

CITY OF BLAINE
REQUEST FOR COUNCIL ACTION
MEETING DATE: September 27, 2010

SUBJECT: Gateway General Binding Site Plan Revision

DEPARTMENT: Community Development **PREPARED BY:** _____
(Digital Signature)

AGENDA LOCATION: ☐ Consent Agenda ☒ Council Action ☐ Unfinished Business

ATTACHMENTS:

1) STAFF REPORT TO CITY COUNCIL (September 27, 2010)

- Including Attachments A, B, C and D

2) ORDINANCE 10-2771

BACKGROUND/SUMMARY:

This action item is a revision to the approval of the Gateway General Binding Site Plan (GBSP). The GBSP has been substantially modified since the original approval. The proposed changes are dramatic enough that staff considers them to be outside the parameters of the original approval. Therefore, the revised GBSP cannot be administratively approved by staff. The GBSP has been brought back to City Council in the revised format for review and consideration. A public hearing has been set to take testimony before the Council considers and renders a decision on the matter.

The project was originally approved by Council in November 2008. The owner of the property is the City of Blaine. At the time that the GBSP was proposed, the City was under contract with buyers who intended to develop the property according to the GBSP. Since the GBSP was approved by Council, the buyers have opted out of the purchase agreement. Therefore the City remains the owner, and has a development plan (the GBSP) proposed by another party. The City has proposed a revised GBSP that is more consistent with the City's plan for the use and development of the property.

Refer to the attached "Staff Report to the City Council" for a full description of the proposed changes to the GBSP and the associated changes to the conditions of project approval. Also attached is "Ordinance 10-2771" which revises the existing approval of the GBSP by adopting the revised GBSP and modified conditions of approval that are based on the revised plan.

BUDGET IMPLICATIONS: No direct impacts are anticipated from modifying the project approval. Because the City is the owner of the property, and the decision at hand has the effect of changing the marketability of the property, the approval may precipitate impacts to the budget. These impacts are likely to be both positive and negative. Positive changes will result from the sale of property. Negative impacts will result from the City's financial obligations to develop the infrastructure related to the GBSP. These impacts are subject to many factors and

future actions. Forecasting the combined effect of these impacts is outside the scope of the report.

RECOMMENDATION: Waive the second reading ☒

The Community Development Director recommends the City Council waive the second reading and approve Ordinance 10-2771 based on the findings of fact and conditions of approval in the staff report, the Planning Commission recommendation of the original GBSP, and the prior City Council action on the original GBSP.

REVIEWED BY:

City Manager _____ Finance Director _____ City Clerk _____
(Digital Signature) (Digital Signature) (Digital Signature)

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to: _____

ADDITIONAL INFORMATION: _____



STAFF REPORT TO THE CITY COUNCIL

MEETING DATE: October 27, 2010

SUBJECT: **Gateway General Binding Site Plan - Revised**

PROPONENT: City of Blaine (Gary Tomsic)

APPLICATION TYPE(S): General Binding Site Plan

FILE NUMBER(S): BSP-5-08

REQUEST: To modify the approval of a previously approved plan for development of approximately 33 acres of land zoned for commercial and industrial development. The binding site plan provides for dedication of a future right of way to provide access to the site. Future specific binding site plans will create parcels for development according to the underlying general binding site plan.

LOCATION: The project site comprises most of the former Blaine Municipal Airport site. It lies between H Street at the north and Pipeline Road at the south. The site is located approximately 300 feet east of the intersection of State Route 543 and Boblett Street.

SUBMITTED BY: Community Development Services Department

PREPARED BY: Michael Jones, Community Development Director

AGENDA LOCATION:

☐ Comments/Communications ☐ Consent ☐ Committee Reports ☐ Unfinished Business ☐ New Business ☒ Public Hearing ☐ Standing Committee(s)

ATTACHMENTS:

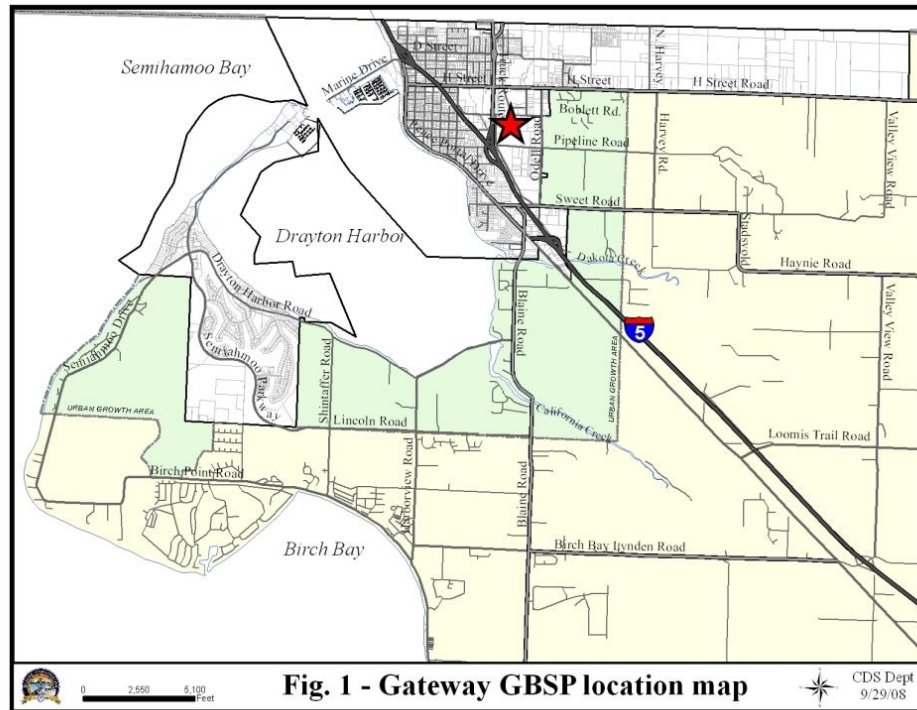
- 1 A. Notice of Decision
- 1 B. SEPA Determination of Non-Significance
- 1 C. Approved General Binding Site Plan
- 1 D. Revised General Binding Site Plan

NOTE: The materials that constitute the official record are on file with the Community Development Services Department and may be reviewed upon request.

SUMMARY

The General Binding Site Plan (GBSP) is an approved project. It was approved by the City on November 11, 2008. At that time the City was under contract with a potential buyer, and the buyer was processing the GBSP to facilitate development of the site. The GBSP established an alignment for future roads and allowed for the creation of lots through administrative processes. The project was approved subject to conditions. The Notice of Decision, containing the findings of fact and the conditions of approval is included as Attachment 1 A.

Figure 1 Location Map



The current request is to modify the GBSP design and adjust the conditions of approval. The owner (i.e. the City) has proposed a GBSP that includes a different road layout and an area-wide stormwater facility. As a result of the design changes and new information available since the project was approved two-years ago there are reasons to consider changes to the conditions of approval. In addition, it is a unique situation to have the City in the role of developer, and certain conditions that were logical with a third-party developer, make no sense when applied to the City. The revised site design and the requested conditions of approval changes are discussed in the following sections.

PROCEDURAL INFORMATION

The project was processed according to the following schedule:

- The project was determined complete on September 9, 2008.
- A Combined Notice of Application and Notice of Intent to Issue MDNS was distributed on September 11, 2008.
- An MDNS was issued on September 24, 2008. (Attachment 1 B)

- A Notice of Public Hearing was distributed on September 29, 2008 and reissued as a courtesy on October 16, 2008.
- Planning Commission public hearing held on October 23, 2008
- Planning Commission recommended approval on October 23, 2008
- City Council approved project on November 11, 2008

As a result of changes discussed in the summary above the owner is requesting changes to the GBSP, and CDS Staff has identified numerous conditions of approval that should be reviewed for changes. Staff has brought the project forward for a second public hearing so that Council can receive public input before considering revisions to the project approval.

ANALYSIS

Design Changes

To allow comparison of the two documents, the previously approved GBSP and the proposed GBSP are included as Attachment 1 C and 1 D, respectively. There are two primary changes to the project design. The proposed north/south road has been modified, and there has been a stormwater easement added to accommodate a stormwater pond that will serve the entire development site. The stormwater easement is coupled with a conservation easement that protects the majority of the wetlands on the site and makes them available for enhancement as mitigation for possible future wetland impacts in the vicinity.

Road Design

The road design has been changed in three locations. The southern section of the road has been changed to a cul-de-sac and it no longer connects to Pipeline Road. This has been done for a number of reasons. Making a cul-de-sac uses less developable land in comparison to a road all the way through to Pipeline Road. Creating the cul-de-sac allows for the southern part of the site to be used for a stormwater pond. Creating a cul-de-sac also avoids adding traffic to Pipeline Road and adding traffic to Yew Avenue which has the potential to exacerbate a less than ideal traffic scenario at the SR-543/Yew Avenue/Boblett Street intersection.

The road has also been revised to no longer connect with Grant Avenue. Previously the plan proposed a through road, and a new intersection with Grant Avenue. It also required the participation of the neighboring property owner (a Boundary Line Adjustment). The proposed design will avoid introducing truck traffic from the Boblett Street industrial area into the H Street/Grant Avenue intersection. It also creates more developable land by reducing the amount of public road created. Previously the applicant was projecting uses such as a hotel, conference center, and significant amounts of retail and commercial use. This mix of uses made a north/south connection important for traffic circulation. The new applicant (the City) indicates that market demand for all the property along Boblett Street is in the form of warehousing, shipping, and light industry. Therefore, dividing the traffic and the users is more appropriate than mixing it along a north/south connection. Separating the traffic and uses is supported by the Comprehensive Plan policies for the Gateway District.

The third change to the road is the elimination of the round-about. The potential buyer had proposed the project with a round-about. It was included primarily as a design element, but it also serves as a traffic control mechanism. The benefit of the round-about was to allow a "U" turn movement for trucks. In the earlier analysis there was consideration of making the northbound Yew Avenue traffic a right-turn-only. This would avoid traffic conflicts at the SR-543/Yew Avenue/Boblett Street intersection. However, this also required vehicles leaving Yew Avenue to do a "U" turn before arriving at SR-543 and the round about provided that. The current vision for the SR-543/Yew Avenue/Boblett Street intersection is to

signalize all the street together and avoid closing Yew Avenue to left turns, while also avoiding the traffic conflicts at the intersection.

The City does not feel that the round-about is the most efficient use of land, and it is not needed to accommodate traffic volumes or turning movements. Therefore, the proposed plan eliminates it. The revised GBSP would include a stop-controlled intersection, with Boblett Street being free-flowing and the cul-de-sac having a stop sign.

In response to the changes to the road pattern, the GBSP has been modified to address pedestrian circulation. Pedestrian circulation was addressed in some of the conditions of approval which are discussed below. A trail easement has been added along the west side of Grant Avenue, which will extend south to Boblett Street. The trail then continues south along the proposed cul-de-sac and follows the edge of the wetland eventually connecting to Pipeline Road. This north/north south connection is consistent with the City Non-Motorized Transportation Plan. Additional pedestrian facilities along Boblett Street and connecting to Skallman Park are included in the GBSP. This proposed trail system preserves the north/south and east/west pedestrian connections that are provided on the approved GBSP.

Other changes are not directly evident as a roadway changes, but are associated with future road improvements. Near the northeast corner of the GBSP a right-of-way dedication is included on the face of the GBSP. This is a right-of-way reserve for future intersection improvements at Grant Avenue and H Street. No improvements are required with the GBSP, but depending on the ultimate use of the northern portion of the site, future development in the International Mall shopping center, and overall development of East Blaine changes to the intersection are likely to be needed in the future. The City is proactively reserving this right-of-way. The City is also reserving a small easement area at the southwestern corner near Skallman Park and the Public Works office building. The easement will provide area to construct a “hammer head” turn around at the end of the Public Works driveway in front of the park.

Stormwater

A large area is reserved as an easement to provide a site for stormwater management. The easement area encompasses wetlands, buffers and uplands. The stormwater pond will be developed in the uplands, and possibly parts of the wetland. The remaining wetland area will be protected and used as mitigation for wetlands impacted by stormwater facility construction. The wetland area may also be available as a mitigation site for other impacts associated with future development. The stormwater system will be reviewed under a Land Disturbance Permit, and any wetland impacts will be reviewed and mitigated for under that permit approval. The SEPA determination for the GBSP specifically disallows any wetland fill as part of the GBSP itself. However, this does not preclude impacts related to a development activity on the site provided the impacts are addressed under the applicable regulations and a subsequent SEPA determination.

Miscellaneous

A variety of easements have been added to the face of the GBSP. These provide for future access, pedestrian connections, and utility corridors. A prohibition to direct access on H Street and certain portions of Grant Avenue has also been noted on the face of the GBSP.

Conditions of Approval

The following section includes conditions of approval with annotations that explain if the conditions are proposed to remain the same or change. Where the conditions are proposed for change an explanation is given, and the revised condition is included. The original condition is given in black text. Staff's comment is given in **blue text**. And, the revised condition when applicable is given in *green italicized*

text.

General Conditions of Approval

- G1. SEPA mitigation measures, as identified in the project SEPA checklist and SEPA Mitigated Determination of Non-Significance shall be reflected in the project design and civil construction plans, and are hereby made conditions of this approval.

This condition still applies and should not be modified.

- G2. Street tree species shall be determined by the Community Development Service Department prior to planting and shall be installed in the new public street(s) when constructed.

Condition #S9 below specifies street tree species. Condition #G2 can be deleted.

- G3. Impact fees shall be paid at the time of Building Permit issuance. (a note to this effect shall be shown on the face of the revised General Binding Site Plan).

The project was reviewed in the SEPA context where the payment of impact fees was a part of the mitigation. This condition remains applicable, however, only traffic impact fees apply to commercial development. There are no park impact fees. This condition still applies and should not be modified.

- G4. After construction of improvements, as-built drawings shall be submitted to and accepted by the Public Works Department prior to approval and recording of future specific binding site plans.

This condition still applies and should not be modified.

- G5. For future specific binding site plans or development, traffic controls shall be installed where needed to the satisfaction of the Public Works Department, and as required by traffic mitigation. Traffic control locations will be determined at time of civil engineering plan review per the requirements of the traffic impact assessment for the project.

This condition still applies and should not be modified.

- G6. The applicant shall post a performance bond for any work in the City right-of-way and or on City utilities and infrastructure to the satisfaction of the Public Works Director prior to issuance of permit(s) for said work.

The City does not post bonds to itself for the completion of public construction projects. This condition should be deleted. If future development includes construction of public infrastructure by a private party/developer a performance bond would be required as a condition of the infrastructure construction permit.

- G7. The applicant shall post a maintenance bond for any public infrastructure to the satisfaction of the Public Works Director prior to acceptance of public infrastructure by the City.

The City does not post bonds to itself for the maintenance of public infrastructure. This condition should be deleted. If future development includes construction of public

infrastructure by a private party/developer a maintenance bond would be required as a condition of the infrastructure construction permit.

- G8. Once action on the General Binding Site Plan (GBSP) is taken by the City Council, the GBSP map shall be revised to reflect any revisions or additions noted in the Conditions of Approval. Four copies of the revised GBSP shall be submitted to the City for administrative review and approval. One copy of the approved GBSP will be returned to the applicant for preparation of mylars.

This condition still applies and should not be modified.

- G9. Adequate fire protection infrastructure, of a type and location approved by the Fire District, shall be included in the civil construction plans. All travel ways shall provide for emergency vehicle access to the satisfaction of the Fire District. No buildings may be constructed or Specific Binding Site Plans approved until adequate fire flow and emergency access is provided.

This condition still applies and should not be modified.

- G10. The General Binding Site Plan shall expire 5 years from the date of approval by the City Council, unless extended by the Council in accordance with the BMC 17.56.070.

This condition still applies. The original expiration date was and will remain November 11, 2013. Staff recommends the following modification to avoid confusion in the future.

The General Binding Site Plan shall expire on November 11, 2013, 5 years from the date of original approval by the City Council, unless extended by the Council in accordance with the BMC 17.56.070.

- G11. Responsibility for compliance with other agency requirements shall be solely the applicant's.

This condition still applies and should not be modified.

Site Specific Conditions of Approval

- S1. All street improvements shall conform to City standards. This includes curb, gutter, sidewalks, and streetlights. Regarding the internal street, development of the street including all public improvements shall be constructed by the adjacent development parcel at the time of site development. Site development shall be defined as building permit issuance and/or land disturbance permit issuance associated with construction approved under a site plan review or specific binding site plan. Each development parcel shall extend the street to the limits of the next developable parcel. The intent of this condition is a continuous, and fully developed public street. Development of the internal street segments shall be completed to the satisfaction of the City prior to issuance of certificates of occupancy for any structure. If an internal parcel develops before the intervening parcels, the developer of the internal parcel shall be responsible for construction as noted above for the full length of street as necessary to reach Grant Avenue, Boblett Street and/or Pipeline Road whichever is applicable to the particular site. This condition shall not override requirements for emergency access, vehicle turn-around, or other life safety issues related to providing access, but shall be supplementary to those requirements.

This condition will no longer be applicable because the City will construct the cul-de-sac and has eliminated the proposed north/south road. This is a typical condition that allows development to incrementally complete the roads in a commercial site; however, the City plans to develop the entire road network and make the site “development ready.” This condition should be modified as indicated below:

All street improvements shall conform to City standards to the satisfaction of the Public Works Director. This includes curb, gutter, pedestrian facilities, street trees and streetlights. Building occupancy shall not be granted for any structure unless all adjacent street frontages are fully improved.

- S2. Proponents of each proposed development in the GBSP shall prepare and submit a trip generation analysis for the proposed use prior to Site Plan Review approval. At such time that the aggregate impacts at the Grant Avenue/H Street intersection reach the 85-percent build out level modeled in the “Traffic Impact Study for Gateway Development,” dated October 2008, as documented by the individual trip generation analyses, the mitigation defined by the study or an alternative acceptable to the City shall be installed.

This condition still applies and should not be modified

- S3. Prior to occupancy of any structure or initiation of any use using Boblett Street for access, Boblett Street shall be fully improved through the project site.

Due to limits on the ARA grant, budget constraints and right-of-way that existed at the time of construction, pedestrian facilities and street trees were not included in the City’s construction project. Trees should be planted when the adjacent site develops and pedestrian facilities should be added as soon as possible, at the latest when the adjacent site develops. This condition should be modified somewhat.

Prior to occupancy of any structure or initiation of any use using Boblett Street for access, the Boblett Street frontage adjacent to the site shall be fully improved.

- S4. Direct driveway access to Boblett Street shall be limited. Any driveways permitted shall be shared between multiple uses whenever feasible.

This condition still applies and should not be modified

- S5. No direct access to H Street shall be permitted.

This condition still applies and should not be modified

- S6. The applicant shall contribute towards intersection improvements at Grant Avenue/H Street as specified in a development agreement. The development agreement shall be approved by the City prior to recordation of the General Binding Site Plan. Contribution to the intersection improvements will be a fair share as determined by a regional traffic study prepared by the City.

Because the City is the applicant, and a development agreement will not be created, this conditions needs to be modified. The City should develop a special development fee based on

vehicle trips generated by on-site development that will contribute to improvements at the Grant Avenue/H Street intersection as they become necessary due to increased traffic in the future. See Condition S2 for more discussion.

The City shall collect a fee prior to building permit issuance for Grant Avenue/H Street intersection improvements. Contribution to the intersection improvements will be a fair share as determined by a regional traffic study prepared by the City.

- S7. Upon transfer of the property, the City shall work with WSDOT and property owners in the Gateway District to develop and implement a pedestrian crossing plan that will result in safe and accessible crossings at SR 543.

This condition should be modified to make the City responsible for this requirement without “transfer of the property” and without including the “property owners.” The proposed improvements are on the City’s 6-year TIP and therefore impact fees collected from site development can be used to help fund these improvements.

The City shall work with WSDOT to develop and implement a pedestrian crossing plan that will result in safe and accessible crossings at SR 543.

- S8. The applicant shall prepare a conceptual pedestrian circulation plan for the property for review and approval by the Community Development Services Department. The circulation plan shall regulate future specific binding site plans and site plan reviews to ensure functional and convenient pedestrian through-traffic as indicated in the Gateway zoning district code section.

The applicant shall prepare a conceptual vehicular circulation plan for the property for review and approval by the Community Development Services Department. The circulation plan shall regulate future specific binding site plans and site plan reviews to ensure functional and convenient parking lot interconnection and traffic flow.

The applicant shall prepare a conceptual landscape plan for the property for review and approval by the Community Development Services Department. The landscape plan shall designate parking lot tree species and street tree species. The plan shall provide a species list and a generalized plan for a typical parking island and street edge landscape treatment. The landscape plan shall establish a planting schematic for areas adjacent to the roundabout.

The applicant shall incorporate the above elements into a Development Agreement or Conditions Covenants and Restrictions (CC&Rs) for the property for review and approval by the City. The final document shall be recorded at the County Auditor’s office concurrent with the Binding Site Plan. The document shall appropriate conditions of final project approval and shall incorporate the conceptual vehicular circulation plan, conceptual pedestrian circulation plan and conceptual landscape plan.

This condition requires a development agreement or CC&Rs. Because we have more information available now than at the time of the original approval, including a street cross-section and easement system that shows future pedestrian facilities, and a landscaping plant species list, this condition can be replaced by details on the face of the GBSP and more detailed conditions of approval as follows:

A minimum 10-foot wide paved multi-modal trail shall be included on the north side of Boblett Street and on the west or east side of the proposed north/south road as shown in Attachment D (Street Cross-Section) and in the easement corridors as shown on the face of the GBSP. An 8-foot wide crushed rock trail connection to Skallman Park shall be provided. The trail adjacent to the north/south road shall be completed with the north/south road construction. The trail connection to Skallman Park and adjacent to the stormwater pond shall be constructed with the adjacent stormwater facilities. The trail adjacent to Boblett Street shall be constructed prior to occupancy of buildings on the adjacent parcel.

Landscaping for parking lot planter islands, in setback areas adjacent to public rights-of-way, and the planting of street trees shall be regulated as follows:

<i>Street Tree Species:</i>	<i>Red Sunset Maple, Acer rubrum 'Red Sunset'</i>
<i>Parking Island Tree:</i>	<i>Mountain Ash, Sorbus aucuparia</i>
<i>Parking Accent Tree:</i>	<i>Tibetan Birch Bark Cherry, Prunus serrula 'Tibetica'</i>
<i>Parking Shrubs options:</i>	<i>Lirope Liriope muscari</i> <i>Bergenia, Bergenia cordifolia</i> <i>Cotoneaster, Cotoneaster damerii 'Lowfast'</i>

Frontage and General Landscape Plantings:

<i>Small Trees:</i>	<i>Satomi Dogwood, Cornus kousa chinensis</i> <i>Winter King Hawthorne, Crataegus viridis</i>
<i>Medium Shrubs:</i>	<i>Burning Bush, Euonymus alata 'Compacta'</i> <i>Pink Rhody, Rhododendron "Anna Rose Whitney"</i>
<i>Low (Facer) Plants:</i>	<i>Autumn Joy Sedum, Sedum</i> <i>David Viburnum, Viburnum davidii</i> <i>Heather, Erica darleyensis 'Kramer's Red'</i>

Plant species are limited as listed unless alternatives are approved by the CDS Director as part of a landscape plan submitted with a Site Plan Review application

A cross-access and parking easement shall be granted for all properties using Grant Avenue for primary site access. The easement shall be included on the face of future Specific Binding Site Plans. A note to this effect will be included on the face of the GBSP.

S9. Signage shall be installed at Boblett Street identifying it as a truck route.

This condition still applies and should not be modified

S10. The diameter of the ROW dedicated to the roundabout shall be 160 feet, or the applicant shall design a roundabout and demonstrate that a reduced ROW area diameter can accommodate a roundabout that supports the turning movements of tractor trailers (WB-50 vehicles).

This condition no longer applies and should be deleted. A roundabout will not be constructed.

S11. The applicant shall participate in a plan to improve pedestrian crossings of SR 543 at H Street and Boblett Street to be developed by the City. All future development within the Gateway General Binding Site Plan shall participate in funding and/or construction of improvements at a rate determined through a Development Agreement between the City and the

applicant/owner.

As noted above with Condition #S7 this responsibility will be taken on by the City, primarily because the City has the ability to work with WSDOT to obtain grants and the upgrade the pedestrian crossings without involving future users of the site. These improvements are included in the City's 6-year TIP, and therefore can be funded through impact fees collected from the site. This condition can be deleted.

- S12. Revise the GBSP drawing for technical accuracy as per the directions of staff and the conditions hereof. Resubmit the GBSP drawing for review and approval by CDS staff prior to recordation.

This condition still applies and should not be modified

- S13. Process a Boundary Line Adjustment to allow for Grant Avenue completion near the eastern edge of the project and as generally depicted in Exhibit E of the staff report or redesign the project to correct the partial right-of-way created prior to recordation of the General Binding Site Plan.

This condition no longer applies. The original GBSP was designed to use some of the neighbor's property. The current design does not require any participation from the neighbor. This condition can be deleted.

- S14. Designate a 20-foot wide stormwater easement along the east property line south of Boblett Street, and on the south property line adjacent to Pipeline Road. (This requirement shall be reflected on the revised General Binding Site Plan). This easement may be released by the City if the same conveyance can be facilitated in the proposed north-south right of way.

The necessary stormwater easements are shown on the face of the revised GBSP. This condition can be deleted.

- S15. A 5-foot utility easement shall be provided around the perimeter of each lot per BMC 17.66.090. (This requirement shall be reflected on the revised General Binding Site Plan)

A note to this effect has been added to the face of the GBSP and the condition can be deleted. (Note: BMC requires a 5-foot easement on property line that are adjacent to public rights-of-way only, not all property boundaries. This was an error in the original report.)

- S16. To ensure that appropriately designed non-vehicular transportation links north and south through the site and to Skallman Park are developed, the trail easement indicated on Sheet 2 of 2 shall be removed and shall be replaced by a note on Sheet 1 of 2 that reads, "Future specific binding site plans, mitigation plans, or site development in the vicinity of Skallman Park shall provide a 20-foot wide trail easement connecting Skallman Park to the north/south road within the General Binding Site Plan, and shall develop an 8-foot wide crushed rock trail within the easement to ensure the park link and north/south connectivity." (This requirement shall be reflected on the revised General Binding Site Plan)

This condition is replaced with the new condition crafted to replace Condition #S8. This condition can be deleted.

S17. Prior to recording this GBSP provide lot closures for the parcels.

[This condition still applies and should not be modified](#)

PUBLIC COMMENT

No written comments have been received as of the drafting of this report. Any comments received will be provided to the Council at the hearing. The City Council should hold a public hearing to take testimony on the proposed revised GBSP and the proposed conditions of approval before taking action of the request..

FINDINGS OF FACT

1. On July 28, 2008 the Community Development Services Department received an application from Michael Leland, representing Gateway, LLC, prospective purchasers of the City's airport site, requesting preliminary approval for a 33 acre General Binding Site Plan. The application was determined to be complete, in accordance with Chapter 17.060 of the Blaine Municipal Code (BMC), on September 9, 2008.
2. A notice of application and notice of public hearing were posted at the project site, as required by BMC 17.06.100 and 17.06.110 respectively. The same notification was published in a Council designated newspaper on September 11, 2008 and September 29, 2008, respectively. Supplemental Notice of Public Hearing was re-advertised on October 15, 2008. The Applicant also completed a direct mailing to all property owners within 300 feet of the proposed general binding site plan, notifying each of the application. Receipts of certified mailing of these notices have been supplied to staff and are on file at the Community Development Services Department. The Department provided additional mailing of the notice of public hearing to all property owners within 300', posting at City Hall, and posting on the City's website.
3. The subject project is approximately 33 acres in size, representing most of the Blaine Municipal Airport site, which was closed on December 31, 2008. The proposal reserves area for commercial development and for dedication of a new public street.
4. The proposed General Binding Site Plan was reviewed for consistency with Title 17 of the Blaine Municipal Code and it was found that with appropriate conditioning, including the adoption of a development agreement, the regulations and development standards could be adequately met.
5. The proposed General Binding Site Plan was reviewed for consistency with the City of Blaine Comprehensive Plan and was found that with appropriate conditioning, including the adoption of a development agreement, the relevant Goals, Policies, and Actions could be adequately met.
6. Pursuant to the Revised Code of Washington, Section 58.17.110 it has been determined that with appropriate conditioning, adequate provisions are made for the public health, safety and general welfare and the public use and interest will be served by the approval of this site plan.
7. The early connection of Boblett Street will ensure that truck traffic is oriented towards Boblett Street, Odell Road, and SR 543 as required by the Gateway district Comprehensive Plan policies. The individual review of traffic impacts for each subsequent development ensures that

traffic will not significantly impact the citywide transportation system.

8. Developing a plan for pedestrian enhancements in cooperation with the City, and participating in funding of those enhancements ensures that the project complies with the Comprehensive Plan policies regarding pedestrian safety and the Gateway zoning district's development.
9. The development of Boblett Street through the site, and the appropriate street revisions at H Street ensure that local traffic patterns will not be significantly adversely affected by future development of the site, and improvements to local traffic circulation may result from the connection of Boblett Street.
10. Changes to the approved project were proposed by the property owner that were brought to the City Council for consideration.
11. Development of the General Binding Site Plan by the City creates a unique circumstance which warrants consideration of the proposed changes to the design. As such the City Council held a duly noticed public hearing on September 27, 2010 prior to consideration of approval of the request.
12. The City Council finds that the revised project as conditioned is consistent with the Municipal Code and Comprehensive Plan.

RECOMMENDATION

Staff recommends that the City Council approve the revised Gateway General Binding Site Plan based on the findings of fact herein and subject to the revised conditions of approval contained at the end of this report.

CONDITIONS OF APPROVAL

General Conditions of Approval

- G1. SEPA mitigation measures, as identified in the project SEPA checklist and SEPA Mitigated Determination of Non-Significance shall be reflected in the project design and civil construction plans, and are hereby made conditions of this approval.
- G2. Impact fees shall be paid at the time of Building Permit issuance. (a note to this effect shall be shown on the face of the revised General Binding Site Plan).
- G3. After construction of improvements, as-built drawings shall be submitted to and accepted by the Public Works Department prior to approval and recording of future specific binding site plans.
- G4. For future specific binding site plans or development, traffic controls shall be installed where needed to the satisfaction of the Public Works Department, and as required by traffic mitigation. Traffic control locations will be determined at time of civil engineering plan review per the requirements of the traffic impact assessment for the project.
- G5. Once action on the General Binding Site Plan (GBSP) is taken by the City Council, the GBSP map shall be revised to reflect any revisions or additions noted in the Conditions of Approval. Four copies of the revised GBSP shall be submitted to the City for administrative review and

approval. One copy of the approved GBSP will be returned to the applicant for preparation of mylars.

G6. Adequate fire protection infrastructure, of a type and location approved by the Fire District, shall be included in the civil construction plans. All travel ways shall provide for emergency vehicle access to the satisfaction of the Fire District. No buildings may be constructed or Specific Binding Site Plans approved until adequate fire flow and emergency access is provided.

G7. The General Binding Site Plan shall expire on November 11, 2013, 5 years from the date of original approval by the City Council, unless extended by the Council in accordance with the BMC 17.56.070.

G8. Responsibility for compliance with other agency requirements shall be solely the applicant's..

Site Specific Conditions of Approval

S1. All street improvements shall conform to City standards to the satisfaction of the Public Works Director. This includes curb, gutter, pedestrian facilities, street trees and streetlights. Building occupancy shall not be granted for any structure unless all adjacent street frontages are fully improved.

S2. Proponents of each proposed development in the GBSP shall prepare and submit a trip generation analysis for the proposed use prior to Site Plan Review approval. At such time that the aggregate impacts at the Grant Avenue/H Street intersection reach the 85-percent build out level modeled in the "Traffic Impact Study for Gateway Development," dated October 2008, as documented by the individual trip generation analyses, the mitigation defined by the study or an alternative acceptable to the City shall be installed.

S3. Prior to occupancy of any structure or initiation of any use using Boblett Street for access, the Boblett Street frontage adjacent to the site shall be fully improved.

S4. Direct driveway access to Boblett Street shall be limited. Any driveways permitted shall be shared between multiple uses whenever feasible.

S5. No direct access to H Street shall be permitted.

S6. The City shall collect a fee for Grant Avenue/H Street intersection improvements. Contribution to the intersection improvements will be a fair share as determined by a regional traffic study prepared by the City.

S7. The City shall work with WSDOT to develop and implement a pedestrian crossing plan that will result in safe and accessible crossings at SR 543/Boblett Street and SR 543/H Street.

S8. A minimum 10-foot wide paved multi-modal trail shall be included on the north side of Boblett Street and on the west or east side of the proposed north/south road as shown in Attachment D (Street Cross-Section) and in the easement corridors as shown on the face of the GBSP. An 8-foot wide crushed rock trail connection to Skallman Park shall be provided. The trail adjacent to the north/south road shall be completed with the north/south road construction. The trail

connection to Skallman Park and adjacent to the stormwater pond shall be constructed with the adjacent stormwater facilities. The trail adjacent to Boblett Street shall be constructed prior to occupancy of buildings on the adjacent parcel.

- S9. Landscaping for parking lot planter islands, in setback areas adjacent to public rights-of-way, and the planting of street trees shall be regulated as follows:

Street Tree Species:	Red Sunset Maple, <i>Acer rubrum</i> 'Red Sunset'
Parking Island Tree:	Mountain Ash, <i>Sorbus aucuparia</i>
Parking Accent Tree:	Tibetan Birch Bark Cherry, <i>Prunus serrula</i> 'Tibetica'
Parking Shrubs options:	Lirope <i>Liriope muscari</i> Bergenia, <i>Bergenia cordifolia</i> Cotoneaster, <i>Cotoneaster damerii</i> 'Lowfast'
Frontage and General Landscape Plantings:	
Small Trees:	Satomi Dogwood, <i>Cornus kousa chinensis</i> Winter King Hawthorne, <i>Crataegus viridis</i>
Medium Shrubs:	Burning Bush, <i>Euonymus alata</i> 'Compacta' Pink Rhody, <i>Rhododendron</i> "Anna Rose Whitney
Low (Facer) Plants:	Autumn Joy Sedum, <i>Sedum</i> David Viburnum, <i>Viburnum davidii</i> Heather, <i>Erica darleyensis</i> 'Kramer's Red

Plant species are limited as listed unless alternatives are approved by the CDS Director as part of a landscape plan submitted with a Site Plan Review application.

- S10. A cross-access and parking easement shall be granted for all properties using Grant Avenue for primary site access. The easement shall be included on the face of future Specific Binding Site Plans. A note to this effect will be included on the face of the GBSP
- S11. Signage shall be installed at Boblett Street identifying it as a truck route.
- S12. Revise the GBSP drawing for technical accuracy as per the directions of staff and the conditions hereof. Resubmit the GBSP drawing for review and approval by CDS staff prior to recordation.
- S13. A 5-foot utility easement shall be provided around the perimeter of each lot per BMC 17.66.090. (This requirement shall be reflected on the revised General Binding Site Plan)
- S14. Prior to recording this GBSP provide lot closures for the parcels.



CITY OF BLAINE

COMMUNITY DEVELOPMENT

ATTACHMENT 1A

344 H STREET • BLAINE, WA • 98230
PHONE: (360) 332-8311 • FAX: (360) 332-8330
www.ci.blaine.wa.us

NOTICE OF DECISION

APPROVAL OF GATEWAY GENERAL BINDING SITE PLAN PERMIT # BSP-5-08

PURSUANT TO SECTION 17.06 AND 17.60, BLAINE MUNICIPAL CODE, APPROVAL HAS BEEN GRANTED BY THE CITY COUNCIL FOR THE FOLLOWING PERMITS:

A GENERAL BINDING SITE PLAN PERMIT IS HEREBY GRANTED TO:

Applicant: Gateway LLC for City of Blaine
c/o Premier Construction Management
354 West Badger Road
Lynden, WA 98264

TO UNDERTAKE THE FOLLOWING:

Development of a 33-acre commercial/industrial facility

UPON THE FOLLOWING PROPERTY/LOCATION:

Between H Street and Pipeline Road on the site of the Blaine Municipal Airport, approximately 300 feet east of the intersection of Boblett Street and State Route 543.

ENVIRONMENTAL REVIEW WAS COMPLETED FOR THE PROPOSAL:

An environmental checklist was prepared and submitted with the application materials. The City of Blaine has been designated as the lead agency for SEPA review. A Mitigated Determination of Nonsignificance (MDNS) was issued on September 25, 2008. This decision was made after review of a completed environmental checklist and other information on file with the City.

THE CITY COUNCIL DECISION WAS DETERMINED:

Through a Public Hearing process, the members of the Planning Commission considered and deliberated over all relevant information and a staff report that was provided to them. At the conclusion of the Public Hearing the Planning Commission recommended approval of the Findings identified in the City's Staff Report and recommended approval of the General Binding Site Plan with conditions. The City Council held a closed record hearing and approved the proposal on November 11, 2008.

FINDINGS OF FACT:

1. On July 28, 2008 the Community Development Services Department received an application from Michael Leland, representing Gateway, LLC, prospective purchasers of the City's airport site, requesting preliminary approval for a 33 acre General Binding Site Plan. The application was determined to be complete, in accordance with Chapter 17.060 of the Blaine Municipal Code (BMC), on September 9, 2008.

2. A notice of application and notice of public hearing were posted at the project site, as required by BMC 17.06.100 and 17.06.110 respectively. The same notification was published in a Council designated newspaper on September 11, 2008 and September 29, 2008, respectively. Supplemental Notice of Public Hearing was re-advertised on October 15, 2008. The Applicant also completed a direct mailing to all property owners within 300 feet of the proposed general binding site plan, notifying each of the application. Receipts of certified mailing of these notices have been supplied to staff and are on file at the Community Development Services Department. The Department provided additional mailing of the notice of public hearing to all property owners within 300', posting at City Hall, and posting on the City's website.
3. The subject project is approximately 33 acres in size, representing most of the Blaine Municipal Airport site, which is scheduled for closure on December 31, 2008. The proposal reserves area for commercial development and for dedication of a new public street.
4. The proposed General Binding Site Plan was reviewed for consistency with Title 17 of the Blaine Municipal Code and was found that with appropriate conditioning, including the adoption of a development agreement, the regulations and development standards could be adequately met.
5. The proposed General Binding Site Plan was reviewed for consistency with the City of Blaine Comprehensive Plan and was found that with appropriate conditioning, including the adoption of a development agreement, the relevant Goals, Policies, and Actions could be adequately met.
6. Pursuant to the Revised Code of Washington, Section 58.17.110 it has been determined that with appropriate conditioning, adequate provisions are made for the public health, safety and general welfare and the public use and interest will be served by the approval of this site plan.
7. The early connection of Boblett Street will ensure that truck traffic is oriented towards Boblett Street, Odell Road, and SR 543 as required by the Gateway district Comprehensive Plan policies. The individual review of traffic impacts for each subsequent development ensures that traffic will not significantly impact the citywide transportation system.
8. Developing a plan for pedestrian enhancements in cooperation with the City, and participating in funding of those enhancements ensures that the project complies with the Comprehensive Plan policies regarding pedestrian safety and the Gateway zoning district's development.
9. The development on Boblett Street through the site, and the appropriate street revisions at H Street ensure that local traffic patterns will not be significantly adversely affected by future development of the site, and improvements to local traffic circulation may result from the connection of Boblett Street.

CONDITIONS OF APPROVAL:

General Conditions of Approval

- G1. SEPA mitigation measures, as identified in the project SEPA checklist and SEPA Mitigated Determination of Non-Significance shall be reflected in the project design and civil construction plans, and are hereby made conditions of this approval.
- G2. Street tree species shall be determined by the Community Development Service Department prior to planting and shall be installed in the new public street(s) when constructed.
- G3. Impact fees shall be paid at the time of Building Permit issuance. (a note to this effect shall be shown on the face of the revised General Binding Site Plan).
- G4. After construction of improvements, as-built drawings shall be submitted to and accepted by the Public Works Department prior to approval and recording of future specific binding site plans.
- G5. For future specific binding site plans or development, traffic controls shall be installed where needed to the satisfaction of the Public Works Department, and as required by traffic mitigation. Traffic control locations

will be determined at time of civil engineering plan review per the requirements of the traffic impact assessment for the project.

- G6. The applicant shall post a performance bond for any work in the City right-of-way and or on City utilities and infrastructure to the satisfaction of the Public Works Director prior to issuance of permit(s) for said work.
- G7. The applicant shall post a maintenance bond for any public infrastructure to the satisfaction of the Public Works Director prior to acceptance of public infrastructure by the City.
- G8. Once action on the General Binding Site Plan (GBSP) is taken by the City Council, the GBSP map shall be revised to reflect any revisions or additions noted in the Conditions of Approval. Four copies of the revised GBSP shall be submitted to the City for administrative review and approval. One copy of the approved GBSP will be returned to the applicant for preparation of mylars.
- G9. Adequate fire protection infrastructure, of a type and location approved by the Fire District, shall be included in the civil construction plans. All travel ways shall provide for emergency vehicle access to the satisfaction of the Fire District. No buildings may be constructed or Specific Binding Site Plans approved until adequate fire flow and emergency access is provided.
- G10. The General Binding Site Plan shall expire 5 years from the date of approval by the City Council, unless extended by the Council in accordance with the BMC 17.56.070.
- G11. Responsibility for compliance with other agency requirements shall be solely the applicant's.

Specific Conditions of Approval

- S1. All street improvements shall conform to City standards. This includes curb, gutter, sidewalks, and streetlights. Regarding the internal street, development of the street including all public improvements shall be constructed by the adjacent development parcel at the time of site development. Site development shall be defined as building permit issuance and/or land disturbance permit issuance associated with construction approved under a site plan review or specific binding site plan. Each development parcel shall extend the street to the limits of the next developable parcel. The intent of this condition is a continuous, and fully developed public street. Development of the internal street segments shall be completed to the satisfaction of the City prior to issuance of certificates of occupancy for any structure. If an internal parcel develops before the intervening parcels, the developer of the internal parcel shall be responsible for construction as noted above for the full length of street as necessary to reach Grant Avenue, Boblett Street and/or Pipeline Road whichever is applicable to the particular site. This condition shall not override requirements for emergency access, vehicle turn-around, or other life safety issues related to providing access, but shall be supplementary to those requirements.
- S2. Proponents of each proposed development in the GBSP shall prepare and submit a trip generation analysis for the proposed use prior to Site Plan Review approval. At such time that the aggregate impacts at the Grant Avenue/H Street intersection reach the 85-percent build out level modeled in the "Traffic Impact Study for Gateway Development," dated October 2008, as documented by the individual trip generation analyses, the mitigation defined by the study or an alternative acceptable to the City shall be installed.
- S3. Prior to occupancy of any structure or initiation of any use using Boblett Street for access, Boblett Street shall be fully improved through the project site.
- S4. Direct driveway access to Boblett Street shall be limited. Any driveways permitted shall be shared between multiple uses whenever feasible.
- S5. No direct access to H Street shall be permitted.
- S6. The applicant shall contribute towards intersection improvements at Grant Avenue/H Street as specified in a development agreement. The development agreement shall be approved by the City prior to recordation

of the General Binding Site Plan. Contribution to the intersection improvements will be a fair share as determined by a regional traffic study prepared by the City.

S7. Upon transfer of the property, the City shall work with WSDOT and property owners in the Gateway District to develop and implement a pedestrian crossing plan that will result in safe and accessible crossings at SR 543.

S8. The applicant shall prepare a conceptual pedestrian circulation plan for the property for review and approval by the Community Development Services Department. The circulation plan shall regulate future specific binding site plans and site plan reviews to ensure functional and convenient pedestrian through-traffic as indicated in the Gateway zoning district code section.

The applicant shall prepare a conceptual vehicular circulation plan for the property for review and approval by the Community Development Services Department. The circulation plan shall regulate future specific binding site plans and site plan reviews to ensure functional and convenient parking lot interconnection and traffic flow.

The applicant shall prepare a conceptual landscape plan for the property for review and approval by the Community Development Services Department. The landscape plan shall designate parking lot tree species and street tree species. The plan shall provide a species list and a generalized plan for a typical parking island and street edge landscape treatment. The landscape plan shall establish a planting schematic for areas adjacent to the roundabout.

The applicant shall incorporate the above elements into a Development Agreement or Conditions Covenants and Restrictions (CC&Rs) for the property for review and approval by the City. The final document shall be recorded at the County Auditor's office concurrent with the Binding Site Plan. The document shall appropriate conditions of final project approval and shall incorporate the conceptual vehicular circulation plan, conceptual pedestrian circulation plan and conceptual landscape plan.

S9. Signage shall be installed at Boblett Street identifying it as a truck route.

S10. The diameter of the ROW dedicated to the roundabout shall be 160 feet, or the applicant shall design a roundabout and demonstrate that a reduced ROW area diameter can accommodate a roundabout that supports the turning movements of tractor trailers (WB-50 vehicles).

S11. The applicant shall participate in a plan to improve pedestrian crossings of SR 543 at H Street and Boblett Street to be developed by the City. All future development within the Gateway General Binding Site Plan shall participate in funding and/or construction of improvements at a rate determined through a Development Agreement between the City and the applicant/owner.

S12. Revise the GBSP drawing for technical accuracy as per the directions of staff and the conditions hereof. Resubmit the GBSP drawing for review and approval by CDS staff prior to recordation.

S13. Process a Boundary Line Adjustment to allow for Grant Avenue completion near the eastern edge of the project and as generally depicted in Exhibit E of the staff report or redesign the project to correct the partial right-of-way created prior to recordation of the General Binding Site Plan.

S14. Designate a 20-foot wide stormwater easement along the east property line south of Boblett Street, and on the south property line adjacent to Pipeline Road. (This requirement shall be reflected on the revised General Binding Site Plan). This easement may be released by the City if the same conveyance can be facilitated in the proposed north-south right of way.

S15. A 5-foot utility easement shall be provided around the perimeter of each lot per BMC 17.66.090. (This requirement shall be reflected on the revised General Binding Site Plan)

S16. To ensure that appropriately designed non-vehicular transportation links north and south through the site and to Skallman Park are developed, the trail easement indicated on Sheet 2 of 2 shall be removed and shall be replaced by a note on Sheet 1 of 2 that reads, "Future specific binding site plans, mitigation plans, or site development in the vicinity of Skallman Park shall provide a 20-foot wide trail easement connecting Skallman Park to the north/south road within the General Binding Site Plan, and shall develop

an 8-foot wide crushed rock trail within the easement to ensure the park link and north/south connectivity.”
(This requirement shall be reflected on the revised General Binding Site Plan)

S17. Prior to recording this GBSP provide lot closures for the parcels.

This approval is granted pursuant to the Chapter 17.06, Blaine Municipal Code and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances, or regulations applicable to this project.

Approved this 11th day of November, 2008



City Mayor, Bonnie Onyon



MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

City of Blaine CDS 344 H Street Blaine, Washington 98230

Project Name	Gateway General Binding Site Plan		
SEPA File Number	BSP-5-08, SEP-8-08		
Project Description	A General Binding Site Plan to facilitate commercial and industrial development on 32+/- acres.		
Owner	City of Blaine 322 H Street Blaine WA 98230	Proponent/Agent	Mike Leland Premier Construction Management 354 West Badger Road Lynden, WA 98264
Location	The project is located on the north and south side of Boblett Street approximately 170 feet east of State Route 543, on the site of the Blaine Municipal Airport. The property extends from H Street in the north to Pipeline Road in the south.		
Lead Agency Determination	City of Blaine The lead agency has determined that this project is not likely to have a probable significant adverse impact on the environment with the addition of mitigating conditions to the development approval. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. Information on the process and the project is available to the public upon request at the City of Blaine, Community Development Services office.		

Mitigation Measures

Water:

- No wetland buffer encroachment or impacts, and no wetland fill are permitted with this general binding site plan. Impacts related to future development will be mitigated through subsequent environmental review.

Traffic:

- Install traffic improvements as required by a city-approved traffic impact assessment according to a schedule defined in the assessment.

Cultural Resources:

- Should archaeological materials (e.g. shell midden, faunal remains, stone tools) or human remains be observed during project activities, all work in the immediate vicinity shall stop, and the area shall be secured. The state Office of Archaeology and Historic Preservation (OAHP) at 360-586-3065, the

Lummi Nation Tribal Historic Preservation Office (LNTHPO) at 3 384-2298 and Nooksack Cultural Resources Department (George Swanaset, Jr.) at 360-592-0162 shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required. In the event that the find includes human remains the Blaine Police Department shall be called immediately at 360-332-6769.

Comment Period

**Responsible
Official**

Appeal

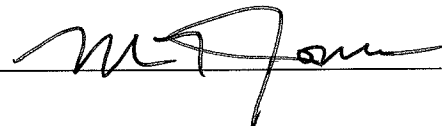
This MDNS is issued under WAC 197-11-355. The lead agency provided a comment period beginning on September 11, 2008 ending September 24, 2008.

Michael Jones

Development Permit Manger, City of Blaine
344 H Street, Blaine, WA 98230

Phone: 360-332-8311 Fax: 360-543-9978 Email: mjones@cityofblaine.com

This determination may be appealed by letter to the SEPA Official at the address noted above. Such an appeal would need to be made by the end of the business day on **October 9, 2008**. Appeals must include a specific factual objection. Questions should be directed to the responsible official noted above.

Signature:  Date: 9/25/08



GATEWAY GENERAL BINDING SITE PLAN

A PORTION WITHIN SECTION 6, TOWNSHIP 40 N, RANGE 1 E, W.M.
CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON

DECLARATION

KNOW ALL MEN BY THESE PRESENCE THAT WE, THE UNDERSIGNED OWNERS, HEREBY DECLARE THIS GENERAL BINDING SITE PLAN IS MADE WITH OUR FREE CONSENT AND ACCORDING TO OUR WISHES, SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NO. _____.

GATEWAY L.L.C.

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
SS.)
COUNTY OF WHATCOM)

ON THIS _____ DAY OF _____, 2008, BEFORE ME, THE UNDERSIGNED, _____, TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME FOR THE USES AND PURPOSES THEREIN SET FORTH. WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS _____ DAY OF _____, 2008.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____, WASHINGTON.
DATE COMMISSION EXPIRES _____.

LEGAL DESCRIPTION

LOTS 1 AND 2 OF BLAINE'S GATEWAY SHORT PLAT, AS RECORDED UNDER A.F.# _____,
RECORDS OF WHATCOM COUNTY, WASHINGTON.

CITY OF BLAINE CERTIFICATE

I HEREBY CERTIFY THAT THIS GENERAL BINDING SITE PLAN COMPLIES WITH THE BLAINE MUNICIPAL CODE REQUIREMENTS FOR PLATTING PER DIVISION 4, TITLE 17, BLAINE MUNICIPAL CODE, AND WAS REVIEWED AND ACCEPTED BY THE CITY OF BLAINE.

APPROVED THIS _____ DAY OF _____, 2008.

TERRY GALVIN, COMMUNITY DEVELOPMENT DIRECTOR

CITY OF BLAINE MAYOR

I HEREBY CERTIFY THAT THIS GENERAL BINDING SITE PLAN IS DULY APPROVED.

APPROVED THIS _____ DAY OF _____, 2008.

BONNIE ONYON, MAYOR, CITY OF BLAINE

CITY OF BLAINE PUBLIC WORKS

EXAMINED AND APPROVED BY THE CITY OF BLAINE PUBLIC WORKS DEPARTMENT.

APPROVED THIS _____ DAY OF _____, 2008.

STEVE BANHAM, PUBLIC WORKS DIRECTOR

CITY OF BLAINE PLANNING COMMISSION

EXAMINED AND APPROVED BY THE CITY OF BLAINE PLANNING COMMISSION.

APPROVED THIS _____ DAY OF _____, 2008.

JEFF ARNTZEN, PLANNING COMMISSION CHAIR

WHATCOM COUNTY TREASURER'S CERTIFICATE

I, STEVEN N. OLIVER, TREASURER OF WHATCOM COUNTY, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UPON THAT PORTION OF REAL ESTATE EMBRACED WITHIN THIS "HUGHES AVENUE GENERAL BINDING SITE PLAN" AND ALL DELINQUENT ASSESSMENTS HAVE BEEN FULLY PAID AS SHOWN IN THE RECORDS OF MY OFFICE, DATED THIS _____ DAY OF _____, 2008.

STEVEN N. OLIVER, TREASURER, WHATCOM COUNTY, WASHINGTON

NOTE PER RCW 58.17.040(7)(E)

ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, TOWN, OR COUNTY HAVING JURISDICTION OVER THE DEVELOPMENT OF SUCH LAND, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE INCLUDED IN ONE OR MORE CONDOMINIUMS OR OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.

AUDITOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS BINDING SITE PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON, AT THE REQUEST OF _____ ON THIS _____ DAY OF _____, 20____, UNDER AUDITORS FILE NUMBER _____.

WHATCOM COUNTY AUDITOR BY _____

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS SURVEYS MADE BY ME OR UNDER MY DIRECTION AND IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF FABER BROTHERS INVESTMENT L.L.C., IN FEBRUARY 2007.

Scott Harksell, PLS. License # _____
COMPASS POINT SURVEY GROUP, INC.

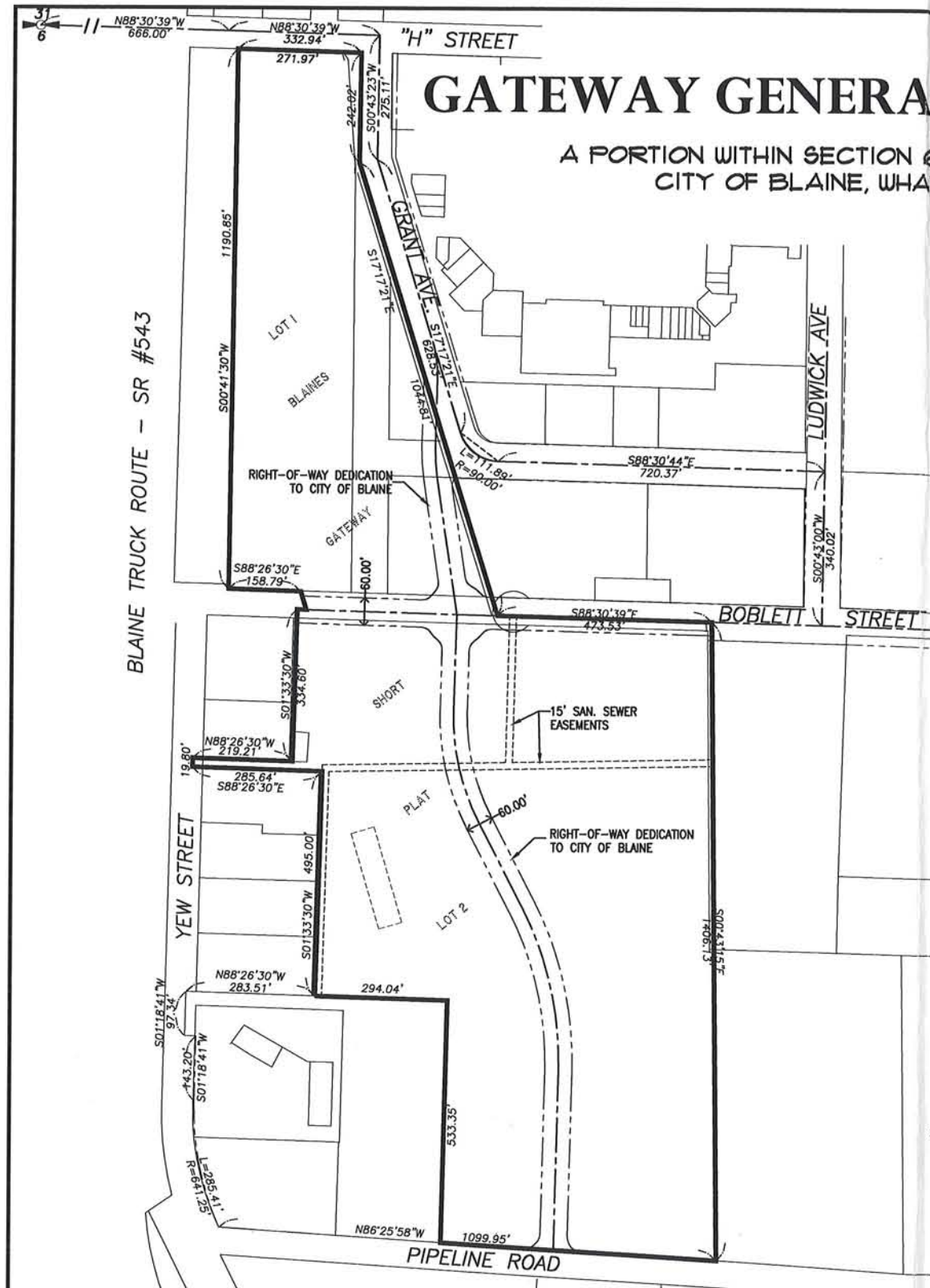


ASSOCIATED PROJECT CONSULTANTS, INC., P.S.
CIVIL ENGINEERS, PROJECT AND LAND USE MANAGEMENT
BUILDING, STRUCTURAL AND ENVIRONMENTAL SERVICES
1401 ASTOR STREET, BELLINGHAM, WA. 98225
(360) 671-1146

GATEWAY G.B.S.P.

A PTN. OF SECTION 6, TOWNSHIP 40 N, RANGE 1 E, W.M.
CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON

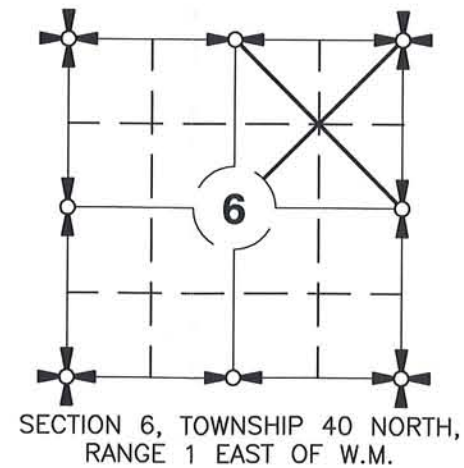
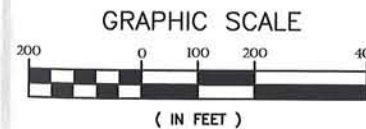
DRAWN BY NGR	DATE 07/24/08	JOB NO. 08-116
CHECKED BY DNC	SCALE NONE	SHEET 1 OF 2



GATEWAY GENERAL BINDING SITE PLAN

A PORTION WITHIN SECTION 6, TOWNSHIP 40 N, RANGE 1 E, W.M.
CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON

RECEIVED
JUL 28 2008
BY: *AW BSP-5-08*



<p>AUDITOR'S CERTIFICATE</p> <p>I HEREBY CERTIFY THAT THIS BINDING SITE PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON, AT THE REQUEST OF ON THIS DAY OF, 20....., UNDER AUDITORS FILE NUMBER</p> <p>WHATCOM COUNTY AUDITOR BY _____</p>	<p>SURVEYOR'S CERTIFICATE</p> <p>THIS MAP CORRECTLY REPRESENTS SURVEYS MADE BY ME OR UNDER MY DIRECTION AND IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF GATEWAY LLC IN _____</p>	<p>ASSOCIATED PROJECT CONSULTANTS, INC., P.S.</p> <p>CIVIL ENGINEERS, PROJECT AND LAND USE MANAGEMENT BUILDING, STRUCTURAL AND ENVIRONMENTAL SERVICES 1401 ASTOR STREET, BELLINGHAM, WA. 98225 (360) 671-1146</p> <p>A.P.C.</p>	<p>GATEWAY G.B.S.P.</p> <p>A PTN. OF SECTION 6, TOWNSHIP 40 N, RANGE 1 E, W.M. CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON</p> <table border="1"> <tr> <td>DRAWN BY NGR</td> <td>DATE 07/24/08</td> <td>JOB NO. 08-116</td> </tr> <tr> <td>CHECKED BY DNC</td> <td>SCALE NONE</td> <td>SHEET 2 OF 2</td> </tr> </table>	DRAWN BY NGR	DATE 07/24/08	JOB NO. 08-116	CHECKED BY DNC	SCALE NONE	SHEET 2 OF 2
DRAWN BY NGR	DATE 07/24/08	JOB NO. 08-116							
CHECKED BY DNC	SCALE NONE	SHEET 2 OF 2							

GATEWAY GENERAL BINDING SITE PLAN

BSP-5-08

BEING A PORTION OF THE NE 1/4, SECTION 6, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M.,
CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THE UNDERSIGNED, BEING OWNER REPRESENTATIVE OF THE LAND HEREIN PLATTED, HEREBY DECLARE AND ACKNOWLEDGE THE "GATEWAY GENERAL BINDING SITE PLAN" AND DEDICATE TO THE USE OF THE CITY OF BLAINE, PUGET SOUND ENERGY, CASCADE NATURAL GAS, AND VERIZON, FOREVER, ALL ROADS, ALLEYS, AND EASEMENTS, SHOWN ON THIS PLAT; ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILL UPON LOTS, BLOCKS AND TRACTS IN ANY REASONABLE GRADING OF THE ROADS, ALLEYS, EASEMENTS AND PUBLIC SITES, AND HEREBY WAIVER ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENT AUTHORITY WHICH MAY BE OCCASIONED TO ADJACENT LAND BY ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROAD.

GARY TOMSIC, CITY OF BLAINE MANAGER

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
COUNTY OF WHATCOM) SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT GARY TOMSIC IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE CITY OF BLAINE MANAGER TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____, WASHINGTON.
DATE COMMISSION EXPIRES _____

WHATCOM COUNTY TREASURER'S CERTIFICATE

I, STEVEN N. OLIVER, TREASURER OF WHATCOM COUNTY, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UPON THAT PORTION OF REAL ESTATE EMBRACED WITHIN THIS "GATEWAY GENERAL BINDING SITE PLAN" AND ALL DELINQUENT ASSESSMENTS HAVE BEEN FULLY PAID AS SHOWN IN THE RECORDS OF MY OFFICE, DATED _____ DAY OF _____, 2010.

STEVEN N. OLIVER, TREASURER, WHATCOM COUNTY, WASHINGTON

NOTE PER RCW 58.17.040(7)(E)

ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, TOWN, OR COUNTY HAVING JURISDICTION OVER THE DEVELOPMENT OF SUCH LAND, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE INCLUDED IN ONE OR MORE CONDOMINIUMS OR OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.

LEGAL DESCRIPTION

LOTS 2 AND 3 OF BLAINE'S GATEWAY SHORT PLAT, AS RECORDED UNDER AUDITOR'S FILE NO. 2080900526, RECORDS OF WHATCOM COUNTY, WASHINGTON.

TOGETHER WITH AND SUBJECT TO EASEMENTS, AGREEMENTS, COVENANTS, CONDITIONS, RIGHTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

CITY OF BLAINE CERTIFICATE

I HEREBY CERTIFY THAT THIS GENERAL BINDING SITE PLAN COMPLIES WITH THE BLAINE MUNICIPAL CODE REQUIREMENTS FOR PLATTING PER DIVISION 4, TITLE 17, BLAINE MUNICIPAL CODE, AND WAS REVIEWED AND ACCEPTED BY THE CITY OF BLAINE.

APPROVED THIS _____ DAY OF _____, 2010.

MICHAEL JONES, COMMUNITY DEVELOPMENT DIRECTOR

CITY OF BLAINE MAYOR

I HEREBY CERTIFY THAT THIS GENERAL BINDING SITE PLAN IS DULY APPROVED.

APPROVED THIS _____ DAY OF _____, 2010.

BONNIE ONYON, MAYOR, CITY OF BLAINE

CITY OF BLAINE PUBLIC WORKS

EXAMINED AND APPROVED BY THE CITY OF BLAINE PUBLIC WORKS DEPARTMENT.

APPROVED THIS _____ DAY OF _____, 2010.

STEVE BANHAM, PUBLIC WORKS DIRECTOR

CITY OF BLAINE PLANNING COMMISSION

EXAMINED AND APPROVED BY THE CITY OF BLAINE PLANNING COMMISSION.

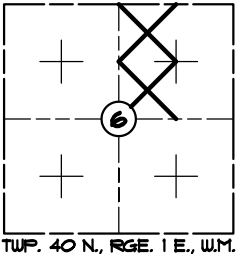
APPROVED THIS _____ DAY OF _____, 2010.

KEN OPLINGER, PLANNING COMMISSION CHAIR

DEVELOPMENT NOTES

- 1) TRAFFIC IMPACT FEES SHALL BE PAID PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 2) REFER TO CONDITIONS OF THE GENERAL BINDING SITE PLAN APPROVAL FOR SITE LANDSCAPING REQUIREMENTS.
- 3) SPECIFIC BINDING SITE PLANS THAT CREATE LOTS WITH PRIMARY ACCESS FROM GRANT AVENUE SHALL INCLUDE A CROSS-ACCESS AND SHARED PARKING AGREEMENT TO BENEFIT ALL OTHER LOTS WITH PRIMARY ACCESS FROM GRANT AVENUE.
- 4) SPECIFIC BINDING SITE PLANS SHALL INCLUDE A FIVE-FOOT UTILITY EASEMENT ADJACENT TO ALL PUBLIC RIGHTS-OF-WAY.
- 5) NO WETLAND FILL IS PERMITTED UNDER THIS GENERAL BINDING SITE PLAN APPROVAL. WETLAND FILL PROPOSED WITH FUTURE SPECIFIC BINDING SITE PLANS AND SITE DEVELOPMENT ARE SUBJECT TO INDEPENDENT REVIEW AND PERMITTING.

PRELIMINARY
APPLICATION MAP



AUDITOR'S CERTIFICATE

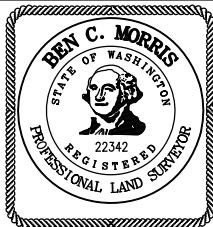
FILED FOR RECORD THIS DAY OF, 20....
AT M, AT THE REQUEST OF LARRY STEELE AND ASSOCIATES,
LAND SURVEYORS. RECORDED UNDER AUDITOR'S FILE NUMBER
.....

WHATCOM COUNTY AUDITOR'S OFFICE

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION AND IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF GARY TOMSIC, IN SEPTEMBER, 2010

BEN C. MORRIS, P.L.S., CERTIFICATE NO. 22342



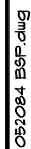
BEING A PORTION OF THE NE 1/4,
SECTION 6, T. 40 N., R. 1 E., W.M.
CITY OF BLAINE,
WHATCOM COUNTY, WA.

F.B.K. XXX/XX

GATEWAY GENERAL BINDING SITE PLAN

DRWN BY SLG	DATE 09/23/2010	JOB NO. 05208.4
CHKD BY BCM	SCALE N.T.S.	SHEET 1 OF 2

BSP-5-08



DRAWN BY SLG	DATE 09/23/2010	JOB NO. 05208.4
CHKD BY BCM	SCALE 1" = 200'	SHEET 2 OF 2

ORDINANCE 10-2771

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLAINE,
WASHINGTON, AMENDING THE GATEWAY GENERAL BINDING SITE PLAN.**

WHEREAS, on July 28, 2008, the Department of Community Development at the City of Blaine received an application for a proposed General Binding Site Plan, and;

WHEREAS, a Determination of Complete Application was issued by the City of Blaine on September 9, 2008, and a Notice of Application (NOA), was mailed, posted, and published, and;

WHEREAS, a notice of public hearing was published in the Bellingham Herald newspaper and mailed to all neighbors within 300 feet on October 15, 2008.

WHEREAS, the Planning Commission held a public hearing on October 23, 2008 to consider the public record, and;

WHEREAS, on October 23, 2008 the Planning Commission forwarded a recommendation of denial to the City Council, and;

WHEREAS, on November 10, 2008 the City Council considered that recommendation and approved the project to the project, and;

WHEREAS, the property owner submitted a substantially revised General Binding Site Plan and requested changes to the conditions of project approval, the City Council set a public hearing to consider the requested changes, and;

WHEREAS, the City Council held a duly noticed public hearing on September 27, 2010, and considered the changes in light of the public record, and;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BLAINE, WASHINGTON, AS FOLLOWS:**

SECTION 1: The Blaine City Council hereby approves, subject to the conditions set forth in this ordinance, the revisions to the application for a General Binding Site Plan (Permit #BSP-5-08) based upon the findings of fact and conclusions of law, and subject to the conditions all set forth herein.

SECTION 2: Severability. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3: Effective Date. This ordinance shall be in full force and effect upon approval and is the final decision by the City Council on the above referenced applications pursuant to 36.70.C, RCW.

SECTION 4: Findings of Fact.

1. On July 28, 2008 the Community Development Services Department received an application from Michael Leland, representing Gateway, LLC, prospective purchasers of the City's airport site, requesting preliminary approval for a 33 acre General Binding Site Plan. The application was

2. A notice of application and notice of public hearing were posted at the project site, as required by BMC 17.06.100 and 17.06.110 respectively. The same notification was published in a Council designated newspaper on September 11, 2008 and September 29, 2008, respectively. Supplemental Notice of Public Hearing was re-advertised on October 15, 2008. The Applicant also completed a direct mailing to all property owners within 300 feet of the proposed general binding site plan, notifying each of the application. Receipts of certified mailing of these notices have been supplied to staff and are on file at the Community Development Services Department. The Department provided additional mailing of the notice of public hearing to all property owners within 300', posting at City Hall, and posting on the City's website.
3. The subject project is approximately 33 acres in size, representing most of the Blaine Municipal Airport site, which was closed on December 31, 2008. The proposal reserves area for commercial development and for dedication of a new public street.
4. The proposed General Binding Site Plan was reviewed for consistency with Title 17 of the Blaine Municipal Code and it was found that with appropriate conditioning, including the adoption of a development agreement, the regulations and development standards could be adequately met.
5. The proposed General Binding Site Plan was reviewed for consistency with the City of Blaine Comprehensive Plan and was found that with appropriate conditioning, including the adoption of a development agreement, the relevant Goals, Policies, and Actions could be adequately met.
6. Pursuant to the Revised Code of Washington, Section 58.17.110 it has been determined that with appropriate conditioning, adequate provisions are made for the public health, safety and general welfare and the public use and interest will be served by the approval of this site plan.
7. The early connection of Boblett Street will ensure that truck traffic is oriented towards Boblett Street, Odell Road, and SR 543 as required by the Gateway district Comprehensive Plan policies. The individual review of traffic impacts for each subsequent development ensures that traffic will not significantly impact the citywide transportation system.
8. Developing a plan for pedestrian enhancements in cooperation with the City, and participating in funding of those enhancements ensures that the project complies with the Comprehensive Plan policies regarding pedestrian safety and the Gateway zoning district's development.
9. The development of Boblett Street through the site and the appropriate street revisions at H Street ensure that local traffic patterns will not be significantly adversely affected by future development of the site, and improvements to local traffic circulation may result from the connection of Boblett Street.
10. Changes to the approved project were proposed by the property owner that were brought to the City Council for consideration.
11. Development of the General Binding Site Plan by the City creates a unique circumstance which warrants consideration of the proposed changes to the design. As such the City Council held duly noticed a public hearing on September 27, 2010 prior to consideration of approval of the request.

12. The City Council finds that the revised project as conditioned is consistent with the Municipal Code and Comprehensive Plan.

SECTION 5: Conditions of Approval

General Conditions of Approval

- G1. SEPA mitigation measures, as identified in the project SEPA checklist and SEPA Mitigated Determination of Non-Significance shall be reflected in the project design and civil construction plans, and are hereby made conditions of this approval.
- G2. Impact fees shall be paid at the time of Building Permit issuance. (a note to this effect shall be shown on the face of the revised General Binding Site Plan).
- G3. After construction of improvements, as-built drawings shall be submitted to and accepted by the Public Works Department prior to approval and recording of future specific binding site plans.
- G4. For future specific binding site plans or development, traffic controls shall be installed where needed to the satisfaction of the Public Works Department, and as required by traffic mitigation. Traffic control locations will be determined at time of civil engineering plan review per the requirements of the traffic impact assessment for the project.
- G5. Once action on the General Binding Site Plan (GBSP) is taken by the City Council, the GBSP map shall be revised to reflect any revisions or additions noted in the Conditions of Approval. Four copies of the revised GBSP shall be submitted to the City for administrative review and approval. One copy of the approved GBSP will be returned to the applicant for preparation of mylars.
- G6. Adequate fire protection infrastructure, of a type and location approved by the Fire District, shall be included in the civil construction plans. All travel ways shall provide for emergency vehicle access to the satisfaction of the Fire District. No buildings may be constructed or Specific Binding Site Plans approved until adequate fire flow and emergency access is provided.
- G7. The General Binding Site Plan shall expire on November 11, 2013, 5 years from the date of original approval by the City Council, unless extended by the Council in accordance with the BMC 17.56.070.
- G8. Responsibility for compliance with other agency requirements shall be solely the applicant's.

Site Specific Conditions of Approval

- S1. All street improvements shall conform to City standards to the satisfaction of the Public Works Director. This includes curb, gutter, pedestrian facilities, street trees and streetlights. Building occupancy shall not be granted for any structure unless all adjacent street frontages are fully improved.
- S2. Proponents of each proposed development in the GBSP shall prepare and submit a trip generation analysis for the proposed use prior to Site Plan Review approval. At such time that the aggregate impacts at the Grant Avenue/H Street intersection reach the 85-percent build out level modeled in the "Traffic Impact Study for Gateway Development," dated October 2008, as documented by the individual trip generation analyses, the mitigation defined by the study or an

- S3. Prior to occupancy of any structure or initiation of any use using Boblett Street for access, the Boblett Street frontage adjacent to the site shall be fully improved.
- S4. Direct driveway access to Boblett Street shall be limited. Any driveways permitted shall be shared between multiple uses whenever feasible.
- S5. No direct access to H Street shall be permitted.
- S6. The City shall collect a fee for Grant Avenue/H Street intersection improvements. Contribution to the intersection improvements will be a fair share as determined by a regional traffic study prepared by the City.
- S7. The City shall work with WSDOT to develop and implement a pedestrian crossing plan that will result in safe and accessible crossings at SR 543/Boblett Street and SR 543/H Street.
- S8. A minimum 10-foot wide paved multi-modal trail shall be included on the north side of Boblett Street and on the west or east side of the proposed north/south road as shown in Attachment D (Street Cross-Section) and in the easement corridors as shown on the face of the GBSP. An 8-foot wide crushed rock trail connection to Skallman Park shall be provided. The trail adjacent to the north/south road shall be completed with the north/south road construction. The trail connection to Skallman Park and adjacent to the stormwater pond shall be constructed with the adjacent stormwater facilities. The trail adjacent to Boblett Street shall be constructed prior to occupancy of buildings on the adjacent parcel.
- S9. Landscaping for parking lot planter islands, in setback areas adjacent to public rights-of-way, and the planting of street trees shall be regulated as follows:

Street Tree Species:	Red Sunset Maple, <i>Acer rubrum</i> 'Red Sunset'
Parking Island Tree:	Mountain Ash, <i>Sorbus aucuparia</i>
Parking Accent Tree:	Tibetan Birch Bark Cherry, <i>Prunus serrula</i> 'Tibetica'
Parking Shrubs options:	Lirope <i>Liriope muscari</i> Bergenia, <i>Bergenia cordifolia</i> Cotoneaster, <i>Cotoneaster damerii</i> 'Lowfast'
Frontage and General Landscape Plantings:	
Small Trees:	Satomi Dogwood, <i>Cornus kousa chinensis</i> Winter King Hawthorne, <i>Crataegus viridis</i>
Medium Shrubs:	Burning Bush, <i>Euonymus alata</i> 'Compacta' Pink Rhody, <i>Rhododendron</i> "Anna Rose Whitney
Low (Facer) Plants:	Autumn Joy Sedum, <i>Sedum</i> David Viburnum, <i>Viburnum davidii</i> Heather, <i>Erica darleyensis</i> 'Kramer's Red

Plant species are limited as listed unless alternatives are approved by the CDS Director as part of a landscape plan submitted with a Site Plan Review application.

- S10. A cross-access and parking easement shall be granted for all properties using Grant Avenue for primary site access. The easement shall be included on the face of future Specific Binding Site

S11. Signage shall be installed at Boblett Street identifying it as a truck route.

S12. Revise the GBSP drawing for technical accuracy as per the directions of staff and the conditions hereof. Resubmit the GBSP drawing for review and approval by CDS staff prior to recordation.

S13. A 5-foot utility easement shall be provided around the perimeter of each lot per BMC 17.66.090. (This requirement shall be reflected on the revised General Binding Site Plan)

S14. Prior to recording this GBSP provide lot closures for the parcels.

PASSED BY THE CITY COUNCIL OF BLAINE, WASHINGTON on the 27th day of September 2010.

CITY OF BLAINE, WASHINGTON

By: _____
Bonnie Onyon, Mayor

Date _____

ATTEST:

APPROVED AS TO FORM:

Sheri Sanchez, City Clerk

Jon Sitkin, City Attorney