



## **AGENDA**

### **Land Use Committee**

**City Hall**

**Wednesday, January 7, 2015**

**7:00 a.m. – 8:15 a.m.**

**(Members: Scott Thomas, Gary Gill, and Leroy Collinwood)**

1. **Policy Change** – Sewer GFC Collection (timing)
2. **Duvall Village Development Agreement**
3. **Rio Vista Development Agreement**
4. **Economic Development Agreement** (home work – provide written comments by 1/14)



Applicant Version of Duvall Village Development Agreement

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 AND 1303-WLD DUVALL VILLAGE, LLC FOR  
THE DUVALL VILLAGE DEVELOPMENT**

This Development Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014<sup>5</sup>, by and between the City of Duvall, a non-charter, optional code Washington Municipal Corporation, hereinafter the "City," and 1303-WLD Duvall Village, LLC, a Washington limited liability company, hereinafter the "Developer". The City and the Developer are each a "Party" and collectively the "Parties" to this Development Agreement for the Duvall Village Development, hereinafter the "Development".

City and the Developer 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 14.08 (Permit Processing) 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 tracts, 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 between the City, Developer, and the Duvall Foundation of the Arts that outlines 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