CITY OF
ISSAQUAH
CITY CLERK'S OFFICE

P.O. Box 1307
Issaquah, WA 98027-1307
Phone: (425) 837-3000
Fax: (425) 837-3009

NOA 14-09
NOTICE OF ACTION
ISSAQUAH CITY COUNCIL

June 6, 2014

TO:	J.R. Hayes & Sons, Inc. Attn: Dan Hayes 22430 SE 231st Street Maple Valley, WA 98038	Triad Associates Attn: Al Fure 12112 - 115th Ave NE Kirkland, WA 98034

RE: Talus - Parcels 7, 8, 9 Preliminary Plat
Quasi-Judicial Matter

AGENDA BILL NO: AB 6818

DATE OF ACTION: June 2, 2014

ACTION TAKEN: The Issaquah City Council approved the Talus Preliminary Plat of Parcels 7, 8 and 9 based on the UVDC Findings of Fact, Conclusions and Conditions dated April 24, 2014 and May 13, 2014, as provided in Exhibit A-1 (regarding Parcels 8 and 9) and Exhibit A-2 (regarding Parcel 7); and, with modified conditions provided in the Memorandum to City Council dated May 20, 2014, as provided in Exhibit R. [Moved by MARTS, seconded by PAULY. Motion Passed, 6-0. Note: SCHAER recused himself from the proceedings/vote.]

ATTACHMENTS: Parties of Record, Exhibit A-1, Exhibit A-2, and Exhibit R.

Christine L. Eggers, City Clerk

cc: Parties of Record List
Mike Martin, Associate Planner
Lucy Sloman, Land Development Manager

Parties of Record - Talus Parcels 7 - 9
2014

NAME	EMAIL ADDRESS	ADDRESS	CITY	STATE	ZIP CODE
Toni Letendre	letendret@gmail.com	2408 NW Harmony Way	Issaquah	WA	98027
Cynthia Lesferd	cles203@gmail.com	2408 NW Harmony Way	Issaquah	WA	98027
Kevin Brown	kevin.brown@kingcounty.gov	Natural Resource Lands Program, Parks and Recreation Division, King County DRNP, 201 S Jackson St, Suite 700	Seattle	WA	98104
Ingrid Lundin	ingrid.lundin@kingcounty.gov	Natural Resource Lands Program, Parks and Recreation Division, King County DRNP, 201 S Jackson St, Suite 700	Seattle	WA	98104
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Alan and Norma Rosenthal	alanpw@gmail.com	PO BOX 2965	Issaquah	WA	98027
Ken Esemann	kesemann@gmail.com	2473 NW Stoney Creek Dr	Issaquah	WA	98027
David Kappler	davidkappler@hotmail.com	255 SE Andrews St	Issaquah	WA	98027
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Todd Hoffman	happyhoff@live.com	2601 NW Alpine Crest	Issaquah	WA	98027
Dave Richter	dave@richterintl.com	2570 NW Alpine Crest	Issaquah	WA	98027
Beth Lanning	beth.lanning@managementtrust.com	552 Lingering Pine Drive NW	Issaquah	WA	98027
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Sarah Gilbertson	sarah.gilbertson@mytalus.com				
Dan Mulvey	dan.mulvey@safeway.com				
Karen Porterfield	karenporterfield@comcast.net	2498 NW Stoney Creek Drive	Issaquah	WA	98027
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Clifford and Amy Cancelosi	amy.cancelosi@gmail.com	883 Summerhill Ridge Dr	Issaquah	WA	98027
Julie Clark	j_l_clark@msn.com	915 Bear Ridge Court NW	Issaquah	WA	98027
Annie Graber	anniegraber@hotmail.com				

Parties of Record - Talus Parcels 7 - 9
2014

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Andrea and Henry Schaloum	aschaloum@comcast.net				
Lynn Begley	bluefeathersink@live.com				

AB 6818, Exhibit A-1
UVDC Findings of Fact
RE: Parcels 8 and 9

CITY OF
ISSAQUAH
WASHINGTON

Development Services
1775 – 12th Ave. NW | P.O. Box 1307
Issaquah, WA 98027
425-837-3100
issaquahwa.gov

April 24, 2014
REVISED May 13, 2014

Members of the City Council:

On April 15, 2014, the Urban Village Development Commission passed a motion recommending approval of the Preliminary Plat for Talus (formerly East Village), Parcels 8 and 9, File No. PP14-00001, subject to conditions; and tabling Parcel 7 to return to the Urban Village Development Commission on May 6 and potentially joining Parcels 8 and 9 at Council for a final determination. The purpose of this letter is to convey those Findings, Conclusions, and Recommended Conditions to the Council.

Findings of Fact:

1. To be approved, the proposed plat must comply with the requirements of IMC Chapter 18.13 (Subdivisions), and make appropriate provisions, as specified in RCW 58.17, that the public interest will be served by the subdivision and dedication; and that provisions have been made for, but not limited to, the public health, safety, and general welfare; for 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 shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.
2. Talus Management Services submitted a Preliminary Plat application to subdivide the approximately 34.75 acres in three development parcels: 7, 8, and 9 of Talus into 153 lots for single family detached and attached homes. Sixteen tracts are provided for utility, access, recreation, critical areas, vegetative buffer, and open space.
3. The property is located at the western edge of the Urban Village development, north of the Shangri La Way extension, west of Parcel 6, east of the project boundary, and north of the permanent open space (NGPA). The site is north of the West Fork of Tibbetts Creek.
4. The property is zoned UV/EV (Urban Village/East Village) and is designated as Urban Village in the City of Issaquah's Comprehensive Plan.
5. The site is logged and undeveloped.

6. Parcels 6, 7, 8, and 9 were not included in the Master Plat for East Village (File No. FP00-001EV). The property boundary was established by a short plat (SP02-001EV) and three boundary line adjustments (LLA00-001EV, LLA04-002EV, LLA14-00006).

7. After an initial briefing on April 1, 2014, the Urban Village Development Commission held a public hearing on the proposed preliminary plat on April 15, 2014. Notice of the hearing was forwarded to the Issaquah Press; notices were mailed to all property owners within 300 feet; and the site was posted.

8. The Public Record was closed concerning Parcels 8 and 9 on April 15, 2014. The Public Comment period concerning Parcel 7 will remain open until at least May 6, 2014.

9. The project was determined by the DSD as falling within the "project envelope" of the East Village development evaluated in the 1999 EIS for Cougar Mountain East Village.

10. The development standards for land use and dimensions as set forth in the Cougar Mountain East Village Development Agreement (Appendix C) were used to evaluate the development proposal. The builder requested and the Master Developer and City approved a reduction of land use density for Parcels 8 and 9 per the elections provided in Appendix K; the election was confirmed. The proposal complies with Appendix C.

11. The critical area standards of Appendix E of the development agreement were used to evaluate the proposal. Critical Area Studies were submitted, reviewed, and approved for steep slope elimination and modification and steep slope buffer reduction.

12. No school facilities are proposed or required. Mitigation fees are required per the Development Agreement.

13. There are no Affordable Housing units proposed or required in Parcels 7-9, per the First Amendment to the Development Agreement.

14. The development standards for urban roads as set forth in Appendix F of the Development Agreement were used to evaluate the proposal. As conditioned, the proposal is consistent with those standards. Final design details of road improvements will be reviewed through utility permits.

15. The development standards for storm water management and groundwater protection as set forth in Appendix D of the Development Agreement were used to evaluate the proposal. Appropriate measures for storm water management and groundwater will be provided.

16. A westerly buffer in Tract D has been provided as required by the Main Body of the Development Agreement, and as amended by AMM04-012EV (revised).

17. The development standards for utilities as set forth in City standards were used to evaluate the proposal. The proposal, with the recommended conditions of approval, complies with the applicable standards. Telephone, cable, electrical and natural gas utilities are adequate and will be underground.

18. Pedestrian facilities consist of sidewalks generally along both sides of the streets, several types of trails connecting from the street to adjacent or future trails outside of the plat,

such as a trail connection to the Shangri-La Trail, located outside of the parcels. The plat also provides internal trails. Trails cannot accommodate bicycles due to the steep grades, but the internal street loop will be a low enough volume and speed that bikes are incorporated into the travel lanes. The proposal is consistent with the Master Trails Plan and Appendix R, Trails. Pedestrian and bicycle facilities are adequately provided as shown or conditioned.

19. Recreational facilities are provided in each Parcel or in close proximity. The design of these tracts, as proposed and conditioned, will meet the expectations in the Development Agreement.

20. The proposal was referred to other City Departments for review and comment. Comments from the Fire Department were received and were reflected in the plat proposal or were conditions. Public Works Operations also conveyed comments on this application, which will be addressed through utility permits. The Police Department had no comments.

21. Impact fees will be required for Police, Fire, and General Government. The appropriate amounts shall be paid at various trigger points specified in the Development Agreement.

22. Written comments were received on behalf of seven people; three of the letter writers also testified. In addition eight other members of the public testified but did not also submit written testimony. Letters and Testimony addressed several concerns including maintenance, ownership, and scale of walls; reservoirs and walls within the western buffer; reduction in density; design, maintenance and ownership of open space tracts and trails; slope stability and potential for landslides; compliance with Planning Goals and Urban Design Guidelines of the Talus Development Agreement, sidewalk removal, potential annexation of northern parcels, dead end streets, and project timing and phasing.

23. During the briefing and hearing, the UVDC discussed a number of issues related to plat issues, including: maintenance, ownership, design and stability of walls; adequacy, nature, and maintenance of recreation space; adequacy of amenities for pedestrians and removal of sidewalks; western buffer modification; slope stability and site conditions; among others. The applicant responded to some of these issues in a presentation during the Public Hearing. Subsequently, the Commission recommended approval to the City Council of Parcels 8 and 9 of the preliminary plat. The Commission further recommended that additional information be provided and discussion held pertaining to Parcel 7. Continued discussion of Parcel 7 only is scheduled to be heard at the May 6, 2014 meeting of the UVDC, at which time it may rejoin Parcels 8 and 9 for Council decision.

    These issues were considered by the UVDC and were determined to be adequately and appropriately addressed by the application.

Conclusions:

1. The proposal will serve the public interest and will protect the public health, safety, and general welfare. Appropriate provisions have been made for open spaces, drainage ways, vehicular and

pedestrian circulation, utilities, parks and recreation, playgrounds, schools, and safe walking conditions for students.

2. The proposal is consistent with Title 18.13 (Subdivisions) of the Issaquah Municipal Code and RCW 58.17.
3. The proposal is consistent with the City of Issaquah Comprehensive Plan.
4. Proper notice was given to the public regarding the time, location, and purpose of the public hearing held by the Urban Village Development Commission.
5. The requirements of SEPA have been fulfilled.
6. The proposal complies, or will be conditioned to comply, with the development standards contained in the Development Agreement, including:
   a. Main Body, subject to Council verification
   b. Appendix A (Planning Goals and Commitments)
   c. Appendix B (Design Guidelines)
   d. Appendix C (Land Use)
   e. Appendix D (Stormwater Management and Groundwater Protection)
   f. Appendix E (Critical Areas)
   g. Appendix F (Urban Roads)
   h. Appendix I (Capital Facilities)
7. This proposal adequately achieves Appendix B guidelines related to mountain village character, sociable public realm, and community oriented open space and gathering areas.
8. The Hearing record, prepared by the Administration, is adequate to render a valid recommendation on this application.
9. The proposal complies, or will be conditioned to comply, with the utility standards set forth in City standards.
10. In order to comply with the applicable development regulations, satisfy City Departmental review comments, and serve the public interest, health, safety, and general welfare, the proposal should be conditioned as recommended below.

Motion:

I move that the Urban Village Development Commission recommends approval to the City Council of the Talus – Parcels 8 and 9 preliminary plat, File No. PP14-00001, tabling Parcel 7 to a future date, as described and evaluated in the Staff Report dated March 25, 2014 and plat drawings received February 19, 2014, Briefing Response Memo, dated April 1, 2014, and subject to the conditions therein and as amended tonight:

NEW CONDITION 27: Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner's Association. Additionally, the applicant must prepare a plan for the removal and prevention of established invasive plant species within open space areas. The City must

approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

REVISED CONSTRUCTION CONDITION 54: Any tract in this plat whose primary purpose is open space and which has been cleared, shall be landscaped to prevent erosion and to enhance the overall appearance of the community. Landscaping shall include trees, shrubs, and hydroseeded groundcover mix. Trees selected shall either not be tall at maturity or shall be located to frame rather than block views.

CONDITION 7, revised: ... Design terraced walls shown in the plat to allow and encourage landscaping from below, between, and above the terraced walls. This will be reviewed with the Site Work Permit for the walls and with the Landscape Permit.

CONDITION 8, revised: Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls within that portion of open space. This will be reviewed with the Wall permits and the Landscape Permit.

And, I move that the Urban Village Development Commission direct the Development Services Department to prepare Findings of Fact and Conclusions for review and approval by the UVDC Chairman, affirming the UVDC's decision to move the Talus – Parcels 8 and 9 preliminary plat, File No. PP14-00001, subject to the conditions listed in the Staff Report of March 25, 2014, Briefing Response Memo of April 1, 2014 and as amended tonight.

Conditions:

1. Various easements are required to provide access for the City of Issaquah or property owners. These easements shall be provided with the final plat. These include:
   - When the right-of-way is located at the back of sidewalk or similar paved area, and it is determined to be necessary by the Designated Official, a two-foot maintenance and repair easement shall be granted to the City. For instance if a building or wall is located at the back of publicly owned paved area, the easement is not necessary.
   - Access to retaining walls to allow for maintenance and replacement by the private owners.

2 At Final Plat, a mechanism for ensuring the preservation of the westerly buffer in Tract D as well as an easement for protection of the steep slope therein, shall be provided.

3 At final plat, irregular or pie shaped lots and lots that are narrow in the front shall be adjusted to ensure that the homes have a strong relationship with the street. For example, this condition will require an adjustment to the shape or building placement and/or design on Lot 6 Parcel 7 and Lot 4 Parcel 8.

4 In order to minimize the aesthetic impacts of the development, the following shall be incorporated into the Building Permit applications for homes visible from off site:
a. Blank walls shall be avoided, especially where visible from off-site; if necessary, articulation or other features will be provided. Articulation would incorporate tiering, building offsets, and/or other means to soften the building's form. Appropriate features would include doors, windows, building articulation, and/or other architectural features to create a visually interesting environment.
b. In addition to landscape in the adjacent steep slope tracts, the visible side of the homes may have open-style fences or varied hedges up to 4 ft in height. A covenant or other mechanism, acceptable to the Designated Official, shall be recorded to ensure that if a hedge is used it is maintained at 4 ft. If a fence is used, the appropriate amount of fence openness will be evaluated in combination with the landscaping and building architecture as viewed from outside these parcels. Solid fences or unvaried shrubbery plantings (such as a wall of only arborvitae) will not be permitted.
c. The prominent finish of building facades visible from off-site shall be muted, non-reflective material incorporating neutral to dark earth tones.

5 The applicant shall use varied building setbacks, modulations in building facades, architectural details and colors to provide added interest and character to achieve a more appropriate mountain village character.

6 The landscaping for Tract G, between Parcel 8 and Shangri-La Way, shall be designed so that views from Lots 1-5 are framed but there remains a continuation of the open space character established in Tract D adjacent to Shangri-La Way.

7 Design terraced walls shown in the plat to allow and encourage landscaping being located from below, between, and above the terraced walls. This will be reviewed with the Site Work Permit for the walls and with the Landscape Permit.

8 Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls by that portion of open space. In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls. Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in

the wall design and the available property above and below the wall. This will be enforced during the Wall permits and the Landscape Permit.

9 Prior to approval of any permit other than this Preliminary Plat, the applicant must receive Master Developer approval and City confirmation for the election to shift down one land use density category, i.e. from Medium Density Residential to Low Density Residential.

10 The stormwater system shall comply with the Master Drainage Plan submitted with the Pre Plat application. This will be reviewed with the Site Work Permit.

11 Prior to issuance of any Utility Permit that allows the construction of impervious surfaces, the design work necessary to generate stormwater treatment capacity in the P5 Detention Pond and P5 Sand Filter must be approved by the City. The associated work must be completed, prior to issuance of the first Building Permit. The Designated Official may consider accepting surety to alter the completion date based upon a plan to have necessary facilities in place consistent with the Development Agreement, MDP and stormwater generation.

12 Future Utility Permits implementing the plat and plat construction shall be consistent with the findings and conditions of approval in Critical Areas Study Notice of Decision – File No. SEP14-00001.

13 Structural fills that have a resultant slope of greater than 40% do not need setbacks or buffers under the following circumstances: 1) they have been designed by a licensed geo-technical or structural engineer and 2) construction was performed under the guidance of a licensed structural or geo-technical engineer, and 3) the as-built plans are certified by a licensed structural or geo-technical engineer. Otherwise, these areas will be treated as steep slopes under Appendix E. This will be reviewed with the Site Work Permits.

14 The constructed walls that are proposed on the western project boundary must be designed to accommodate revegetation plantings without landscaping or irrigation restrictions. The intent is to revegetate immediately adjacent to the walls with deciduous Douglas Fir and Cedar Trees that can be allowed to grow to a full mature height. This will be reviewed with the Site Work Permit for walls and with the Landscape Permit.

15 At final plat, the BSBL for critical areas shall be shown on all lots with adjacent critical areas.

16 At final plat, any private streets shall have an easement allowing emergency vehicles and Public Works to access the street network. In addition, a public access easement shall be granted from the owner to the City.

17 Per AMM14-00002, the Parcel 8 road and Tract F (Drive B) must be widened as necessary in order to provide sidewalk and planter facilities. This condition will be verified with the Final Plat.

18 To ensure that center-line of roads within the plat do not exceed 15% slope or 600 feet in length, road grades and lengths will be confirmed with Site Work Permits and certified by a surveyor or other professional acceptable to the Designated Official, following construction.

This certification must be provided prior to issuing the first Building Permit in the plat. If grades exceed 15% then all homes past the 15+% slopes must be sprinklered.

19 Capital facility fees due at final plat shall be paid prior to final plat approval, and shall be collected based upon the number of lots contained in the final plat and in accordance with Appendix I. The applicant shall be obligated to pay required Appendix I Parks Mitigation Fees, unless the Designated Official determines that credit for other recreational facilities are adequate to offset those fees.

20 A condition shall be placed on the face of the final plat which requires the payment of mitigation fees per the School Mitigation Agreement.

21 With the final plat, the Tract O recreation and open space tract shall be increased in size or another area within Parcel 7 shall be provided in order to accommodate for a more usable and diverse variety of recreation activities. In either case, the Parcel 7 tract identified for recreation will be graded flat, though it may be terraced into 2-3 flat usable pieces.

22 Prior to issuance of the first Building Permit the applicant must submit and receive approval for (both from Issaquah and DOH) a design report that identifies the details of the water supply system to serve parcels in the upper (presumably 906) pressure zone. The report must detail the redundant storage and supply facilities and how they comply with City codes and standards.

23 Building permits for combustible construction served by the 916 reservoir may be issued as soon as the 916 reservoir is on-line, full of water, and the water mains serving any specific parcel are connected to the 916 reservoir. Building occupancy may not occur until the water system is accepted by the City of Issaquah.

24 All Maintained Landscape Areas and Natural Open Space tracts must be completed by the final inspection for the last adjacent unit or upon 60% occupancy of the surrounding development, whichever occurs first.

25 At final plat, Tract A, C, D, J, K, M, N, O and P as well as any other tracts that have trails or recreation facilities shall allow public access on the trails in perpetuity if the tracts containing the trails or recreation facilities are privately owned.

26 With any clearing and grading work that would result in plant removal, the applicant shall provide an opportunity for plant salvage consistent with the Wildlife Habitat Network Preservation Plan.

27 Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner's Association. Additionally, the applicant must prepare a plan for the removal and prevention of established invasive plant species within open space areas. The City must approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

Sincerely,

Geoff, Walker Chair
Urban Village Development Commission

Attachment:

Cc:
UVDC Members and Alternates, Lucy Sloman, Dan Ervin, Dan Hayes, Darren Peugh, Al Fure, Ryan Kohlmann

AB 6818, Exhibit A-2
UVDC Findings of Fact
RE: Parcel 7

CITY OF
ISSAQUAH
WASHINGTON

Development Services
1775 – 12th Ave. NW | P.O. Box 1307
Issaquah, WA 98027
425-837-3100
issaquahwa.gov

May 13, 2014

Members of the City Council:

On May 6, 2014 the Urban Village Development Commission voted to move forward without a specific recommendation the Preliminary Plat application for Talus (formerly East Village) Parcel 7, File No. PP14-00001, subject to conditions. The purpose of this letter is to convey those Findings, Conclusions, and Recommended Conditions to the Council.

NOTE: The Urban Village Development Commission issued a recommendation to approve Parcels 8 and 9 of the preliminary plat application at the public hearing on April 15, 2014. Refer to the Findings, Facts and Conclusions dated April 24, 2014 for more information pertaining to Parcels 8 and 9.

Findings of Fact:

1. To be approved, the proposed plat must comply with the requirements of IMC Chapter 18.13 (Subdivisions), and make appropriate provisions, as specified in RCW 58.17, that the public interest will be served by the subdivision and dedication; and that provisions have been made for, but not limited to, the public health, safety, and general welfare; for 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 shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.
2. Talus Management Services submitted a Preliminary Plat application to subdivide the approximately 34.75 acres in three development parcels: 7, 8, and 9 of Talus into 153 lots for single family detached and attached homes. Sixteen tracts are provided for utility, access, recreation, critical areas, vegetative buffer, and open space.
3. The property is located at the western edge of the Urban Village development, north of the Shangri La Way extension, west of Parcel 6, east of the project boundary, and north of the permanent open space (NGPA). The site is north of the West Fork of Tibbetts Creek.
4. The property is zoned UV/EV (Urban Village/East Village) and is designated as Urban Village in the City of Issaquah's Comprehensive Plan.
5. The site is logged and undeveloped.

6. Parcels 6, 7, 8, and 9 were not included in the Master Plat for East Village (File No. FP00-001EV). The property boundary was established by a short plat (SP02-001EV) and three boundary line adjustments (LLA00-001EV, LLA04-002EV, LLA14-00006).

7. After an initial briefing on April 1, 2014, the Urban Village Development Commission held a public hearing on the proposed preliminary plat on April 15, 2014. The April 15th public hearing was continued to the May 6th 2014 meeting of the UVDC concerning Parcel 7 only. Notice of the briefing and hearings was forwarded to the Issaquah Press; notices were mailed to all property owners within 300 feet; and the site was posted.

8. The Public Record concerning Parcel 7 was closed on May 6, 2014.

9. The project was reviewed consistent with Appendix J (Processing of Implementing Approvals) and, Appendix K (Elections and Modifications) of the Development Agreement.

10. The project was determined by the DSD as falling within the "project envelope" of the East Village development as defined in Appendix G (SEPA) and as evaluated in the 1999 EIS for Cougar Mountain East Village.

11. The development standards for land use and dimensions as set forth in the Cougar Mountain East Village Development Agreement (Appendix C) were used to evaluate the development proposal. The proposal complies with Appendix C.

12. The critical area standards of Appendix E of the development agreement were used to evaluate the proposal. Critical Area Studies were submitted, reviewed, and approved for steep slope elimination and modification and steep slope buffer reduction.

13. No school facilities are proposed or required. Mitigation fees are required per the Development Agreement.

14. There are no Affordable Housing units proposed or required in Parcels 7-9, per Appendix M (Affordable Housing), and the First Amendment to the Development Agreement.

15. The development standards for urban roads as set forth in Appendix F of the Development Agreement were used to evaluate the proposal. As conditioned, the proposal is consistent with those standards. Final design details of road improvements will be reviewed through utility permits.

16. The development standards for storm water management and groundwater protection as set forth in Appendix D of the Development Agreement were used to evaluate the proposal. Appropriate measures for storm water management and groundwater will be provided.

17. A westerly buffer in Tract D has been provided as required by the Main Body of the Development Agreement, and as amended by AMM04-012EV.

18. The development standards for utilities as set forth in City standards and Appendices O and N of the Development Agreement were used to evaluate the proposal. The proposal, with the recommended conditions of approval, complies with the applicable standards. Telephone, cable, electrical and natural gas utilities are adequate and will be underground.

19. Pedestrian facilities consist of sidewalks generally along both sides of the streets, several types of trails connecting from the street to adjacent or future trails outside of the plat, such as a trail connection to the Shangri-La Trail, located outside of the parcels. The plat also provides internal trails. Trails cannot accommodate bicycles due to the steep grades, but the internal street loop will be a low enough volume and speed that bikes are incorporated into the travel lanes. The proposal is consistent with the Master Trails Plan, Appendix R (Trails), and Appendix F (Roads) of the Development Agreement. Pedestrian and bicycle facilities are adequately provided as shown or conditioned.

20. Recreational facilities are provided in each Parcel or in close proximity. The design of these tracts, as proposed and conditioned, will comply with the Development Agreement.

21. Appendices A (Goals) and B (Guidelines) were also used in the review of this plat. As conditioned, the proposal complies with these Appendices of the Development Agreement.

22. The proposal was referred to other City Departments for review and comment. Comments from the Fire Department were received and were reflected in the plat proposal or were conditions. Public Works Operations also conveyed comments on this application, which will be addressed through utility permits. The Police Department had no comments.

23. Impact fees will be required for Police, Fire, and General Government. The appropriate amounts shall be paid at various trigger points specified in Appendix I (Capital Facilities) of the Development Agreement.

24. Written comments were received on behalf of twenty-one people; eight of the letter writers also testified. In addition twelve other members of the public testified but did not also submit written testimony. Letters and Testimony addressed several concerns including maintenance, ownership, and scale of walls; reservoirs and walls within the western buffer; reduction in density; design, maintenance and ownership of open space tracts and trails; slope stability and potential for landslides; compliance with Planning Goals and Urban Design Guidelines of the Talus Development Agreement, sidewalk removal, potential annexation of northern parcels, dead end streets, and project timing and phasing.

25. During the briefing and hearings, the UVDC discussed a number of issues related to plat issues, including: maintenance, ownership, design and stability of walls; adequacy, nature, and maintenance of recreation space; adequacy of amenities for pedestrians and removal of sidewalks; western buffer modification; slope stability and site conditions; among others. The applicant responded to some of these issues in a presentation during the Public Hearing on April 15th. Subsequently, the Commission recommended approval to the City Council of Parcels 8 and 9 of the preliminary plat. The Commission further recommended that additional information be provided and discussion held pertaining to Parcel 7. Continued discussion of Parcel 7 was heard at the May 6, 2014 meeting of the UVDC. The Commission voted 4-0 in the affirmative to move Parcel 7 preliminary plat

forward to the City Council without a specific recommendation. Three Commissioners abstained from voting.

Conclusions:

1. The proposal will serve the public interest and will protect the public health, safety, and general welfare. Appropriate provisions have been made for open spaces, drainage ways, vehicular and pedestrian circulation, utilities, parks and recreation, playgrounds, schools, and safe walking conditions for students.
2. The proposal is consistent with Title 18.13 (Subdivisions) of the Issaquah Municipal Code and RCW 58.17.
3. The proposal is consistent with the City of Issaquah Comprehensive Plan.
4. Proper notice was given to the public regarding the time, location, and purpose of the public hearing held by the Urban Village Development Commission.
5. The requirements of SEPA have been fulfilled.
6. The proposal complies, or will be conditioned to comply, with the development standards contained in the Development Agreement, including:
   a. Main Body, subject to Council verification
   b. Appendix A (Planning Goals and Commitments)
   c. Appendix B (Design Guidelines)
   d. Appendix C (Land Use)
   e. Appendix D (Stormwater Management and Groundwater Protection)
   f. Appendix E (Critical Areas)
   g. Appendix F (Public and Private Streets)
   h. Appendix G (SEPA)
   i. Appendix I (Capital Facilities)
   j. Appendix J (Processing of Implementing Approvals)
   k. Appendix K (Elections and Modifications)
   l. Appendix L (Parks, Plazas, and Informal Gathering Area)
   m. Appendix M (Affordable Housing)
   n. Appendix N (Water Services)
   o. Appendix O (Sewer Services)
   p. Appendix R (Urban Trails)
   q. Appendix T (Environmental Mitigation)
7. This proposal adequately achieves Appendix B guidelines related to mountain village character, sociable public realm, and community oriented open space and gathering areas.
8. The Hearing record, prepared by the Administration, is adequate to render a valid recommendation on this application.
9. The proposal complies, or will be conditioned to comply, with the utility standards set forth in City standards.

10. In order to comply with the applicable development regulations, satisfy City Departmental review comments, and serve the public interest, health, safety, and general welfare, the proposal should be conditioned as recommended below.

Motion #1:

I move that Conditions 28, 29, 30, 31 and 32 are added to the record.

NEW CONDITION 28: Prior to acceptance of the second 916 tank and reservoir access road, the 752 reservoir and access road shall be removed from the 50 ft wide Westerly Buffer. Following removal of the reservoir and road, disturbed areas shall be restored with an appropriate native palette of groundcover, shrubs, and trees, including evergreens. The restoration plan shall be permitted and performance bond posted prior to Final Plat for either Parcels 7 or 8, whichever comes first. The landscape restoration work shall be completed (installed, inspected, and maintenance bond posted) prior to acceptance of the second new 916 tank (by Parcel 7).

NEW CONDITION 29: The 916 reservoir access road shall be outside the 50 ft buffer. Walls or grading may occur within the buffer, but shall be restored with an appropriate native palette of groundcover, shrubs, and trees, including evergreens as determined by the Designated Official. The tanks may remain within the Westerly Buffer as approximately shown in the Applicant's proposal of April 30, 2014. The reservoir site footprint shall be minimized while maintaining necessary functionality, as determined by the Designated Official.

NEW CONDITION 30: Revise the eastern wall design and height in Parcel 7 to be no more than 39 ft. This will be reviewed with permits which include the wall design.

NEW CONDITION 31: The northern end of Road A will terminate as a driveway to the northernmost house (currently Lot 17). The right-of-way may extend to the northern property line, but no extension of Road A will occur until such time as the City Council has made a decision that would support such extension. This will be reviewed with the Final Plat and with the Site Work permit which includes roads.

NEW CONDITION 32: Explore redesigning the northern terminus of Road A to eliminate or reduce the dead-end portion. Options could include moving Drive C to the north or adding a cul-de-sac which doesn't meet fire service standards.

Motion #2:

I move that the Urban Village Development Commission recommends moving forward to the City Council of the Talus – Parcel 7 preliminary plat, File No. PP14-00001, without a specific recommendation, as described and evaluated in the Staff Report dated March 25, 2014 and plat drawings received February 19, 2014, Briefing Response Memo, dated April 1, 2014, Briefing

Response Memo #2, dated May 2, 2014, and subject to the conditions therein and as amended tonight:

And, I move that the Urban Village Development Commission direct the Development Services Department to prepare Findings of Fact and Conclusions for review and approval by the UVDC Chairman, affirming the UVDC's decision to move the Talus – Parcels 7 preliminary plat, File No. PP14-00001, subject to the conditions listed in the Staff Report of March 25, 2014, Briefing Response Memo of April 1, 2014, Briefing Response Memo #2 of May 2, 2014, and as amended tonight.

Conditions:

1. Various easements are required to provide access for the City of Issaquah or property owners. These easements shall be provided with the final plat. These include:
   - When the right-of-way is located at the back of sidewalk or similar paved area, and it is determined to be necessary by the Designated Official, a two-foot maintenance and repair easement shall be granted to the City. For instance if a building or wall is located at the back of publicly owned paved area, the easement is not necessary.
   - Access to retaining walls to allow for maintenance and replacement by the private owners.

2 At Final Plat, a mechanism for ensuring the preservation of the westerly buffer in Tract D as well as an easement for protection of the steep slope therein, shall be provided.

3 At final plat, irregular or pie shaped lots and lots that are narrow in the front shall be adjusted to ensure that the homes have a strong relationship with the street. For example, this condition will require an adjustment to the shape or building placement and/or design on Lot 6 Parcel 7 and Lot 4 Parcel 8.

4 In order to minimize the aesthetic impacts of the development, the following shall be incorporated into the Building Permit applications for homes visible from off site:
a. Blank walls shall be avoided, especially where visible from off-site; if necessary, articulation or other features will be provided. Articulation would incorporate tiering, building offsets, and/or other means to soften the building's form. Appropriate features would include doors, windows, building articulation, and/or other architectural features to create a visually interesting environment.
b. In addition to landscape in the adjacent steep slope tracts, the visible side of the homes may have open-style fences or varied hedges up to 4 ft in height. A covenant or other mechanism, acceptable to the Designated Official, shall be recorded to ensure that if a hedge is used it is maintained at 4 ft. If a fence is used, the appropriate amount of fence openness will be evaluated in combination with the landscaping and building architecture as viewed from outside these parcels. Solid fences or unvaried shrubbery plantings (such as a wall of only arborvitae) will not be permitted.
c. The prominent finish of building facades visible from off-site shall be muted, non-reflective material incorporating neutral to dark earth tones.

5 The applicant shall use varied building setbacks, modulations in building facades, architectural details and colors to provide added interest and character to achieve a more appropriate mountain village character.

6 The landscaping for Tract G, between Parcel 8 and Shangri-La Way, shall be designed so that views from Lots 1-5 are framed but there remains a continuation of the open space character established in Tract D adjacent to Shangri-La Way.

7 Design terraced walls shown in the plat to allow and encourage landscaping being located from below, between, and above the terraced walls. This will be reviewed with the Site Work Permit for the walls and with the Landscape Permit.

8 Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls by that portion of open space. In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls. Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in the wall design and the available property above and below the wall. This will be enforced during the Wall permits and the Landscape Permit.

9 Prior to approval of any permit other than this Preliminary Plat, the applicant must receive Master Developer approval and City confirmation for the election to shift down one land use density category, i.e. from Medium Density Residential to Low Density Residential.

10 The stormwater system shall comply with the Master Drainage Plan submitted with the Pre Plat application. This will be reviewed with the Site Work Permit.

11 Prior to issuance of any Utility Permit that allows the construction of impervious surfaces, the design work necessary to generate stormwater treatment capacity in the P5 Detention Pond and P5 Sand Filter must be approved by the City. The associated work must be completed, prior to issuance of the first Building Permit. The Designated Official may consider accepting surety to alter the completion date based upon a plan to have necessary facilities in place consistent with the Development Agreement, MDP and stormwater generation.

12 Future Utility Permits implementing the plat and plat construction shall be consistent with the findings and conditions of approval in Critical Areas Study Notice of Decision – File No. SEP14-00001.

13 Structural fills that have a resultant slope of greater than 40% do not need setbacks or buffers under the following circumstances: 1) they have been designed by a licensed geo-technical or structural engineer and 2) construction was performed under the guidance of a licensed structural or geo-technical engineer, and 3) the as-built plans are certified by a licensed structural or geo-technical engineer. Otherwise, these areas will be treated as steep slopes under Appendix E. This will be reviewed with the Site Work Permits.

14 The constructed walls that are proposed on the western project boundary must be designed to accommodate revegetation plantings without landscaping or irrigation restrictions. The intent is to revegetate immediately adjacent to the walls with deciduous Douglas Fir and Cedar Trees that can be allowed to grow to a full mature height. This will be reviewed with the Site Work Permit for walls and with the Landscape Permit.

15 At final plat, the BSBL for critical areas shall be shown on all lots with adjacent critical areas.

16 At final plat, any private streets shall have an easement allowing emergency vehicles and Public Works to access the street network. In addition, a public access easement shall be granted from the owner to the City.

17 Per AMM14-00002, the Parcel 8 road and Tract F (Drive B) must be widened as necessary in order to provide sidewalk and planter facilities. This condition will be verified with the Final Plat.

18 To ensure that center-line of roads within the plat do not exceed 15% slope or 600 feet in length, road grades and lengths will be confirmed with Site Work Permits and certified by a surveyor or other professional acceptable to the Designated Official, following construction. This certification must be provided prior to issuing the first Building Permit in the plat. If grades exceed 15% then all homes past the 15+% slopes must be sprinklered.

19 Capital facility fees due at final plat shall be paid prior to final plat approval, and shall be collected based upon the number of lots contained in the final plat and in accordance with Appendix I. The applicant shall be obligated to pay required Appendix I Parks Mitigation Fees, unless the Designated Official determines that credit for other recreational facilities are adequate to offset those fees.

20 A condition shall be placed on the face of the final plat which requires the payment of mitigation fees per the School Mitigation Agreement.

21 With the final plat, the Tract O recreation and open space tract shall be increased in size or another area within Parcel 7 shall be provided in order to accommodate for a more usable and diverse variety of recreation activities. In either case, the Parcel 7 tract identified for recreation will be graded flat, though it may be terraced into 2-3 flat usable pieces.

22 Prior to issuance of the first Building Permit the applicant must submit and receive approval for (both from Issaquah and DOH) a design report that identifies the details of the water supply system to serve parcels in the upper (presumably 906) pressure zone. The report

must detail the redundant storage and supply facilities and how they comply with City codes and standards.

23 Building permits for combustible construction served by the 916 reservoir may be issued as soon as the 916 reservoir is on-line, full of water, and the water mains serving any specific parcel are connected to the 916 reservoir. Building occupancy may not occur until the water system is accepted by the City of Issaquah.

24 All Maintained Landscape Areas and Natural Open Space tracts must be completed by the final inspection for the last adjacent unit or upon 60% occupancy of the surrounding development, whichever occurs first.

25 At final plat, Tract A, C, D, J, K, M, N, O and P as well as any other tracts that have trails or recreation facilities shall allow public access on the trails in perpetuity if the tracts containing the trails or recreation facilities are privately owned.

26 With any clearing and grading work that would result in plant removal, the applicant shall provide an opportunity for plant salvage consistent with the Wildlife Habitat Network Preservation Plan.

27 Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner's Association. Additionally, the applicant must prepare a plan for the removal and prevention of established invasive plant species within open space areas. The City must approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

28 Prior to acceptance of the second 916 tank and reservoir access road, the 752 reservoir and access road shall be removed from the 50 ft wide Westerly Buffer. Following removal of the reservoir and road, disturbed areas shall be restored with an appropriate native palette of groundcover, shrubs, and trees, including evergreens. The restoration plan shall be permitted and performance bond posted prior to Final Plat for either Parcels 7 or 8, whichever comes first. The landscape restoration work shall be completed (installed, inspected, and maintenance bond posted) prior to acceptance of the second new 916 tank (by Parcel 7).

29 The 916 reservoir access road shall be outside the 50 ft buffer. Walls or grading may occur within the buffer, but shall be restored with an appropriate native palette of groundcover, shrubs, and trees, including evergreens as determined by the Designated Official. The tanks may remain within the Westerly Buffer as approximately shown in the Applicant's proposal of April 30, 2014. The reservoir site footprint shall be minimized while maintaining necessary functionality, as determined by the Designated Official.

30 Revise the eastern wall design and height in Parcel 7 to be no more than 39 ft. This will be reviewed with permits which include the wall design.

31 The northern end of Road A will terminate as a driveway to the northernmost house (currently Lot 17). The right-of-way may extend to the northern property line, but no extension of Road A will occur until such time as the City Council has made a decision that would support such extension. This will be reviewed with the Final Plat and with the Site Work permit which includes roads.

32 Explore redesigning the northern terminus of Road A to eliminate or reduce the dead-end portion. Options could include moving Drive C to the north or adding a cul-de-sac which doesn't meet fire service standards.

Sincerely,

Geoff, Walker Chair
Urban Village Development Commission

Attachment:

Cc:
UVDC Members and Alternates, Lucy Sloman, Dan Ervin, Dan Hayes, Darren Peugh, Al Fure, Ryan Kohlmann

AB 6818, Exhibit R
Memo to City Council
RE: Modified Conditions

CITY OF ISSAQUAH WASHINGTON

Memorandum

Date: May 20, 2014

To: City Council

CC: Dan Hayes, Talus Management Services
Darren Peugh, Talus Management Services
Parties of Record
Charlie Bush, DSD Director

From: Lucy Sloman, DSD Land Development Manager

Subject: Revised plat conditions in response to Council Land & Shore committee, May 13, 2014
Preliminary Plat – Talus Parcels 7-9
File No: PP14-00001

In response to Council Land & Shore Committee comments at a meeting on May 13, 2014, DSD Staff provide the following responses and edits to conditions.

As you may remember, a preliminary plat is a quasi-judicial matter — meaning a trial of sorts is held. During a quasi-judicial review, there are limited times when the City Council (as decision maker) are allowed to communicate with the public, Applicant, or even the other members of the Council. (Those times are only when the public meeting or hearing is in session.) This is to ensure that the process is fair, and that everyone is aware of all communication on which the decision is based. The Council, Applicant, or public can contact the lead staff person, Lucy Sloman, if you have questions or comments on these revisions: lucys@issaquahwa.gov. We want to ensure that we have the opportunity to respond in a complete and thoughtful a manner for the Council's decision-making on June 2.

1. Walls: bonding and ownership

Summary of Committee concern: Who will own the walls? When will that be determined? What happens if something interferes with dedication of wall to an acceptable entity?

Staff comment: If the preliminary plat is approved by Council, the property owner (which may be a successor to the current owner and preliminary plat Applicant) may submit construction permits including clearing and grading permits, which would include the proposed walls. To

approve the clearing and grading permit, the City requires a security to ensure the work is completed. The bond is in the amount of 150% of the estimated cost of construction per IMC 16.26.120; see below.

Chapter 16.26: Clearing and Grading

16.26.120 Security.

A. Performance Security. For all applications for a Public Works Permit allowing clearing and grading, the Permit Authority shall require the applicant to establish a security to be posted prior to issuance of the permit to guarantee the completion of the work in accordance with the approved plans, specifications, and permit conditions. The amount of said security shall be equal to 150 percent of the estimated cost of construction of all items of work outside of any habitable structures which contribute to soil or geologic structure stability, control of drainage, habitat restoration or permanent erosion control, and shall include, but not be limited to, site clearing and grubbing, excavation, fill, import of structural fill, export and disposal of unsuitable materials, retaining walls, rockeries, surface and subsurface drainage systems, stormwater facilities, curbs, gutters, paving, restoration of vegetation, surface treatment of slopes, habitat restoration and enhancement plantings, and other items as may be required by the Permit Authority.

The performance guarantee security shall be maintained in full until the work has been completed and all possibility of erosion has passed. Should the permittee fail to complete the work in accordance with the approved plans, specifications and permit conditions, the City may enter the property and cause the work to be completed and shall be reimbursed for all expenses so incurred from the proceeds of the security. (Ord. 2560 § 3 (Exh. A2), 2009; Ord. 2487 § 1, 2007).

After construction of the plat improvements, or upon bonding of the plat improvements for any work not completed at the time of final plat, an Applicant may apply for a final plat. At final plat, the ownership and maintenance of each tract is identified. The Talus Residential Association (the overall HOA for Talus residents) may take the tract which contains the wall, but it is at their discretion. Or, if the Talus Residential Association does not accept dedication of the wall tract, a sub-homeowner's association (sub-HOA) will be created at the time of final plat, and the tract containing the wall would be dedicated to them. Proposed Approval Condition #8 lays out the options in the bold and italicized portion shown below.

Proposed Approval CONDITION #8: Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls by that portion of open space. ***In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls.*** Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in the wall design and the available property above and below the wall. This will be enforced during the Wall permits and the Landscape Permit.

As this sub-HOA is created by the property owner, and its members do not yet exist (lots may not be sold or marketed prior to final plat approval), there is no possibility that the sub-HOA would not agree to take the wall. The Council committee's concern, as Staff understood it, included the possibility that while the wall was under construction, and prior to dedication via final plat, that the wall might not be completed and then come under the City's ownership. The bonding provisions in 16.26.120 will ensure that the wall construction is completed. The City

cannot be required to take ownership of the wall during this process. The wall would remain in the ownership of the property owner until such as a final plat was submitted and approved, and a tract established.

Conclusion: No change is proposed. The existing Proposed Approval Condition #8 and IMC, including 16.26.120, address the committee's concerns.

2. Landscape at the base of walls

Summary of Committee concern: Trees adjacent to the base of walls must be selected and located based on their mature size so they have room to grow in a healthy way, both for the tree and the wall.

Staff comment: Staff concurs and agrees that that is the intent.

Conclusion: Proposed Approval Condition #8 is revised to incorporate clarifying language.

Revised CONDITION 8: Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls by that portion of open space. Landscape placed near the base of a wall, especially trees, shall be selected and located to accommodate the mature width of the tree. In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls. Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in the wall design and the available property above and below the wall. This will be enforced during the Wall permits and the Landscape Permit.

3. Recreation Tracts

Summary of Committee concern: Given that there are limited locations for recreation within the Talus Parcels 7-9, ensure that the ones proposed are useful, serve multiple ages, and are well designed.

Staff comment: Staff concurs and agrees that that is the intent. Subsequent to the preliminary plat, an Administrative Site Development Permit (ASDP) will be required to review the specific design for each recreation and open space tract. The Development Agreement defines what good, appropriate recreation designs would be, and these standards and guidelines would be the basis for reviewing the ASDP. The purpose of the plat review is to ensure the tracts are sufficient and appropriate for the uses.

Conclusion: Proposed Approval Condition #21 is revised to incorporate clarifying language.

Revised CONDITION 21: With the final plat, the Tract O recreation and open space tract shall be increased in size or another area within Parcel 7 shall be provided in order to accommodate for a more usable and diverse variety of recreation activities. In either case, the Parcel 7 tract identified for recreation will be graded flat, though it may be terraced into 2-3 flat usable pieces. Recreation tracts within Parcels 7, 8, and 9 shall be designed to be useful and serve a variety of users, including varied opportunities for children's play. This will be reviewed with Site Work Permits as well as the Administrative Site Development Permit for the open space tracts.

4. Condition 32

Summary of Committee concern: Proposed Approval Condition #32 uses the word "explore" which doesn't ensure that if a redesign is possible it will happen.

Staff comment: Staff concurs and agrees that that is the intent.

Conclusion: Proposed Approval Condition #32 is revised to incorporate clarifying language.

Revised CONDITION 32: ~~Explore r~~ Redesign~~ing~~ the northern terminus of Road A to eliminate or reduce the dead-end portion, if an examination of grades and options indicates that a redesign is practical and feasible, consistent with City codes and the Development Agreement. Options could include moving Drive C to the north or adding a cul-de-sac which doesn't meet fire service standards. This will be reviewed with Site Work Permits for the roads in Parcel 7.