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BEFORE THE CITY OF BLACK DIAMOND HEARING EXAMINER

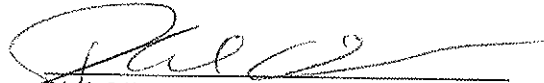
IN RE: MASTER PLANNED
DEVELOPMENT APPLICATION
FOR THE VILLAGES, PLN09-
0017

SEPA APPEAL NOS. PLN09-0040,
PLN09-0041, PLN 09-0044

**HEARING EXAMINER
DECISION - ERRATA**

Page 9 of the final decision on the above-captioned matter incorrectly identifies the Villages SEPA Appellants as the Lawson Hills SEPA Appellants. Please replace page 9 of the Decision with the attached.

DATED this ^{11th} ~~29th~~ Day of ^{May} ~~April~~, 2010.


Phil Olbrechts
City of Black Diamond Hearing Examiner

1 C. Index of Prehearing Documents: These documents were identified in pre-
2 hearing exhibit lists submitted by the SEPA Appellants.

3 D. Black Diamond Emails for the Villages-Lawson Hills MPDs: These were
4 emails that the SEPA Appellants and Examiner exchanged on SEPA appeal issues.

5 IV. PROCEDURAL ISSUES

6 A. Findings of Fact:

7 1. Issuance of FEIS: The City of Black Diamond ("City") issued the TV
8 FEIS on December 11, 2009.

9 2. Appeals. The SEPA Appellants filed three appeals on the TV EIS on
10 December 28, 2009. The Appellants are as follows:

- 11 a. Chris Clifford, along with several co-appellants, Ex. CBD-14.
- 12 b. William and Vicki Harp, Ex. CBD-10.
- 13 c. Joe May, Ex. CBD-9.

14 The Exhibits identified above (CBD 9, 10 and 14) will be referenced as the "Appeal
15 Statements." The parties to the appeals identified above will be referenced as the
16 "SEPA Appellants."

17 3. Applicant. The Applicant is BD Village Partners.

18 4. Proposal Description: BD Village Partners is requesting approval of a
19 Master Planned Development (MPD) pursuant to Black Diamond Municipal Code
20 18.98, for The Villages MPD. Proposed uses include low, medium and high density
21 residential; retail, commercial, office; light industrial; educational, recreational and
22 open space. The requested entitlement is for 4,800 dwelling units and 775,000 square
23 feet of retail, offices and light industrial on 1,196 acres. If approved, the request will
24 result in the rezoning of portions of the property from the current R6 Single Family
25 Residential and CC Community Commercial zones to MPD.

The Villages project consists of two subareas, the Main Property and the North
Property (also known as Parcel B). The "Main Property" is located primarily south of
Auburn-Black Diamond Road at Lake Sawyer Road, extending approximately 2
miles south and eventually east to SR-169 along the southern city limits. A portion of
the Main Property (aka Parcel C) is located on the north side of Auburn-Black
Diamond Rd., west of Lake Sawyer Rd. The "North Property" (approx. 80 acres) is
located to the west of SR 169, approximately two miles north of the Main Property
and north of SE 312th Street (if extended). The North Property is south of and
adjacent to the North Triangle property that is part of the proposed Lawson Hills
MPD project.