

RESOLUTION NO. 18-1274

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
APPROVING A MINOR ALTERATION TO THE FINAL PLAT
OF TEN TRAILS PHASE 1A DIVISION 1**

WHEREAS, in October 2017, the City Council approved the final plat for the Ten Trails MPD Phase 1A Division 1 subdivision ("Plat 1A Division 1"); and

WHEREAS, the final plat for Plat 1A Division 1 was duly recorded in the King County Recorder's Office;

WHEREAS, the developer CCD Black Diamond Partners LLP ("Oakpointe") has applied for an alteration of the final plat to (a) remove certain utility easements on the east and west sides of Tract S and (b) to alter the lot lines for Lots 69, 73, 75, and 79, all as referenced in Attachment A, hereto; and

WHEREAS, the community development department has determined that Oakpointe's proposed alteration to Plat 1A Division 1 constitutes a minor alteration under BDMC 17.20.090.B of the vested code, which may be approved by the City Council if the alteration is determined to be in the public interest; and

WHEREAS, the utility easements presently recorded on Tract S are redundant because Tract S is already designated as a public utility tract, and removing these easements is merely a change to the engineering design that does not eliminate any features required as a condition of the preliminary plat approval and would not change the use or character of the tract or the overall subdivision; and

WHEREAS, altering the lot lines on Lots 69, 73, 75, and 79 would merely result in a change to the lot dimensions of four lots within Plat 1A Division 1, and such change will give the developer greater flexibility to provide angled on-street parking spaces adjacent to proposed commercial areas and facilitate more creative uses of the central pedestrian plaza envisioned for this area; and

WHEREAS, the proposed plat alteration is consistent with Section 12.7 of The Villages MPD Development Agreement and BDMC 18.14.040.A, as referenced therein; and

WHEREAS, the City Staff have reviewed the application for final plat alteration and recommend its approval, as shown in Attachment B, hereto;

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Pursuant to Section 17.20.090.B of the vested Black Diamond Municipal Code, the City Council hereby finds that the proposed minor alteration of Ten Trails Plat 1A Division 1 is in the public interest and is therefore approved.

Section 2. The applicant Oakpointe shall produce a revised drawing that accurately reflects the approved alteration of the subdivision and shall, at its own expense, file the revised final plat with King County.

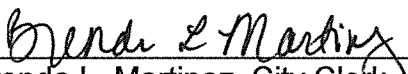
PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THERE OF, THIS 4TH DAY OF OCTOBER 2018.

CITY OF BLACK DIAMOND:



Carol Benson, Mayor

Attest:

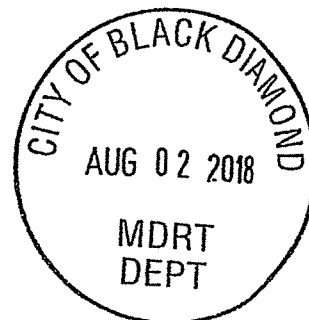


Brenda L. Martinez, City Clerk

PLN18-0049



August 2, 2018



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

RE: Application to Alter Ten Trails MPD PP1A Division 1 Final Plat

Dear Mr. Williamson:

On behalf of CCD Black Diamond Partners LLC ("Oakpointe"), we are submitting this letter to request certain alterations to the Ten Trails PP1A Division 1 Final Plat, approved by the Black Diamond City Council on October 19, 2017 and recorded under King County Recording No. 20171107001311 (the "Final Plat"). Specifically, Oakpointe requests to alter the lot lines for Lots 69, 73, 75, and 79 and to remove the public utility easements abutting the eastern and western sides of Tract S, as shown on the attached Final Plat Alteration. This request is made pursuant to BDMC 17.20.090(B) and The Villages MPD Development Agreement dated December 12, 2011 ("DA") Section 12.7.1, which references BDMC 18.14.040.A.

I. This Request Should Be Considered a Minor Alteration

BDMC 17.20.090(B) states that if "an applicant is interested in the alteration of any subdivision or any portion thereof...that person shall submit an application to the community development department requesting the alteration." The code further provides that the "community development department shall have the authority to determine whether the proposed alteration constitutes a minor or major alteration. For purposes of this section...a 'minor alteration' means (a) modifications to engineering design, unless the proposed design alters or eliminates features specifically required as a condition of preliminary subdivision approval, (b) a modification to lot dimensions, provided that such modified dimensions conform to city code, or (c) a reduction in the number of lots to be created, provided that the reduction otherwise conforms to the provisions of city code." As explained below, the request to alter Lots 69, 73, 75, and 79 is a modification of lot dimensions and the removal of public utility easements is a modification to engineering design, so this request meets the requirements to be considered a minor amendment.

3025 112TH AVENUE NE
SUITE 100
BELLEVUE, WA 98004

WWW.OAKPOINTE.COM

A. Modifications to Engineering Design

Oakpointe's request to remove two public utility easements from the PP1A Division 1 Final Plat should be considered a minor alteration because the request is an engineering change that does not alter or eliminate any features that were required as a condition of preliminary subdivision approval. Upon further review of the Final Plat, Oakpointe discovered that the public utility easements are redundant because they border Tract S, which is itself a utility tract. Any public utilities in this area would be installed within Tract S, making the public utility easements unnecessary. Furthermore, no utilities have been installed in this area, so removing the easements at this time is merely an engineering design change. Finally, these easements were not required to be provided as a condition of preliminary subdivision approval, meaning this engineering change should be considered a minor alteration.

B. Modification to Lot Dimensions

Oakpointe's request to revise the lot lines of Lots 69, 73, 75, and 79 should also be considered a minor alteration because the request is a modification to lot dimensions. As shown on the attached Final Plat Alteration, the western edge of lots 73 and 75 and the eastern edge of Lots 69 and 79 have been modified. Because this request is a modification to lot dimensions, it should be considered a minor alteration.

II. This Amendment is in the Public Interest

BDMC 17.20.090(B) states that "[i]f the alteration to a subdivision is requested after filing the final plat with King County, a minor plat alteration may be approved with consent of the city council" and that "[t]he city shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration." Oakpointe believes that this request is in the public interest and respectfully requests its approval. Removing the public utility easements on either side of Tract S will ensure that utilities are installed in a single consistent area within Tract S. Altering the lot lines of Lots 69, 73, 75, and 79 will allow creative use of the area for buildings, which will create a better sense of place around the central plaza that is envisioned for Tract S. Because this request is in the public interest, Oakpointe respectfully requests approval of this minor alteration.

III. This Alteration Complies with the Development Agreement

Oakpointe also requests approval of this alteration because it complies with the requirements of the DA. Section 12.7 of the DA states that "amendments to Implementing Approvals may be allowed pursuant to applicable sections of BDMC." Section 12.7.1 explains that minor amendments shall be processed pursuant to BDMC 18.14.040.A, which states that minor amendments may be made: "(1) upon a showing of changed circumstances and a determination by the mayor or designee that (a) the requested amendments constitute 'minor'

adjustments that can be sufficiently mitigated through new actions that may be required as part of the permit amendment approval, and (b) each of the proposed amendment conditions is not otherwise prohibited under the municipal code and would not require additional environmental review under BDMC Title 19, and (2) the proposed amendments would not (a) increase gross building area by more than ten percent, (b) increase the number of dwelling units, (c) increase total impervious surface area, (d) change the number of ingress or egress points, or (e) increase the area of site disturbance by more than ten percent.”

A. This Alteration is the Result of Changed Circumstances

Oakpointe is requesting this alteration as a result of changed circumstances. After designing the commercial area to include a distinctive plaza area, Oakpointe realized that the lot layout in the Final Plat would preclude optimal design of the plaza. Oakpointe also discovered the redundancy of the public utility easements through this review. As a result of these changed circumstances, Oakpointe opted to make this request for a plat alteration.

B. This Alteration Would Not Require Additional Mitigation

BDMC 18.14.040.A states that a request for an amendment can be approved if the “amendments constitute ‘minor’ adjustments that can be sufficiently mitigated through new actions that may be required as part of the permit amendment approval.” This alteration request is simply to remove redundant public utility easements and to modify lot lines. The request is a change that does not necessitate any additional mitigation.

C. Alteration Conditions Are Not Prohibited and Would Not Require Additional Environmental Review

BDMC 18.14.040.A states that an amendment can be approved if “each of the proposed amendment conditions is not otherwise prohibited under the municipal code and would not require additional environmental review under BDMC Title 19.” Oakpointe is not proposing any changes or additions to the existing final plat conditions, so the conditions will not be prohibited under the municipal code. Furthermore, because the request is to remove public utility easements and alter existing lot lines, no additional environmental review is required because the removal will not create any additional impacts.

D. This Amendment Would Not Increase the Gross Building Area by More Than Ten Percent

BDMC 18.14.040.A states that a request for an amendment can be approved if the change “would not increase the gross building area by more than ten percent.” Since this request is to remove public utility easements and shift lot lines, it will not result in increasing the gross building area at all.

E. This Amendment Would Not Increase the Number of Dwelling Units

BDMC 18.14.040.A allows a minor amendment if the proposed change would not increase the number of dwelling units. This alteration request will have no impact on the number of dwelling units.

F. This Amendment Would Not Increase the Total Impervious Surface Area

BDMC 18.14.040.A states that a minor amendment request can be permitted if the proposed change would not increase the total impervious surface area. This request eliminates public utility easements and shifts lot lines; it will have no impact on the amount of impervious surface area planned.

G. This Amendment Would Not Change the Number of Ingress or Egress Points

According to the Black Diamond Municipal Code, minor amendments may be made as long as they do not change the number of ingress or egress points. Tract S will still provide ingress and egress from the commercial area as planned, so this request will not affect the number ingress or egress points.

H. This Amendment Would Not Increase the Area of Site Disturbance by More Than Ten Percent

Finally, BDMC 18.14.040.A states that a request for an alteration can be approved if the change would not "increase the area of site disturbance by more than ten percent." Again, removing public utility easements and altering lot lines will not have any effect on the amount of site area that will be disturbed.

Because this request complies with Section 12.7 of the DA and all of the criteria for approval of a minor amendment outlined in BDMC 18.14.040.A, Oakpointe respectfully requests that you approve its request.

Pursuant to BDMC 17.20.090(B), which states that the "application shall contain the signatures of all persons having an ownership interest in lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered," Brian Ross has signed below on behalf of CCD Black Diamond Partners LLC, which owns the portion of the PP1A Division 1 Final Plat that Oakpointe is requesting to alter.

If you have any questions regarding this letter, please do not hesitate to give us a call at (425) 898-2120.

CCD Black Diamond Partners LLC, a Delaware limited liability company

By: Oakpointe LLC, its Manager

By:  _____

Brian Ross, Manager

TEN TRAILS

A PLAT ALTERATION OF LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S, PP1A DIVISION 1

PORTION OF THE NW 1/4 OF SECTION 15, TOWNSHIP 21 N., RANGE 6 E., W.M.
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT ALTERATION TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION ALTERATION MADE HEREBY.

ALL DEDICATIONS, CONDITIONS, RESTRICTIONS, EASEMENTS AND NOTES FROM THE ORIGINAL SUBDIVISION STILL APPLY EXCEPT AS MODIFIED BY THIS ALTERATION.

THIS SUBDIVISION ALTERATION AND DECLARATION ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: OAKPONTE LLC, A WASHINGTON LIMITED LIABILITY COMPANY,

ITS: MANAGER

BY: _____
BRIAN ROSS, MANAGER

TEN TRAILS COMMERCIAL OWNERS ASSOCIATION, A WASHINGTON
NON-PROFIT CORPORATION

BY: _____
BRIAN ROSS, PRESIDENT

ACKNOWLEDGMENTS

STATE OF WASHINGTON } SS
COUNTY OF KING }

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 BRIAN ROSS, KNOWN TO ME TO BE THE MANAGER OF OAKPONTE LLC, THE MANAGER OF CCD BLACK DIAMOND PARTNERS LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNATURE OF _____ DATE _____
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON } SS
COUNTY OF KING }

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 BRIAN ROSS, KNOWN TO ME TO BE THE PRESIDENT OF TEN TRAILS COMMERCIAL OWNERS ASSOCIATION, A WASHINGTON NON-PROFIT CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNATURE OF _____ DATE _____
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

PUBLIC WORKS DIRECTOR

THE PUBLIC WORKS DIRECTOR FOR THE CITY OF BLACK DIAMOND HAS APPROVED THE SURVEY DATA, THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHTS OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEM AND OTHER STRUCTURES.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

PUBLIC WORKS DIRECTOR

COUNCIL APPROVAL

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

COUNCIL RESOLUTION NUMBER _____

MAYOR, CITY OF BLACK DIAMOND

STATE OF WASHINGTON } SS
COUNTY OF KING }

THIS IS TO CERTIFY THAT ON THIS DAY, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED CAROL BENSON TO ME KNOWN TO BE THE MAYOR OF THE CITY OF BLACK DIAMOND THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CITY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____

MY APPOINTMENT EXPIRES _____

FIRE CHIEF APPROVAL

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

CITY OF BLACK DIAMOND FIRE CHIEF

COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

COMMUNITY DEVELOPMENT DIRECTOR

TREASURER CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

TREASURER

DEPUTY

DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

KING COUNTY ASSESSOR

DEPUTY KING COUNTY ASSESSOR

LEGAL DESCRIPTION

LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S OF TEN TRAILS PP1A DIVISION 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 280 OF PLATS, PAGES 1 THROUGH 8, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

SITUATE IN THE CITY OF BLACK DIAMOND, COUNTY OF KING, STATE OF WASHINGTON.

ORIGINAL TAX PARCEL NUMBERS

857600-0680, 857600-0700, 857600-0710, 857600-0730, 857600-0750, 857600-0790, 857600-1020, 857600-0660, 857600-0670

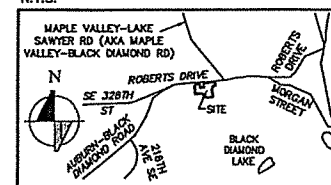
PURPOSE OF PLAT ALTERATION

THIS ALTERED PLAT SUPERSEDES LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S OF THE PLAT OF TEN TRAILS, PP1A, DIVISION 1, RECORDED IN VOLUME 280 OF PLATS, PAGES 1 THROUGH 8 INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

THE PURPOSE OF THIS PLAT ALTERATION IS:

1. ALTER THE COMMON LINES OF TRACT S AND ADJACENT LOTS 69, 73, 75 AND 79.
2. REMOVE THE 10-FOOT PUBLIC UTILITY EASEMENT IN LOTS 69, 70, 71, 73, 75 AND 79 THAT ADJUTS TRACT S.
3. REMOVE THE 10-FOOT PUBLIC UTILITY EASEMENT ON THE WEST LINE OF LOTS 66 AND 67 AS SHOWN.

VICINITY MAP
N.T.S.



LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT ALTERATION OF LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S OF TEN TRAILS PP1A DIVISION 1 CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY AND TEN TRAILS COMMERCIAL OWNERS ASSOCIATION, A WASHINGTON NON-PROFIT CORPORATION, AND SAID SURVEY WAS BASED UPON AN ACTUAL SURVEY OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST AND THAT THIS PLAT ALTERATION IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED; THAT THE COURSES AND DISTANCES SHOWN HEREON ARE CORRECT; THAT (1) MONUMENTS AS DESCRIBED AND SHOWN HEREON, UNLESS STATED OTHERWISE HEREON WILL BE OR HAVE BEEN SET AT ALL LOT CORNERS AS SHOWN; (2) MONUMENTS AS DESCRIBED AND SHOWN HEREON AS "SET" WILL BE OR HAVE BEEN SET; AND (3) ALL MONUMENTS DESCRIBED AND SHOWN HEREON THAT ARE SHOWN TO BE SET WITHIN THE RIGHT-OF-WAY, WITHIN AND WITHOUT THE BOUNDARY OF THIS SUBDIVISION, WILL BE SET AFTER THE STREET IS PAVED.



MARY H. McDONNELL, PLS
SURVEYOR, CERTIFICATE NO. 36805
DAVID EVANS AND ASSOCIATES, INC.
20300 WOODINVILLE SNOHOMISH RD NE
SUITE A- WOODINVILLE, WA 98072
PHONE: (425) 415-2000

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF DAVID EVANS AND ASSOCIATES, INC. THIS
DAY OF _____, 2018, AT _____ MINUTES PAST
_____ M. AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S)
_____, RECORDS OF KING COUNTY, WASHINGTON.

DIVISION OF RECORDS AND ELECTIONS

MANAGER

SUPERINTENDENT OF RECORDS

TEN TRAILS

A PLAT ALTERATION OF LOTS 66, 67, 69, 70,
71, 73, 75, 79 AND TRACT S, PP1A DIVISION 1
CITY OF BLACK DIAMOND
FILE NUMBER: PLN
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

PORTION OF THE SE 1/4 OF NW 1/4 AND THE SW 1/4 OF NW
1/4 OF SECTION 15, TOWNSHIP 21 N., RANGE 6 E., W.M. CITY OF
BLACK DIAMOND, WA, AND LOTS 66, 67, 69, 70, 71, 73, 75, 79
AND TRACT S, TEN TRAILS, PP1A, DIVISION 1.

JOB NO 16-001

SHEET 1 OF 3

REVIEW COPY
Not for Recording

TEN TRAILS

VOL/PG

A PLAT ALTERATION OF LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S, PP1A DIVISION 1
PORTION OF THE NW 1/4 OF SECTION 15, TOWNSHIP 21 N, RANGE 6 E, W.M.
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

ADDRESSING NOTE

ADDRESSES FOR INDIVIDUAL LOTS HAVE BEEN SHOWN ON THIS PLAT ALTERATION PURSUANT TO BDMC 17.20.020.O. OF THE VESTED CODE, BUT THESE ADDRESSES WERE ASSIGNED WITHOUT BUILDING OR SITE PLANS AVAILABLE FOR EACH LOT. ANY ADDRESS CHANGES REQUIRED SUBSEQUENT TO RECORDING OF THIS PLAT ALTERATION SHALL NOT CONSTITUTE A PLAT ALTERATION AS DEFINED IN BDMC 17.20.090.B. OF THE VESTED CODE. REFER TO THE CITY OF BLACK DIAMOND (OR ITS SUCCESSOR AGENCY) BUILDING OR PLANNING DEPARTMENT RECORD ADDRESSES TO CONFIRM BUILDING ADDRESSES.

ADDRESS TABLE

LOT NUMBER	STREET NAME	ADDRESS
66	MAIN STREET	32517
67	MAIN STREET	32581
69	MAIN STREET	32589
70	MAIN STREET	32505
71	MAIN STREET	32500
73	MAIN STREET	32570
75	MAIN STREET	32610
79	MAIN STREET	32543

TRACT AREAS

TRACT NO.	AREA	USE	GRANTED AND CONVEYED TO
S	36,479 SF	UTILITY, ACCESS	TEN TRAILS COMMERCIAL OWNERS ASSOCIATION

LOT AREAS

LOT NO.	AREA
66	40,049 SF
67	42,031 SF
69	77,203 SF
70	35,110 SF
71	59,570 SF
73	30,647 SF
75	62,827 SF
79	14,678 SF

EXCEPTIONS NOTED IN TITLE REPORT

(TITLE NOTES CORRESPONDING TO PARAGRAPH NUMBERS FROM SCHEDULE A, PER FIDELITY NATIONAL TITLE INSURANCE COMPANY, AMENDED SUBDIVISION GUARANTEE NO. WA-FBCM-IMP-27WAG14-1-1E-20377242, DATED JUNE 28, 2018 AT 8:00 AM.)

6. RIGHTS OF THE PUBLIC, IF ANY, AS TO THAT PORTION OF THE PROPERTY LYING WITHIN AUBURN-BLACK DIAMOND ROAD CREATED BY ORDER OF ESTABLISHMENT, JUNE 30, 1914.
7. MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: APRIL 22, 2011
RECORDING NO.: 20110422000249
REGARDING: TRAFFIC
8. COMPREHENSIVE SCHOOL MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: JUNE 24, 2011
RECORDING NO.: 20110624001158
AND AMENDMENTS THERETO:
RECORDED: JANUARY 30, 2015
RECORDING NO.: 20150130000466
9. THE VILLAGES MPD DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: JANUARY 30, 2012
RECORDING NO.: 20120130000655
AND AMENDMENTS THERETO:
RECORDED: SEPTEMBER 6, 2012, JANUARY 3, 2014, NOVEMBER 12, 2014 AND DECEMBER 6, 2017
RECORDING NO.: 20120906000762, 20120908000763, 20140103000655, 20141112001375 AND 20171206000581
11. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: PUGET SOUND ENERGY, INC.
PURPOSE: TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY
AREA AFFECTED: A PORTION OF PARCELS B AND C
RECORDED: JANUARY 28, 2016
RECORDING NO.: 20160128000669
CONTAINS COVENANT PROHIBITING STRUCTURES OVER SAID EASEMENT OR OTHER ACTIVITY WHICH MIGHT ENDANGER THE UNDERGROUND SYSTEM.
12. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: PUGET SOUND ENERGY, INC.
PURPOSE: TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY
AREA AFFECTED: A PORTION OF PARCELS B AND C
RECORDED: AUGUST 12, 2016
RECORDING NO.: 20160812001925
CONTAINS COVENANT PROHIBITING STRUCTURES OVER SAID EASEMENT OR OTHER ACTIVITY WHICH MIGHT ENDANGER THE UNDERGROUND SYSTEM.
14. EARLY ENTRY AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: JUNE 13, 2017
RECORDING NO.: 20170613000328
18. SIDEWALK AND CONCRETE BAND EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: MAY 3, 2018
RECORDING NO.: 20180503000408
AFFECTS: LOTS 67, 69 AND 75

REVIEW COPY
Not for Recording

CITY OF BLACK DIAMOND FILE NO.

TEN TRAILS
A PLAT ALTERATION OF LOTS 66,
67, 69, 70, 71, 73, 75, 79 AND
TRACT S, PP1A DIVISION 1
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.432.2000 f: 425.486.5099

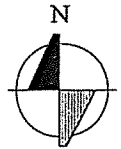
JOB NO 16-001
SHEET 2 OF 3

VOL/PG

TEN TRAILS

A PLAT ALTERATION OF LOTS 66, 67, 69, 70, 71, 73, 75, 79 AND TRACT S, PPIA DIVISION 1
PORTION OF THE NW 1/4 OF SECTION 15, TOWNSHIP 21 N, RANGE 6 E, W.M.
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG



SCALE: 1" = 100'

INSTRUMENTATION NOTE

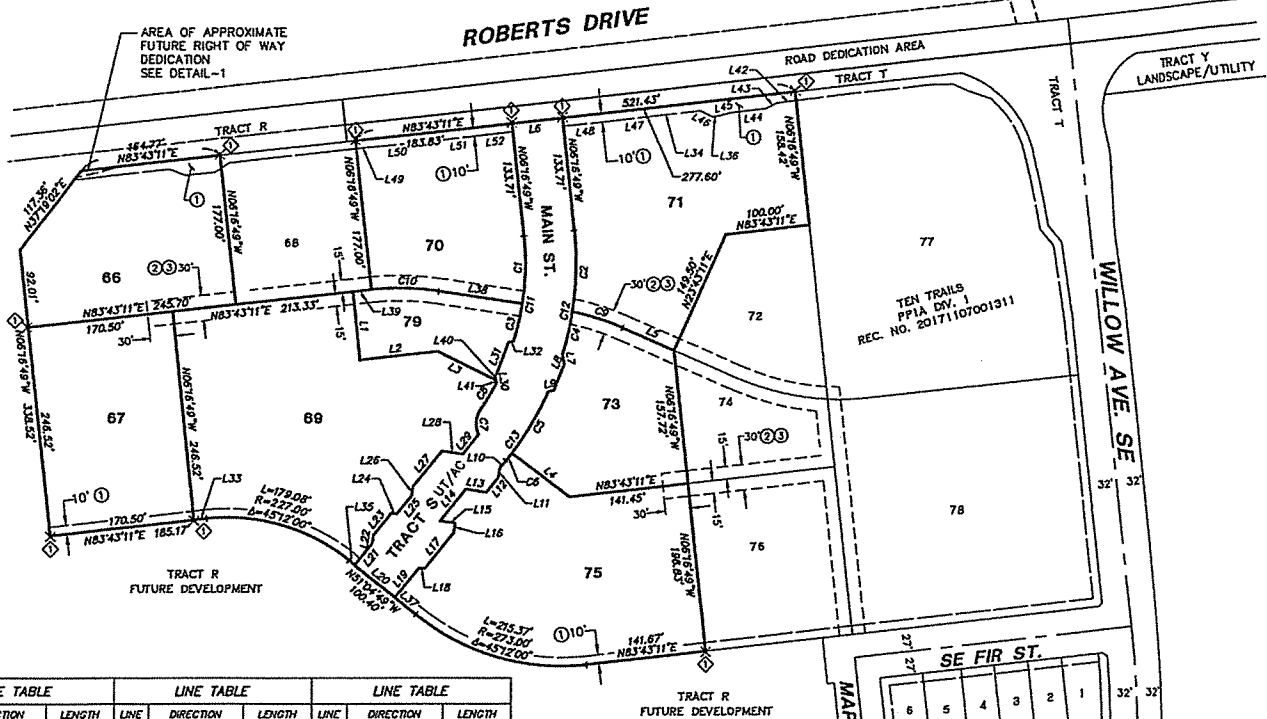
PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SR 9500 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING A 1 MINUTE THEODOLITE AND ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.

MONUMENT NOTES

- ALL TRACT CORNERS ARE SET 1/2 X 24 REBAR WITH CAP LS NO. 36805 UNLESS OTHERWISE NOTED.
- ALL TACK IN LEAD WITH WASHERS SET ARE SET ON THE STREETWARD PROJECTION OF THE LATERAL LOT OR LOT/TRACT LINES.
- SET 1/2" X 24" REBAR WITH CAP "LS NO. 36805" AT ALL SIDE AND REAR LOT CORNERS.

LEGEND

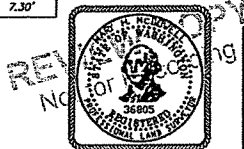
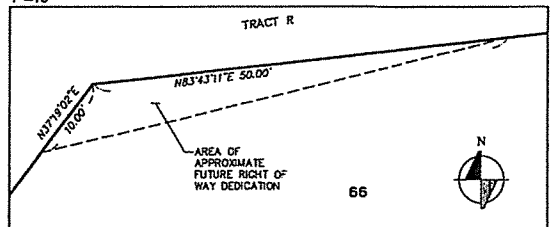
- ⊗ SET TACK IN LEAD W/ WASHER ON STREETWARD PROJECTED 1.0' OFFSET
- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE UTILITY EASEMENT
- ③ PRIVATE ACCESS EASEMENT
- UT - UTILITY TRACT
- PA - PEDESTRIAN ACCESS TRACT
- PK - PARK TRACT
- LA - LANDSCAPE TRACT
- AC - ACCESS TRACT
- (R) - RADIAL BEARING



LINE TABLE			LINE TABLE			LINE TABLE		
LINE	DIRECTION	LENGTH	LINE	DIRECTION	LENGTH	LINE	DIRECTION	LENGTH
L1	N67°49'W	80.98'	L19	N38°55'11"E	44.82'	L37	N51°04'49'W	31.22'
L2	N83°43'11"E	91.00'	L20	N51°04'49'W	60.00'	L38	N81°16'49'W	99.21'
L3	N63°32'38'W	76.39'	L21	N38°55'11"E	31.75'	L39	N83°43'11"E	21.88'
L4	N52°50'36'W	85.63'	L22	N8°28'58"E	10.86'	L40	N9°30'13'W	4.09'
L5	N66°16'49'W	67.16'	L23	N38°55'11"E	32.87'	L41	N9°30'13'W	3.05'
L6	N83°43'11"E	60.00'	L24	N81°04'49'W	6.35'	L42	N82°57'06"E	23.85'
L7	N9°39'25'W	12.06'	L25	N38°55'11"E	27.18'	L43	N83°58'16"E	14.32'
L8	N20°57'14"E	33.06'	L26	N8°55'11"E	11.00'	L44	N83°17'30"E	41.23'
L9	N80°20'35"E	6.62'	L27	N38°55'11"E	53.65'	L45	N75°47'24"E	15.62'
L10	N38°55'11"E	11.22'	L28	N81°04'49'W	24.25'	L46	N63°16'29'W	15.27'
L11	N8°55'11"E	11.00'	L29	N38°55'11"E	29.27'	L47	N83°21'53"E	52.11'
L12	N38°55'11"E	22.48'	L30	N9°30'13'W	7.14'	L48	N84°04'34"E	60.48'
L13	N81°04'49'W	24.25'	L31	N20°29'47"E	43.26'	L49	N83°33'17"E	14.61'
L14	N38°55'11"E	47.34'	L32	N80°29'47"E	5.75'	L50	N84°16'35"E	67.88'
L15	N81°04'49'W	17.59'	L33	N83°43'11"E	14.67'	L51	N83°23'33"E	48.28'
L16	N8°55'11"E	11.54'	L34	N83°51'41"E	50.89'	L52	N83°55'01"E	21.90'
L17	N38°55'11"E	53.65'	L35	N51°04'49'W	9.18'			
L18	N81°04'49'W	6.35'	L36	N84°06'57"E	7.30'			

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	014°35'57"	308.00'	80.09'
C2	014°58'30"	368.00'	95.22'
C3	008°32'55"	308.00'	45.95'
C4	008°03'45"	368.00'	51.78'
C5	013°06'03"	368.00'	84.14'
C6	001°45'47"	368.00'	11.32'
C7	058°53'00"	30.00'	32.83'
C8	006°51'14"	308.00'	36.84'
C9	011°58'48"	300.00'	62.72'
C10	015°00'00"	300.00'	78.54'
C11	023°26'48"	308.00'	126.04'
C12	023°02'34"	368.00'	148.00'
C13	014°51'50"	368.00'	95.47'

DETAIL-1
1"=10'

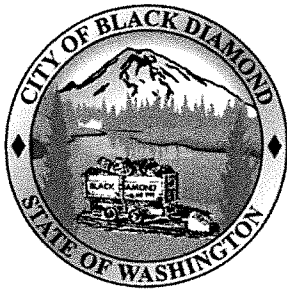


TEN TRAILS
A PLAT ALTERATION OF LOTS 66,
67, 69, 70, 71, 73, 75, 79 AND
TRACT S, PP1A DIVISION 1
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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AND ASSOCIATES INC.
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JOB NO 16-001
SHEET 3 OF 3



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Final Plat Alteration Request – Staff Assessment Ten Trails MPD – Phase 1A Division 1 Final Plat Alteration File Number: PLN18-0049

I. APPLICATION INFORMATION

Project Name: Ten Trails MPD – Phase 1A Division 1 Final Plat Alteration

Project Description: The applicant is requesting a minor alteration to the Phase 1A – Division 1 Final Plat to realign Lots 69, 73, 75, and 79 (see King County parcel numbers below) to remove public utility easements and amend the roadway alignment through the commercial area of the final plat.

Location: King County parcel numbers affected by this application include: 857600-0690, 85760-0120, 857600-0730, 857600-0750, and 857600-0790.

Property Owner / Applicant: Oakpointe/CCD Black Diamond Partners

II. FINDINGS

- a. A minor plat alteration to a final plat that has been recorded with King County may be approved with consent of the City Council, as established by Black Diamond Municipal Code Section 17.20.090.
- b. The Ten Trails Phase 1A Division 1 Final Plat was approved under City File Number PLN17-0049 with associated Resolution Number 17-1188 adopted by the City Council on October 19, 2017.
- c. The application was submitted on August 2, 2018. Public notice was issued on August 21, 2018 via mailings to neighbors within 500 feet of The Villages MPD, publishing in the Voice of the Valley, posting on the project site, and posting to the City's Public Notice webpage.
- d. There were no formal comment letters received during the 14-day public comment period, which closed at 5:00pm on September 4, 2017.

III. APPLICABLE PLANS, CODES AND STANDARDS

1. Black Diamond Municipal Code Section 17.20.090(B), Final Plat Application and Approval – Vacation or alteration of a subdivision.

IV. ANALYSIS

This section of the report analyzes the proposal for compliance with adopted codes and regulations. As established by Black Diamond Municipal Code Section 17.20.090(B), the Community Development Director has the authority to determine whether a proposed alteration constitutes a minor or major alteration.

A major alteration is a request that results in “the creations of additional lots, the elimination of open space, or changes to conditions of approval on an approved preliminary subdivision.”

Staff Comment: The proposed alteration would not result in the creation of additional lots, would not eliminate any proposed open space, and would not result in a change to any conditions of approval for the Phase 1A preliminary plat (City File Number PLN11-0001).

A minor alteration is a request that results in “(a) modifications to engineering design, unless the proposed design alters or eliminates features specifically required as a condition of preliminary subdivision approval, (b) a modification to lot dimensions, provided that such modified dimensions conform to city code, or (c) a reduction in the number of lots to be created, provided that the reduction otherwise conforms to the provisions of city code.”

Staff Comment: The proposed alteration would result in the elimination of public utility easements adjacent to Tract S, which is identified as a utility tract within the Phase 1A Division 1 final plat. Since Tract S is identified as a utility tract, providing utility easements is not necessary since utility installation within the tract is permitted outright. The elimination of the utility easements adjacent to Tract S qualify as a modification to the engineering design of the plat without impacting conditions of approval of the preliminary plat. Additionally, the proposed alteration will modify the lot boundaries of Lots 69, 73, 75, and 79 as shown on the final plat in order to realign Main Street within the commercial area of the plat. The realignment of these lots will allow Main Street to provide on-street angled parking within the right-of-way of Main Street. It will also allow for an accessible pedestrian plaza within the commercial corridor.

Based on the review comment above, it has been determined by the Community Development Director that this request satisfies minor alteration criteria (a) and (b) and qualifies as a minor alteration. Additionally, Black Diamond Municipal Code Section 17.20.090(B) states that the city shall “determine the public use and interest in the proposed alteration.”

Staff Comment: By approving the proposed alteration, Main Street can be realigned to include on-street parking adjacent to proposed commercial areas and be designed as a pedestrian plaza that encourages pedestrian activity and connectivity between residential and commercial uses within the plat and overall MPD.

V. CONCLUSION

The proposed minor alteration to the Ten Trails Phase 1A Division 1 final plat satisfies the review criteria established by Black Diamond Municipal Code Section 17.20.090(B) and is recommended for approval.