

CONSOLIDATED CONDITIONS OF APPROVAL OF PRELIMINARY PLAT OF WOODBURY CROSSING (AKA COLLEGE STATION)

Consolidating Examiner's Decision of March 30, 2006, as modified by staff decisions of November 3, 2006, and August 24, 2007, Examiner's decision issued January 23, 2008 and City Councils November 19, 2013 Phase 1 Plat Amendment. [Note that numbers 1 through 6 related to the Master Plan Approval and not directly related to individual Phases and that *Staff comments are highlighted in bracketed italics*. Finally, note that pursuant to the County Examiner's decision, most references to Thurston County should now be read as references to the City of Olympia.]

Preliminary Plat Conditions:

General Conditions

7. The Applicant shall pay school impact mitigation fees to the Olympia School District in accordance with condition #1 of the MDNS of November 23, 2005. (MDNS Condition #1: To mitigate direct impacts upon school capacity and in lieu of construction of necessary school building capacity by the applicant, prior to approval of the final plat of each phase of the project, the applicant shall pay to the Olympia School District the sum of at least \$4,336 per single-family housing unit, and \$3,183 per multi-family or other housing unit. Should such plat be annexed to the City of Olympia or otherwise be subject to impact fees of the Olympia School District, the applicant may with the written consent of the District elect to pay such impact fees as may then be applicable to each housing unit in lieu of payment prior to final plat approval. (See Wolpert letter of September 19, 2005, and Thurston County Capitol Facilities Goal 2, Objective A, Policy 1.)) *[The applicant has elected impact fee payments.]*

8. The Applicant shall pay parks and recreation impact mitigation fees to the City of Olympia in accordance with condition #2 of the MDNS of November 23, 2005, and construct private neighborhood park facilities in accordance with said condition. (MDNS Condition #2: To mitigate direct impacts to the parks and recreation facilities of the City of Olympia and in lieu of acquisition and construction of necessary parks and other recreation facilities, prior to approval of the final plat of each phase of the project, the applicant shall pay to the City of Olympia at the Olympia Community Planning and Development Department the sum of at least \$2,073 per single-family unit, \$1,277 per multi-family or townhouse unit, and \$1,427 per duplex unit. These fees include a 'credit' for private neighborhood park facilities proposed to be included within the project. Such facilities must include maintenance provisions consistent with the applicant's letter of November 17, 2005, and be of content and quality consistent with the attachment to Jonathan Turlove's letter of March 23, 2005. Further, should the applicant elect or be required to construct or fund public trails consistent with the capital facilities plans of the City or County, the Master Plan approval may provide for such reduction in trail-associated fees as deemed appropriate by the decision-maker. Should such plat be annexed to the City of Olympia, the applicant may with the written consent of the City elect to pay such impact fees as may then be applicable to each housing unit in lieu of payment prior to final

plat approval. (See Turlove letter of May 23, 2005, and Olympia/Thurston Joint Plan Parks Goal 8 and Policies 1.4 and 4.7.)) ***[The applicant has elected impact fees.]***

9. Prior to issuance of any development permits, the project grading and clearing plan shall be revised to conform to the tree preservation recommendations and proposals contained in the Tree Plan (Exhibit 1, Attachment S). ***[The clearing and grading was completed prior to Phase 1 final plat approval and conforms.]***
10. Prior to issuance of grading and clearing permits, the Applicant shall submit a detailed assessment of tree preservation potential within the multi-family and commercial lots of the plat consistent with the requirements of TCC 17.25.400(6)(b). Trees in areas identified as appropriate for preservation shall be protected during construction by means deemed appropriate by Staff. ***[The clearing and grading was completed prior to Phase 1 final plat approval and conforms.]***

Condition #2 of First Modification: In reviewing the proposed modification, the staff found the applicant's initial tree plan failed to note the presence of healthy and wind-firm ponderosa pines and associated trees in the vicinity of Highway 101, which could be retained. These trees are to be accorded protection under the applicable standard TCC 17.25.400(D)(5)(d). (The Examiner's decision cites TCC 23.05A.120 as the applicable standard. According to Mike Kain, Thurston County Planning Manager, the staff misled the Examiner with respect to the single-family areas of the project and the former is the correct standard.)

Accordingly, the applicant shall, at minimum, preserve those ponderosa pines in accordance with the analysis and recommendations of Joe Roush, Olympia Urban Forester, as post scripted below. Such preservation may be achieved in part by relocating open space tract P, which included no trees proposed for preservation and by modification of proposed lots and street forms in the vicinity. To achieve the required preservation prior to construction activity in that vicinity of the site, the applicant shall identify the specific location and evaluate such trees and provide a report from a qualified expert recommending measures necessary to achieve preservation. ***[Done. Subject trees will be protected in a designated tree tract in Phase 3.]***

Condition #3 of Second Modification: In lieu of installation of seating and other amenities in former Tract D as required by the Examiner's decision, such amenities shall be installed, at the applicant's discretion, in either Tract I or G. ***[Not a part of Phase 2. Applicant has indicated willingness to so amend approved landscaping plan.]***

Condition #4 of Second Modification: Proposed "open space tract P" at the northwest corner of the site shall be designated a 'tree preservation tract' and shall include at minimum that area shown on the attached exhibit A – being that alternative submitted by the applicant on August 10, 2007. Said Exhibit does not illustrate all trees within the tract and this approval does NOT constitute approval to remove trees. Any tree removal shall be by separate written approval of the Olympia urban forester following a hazard trees assessment. To achieve protection of trees within this and other tree tracts, no area within the tracts may be graded, filled, cleared or otherwise disturbed [except] following specific written approval by the governing authority. See Thurston County

Code (TCC) 17.25.400(D5) and TCC 23.05A.120. The final plat shall include a note so indicating. (In addition, to ensure adequate area for maintenance of any retaining walls or other boundary structures, and to protect trees within Tract P, limitations may be imposed upon development of Tract QQ in accordance with that e-mail of August 1, 2007, from Olympia Forester Joe Roush to Jon Nelson, Land Entitlements Director, e.g., a two-foot separation between the tract and the wall may be required.) (Note that the proposed trail extending westerly from 4th Way to the adjacent parcel may be incorporated into Tract P.) ***[Tree Tracts were renumbered A, D and F are recorded in Phase 1 Plat Map.]***

Condition #5 of Second Modification: The location and dimensions of open space tract Q is approved; however, such shall be designated a 'tree preservation tract.' Such tract shall not be graded or cleared except as minimally necessary in the judgment of the County Engineer for the construction of Cornell Way and other adjacent improvements. ***[Done.]***

Condition #6 of Second Modification: To protect trees within Tract Q and within nearby Department of Transportation right-of-way, grading shall be limited within that portion of Tract K adjacent to Tract Q and northwesterly therefrom for a distance of fifty (50) feet. ***[Conforms to date.]***

11. A final detailed landscaping plan for all common areas consistent with the Landscape Master Plan (Exhibit 1, Attachment R) shall be submitted and approved by Thurston County Community Development Services Staff prior to final plat approval. The final landscape plan shall provide the following:
 - A. Retention of existing trees or the planting of new trees on individual residential lots at a rate of one (1) tree for every four thousand (4,000) square feet of lot area.
 - B. Compliance with the submitted Tree Protection Plan dated April 5, 2005, prepared by Washington Forestry Consultants, Inc.
 - C. Soil amendments, temporary irrigation, and performance financial sureties as deemed necessary by Staff to ensure survival up to three years after planting.
 - D. Fencing consistent with stormwater system design standards, and shall include specific proposed forms, locations and colors.
 - E. Open space Tract D shall include seating in accordance with the proposed design guidelines.

Any conditions, improvements, or maintenance requirements associated with the final' landscaping plan shall be referenced on the final plat. Tree tracts J, K, O, and P shall be identified on the final map. ***[Detailed landscape plan approved subject to certain corrections and financial guarantee offered for all landscaping as part of Phase 1. The same is true for new Tract S in Phase 2. Landscape plan will be required for Tract T in Phase 3.]***

12. Prior to final approval of phase one, the proposed six-foot fence along the east boundary of open space Tract K (where Tract K abuts the Evergreen Parkway right-of-way) shall be

constructed as shown on the preliminary site plan. *[Not a part of Phase 3. Fence included in detailed landscaping plan location was corrected – and included in financial guarantee as part of Phase 1.]*

13. The final plat of phase one shall include a note indicating that development of Tract A shall include a food store and a residential component, consistent with applicable development and land use zoning codes. *[Not a part of Phase 3. Phase 1 recorded final plat map contains this restriction.]*

Roads and Transportation Services

14. Prior to final plat approval of Phase I, the following Roads and Transportation Services conditions shall be satisfied:

- a.* The Applicant shall pay transportation impact mitigation fees to Thurston County as set forth in condition #3 of the MDNS of November 23, 2005. MDNS Condition #3: To mitigate impacts to the road system of Thurston County and in lieu of construction of necessary improvements, prior to approval of the final plat of each phase of the project the applicant shall pay to Thurston County the pro-rata share of a total sum of \$14,084. (See Davis e-mail of November 4, 2005, and associated worksheet, and Thurston County Transportation Policies 2.1, 2.2, and 2.3.) *[Fee paid with Phase 1.]*
- b.* The Applicant shall widen the northbound off-ramp of Evergreen Parkway to Mud Bay Road as set forth in condition #4 of the MDNS of November 23, 2005. MDNS Condition #4: To mitigate impacts to the road system of Thurston County and the highway system of the Washington Department of Transportation, prior to approval of the final plat of the first phase of the project, the applicant shall widen the existing Evergreen Parkway northbound off-ramp to Mud Bay Road to two lanes by construction resulting in a left and a right-turn lane. The applicant proposes a widened length of 240 feet, the actual length of this widening shall be at the sole discretion and judgment of WSDOT. To facilitate the associated east bound turning movement for capacity and safety purposes, the standard channelization improvements along Mud Bay Road shall be extended westerly to connect to this off ramp. Such extension shall include a curb and all necessary pavements between the curb and centerline, and such re-striping as is necessary on either side of Mud Bay Road. (See Severson letter of May 3, 2005, and Thurston County Transportation Goal 1, Objective A, Policies 6 and 7, and Objective B, Policy 2, and Olympia/Thurston Joint Plan Transportation Policies 2.1, 2.2, and 2.3.) *[Constructed to satisfaction of WSDOT prior to Phase 1.]*
- c.* The Applicant shall pay transportation mitigation fees to the City of Olympia as set forth in condition #5 of the MDNS of November 23, 2005. MDNS Condition #5 is: To mitigate impacts to the street system of Olympia and in lieu of construction of necessary improvements, prior to approval of the final plat of each phase of the project the applicant shall pay to the City of Olympia at its Community Planning and Development Department the sum of \$1,055 for each single-family lot, \$641 for each potential multi-family unit, and \$3.71 per square foot of potential commercial floor

area. These fees represent a proportionate-share contribution for all City of Olympia Capital Facilities Plan (CFP) projects that are impacted by this project. The proportionate-share cost is based on the percent of project traffic that enters the project limits of each CFP project and is applied to the developer funded portion of the cost of the improvement. These per unit fees result in a total project transportation mitigation fee payable to the City of Olympia of about \$385,000. Should such plat be annexed to the City of Olympia, the applicant may with the written consent of the City elect to pay such impact fees as may then be applicable to each housing unit or commercial building in lieu of payment prior to final plat approval. (See Dower letter of May 10, 2005, and associated worksheet, and Thurston County Transportation Goal 1, Objective A, Policies 6 and 7, and Objective B, Policy 2, and Olympia/Thurston Joint Plan Transportation Policies 2.1, 2.2, and 2.3.) ***[Payment not received. Applicant elected to pay and continues to pay City impact fees as previously agreed by parties.]***

- d. The Applicant shall install or provide financial surety for a temporary traffic signal at the intersection of Mud Bay Road and Kaiser Road as set forth in condition #6 of the MDNS of November 23, 2005, unless the City of Olympia has entered contracts for the installation of the signal with another party. MDNS Condition #6: The proposed project will have significant impacts upon the capacity of the intersection of Mud Bay Road and Kaiser Road (aka Harrison Avenue) and probably will result in failure of the intersection to conform with the adopted level of service. The City of Olympia has secured funds to install a traffic signal at this intersection. Should the applicant seek final plat approval for any phase of the project prior temporary traffic signal prior to such final plat approval. The applicant may, with the written consent of the City, elect to provide financial surety in lieu of installation of such signal prior to final plat recording. Should such temporary signal be installed, the SEPA mitigation fees of condition 5 above will be adjusted to the extent any associated improvements installed by the applicant can be utilized in the ultimate Olympia Capital Facilities project. (See Dower letter of May 10, 2005, and Thurston County Transportation Goal 1, Objective A, Policies 6 and 7, and Objective B, Policy 2, and Olympia/Thurston Joint Plan Transportation Policies 2.1, 2.2, and 2.3. ***[The traffic signal at the corner of Harrison and Kaiser was constructed.]***)

- 15. All right-of-way dedications and frontage improvements associated with Mud Bay and Kaiser Roads shall be completed prior to final plat approval of Phase I. Road improvements shall be consistent with the approved road plans, the City of Olympia Development Guidelines, and applicable Thurston County road standards. ***[Completed with Phase 1.]***
- 16. Prior to final plat approval of Phase I, the Applicant shall construct a safe-walking route for students between the plat entrance on Mud Bay Road and McLane Elementary School. The final design of the safe-route (including path layout and surface material) 'shall be negotiated' between the Olympia School District, the City of Olympia, and the Applicant. The safe-walking route shall be consistent with adopted standards and approved by either Thurston County or the Washington Department of Transportation, depending on which agency has right-of-way control. ***[Constructed to existing walkway at Delphi Road with***

Phase 1.]

17. Prior to final plat approval of Phase I, the Applicant shall construct the proposed transit stops on Mud Bay Road in a form and location satisfactory to Intercity Transit. The transit stops may include roadway improvements deemed necessary by County Staff to ensure a safe pedestrian crossing of the roadway. Prior to final plat approval of the last phase of College Station, the Applicant shall install shelters at both transit stops in a form satisfactory to Intercity Transit. All transit shelters shall comply with the design standards of the master plan and *TCC 21.50*. If the shelters installed are not of a standard design, their maintenance may be the responsibility of the College Station Homeowner's Association, or others, per the approval of Intercity Transit. Condition #7 of Second Modification: The general relocation of transit stops from Mud Bay Road to College Station Drive is approved pursuant to e-mail of May 23, 2007, from Intercity Transit. However, specific location and form of the relocated transit stops is subject to review and written approval by the County Engineer. ***[New location within village center approved by IT and easement provided with Phase 1 Plat Map – recording number 4111350.]***

18. The proposed roadway design shall conform to the 1999 Thurston County Road Standards, the City of Olympia standards, and City of Olympia Development Guidelines. The Applicant may be required to install traffic calming devices on the neighborhood collector streets and alley radii. The need for traffic calming measures shall be determined by reviewing Staff at the time of final engineering approval. Thayer Drive improvements shall include a transition to the east at its northerly terminus to provide for future extension without encroachment into the adjacent stormwater facility. The transition shall not require the Applicant to obtain right-of-way from neighboring properties east of Thayer Road. ***[Completed as part of Phase 1.]***

Condition #2 of Second Modification: Tract OO shall be extended westerly to connect to Thayer Drive. Proposed dedication to the public of alleys east of Whittier Drive and west of Thayer Drive is approved subject to conformance with alley design standards of the City of Olympia. Acceptance of that alley denoted as "Tract MM" and any other alleys outside of the area described above will be at the discretion of the County Engineer during final plat review (or City Engineer, if following annexation). ***[Done. City Engineer approved public alleys in Phase 1. There are no additional alleys in Phase 3.]***

19. Proposed utility work within the Thurston County Right of Way shall conform to the 1999 Thurston County Road Standards and Chapter 13.56 Thurston County Code. ***[Conforms.]***
20. Pursuant to Title 18.24 Thurston County Code, the Applicant shall execute an agreement and provide a financial security to assure successful operation of the required improvements (i.e., roads, sidewalks, illumination, landscaping, etc.) prior to Phase I final plat approval. [Improvements not covered by this agreement are water, sewer and stormwater facilities. These are addressed either by separate county ordinance or in the case of the water and sewer utilities by the City of Olympia.] ***[Financial guarantee provided in Phase 1.]***

[CONDITIONS 21 THROUGH 23 REMOVED WITH THE FINAL MASTER PLAN APPROVAL DECISION.]

Utility Conditions

24. Placement of utilities within the County right-of-way requires a Franchise Agreement with Thurston County pursuant to Title 13.56 TCC. This agreement shall be executed with Thurston County prior to Phase I final plat approval. ***[Not applicable due to annexation.]***
25. The proposed water and sewer system shall be designed in accordance with the standards and specifications of the City of Olympia. All water and sewer plans must be reviewed and approved by the City of Olympia prior, to installation. ***[Done.]***
26. Based on the proposed sewer plan, each Phase of the development shall include the extension of sewer mains outside of the phase limit to provide sewer to individual lots. Easements shall be provided over the proposed street right of ways of the future phases. ***[Done.]***
27. Prior to final plat approval of each phase of the master plan, all-weather access roads at least 15 feet wide shall be constructed to each manhole outside of the paved sections. ***[Done.]***
28. The Applicant shall provide a sewer basin study to the City at the time of engineering submittal. ***[Done as part of Phase 1.]***
29. The parcel of land proposed for the sewer lift station (Tract R) shall be a fee simple property dedicated to the City of Olympia. The Tract shall be large enough to encompass all components of the lift station and required storage. ***[Done. The sewer lift station is on Tract C of recorded Phase 1 Plat Map]***
30. In accordance with *OMC 13.04.240* - Water service outside city limits and *OMC 13.08.180* - Sewer service outside city limits, the Applicant shall execute a power of attorney for future annexation in a form acceptable to the City, prior to Phase I final plat approval. The language of the power of attorney shall be agreed by the parties. ***[Done and site annexed.]***
31. In compliance with the Water Comprehensive Plan to supply water to this project, the Applicant shall install 8" mains looping and connecting to existing mains as conceptually shown in the approved utility plan. (sheet C2 Overall Water Main Plan of July 22, 2005 submittal.) The Applicant may be required to loop the water main to another source to provide for redundancy and pressure, to be determined by the Utility at the time of final plan review. An analysis of the system shall be submitted along with the improvement plans that show that water will be supplied at acceptable volumes, pressures, and velocity for domestic use and in case of fire. All system improvements shall conform to the requirements of the Washington State Department of Health, the Coordinated Water System Plan, the City of Olympia Water Comprehensive (Master) Plan, and the Olympia Fire Department. The project shall fully comply with City of Olympia water system standards. ***[Done.]***
32. Each Phase of the plat shall provide looping of the water main and easements over the water

main in proposed street right of ways of future phases. *[Done.]*

33. All water main easements shall be 20 feet in width and centered on the pipeline. *[Done.]*

34. In order to ensure protection of the Allison Springs Wellhead Protection Area, the covenants, conditions, and restrictions (CC&Rs) for the plat shall include the following information:

Covenants, Conditions, and Restrictions for College Station Subdivision

The property is located within the Allison Springs Wellhead Protection Area and is in a high aquifer sensitivity area. These areas are designated by local planning authorities as sensitive to groundwater contamination. Within these areas, certain landscaping practices are necessary to establish healthy soils on residential lots, capable of infiltrating stormwater and supporting healthy plants and lawn areas with lower pesticide, fertilizer, and water use. These practices will help preserve drinking water quality for the City of Olympia.

Specifically, in all landscaped areas of the subdivision including lots, planting strips, common areas, and open spaces that are not undisturbed tree tracts, the following landscape installation practices shall be followed:

- Reapply native topsoil taken from within project limits to at least a 3-inch depth.
- On top of topsoil, a blanket application of at least 3 inches of WSDOT Type 2 or comparable compost shall be applied.
- All areas planted with shrubs, trees, or groundcovers shall be covered with a 3-inch application of bark mulch.
- The use of chemical pesticides, herbicides, or fertilizer is prohibited. Instead, organic fertilizer shall be used for all landscape installations including turf grass.
- All landscape planting, including that on individual lots, if planted by developer, shall incorporate at least 75 percent drought tolerant and native plants.

The developer shall install one groundwater monitoring well meeting City of Olympia specifications for design and location.

The developer shall allow the City of Olympia to install up to three educational signs in common areas and open spaces that educate residents on how to protect groundwater quality. The developer shall provide all new homebuyers with material provided by the City of Olympia that describes proper landscaping and home maintenance practices when living within a wellhead protection area.

A list of compost, bark, and fertilizer suppliers is included for convenience. This list is not meant to be exclusive.

Compost

Cedar Grove

17825 Cedar Grove Rd SE
Maple Valley WA 98038
Contact: Jamie Burke
(253) 691-7281
Cell (425) 228-6384

Northwest Organics

17844 120 SE
Renton WA 98058
Contact: Dean Heunisch
Office (425) 271-3010

Organic Fertilizer

Professional Turf Center

Laura Strehlau 360 730-1357

DF Marks Company

Renee Rhodes 800 767-3802

Simplot Partners

www.simplotpartners.com
Dan Dearing (877) 221-6491

UAP/Pacific/United Horticultural Supply

www.uhsonline.com
Mike Peterson (253) 351-6432.

[Done CC&R's have been recorded.]

35. All sewer system improvements shall conform to the current requirements of the City of Olympia Comprehensive (Master) Sanitary Sewer Plan, Thurston County Health Department, Department of Ecology (DOE), and Washington State Department of Health (DOH). Prior to utility installation, the Applicant shall make the following changes to the proposed sanitary sewer main extensions and connections as shown on the Overall Sanitary Sewer Plan Sheet C17 of July 22, 2005 submittal:
- A. Based on the proposed sewer plan, each Phase of the development will require the extension of sewer mains offside of the phase limit to provide sewer to individual lots. Easements shall be provided over the proposed street right of ways of the future phases. ***[Done.]***
 - B. Prior to final plat approval of each phase, all weather access roads at least 15 feet wide, shall be provided to each manhole outside of the paved sections. ***[Done.]***
 - C. The Applicant shall provide a sewer basin study to the City at the time of engineering submittal. ***[Done.]***
 - D. The Tract proposed for the sewer lift station shall be dedicated in fee simple to the City Of Olympia. The Tract shall be large enough to encompass all components of the lift station and required storage. ***[Done.]***
36. Prior to issuance of building permits for residences or commercial buildings, all water mains,

hydrants, and all crossings of roadways by utilities shall be completed and accepted by the Utility. *[Utilities accepted in Phase 1, Phase 2, and Phase 3.]*

Stormwater

37. The stormwater management system shall satisfy, at a minimum, the requirements of the 1994 Thurston County Drainage Design and Erosion Control Manual and Title 15.05 Thurston County Code. *[Done prior to Phase 1.]*
38. The final plat map shall delimit a boundary within Tract 0 between the area dedicated as stormwater tract and the area dedicated as tree tract. The area of Tract 0 identified as tree tract must, in combination with the areas of Tracts J, K, and P, satisfy the minimum tree tract set aside requirement (5% of total site area) in TCC 1 7.25.400. *[This condition was satisfied with the Phase 1 approval. Tree Tract area exceeds the 5% requirement.]*
39. The Applicant shall place the rim elevation of the sanitary sewer lift station at elevation 148.0 minimum. (The drainage report shows that a 50 percent reduction in infiltration rate results in a flood elevation of 147.) *[Done.]*
40. Within the proposed storm ponds, all interior pond slopes greater than 3:1 shall be protected with fences. *[Approved with Phase 1. No slopes greater than 3:1.]*
41. Prior to final plat approval, the Applicant shall provide a detailed a landscaping plan for the stormwater facility. *[Done and accepted as part of Phase 1.]*

Health Conditions

42. To limit impacts to area residents, construction activity prior to final plat approval shall be limited to 7 a.m. to 6 p.m. as described in the Applicant's environmental checklist. *[Complied during Phase 1, Phase 2, and Phase 3 construction.]*
43. Prior to issuance of grading permits, the Applicant shall submit a description of solid waste, debris, and other refuse present on the site with a proposed disposal plan. Prior to final plat approval of Phase I, all refuse and other debris present on the entire site shall be removed and disposed of in accordance with solid waste disposal standards. *[Done.]*
44. Prior to final approval of each phase, the Applicant shall provide the Health Department with confirmation from the City of Olympia of final water and sewer construction. *[The Health Department recommends approval of Phase 3.]*
45. Prior to each final plat approval, the Applicant shall provide a written proposed method of IPMP distribution to future homeowners. This method must be reviewed and approved by the Thurston County Environmental Health Division. *[Revised IPMP was recorded with CCR's and each homeowner should receive a copy of the CCR's with the title report prior to purchase of a Lot.]*
46. In order to ensure the protection of groundwater, the Applicant's proposed best management

practices found in Exhibit 1, Attachment I, Tab 1 and Finding #32 shall be included in a note on the face of all final plats and shall be incorporated into the CC&Rs for all phases of project development. ***[Done with phase one CCR's and on Phase 3 Plat Note 4 on Sheet 2.]***

General Conditions

47. Except as conditioned by this decision, the Applicant shall install improvements as depicted on the approved preliminary plat map and associated documents. With respect to lot layout, the preliminary plat shall be controlling. With respect to improvements, the associated plan set shall be controlling. The lot layout and installed improvements shall not deviate from the approved plans in any way except as modified by these conditions of approval or as may be modified by the Thurston County Community Development Service Department. ***[Done.]***
48. All required major improvements shall be constructed prior to final plat application and shall be completed prior to final plat approval. Prior to requesting final plat approval, the Applicant shall either install any required minor improvements or execute and file with the County an agreement with surety specifying the period within which required improvements shall be completed. ***[Done.]***
49. Operations and maintenance agreements for all public improvements shall be in place, approved by the County, and/or ensured by a guarantee through the appropriate surety approved by the County before final approval. The amount of the bonding will be 125 percent of the construction cost. ***[Done.]***
50. Notice of required off-site improvements shall be provided by first class mail by the Applicant to all adjacent property owners in accordance with Olympia Public Works Department practices at least 30 days prior to commencing construction of such improvements. ***[Done as part of construction with Phase 1.]***
51. All proposed limits of clearing shall also be limits of grading. The limits must be staked and fenced prior to issuance of grading permits. ***[Done as part of Phase 1.]***
52. The proposed grading or site work shall conform to Appendix J of the International Building, Title 14.37 of the Thurston County Code and 1994 Drainage Design & Erosion Control Manual. ***[Don as part of Phase 1.]***
53. Prior to final plat approval, a homeowners' association shall be created. All open space and access tracts within the master planned development, except Tracts A and R, shall be deeded to the homeowners' association. Tract R shall be deeded to the City of Olympia. Tract A shall be re-designated as a "lot" for village center purposes. The homeowners' association shall be responsible for the maintenance of the stormwater system, including the storage, treatment, and retention areas, and with the maintenance of all private alleys. ***[Done. The Homeowners Association was incorporated as part of the Phase 1 final plat map. All tracts' conveyances and dedications were completed with Phase 1 and required tract "S" shall be conveyed upon the recording of the Phase 2 final plat map. Same will apply to open space Tract T in***

Phase 3. The CCR's contain language requiring the HOA to maintain these tracts. A copy of the CCR's is on file with the City.]

54. The final plat map shall clearly indicate all utility easements that are required for telephone, electric, gas, cable, and other services. Prior to final plat approval, the Applicant shall furnish the County with copies of all easements and dedications that are required by each service utility company. ***[Done.]***
55. Prior to final plat approval, permanent survey control monuments shall be placed to establish all public street centerlines, intersections, angle points, curves, subdivision boundaries, and other points of control. ***[Done]***
56. The final plat map shall note or delineate the following:
 - A. WARNING: Thurston County has no responsibility to build, improve, maintain, or otherwise service the private alley, road, or driveway within or providing access to property described in this plat. ***[The condition was revised to reflect City of Olympia as noted on Plat Note 5 on Sheet 2.]***
 - B. Increased storm water runoff from the road(s), building, driveway, and parking areas shall be retained on site and shall not be directed to roadway ditches adjacent to the site. ***[Noted on Plat Note 6 on Sheet 2.]***
 - C. If seasonal drainage crosses subject property, no filling or disruption of the natural flow shall be permitted. ***[Done as noted on Plat Note 7 on Sheet 2.]***
 - D. The final plat map shall depict access restrictions by showing a “no access strip, written and hatched, along the Mud Bay Road and Kaiser Road frontages. ***[Approved as part of Phase 1 and not applicable to Phase 3.]***
 - E. Storage requirements for runoff from buildings and parking surfaces shall be shown on individual lots or tracts, including drywell sizing or storm drain connection points, on the face of the final plat map. ***[Done by easements – all stormwater conveyed to pond.]***
 - F. The owner/homeowners’ Association shall maintain the planter strips (weeding, irrigation, mowing, etc.) in a healthy and growing manner in perpetuity. ***[Done.]***
57. The owner and/or homeowners’ association shall be responsible for the operation and maintenance of the streetlights until the property is annexed to the City of Olympia. ***[Site annexed on 10/9/07.]***
58. Pursuant to Section 2.13 of the Thurston County Road Standards, payment of the off-site traffic mitigation required in the 11/23/05 Mitigated Determination of Non-significance is required prior to final plat approval. Timing of such payments to the other jurisdictions may be altered upon agreement with the respective jurisdiction and Thurston County. ***[Applicable]***

fees were paid and impact fees will continue to be assessed at the time of building permits.]

59. All phases of the plat shall be constructed in the order proposed, or as modified by this approval. *[Phase one and two complies as described above.]*
60. Prior to final plat approval, the Applicant shall provide a certificate of title to all areas being platted, including resolution of any claims or clouded title resulting from encroachments by fences, ownership associated with Washington State Department of Transportation right-of-way, and facilities of the McLane Fire Station. *[Plat certificate provided prior referenced encroachments resolved with Phase 1. However, new encroachments were constructed and Lennar was required to relocate fence encroachments on Phase 2 Lots 127 – 132 back onto Phase 1 Lots 39 – 45. No title issues associated with Phase 3.]*
61. Lot and block numbering shall be revised on the final plat to conform to City and County standards. *[Done.]*
62. All development within the village center shall be in compliance with all applicable drainage, roads, traffic, and health standards. *[Village center platted with Phase 1 and not yet developed.]*
63. If any existing wells or on-site sewage systems are encountered during construction of this development, they must be properly abandoned and/or decommissioned per the requirements of Article IV of the Thurston County Sanitary Code and the Washington State Department of Ecology. In the event that wells or septic systems are discovered, abandonment permits would be required and documentation of abandonment must be submitted prior to final plat approval. *[No wells or on-site sewage systems discovered.]*
64. All development on the site shall comply with the approved master plan. Any alteration of this site plan will require approval of a new or amended master plan. Thurston County Development Services Staff will determine if any proposed amendment is substantial enough to require Hearing Examiner approval. *[Complies with master plan and subsequent modifications approved.]*
65. Pursuant to TCC Title 18.24, the Applicant shall execute an agreement and provide a financial security to assure successful operation of the required improvements (i.e., roads, sidewalks, illumination, landscaping, etc.) prior to final approval. Improvements not covered by this agreement are water, sewer and stormwater facilities. These are addressed either by separate county ordinance or in the case of the water and sewer utilities by the utility purveyor. *[Financial guarantee provided.]*
66. Thurston County Environmental Health fees associated with the review of this project, if any, shall be paid prior to final plat approval. *[Done. The Health Department recommends approval of Phase 3 Final Plat.]*

67. Approval does not relieve the Applicant from compliance with all other local, state, and/or federal approvals, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. *[Duly noted by applicant.]*

November 19, 2013 Approved Phase 1 Plat amendment.

1. If one or more lots are sold, the final plat map shall include signatures of all property owners within the plat whose lot boundaries would be altered or affected by the replat. And that a title report or plat certificate, showing the names of all persons with a real or possessory interest in the plat whose lot boundaries would be affected by the replat and any restrictions encumbering the land, shall be submitted with the Final plat map. *[Done]*
2. The applicant shall submit an amended final plat map Sheet 11 of 13 for City Council action that :
 - Converts Phase I Lots 67 and 74 to zero lot detached single family (from the existing two unit townhouse); by Increasing Lot 74 width from 35.55 feet to 40 feet and decreasing lot 73 width by 4.45 feet to 30.99 feet (as further discussed in IV.b below)
 - Relocate shared wall lines on lots 67 – 74; and
 - Revises the “Note” narration at the bottom of the sheet accordingly.

[Done]

3. The applicant shall submit an amended final plat map Sheet 4 of 11 for City Council action that revises notes and Restriction # 11 to accurately reflect the amendments on Sheet 11 of 13. *[Done]*
4. Future Phase 2 Lots 122 & 123 shall be designated, platted and constructed consistent with this Decision as Single-family Townhouse attached. *[Done. The Lots are in the same location as on the Amended Master Plan and were renumbered to Lots 125 and 126 in Phase 2.]*