

R.W. THORPE & ASSOCIATES, INC.

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CONDITIONS OF APPROVAL FOR:

Westmark - Emerald Pointe, Burien - Proposed Alternate Site Plan (Alternative 3).

Alternative 3 differs from Alternative 2 discussed in the EIS, in that it proposes to eliminate 2 westerly buildings, reduce road surface and some parking areas, provides the clubhouse in a more central location, offers alternative stormwater features and provides a sewer pump station for the new development. Total rental units remains at 179 (178 rental units, plus 1 caretaker unit). This removal of buildings will reduce building site coverage by 30% and impervious surface by 10%. The total undisturbed area will be increased by 15% or 1.26 acres. In fact, this will allow the applicant to retain most of the significant trees on the western portion of the site making way for preserving the related habitat in that area.

Upon formal agreement with Project Appellants and the City of Burien, Applicants will implement the plan subject to following Conditions.

- I. Revised Site Plan
 - A. The Applicant shall construct the Project based on the site design set forth in the Alternative 3 Landscape Planting Plan and Alternate 3 Tree Retention/Replacement Plan (each dated 7/15/13 by R.W. Thorpe & Associates).
 - B. The two westerly buildings shall be eliminated. The units in those buildings shall be relocated into the remaining five buildings.
 - C. The Club House shall be relocated to be between the new Buildings B & C.
- II. Planting and Revegetation
 - A. The Applicant shall implement the Alternative 3 Landscape Planting Plan and Alternate 3 Tree Retention/Replacement Plan (each dated 7/15/13 by R.W. Thorpe & Associates).
 - B. As required in the EIS, two (2) trees (replacement trees) of the species used as nesting, foraging and roosting habitat by the pileated woodpecker

(i.e. Douglas-fir, western hemlock, and western red cedar) shall be planted for every one significant tree (as defined in the EIS as “ the minimum size of tree used by the pileated woodpecker, i.e. a coniferous tree that measures at least 26 inches dbh”) removed. Additional replacement trees may be provided. All healthy native vegetation shall be retained outside the clearing limits.

- C. Monitoring of replacement trees shall be performed annually for a period of four (4) years (two years is recommended in the EIS for planting a ratio of 2:1 replacement trees). The site shall maintain a minimum of 80% survival from the time of planting. Any trees in excess of 20% of the total listed in the Tree Retention/Replacement Plan shall be replaced from the same list at the minimum size originally planted. Owner(s) or their representatives shall prepare an annual report (to include an inventory of trees within the clearing limits and along the east perimeter and photographs) and submit it to the City of Burien annually for not less than four (4) years to ensure that this standard is achieved.
- D. All new vegetation on the site shall conform to AAn standard for nursery stock, and shall include only containerized or ball & burlap materials (no bare root stock)
- E. Submit one representative subsoil and one topsoil sample to a qualified testing laboratory for ornamental planting requirements prior to planting. Add amendments as recommended.
- F. Use 3 inches of composted mulch in all shrub beds and around groundcover (until such time that groundcover has matured).
- G. All disturbed and created steep slopes (2:1 or greater) shall be hydroseeded and jute netting installed according to the hydroseed mix indicated in the plant schedule on the Landscape Planting Plan (sheet L-1). Use only one-inch caliper deciduous trees or 4-foot tall coniferous trees on steep slopes and plant by hand.
- H. An irrigation system shall be designed, approved and installed prior to planting of new vegetation in the cleared area. New plantings in the wetland buffer area may be hand-watered as necessary for not less than 3 years.

III. Wetland Buffer

- A. Increased buffer width of 82 feet. The first 65 feet of this buffer to be enhanced.

- i. A voluntary buffer of 50 feet with a 15 foot building setback (total 65 feet) as stated in EIS will become an enhanced buffer area with minor alterations to reduce the impact to the wetland as well as enhance the wetland buffer. This will include removal of invasive species, replanting with native vegetation where invasives have been removed and relocate a portion of the trail that is currently located within this buffer area. All new vegetation within the buffer shall be planted using hand tools.
 - ii. Minimum buffer of 82 ft. includes the distance from edge of wetland to clearing limits. No clearing will occur within the 82-foot buffer (except for installation of stormwater features and the trail). The area of the buffer between 50 ft. and 82 ft. will include some alterations, including portions of the trail that will be rerouted outside of the 50 ft. buffer as discussed previously (see plan for location), portions of an underground tight line pipe from the detention vault to level spreader(s) and at least one level spreader (outside the 50 ft. enhanced area). Otherwise, all healthy native species within the 82-foot wetland buffer shall be left unharmed.
 - iii. The average distance between the edge of the wetland and the cleared area is 138 feet (this average was calculated measuring from vertices along the wetland boundary to the cleared area limits and averaging the distances).
- B. Stormwater treatment will include water quality features prior to being discharged through level spreader outside of the 50 ft. buffer. Dispersion methods will be used in other areas of the development to further reduce the potential to impact the wetland. (see III.A below)
- i. Location of level spreader closest to the wetland is in the approximately location of the existing trail, an already disturbed area, while still outside the 50' buffer. This will minimize the amount of vegetation clearing, etc. to install the spreader.
- C. Relocation of portion of existing trail at least 50' from wetland edge. This will further reduce the impact to the wetland and provide the opportunity to re-vegetate the disturbed area of the buffer.
- D. Removal of invasive plant species within 65 ft. of the wetland boundary on subject property. No healthy native vegetation shall be removed.

- i. Invasive species may include but are not limited to: Japanese Knotweed (*Polygonum cuspidatum*), Himalayan blackberry (*Rubus armeniacus*), English Ivy (*Hedera helix*), Holly (*Ilex aquifolium*), etc.
 - ii. Removal shall be conducted using hand tools
- E. Enhancement to include native species from the list below:
 - i. Sword fern (*Polystichum munitum*)
 - ii. Lady fern (*Athyrium filix-femina*)
 - iii. Salmonberry (*Rubus spectabilis*)
 - iv. Red Elderberry (*Sambucus racemosa*)
 - v. Salal (*Gaultheria shallon*)
- F. Re-vegetation to occur only where invasives have been removed and in the location of the existing trail that will be abandoned.
- G. Interpretive signs shall be placed along trail near wetlands to include information regarding wetland plants, wildlife, water quality, hydrology, etc. These signs shall be located approximately every 100 ft. (to include 5 signs).
- H. Protection during construction – an Erosion and Sediment Control Plan shall be submitted to and approved by the City of Burien prior to any clearing of the project site.

III. Utilities

- A. Stormwater – The project shall comply with the 2005 King County Surface Water Design Manual. The Applicant shall submit a revised TIR and revised engineered stormwater plan for review and approval by the City of Burien. The current design includes a vault in the northwest corner with a dispersal trench designed to mimic the predevelopment condition.
 - i. One or more dispersal trenches will be used to discharge stormwater from the vault .
 - ii. Stormwater from driveways, parking areas and sidewalks will drain to the proposed vault.
 - iii. The following is being considered. Stormwater from rooftops and landscaped areas will be directed to a series of raingardens interspersed through the site where feasible (away from steep slopes, retaining walls

and building foundations as required). See Landscape Planting Plan (sheet L-1). Tentative only.

iv. More time is required to engineer the stormwater system for the revised plan.

B. Sewer - The applicant shall construct a new sewer pump station for the subject site. Both the new pump station and the existing pump station serving the apartments to the north will direct flow into a gravity sewer line situated on 12th Avenue SW. The existing 8-inch gravity sewer line on 12th Avenue SW is adequate to handle anticipated flow from the propose 179 units Emerald Pointe project.

C. Water - The following changes to the water distribution system are required before an Approved Water Availability Certificate can be issued. Design and Installation of approximately 380 feet of 12-inch and 600 feet of 8-inch RJDIP in SW 136th St, from the end of the existing 12-inch main in 136th to the east boundary of 1410 SW 137th Street, then S along boundary to SW 137th Street, then W along 137th about 80 feet to connect to existing 6-inch main in SW 137th, including one hydrant. Design and installation of about 135 feet of 6-inch DIP in 12th Ave SW. (per Water Availability Certificate dated 11/23/2011)

IV. Other

- A. Solid waste collection/transfer facility to be moved to the south portion of the site near Building A.
- B. Building roofs are proposed to be flat roofs (rather than 4:12 pitch).
- C. Unit count to remain at 179 rental units rather than for sale condominium units
- D. At least 270 parking stalls shall be provided (1.5 per unit).