 feet;

thence northwesterly 225 feet, more or less, to a point of said north line which is 260 feet westerly of the point of beginning; thence easterly along said north line 260 feet to the point of beginning.

9504191225



Small Town. Real Life.

To: Planning Commission
From: Ben Swanson, Senior Planner
Date: January 7, 2014
Re: Duvall Village – Site Plan/Design Review
CC: project file

Applicant/Contact: Melanie Clark
1303-WLD Duvall Village LLC
1010 Market Street
Kirkland, WA 98033

Project Name: Duvall Village Site Plan/Design Review (SPR14-001)

Project Location: Intersection of Main Street NE and NE 143rd Place (Parcel No. 2426069080)

Request: Site plan/design review associated with proposed subdivision SU14-001, creating 99 attached single-family lots in 23 separate buildings, two commercial lots, and one 13-acre sensitive area/open space tract.

Exhibits:

- A. Staff Report
- B. Site Plan Review Application
- C. Architectural/Site Plan (B1-B9, CB1, S1- S2, E1 and A1)
- D. Design Review Matrix
 - 1. Residential Review from Andrew Kovach (peer review architect)
 - 2. Open space and Commercial Review

Background and Description

The owner/developer, 1303-WLD Duvall Village LLC, is proposing to subdivide 24.1 acres, of 30.8 acres, into 99 attached single-family lots in 23 separate buildings, two commercial lots, and one 13-acre sensitive area/open space tract. The remaining 6.7 acres west of the Snoqualmie Valley Trail will be dedicated to the City for parks and recreation. The parcel was historically used for agricultural purposes and contains Thayer Barn, Thayer Creek, and on-site wetlands. As part of project review, the city will review the 1995 Amended Pre-Annexation Agreement for consistency and implementation of the agreement. Site plan and design reviews are required due to the proposed Willowridge Lot 21 Design Review
August 7, 2013

attached housing and commercial elements (Exhibit C). A Shoreline Substantial Development permit is required due to proposed buffer impacts and connectivity of the on-site wetlands (Cat II and III) to the shoreline environment. Other proposed sensitive area impacts include a buffer reduction to Thayer Creek (Class 2) and Main Street culvert. These proposed impacts are associated with Main Street frontage improvements (~1,800 feet), new internal road networks, and lot development. Finally, the developer is requesting a variance to reduce the minimum residential lot width from 20 feet to 18 feet for 20 lots. All land-use applications submitted to date have been consolidated for processing purposes. The Comprehensive Land Use designation is Commercial and the zoning designation is Mixed Use 12. The shoreline designation for 24.1 acres is Urban Environment and 6.7 acres is designated Conservancy Environment

The project is bounded by SR-203 to the north and will be installing an internal road network (Lines A-D) that serves the proposed residential and commercial development. Due to sensitive areas constraints, the developer requested and received a departure to narrow portions of Lines C and D. The departure required the developer to relocate on-street parking lost by the road width reduction to other portions of the site. Main Street NE to the west and Main View Land NE to the east.

Additionally, the developer and City are entering into a development agreement (DA). The main intent of the development agreement is to defer construction of commercial buildings on parcel C1 (Exhibit C - S1). DMC 14.18.060 requires commercial building construction concurrent with residential construction unless deferred through a DA. The proposed DA requests that the commercial buildings(s) be constructed within five years of residential final plat unless the time period is extended as allowed by DMC 14.18.060. As part of the deferred construction of the commercial build and other interests, the developer is proposing to phase the project. The following phasing plan is still under negotiation; however, the following is generally agreed upon between the City and developer:

Phase 1 Residential

- Entrance road, roundabout, and northern loop road, including grading, paving, sidewalks, planter strips, and landscaping
- Sanitary sewer lift station, main, and service lateral improvements
- Water main and service improvements, including fire hydrants
- Open space improvements
- Stormwater bioretention cells
- Planting and minor grading for wetland buffer enhancements
- Interim (rough) grading, hydroseed, and temporary erosion control Best Management Practices for C1 Commercial Parcel
- SR-203 Frontage Improvements (this item is currently under negotiation and may take place in Phase 2):
 - Pavement widening, including grading, walls, and fencing as required to facilitate new lane configuration, including northbound left turn lane
 - Remove and replace pavement striping and markings
 - Cement concrete curb and gutter at westerly limit of southbound travel lane
 - 8-foot-wide cement concrete sidewalk along west side of widened roadway, including pedestrian ramps north of NE 143rd Place. Minimum 9-foot-wide sidewalk with tree grates south of NE 143rd Place

- Landscape planter strip between curb and sidewalk along west side of roadway south of NE 143rd Place

Phase 2 Commercial

- Entrance from roundabout and parking lot for C2 Commercial parcel
- Storm water bioretention cells
- Sanitary sewer main and service lateral improvements
- Water main and service improvements, including fire hydrants
- Open space improvements
- Planting and minor grading for wetland buffer enhancements
- Trails and pedestrian connection to Snoqualmie Valley Trail, including bridge or elevated walkway to the Snoqualmie Valley Trail.

Phase 3 Residential

- Southern road from roundabout, including grading, paving, sidewalks, planter strips, and landscaping
- Sanitary sewer main and lateral improvements
- Water main and service improvements, including fire hydrants
- Open space improvements
- Storm water bioretention cells
- Planting and minor grading for wetland buffer enhancements

Phase 4 Commercial

- Commercial entrance from NE 143rd Place to Parcel C1 parking lot
- Sanitary sewer main and service lateral improvements
- Water main and service improvements, including fire hydrants, fire department connection, and water main looping if determined as part of the Commercial Site Plan review process
- Planting and minor grading for wetland buffer enhancements

The proposed DA also extinguishes previous agreements and clarifies requirements and responsibilities associated with the Thayer Barn, Park Improvements, and SR-203 improvements. Finally, the DA proposes vesting to fees (park, transportation, water, and sewer). Starting in 2015, residential would vest to fees for five years and commercial fees for 10 years.

Project Analysis and Process

Design Review

In accordance with DMC 14.62.035, the Planning Commission shall review site plan applications to ensure that they are generally in compliance with DMC 14.34.060, Building design, and DMC 14.34.050.B.8, Pedestrian-Oriented Space.

DMC 14.34.060 - Building design

Staff and the City's contract architect reviewed the proposed residential building design (Exhibit C, B1-B9). Exhibit D1 identifies the review criteria and analysis for compliance with DMC 14.34.060, Building design.

The Thayer Barn will be moved in whole or in part to its new location on parcel C3. Additions to the barn will be period- and style- specific. The City recognizes DMC 14.76.050 – Historic Buildings should be taken into account as the goal of the project is to move the existing structure from its current location to proposed parcel C3. The design review analysis of the proposed additions to the structure such as the staircase resembling a grain silo and recreating the former milking barn that will house the lobby/admin office. Exhibit D2 identifies the review criteria and analysis for compliance with DMC 14.34.060, Building design.

14.34.050.B.8 - Pedestrian-Oriented Space

The developer is proposing three commercial parcels, two containing commercial structures. The developer is proposing to defer the build-out of the first commercial parcel (C1) in accordance with DMC 14.18.060 and the proposed development agreement. Pursuant to DMC 14.18.070, the developer is required to develop a master site plan and demonstrate that parcel C1 can support a commercial development. The building, parking, and associated amenities on parcel C1 are concept only and do not currently represent the actual layout. Based on the conceptual layout of C1 (Exhibit C - S1), the developer has the ability to meet future site plan requirements (minimum parking requirements, walkways, open space, connectivity, etc.).

Commercial parcel 2 (C2) serves as parking for contiguous parcel C3 and will not contain a commercial structure. Parcels C2 and C3 are separated for purposes of future dedication, where the developer will dedicate C2 to the City of Duvall and C3 to the Duvall Foundation of the Arts (DFA). Parcel C2 contains 31 parking stalls, associated landscaping in accordance with Chapter 14.38 - Landscaping Standards, and a 5,977-square-foot outdoor exercise area and equipment.

Commercial parcel 3 (C3) is the proposed site of the performing arts center/barn. The architectural style of the performing arts center is based on the Thayer Barn (Exhibit C - A1, E1). As proposed, DFA will incorporate usable elements of the existing Thayer Barn into the performing arts center. Exhibit C – A1 identifies the trail system, public plaza, and open space provided on parcel C3. Parcel C3, in conjunction with parcel C2, meets the minimum site plan requirements.

Exhibit D2 identifies the review criteria and analysis for compliance with DMC 14.34.050.B.8, Pedestrian-Oriented Space.

Planning Commission Role

The Planning Commission's role in the project is to review the structures for compliance with the 2007 Design Guidelines in DMC 14.36 and make a recommendation to planning staff. Staff will then take that recommendation and compile the project for hearing. The decision-making body for the subdivision and design review is the hearing examiner.

Staff has attached a design review matrix that includes applicable policies and has included the peer review comments to help guide you through your review of the project.

Staff Recommendation

Based on information provided in this staff report and the exhibits, staff recommends that Planning Commission recommend approval of the design review package to the planning director, subject to the specific conditions contained in this staff report.

General

1. Development shall occur as portrayed on the preliminary plat and as generally depicted on the conceptual design elevations (Exhibit C), and as conditioned.
2. The developer shall submit a lighting location and type prior to construction drawing approval.

Design Review

3. At the time of construction drawing review, the developer will submit pedestrian proposed amenities such as lighting and benches.
4. Unless otherwise approved, a sidewalk with tree grates shall be provided along the SR-203 frontage within parcel C1.
5. The developer shall meet the requirements of DMC 14.18.070 and Chapter 14.62 DMC. Note/depict the following commercial area site plan requirements as indicated:
 - a. 18" step-out zone. Parking stalls adjacent to a landscape area shall have an 18-inch step-out area.
 - b. Identify any compact parking stalls, if any.
 - c. Landscape island every eight stalls.
 - d. Show required ADA stalls.
 - e. Show public plaza/courtyard at one percent of total site area (Kovach review 5/8/14).
 - f. Show at least two feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza ((Kovach review 5/8/14).
6. Clearly depict change from concrete sidewalk/path to crushed rock pathway. Paths shall be crushed rock south of the lift station tract, north of the Tract 602 Open Space Tract, and west of the Commercial Pad C3 (west of the path confluence at the existing 83-foot contour).
7. If proposed, exposed pipe flues for gas or wood fireplaces would require an enclosure or screening of some kind.

Landscaping

8. Provide typical planting palette (typical detail) showing landscape type and spacing.
9. Street tree type shall be identified (use City of Seattle street tree list).
10. Park equipment shall be included on the landscape plan and reviewed/revised as part of the construction drawing process.

<p>Received Stamp</p> <p>APR 15 2014</p> <p>CITY RECEIVED</p> <p>APR 18 2014</p>	 <p>City of Duvall</p> <p>Small Town. Real Life.</p>	<p>Planning Department</p> <p>15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 www.duvallwa.gov</p>
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CITY OF DUVALL **Site Plan Review Permit Application**

This form must be completed (clearly printed or typed) and submitted to the City to file an application, along with the Master Permit Application. Additionally, the applicant shall provide all information as required by the attached checklist, as well as all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY		
File No.:	Received By:	Date Received:
Applicant Name: 1303-WLD Duvall Village, LLC		Phone # (425) 576-9390
Signature: 		
Project / Development Name: 1303-WLD Duvall Village		
Street Address / Location of Site: SR203 & NE 143 rd Place		
Assessor / Tax Parcel Number(s): 242606-9080-0		
Zoning: MU12	Comprehensive Plan Designation: Mixed-Use COMMERCIAL	
<p>A. <u>Justification</u> An applicant shall demonstrate that the site plan review application meets all criteria as defined in DMC 14.62.030, as well as provide the following information:</p> <ol style="list-style-type: none"> 1. Provide a written description of the project. 2. Provide written documentation that the project is consistent with the Comprehensive Plan and Unified Development Regulations. 3. Discussion of how the proposed project is consistent with the City's development regulations in consideration of: <ol style="list-style-type: none"> a. The type of land use of the proposed project; b. The level of development, such as units per acres or other measures of density; c. Availability of infrastructure, including public facilities and services needed to serve the development; and d. The character of development, including compliance with DMC 14.34, Design Guidelines and all other provisions of this Title. 		
<p>A. A Site Plan Checklist has been included in the application packet. It included all items that are required at time of submittal.</p>		
<p>B. Any other information deemed pertinent by the DRC, Planning Commission or City Council or required to be submitted with the site plan under other provisions of the Duvall Municipal Code.</p>		

Exhibit 27-B

1303-WLD Duvall Village
Site Plan Review Application
Justification/Statement of Compliance

A. An application shall demonstrate that the site plan review application meets all criteria as defined in DMC 14.62.030, as well as provide the following information:

1. Provide a written description of the project.

The project proposes to subdivide and develop approximately 24.1 acres in the City of Duvall into a new mixed use neighborhood consisting of 100 single-family attached townhomes and approximately 18,500 square feet of commercial building space in general accordance with Title 14 of the Duvall Municipal Code (DMC). The proposed townhome units will be owner occupied on individual fee-simple lots as established through the City's standard subdivision process (DMC 14.66). This same entitlement process will also establish two commercial parcels totaling approximately 2.2 acres along with several common open space tracts. Additional information/details of the project features are provided in the project narrative in the accompanying Preliminary Subdivision Application.

2. Provide written documentation that the project is consistent with the Comprehensive Plan and Unified Development Regulations.

The property is zoned MU12 with a current Comprehensive Plan Designation of mixed-use. These designations require a combined development program with residential units at a maximum density of 12 per acre and certain commercial development along the site frontage. The proposed site plan complies with these basic requirements. The project proposes to construct new public roadways, utilities, and storm drainage infrastructure in accordance with current City of Duvall Public Works standards. This application and the accompanying Preliminary Subdivision Application include a number of technical reports, plans, and illustrations documenting the project's consistency with the Comprehensive Plan and Unified Development Regulations.

3. Discussion of how the proposed project is consistent with the City's development regulations in consideration of:

a. The type of land use of the proposed project;

The project is a mixed-use attached single-family residential and commercial proposal consistent with the MU12 zone and current land use designation.

b. The level of development, such as units per acres or the measure of density;

The net developable area of the site, less critical areas and their associated buffers, is approximately 12.5 acres. The proposed 100 townhomes result in a net density of 8 units per acre, which is below the allowable maximum of 12 units per acre allowed in the MU12 zone.

c. Availability of infrastructure, including public facilities and services needed to serve the development; and

The easterly edge of the property fronts SR203 and the primary access is provided from this principal arterial at the intersection of NE 143rd Place. The project proposes to extend NE 143rd west onto the property to a new roundabout that serves as access to the two onsite residential neighborhoods and the central commercial property. Existing City of Duvall public water and sanitary sewer facilities will also be extended from the NE 143rd Place intersection to service the project. All services to the site will be extended/provided from existing facilities at SR203.

1303-WLD Duvall Village
Site Plan Review Application
Justification/Statement of Compliance

- d. The character of development, including compliance with DMC 14.34, Design Guidelines and all other provisions of this Title.

To a large degree the site layout is the result of the topography of the site. Wetlands a stream and their buffers segregated the site into an eastern and western side with a small unencumbered area in the middle of the site. The site is divided into four general areas, a commercial area in the northeast corner adjacent to Highway 203, two residential areas on the east and west side and a community area in the middle of the side. The entire site is interconnected with drive lanes and segregated sidewalks providing safe pedestrian/bicycle access as well as roads for motor vehicles. The community area in the middle of the site will also provide trailhead parking for accessing the river trail. A 5' wide planter strip and 5' wide sidewalk are provided on both sides of all streets except when they cross townhome buildings. A departure has been requested for this particular situation.

The residential portion of the site consists of front loaded townhomes facing the main drive configured in a number of different building types. There are 3 level townhomes and in locations where the grade drops off we have introduced 2 levels over basements buildings. All buildings have ground level entries visible from the drive. Each of the units will have a rear yard consisting of at least 250 square feet of private open space. In addition more than 10% (code required amount) of the net developable area will be open space.

All units will have private garages with access from the front of their units (front loaded). The garages will be set back from the back of the sidewalk 18' in order to provide parking in the apron. We are requesting a departure from 20' to 18'. The ground floor garages are set back from the entries as well as the 2nd and 3rd floor above. In addition columns holding up the upper floors out in front of the garages help to reduce their visual impact to the façade. The goal is to reduce the visual impact of the garage door while providing convenient and safe vehicular access to the garage and apron. The units are made up of both one car wide and two car wide garages. This provides the necessary parking and helps with providing a variety of unit designs. This configuration does not allow compliance with the garage doors occupying no more than 50% of the façade. We have requested a departure from this requirement.

All units are oriented with their ground floor entries and garages facing the drive aisle. All buildings are set back from the drive at least 10' providing separation between the drive and the units. The living area on the ground floor of all units is on the opposite side of the drive aisle looking out toward the open space, wetland and valley. Windows are provided on all side and at all levels of the units; providing a view of the drive and apron.

The design of the townhomes provides a diverse streetscape with varied buildings characteristics at the same time providing for a coherent project. There are a total of 100 townhomes units in 23 different buildings. These 23 buildings are intern made up of 8 different floor plans consisting of 3 story townhomes and 2 story over basement townhomes. The 23 buildings consist of 3 plex buildings, 4 plex bulidngs, 5 plex buildings and 6 plex buildings with both contemporary and traditional architectural styles. The variety of building types and styles proposed will insure a diverse community. No two of the same building is constructed next to each other. However, in many cases we have combined styles in the same general area of the site in order to avoid the patchwork look that would result by placing different styles every other building.

1303-WLD Duvall Village
Site Plan Review Application

Justification/Statement of Compliance

There are two distinct architecture styles proposed. One is a more traditional style, incorporating gable roofs and gable entries, heavy timber entry columns, gable brackets and traditional window trim. The other style is a more contemporary look with shed roofs being the primary roof type. In place of gabled entries we have introduced trellises with angle posts and window trim has been reduced in size or eliminated. Both of these styles are made up of a variety of colors consistent with the architectural character and consistent with the guideline colors. With 8 different unit types combined in various ways along with the two architectural styles we have been able to provide a great deal of variety on the massing of the buildings and roof configurations.

All units on the site are townhomes with a front loaded garage facing the main drive isle along with a ground floor entry at each unit. The overall design approach was to give individuality to each unit by introducing pop-outs and roof features with transitions occurring between the units. This approach had the secondary benefit of provided a great deal of modulation to the buildings and avoiding a monotonous façade. Every unit has a one story, ground floor entry to encourage the pedestrian connection from the sidewalk to the unit. All entries are forward of the garage doors and other building elements to provide an even stronger connection to the sidewalk and to help deemphasize the garage doors. Modulating features in most cases extend from the second floor up through the third floor with a gable or shed roof element above. In addition to the various pop-outs indicated above many of the units jog horizontally at the party wall between units providing additional modulation. Decks, lower floor decks and entries are also incorporated into the buildings which contribute to the modulation of the buildings.

All units face the main drive with the decks facing the open space, wetland or valley to the west. The decks are well integrated into the buildings with roof structures above the deck and columns extending from the ground through the deck and up to the roof above. In addition many of the decks have side walls and are recessed into jogs in the building. The columns match the same style as the entry porches and all deck materials and colors are consistent with the remainder of the building.

The project is not in close proximity to existing residential housing. The two styles that were chosen, contemporary and traditional will be unique to this area. The roof design and pitch used on each style is reflective of the style. For example shed roofs are the dominant roof type on the contemporary buildings and gable roofs are the dominate roof style on the traditional buildings. All overhangs will be at least 12" deep.

All front doors will face the street and be paneled appropriate for the building style. The door will be trimmed out to match the building character. All primary windows on both the traditional style and contemporary style are oriented vertically. A few secondary windows on the contemporary style are oriented horizontally in keeping with the contemporary character. All windows on the traditional style will have trim of at least 3 1/2" with the head trim being larger. The contemporary style does not lend itself to window trim and therefore will be left off. Some of the windows will be divided light keeping with the appropriate character.

All columns on the contemporary style will be sloped 6x12's with stone bases and large beams above. The entry columns on the traditional style will be made up of 4 - 6x6 posts combined into one column with stone base and large beam detail above. The deck columns on the traditional style will be 8x8 heavy timber posts. The traditional buildings will have corner trim in all locations while the contemporary buildings will have metal corner clips.

1303-WLD Duvall Village
Site Plan Review Application

Justification/Statement of Compliance

In order to provide architecture features a large entry trellis has been incorporated into the contemporary style buildings. The traditional style buildings incorporate a significant entry column feature composed of 4 – 6x6 post combined into one large column. In addition knee braces have been introduced throughout the buildings on the traditional style.

The exterior material on all buildings will predominantly be a cement board product. This will include the horizontal siding on both styles and the panels on the contemporary style. In addition wood trim will be used at corners, around windows, columns and beams and details. Horizontal trim will be used in all locations to separate material changes. Colors used are within the acceptable range as indicated in the design guidelines.



Duvall Village Townhomes

Duvall, Washington

Westcott Homes

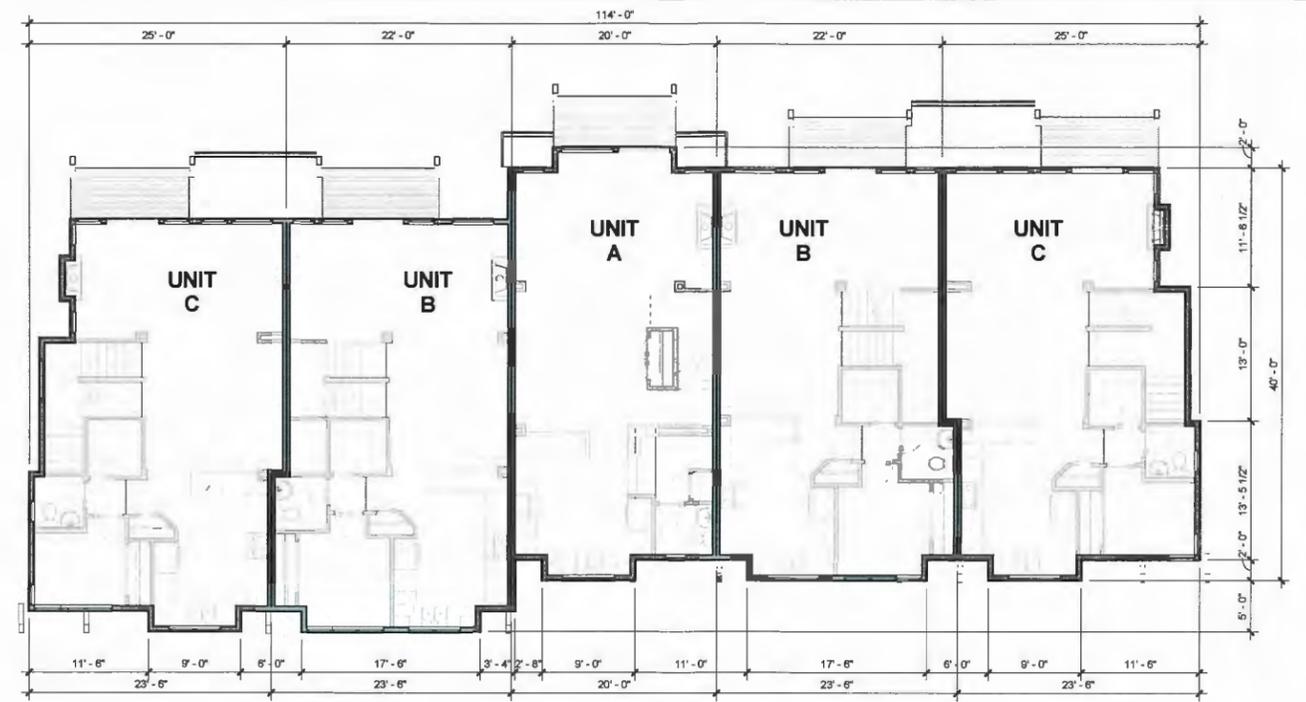
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5-Plex C-B-A-B-C

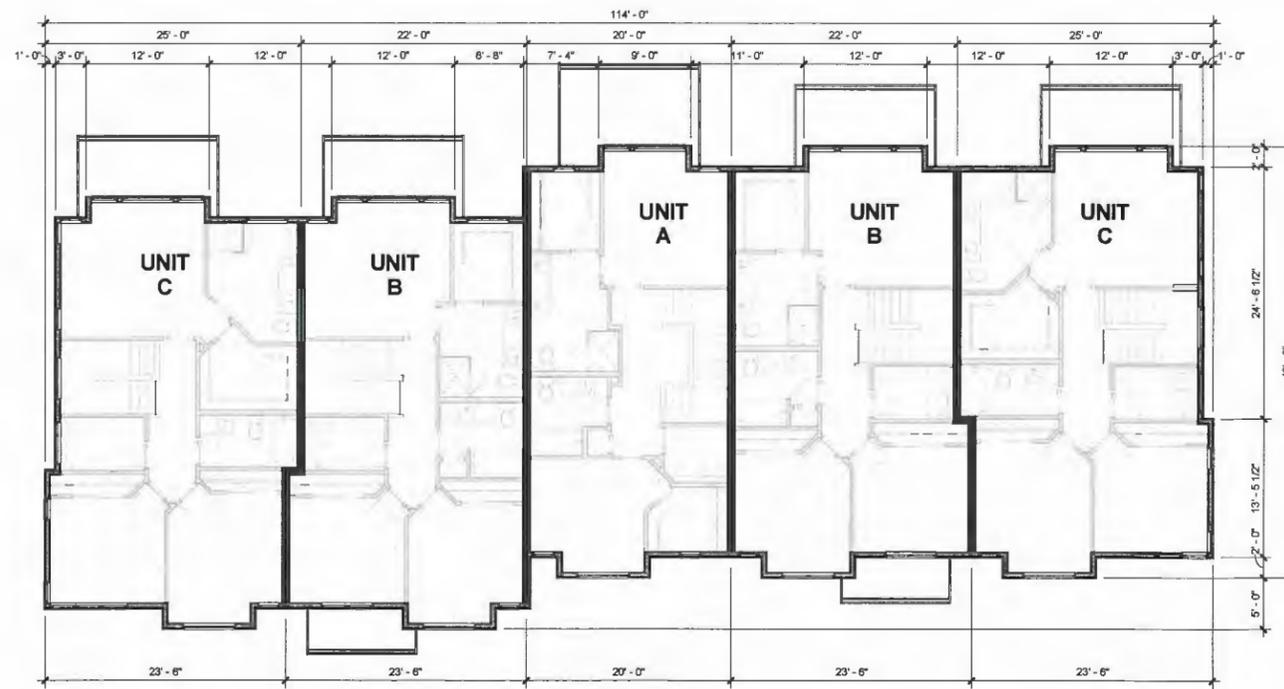
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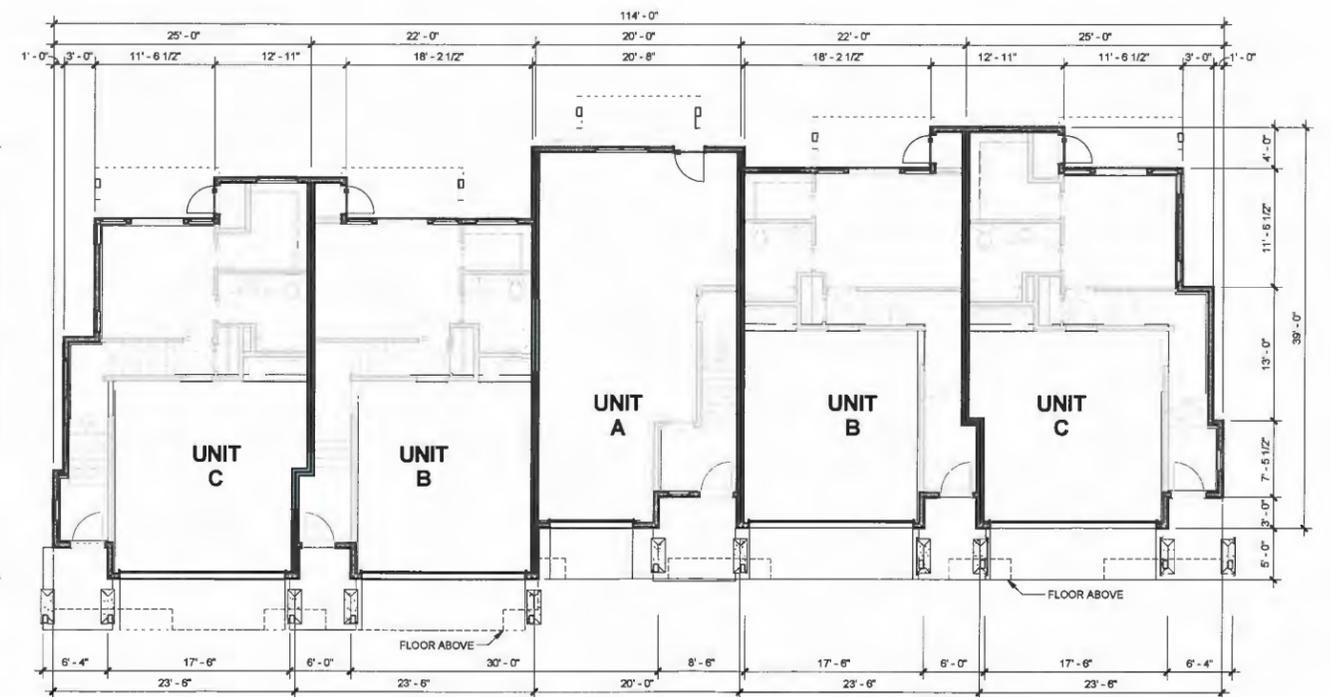
Job No.: 13-44



② Building 2 - 2nd Floor
1/8" = 1'-0"



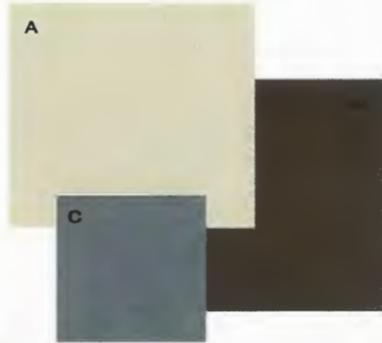
③ Building 2 - 3rd Floor
1/8" = 1'-0"



① Building 2 - 1st Floor
1/8" = 1'-0"

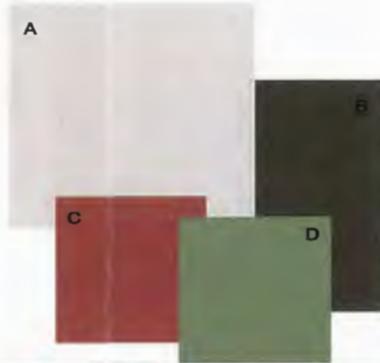
COLOR SCHEME 1

- (A) BODY 1
VITAL YELLOW
SW# 6392
- (B) BODY 2
GRIFFIN
SW# 7026
- (C) ACCENT
BRACING BLUE
SW# 6242



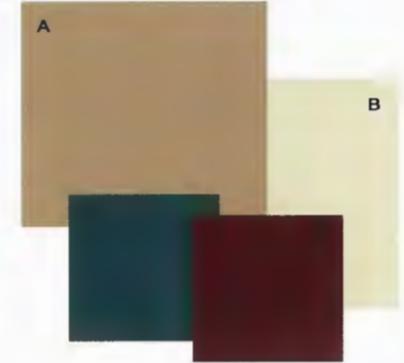
COLOR SCHEME 2

- (A) BODY 1
QUARTZ WHITE
SW# 6014
- (B) BODY 2
URBANE BRONZE
SW# 7048
- (C) ACCENT 1
FOXY
SW# 6333
- (D) ACCENT 2
PRIVILEGE GREEN
SW# 6193



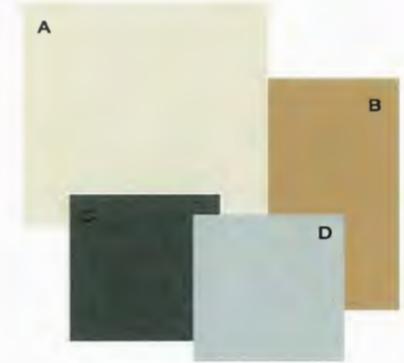
**POSSIBLE ALTERNATE
COLOR SCHEME 3**

- (A) BODY 1
ARTISAN TAN
SW# 7540
- (B) BODY 2
BUFF
SW# 7683
- (C) ACCENT 1
TEMPLE STAR
SW# 6229
- (D) ACCENT 2
FINE WINE
SW# 6307



**POSSIBLE ALTERNATE
COLOR SCHEME 4**

- (A) BODY 1
CREME
SW# 7556
- (B) BODY 2
MESA TAN
SW# 7695
- (C) ACCENT 1
PEPPERCORN
SW# 7674
- (D) ACCENT 2
SLEEPY BLUE
SW# 6225





④ Rear Elevation
1/8" = 1'-0"



③ Right Side Elevation
1/8" = 1'-0"



② Left Side Elevation
1/8" = 1'-0"



① Front Elevation
1/8" = 1'-0"



Milbrandt Architects, Inc., P.S.
25 Central Way, Suite 210, Kirkland, Washington 98033 Phone: 425-454-7130 Fax: 425-658-1208 Website: <http://www.milbrandtarch.com>

Duvall Village Townhomes

Duvall, Washington

Westcott Homes

Style A - Bldg. 2 Elevations

5-Plex C-B-A-B-C

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Sheet No.:
**Arch
B3**

Job No.:
13-44

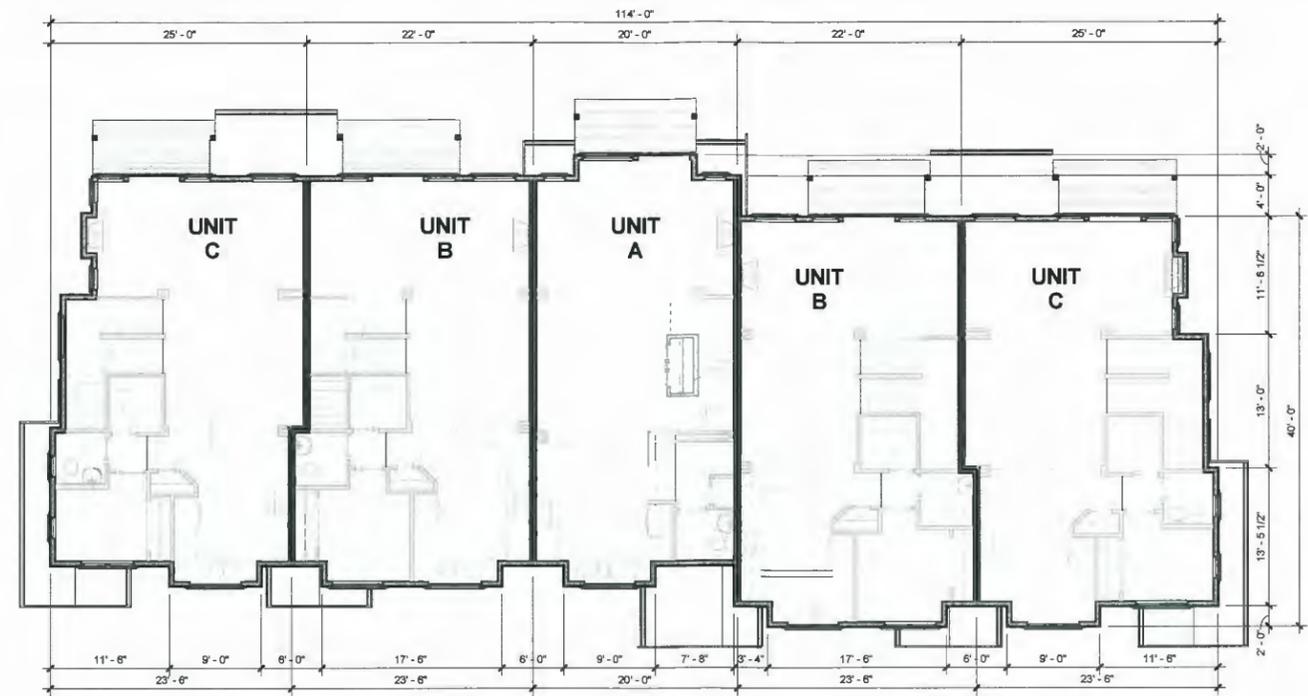



Milbrandt Architects, Inc., P.S.
 25 Central Way, Suite 210, Kirkland, Washington 98033 Phone: 425-454-7130 Fax: 425-658-1208 Website: <http://www.milbrandtarch.com>

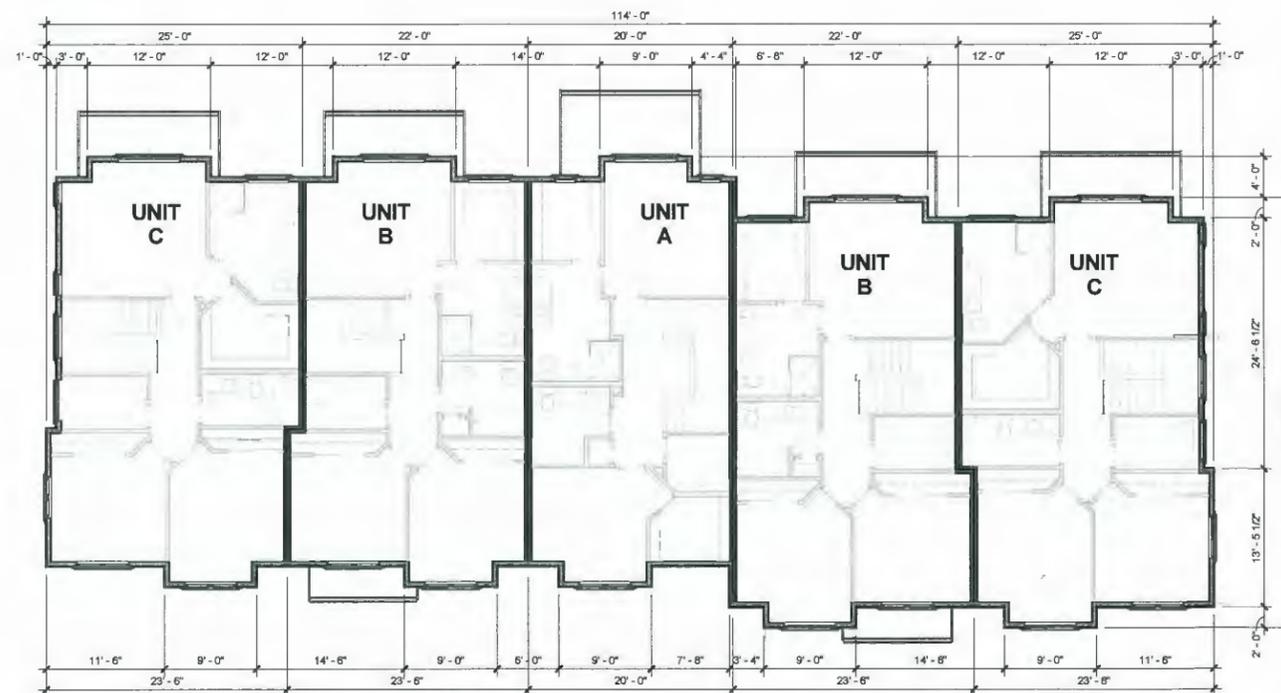
Duvall Village Townhomes
 Duvall, Washington
Westcott Homes

Style B - Bldg. 4 Perspectives
 5-Plex C-B-A-B-C
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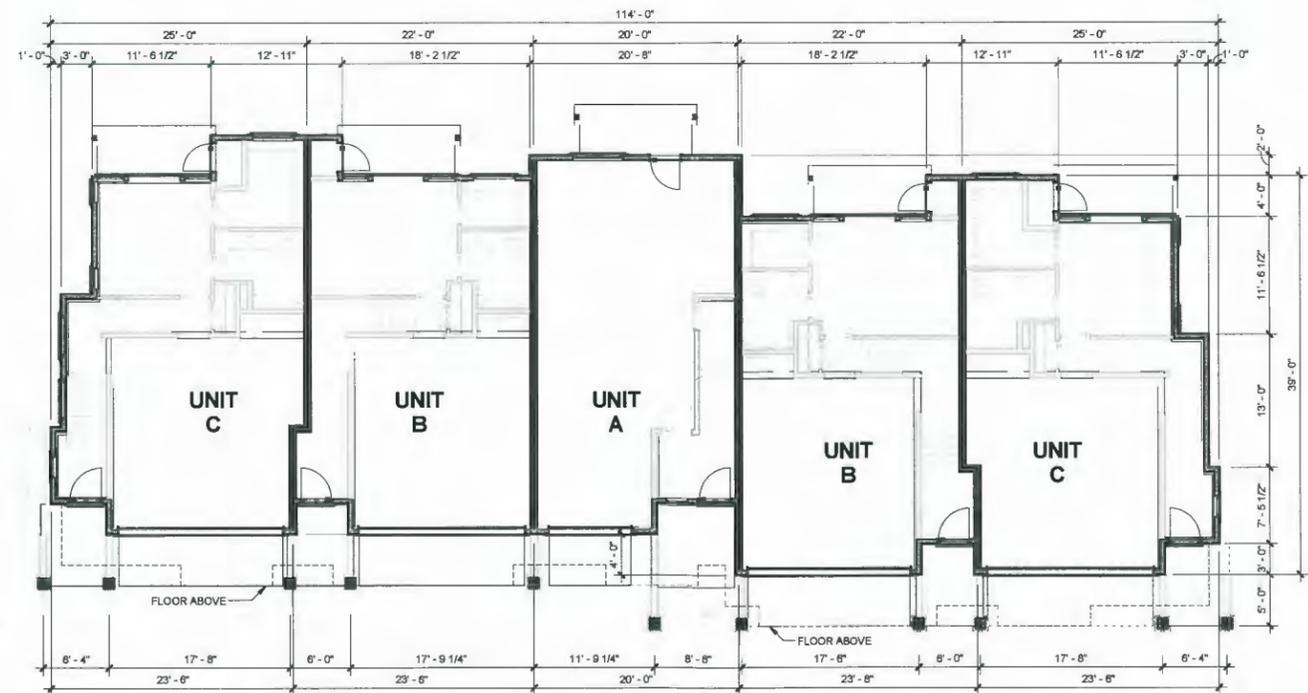
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 Job No.: 13-44



② Building 4 - 2nd Floor
1/8" = 1'-0"



③ Building 4 - 3rd Floor
1/8" = 1'-0"



① Building 4 - 1st Floor
1/8" = 1'-0"



④ Rear Elevation
1/8" = 1'-0"



③ Right Side Elevation
1/8" = 1'-0"

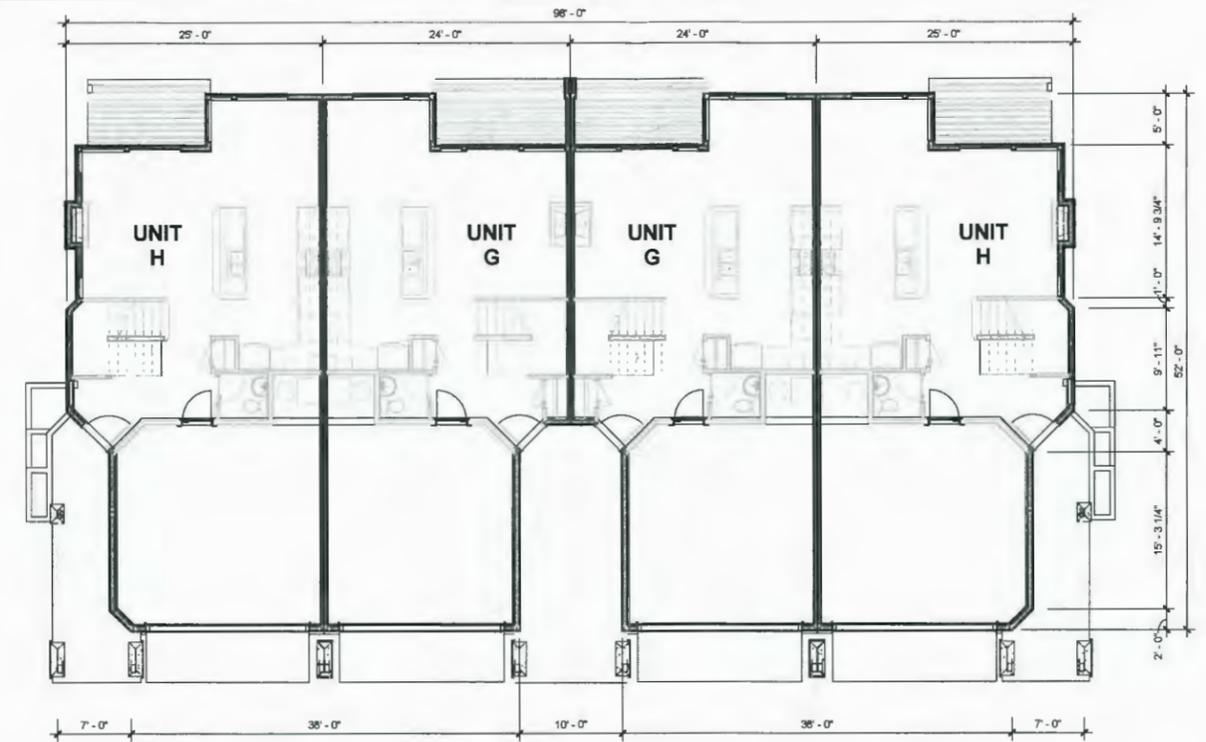


② Left Side Elevation
1/8" = 1'-0"

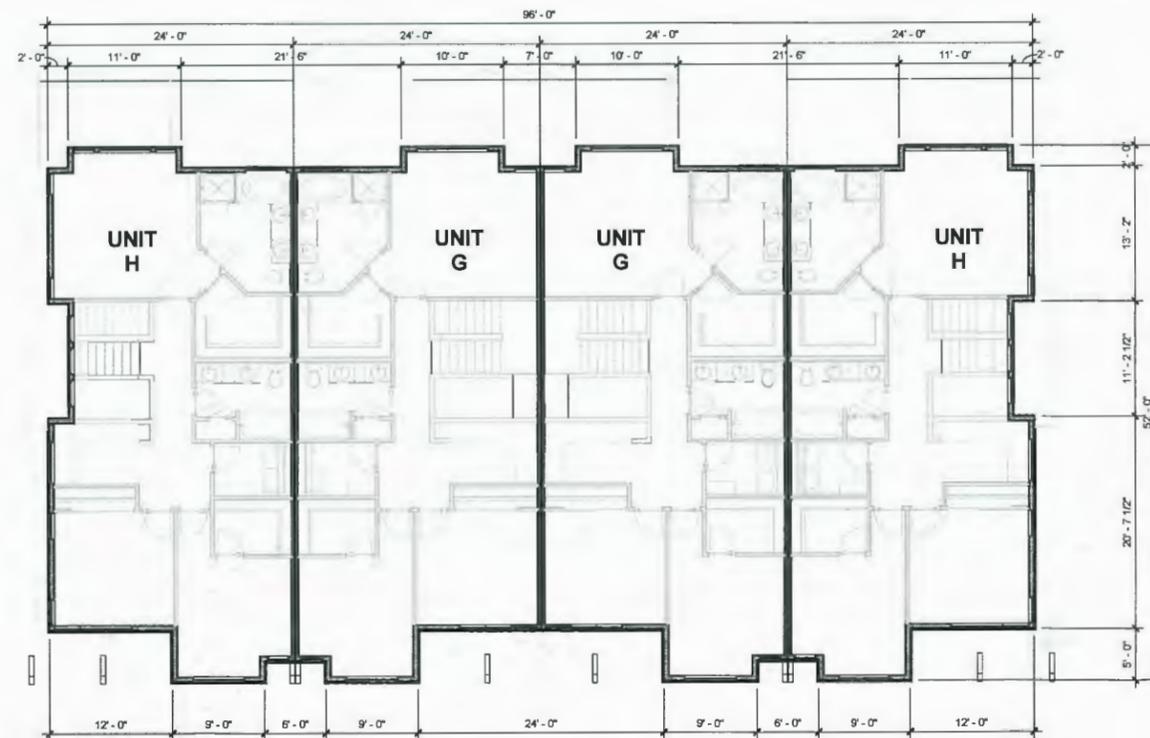


① Front Elevation
1/8" = 1'-0"

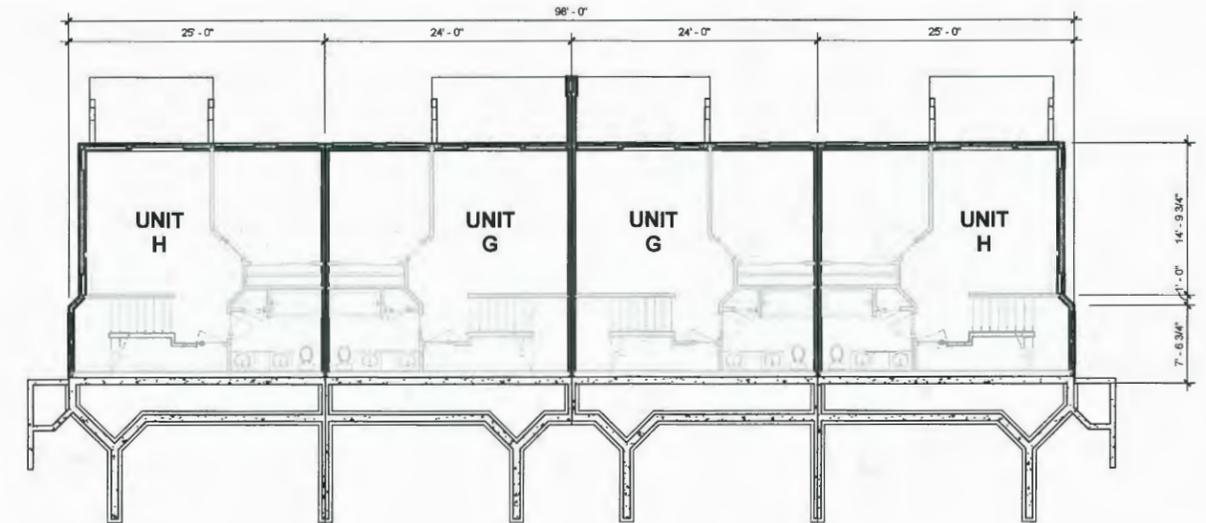




② Bldg. 21 - Middle Floor
1/8" = 1'-0"



③ Bldg. 21 - Upper Floor
1/8" = 1'-0"



① Bldg. 21 - Basement
1/8" = 1'-0"



④ Rear Elevation
1/8" = 1'-0"



③ Right Side Elevation
1/8" = 1'-0"



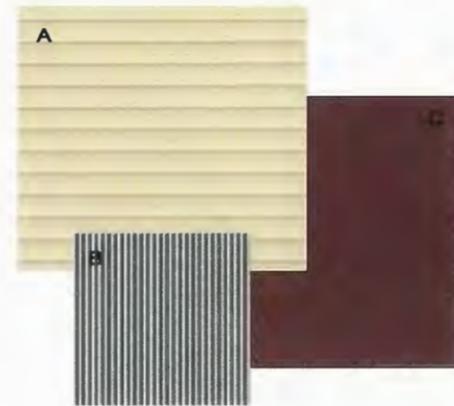
② Left Side Elevation
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① Front Elevation
1/8" = 1'-0"

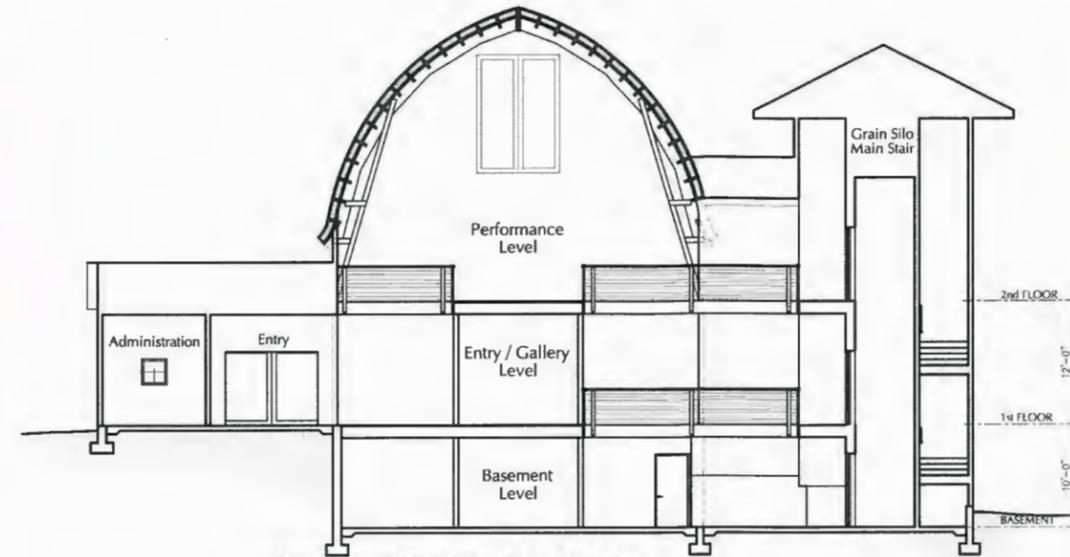
THAYER BARN COLOR SCHEME

- A BODY MAIN
SOLEIL
BM# AF-330
- B BODY SILO
CORRUGATED METAL
GALVANIZED
- C ACCENT
NEW LONDON BURGUNDY
BM# HC-61

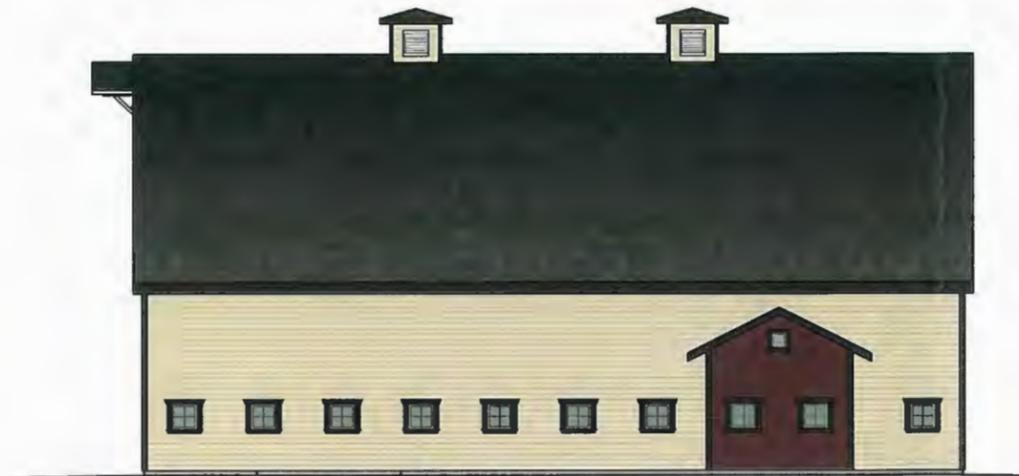


ALTERNATE ACCENT COLORS

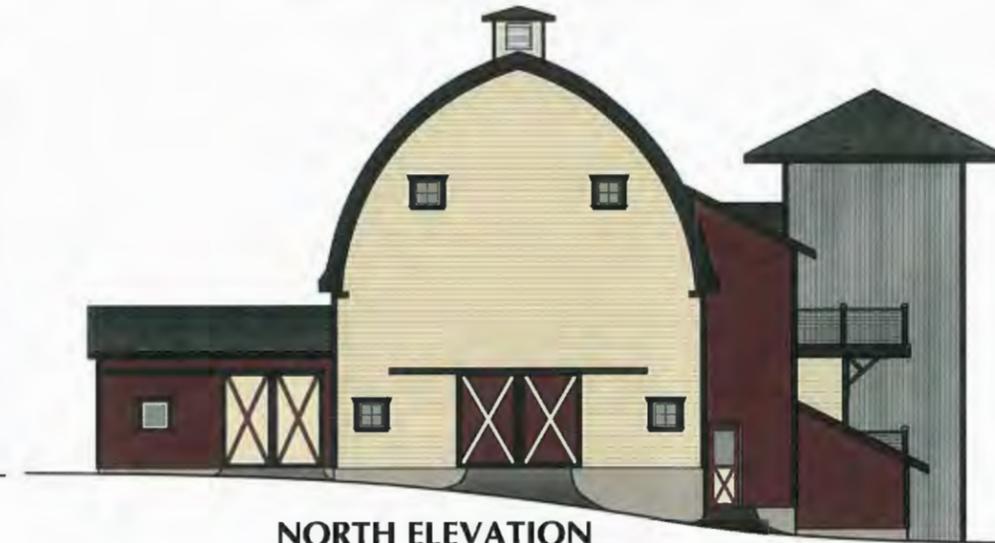
- SALSA DANCING
BM# AF-280
- MARYVILLE BROWN
BM# HC-75
- BOREAL FOREST
BM# AF-480



BARN CROSS SECTION
1/8" = 1'-0"



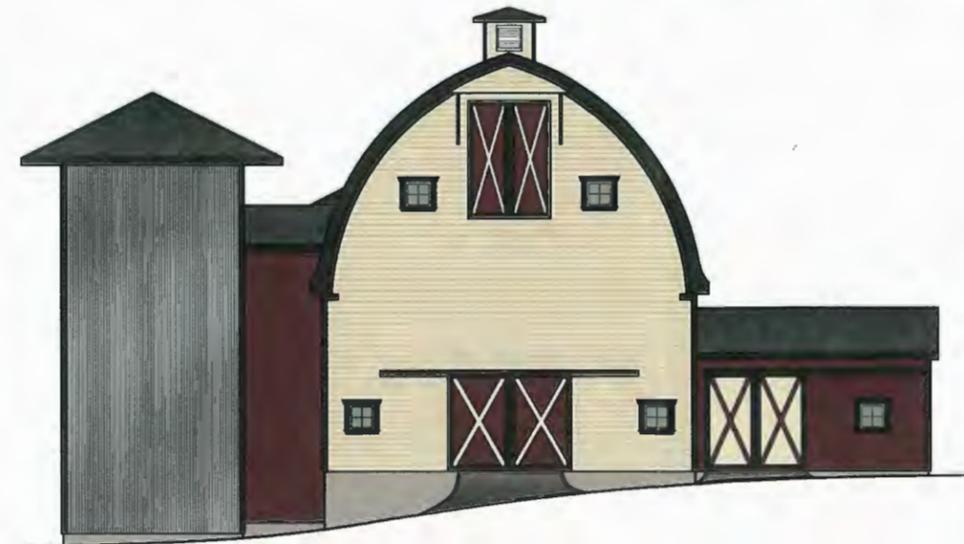
EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



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Web: www.milbrandtarch.com

No.	Date

BUILDING ELEVATIONS & SECTIONS

Scale:	1/4" = 1'-0"
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Date:	
Date Plotted:	

Thayer Barn
Community Arts Center
Duvall, WA
Duvall Foundation for the Arts

Job No.: 14-29
Sheet No.: **E1**



OPEN SPACE:
 Public open space requirement:
 10% of developable area (site - sensitive area & right-of-way) required to be dedicated to open space.
 549,357 s.f. (site minus wetlands) - 93,361 s.f. (right-of-way) X 10% = 45,579 s.f. required open space
 All spaces counted toward public open space must be 25' min in width, 5% or less grade, or trail system within sensitive area
 48,974 s.f. open space provided
 Private open space requirement:
 250 s.f. open space required per unit.
 Private open space provided will exceed what is required by code. Graphic indication on plan shows the minimum space required. Additional open space is provided in front and side yards as well as an additional 60+ s.f. of deck space per unit.

OPEN SPACE TABLE

Open Space Number	Active or Passive Space	Size	Description
1	Active	8,142 s.f.	Partial Park at the edge of the site with benches for viewing of Thayer Creek.
2	Active	4,071 s.f.	Pedestrian Corridor along an entry adjacent to the public building & existing public sidewalk.
3	Passive	1,738 s.f.	Green space at the end of the pedestrian corridor with lawn and landscaping.
4	Active	3,080 s.f.	Active green space with an exercise station and landscaping adjacent to the barn structure.
5	Active	3,847 s.f.	Central open space with play structure, includes a pedestrian corridor for entry from the adjacent site. An exercise station will be incorporated into the edge of the pedestrian corridor.
6	Passive	1,367 s.f.	Open lawn and landscaping.
7	Passive	1,442 s.f.	Open lawn and landscaping.
8	Active	774 s.f.	Landscaped pedestrian path through the wetland buffer that provides a connection to the surrounding site and the southern portion of the site. This path will be incorporated into the design of wetland to enhance access to the sensitive area.
9	Active	8,171 s.f.	Large central green space with open lawn and active play area for the townhomes center for outdoor activities or activities.
10	Active	3,081 s.f.	Landscaped gathering space at the entrance to the barn for outdoor seating and recreation for townhomes.
11	Active	5,977 s.f.	A central open space for outdoor exercise equipment, exercise to be located in the center of exercise station located throughout the site and provide a connection point for active spaces in the surrounding site.
12	Active	2,170 s.f.	Open space for providing pedestrian connection to commercial C1 and C2 and to 2000' or exercise station will be incorporated into this location.
13	Passive	1,286 s.f.	A small green space at the entry to the southern portion of the development. Will provide open lawn and landscaping.
14	Active	3,874 s.f.	Open space to include a play structure and the location of the exercise station and the surrounding site and the southern portion of the site.
Total: 48,974 s.f.			

COMMON OPEN SPACE NARRATIVE:
 The site has large portions of wetland projecting deep within the site that provides opportunities for viewing and interacting with the natural environment. Rather than provide formally designed open spaces it is our design intent to provide both passive and active spaces that invite interaction with the natural landscape. While these areas of wetland effectively break up the site into several individual areas, the network of pedestrian paths connect and unify these individual sections back into one linked community.
 We are providing several generic common green spaces for public use scattered throughout the site. There are active play structures provided in each of the residential phases of the project. There is a small pocket park to the east of the roundabout that will provide viewing benches with views to Thayer Creek. There is a large green area to the west of the proposed barn location that will provide informal picnic areas and interpretive trail information.

We are proposing a network of pedestrian paths connecting all the open spaces together and connecting to the Snoqualmie Valley Trail to the west. These will consist of sidewalks trails and landscaped pedestrian corridors linking open spaces. There will be several widened areas of these paths where we will provide benches for rest and viewing of the natural environment. We are also proposing to have fitness stations at various locations along these pedestrian paths to encourage circulation throughout the site and to provide a variety of uses for these connections. There will be a central fitness station near the large green space between wetland E and F.

LEGEND

- Building setback from buffer (10'-0')
- Wetland buffer with no reduction proposed
- Wetland Buffer after reduction
- Open Space: 48,974 s.f.
- Potential location of fitness station along pedestrian pathways
- Minimum private yard open space requirement for each unit of 250 s.f. with a minimum dimension of 15' wide
- Area dedicated for commercial use: 137,272 s.f.
- Area of wetland buffer enhancement planting
- Area of wetland enhancement

SITE AREA CALCULATIONS:

Total lot area:	1,050,902 s.f.	(24.1 ac.)
Wetlands & Buffers	548,950 s.f.	(14.9 ac.)
Total usable area without any buffer reductions	401,952 s.f.	(9.2 ac.)
Buffer reductions requested:		
Wetland A	2,131 s.f.	
Stream A	47,343 s.f.	
Wetland D	8,128 s.f.	
Wetland E	37,107 s.f.	
Variance for E	3,074 s.f.	
Wetland F	39,569 s.f.	
Wetland H	8,561 s.f.	
Variance for H	1,492 s.f.	
Total requested reductions	147,405 s.f.	(3.4 ac.)
Total Adjusted Usable Area:	549,357 s.f.	(12.6 ac.)

COMMERCIAL REQUIREMENTS:

Required 25% of usable area allocated to commercial use:	137,339 s.f.	(3.1 ac.)
Commercial Area Provided:	145,865 s.f.	(3.3 ac.)

COMMERCIAL BUILDING REQUIREMENTS:

Area of commercial Parcel C1:	64,702 s.f.
x 20% = 12,940 s.f. required ground floor commercial building shell	
Provided: 15,000 s.f. of commercial building shell	

LANDSCAPING REQUIREMENTS:

Required 20% of usable area allocated to landscaping where 50% of the commercial building is abutting the public right-of-way:	109,871 s.f.
Total landscaping provided:	280,281 s.f. (\$1.0%)

COMMERCIAL PARKING REQUIREMENTS:

Commercial Parcel C1: Assumed 15,000 s.f. commercial building proposed	Min. 20% of commercial use s.f. assumed to be restaurant @ 1 stall / 75 s.f. = 40 stalls Remaining calculated @ 1 stall / 300 s.f. = 40 stalls TOTAL REQUIRED PARKING = 80 stalls
Commercial Parcel C2 & C3: 10,000 s.f. Community center / Barn structure proposed	Required parking calculated @ 1 stall / 300 s.f. = 34 stalls
Provided parking stalls for commercial Parcel C1 including on street parking:	= 91 stalls
Provided parking stalls for Park & Barn Structure including on street parking:	= 38 stalls

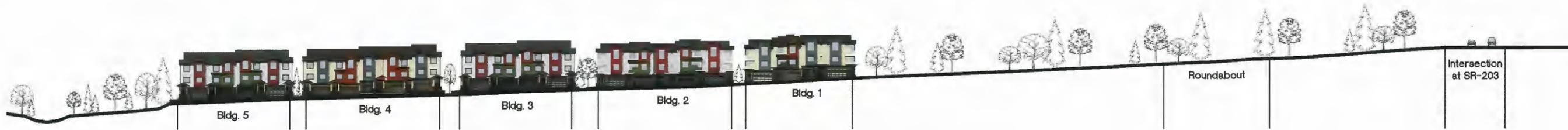
SITE PLAN
 Scale: 1" = 50'

Milbrandt Architects, Inc., P.S.
 25 Central Way, Suite 210, Kirkland, Washington 98033 Phone: 425-454-7130 Fax: 425-658-1208 Website: http://www.milbrandtarch.com

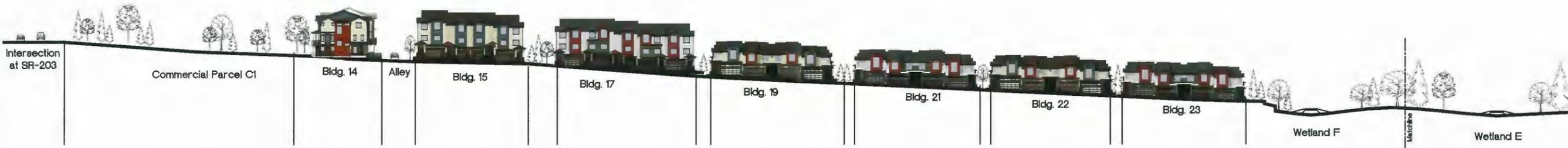
Duvall Village Townhomes
 Duvall, Washington
 Westcott Homes

Master Site Plan
 Scale: 1" = 50' Drawn By: JLL Date: Oct 16, 2014 Date Plotted: 10-16-14

Sheet No.: **S1**
 Job No.: 13-44



Site Section A-A
1:40



Site Section B-B
1:40



Site Section B-B
1:40



SITE PLAN
Scale: 1" = 100'

BUILDING TYPES AND PAINT SCHEMES

NORTH PORTION OF SITE			SOUTH PORTION OF SITE		
Building No.	Design Style	Paint Scheme	Building No.	Design Style	Paint Scheme
1	A	1	14	A	2
2	A	2	15	B	1
3	B	2	16	A	1
4	B	1	17	B	2
5	B	2	18	B	2
6	B	1	19	A*	1
7	A	2	20	B	1
8	A*	2	21	A*	2
9	A*	1	22	A*	1
10	B	2	23	A*	2
11	B	1			
12	A	1			
13	A	2			

* = 2-story or daylight basement units

UNIT TYPE	UNIT COUNT	PERCENTAGE		
UNIT A 2 Bedroom Interior Unit	17	17%	Total 2 Bedroom Units:	17%
UNIT B 3+ Bedroom Interior Unit	22	22%		
UNIT C 3+ Bedroom End Unit	23	23%	Total 3 Bedroom Units:	58%
UNIT D End Upgrade 3+ Bedroom End Unit	12	12%		
UNIT G (Daylight Basement) 4+ Bedroom Interior Unit	6	6%	Total 4+ Bedroom Daylight Basement Units:	12%
UNIT H (Daylight Basement) 4+ Bedroom End Unit	6	6%		
UNIT G1 (2-Story Variant) 3 Bedroom Interior Unit	6	6%	Total 2 Story 3 Bedroom Units:	12%
UNIT H1 (2-Story Variant) 3 Bedroom End Unit	6	6%		
TOTAL:	99 Units	100%		

Project: Duvall Village						
Review Date:	5/7/14	Project Address:	14441 Carnation-Duvall Rd. NE			
Review 2	8/19/14					
Rev 2.1	9/2/14					
Review 3	10/31/14					
Reviewer:	ASK					
Kovach Architects 2115 Colby Ave. Everett, WA 98201 andrew@kovacharchitects.com		Parcel Number	2426069080			
		File Number	SU14-001			
		Current Zoning:	MU12			
		Comprehensive Plan Designation:	LI			
		Review Type:	Peer			
		Regulatory Code:	City of Duvall Municipal Code			
		Section:	Unified Development Regulations			
		Chapter:	14.34 Design Guidelines	Version: 2007 UDR Update		
		Companion Documents:	Duvall Comprehensive Plan, Downtown Sub-area Plan, City Wide Visioning Plan.			
		Applicability:	Criteria 1. Proposed Subdivision meets criteria for Design Review Process			
		Project Status:	Third Submittal			
		Initial Review Date:	April 22nd 2014			
		Second Review Date:	August 19th 2014 Updated Sept. 2nd 2014 Rev.2.1 (corrections/clarifications)			
		Third Review Review Date:	October 31st 2014 (Final Review)			
		Conformance Rating	Category	Description		
		I	Conforms	Fully meets intent and specific code requirements		
		II	High Level of Conformity	Fully meets intent but not specific code requirements		
		III	Moderate Level of Conformity	Mostly meets intent but not specific code requirements		
		IV	Low Level of Conformity	Somewhat meets intent but not specific code requirements		
		V	Non-Conforming	Does not meet intent or code requirements		
Design Guideline						
	Section	Title	Summary	Analysis	Comments / Recommendations	Rating
	14.34.020	Site Planning	Site Review not part of review #2 or #3			
	1		Site conditions	Well executed layout and grading plan that minimizes cut and fill		I
	2		Circulation	Inter-connective pathways throughout		I
	3		Building variety	Good variety but styles perhaps too contrasted/unrelated. A few common elements suggested.	Revised conceptual sketches indicate satisfactory effort for compliance	II
	4		Positive site amenities	Good organizational beginnings, additional details required.	Note: Courtyard site accessories such as benches and waste receptacles should be identified.	II
	5		Linkage	Additional opportunities for future vehicle and pedestrian inter project links encouraged.		III
	14.34.030	Grading Storm Water Management and Site Coverage				
	B.1					
	a.		Minimize cut and fill	It is apparent site grading focused on minimizing mass grading as much as possible.	Good utilization of difficult grade. Cuts and fills are necessary.	I
	b.		Terraced grades	there are a few areas of excess retaining wall height.		IV
	c.		Minimize retaining walls	Benching will be required to reduce retaining wall height @ high walls.		V
	d.		Planted slope in lieu of retaining	Grade is taken up with sloped planter areas where possible in lieu of retaining walls.		IV
	e.		Daylight basements	Daylight basement type design utilized		I
			Other methods	Please provide alternative methods of retaining for walls above 4' in height.		V
	B.1					
	a.		Limited retaining wall height	Please provide alternative methods of retaining for walls above 4' in height.	Good utilization of difficult grade. Cuts are necessary.	V
	b.		Retaining wall landscaping	Appears to be in compliance.		
	c.		Retaining wall material	Additional detail required.		
	d.		"Ecology Block" walls	Additional detail required.		
	e.		Retaining wall fit	Additional detail required.		
	f.		Residential retaining wall	Additional detail required.		



	g.		Retaining wall landscape setback	Additional detail required.		
	h.		Departures	None requested		
	14.34.030	Storm Water Management and Sensitive Areas				
	C.1	Open Stormwater ponds				
	a.		Stormwater ponds per standards	Additional detail required.	Good utilization of difficult grade. Cuts are necessary.	II
	b.		Stormwater pond screening	Additional detail required.		II
	C.2	Bioswales	Encouraged treatment method	Additional detail required.		II
	D	Site coverage				
	1		Per specific zoning requirements	Pervious area is in excess of minimum zoning requirements		I
	2		Preservation of native vegetation	No significant presence to be preserved		I
	3		Pervious surfaces encouraged	N/A due to amount of maintained open space		I
	14.34.040	Street Network				
	A	Pedestrian Facilities		N/A		
	1	Purpose		N/A		
	2	Sidewalk and Pathway Development Standards		N/A		
	14.34.041	Pedestrian Facilities				
	B.1	Primary Pedestrian Corridors				
		Main Street frontage				
	a.		12 ft. minimum sidewalk	N/A		
	b.		Street trees @ 30 intervals in tree grates	N/A		
	c.		Street trees @ 30 intervals in planter strips	N/A		
	d.		12-14 ft. high pedestrian lighting	N/A		
	e.		Sidewalks not adjacent to public streets	N/A		
	B.2	Secondary Pedestrian Corridors				
		Stephens Street frontage				
	a.		10 ft. minimum sidewalk	N/A		
	b.		Street trees @ 30 intervals in tree grates or planters	N/A		
	c.		12-14 ft. high pedestrian lighting @ 40-60 ft. OC	N/A		
	d.		Sidewalks not adjacent to public streets min 8' wide	N/A		
	B.3	Interior pedestrian pathways	Minimum 5 ft unobstructed width	N/A		
	14.34.042	New Streets				
	B.1	Purpose				
	B.2	General Goals				
	a.		Safe and convenient network connected to surrounding area	Additional opportunities should be explored for future connections		II
	b.		Connection to existing and proposed trail systems	Appears to be in compliance.		I
	c.		prototypical street template	26' to 30' required - 22' provided @ Section D	A greater percentage of roadway appears to have roadways less than 26'	IV
	d.		Duplicate parallel public/private streets discouraged	Appears to be in compliance.		
	e.		Mid-block connections	N/A		
	f.		Calming strategies	Additional detail required.		
	g.		Signage	Additional detail required.		
	h.		Gated Community restrictions	N/A Non Gated Community		
	i.		Sidewalks and Planters	Appears to be in non compliance.	A greater percentage of roadway has sidewalks without planters	III
	14.34.050	Lot Standards				
	14.34.051	Residential developments				
	A					

1	Purpose				
2	Old Town			N/A	
3	General Standards				
a.		Variation		Appear to be in compliance.	
b.		Porches, stoops, window projections		Appear to be in compliance.	
c.		Architectural Elements		Appear to be in compliance.	
d.		Setback Encroachments		N/A	
4	Building Relationship with Street Grade.				
a.		Finish floor elevations		Additional detail required.	Raised stoops are not practical given main floor levels are one story above grade. III
b.		Down slope entries		N/A	None apparent I
5	Open Space Requirements				
a.i		Private yards			
a.ii		Minimum useable yard			
a.iii		Private yard reduction		N/A	
a.iv		Reciprocal use easement		N/A	
a.v		Minimum open space		Appears to be in compliance.	
b.	Common Open Space Requirements				
b.i	Purpose				
b.ii (A)		Hierarchy of space		Additional detail required.	Common area features, play structures, gathering areas etc.
b.ii (B)		Distribution		Additional detail required.	
b.ii (C)		Variety		Additional detail required.	
b.ii (D)		Pathways and features		Additional detail required.	The site layout appears to be conducive to common area usage and features. I
b.iii		25' Minimum width		Appears to be in compliance.	
b.iv		Solar Orientation		Appear to be in compliance and varied.	
b.v		Visibility		Appears to be in compliance.	
b.vi		Trail bonus		N/A	
b.vii		Pedestrian entry bonus		N/A	
b.viii		Tree preservation		Appears to be in compliance.	
b.ix		Ground floor access		Appears to be in compliance.	
c.	Reciprocal Use Easements				
c.i		Recording		N/A	
c.ii		Privacy walls		N/A	
c.iii		Foundation protection		N/A	
6	Parking, Garages, and Vehicular Access				
a.	Front Loaded Garages				
a.i		20' Property line setback		Appears to be in compliance.	
a.ii		5' Building facade setback		Additional detail required.	It appears the min 5' facade setback to the garage has not been consistently met. III
a.iii		2' Tuck under setback		N/A	
a.iv		50% Max width of ground level facade		Additional detail required.	It appears the max. 50% rule has not been met. V
a.iv (A)		Cul-de-sac exception		N/A	Suggest applying varying color scheme to the garage doors to add interest and variety at pedestrian level and further develop townhome individuality.
a.iv (B)		Steep slope exception		N/A	Staff to comment on design departure request
a.v		Detached garages		N/A	
b.	Side Loaded Garages				
b.i	20% Maximum per plat				
b.i (A)		15' Front yard setback		N/A	
b.i (B)		Architectural design elements required		N/A	
b.i (C)		Separation to entry access required		N/A	
b.ii		Rear side load garage allowance		N/A	
b.iii		Repeat restriction		N/A	
b.iv		10' separation requirement @adjacent side entry drives		N/A	
c.	Shared Garages and Driveways.				
c.i		Where permitted			
c.ii		Permitted with special provisions		N/A	
c.iii		Assignment of parking space		N/A	
c.iv		44' max ganged width		N/A	
d.	Additional Driveway Standards.				
d.i		SFR restrictions for multiple driveways		N/A	
d.ii		Tandem parking allowance		N/A	
d.iii		Alley Access		N/A	
d.iv		20' maximum width		N/A	
d.v		Shared driveways are encouraged		N/A	
7	Utility Placement.				

	a.	Priority accommodations for street design elements	Additional detail required.	
	b.	Utility appurtenance to be screened/hidden to the furthest extent possible	Additional detail required.	
	c.	Underground utilizes to allow for street trees and lighting	Additional detail required.	
	d.	Vaults are prohibited from sidewalk areas	Additional detail required.	
	e.	Utility boxes to be grouped	Additional detail required.	
	8	Additional Standards for Multifamily Residential Developments.		
	a.	Primary building entry must face public or open space	Appears to be in compliance.	
	b.	Individual ground floor entries must face public or open space	Appears to be in compliance.	I
	c.	Must include windows that face public streets or space	Appears to be in compliance.	I
	d.	Special provisions option	N/A	
	e.	10' min. residential setback from sidewalks	Appears to be in compliance.	I
	f.	36" high raised ground floor levels above street encouraged	Additional detail required.	III
	g.	Fence setbacks and height limits.	Additional detail required.	No fences indicated
	9	Additional Standards for Old Town Neighborhood District		
	14.34.052	Mixed Use and Non-Residential Developments	N/A (Residential Development)	
	B	General Site Design		
	1	Compliment adjacent structures		
	2	Environmental respect		
	3	Pedestrian features and interaction		
	4	Pedestrian safety		
	5	Overall Title compliance		
	C.1	Primary Pedestrian Corridors		
	a.	Pedestrian oriented facades		
	b.	Behind building parking		
	C.2	Secondary Pedestrian Corridors		
	a.	Main pedestrian entry		
	b.	Ground floor to be near grade of sidewalk		
	c.	Pedestrian oriented facades		
	d.	Behind building parking		
	e.	Landscape screening		
	f.	Abutting non-residential or mixed use zones		
		Two frontages		
	D	Main Street South of Old Town		
	E	Big Rock Road		
	F	All other streets not designated		
	G	Pedestrian Access		
	1	Sidewalk width		
	2	8 ft. minimum walk		
	3	Multiple buildings entry linkage		
	4	Future linkage opportunities		
	5	Internal elements linkage to public ROW's		
	6	Pedestrian linkage to existing offsite pedestrian ways		
	7	Linkage to City trail systems		
	8	Commercial / residential onsite linkage		
	9.a	Safe pedestrian passage through parking lots		
	b.	Minimum 5' walkways (exclusive of car overhang)		
	c.	Walkway design feature credit for DMC. 14.34.52.D		

	d.		Maximum 14 ft. high pedestrian lighting required		
	e.		Access shall accommodate ADA accessibility standards		
	f.		Articulated crosswalk designation may be required		
	H	Pedestrian-Oriented Spaces			
	1		Accessible public courtyards and plazas		
	2	Qualification			
	a.		Pedestrian access from street to building, parking and courts		
	b.		Concrete or unit pavers required		
	co.	(2-foot candles throughout the space)	Complimentary pedestrian lighting required		
	d.		Seating requirement		
	e.		Space must be located areas strategic to primary pedestrian ways		
	f.		Seasonal interest landscaping		
	3	Encouraged features			
	a.		Pedestrian amenities		
	b.		Pedestrian oriented facades		
	c.		Environmental factors for consideration		
	d.		Optional pedestrian related uses		
	e.		Movable seating		
	4	Prohibited features	Undesirable materials and elements		
	i.	Additional Landscaping Requirements	Main Street landscape screening		
	j.	Parking, Garages, and vehicular Access			
	1		Parking lots to be located behind buildings		
	2		Parking lots to be located behind buildings		
	3		Parking lots to be located away from intersections		
	4		Exceptions to location		
	5		Parking lot scale		
	6		Shared parking encouraged		
	7		Perpendicular aisle alignment to buildings encouraged		
	8		Shared parking access encouraged		
	9		Main Street special driveway regulations		
	10		Main Street access restrictions		
	11		Main Street shared driveways encouraged		
	14.34.060	Building Design			
	14.34.061	Residential developments			
	A	Residential Building Design			
	1	Purpose			
	2	General Provisions			
	a.	Elevations and Models.			
	a.i		Variation and modulation required		II
	a.ii		Model repetition restrictions		II
	a.iii		Elevation repetition restrictions		II
	a.iv		Color and material variation		II
	a.v		Architectural style variation	In Compliance	I
	a.vi		Significant floor plan and modulation variations		II
	a.vi (A)		Floor plan configurations and massing		II
	a.vi (B)		Roof Types	In Compliance	I
	a.vi (B)(A)		Siding styles	In Compliance	I
	a.vi (B)(B)		Window configurations/detailing	In Compliance	II
	3	Massing and Composition			
	a.		Clear pattern of massing and interest	In Compliance	I
	b.		Primary and secondary elements	In Compliance	I
	4		One story porch height	In Compliance	I
	5	Massing and Composition			I

a.		Primary forms to be dominant	In Compliance		I
b.		Secondary forms to be proportional	In Compliance		I
c.		Primary porch to be one story and proportional to main structure	In Compliance		I
d.		Multistory porches allowed if appropriate to building scale	N/A		
6	Building Modulation				
a.	Multifamily Residential Buildings				
a.i		Modulation requirements	In Compliance		I
a.ii		Modulation options			
a.iii		Dormers and interrupted rooflines	In Compliance		I
a.iv		Primary facade physical breaks	In Compliance		I
b.	Attached and detached residential buildings				
b.i		Modulation requirements	In Compliance		I
b.ii		Modulation locations	In Compliance		I
b.iii		Change in materials/colors/details allowances	In Compliance		I
b.iv		Number of joined units (8 max)	In Compliance		I
7	Entries				
a.		Covered porches and stoops required	In Compliance		I
b.		Architectural design must be integrated	In Compliance		I
c.		Porch and stoop size	In Compliance		I
c.i	Porch	48 sq. ft min (6'w x 8'd)	In Compliance		I
c.ii	Stoop	30 sq. ft. min. (6'w x 5'd)	In Compliance		I
c.iii	Porches and stoops	To be raised 18" above grade	Acceptable as designed	Unit entries appear to be at grade. In review, entries must match garage pad elevations making raised entries impractical.	II
c.iv		Wrap round porch on corner lots	Acceptable as designed		II
8	Decks				
a.		To be architecturally integrated with main structure	In Compliance		I
b.		To key into primary structure	In Compliance		I
b.i		To be architecturally integrated with main structure	In Compliance		I
b.ii		To key into primary structure	In Compliance		I
b.iii		Minimum support thickness of 7.25" w10' max unsupported height	Acceptable as designed		I
b.iv		Covered deck structures to be architecturally integrated with primary roof	Acceptable as designed		I
9	Roof Pitch				
a.		To be residential in character	Acceptable as designed		I
10	Architectural Details				
a.	Doors				
a.i		Entry doors to match architectural style of building	Appears to be in compliance -Additional detail required-In Compliance		I
a.ii		Panels or inset glass required on entry doors	In Compliance	Entry doors appear to be flat slab. No change on revised drawings, comment stands.	I
a.iii		Sliding glass entry doors prohibited	In Compliance		I
a.iv		3 1/2" trim required at all entry doors	Acceptable as designed -integral to architectural style		II
b.	Primary Windows				
b.i		Vertical orientation required	In Compliance		I
b.ii		Window trim required throughout	Acceptable as designed -integral to architectural style	A departure request may be necessary for the trim less windows. See Comment @ 14.34.061 A a.vi (B)(B) above.	II
b.iii		Trim to be 3 1/2" min and complimentary to architectural style of building	Acceptable as designed -integral to architectural style		II
b.iv		Vertical windows may be ganged	In Compliance		I
b.v		Divided lite windows encouraged	N/A		
c.	Chimneys				
c.i		Chimney's to compliment architectural style of building	Additional detail required. N/A-no chimney's-To be Verified	It appears there are no wood or gas fireplaces	
c.ii		20"x24" min. cross section above roof dimension	N/A-To be Verified		
c.iii		Metal cap shrouds required	N/A-To be Verified		
c.iii		Chimney shape and materials to compliment architectural style of building	N/A-To be Verified		
d.	Columns, Trim and Corner boards				
d.i		Trim detailing and materials to compliment architectural style of building	Acceptable as designed -integral to architectural style	Building Style A has been brought into compliance per revised conceptual elevations. Trim details bear further discussion	I
d.ii		Exposed 4x4 and 6x6 posts prohibited	In Compliance		I
d.iii		Metal or wood corner clips/boards required	Acceptable as designed -integral to architectural style	Additional corner detailing/clarification required for Building Style A	II
d.iv		2 1/2" min corner board width	Acceptable as designed -integral to architectural style	Added visual variety greatly benefits the project overall and warrants approval.	I
e.	Architectural Detail and Features				
e.i		To provide elements of human interest			
e.i		Shutters	N/A		
e.ii		Flower boxes	N/A		
e.iii		Knee braces	In Compliance		I
e.iv		Columns	In Compliance		I
e.v		Trellises	In Compliance		I
f.	Trash and Recycling Containers				
f.i		Within garages or screened enclosures	Additional detail required.		
f.ii		Prohibited in front yards	Additional detail required.		

f.iii		Locate to minimize odor and visibility	Additional detail required.	
f.iv		To be easily accessed by residents	Additional detail required.	
f.v		Enclosures to be made of wood/masonry. Chin link prohibited	Additional detail required.	
g.	Mail and Newspaper Boxes.			
g.i		Design and materials to compliment architectural style of building	Additional detail required.	
g.ii		To be well lit, accessible and non obstructive to walkways	Additional detail required.	
g.iii		To be clustered and architecturally enhanced and complimentary with buildings	Additional detail required.	
h.	Accessory structures			
h.i		Design and materials to compliment architectural style of building	N/A	
h.ii		12' max height/18' max height w/ pitched roof	N/A	
h.iii		Portable storage containers prohibited	N/A	
11	Materials			
a.		Vertical material transitions to wrap corners	Acceptable as designed -integral to architectural style	II
b.		Horizontal material transitions to have separation trim	Acceptable as designed -integral to architectural style	II
c.		Acceptable materials	In Compliance	
d.		Trim requirement and materials	Acceptable as designed -integral to architectural style	II
e.		Finish materials to wrap corners	Acceptable as designed -integral to architectural style	II
12	Color			
a.		Multiple colors to be used	In Compliance	I
b.		Muted colors to be dominant	In Compliance	I
c.		Grey's and beige colors to be secondary	In Compliance	I
d.		Color palettes to be submitted for approval	In Compliance	
	14.34.062	Mixed Use and Non-Residential Developments		
			N/A (Residential Development)	
	A	Purpose and Design intent	Preserve and enhance village character in OT, foster innovative yet regionally complimentary expression elsewhere	
	B	Applicability	Zones (includes OT)	
	C	Massing and Composition		
	1		Clearly defined base, middle and top	
	2		Primary entries require focal expression	
	3		Multi-tenant buildings to express individual storefronts	
	4		Primary uses to focus toward street frontage	
	5		Buildings with split entries must establish a primary entry	
	6	Parapets to avoid false front appearance		
	a.		Parapets must be integrated with overall massing/design	
	b.		Back sides of parapets must not be visible to public areas	
	7		Overhead balconies are encouraged but subject to review	
	8		Roof slopes to be broken up by secondary building elements	
	D	Building Modulation		
	1		50 ft. minimum building modulation	
	2		75% fenestration required	
	3		Pedestrian-oriented spaces to be integrated with building design	
	4	Zone specific façade requirements	Including OT district	
	a.		25 ft. lot rhythm required	
	b.		Design elements that enhance a 25 ft. rhythm required	
	c.		Rooflines to enhance a traditional building lot pattern	
	d.		Material/color changes to enhance a traditional building lot pattern	
	e.		Modulation to enhance a traditional building lot pattern	
	f.		Other means available per Planning Director	
	5		Prominent cornice required &50 ft. max. roofline w/o modulation.	
	6		6/12 minimum roof slope	

	7		Hip roofs are discouraged		
	E	Blank Wall Treatments			
	1		Blank walls are prohibited		
	a.		Doors and windows		
	b.		Display windows		
	c.		Landscape plantings		
	d.		Landscape trellis		
	e.		Other methods		
	F	Building Details			
	1		Requirements for new buildings to be substantially provided		
	a.		Display Windows		
	b.		Transom windows		
	c.		Recessed windows		
	d.		Decorative weather protection features		
	e.		Upper and lower level distinction		
	f.		Window bays		
	g.		Recessed entry		
	h.		Sills		
	i.		Pilasters		
	j.		Landscape trellises		
	k.		Decorative light fixtures		
	l.		Decorative finish materials		
	m.		Artwork		
	n.		Other approved details		
	2		Include decorative signage keeping with the style of the building		
	3		6' wide protective awnings over all sidewalks		
	G	Building Materials and Colors			
	1		High quality and durable		
	2		Metal to be trimmed and in combination with other durable materials		
	3		Concrete block restrictions		
	4		Stucco restrictions		
	5	Prohibited materials			
	a.		More than 10% mirrored glass		
	b.		Plywood siding		
	c.		Stucco board		
	d.		Window film		
	6		Bright colors are discouraged		
	7		Color selections samples to be submitted for review		
	8		Linear building lighting prohibited @ facades and rooflines		
	9		Facades shall not be designed to resemble logos		
	H	Additional Commercial Building Standards			
	1		Additional building modulation		
	2		Significant focal elements		
	3		Vertical modulation		
	4		Roof modulation		
	5		Finish material variety		
	6		Accessories and features following rhythm of modulation		
	7		Repetitive distinctive window patterns		

	8		Other approved methods		
	I	Service areas			
		All utilities and service areas shall:			
	1		Be enclosed and screened		
	2		Have doors		
	3		Compliment building design and materials		
	4		Be practically located		
	5		Shall not interfere with primary purpose of development		
	6		Be sized to meet project needs		
	7		Shall accommodate recycling		
	8		Be approved by refuse purveyor		
	9		Shall be landscaped on 3 sides		
	10		Service and loading berths to not interfere with pedestrian ways		
	11		Service areas shall be sited for convenient use and access		
	12		Roof Mounted equipment to be located away from public view		
	13		Roof Mounted equipment to be screened from public view		
	J	Non-Residential Signage			
		Shall be as follows:			
	1		Compliment the character and scale of the project		
	2		Be compatible to scale of the building design and adjacent signs		
	3		Compliment the building colors		
	K	Non-Residential Lighting			
		Shall be as designed follows:			
	1		To ensure safety and security, and encourage activity		
	2		Lighting color selection restrictions		
	3		Accent architectural and landscape lighting encouraged		
				End of Section	

Design Review Matrix							
Regulations				Compliance			Comments
				Yes	No	N/A	
14.34.050 Lot standards.							
B. Mixed Use and Nonresidential Developments. The following standards apply to buildings in the OT, RIV, UT-1, MT, CO, MU12, MUI, LI, and the PF zoning districts.							
		1. Purpose. The purpose of this section is to encourage a complementary relationship between mixed use and nonresidential buildings and the public realm of streets, parks and other public spaces, to create public environments that provide safe pedestrian access, encourage walking and informal use, to ensure an appropriate separation and privacy between buildings, and to provide pedestrian-oriented spaces. This section aims to encourage mixed use and nonresidential development that create a focal point and active gathering spaces for the surrounding community.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The proposed performing arts center is situated centrally in the proposed development. The site is connected trails, open space and sidewalks to the residential and commercial portion. The proposed structure will be separated from the residential area by wetlands and the associated buffers</i>
		2. General Site Design. Mixed use and nonresidential developments shall be designed as follows:					
		a. In a coordinated manner, complementing adjacent structures through placement, size and mass;		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		b. To respect natural areas such as wetlands and creeks. These natural elements shall be integral design features (e.g., walking trails, viewing platforms, interpretive signage);		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed parcels C2 and C3 incorporate walking trails adjacent to the wetland buffers</i>
		c. With pedestrians in mind and include sidewalks, public gathering spaces, and identifiable crossings in parking lots and across access drives;		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposal includes public gathering spaces, and identifiable crossings in parking lots</i>
		d. Provide safe ingress and egress to public streets;		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>As designed, the project meets site distance requirements</i>

Regulations		Compliance			Comments	
		Yes	No	N/A		
		e. Meet all applicable standards of this title.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		3. Primary and Secondary Pedestrian Corridors. The purpose of the following provisions is to improve and enrich the pedestrian environment by making it inviting and more comfortable to walk throughout the city; promote walking both as a social activity and an alternative to driving; to enhance pedestrian access; enhance connectivity between uses and properties; improve pedestrian connections to and from transit stops; enhance the quality of new development through design and pedestrian amenities; encourage the siting of buildings adjacent to the street and create an attractive and welcoming streetscape; increase the vitality of Duvall's business districts; provide a variety of pedestrian-oriented areas to attract shoppers to commercial areas; create inviting community gathering spaces; and increase privacy for residential uses located near the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		a. Primary Pedestrian Corridors.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.</i>
		i. Buildings along primary pedestrian corridors shall be located adjacent to the sidewalk or pathway and feature pedestrian-oriented facades (see Figure 14.34.22). All buildings shall face the street and feature their main pedestrian entry along this facade. Building setbacks will be allowed for wider sidewalks and where space between the sidewalk and building meets the definition of pedestrian-oriented space. The ground level finish floor elevations shall be at or within 3 feet of adjacent sidewalk grade.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.</i>

Regulations			Compliance			Comments
			Yes	No	N/A	
		ii. Parking lots shall be located behind buildings away from primary pedestrian corridors to the greatest extent possible. Where there are no alternatives, the director may allow parking to be located on the side of a building provided that no more than sixty (60) feet of frontage on a primary pedestrian corridor is occupied by parking areas. (See DMC Section 14.38.090 for landscaping requirements adjacent to street frontage).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.
		b. Secondary Pedestrian Corridors.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		i. All buildings fronting on secondary pedestrian corridors shall face the street and feature their main pedestrian entry along this facade (See Figure Section 14.34.22).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		ii. Buildings ground level finish floor elevations abutting the sidewalks shall be at or within three feet of the adjacent sidewalk grade.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		iii. Buildings may be located abutting the sidewalk as long as they feature pedestrian-oriented facades. Buildings that do not contain pedestrian-oriented facades facing the street must provide at least five feet of landscaping between the building and the sidewalk.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		iv. Parking lots must be located to the side or rear of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Regulations			Compliance			Comments
			Yes	No	N/A	
		v. When parking lots are located adjacent to a secondary pedestrian corridor, at least five feet of Type II landscaping shall be provided between the sidewalk and the parking area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		vi. Where a secondary pedestrian corridor abuts a noncommercial or mixed use zone, both sides of the corridor shall be designed to the same sidewalk and landscape standards.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		vii. For sites that front on more than one secondary pedestrian corridor, the building shall front on at least one of the streets as per the planning director. In such instances, the planning director will consider goals and objectives from the downtown subarea plan and unique site conditions and constraints to determine the appropriate building location and orientation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Main Street South of Old Town.						
		a. At least fifty (50) percent of the Main Street frontage in the commercial (CO), mixed use 12 (MU12), and midtown (MT) zoning districts must be occupied by buildings located adjacent to the sidewalk with pedestrian-oriented facades. Conversely, no more than fifty (50) percent of Main Street frontage can be occupied by parking area and/or vehicle access.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.</i>
		b. Sites with a portion of the frontage in sensitive areas in accordance with the city's sensitive areas ordinance must have at least fifty (50) percent of the remaining frontage occupied by buildings located adjacent to the sidewalk with pedestrian-oriented facades.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.</i>
		c. Drive-thru facilities are not allowed between Main Street and any building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>A building along primary pedestrian corridor is not proposed at this time and will require a separate site plan/design review.</i>
5. Big Rock Road.						

Regulations			Compliance			Comments
			Yes	No	N/A	
		a. At least fifty (50) percent of the Big Rock Road frontage in the commercial (CO), mixed use institutional (MUI) zoning districts must be occupied by buildings located adjacent to the sidewalk with pedestrian-oriented facades. Conversely, no more than fifty (50) percent of Big Rock Road frontage can be occupied by parking area and/or vehicle access.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		b. Sites with a portion of the frontage in sensitive areas in accordance with the city's sensitive areas ordinance must have at least fifty (50) percent of the remaining frontage occupied by buildings located adjacent to the sidewalk with pedestrian-oriented facades.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		c. Drive-thru facilities are not allowed between Big Rock Road and any building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. All other streets not designated as primary or secondary pedestrian corridors.						
		a. Nonresidential buildings may be placed up to the edge of the sidewalk of any street if they feature a pedestrian-oriented facade. Otherwise, developments must feature at least ten (10) feet of landscaping between the sidewalk or front property line and any building, parking areas, storage, or service area or a greater width as set out in DMC Chapters 14.18 through 14.32 and 14.38.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed structure/parking lot will provide a minimum of 10-feet of landscaping</i>
7. Pedestrian Access.						
		a. All buildings must have clear pedestrian access to the sidewalk. Where a building fronts two streets, access shall be provided from the road closest to the main entrance, and if required by the director, from both streets. Buildings with entries that do not face the street should have a clear and obvious pedestrian access way from the street to the entry.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed building provides clear pedestrian access to the sidewalk and proposed trail systems.</i>
		b. Where internal walkways are adjacent to a building, they shall provide a minimum width of eight feet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Walkways adjacent to a building provide a minimum width of 8-feet.</i>

Regulations			Compliance			Comments
			Yes	No	N/A	
		c. Pedestrian paths or walkways shall be provided connecting all businesses and the entries of multiple commercial buildings frequented by the public on the same development site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed paths/sidewalks connect to the residential, commercial, open spaces and Snoqualmie Valley Trail.</i>
		d. When abutting vacant or underdeveloped land, new developments shall provide for the opportunity for future connection to its interior pathway system through the use of pathway stub-outs, building configuration, and/or parking lot layout. The proposed location of future pedestrian connections shall be reviewed in conjunction with applicable development approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Due to sensitive areas on the site, the developer does not have the ability to connect to the northern parcel. Based the sensitive area constraints, the project maximized the pedestrian connectivity.</i>
		e. Developments shall include an integrated pedestrian circulation system that connects buildings, open spaces, and parking areas with the adjacent street sidewalk system. Residential and commercial developments shall not be isolated enclaves separated from each other by fences, walls, and parking lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed paths/sidewalks connect to the residential, commercial, open spaces and Snoqualmie Valley Trail.</i>
		f. Pedestrian connections to existing or proposed trails/pedestrian routes on adjacent properties shall be provided unless there are physical constraints such as sensitive areas that preclude the construction of a pedestrian connection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Due to sensitive areas on the site, the developer does not have the ability to connect to the northern parcel. Based the sensitive area constraints, the project maximized the pedestrian connectivity.</i>
		g. New development is encouraged to provide pedestrian connections to facilitate public access to existing and planned trail systems. The design of these connections should reflect the importance of trails as a destination within the community by providing lighting, seating, focal elements, and or other features to enhanced visibility and safety. Pedestrian pathways shall include landscaping, lighting, and other amenities to enhance their safety and appearance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed paths/sidewalks connect to the residential, commercial, open spaces and Snoqualmie Valley Trail.</i>

Regulations			Compliance			Comments
			Yes	No	N/A	
		i. In the RIV zoning district, new development shall facilitate public access to the Snoqualmie Valley Trail from either NE Stewart, Cherry, and Stella street corridors, with the most important of these being NE Stella Street. The design of this connection should reflect this importance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		h. In the MU12 zone, pedestrian linkages shall be provided between the commercial and residential portions of the site. This shall be achieved through the provision of pedestrian-oriented amenities such as pathways and public gathering spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposed paths/sidewalks connect to the residential, commercial, open spaces and Snoqualmie Valley Trail.</i>
		i. Parking lots shall be designed to provide safe and efficient pedestrian access.				
		i. A paved walkway or sidewalk must be provided for safe walking areas through parking lots greater than one hundred fifty (150) feet long (measured either parallel or perpendicular to the street front). Walkways shall be provided for every two aisles/parking width (see DMC Section 14.44.130(A)). Such access routes through parking areas shall be separated from vehicular parking and travel lanes by use of contrasting paving material which may be raised above the vehicular pavement. Speed bumps may not be used to satisfy this requirement. Paved walkways or sidewalks may be required perpendicular to other walkways if the director determines necessary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>A paved walkway is provided on the north and south side of parcels C2 and C3. Conceptual layout of parcel C1 provides a walkway through the parking area; however, this site will require a separate review.</i>
		ii. Walkways shall be a minimum width of five feet exclusive of vehicle overhang areas (typically two feet) and landscaping. Landscaping shall be provided on at least one side of the walkway and can consist of planting beds or trees in tree grates.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Walkways are a minimum of 5-feet.</i>
		iii. Design features associated with such walkways or sidewalks may be used in meeting pedestrian-oriented space goals in subsection (B)(8) of this section.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposal will meet this requirement</i>

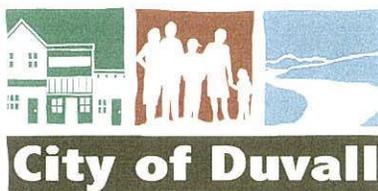
Regulations			Compliance			Comments
			Yes	No	N/A	
		iv. Pedestrian-scaled lighting (maximum fourteen (14) feet in height) shall be used to clearly define pedestrian walkways or other pedestrian areas within parking areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Lighting will be review at time of construction drawing.</i>
		v. Access shall be usable by mobility-impaired persons and shall be ADA-compliant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Project will be review and meet applicable ADA standards at time of construction drawing review.</i>
		vi. A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles drive aisle. The developer may be required to continue a sidewalk or walkway pattern and materials across the driveway or drive aisle for increased pedestrian safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Final location of crosswalks will be review at construction drawing.</i>
8. Pedestrian-Oriented Spaces.						
		a. Nonresidential buildings and developments shall provide pedestrian-oriented space (public plaza or courtyard), at a minimum of one percent of the total lot area plus one percent of the nonresidential building footprint.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Parcel C1 is required to provide 635 square feet of pedestrian-oriented space. As proposed parcel C1 shows it can meet the minimum pedestrian-oriented space requirement. Prior to building construction the developer will dedicate a minimum of 2,170 square feet or 3% of the lot area to open space (see common green). This area may be considered as pedestrian-oriented space. Combined parcels C3 and C2 is required to provide a minimum of 470 square feet of open space. The developer proposed a 1,160-square foot (2-percent of site) gathering plaza. This is in addition to 14,039-square feet of open space containing outdoor exercises area and trails.</i>
		b. To qualify as a pedestrian-oriented space, an area must have:				
		i. Pedestrian access to the abutting structures from the street, access drive or drive aisle, plaza or courtyard;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>As proposed, the pedestrian-oriented spaces will meet this requirement.</i>
		ii. Paved walking surfaces of either concrete or approved unit paving. Other surfaces shall only be approved if they are an integral part of the design;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>All proposed or potential pedestrian-oriented spaces will have access to a hard surface trail.</i>

Regulations			Compliance			Comments
			Yes	No	N/A	
		iii. Pedestrian-scaled lighting (no more than fourteen (14) feet in height) at a level averaging at least two-footcandles throughout the space. The design and color of light standards shall complement the design of the pedestrian space as well as nearby buildings;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The above lighting requirement will be a condition of approval for this project.</i>
		iv. At least two feet of seating area (bench, ledge, etc.) or one individual seat per sixty (60) square feet of plaza area or open space;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Parcel C1 will be required to meet this when a building permit is submitted for the site. Combine parcels C2 and C3 meet this requirement as depicted in Sheet A1.</i>
		v. Spaces shall be located in areas with significant pedestrian traffic to provide interest and security-ideally adjacent to a building entry or a major pedestrian path of travel such as a sidewalk; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>As proposed, all pedestrian-oriented spaces will be located adjacent to a building entry or a major pedestrian path</i>
		vi. Landscaping components that add seasonal interest to the space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The proposed landscape plan identifies deciduous and evergreen landscaping.</i>
		c. The following features are encouraged in pedestrian-oriented space and may be required by the planning director:				
		i. Pedestrian amenities such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Proposal includes fitness stations and distinctive paving</i>
		ii. Pedestrian-oriented building facades on some or all buildings facing the space;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Parcel C3 will contain a pedestrian-oriented building façade</i>
		iii. Consideration of the sun angle at noon and the wind pattern in the design of the open space;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Site worked within existing topographical and sensitive area constraints</i>
		iv. Transitional zones along building edges to allow for outdoor eating areas and a planted buffer; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Parcel C3 proposes a open space and trails surround the structure</i>
		v. Movable seating.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Regulations			Compliance			Comments
			Yes	No	N/A	
		d. The following features are prohibited within or adjacent to pedestrian-oriented space: asphalt or gravel pavement unscreened parking lots; chain link fencing; blank walls; dumpsters or service areas; outdoor storage or retail sales that do not contribute to the pedestrian environment. Required walkways do not count as pedestrian-oriented space; however, the planning director may allow those portions of walkways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space includes pedestrian-oriented elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		9. Additional Landscaping Requirements. Development of sites adjacent to Main Street must provide at least ten (10) feet of Type I landscaping between the sidewalk and any passive ground floor use such as parking, storage, service area, building utilities or other use as determined by the planning director.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		10. Parking, Garages and Vehicular Access. The purpose of these provisions is to create a safe, convenient, and efficient network for vehicular circulation and parking; upgrade the appearance of interior access roads; minimize negative impacts of vehicular access and parking areas on the streetscape and pedestrian environment; promote shared parking between compatible uses.				
		a. Parking lots shall be located to the rear or side of buildings on primary and secondary pedestrian corridors as set forth in subsection (B)(3) of this section.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		b. Parking lots should be located to the rear or side of buildings to the extent possible on all other streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The proposed structure on parcel C3 is located at the back of the parking lot on parcel C2. The building on C3 was intentionally located at the back of the parking to access contiguous open space and allow an unobstructed view of the valley.</i>

Regulations		Compliance			Comments	
		Yes	No	N/A		
		c. Parking lots shall not be located adjacent to intersections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		d. Off-street parking areas for streets that are not primary or secondary pedestrian corridors should be located to the rear or side of buildings to the extent possible. Exceptions may be granted by the director where:				
		i. Unique site conditions make street-front buildings difficult or undesirable and the applicant proposes alternative design treatments such as special landscaping and architectural components that enhance the visual character and the pedestrian environment of the street; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The proposed structure on parcel C3 is located at the back of the parking lot on parcel C2. The building on C3 was intentionally located at the back of the parking to access contiguous open space and allow an unobstructed view of the valley.</i>
		ii. Where the project meets all other applicable design standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		e. Large parking lots shall be broken into smaller areas to the greatest extent possible. Where feasible, parking lots should be varied in grade, bermed, and/or differentiated with planting materials to reduce large expanses and visible extent of continuous surfaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		f. Applicants of multiple building commercial developments must successfully demonstrate how they have organized parking in a manner that provides for shared parking between uses on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		g. Parking lot aisles should be aligned perpendicular to commercial, retail and office-building entries to provide protected walking spaces and visual focus on the entries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		h. Shared driveways and parking courts are encouraged to minimize curb cuts and reduce the visual impact of parking on adjacent streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Majority of the site will access from an internal road network.</i>
		i. Projects adjacent to Main Street must comply with the city's access management regulations. Applicable regulations address the number and width of driveways.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		j. Projects adjacent to Main Street and located on corner lots must take access from the applicable side street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Regulations			Compliance			Comments
			<i>Yes</i>	<i>No</i>	<i>N/A</i>	
		k. Developments are encouraged (and may be required) to share driveways, particularly along Main Street and arterials streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Small Town. Real Life.

Meeting Minutes City of Duvall Planning Commission

Date: January 7, 2015

Time: 7:00 pm

Place: Duvall Visitor Center, 15619 Main Street, Duvall WA 98019

Commissioners Present: Ronn Mercer (Chair), Margie Coy, Eric Preston (late arrival due to flood traffic), Veronika Williams, and Dick Winn

Commissioners Absent: Ryan Deason

Staff Present: Lara Thomas, Planning Director; Ben Swanson, Senior Planner; Anne Wright-Cunniff, Administrative Assistant

Others Present: Andy Kovach, Kovach Architects; Melanie Clark, Westcott Homes; Bob Weible, Milbrandt Architects; Jim Lawler, Milbrandt Architects; Matt Hough, CPH Consultants

1. Call to Order – Flag Salute

The Planning Commission meeting was called to order by Commissioner Mercer at 7:06 p.m.

2. Announcements

- A. Planning Director Lara Thomas announced that the city's clerk of 20 years, Jodee Schwinn, has left to work for the City of Seattle. Director Thomas noted that there are three open positions for the City of Duvall: city clerk, city administrator, and finance director. The current finance director, Jill Long, will be retiring soon.
- B. Director Thomas commented that this week's flood is almost in the range of 2009's; however, the Snoqualmie Valley had capacity to take on water, causing less devastation for the area than originally expected. She also noted that the water over NE 124th Street is receding, and the road should be opened by tomorrow morning.

3. Approval of Minutes

It was moved and seconded (*Winn – Williams*) to approve the Planning Commission Meeting Minutes for December 17, 2014, with a correction to the list of attendees. (Commissioner Mercer was noted as both present and absent in the minutes. He was absent that evening.) The motion carried unanimously.

4. Citizens' Comments and Requests – Items not on the Agenda

None

5. Public Hearing

None

6. New Business

Duvall Village Design Review

Because Commissioner Williams is a member of the Duvall Foundation for the Arts (DFA), she recused herself from the design review decision. Due to her recusal, the commission no longer had a quorum. Director Thomas asked Chairman Mercer if it would be okay to defer the review until another commissioner arrives. Chairman Mercer agreed. The design review was moved behind Old Business on the agenda.

7. Old Business

A. Duvall Village Development Agreement – Update

Director Thomas explained that the City and Westcott Homes are working out the final details of the Development Agreement (DA).

Commissioner Williams recused herself from the discussion due to her involvement with the DFA.

Director Thomas gave an update on the progress of the Duvall Village development agreement and addressed the Land Use Committee's recommendations on the DA.

Melanie Clark spoke on behalf of Westcott Homes to testify that vesting fees would increase the value and marketability of the property.

B. Rio Vista Development Agreement – Update

Director Thomas gave a brief update on the joint partnership between the City of Duvall and Rio Vista to develop a neighborhood park. She discussed some proposed changes to the vault areas, including staff's recommendation of a vault with a park around it.

After the update, it was moved and seconded (*Winn – Coy*) that the Planning Commission take a recess until the arrival of one more commissioner to ensure a quorum was present. The motion carried unanimously, and the commission broke at 7:49 pm.

8. New Business - Resumed

Duvall Village Design Review

Commissioner Mercer called the commission back to order at 7:55 pm. Commissioner Williams, having recused herself, was no longer present. Commissioner Preston was now in attendance.

Matt Hough from CPH Consultants opened the presentation of the Duvall Village project, including the preliminary site plan.

Bob Weible from Milbrandt Architects showed the commission pictures of elevations and described the two proposed building types (attached townhomes), materials, and finishes. Commissioner Winn asked if there would be adequate noise insulation between the units. Mr. Weible replied that they would be using double-stud walls with insulated air space and two layers of gypsum board.

Commissioner Mercer asked if the square footage and interiors were similar between both designs, and Mr. Weible replied that they are the same basic unit.

Mr. Weible stated that Milbrandt was also asked to design the barn and presented the proposed barn design to the commission. The barn would be ADA compliant and include a replica silo and milking station. (The milking station would serve as administrative offices.) He explained that if none of the existing barn were structurally useable, the plan was to build a new shell around the old barn, with existing elements inside but not acting structurally. Director Thomas asked if the footprint of the barn would change if a shell had to be built around the existing structure. Jim Lawler (Milbrandt) replied that it would be no more than one foot on each side.

Commissioner Mercer asked how this change would impact the approval process. Director Thomas replied that it would require a new design review and public hearing.

Andy Kovach with Kovach Architects, the city's architectural consultant, reviewed the design checklist with the commission. He encouraged keeping best features and continuing the warmth of downtown Duvall. He thought the materials were great and encouraged individuality between the units. He was pleased with the trails, open spaces, and connectivity.

Commissioner Mercer asked what the parking ratio would be for the property. Mr. Lawler replied that every unit would have two-stall garages and an 18-foot apron. There would be additional parking scattered throughout the property. Director Thomas added that the developer was providing more parking than required.

It was moved and seconded (*Winn – Preston*) that the commission recommend the Duvall Village design review as provided be forwarded to City Council for approval. The motion carried unanimously.

9. Presentation

None.

10. Adjournment

It was moved and seconded (*Preston – Winn*) to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:46 p.m.

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF DUVALL, DUVALL FOUNDATION FOR THE ARTS, AND 1303-WLD
DUVALL VILLAGE, LLC**

This Memorandum of Understanding (“MOU”) is made and entered into by and between the CITY OF DUVALL (“City”); the DUVALL FOUNDATION FOR THE ARTS, a Washington 501(C)(3) non-profit corporation (“DFA”); and 1303-WLD DUVALL VILLAGE, LLC, a Washington Limited Liability Company (“Owner”), each of which is referred to individually as a “Party” or collectively as the “Parties.” The Parties are entering into this MOU to document the commitments and terms of Past Agreements that are still relevant to the proposed development of the Property.

RECITALS

A. Owner’s Property (the “Property”), located at 14441 Carnation-Duvall Road NE, Duvall, Washington, legally described in the attached Exhibit A, has been the subject of various agreements between previous owners of the Property, the City, and the DFA (“Past Agreements”) related to annexation, zoning, and proposed restoration and use of the Thayer Barn.

B. The Property is the subject of a proposed subdivision, City of Duvall Application No. SU14-001, which would create approximately ninety-nine (99) single family attached lots (“Residential Lots”) and three (3) commercial parcels (“C1”, “C2,”and “C3”), as shown on the Preliminary Plat Map (or Master Site Plan) attached Exhibit B.

C. Owner agrees to use its best efforts to obtain subdivision approval of the Property to create the C2 Commercial Parcel and C3 Commercial Parcel. It is the intent of the Parties that upon approval of the final subdivision that Owner will dedicate the C2 Commercial Parcel to the City in exchange for park impact fee credits for the appraised value of the C2 Commercial Parcel plus actual cost of park improvements.

D. DFA, whose mission “promotes creativity, diversity and cultural awareness by supporting the arts and arts education in the lower Snoqualmie Valley,” was created in 1998 as an organization committed to relocating the Thayer Barn from its current location and restoring it for use as a performing arts center. DFA enters into this MOU so that DFA may relocate the Thayer Barn from its current location on the proposed C1 Commercial Parcel to the proposed C3 Commercial Parcel, to restore the Thayer Barn, and use it for community arts and/or other commercial uses consistent within the zoning district.

E. The City enters into this MOU to demonstrate its intent to include the C2 Commercial Parcel in the current update to the City Comprehensive Plan as an extension of the McCormick Park and Snoqualmie Valley Trail system, to credit Owner with park impact fee credits for property and improvements dedicated to the City, to purchase the portion of the Property on the west side of the Snoqualmie Valley Trail (a portion of parcel 242606-9080) pending approval of

two grants, and to process the subdivision of the Property with a recommendation to the hearing examiner for the approval of the Preliminary Plat.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **Lot Creation.** The Parties desire to create separate commercial lots as part of the current subdivision application process: the C2 Commercial Parcel (Parking and Park Area) and C3 Commercial Parcel (the Thayer Barn) as shown on Exhibit B. The Parties agree to cooperate in this endeavor and recognize the following: (1) the City remains obligated to uphold its duty to enforce and abide by the provision of the Duvall Municipal Code, and (2) the Owner has a development and construction schedule that shall not be delayed by design and permitting issues related to the C3 Commercial Parcel and the Thayer Barn relocation and restoration project.

2. **Park and Trailhead Parking.** As part of the subdivision approval process, the C2 Commercial Parcel (Parking and Park Area) including the access road, parking lot, storm drainage, trail network, and landscaping improvements constructed by Owner would be dedicated to the City.

- a. All improvements to C2 Commercial Parcel (Park and Trailhead Parking) will be mutually agreed upon by the City and Owner prior to construction and Owner will be given park impact fee credits to use for the 99 residential lots based on the current appraised value of the C2 Commercial Parcel plus actual cost of improvements to same;
- b. All trail improvements and trail connections within the C2 Commercial Parcel or that directly connect to the Snoqualmie Valley Trail will be mutually agreed upon by the City and Owner prior to construction and Owner will be given park impact fee credits to use for the 99 residential lots based on the appraised value of the trail improvements and trail connections dedicated to the City plus actual cost of improvements to same;
- c. The parties acknowledge that pursuant to the Amended Pre-Annexation Agreement (King County AFN. 9504191225), a prior Owner of the Property conveyed real property to the City. Owner will be given Eighty-four (84) park impact fee credits for the previously conveyed property (parcel 232606-9001). The number of park impact fee credits was determined by averaging the historic appraisals of similar property in 1990, which the parties have determined to be \$3,000 per acre, and based on the 1998 park impact fee of \$1,000 per acre.
- d. No reimbursement (other than park impact fee credits as provided for in Section 2 of this MOU) will be given by the City to Owner if the appraised value of the property and actual cost of improvements dedicated to the City as described in

subsections a. – c. above are over and above the value of the Park Impact Fees for the residential development on the Property;

- e. The City and Owner agree that the intent is for the C2 Commercial Parcel (Parking and Park Area) to be constructed prior to Owner beginning to sell lots within the Property so that C2 Commercial Parcel (Parking and Park Area) is an amenity to the Owner's development; and that Owner, not the City will be responsible for completion of parking, park or trail improvements associated with the C2 Commercial parcel, even if the cost of said improvements exceeds the Owner's total park impact fee amount aka "credit"; and
- f. The City and Owner agree that City staff will revise the City's Comprehensive Park Plan to add the C2 Commercial Parcel (Park and Trailhead Parking), and if necessary to also include the 28 (+/-) acres already deeded to the city in 1995, and will seek City Council approval of same.
- g. The City and Owner agree that the City will be allowed to purchase the portion of the Property on the west side of the Snoqualmie Valley Trail pending approval of two grants for which the City has made application. If the grants are not approved the City will alternatively provide park impact fee credits to Owner for the current appraised value of same.
- h. In the event the City is prevented from granting equitable park impact fee credits to Owner as described in 2.a and 2.b, then Owner shall have no obligation to dedicate either the C2 Commercial Parcel and associated parking and trails to the City.

3. **Thayer Barn.** It is the intent of the Parties that Owner shall convey the Thayer Barn structure and the C3 Commercial parcel to DFA at no cost to DFA and that DFA will undertake the of relocation and restoration of Thayer Barn and use it for community arts and other commercial uses consistent within the zoning district.

- a. Owner and DFA have entered into a Temporary Construction Easement that allows DFA temporary access to an area of the Property to clean up and, stabilize the Thayer Barn;
- b. Owner agrees to convey the C3 Commercial Parcel to DFA subject to terms of a future agreement between Owner and DFA. Terms may include or be similar to the following:
 - (i) Size of the C3 Commercial Parcel and orientation of the Thayer Barn shall be substantially similar to the current site plan upon approval of the subdivision of the Property;
 - (ii) DFA to move the Thayer barn at DFA expense and must collaborate with Owner regarding standards and schedule;

- (iii) Exterior improvements to be made to the Thayer Barn at DFA expense must comply with City code and the final exterior elevation shall be reviewed by Owner for consistency and to ensure it is in harmony with development prior to approval;
 - (iv) Schedule or phasing of the improvements to Thayer Barn;
 - (vii) DFA to obtain all necessary permit approvals, design approvals, and all fees for relocation, repair and future operation of Thayer Barn;
 - (viii) DFA may construct a similar barn structure on C3 Commercial Parcel in the event the existing Thayer Barn is not able to be relocated given its current dilapidated condition and to maintain the C3 Commercial Parcel per the City's code at DFA expense.
 - (ix) The Parties agree that Owner is acting in good faith in providing land and the barn structure for the purpose of historic preservation and that DFA will provide documentation of gifting of the barn and the C3 Commercial parcel so that Owner will be allowed to benefit from tax credits, mitigation credits, or other benefit as allowed by City, State and Federal law.
- c. Owner, DFA and City intend that the subdivision approval application and DFA's application for project permits (not applicable to building permit) and design approval will be reviewed concurrently. DFA agrees that should Owner's application process begin to slow down due to DFA/Thayer Barn issues, DFA will withdraw its application if necessary.

4. **Schedule.** It is the intent of the parties to work toward the following schedule of events:

- a. October- November 2014: Development Agreement approval;
- b. November – December: Preliminary Plat Decision;
- b. June 2015: Owner start construction of plat improvements on Property; and
- c. Fall 2015: DFA move the Thayer Barn onto C3 Commercial Parcel.
- d. Spring/Summer 2016: Recording of Final Plats for Phases 1 and 2
- e. Summer 2016: Housing sales begin and barn exterior completed.

5. **Additional Agreements.** The Parties agree that the following additional agreements may be entered into by the Parties:

- a. Development Agreement between City and Owner as part of the subdivision process;

- b. Agreement between DFA and Owner regarding terms of conveyance of Thayer Barn and C3 Commercial Parcel from Owner to DFA;
- c. Parking Area Maintenance and Use Agreement between the City and DFA for joint use of the parking improvements on C2 Commercial Parcel.

6. **Project Termination.** The Parties acknowledge that the terms of this MOU are expressly contingent on the preliminary and final plat approval of Owner's Subdivision Application No. SU14-001 and that all MOU terms run concurrent with project approvals and expirations.

7. **Past Agreements, Entire Agreement; Modification.** The Parties agree that specifically, the 2003 Thayer Barn Community Arts Center Management and Operation Agreement, the Amended Pre-Annexation Agreement (King County AFN. 9504191225), and the 2000 Settlement Agreement (King County AFN 20010130000904) will no longer be in effect or enforceable when the Parties record a Satisfaction and Release of all obligations under the Amended Pre-Annexation Agreement (King County AFN. 9504191225) and the 2000 Settlement Agreement (King County AFN 20010130000904) upon Owner dedicating the C2 Commercial Parcel to City and Owner's receipt of Park Impact Fee Credits as provided in section 2 of this MOU and upon Owner conveyance of the C3 Commercial Parcel to DFA as provided in section 3 of this MOU.

This MOU, including all referenced attachments represents the intent of the parties to enter into agreements of the Parties with respect to the subject matter discussed herein. There are no other agreements, oral or written, except as expressly set forth herein. This MOU may not be altered, changed, modified, or amended except by an instrument in writing signed by all Parties hereto.

8. **Transfer of Ownership.** A conveyance of all or any portion of the Property through any means shall not impair, extinguish or otherwise affect any right, obligation, duty, term or provision of this Memorandum of Understanding. Any purchaser and/or assignee of all of the Property shall have the same rights, obligations and / or duties under this MOU as the Party from which it purchased or otherwise obtained an interest in all of the Property and shall have the right to enforce this MOU against the other Party.

9. **Third Parties.** This Agreement is not intended to and shall not be construed as benefiting any third party. The provisions of this Agreement are solely for the benefit of the Parties, their heirs, successors and assigns.

10. **Severability.** If any provision of this MOU is determined to be unenforceable or invalid by a court of law, the remainder shall remain in full force.

11. **Applicable Law.** This MOU shall be governed by and interpreted in accordance with the laws of the State of Washington.

13. **Notices.** Any notice under this MOU transmitted by facsimile, electronic mail or hand delivery shall be deemed effective upon receipt. If notice is by First Class U.S. mail, notice shall be deemed effective 48 (forty-eight) hours after deposit.

Notices to the City shall be sent to:

City of Duvall, City Clerk
c/o Planning Department
PO Box 1300
Duvall, WA 98019
lara.thomas@duvallwa.gov

Notices to the Owner shall be sent to:

1303-WLD Duvall Village, LLC
c/o Melanie Clark
Westcott Holdings, Inc.
1010 Market Street
Kirkland, WA 98033
mclark@westcotthomes.com

Notices to the DFA shall be sent to:

Duvall Foundation for the Arts
c/o Lin McBride
PO Box 1043
Duvall, WA 98019
mcbridefrm@gmail.com

CITY OF DUVALL

Print Will Ibershof
Title MAYOR
Date 10/9/14



State of Washington
County of King

On this 9th day of OCTOBER, 2014, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Will Ibershof, to me known to be the MAYOR of CITY OF Duvall, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said CITY, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.

Witness my hand and seal the day and year first above written.

Jodee R. Schwinn
Printed Name: Jodee R. Schwinn
Notary Public in and for the State of Washington
Residing at: Duvall
My Commission expires 7/29/15

1303-WLD DUVALL VILLAGE, LLC

1303 / [Signature]
Print MARK S. DONNER
Title MEMBER
Date 4-30-15

State of Washington

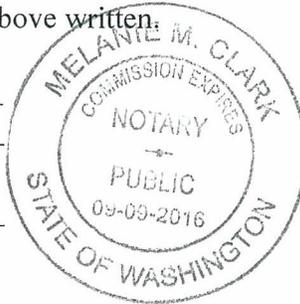
County of King

On this 30th day of April, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

Mark Donner, to me known to be the Member of 1303-WLD Duvall Village, LLC, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said MLC, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.

Witness my hand and seal the day and year first above written.

[Signature]
Printed Name: Melanie M Clark
Notary Public in and for the State of Washington
Residing at: Snohomish
My Commission expires 9/9/16



DUVALL FOUNDATION FOR THE ARTS

Lin McBride
Print Lin McBride
Title President
Date 10/13/14

State of Washington

County of King

On this 13 day of OCTOBER, 2014, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Lin McBride, to me known to be the President of Duwall Foundation of the Arts, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said Foundation, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.

Witness my hand and seal the day and year first above written.

Jodee R. Schwinn
Printed Name: Jodee R. Schwinn
Notary Public in and for the State of Washington
Residing at: Duwall
My Commission expires 7/29/15

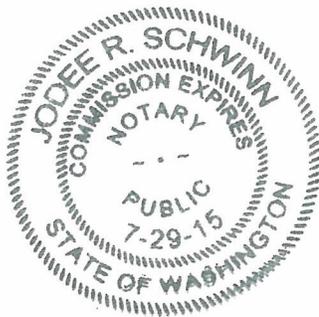
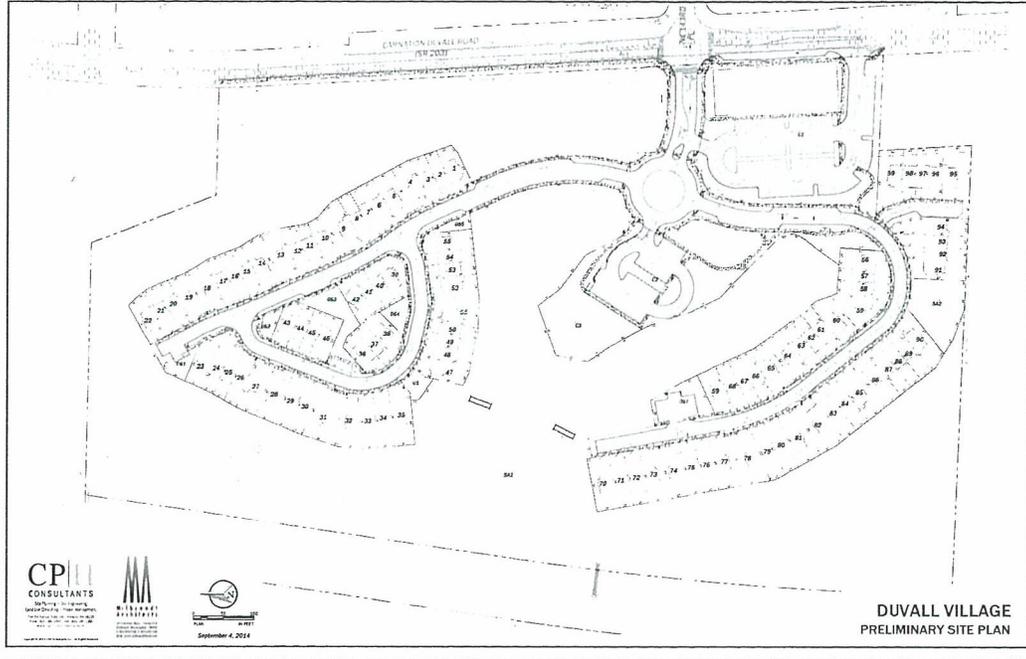


EXHIBIT A
LEGAL DESCRIPTION OF "PROPERTY"

That portion of the Northwest Quarter of the Northwest Quarter of Section 24, Township 26 North, Range 6 East, W. M., in King County, Washington, lying Westerly of State Highway 15B; Except that portion condemned in King County Superior Court Cause No. 73343 for the Chicago, Milwaukee and Puget Sound Railway Company right-of-way; And except the East 157 feet of the South 150 feet thereof; And except the following described real property: Commencing at the Northeast corner of that portion of the Northwest Quarter of the Northwest Quarter of Section 24, Township 26 North, Range 6 East, W. M., in King County, Washington, lying Westerly of State Highway 15B; Thence South 04°01' East, 200 feet; Thence Westerly parallel with the North line of said Northwest Quarter of the Northwest Quarter, 175 feet; Thence Northwesterly 225 feet, more or less, to a point on said North line which is 260 feet Westerly of the point of Beginning; Thence Easterly along said North line 260 feet to the point of beginning; And as modified by the Boundary line Adjustment and Quit Claim Deed, dated December 23, 1998, recorded under King County Recording No. 9902041611; And as modified by the Boundary line Adjustment and Quit Claim Deed, dated June 27, 1998, recorded under King County Recording No. 9811022163; And which Boundary Line Adjustments are depicted on the survey performed by Leonard E. Emerson, filed for record on September 14, 1998, in Volume 124 of Surveys, at page 231, under King County Recording No. 9809249002; Situate in the County of King, State of Washington.

EXHIBIT B
PRELIMINARY PLAT MAP/MASTER SITE PLAN



After Recording, Return to:

1303-WLD Duvall Village, LLC
c/o: Melanie Clark
Westcott Holdings, Inc.
1010 Market Street
Kirkland, WA 98033

DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF DUVALL, DUVALL FOUNDATION FOR THE ARTS,
AND 1303-WLD DUVALL VILLAGE, LLC FOR 1303-WLD DUVALL VILLAGE

This Development Agreement is made and entered into this 18th day of June, 2015, by and between the City of Duvall, a non-charter, optional code Washington Municipal Corporation, hereinafter the "City," Duvall Foundation For the Arts, a Washington 501(C)(3) non-profit corporation, hereinafter "DFA", and 1303-WLD Duvall Village, LLC, a Washington limited liability company, hereinafter the "Developer". The City, DFA, and the Developer are each a "Party" and collectively the "Parties" to this Development Agreement for the Duvall Village Development, hereinafter the "Development".

The Parties enter into this Development Agreement in order to facilitate and to promote the development of that certain real property located within the City as described and depicted in **Exhibit A** hereto (the "Property") consistent with the terms, conditions and provisions of this Development Agreement, effective as of the date above (the "Effective Date").

RECITALS

A. The State legislature, through the enactment of RCW 36.70B.170 through .210, has granted the City the authority to enter into a development agreement with a person having ownership or control of real property within its jurisdiction. The City has adopted regulations allowing the City to enter into development agreements, as set forth in DMC Chapters 14.09 (Development Agreements) and 14.18 (Mixed Use 12 (MU12) Zoning District).

B. The Developer owns the Property, which is located within the City's MU12 Zoning District established under DMC Chapter 14.18. On April 18, 2014, pursuant to DMC Chapter 14.66 (Subdivisions) and other applicable provision of the City's code, the Developer submitted a complete application for land use approvals to allow the Developer to subdivide the Property into 99 fee simple attached single-family residential lots, three commercial parcels, private open space tracts, and sensitive area tracts. The subject subdivision is currently being processed by the City under application file number SU14-001, and is described and depicted in **Exhibit B** (the "Preliminary Plat");

C. On October 9, 2014, the City Council approved a Memorandum of Understanding (MOU) between the City, Developer, and the Duvall Foundation of the Arts, which outlined plans for carrying out the terms of past Agreements, a copy of which is attached hereto as **Exhibit C**. The Parties acknowledge and include herein the final terms resulting from the MOU.

D. On December 16, 2014, pursuant to its authority and procedures set forth in DMC Chapters 14.08 and 14.60 (SEPA – Environmental Review), the City issued a threshold determination - Mitigated

Determination of Non-significance for the Preliminary Plat and the Development Agreement (the "MDNS"), a copy of which is attached hereto as **Exhibit D**.

E. The City's code requires concurrent construction of commercial and residential development within its MU12 zones unless a developer establishes a phasing plan through a developer agreement, as set forth in DMC 14.18.060 - Timing of commercial development, which provides as follows:

The commercial and residential portions of a mixed use site shall be constructed concurrently unless the developer establishes a phasing plan through a development agreement as follows: construction shall commence within five years of entitlement of the residential portion and completed within ten (10) years unless the applicant demonstrates that market conditions warrant an extended time period to ensure successful commercial development. If the commercial portion of the site is deferred, the applicant shall grade and landscape the site in accordance with the City's landscape standards;

F. The City's subdivision process set forth in DMC Chapter 14.66.080 (Final Subdivision Process for Preliminary Subdivision and Short Subdivision) requires that all improvements be installed prior to final subdivision unless ensured by a performance bond or set-aside fund. Development of the Property includes installation of all improvements prior to each respective phase of final subdivision, except for instances where bonding certain commercial development improvements is allowed as described in the attached as **Exhibit E** (the "Required Infrastructure Improvement Plan") because they cannot be reasonably and effectively installed until time of commercial development.

G. In addition to allowing for phased development, pursuant to RCW 36.70B.170(1) and Duvall Municipal Code (DMC), the Parties acknowledge and agree that the purpose of this Development Agreement shall be to establish the development standards and other special provisions that shall govern and vest the development, use, and mitigation of the development of the Property (hereinafter, "Development Standards") for the duration specified herein to those Development Standards in effect on April 18, 2014, the date of vesting of the Preliminary Plat (hereinafter, "Vesting Date") except as identified in the Terms of the Agreement; however, certain building, stormwater, federally mandated accessibility standards, and other standards outside the City control shall not vest and shall be those in effect at the time construction permit applications are submitted to the City for review;

H. Pursuant to the DMC, the Developer is required to make public roadway improvements to State Route (SR)-203 and along its SR-203 frontage, however, the City has identified the same improvements as part of two Transportation Improvement Program projects; Project I-2, 143rd/SR-203 intersection; and Project R-2, Main Street South. Based on the current schedule for projects I-2 and R-2, the City will likely have begun construction prior to the Developer's project initiation. As such, the Parties agree that the Developer may be excused from installing mitigated required frontage improvements along SR-203 if the City projects are previously completed, or considered substantially complete, by the City, prior to final plat of the first residential phase. If the Developer undertakes construction of public roadway improvements to SR-203 in order to final plat prior to the completion of the City's SR-203 improvement, the Parties agree that the Developer shall design and construct frontage improvements per the City's preferred design and curb line shown within the City's right of way (ROW)/Channelization plans for the SR-203 Safety Improvements and Road Reconstruction project shown in **Exhibit F**. These improvements are Traffic Impact Fee (TIF) eligible. The Parties recognize and agree that the Developer will receive traffic impact fee credits as set forth herein. Traffic impact fee credits shall

not exceed the amount of the traffic impact fee assessed for the Development, and, if there are any excess credits, the City will not reimburse the applicant the difference nor are the credits transferrable.

I. The City will pay Developer \$21,000 for purchase of the remainder Park Property, free and clear of all liens and encumbrances, per the Commercial Appraisal attached as **Exhibit G**.

J. Planning Commission and City Council concluded the Duvall Village Project provides significant public and community benefit. Significant Benefits include: construction of attached units, public parking for a trail network that will connect to the Snoqualmie Valley Trail, dedication of new park area (parking lot and 6.8 acres of open space), a commercial parcel for the Duvall Community Performing Arts Center, operation of the Center by DFA, energy and inertia for further activity, and connectivity at the south end of town. Financial Benefits include: increased assessed value of the site by approximately 30 million dollars, investment of 5.5 million dollars in fees and improvements, new residents who will shop and dine locally, and a 2.5–5 million dollar cost savings due to the removal of a City obligation for constructing the site improvements, maintaining and operating the Center at a cost of 40–60 thousand dollars per year, and 50-150 thousand a year to staff the Center which will become the responsibility of DFA.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained in this Agreement, the Parties hereby covenant and agree as follows:

TERMS OF AGREEMENT

1. **Effect of Recitals.** The Parties hereby incorporate the Recitals and **Exhibits A** through **J** hereto as material terms to this Development Agreement as if fully set forth in this paragraph.
2. **Binding Effect and Term.** Per RCW 36.70B.190, this Development Agreement is binding on the Parties and their successors and assigns for a period of ten (10) years, commencing on the Effective Date and ending on _____, 2025 (the “Term”). In the event that the development contemplated herein is not commenced and completed within the Term, or within an approved extended timeframe in accordance with Section 3 below, then this Development Agreement shall forever lapse and shall be of no further force or effect.
3. **Required Infrastructure Improvements, Phasing and Extensions.** Consistent with the Required Infrastructure Improvement Plan, the Parties acknowledge and agree that development of the final plat may occur in up to three (3) phases over a period not to exceed five (5) years per RCW 58.17.140, and that infrastructure and other improvements shall be completed or bonded for prior to each final plat. The agreed development phasing is as follows:
 - (a) Phase 1 shall include all site and infrastructure improvements necessary to access, gain public services, and obtain final plat approval consistent with DMC 14.66.080 for fifty-five (55) residential lots, shall create Commercial Parcels C1, as a future development tract, C2, and C3, and shall include fine-grade and hydroseed application at Parcels C1 and C3 except for the area where the Thayer Barn and Thayer Barn materials are located on Parcel C1. The C2 parcel infrastructure, parking area, trail connection, and park improvements shall be completed and shall be dedicated to the City upon recording the Phase 1 final plat. The trail network from SR-203 to the Snoqualmie Valley Trail shall be constructed prior to Phase I final plat. Until development commences at Commercial

Parcels C1 and C3, the Developer shall maintain said parcel so that it is mowed semi-annually and remains free of litter, debris and pests in accordance with the City's standards.

- (b) Excluding trail and residential open space improvements, the C3 parcel infrastructure improvements may be completed separately from Phase 1 and shall not delay recording of the Phase 1 final plat. The C3 infrastructure improvements shall be completed prior to building permit issuance to the DFA for the Community Performing Arts Center. Until development of the C3 Commercial Parcel commences, the DFA shall maintain said parcel so that it is mowed semi-annually and remains free of litter, debris, and pests in accordance with the City's standards.
- (c) Developer shall construct all site and infrastructure improvements necessary to gain access to public services and to obtain a building permit for the C3 Commercial Parcel including all Stormwater facilities.
- (d) DFA will remove and relocate the barn and barn materials stored on the C1 Commercial Parcel to the C3 Commercial parcel. The barn materials will be stored and contained in a manner consistent with DMC.
- (e) The Developer shall convey the C3 Commercial Parcel to DFA at time of Phase I Final Plat.
- (f) DFA shall pay the Developer \$100,000 per the terms of a separate agreement between DFA and the Developer.
- (g) Phase 2 shall include all site improvement and infrastructure necessary to gain access to public services and achieve final plat approval for forty four (44) residential lots;
- (h) Phase 3 shall include all site improvement and infrastructure necessary to gain access to public services and achieve final plat approval for the C1 Commercial Parcel and may occur separately, concurrently, or in conjunction with Phase 1 or Phase 2.
- (i) The Developer shall commence construction for C1 Commercial Parcel (Phase 3) within five (5) years of entitlement (the "Commencement Date"), and complete construction of C1 Commercial Parcel within ten (10) years of the recording of the first residential final plat ("Completion Date"). If the Developer submits a written request to the Planning Department at least thirty (30) calendar days prior to expiration of either deadline demonstrating that market conditions warrant an extended time period to ensure successful commercial development, as set forth in DMC 14.18.060, then the City may extend the Commercial Parcel C1 Commencement Date by up to an additional five (5) years. Any request for an extension shall be reviewed by the Planning Commission and the City Council in accordance with DMC 14.08, Permit Processing, and for compliance with extension criteria in DMC 14.18.060.
- (j) The Developer and DFA shall commence construction for the C3 Commercial Parcel within five (5) years from the date of entitlement (the "Commencement Date"), and complete construction of C3 Commercial Parcel within ten (10) years of the recording of the first residential final plat ("Completion Date"). If the Developer or DFA submits a

written request to the Planning Department at least thirty (30) calendar days prior to expiration of either deadline demonstrating that market conditions warrant an extended time period to ensure successful commercial development, as set forth in DMC 14.18.060, then the City may extend the Commercial Parcel C3 Commencement Date by up to an additional five (5) years. Any request for an extension shall be reviewed by the Planning Commission and the City Council in accordance with DMC 14.09, Development Agreements, and for compliance with extension criteria in DMC 14.18.060.

- (k) The Parties agree that, in the event that any portion of the Duvall Municipal Code, including but not limited to 14.18 Mixed Use 12 (MU12) Zoning District, is amended to eliminate the existing requirement for commercial development, to change the Floor Area Ratio Requirement, or in the event that any portion of the Duvall Municipal Code, including but not limited to DMC 14.18.080 Development Standards, is amended to allow either residential development or additional park or parking on the C1 Commercial Parcel, the Developer may apply to the City to for a Subdivision Alteration under DMC 14.66.100., which the City would process using the criteria for either a Minor Modification, a Major Modification, or a Plat Alteration.
4. **Model Homes.** The parties agree that the model home provision was intended for single-family detached units. This project contains single-family attached units. The Developer shall be allowed to construct one attached building containing up to five units in Phase 1 prior to Phase 1 Final Plat. The developer shall be allowed to construct one attached building containing up to five units in Phase 2 prior to Phase 2 Final Plat but after Phase 1 Final Plat is recorded consistent with DMC 14.64.241.
5. **Development Standards.** Except as otherwise provided herein, this Development Agreement shall vest the Property to the following Development Standards in effect as of the Vesting Date for the Term of this Development Agreement as set forth below:
- (a) Allowed Uses – The uses set forth in DMC Chapter 14.18, including but not limited to the specific uses set forth in DMC 14.18.020 (Permitted Uses), .030 (Accessory Uses), and .040 (Conditional Uses); any use allowed pursuant to DMC Chapter 14.68 (Conditional Use Permit Criteria), DMC Chapter 14.74 (Reasonable Use Exception), and/or DMC Chapter 14.76 (Nonconformance and Reuse Standards); and any other regulations that apply to property within the City’s MU12 Zoning District;
 - (b) Applicable Procedures – The procedures set forth in DMC Titles 2, 8 through 10, and 14;
 - (c) Applicable Standards – The City’s adopted Comprehensive Plan; the standards set forth in DMC Titles 8 through 10 and 14; the adopted 2013 City of Duvall Development Design Standards; and the City’s adopted Comprehensive Water System Plan prepared by Murray Smith and Associates, Inc., dated October 2011;
6. **Applicable Impact Fees and Facility Charges.** The provisions of DMC Chapter 14.58 (Impact Fee Assessments – Parks, Roads and Schools); provided, however, because development of property will occur in phases, the impact fees shall be assessed and paid as follows:

(a) **School Impact Fees.** School Impact Fees assessed for Phase 1 and Phase 2 (residential parcels) shall be due in accordance with DMC 14.58.050.A and ESB 5923.

(b) **Park Impact Fees.**

- i. Upon approval of the Development Agreement, the Developer will receive up to ninety-nine (99) park impact fee credits as described below. The project/property cannot receive a refund or payment from the city if the credits for work or acquisition are more than the assessed fee nor are the credits transferable to other projects.
- ii. Upon approval of the Development Agreement Developer will receive eighty-four (84) Park Impact Fee credits for dedication of property in 1995.
- iii. Developer shall receive Park Impact Fee credits up to the amount of \$87,000.00, but not exceeding Park Impact Fee assessed against the project, for the dedication of the C2 Commercial Parcel upon recording of the Phase 1 final plat. The amount of this credit is based on the undeveloped assessed value of the C2 Commercial parcel consistent with the Commercial Appraisal dated October 29, 2014 (Exhibit G).
- iv. After the credits discussed above, if there are any remaining park impact fees assessed against Phase 1 and Phase 2, the Impact Fee shall be at the vested 2015 rate and due in accordance with DMC 14.58.050.B, ESB 5923 and for up to ten years from the Effective Date of the Development Agreement.
- v. No school or community park impact fees shall be assessed for development of C1 Commercial Parcel, C2 Commercial Parcel, or C3 Commercial Parcel in accordance with DMC 14.58.020 - .050, Assessment of Impact Fees; provided, however, that in the event that any residential units are proposed to be constructed within the Commercial Tracts, then park impact fees shall be vested to the 2015 rate and due and payable in accordance with section 5(d)(ii) above and vested for up to ten years from the Effective Date of the Development Agreement.
- vi. At any time on or before the expiration of a "Vesting Term," Developer may prepay a portion or all of the remaining Park Impact Fees to avoid any increase in fees.

(c) **Traffic Impact Fees.** The Parties agree that the amount of the Traffic Impact Fee for each residential building permit and for each commercial building permit shall be vested to the 2015 fee for ten years from the Effective Date of the Development Agreement.

- i. The Parties agree and acknowledge that the City's preferred alignment of the SR-203 improvements per the City's ROW/Channelization plans for the SR-203 Safety Improvements and Road Reconstruction project as shown on Exhibit F requires relocating the centerline of road to the west which will require Developer to dedicate additional right of way. The Parties agree that the

Developer shall dedicate additional right of way and temporary construction easements, as necessary, to allow the City to proceed with the City's preferred design and curb line shown within the City's ROW/ Channelization plans for the SR-203 Safety Improvements and Road Reconstruction as referenced above. Such right-of-way dedication and easements shall be at no cost to the City and shall not entitle Developer to traffic impact fee credit. Temporary use and construction easements shall be signed and granted by the Developer within 60 days of this document being recorded so the City may begin its project in a timely manner.

- ii. If, due to timing between Developer and City projects, Developer undertakes construction of public roadway improvements to SR-203, then Developer will receive traffic impact fee credits in an amount to be determined using actual construction cost upon completion of the SR-203 Improvements. The amount of Traffic Impact Fee Credit available for the SR-203 Improvements shall be in accordance with the 2008 Transportation Element Update methodology. The NE 143rd Place Intersection, Project I-2, impacts the existing Thayer Creek road culvert, and any necessary modifications to the Thayer Creek culvert is recognized as part of Project I-2. The Developer will receive fifty-six (56) percent of the cost of the Project I-2 improvements as traffic impact fee credit in accordance with the City's 2008 Transportation Element Update methodology. The Developer will receive 100 percent of the cost associated with shifting the roadway three (3) feet laterally to the west for the portion north of the 143rd Place intersection as traffic impact fee credits to meet the City's road alignment only if the developer's preferred alignment meets City and WSDOT design standards. The Parties agree that the remainder of the SR-203 frontage improvements will be recognized under Project R-2 and that the Developer will receive ten (10) percent of the cost of improvements as traffic impact fee credit in accordance with the Transportation Element Update methodology.

The amount of Traffic Impact Fee Credit available may not exceed the eligible cost of constructed SR-203 frontage improvements. Traffic Impact Fee credits are available only after the work is completed and approved. Any Traffic Impact Fees remaining due after application of the credits shall be vested to the 2015 fee for ten years from the Effective Date of Development Agreement, and due in accordance with DMC 14.58.050.C, ESB 5923 and the following sections.

Traffic Impact Fee Credit will be applied to Phase 1 and Phase 2 residential building permits and, if there are remaining credits upon completion of all residential units, those credits shall be applied to the C1 Commercial Parcel upon City receipt of written request from Developer.

- iii. Traffic Impact Fees, if any, required for C2 Commercial Parcel shall be paid by or the responsibility of the City.
- iv. Traffic Impact Fees, if any, required for the C3 Commercial Parcel shall be paid by or the responsibility of DFA.

- v. At any time on or before the expiration of a "Vesting Term," Developer or DFA may (pre) pay a portion or all of the remaining Traffic Impact Fees to avoid any increase in fees.
- (d) **Sewer General Facility Charges** – The provisions of DMC Chapter 9.04.110 (Sewer General Facility Charge) impose a sewer general facilities charge; provided, however, because development of property will occur in phases, charges shall be assessed per the final plat of each specific phase and paid as follows:
- i. If city code is modified to allow for collection of sewer fees at time of building permit issuance, the Developer and DFA shall have the option to take advantage of the modified policy.
 - ii. Sewer General Facility Charges for the residential lots shall be vested to the 2015 fee for up to ten (10) years from the Effective Date of the Development Agreement.
 - iii. Sewer General Facility Charges for Commercial Parcels shall be vested to the 2015 fee for up to ten (10) years from the Effective Date of the Development Agreement.
 - iv. At any time on or before the expiration of a "Vesting Term," Developer or DFA may prepay a portion or all of the remaining Sewer General Facility Charges to avoid any increase in fees.
 - v. Sewer General Facility Charges, if any, required for the C3 Commercial Parcel shall be paid by or the responsibility of DFA.
 - vi. At this time there is no expectation of a Sewer General Facility Charge for C2 Commercial Parcel as it will be a park and parking lot, dedicated to the City, and is not proposed to connect or impact the sewer system.
- (e) **Water Capital Improvement and Connection Charges** – The provisions of DMC Chapter 9.02.020, Water Capital Improvement Charge, impose a general facilities charge; provided, however, because development of property will occur in phases, charges shall be due prior to issuance of building permits for each residence or commercial structure. Water Capital Improvement and Connection Charges will be charged as follows:
- i. Water Capital Improvement and Connection Charges for the residential lots shall be due at building permit and vested to the 2015 fee for up to ten (10) years from the Effective Date of the Development Agreement.
 - ii. Water Capital Improvement and Connection Charges for Commercial Parcels shall be vested to the 2015 fee for up to ten (10) years from the Effective Date of the Development Agreement;

Duvall Village Development Agreement

- iii. At any time on or before the expiration of a “Vesting Term,” Developer or DFA may prepay a portion or all of the remaining Water Capital Improvement and Connection Charges to avoid any increase in fees.
 - iv. Water Capital Improvement and Connection Charges, if any, required for the C3 Commercial Parcel shall be paid by or the responsibility of DFA.
 - v. Water Capital Improvement and Connection Charges for C2 Commercial Parcel shall be waived, as it will be dedicated to the City;
7. **Duvall Foundation for the Arts:** DFA is responsible for obtaining all required permits to develop Commercial Parcel C3.
8. **Shared Parking Agreement:** The City and DFA shall enter into a shared parking agreement for use of the parking lot on the C2 parcel. The agreement shall be recorded with the county as a deed restriction prior to building permit issuance. If the DFA sells the property for commercial use, and the use is for profit, the shared parking agreement shall be renegotiated.
9. **Maintenance of Parcels C2 and C3**
- a. The owner (City) shall maintain commercial C2 parcel (park) except for the required residential open space that shall be maintained by the residential Home Owners Association (HOA). A public use easement shall be required for the open space areas. Should the HOA determine they would like a higher level of service or maintenance and upkeep, they shall be allowed to perform work on the City-owned C2 parcel. The HOA shall provide a waiver of liability and indemnification of open space areas.
 - b. The owner (DFA) shall maintain commercial C3 parcel, including the residential open space on Parcel C3. A public use easement shall be required for the open space areas. The owner shall provide a waiver of liability and indemnification of open space areas.
10. **No Waiver of Police Power.** The Parties recognize that the City cannot contract away its police power, including its zoning authority. Per RCW 36.70B.170(4), the Parties represent, warrant, and agree that the execution of this Development Agreement is a proper exercise of the City’s police power and contract authority and that the City hereby reserves the authority to impose new or different regulations to the extent required by a serious threat to public health, safety, and general welfare.
11. **Public Benefits.** The City recognizes the public benefits that will accrue from this Development Agreement, including, but not limited to, tax revenue generated by the development, use, and sale of the Property and new housing; creation of a Commercial Parcel for a Community Performing Arts Center to be constructed and operated by DFA; a new City park with connection to the Snoqualmie Valley Trail; an improved streetscape through landscaping and the Required Infrastructure Improvement Plan; and potential job creation for the community due to the development and use of the Property.

- 12. Recording.** Per RCW 36.70B.190, this Development Agreement shall be recorded with the King County Assessor within ten (10) business days of its mutual execution by the Parties. The Developer shall be responsible for recording this Development Agreement at its sole cost and expense.
- 13. Transfer of Ownership.** A conveyance of all or any portion of the Property through any means shall not impair, extinguish, or otherwise affect any right, obligation, duty, term, or provision of this Development Agreement. Any purchaser and/or assignee of all or any portion of the Property shall have the same rights, obligations, and/or duties under this Development Agreement as the Party from which it purchased or otherwise obtained an interest in all or a portion of the Property and shall have the right to enforce this Development Agreement against the other Party. Individual purchasers of individual residential lots will not have any rights under this Agreement.
- 14. Third Parties.** This Agreement is not intended to and shall not be construed by any person, entity, Party, third party, court, administrative body, arbitrator, or other adjudicative body as benefiting any third party. The provisions of this Agreement are solely for the benefit of the Parties, their heirs, successors, and assigns.
- 15. Amendment or Termination.** Per RCW 36.70B.180, unless amended or terminated, this Development Agreement shall be enforceable during its Term. In the event that the City amends, adopts, or repeals any of the Development Standards referenced in Section 5 subsequent to the Effective Date, the Developer may request in writing that the newly-adopted code, regulation, and/or standards shall apply to the Property, and the Parties mutually agree to amend this Development Agreement to include the new code, regulation, and/or standard. Any request for amendment shall be subject to a public hearing and City Council approval. Provided, however, for code amendments, the Developer may apply to the City for either a Minor/Major Modification to Preliminary Plat or a Subdivision Alteration under DMC 14.66.100, as provided herein.
- 16. Satisfaction of Prior Agreements.** The Parties agree to record a Satisfaction and Release Agreement of all obligations under the Amended Pre-Annexation Agreement (King County AFN. 9504191225) and the 2000 Settlement Agreement (King County AFN 20010130000904) upon Developer's dedication of the C2 Commercial Parcel to City, Developer's dedication of the C3 Commercial Parcel to DFA, and Developer's receipt of the agreed upon Park Impact Fee Credits as described herein. Upon recording of such Satisfaction and Release, the 2003 Thayer Barn Community Arts Center Management and Operation Agreement, the Amended Pre-Annexation Agreement (King County AFN 9504191225), and the 2000 Settlement Agreement (King County AFN 20010130000904) will no longer be in effect or enforceable.
- 17. Entire Agreement; Modification.** This Development Agreement, including all referenced attachments, represents the entire agreement of the Parties with respect to the subject matter thereof. There are no other agreements, oral or written, except as expressly set forth herein. This Development Agreement may not be altered, changed, modified, or amended except by an instrument in writing signed by all Parties hereto.
- 18. Severability.** If any provision of this Development Agreement is determined to be unenforceable or invalid by a court of law, then this Development Agreement shall thereafter be

modified to implement the purpose and intent of the Parties to the maximum extent allowable under the law.

- 19. Applicable Law.** This Development Agreement shall be governed by and interpreted in accordance with the laws of the State of Washington.
- 20. Disputes.** In the event a dispute arises under this Development Agreement and prior to commencing any action in court, the Parties agree that they shall engage in at least one (1) full day of mediation with a mutually-selected mediator. The cost of the mediator shall be shared equally, and each Party shall bear its own costs, including legal fees, if any, in conjunction with the mediation. If the Parties are unable to resolve the dispute through mediation, then an action may be commenced in the Superior Court. If necessary to prevent the lapsing of any statute of limitation, the time for filing any action under this Development Agreement shall be tolled until ten (10) court days after mediation has completed. In the event of legal action to enforce this Development Agreement, the prevailing Party shall be entitled to recovery of reasonable attorneys' fees and costs.
- 21. Notices.** Any notice under this Development Agreement transmitted by facsimile, electronic mail, or hand delivery shall be deemed effective upon receipt. If notice is by First Class U.S. mail, notice shall be deemed effective forty-eight (48) hours after deposit.

Notices to the City shall be sent to:

City of Duvall, City Clerk
c/o Planning Department
PO Box 1300
Duvall, WA 98019
lara.thomas@duvallwa.gov

Notices to the Developer shall be sent to:

1303-WLD Duvall Village, LLC
c/o Melanie Clark
Westcott Holdings, Inc.
1010 Market Street
Kirkland, WA 98033
mclark@westcotthomes.com

Notices to the DFA shall be sent to:

Duvall Foundation for the Arts
c/o Veronika Williams
PO Box 1043
Duvall, WA 98019
Veronika@duvallarts.org

Duvall Village Development Agreement

I, Will Ibershof, Mayor of the City of Duvall, am the duly authorized representative and agent of the City of Duvall, Washington, I am competent, and I have the authority to enter into this Development Agreement and thereby bind the City of Duvall.

[Signature]
Will Ibershof, Mayor, City of Duvall

6/19/15
Date

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Will Ibershof is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED 6/19/15



[Signature]
(printed name) Jodi Wycoff
NOTARY PUBLIC in and for the
State of Washington, residing at Monroe
My appointment expires 2/9/19

Duvall Village Development Agreement

I, Mark Donner, am the duly authorized representative and agent of 1303-WLD Duvall Village, LCC, a Washington limited liability company, I am competent, and I have the authority to enter into this Development Agreement and thereby bind 1303-WLD Duvall Village, LLC.

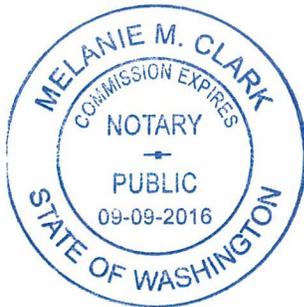
1303
[Signature]
Mark Donner, Member

6-18-15
Date

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Mark Donner is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED 6/18/15



Melanie M. Clark
(Printed name) Melanie M. Clark
NOTARY PUBLIC in and for the
State of Washington, residing at Snohomish
My appointment expires 9/9/16

Duvall Village Development Agreement

I, Veronika Williams, am the duly authorized representative and agent of the Duvall Foundation for the Arts, I am competent, and I have the authority to enter into this Development Agreement and thereby bind the Duvall Foundation for the Arts.

Veronika Williams, President

Date

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Veronika Williams is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED _____

(printed name)

NOTARY PUBLIC in and for the

State of Washington, residing at _____

My appointment expires _____

Legal Description of the Property

That portion of the Northwest Quarter of the Northwest Quarter of Section 24, Township 26 North, Range 6 East, W. M., in King County, Washington, lying Westerly of State Highway 15B;
Except that portion condemned in King County Superior Court Cause No. 73343 for the Chicago, Milwaukee and Puget Sound Railway Company right-of-way;
And except the East 157 feet of the South 150 feet thereof;
And except the following described real property:
Commencing at the Northeast corner of that portion of the Northwest Quarter of the Northwest Quarter of Section 24, Township 26 North, Range 6 East, W. M., in King County, Washington, lying Westerly of State Highway 15B;
Thence South 04°01' East, 200 feet;
Thence Westerly parallel with the North line of said Northwest Quarter of the Northwest Quarter, 175 feet;
Thence Northwesterly 225 feet, more or less, to a point on said North line which is 260 feet Westerly of the point of Beginning;
Thence Easterly along said North line 260 feet to the point of beginning;
And as modified by the Boundary line Adjustment and Quit Claim Deed, dated December 23, 1998, recorded under King County Recording No. 9902041611;
And as modified by the Boundary line Adjustment and Quit Claim Deed, dated June 27, 1998, recorded under King County Recording No. 9811022163;
And which Boundary Line Adjustments are depicted on the survey performed by Leonard E. Emerson, filed for record on September 14, 1998, in Volume 124 of Surveys, at page 231, under King County Recording No. 9809249002;
Situate in the County of King, State of Washington.

Preliminary Plat

[The remainder of this page is intentionally left blank.]

Please see Exhibit 13.2.B.

MEMORANDUM OF UNDERSTANDING

[The remainder of this page is intentionally left blank.]

Please see Exhibit 13.2.C.

SEPA MDNS

[The remainder of this page is intentionally left blank.]

Please see Exhibit 13.2.D.

Required Infrastructure Improvement Plan

Phase 1

- All SR-203 Frontage Improvements shall be installed as described below unless previously completed, or deemed substantially complete, by the City. Alternatively in accordance with final plat procedures DMC 14.66.080, a final plat performance bond may be submitted for incomplete improvements provided that SR-203 intersection, access, and channelization improvements are completed prior to final.
- Entrance road, roundabout, and northern loop road including grading, paving, sidewalks, planter strips and landscaping
- Parcel C2 parking, park, and trail improvements
- Sanitary sewer lift station, main, and service lateral improvements
- Water main and service improvements, including fire hydrants
- Stormwater bioretention cells
- Planting and minor grading for wetland buffer enhancements
- Interim (rough) grading, hydroseed, and temporary erosion control BMPs for C1 Commercial Parcel
- Entrance from roundabout and parking lot for C2 Commercial parcel and C3 Commercial Parcel
- Stormwater bioretention cells (except for the Parcel C3 Stormwater Tract)
- Open space improvements
- Planting and minor grading for wetland buffer enhancements
- Trails and pedestrian connection to Snoqualmie Valley Trail.
- Utility stubs (sewer, water, storm, other) to Parcels C1, C2, and C3.

Phase 2

- Southern road from roundabout including grading, paving, sidewalks, planter strips, and landscaping
- Sanitary sewer main and lateral improvements
- Water main and service improvements, including fire hydrants
- Open space improvements
- Stormwater bioretention cells
- Planting and minor grading for wetland buffer enhancements

Phase 3 Commercial (Commercial Parcel C1)

- Commercial entrance from NE 143rd Place to Parcel C1 parking lot
- Sanitary sewer main and service lateral improvements for building service
- Water main and service improvements including fire hydrants, Fire Department Connection, and water main looping as may be necessary for commercial site development and not otherwise provided by separate building permit
- Planting and minor grading for wetland buffer enhancements

DEPENDING ON DEVELOPER AND CITY PROJECT SCHEDULES, PORTIONS OF THE FOLLOWING WORK MAY BE CONSTRUCTED BY THE DEVELOPER AS NECESSARY FOR ACCESS AND/OR SAFE WALKING CONDITIONS FOR TRAFFIC IMPACT FEE CREDIT UNLESS PREVIOUSLY COMPLETED, OR DEEMED SUBSTANTIALLY COMPLETE, BY THE CITY AND/OR MEETING ANY HEARING EXAMINER REQUIREMENTS.

SR-203 Frontage

- Initial SR-203 Frontage Improvements along the frontage unless previously installed and complete site access at NE 143rd Place, including:
 - Remove and replace pavement for widening at roadway intersection
 - Install concrete curb, gutter, and pedestrian ramps at curb returns
 - Install sidewalk at curb returns to complete pedestrian facilities each side of the westerly extension of NE 143rd Place
- Pavement widening, including grading, walls, and fencing as required, to facilitate new lane configuration, including northbound left turn lane
- Remove and replace existing pavement striping and markings
- Cement concrete curb and gutter at westerly limit of south bound travel lane
- Eight-foot wide cement concrete sidewalk along west side of widened roadway, including pedestrian ramps
- Landscape planter strip between curb and sidewalk along west side of roadway south of NE 143rd Place

*See Preliminary Plat plans dated January 12, 2015 and Development Phasing Plan for additional information.

City's ROW/ Channelization plans for the State Route (SR) 203
Safety Improvements and Road Reconstruction Project

The remainder of this page is intentionally left blank.]

Please see Exhibit 13.2.F.

Commercial and Open Space Appraisal

[The remainder of this page is intentionally left blank.]

Please see Exhibit 13.2.G.

RECEIVED

JUL 09 2015

CITY OF DUVALL

BEFORE the LAND USE HEARING EXAMINER for the CITY of DUVALL

DECISION ¹

FILE NUMBERS: SU14-001, SPR14-001, and SSD14-001

APPLICANT: 1303-WLD Duvall Village, LLC
1010 Market Street
Kirkland, WA 98033

TYPE OF CASE: Consolidated preliminary subdivision, preliminary Site Plan Approval, and Shoreline Substantial Development Permit (*1303-WLD Duvall Village*)

STAFF RECOMMENDATION: Approve all requests subject to conditions

EXAMINER DECISION: GRANT all requests subject to conditions

DATE OF DECISION: July 6, 2015

INTRODUCTION ²

1303-WLD Duvall Village, LLC (the LLC) seeks preliminary subdivision, preliminary Site Plan Approval (SPA), and Shoreline Substantial Development (SSD) Permit approval to subdivide a 30.8 acre site into 99 single-family attached residential lots, three commercial lots (one of which will house a community center sponsored by the Duvall Foundation for the Arts (DFA)), approximately 13 acres of open space/sensitive areas tracts, and a 6.7 acre floodplain tract (associated with the Snoqualmie River) which will be purchased by the City for open space. The subject property is zoned MU12, a mixed use, commercial/residential zone. (Exhibits 1 – 3, 11, and 51b ³)

The LLC filed a Master Permit Application for preliminary subdivision, preliminary SPA, and SSD approval on April 18, 2014. (Exhibits 4A – 4D) The Duvall Planning Department (Planning) deemed the application to be complete when filed. (Exhibit 13)

¹ This Decision memorializes and expands upon an oral decision announced at the close of the June 30, 2015, open record hearing. The Examiner at that time announced that he would be granting the requested permits based upon the testimony and evidence in the record, but did not announce resolution of any of the conditioning matters discussed during the hearing. Those matters are addressed thoroughly herein.

² Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.

³ Exhibit citations are provided for the reader’s benefit and indicate: 1) The source of a quote or specific fact; and/or 2) The major document(s) upon which a stated fact is based. While the Examiner considers all relevant documents in the record, typically only major documents are cited. The Examiner’s Decision is based upon all documents in the record.

The subject property is located on the west side of Main Street NE (SR-203) at NE 143rd Place.

The Duvall Hearing Examiner (Examiner) viewed the subject property on June 30, 2015.

The Examiner held an open record hearing on June 30, 2015. Planning gave notice of the hearing as required by the Duvall Municipal Code (DMC). (Exhibit 9)

The following exhibits were entered into the hearing record during the hearing:

- Exhibits 1 - 49: As enumerated in Exhibit 1, the Departmental Staff Report
- Exhibit 50: Memorandum to file from Public Works, June 29, 2015 ⁴
- Exhibit 51a: E-mail, Hough to Swanson, June 29, 2015 (corrected site figures)
- Exhibit 51b: Corrected Sheet 1 for Exhibit 2
- Exhibit 52: Memorandum, Thomas to Clark, October 24, 2013 (Code interpretation)
- Exhibit 53: Revised Staff Report, June 29, 2015 (changes noted by ~~strikethrough~~ and underline)
- Exhibit 54: Applicant's proposed revision of Recommended Condition 60

The LLC and the City have mutually agreed to allow an extension of the 90-day review period as permitted by DMC 14.08.020(H)(2). (Exhibit 47)

The action taken herein and the requirements, limitations and/or conditions imposed by this decision are, to the best of the Examiner's knowledge or belief, only such as are lawful and within the authority of the Examiner to take pursuant to applicable law and policy.

No testimony or evidence was entered into the record by the general public either in support of or in opposition to the application.

FINDINGS OF FACT

1. The current proceeding represents the culmination of over 20 years of work by private land owners, the DFA, and the City. The development plan presented here (Exhibits 2, 3, and 51b) meets the needs of the developer and has earned the support of the DFA, City government, and, judging by the absence of public involvement in the Examiner's hearing, the citizens of Duvall.

The site has been the subject of a pre-annexation agreement, a settlement agreement with the former property owner, a memorandum of understanding, and a comprehensive Development Agreement (Exhibit 13.2), the latter approved by the City Council on June 9, 2015. A detailed historical chronology is contained in Exhibit 53. (pp. 4 and 5)

⁴ The date on the record document (June 19, 2015) is a typographical error. (Testimony)

2. Of the 30.8 acres, 6.7 acres of the site is located west of the Snoqualmie Valley Trail and will be conveyed to the City of Duvall. The remaining 24.1 acres is undeveloped except for the Thayer Barn that was deconstructed by the DFA in 2014 for preservation purposes. Due to past farming practices, the majority of the site is pasture with only the periphery of the site containing native vegetation. The majority of the site is sloped approximately 5 to 15 percent down to the northwest and includes a steep southwestern-facing slope in the southeast corner. (Exhibit 2)

Nine onsite wetlands and one Class 2 stream (Thayer Creek) are found on the site. The Snoqualmie Valley Trail, a regional trail network owned and maintained by King County, crosses the western portion of the site. The 6.7 acres to be dedicated to the City west of the Snoqualmie Valley Trail is located entirely in the 100-year floodplain. The portion on the site located immediately east of the Snoqualmie Valley Trail is also located in the 100-year floodplain. The westerly portion of the property is located in the shoreline environment and designated as a Conservancy Environment in accordance with Chapter 14.78 DMC and the City's Shoreline Master Program. Wetlands D, E, F, H, and I are hydrologically connected to the floodplain and therefore within the shoreline Conservancy Environment. (Exhibits 1, 2, and 20)

3. The LLC proposes a phased master development plan including the subdivision of the property for the purpose of residential and commercial development. The subdivision application seeks approval to create 99-single family lots, three commercial parcels, open space, and associated infrastructure. The LLC chose not to include the sensitive areas and their buffers in the calculation of allowed residential density, as allowed by DMC 14.42.090(A). The sensitive areas and associated buffers will be set aside in tracts and dedicated to the City of Duvall or be owned and maintained by the future homeowners association (HOA) or other private entity. In accordance with the Development Agreement (Exhibit 13.2), the developer is selling the 6.7 acres west of the Snoqualmie Valley Trail (Tract 900) to the City; therefore, this area is not included in the calculation of minimum or maximum unit density. Of the 24.1 acres, 11.5 acres is located in sensitive areas or their associated buffers and will not be developed; thus, no development is proposed within the portion of the site designated as a Conservancy Environment. The remaining 12.6 acres is identified as the developable areas and basis for calculating open space and required commercial area under DMC 14.18.080 and DMC 14.64.040. Improvements (curb, gutter, and sidewalk) along the Main Street NE (SR-203) frontage are required. The improvements will be completed by the City or developer in accordance with the approved Development Agreement. (Exhibits 2, 3, and 53)
4. Planning's Staff Report (Exhibit 53⁵) is an exceptionally well written, detailed, comprehensive evaluation of the many aspects of the development and their compliance with applicable review criteria for the three approvals sought herein. While the LLC takes issue with a few of the conditions recommended by Planning, neither it nor any hearing participant took issue with the findings and analysis presented in the Staff Report. Therefore, in the interest of judicial economy, Parts I through

⁵ Exhibit 53 is a revised (red-line) version of Exhibit 1. All discussion of the Staff Report and page number references herein relate to the Exhibit 53 red-line version.

IV of the Staff Report (Pages 1 – 30) are incorporated herein by reference as if set forth in full subject to two minor corrections:

- A. Page 8, first paragraph under **Roads**: “NE 3rd Avenue” should read “NE 143rd Place.” (Testimony)
 - B. Page 9, **Interior Roadways** paragraph: The word “east” in the first line should be “west.” (Testimony)
5. Most of the hearing was spent discussing seven of the 74 conditions recommended by City Staff in the Staff Report (Exhibit 53).
- A. Page 31, Recommended Condition 13. This condition requires establishment of an HOA for commercial Parcel C1. The LLC initially objected to this condition on the basis that Parcel C1 would be owned by only one party. When advised by Planning that DMC 14.66.080(K)(3) requires establishment of an HOA, the LLC withdrew its objection to the condition. (Statement of counsel)
 - B. Pages 32 and 33, Recommended Condition pairs 21/24 and 22/25. These four recommended conditions relate to critical areas impacts. The LLC pointed out that each condition in these pairs of conditions is a duplicate of the other condition in the pair. Further, the LLC requested that they be linked to development of Phase 2, since only Phase 2 has critical areas impacts. (Testimony)
- Planning acknowledged the duplication and asked that Recommended Conditions 21 and 22 be deleted in favor of recommended Conditions 24 and 25. Planning suggested that the “trigger” be impact to sensitive areas rather than construction drawing approval. (Testimony)
- C. Page 38, Recommended Condition 60. This recommended condition contains general guidance regarding the proposed sewer lift station. The LLC objects to the wording requiring design prior to construction plan approval and suggesting an approximate size and design concept for the sewer lift station. It submitted a suggested revision which proposes that design and construction be required before final plat approval in accordance with City design standards. (Exhibit 54 and testimony)

Public Works submitted its justification for inclusion of greater specificity in the condition. Public Works stated that the design standards are very sparse with respect to sewer lift stations. It noted that it has allowed only three lift stations in the past 20 years and that all three have provided essentially the same equipment in the same fashion. It wants the lift station in this development to follow that “standard” pattern. (Exhibit 50 and testimony)

Public Works testified that it would accept the LLC's alternate language if an additional clause were added at the end requiring that the lift station be in general accordance with the design of the three existing lift stations. (Testimony)

- D. Page 38, Recommended Condition 61. This condition includes a requirement that final drainage plans include analysis of impacts to "near surface groundwater recharge to wetlands and/or neighboring property (Chapman Residence and Farm located at 14244 Main Street NE) well site from the proposed development activities." This reference to the Chapman property is the result of a letter submitted by the Chapmans to the City Council during its hearing on the Development Agreement. (Exhibit 53, p. 8)

The Chapman property occupies the southeast quadrant of the SR-203/NE 143rd Place intersection. (Testimony) The Chapman residence is visible on Exhibit 10: It is across SR-203 from the most southeast corner of the site. Location and type (shallow or deep) of the Chapman well were not known to any of the hearing participants. Location of the Chapman well cannot be discerned from Exhibit 10.

The lowest ground elevation on the Chapman property is about 114 feet and occurs at its northwest corner, the SR-203/NE 143rd Place intersection. Both the Chapman property and the subject property rise towards the south along SR-203 from that point. The elevation of the SR-203 pavement in the general vicinity of the Chapman residence is about 135 feet. SR-203 separates the Chapman property from the subject property. No significant excavation will occur within 100 feet of the Chapman property. (Exhibit 2 and testimony)

The LLC's engineer, a licensed PE, stated that wherever the Chapman well is located, it would be well outside any regulated well-impact area. Further, it is likely well upslope of any development work on the subject property. The engineer doubts that site work would have any impact on the Chapman well. (Exhibit 51a and testimony)

The Public Works representative at the hearing, also a licensed PE, doubts that site development would have any impact on the Chapman well if that well is a deep well. The Chapman well is not listed in state well records. Public Works suggested that some degree of flexibility would be appropriate: No special analysis should be required if the well is a deep well. (Testimony)

6. Any Conclusion of Law deemed to be a Finding of Fact is hereby adopted as such.

LEGAL FRAMEWORK⁶

The Examiner is legally required to decide this case within the framework created by the following principles:

Authority

Preliminary subdivisions, preliminary SPA for a site greater than 0.5 acres⁷, and SSDs are all Type III applications which are subject to an open record hearing before the Examiner. The Examiner makes a final decision on the application which is subject to the right of reconsideration and appeal to Superior Court, provided that SSD decisions must first be appealed to the State Shorelines Hearings Board. [DMC 2.30.070(A)(2) and 14.08.010(C), Tables 14.08.010.C.1 and .2]

The examiner's decision may be to grant or deny the application or appeal, or the examiner may grant the application or appeal with such conditions, modifications, and restrictions as the examiner finds necessary to make the application or appeal compatible with the DMC, state laws and regulations, including Chapter 43.21C RCW, and the regulations, policies, objectives, and goals of the Duvall comprehensive plan, the unified development regulations, and other official laws, policies and objectives of the city of Duvall.

[DMC 2.30.070(B)]

Review Criteria

The primary review criteria for preliminary subdivisions are set forth at DMC 14.66.040:

- A. Each proposed subdivision or short subdivision shall be reviewed to ensure that:
1. The proposal conforms to the goals, policies and plans set forth in the Duvall comprehensive plan;
 2. The proposal conforms to the site and design requirements set forth in this title. No final subdivision or short subdivision shall be approved unless the requirements are met;
 3. The proposed street system and pedestrian system conform to the Duvall comprehensive plan, DMC Chapter 14.34, Design Guidelines, and the public works development design standards, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of vehicular and pedestrian traffic;
 4. The proposed subdivision or short subdivision will be adequately served with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
 5. The layout of lots, and their size and dimensions, takes into account topography and vegetation on the site in order that buildings may be reasonably sited, and

⁶ Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.

⁷ Preliminary site plan review for sites up to 0.5 acres is a Type II administrative process. [DMC 14.08.010(C)(1)]

that the least disruption of the site, topography and vegetation will result from development of the lots;

6. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.

B. Lack of compliance with the criteria set forth in subsection A of this section and DMC Section 14.66.050, Subdivision standards, shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.

In addition, DMC 2.30.210 contains additional requirements for preliminary subdivisions:

When the examiner makes a decision regarding an application for a proposed preliminary plat, the decision shall include additional findings as to whether:

A. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

B. The public use and interest will be served by the platting of such subdivision and dedication.

The review criteria for SPA applications are set forth at DMC 14.62.030. The criteria include standards regarding Consistency [Subsection A], Lot and Block Layouts [Subsection C], Road and Street Access Elements [Subsection D], and Site Plan Elements [Subsection E].

The “consistency determination” required by DMC 14.08.040(A)(2) duplicates the criteria within DMC 14.62.030(A). Therefore, in the case of applications which include preliminary SPA reviews, compliance with DMC 14.62.030(A) suffices for compliance with DMC 14.08.040(A)(2).

The review criteria for SSDs are set forth at DMC 14.78.110 and .120:

14.78.110 - Review criteria for all developments.

The city of Duvall adopts WAC 173-27-140, as now existing or hereinafter amended, by reference, for all development on shorelines of the state.

A. No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.

B. No permit shall be issued for any new or expanded building or structure more than thirty-five (35) feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a

master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

14.78.120 - Review criteria for substantial development permits.

Shoreline substantial development permit applications shall be reviewed pursuant to WAC 173-27-150. In addition, all projects must be consistent with the land use element of the 2004 city of Duvall comprehensive plan, Goal LU—13, and its related policies.

A. A substantial development permit shall be granted only when the development proposed is consistent with:

1. The policies and procedures of the act;
2. The provisions of this regulation; and
3. The city of Duvall shoreline master program; provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of Chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.

4. Development and/or redevelopment within the urban environment designation shall be allowed in accordance with the allowed and conditional uses set out in DMC Chapter 14.24, Riverside Village zoning district, and other provisions of this title. Such development should, to the greatest extent possible, be permitted to develop up to the ten (10) foot trail buffer.

B. The city of Duvall may attach conditions to the approval of permits as necessary to assure consistency of the project with the Shoreline Management Act and the city of Duvall shoreline master program.

Vested Rights

The City has no vesting regulations. Subdivision and short subdivision applications are governed by a statutory vesting rule: such applications “shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application ... has been submitted” [RCW 58.17.033]

SPAs and SSDs are not the subject of any state vesting statute. “Vesting” serves to “fix” the regulations against which a development application is judged. [*Potala Village Kirkland, LLC v. City of Kirkland*, ___ Wn. App. ___ (Div. I, 2014)]

In the 1950s, the [state] supreme court first adopted the common law vested rights doctrine [for building permit applications]. ... In cases that followed, Washington courts applied the vested rights doctrine to permit applications other than building permit applications. They included conditional use permit applications, grading permit applications, shoreline substantial development permit applications, and septic permit applications.

In 1987, the legislature enacted legislation regarding the vested rights doctrine. The session laws added ... RCW 19.27.095(1) and RCW 58.17.033(1) respectively ... [which] only refer to building permit applications and subdivision applications. ...

Most recently, in *Town of Woodway v. Snohomish County*, the [state] supreme court reiterated that "[w]hile it originated at common law, the vested rights doctrine is now statutory."

[*Potala*, Slip Opinion 6 – 8 and 11] “With these points in mind, [the *Potala* court held] that the filing of [an] application for [a] shoreline substantial development permit, without filing an application for a building permit, [does] not vest rights to zoning or other land use control ordinances.” [*Potala*, Slip Opinion at 12] The *Potala* court “express[ed] no opinion on whether or to what extent the vested rights doctrine applies to permits other than shoreline substantial development permits. These questions [were] not before [it].” [*Potala*, Slip Opinion at 25] Therefore, the vested rights doctrine does not apply to SSDs; whether the vested rights doctrine applies to SPAs is debatable.

Vesting is not particularly important in this case as the City has made no development regulations changes between the time the application was filed and this date.

Standard of Review

The standard of review is preponderance of the evidence. The applicant has the burden of proof.

Scope of Consideration

The Examiner has considered: all of the evidence and testimony; applicable adopted laws, ordinances, plans, and policies; and the pleadings, positions, and arguments of the parties of record.

CONCLUSIONS OF LAW

1. For a large, complex development with an extraordinarily lengthy and fascinating back story, this case as it was presented for hearing is actually very simple and straightforward, due in large measure to the excellent work done by LLC agents, City staff, DFA representatives, City Planning Commission members, City Councilmembers, and any others who have been involved in the process.
2. There is no need for long involved Conclusions of Law: Exhibit 53 demonstrates beyond a doubt that the proposal complies with each and every applicable criterion of each of the three requested approvals. The Conclusions within Exhibit 53 are incorporated herein by reference as if set forth in full.
3. The concern regarding recommended Condition 13 was withdrawn during the hearing and will not be addressed further.

4. The Examiner agrees that Recommended Conditions 21 and 22 should be deleted in favor of Recommended Conditions 24 and 25. Further the modifications suggested by Planning are a sensible way to link the requirement to the impact of concern and will be employed.
5. With respect to Recommended Condition 60, the Examiner agrees with the LLC that specifying “approximate” building dimensions for a sewer lift station is unnecessary at this point in the proceedings. But the Examiner agrees with Public Works that it has a right, as the ultimate owner of the lift station, to specify how it must be built. And the Examiner agrees that all parties are benefitted if the approval includes language that gives the developer some indication of what is expected, given that adopted design standards are apparently not very helpful in that regard. The changes requested by the LLC along with the additional language suggested by Public Works will be employed.
6. What to do with Recommended Condition 61 poses an interesting dilemma given that nothing is available in the record about the Chapman well other than it presumably is located somewhere on the Chapman property.

Given that the well is not to be found in state well records, the Examiner hazards a guess that it is a very old well. As such, it may also be a shallow dug well (as opposed to a deep, drilled well). The subject property is generally underlain by glacial till. (Exhibit 16) Given the little the Examiner knows about such soils from his education (Masters in geography) and experience (35 years as a Hearing Examiner), it seems doubtful that the modest grading that will be undertaken near the south east corner of the site would have any effect on a perched water table that may exist across SR-203; it certainly would have no effect upon any deep, regional aquifer.

Nevertheless, like the parties in the hearing, the Examiner believes that due diligence should be employed so as to not adversely affect the Chapman well. The Examiner will re-word the condition to try to build in a reasonable degree of flexibility while still providing due diligence.

7. The recommended conditions of approval as set forth in Exhibit 53 are reasonable, supported by the evidence, and capable of accomplishment with the following changes:
 - A. Recommended Condition 1. The remainder of the plan sheets in Exhibit 2 need to be referenced as the preliminary supporting plans. Exhibit 51b needs to be cited as the replacement for Sheet 1 in Exhibit 2.
 - B. New condition between Recommended Conditions 2 and 3. Neither recommended Condition 1 nor 2 adopts any plans for the SSD. Exhibits 2, modified as above, and 3 need to be adopted as the SSD Permit’s site plans.
 - C. Recommended Condition 3. The building designs for the townhomes, as approved by the Planning Commission, need to be cited for completeness.

- D. Recommended Condition 10. The verb “should” is used in three places in this “inadvertent discovery” condition. The initial use of “should” is not of concern, it is the other two uses of the word that cause concern. The verb “should” usually confers discretion upon the developer:⁸ As written, if remains are inadvertently discovered, the developer could choose to stop work and notify authorities or it could choose to not stop work. The Examiner doubts that Planning’s intent was to confer such discretion. The verb “shall” is mandatory and will be used instead.
- E. Recommended Condition 69. Public Works clarified that both the road width and tract width should be 22 feet contrary to the wording of this condition. Public Works also suggested an additional clause for the second sentence in the condition. Those changes will be made.
- F. Section 173-27-190 WAC contains certain content and format requirements for any SSDP which is issued:

(1) Each permit for a substantial development, conditional use or variance, issued by local government shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140(5)(a) and (b).

(2) Permits for substantial development, conditional use, or variance may be in any form prescribed and used by local government including a combined permit application form. Such forms will be supplied by local government.

(3) A permit data sheet shall be submitted to the department with each shoreline permit. The permit data sheet form shall be as provided in Appendix A of this regulation.

Subsection (2) allows this Decision to serve as the SSDP. Subsection (1) requires that an additional condition be added. The data sheet required by Subsection (3) will be prepared by the Department when it transmits the SSDP and supporting exhibits to the state as required by Chapter 90.58 RCW.

- G. A few minor, non-substantive structure, grammar, and/or punctuation revisions to Recommended Conditions 1, 6, 7, 9, 12, 13, 16, 26, 28, and 41 will improve parallel construction, clarity, and flow within the conditions. Such changes will be made.
8. Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such.

⁸ The first “should” in the condition is really a substitute for “if.”

DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, the testimony and evidence submitted at the open record hearing, and the Examiner's site view, the Examiner **GRANTS** the requested preliminary subdivision, preliminary Site Plan Approval, and Shoreline Substantial Development Permit for *1303-WLD Duvall Village* **SUBJECT TO THE ATTACHED CONDITIONS.**

Decision issued July 6, 2015.



John E. Galt
Land Use Hearing Examiner

HEARING PARTICIPANTS⁹

Nancy Rogers, unsworn counsel
Boyd Benson

Matt Hough
Ben Swanson

⁹ The official Parties of Record register is maintained by the City's Hearing Clerk.

NOTICE of RIGHT of RECONSIDERATION

This Decision is final subject to the right of any party of record to file a written motion for reconsideration within 10 calendar days of the date this Decision was mailed to the parties. See DMC 2.30.240 for additional information and requirements regarding reconsideration.

NOTICE of RIGHT of APPEAL

The portions of this Decision regarding the preliminary subdivision and preliminary Site Plan Approval are final subject to the right of a party of record with standing, as provided in RCW 36.70C.060, to file a land use petition in Superior Court in accordance with the procedures of DMC 2.30.230 and 14.08.060(E). Any appeal must be filed within 21 days following the issuance of this Decision. See DMC 2.30.230 and 14.08.060(E) for additional information and requirements regarding judicial appeals.

**NOTICE of RIGHT of APPEAL
SUBSTANTIAL DEVELOPMENT PERMIT**

The portion of this Decision regarding the Shoreline Management Act Substantial Development Permit is final and conclusive subject to the right of review before the State Shorelines Hearings Board in accordance with the procedures of Chapter 90.58 RCW, the Shoreline Management Act of 1971. See SMC 20.35.080, Chapter 90.58 RCW, and Washington Administrative Code regulations adopted pursuant thereto for further guidance regarding Hearings Board appeal procedures.

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation."

**CONDITIONS OF APPROVAL
SU14-001, SPR14-001, & SSD14-001
1303-WLD DUVALL VILLAGE**

This consolidated preliminary subdivision, preliminary Site Plan Approval, and Shoreline Substantial Development Permit is subject to compliance with all applicable provisions, requirements, and standards of the Duvall Municipal Code, standards adopted pursuant thereto, and the following special conditions:

General

1. Exhibit 2, Sheet P2, is the preliminary plat, open space plan, and right-of-way dedication, subject to conditions of approval. The remaining sheets in Exhibit 2 (with Exhibit 51b replacing Sheet 1) are approved preliminary supporting plans.
2. Exhibit 3, Sheet S1, is the master site plan, subject to conditions of approval.
3. Exhibits 2 (with Exhibit 51b replacing Sheet 1) and 3 are the approved Shoreline Management Substantial Development Permit plan set.
4. Development shall occur as portrayed on Exhibit 2 and as generally depicted on Exhibit 3, subject to the recommended site plan review recommendation(s) from the Planning Commission for the performing arts center (Barn) and design review of the proposed townhomes (Exhibits 27-A, 27-C, and 28).
5. The developer shall submit construction drawings consistent with the 2006 Duvall Comprehensive Plan, Duvall Municipal Code, Development Design Standards, and Fire District #45 requirements.
6. The developer shall comply with the Mitigated Determination of Non-Significance dated December 16, 2014. (Exhibit 13-2-D)
7. A Development Agreement for the Duvall Village project was approved by the City Council on June 9, 2015, pursuant to DMC 14.18.060 and DMC 14.09. The Developer Agreement contains necessary arrangements for phasing and other matters pertaining to the project; however, the ultimate development of the property shall be consistent with these conditions of approval of the preliminary subdivision and consistent with the terms of the Development Agreement.
8. Following recording of the Phase I final plat, the developer shall convey Tract 900 to the City for the amount of \$21,000.
9. A public use easement shall be established in Phase I for the open space areas contained within Parcels C2 and C3 as well as sidewalks and trails (Exhibit 3).

10. The developer will receive park impact fee credits pursuant to the terms of the Development Agreement.
11. Inadvertent discovery: Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity shall stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the County/City planning office, the affected Tribe(s) and the county coroner (if applicable) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required.

Planning

General

12. The approval allows for a maximum of 99 residential units for the non-commercial portion of the property and must provide a minimum of 75 residential units.
13. The developer shall establish a residential Home Owner's Association (HOA). The developer shall submit the Covenants, Conditions, and Restrictions (CC&Rs) and Articles of Incorporation for the HOA to the Planning Department for review and approval prior to recording the final plat to the extent that it addresses those conditions specifically required to be included in the residential CC&Rs as conditions of plat approval.
14. The developer shall establish an Owner's Association (OA) for Parcel C1. The developer shall submit the Covenants, Conditions, and Restrictions (CC&Rs) and Articles of Incorporation for the OA to the Planning Department for review and approval prior to building permit issuance to the extent that it addresses those conditions specifically required to be included in the commercial CC&Rs as conditions of plat approval.
15. The residential CC&Rs shall include the following requirements that shall apply to all residential lots: Landscaping shall be consistent, external site lighting fixtures shall be the same or similar in character throughout the residential area, fences shall be compatible in height and color, other residential improvements shall be consistent within the project, and frontage and interior common landscaping improvements shall be maintained by the HOA. Common landscaping shall be maintained by the HOA or other private entity in accordance with the approved Development Agreement. The developer shall provide preliminary design concepts for review and comment prior to building permit application for attached single-family homes. Building design shall be consistent with DMC 14.34, Design Guidelines and the Planning Commission recommendation (Exhibit 28).

16. The developer shall obtain the required City of Duvall and King County permits and construct the required pedestrian connection to the Snoqualmie Valley Trail in accordance with the Developer Agreement.
17. In addition to the open space identified on Sheet 3 of Exhibit 2 (Preliminary Site Plan), the final plat shall identify Tracts 600 and 601 as private open space.
18. Areas located west of improvements associated with the development have slopes exceeding forty (40) percent with vertical relief of ten (10) feet or more and are therefore classified as Landslide Hazard Areas in accordance with DMC 14.42.400. A landslide buffer (DMC 14.42.450) and 10-foot wide sensitive area building setback (DMC 14.42.120) shall be shown on the construction drawings and final plat. A buffer reduction (minimum 10 feet wide) has been approved based on the specific geotechnical analysis and opinion provided with the April 13, 2015, Geotechnical Engineering Evaluation (Exhibit 17) as allowed by DMC 14.42.430.
19. Parcel C1 must obtain an approved site plan and design review permit prior to building permit approval.
20. Prior to construction drawing approval, all minimum required tree protection measures shall be shown on the landscape plan and the site grading plan including the trees located along property south and east of Lots 91 to 99 and C1.
21. Easement areas, and tracts identified as private, shall be maintained by the OA or other private body as identified in the Developer Agreement.

Sensitive Areas

22. Easement areas, and tracts identified as private, shall be maintained by the HOA or other entity as identified in the Developer Agreement.
23. Prior to any impact to sensitive areas within Phase 2, the developer shall submit documentation showing off-site wetland mitigation credits have been procured if the developer constructs SR-203 improvements.
24. Prior to any impact to sensitive areas within Phase 2, the developer shall submit a final wetland mitigation plan in accordance with the recommendations in Exhibit 22 for areas the developer is impacting.
25. The City of Duvall plans to permit SR-203 improvements along this project's frontage . If and when they build the roadway improvements, the City of Duvall SR-203 Main Street project will require a separate construction and sensitive area permit.

26. The developer may grade outside of the dry season if approved by the City Engineer. TESC measures shall be submitted to the city engineer for review and approval at time of construction permit submittal and a separate wet weather work permit will be required.

Landscaping

27. The developer shall submit a final landscape plan consistent with DMC 14.38. The landscape plan shall include areas within the right-of-way, open space, and on- and off-site mitigation, except for those areas related to and/or impacted by the pending SR-203 Safety Improvements and Road Reconstruction project.
28. Typical planting palette (typical detail) showing landscape type and spacing shall be included on the final landscape plan.
29. Street tree type(s) and root barriers shall be identified in the landscape plan for review and approval (use City of Seattle street tree list).
30. Traffic Circle planting shall be low-growth or drought tolerant groundcover to optimize sight-distance.
31. The final landscape plan shall be reviewed/revised during construction drawing review to provide required intersection, access tract, and commercial driveway sight-distance. The landscape plan shall be reviewed and approved prior to construction permit approval.
32. Final landscape plan shall include utility locations.
33. Lots 91 through 99 and Parcel C1 shall contain a 10-foot landscaped buffer along the property line contiguous with parcels located in King County.
34. Landscape areas shall be irrigated in accordance with DMC 14.38.150. Irrigation plans including meter, timer/controller (direct electrical connection, battery operated units are not allowed), and backflow prevention along with an operations and maintenance plan shall be provided to the City as part of the construction drawing submittal.
35. Park equipment shall be included on the landscape plan and reviewed/revised as part of the construction drawing process.
36. The Duvall Foundation for the Arts may provide an alternate landscape plan to better fit with the historic reference of the Thayer Barn for Parcel C3.

Site Plan/Design Review

37. If proposed, exposed pipe flues for gas or wood fireplaces require an enclosure or screening that shall be reviewed and approved prior to installation meeting standards.
38. A 12-foot wide sidewalk with tree grates is required along the SR-203 C1 commercial frontage south of the NE 143rd Place intersection as part of commercial frontage improvements. The improvements may include an interim minimum 6-foot wide sidewalk on SR-203 south of NE 143rd Place to provide a pedestrian route as part of the initial final plat unless the frontage improvements are previously completed, completed by others or considered substantially complete, by the City. The improvements shall include a reduced width of 5 to 8-feet of sidewalk with associated frontage improvements and no landscaping on SR-203 north of NE 143rd Place to reduce impacts to adjacent sensitive areas as part of the initial final plat. Final plat cannot be granted unless the frontage improvements are completed, or considered substantially complete, by the City.

Impervious Surfaces

39. Covenants shall be included on the face of the final plat(s) indicating any reduced maximum allowable impervious surface for all residential lots and to put future residential purchasers on notice that future additions to residential structures and/or the addition of accessory structures may be limited or disallowed by the City due to impervious coverage limitations for the project and the amount of available water quality facility capacity. These restrictions shall also be set out in the CC&Rs for the Residential Home Owner's Association.

Public Works and Engineering

General

40. SR-203 frontage and intersection improvements shall be completed prior to initial final plat. The City of Duvall SR-203 Safety Improvements and Road Reconstruction project is expected to complete the frontage improvements. If these improvements are previously completed, or considered substantially complete, by the City in accordance with the Developer Agreement prior to final plat, then the Developer's obligations will be considered met.
41. Utilities, frontage, road, and mass grading improvements shall be completed to accommodate future commercial construction including utility stub-outs for commercial pads per the phasing plan included in the approved Development Agreement.
42. All utility connections shall be located below ground and be brought to the plat underground. All overhead utilities and utility poles along the frontage shall be removed and replaced along with underground utilities to the nearest off-site pole consistent with DMC 14.66.050(J) and the Public Works Development Design Standards (PWDDS).

43. As-builts with NAVD 1988/NAD 83 datum shall be provided, reviewed, and approved prior to Final Plat or Performance Bond release. As-builts shall include all infrastructure and utilities, including storm system elevations and slopes, and shall be provided in Mylar and electronic formats upon approval by the City Engineer.
44. Street lights shall be installed on all frontages and interior roads as part of the project. An Intolight (PSE) Street Lighting design shall be provided for review and approval prior to construction drawing approval.
45. Moisture sensitive soils are present at the site. Soil admixtures, such as kiln dust, fly ash, or cement will not be allowed without a City-approved application and monitoring plan along with any other associated NPDES/Department of Ecology requirements.
46. Safeway Sewer Recovery Contract (King County Recording #2004101500004) in the amount of \$82,799.50 shall be paid at time of physical connection for the project (King County Parcel #242606-9080), Exhibit 34.
47. Safeway Water Recovery Contract (King County Recording #20041021000723) in the amount of \$68,248.03 shall be paid at time of physical connection (King County Parcel #242606-9080), Exhibit 35.

Roads

48. Main Street NE (SR-203) shall be designed and constructed as a Principal Arterial in accordance with Public Works Development Design Standards (Standards) and the City of Duvall SR-203 Safety Improvements and Road Reconstruction plans. The improvements shall include installation of 5-foot wide bicycle lane, sidewalks, north-bound dedicated turn lane into the development, channelization, full width minimum 1.5-inch thick overlay, and lighting along the east edge of the property along with road width transition tapers to the north and south. An approved WSDOT Channelization Plan is required for SR-203 improvements prior to construction drawing approval.
49. Transportation Impact Fee (TIF) credit up to, but not exceeding, TIF associated with development is available for developer-installed SR-203 roadway and intersection improvements as documented in the 2010 Transportation Element Update and per the terms in the development agreement. The TIF credit may not exceed TIF associated with development and shall be based on the City's TIF cost and calculations method.
50. Residential Traffic Impact Fees shall be assessed in accordance with the January 13, 2015, City of Duvall memorandum (Exhibit 32) titled "1303-WLD Duvall Village (SU14-001): Trip Generation Rate" unless otherwise approved by the Public Works Department.

51. Road Lines A, C, and D shall be constructed as Residential Subcollector Streets as modified by approved Engineering Variances and/or Planning Departures. Road A shall include a dedicated north-bound turn lane to access SR-203 and curb-mountable traffic circle and island/channelization at the intersection with Road C and D. The improvements shall include minimum 5-foot wide sidewalks along both sides of the roadway that may be located within a Public Use Easement as documented in the approved Road Width Engineering Variance Request. Road width shall be a minimum 22 feet, signed with “No Parking Anytime” both sides, or a minimum 28 feet with dedicated parking lane, signed with “No Parking Anytime” on one side, in accordance with the approved Road Width Engineering Variance Request.
52. Private Access Tracts that serve Lots 18-22, 70-73 and 95-99, shall have an overall width of 30 feet and include an unobstructed 20-foot travel way, and 0.5 dedicated guest parking stalls per unit in dedicated pull-outs or other public parking locations distributed consistently within or adjacent to the tract in accordance with Standards 3-2.06.E. Reverse-slope road surface crowns are not allowed within the tracts. Tracts shall be posted “No Parking” except at dedicated parking areas.
53. The intersection of Road Line C and Road Line D shall be revised to a curve and the adjacent tract access revised accordingly.
54. Parcel C3 roadway frontage shall be at least 25 feet wide to meet minimum access requirements. A joint use multimodal ingress and egress easement along Line A crossing, Parcels C2 and C3, for the benefit of Parcels C2 and C3 shall be established prior to final plat.
55. Road surfacing, base, and pavement type and thickness shall be in accordance with PWDDS 3-4.01 unless otherwise approved by the Public Works Department. Use of Asphalt Treated Base (ATB) is not allowed for permanent pavements.

Water

56. Water main connection to SR-203 main shall occur at a “cross” (four valve cluster) located at the NE 143rd Place/SR-203 intersection. A water quality sampling stand shall be installed at the water main terminus or the downslope water main limit.
57. Water main fire looping, connection, hydrant spacing, and fire flow availability shall be evaluated at Tract C1, Tract C2, and C3 prior to construction drawing approval.
58. The number of water service and fire sprinkler taps to the main line shall be minimized by branching services as possible. Fire sprinkler service tap and meter size shall be evaluated prior to construction drawing approval. Individual combination or flow-through fire sprinkler systems shall be installed unless otherwise approved by the Public Works Department.

Sewer

59. A new sewer lift station shall be constructed at the project and shall be sized to accommodate flow from the proposed residential and commercial development. Prior to final plat approval, the lift station shall be designed and constructed in accordance with applicable 2013 City of Duvall Development Design Standards specifications as provided by Chapter 5, *Sanitary Sewer Design Standards*, and in general accord with the design of the existing Legacy Ridge and Taylor's Ridge lift stations and the draft design for the North Hill lift station.

Storm Drainage

60. A final Technical Information Report (TIR) will be required as part of the Construction drawing approval process. The final TIR shall address 2009 King County Surface Water Design Manual (KCSWDM) requirements, City of Duvall Requirements, and include WWHM evaluation and design information for the proposed water quality facilities including proposed storage depth, tributary basin parameters, and other associated parameters. The TIR shall include an evaluation of impacts to, and any required mitigation for, near surface groundwater recharge to wetlands. Unless, prior to submittal of the final TIR, the developer demonstrates to the satisfaction of the Public Works Department that site development activities will not adversely affect the Chapman well (Chapman Residence and Farm located at 14244 Main Street NE), the TIR shall also include an evaluation of impacts to, and any required mitigation for, the Chapman well site from the proposed development activities.
61. Catch basins and conveyance systems located within right-of-way or Public Use Easements shall be dedicated to the City of Duvall. The proposed water quality and outfall facilities shall be privately owned and maintained. The facilities shall be entirely located within individual tracts or easements with associated building setbacks as required by the KCSWDM, the Standards, and the DMC.
62. Certification of as-built water quality systems for each water quality facility shall be provided and shall identify lots and other impervious areas served by each facility. Storm drainage for each lot shall be assigned to a specific stormwater facility.
63. The ownership, operation, and maintenance of stormwater facilities shall be the sole responsibility of the developer for the first two years of operation following final plat approval or until the stormwater facility maintenance bond is released, whichever is longer or as described in the approved Development Agreement.
64. The ownership, operation, and maintenance of water quality facilities shall be the responsibility of the Home Owner's Association, Commercial entity, or other private entity following approval and maintenance bond release. The developer shall submit language acceptable to the city during construction drawing review dictating how the Home Owner's Association, Commercial entity, or other private entity will take over ownership, operations, and maintenance of the private facilities, which language shall be included on the face and recorded as part of the final plat.

65. The City shall be granted a perpetual access easement for private water quality facility inspection. A stormwater operations and maintenance plan shall be submitted to the City for approval prior to final plat. Copies of the inspection and maintenance reports shall be submitted by the private entity to the City annually, for the lifetime of the private water quality facilities, on or before August 31st of each year to satisfy City and NPDES requirements. A stormwater system access and reporting agreement shall be developed and recorded prior to construction drawing approval.
66. Design features of the Thayer Creek Culvert shall accommodate the City of Duvall SR-203 Safety Improvements and Road Reconstruction project if the developer constructs frontage improvements on Main Street.

Fire

Hydrants

67. New hydrants shall be installed by the developer at locations in accordance with PWDDS Chapter 2 and King County Fire District 45 (KCFD45) requirements.
68. Emergency vehicle drivable minimum road width shall be 22 feet wide, minimum tract width shall be 22 feet, and minimum height clearance shall be 13.5 feet. Any roads with an emergency vehicle drivable width (capable of supporting 25 tons) of less than 34 feet but at least 28 feet shall be posted "No Parking" on one side. Any roads with an emergency vehicle drivable width (capable of supporting 25 tons) of less than 28 feet shall be posted "No Parking" with no parking on both sides.

Commercial Buildings

69. An approved supervised automatic sprinkler system is required in all new commercial buildings greater than 5,000 square feet. If a fire department connection is required, all openings will be provided with a Knox FDC Plug.
70. An approved Monitored Detection System is required pursuant to DMC 10.01 in all new buildings.
71. The developer shall provide and install an approved "Knox" key box in location(s) to be approved by the Fire Department.

Fire Protection During Construction

72. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. (2006 International Fire Code 501.4)

Finance

73. All outstanding City accounts shall be paid prior to Final Plat approval.

LAND USE HEARING EXAMINER DECISION

RE: SU14-001, SPR14-001, and SSD14-001 (*Duvall Village*)

July 6, 2015

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Except as provided in RCW 90.58.140(5)(a) and (b), construction pursuant to this Substantial Development Permit shall not begin and is not authorized until twenty-one days from the date this permit is filed with the Washington State Department of Ecology and Attorney General as required by RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated.

Final plat approval must be acquired within five years of preliminary approval, after which time the preliminary subdivision approval is void. The Examiner may grant an extension for one year if the applicant has attempted in good faith to submit the final subdivision within the five-year time period; provided, however, the applicant must file a written request with the Examiner requesting the extension at least thirty (30) days before expiration of the five-year period. [DMC 14.66.060(D)]



Small Town. Real Life.

Meeting Minutes
City of Duvall Planning Commission Meeting

Date: June 27, 2018

Time: 7:00 PM

Place: Duvall Visitor Center, 15619 Main Street NE, Duvall WA 98019

Commissioners Present: Jim Deal, Ronn Mercer, Robert Walker, Michael Yelle, Eric Preston, Jason Brown

Commissioners Absent: None

Staff Present: Troy Davis, Senior Planner; Diana Hart, Administrative Assistant

Others Present:

Call to Order – Flag Salute

The Planning Commission meeting was called to order by Commissioner Mercer at 7:04 PM.

1. Announcements

A. Senior Planner Troy Davis announced that the applications for the Planning Commission vacancy will close on July 6th.

2. Approval of Minutes

It was moved and seconded (*Walker-Deal*) to approve the minutes from the June 13, 2018 Planning Commission meeting. The motion carried.

It was moved and seconded (*Deal-Preston*) to approve the minutes from the June 20, 2018 Planning Commission meeting. The motion carried.

3. Public Hearings

None.

4. Presentation

None.

5. Old Business

A. Design Review – Duvall Urban Village Block Lots (Toll Brothers)

Senior Planner Troy Davis stated that the applicant had submitted departure requests and that the Planning Department was removing the former recommendation conditions 2-4 and correcting the language on condition 5.

Discussion of building height calculations and current design guidelines.

It was moved and seconded (*Deal-Walker*) to recommend design approval of the Duvall Urban Village-1 Block Lots to the City's Hearing Examiner with conditions. . The motion carried.

6. New Business

A. Workshop – Review of Current Development

Senior Planner Troy Davis gave an explanation of the pre-application process and reviewed the submitted pre-applications and their locations for all pre-applications to date for 2018.

Mr. Davis reviewed the location and status of all submitted projects.

B. Workshop – Discussion of Current Permit Processing Requirements for Minor New Construction

Senior Planner Troy Davis provided an overview of the current permit process and explained the issue with how site plans are not distinguished by size, scope, or value with regards to the permitting process. Mr. Davis stated that the Department will work on a code amendment to establish a more efficient permit review process for smaller site plan projects.

7. Good of the Order

None

8. Citizens' Comments and Requests – Items Not on the Agenda

Non-Duvall Resident, Marie Schrader, owner of Boxhill Farm expressed several main concerns regarding the neighboring Duvall Village project:

- i. Property lines should be surveyed before development begins
- ii. Amount of water and quality of water moving through new developments
- iii. Elevation of retention ponds

9. Adjournment

The Planning Commission Meeting adjourned at 8:42 PM.