

HOMESTEAD NORTHWEST, INC.
PLANNED RESIDENTIAL DEVELOPMENT
Preliminary Plan (As amended and approved)

1. Identification of Parties. This is a preliminary plan for a Planned Residential Development submitted to the City of Lynden (hereinafter called "Lynden" or "City") by Homestead Northwest, Inc., a Washington Corporation, (hereinafter called "Homestead" or "Developer").

2. Identification of Authority. This preliminary plan is submitted to the City under authority of Lynden Municipal Code Chapter 19.29. The hearing required by LMC 19.29.050 has been held by the City. The signatures of the Mayor and Public Works Director of the City attest the approval of this preliminary plan by the City Council.

3. Identification of Documents. The following documents are referred to in this plan and are incorporated in this plan as though fully set forth.

a. Weden Engineering, Inc. reports as follows:

- 1) Sewer, dated April, 1992
- 2) Water, dated April, 1992
- 3) Storm Drainage, dated April, 1992

b. Subsurface Exploration and Hydro Geology report by RZA Agra, Incorporated, April, 1992.

c. Transportation Impact Analysis prepared by The Transpo Group, Inc., dated April 28, 1992.

d. Golf Course map and plan by Ron Allen dated February 11, 1992, revised March 27, 1992. Attached hereto as Exhibit B.

e. Parcel development restrictions received by Lynden on March 30, 1992. Attached hereto as Exhibit A.

f. Covenants, Conditions and Restrictions dated June 24, 1992, prepared by James A. Wynstra.

g. Mitigated Determination of Nonsignificance prepared and advertised by Lynden, dated May 29, 1992.

h. Signage plan attached hereto as Exhibit C.

4. Project Description. Homestead will be a planned residential community with an 18-hole golf course and other recreational facilities. The current proposal includes approximately 250 acres of undeveloped land within the City of

Lynden. The site lies between Benson and Bender Roads and has limited frontage on Badger Road. Depot Road divides the site in the middle. The development plan calls for rezone and Planned Residential Development applications necessary to permit the recreational and related commercial uses along with a mix of single family, cluster and multi-family residences.

The master plan projects the land use will be roughly divided as follows: residential - 110 acres, golf course - 140 acres, parks and common area - 8 acres, clubhouse with related commercial and recreational uses - 5 acres, golf maintenance and R/V area - 3 acres. There are no apparent wetlands or other sensitive areas within the project. Both Benson and Depot Roads are flanked with open drainage ditches. An irrigation reservoir was constructed on the site in 1986.

We anticipate the residential component will consist of approximately 210 single family residences in both traditional and cluster layouts on lots ranging in size from 5000 square feet to 18,000 square feet. Also, 426 multi-family units will be built throughout the site in a variety of sizes and building types. Multi-family residences may include senior limited care facilities. Homeowners will have use of the park and internal trail system and the opportunity to use the golf driving range and recreational facilities subject to rules and regulations.

Construction will begin in the Southeast quadrant of the Project and will generally proceed North and West in phases over a 5 to 15 year period depending on absorption rates.

5. Development schedule. The following schedule of development is submitted as the Developer's best estimate at this time. Certainly a number of factors could slow down, accelerate, or change the order of this schedule. These factors include: market changes, permit processes, financing and other issues that may become evident in the future.

		BEGIN	COMPLETE
Golf Course	1st nine (east)	June 1992	Oct. 1992
	2nd nine (west)	May 1993	Sept. 1993
Bender to Depot arterial		Aug. 1992	Nov. 1992
Depot to Benson arterial		July 1996	Oct. 1996
Clubhouse:	Restaurant	Sept. 1993	Jan. 1994
	Athletic Facilities	Aug. 1994	Dec. 1994
	Hotel	July 1995	Dec. 1995
R/V area		July 1993	Oct. 1993

Parcel	E9	July 1992	July 1993
	E8	April 1993	April 1994
	E10	July 1992	Aug. 1992
	E7	Aug. 1992	Aug. 1994
	E11	Sept. 1992	Dec. 1992
	E12	July 1993	Dec. 1993
	E2	Aug. 1993	Aug. 1995
	E3	Aug. 1994	Dec. 1995
	E4	July 1993	July 1995
	E5	July 1994	Oct. 1995
	E6	Aug. 1995	Oct. 1996
	E1	Aug. 1995	Oct. 1997
Parcel	W5	Aug. 1996	Oct. 1998
	W4	Aug. 1998	Oct. 2000
	W8	Aug. 1996	Oct. 1997
	W7	Aug. 1997	Oct. 1999
	W2	Aug. 1998	Oct. 2000
	W1	Aug. 1998	Oct. 2000
	W3	Aug. 2000	Oct. 2002
	W6	Aug. 2000	Oct. 2002

6. Parcel Development Restrictions. The Parcel Development Restrictions attached hereto as Exhibit A are an integral part of this plan, along with the map designating the parcels so restricted. These documents will be used to determine conformance of the final plan to the preliminary plan pursuant to IMC 19.29.060.

7. Water and Sewer. Water and sewer lines shall be installed according to the water and sewer reports to which reference is made herein, with the following exceptions:

a. Homestead agrees to comply with the City's Water and Sewer Comprehensive Plans, which are not yet completed. Work on external water and sewer lines may need to be delayed until these studies have been completed.

b. All improvements to sewer and water are subject to the City's comprehensive plan related to this project.

c. After water and sewer mains have been installed within the P.R.D. and accepted by the City, the City will receive ownership, together with easements where such lines are located on private property.

d. According to the City's comprehensive plan, the water and sewer lines may have to be extended to the East Badger Road. If this should be necessary, L.I.D.s may be requested by the Developer.

e. According to the City's comprehensive plan, the water

service may be required to loop along the East Badger Road. If this should be necessary, L.I.D.s may be requested by the Developer.

f. All sewer and water mains within the P.R.D. boundaries may be funded by implementing a L.I.D. for service within the Planned Residential Development, if the City Council approves.

g. All utilities located in the North/South and East/West arterial streets will be installed when the related arterials are improved.

h. The City will be granted necessary easements, to permit access for the purpose of maintaining and servicing City utility lines. (1) In the event a water or sewer main that crosses a private street must be serviced, repaired, or replaced, the City will cut the street and complete the repairs or replacement, the City will back fill the street cut with the appropriate materials. Paving and compacting of the area will be the responsibility of the owners of the golf course. (2) In the event that a water or sewer main, that is located in an open space area, green belt or golf course must be serviced, repaired, or replaced, the City will back fill with the appropriate materials. Restoration of the area will be the responsibility of the owners of the golf course.

i. The P.R.D. is subject to the same fees and charges as those charged to all residents and developers within the City of Lynden.

j. All plans must be submitted to and approved by the City of Lynden Utilities, Public Works, Building and Fire Departments. Plans for each parcel must be submitted and approved prior to construction or to the issuance of a building permit.

k. No occupancy permits will be issued until all the utilities for the buildings to be occupied are installed as per approved plans, and after all utilities and as-builts have been accepted by the City.

8. Storm Water Drainage. Storm Water Drainage shall be accomplished according to the Storm Drainage Report to which reference is made herein, as amended herein.

The City of Lynden has recently completed a Stormwater Management Plan. This plan is an initial step in the City's Stormwater Management Program. The storm water plan provides "a series of management recommendations designed to control, reduce, and/or prevent nonpoint source pollution" in the Lynden Stormwater Management Plan. This would identify and address specific stormwater conveyance/flooding issues, as well as the related water quality issues in the Stormwater Management Plan area (SMPA). One of those recommendations is to prepare a Comprehensive Drainage Plan, which would identify and address specific stormwater

conveyance/flooding issues, as well as the related water quality issues in the SMPA. The Stormwater Management Plan recommends the Comprehensive Drainage Plan be prepared in 1992, with implementation beginning in 1993. Preparation of the Comprehensive Drainage Plan has yet to begin.

Because the City of Lynden does not have a Comprehensive Drainage Plan prepared, it has been recommended, by PEI/Barrett Consulting Group, the City choose one of three viable options relative to the Homestead P.R.D. The three options are as follows:

a. Delay the approval of the P.R.D. until the Comprehensive Drainage Plan is complete;

b. Require the applicant to prepare a comprehensive evaluation of the entire Fishtrap Creek drainage basin;

c. Allow the P.R.D. to proceed before the comprehensive plan is complete, and impose design criteria based on the Best Management Practices (BMPs) and the known information of the area.

In a meeting held with PEI/Barrett representatives, the City's Utilities Superintendent, and the Public Works Director, it was decided that the City should use option three while continuing the P.R.D. zoning process. This option will impose design criteria, based on the Best Management Practices and the knowledge of the area.

Water quantity and quality mitigation will be based on the criteria defined in the latest edition of the "Stormwater Management Manual" for the Puget Sound Basin, which is prepared by the Washington State Department of Ecology. Some of the key water quantity and quality criteria, as defined by the June, 1991 draft of the Department of Ecology manual, is listed below. It should be followed during the planning and designing of the drainage system.

a. Limit peak rate of runoff for the 2-year, 24-hour storm to 50 percent of the release rate for existing site conditions.

b. To minimize erosion from extreme storms, the peak rate of runoff from the 10-year and 100-year, 24-hour design storm shall be released at no greater than the peak rate for these storms for the existing site conditions.

c. Detention pond volumes shall include a 20 percent safety factor.

d. Multiple orifice flow restrictors shall be used to match the required release rates of the various storms.

e. Detention ponds shall be modified multi-celled, flow-through type.

f. Wet ponds shall be the preferred treatment and detention BMP. Design of the wetponds shall be in accordance with DOE's Manual. Modifications to the design criteria may be made at the City's discretion.

g. In addition to wet ponds, other BMP's to be incorporated into the design shall include oil/water separators and biofiltration swales.

h. An Erosion and Sediment Control plan (ESC plan) shall be prepared which provides for the interception and treatment of all potential silt-laden runoff that could occur during clearing, grading, construction, and site stabilization. This plan shall be prepared using BMP's in accordance with DOE's draft stormwater manual.

In addition, the following criteria must also be included:

a. The applicant shall demonstrate to the City that the finished floor elevations of all proposed on-site structures are at least one foot above the estimated 100-year flood plain.

b. Downstream properties shall be protected from adverse impacts due to reduction or elimination of existing flooding (i.e., storage) that occurs on site. The existing floodways (hydraulic connections and volume of existing on-site storage during flooding events) shall be estimated and either maintained after development or provided at another location on site.

c. The applicant shall install and/or finance the installation of two stream-gauging stations on Fishtrap Creek to monitor the performance of onsite stormwater control. Each station will include a staff and crest gauge. One station will be installed upstream of the development and the other immediately downstream of the project. The stations shall be installed prior to beginning construction of the golf course. The exact location and type of station will be determined by the City. The City will monitor and maintain the stations.

The following items must be addressed:

a. Mapping to be completed. The creekside phase, the Rosellen Plat, Homestead areas W1-W8 and E1-E2 are not shown connected. Reach ID numbers, reach lengths, and slopes are not documented, etc.

b. Complete data or an explanation is required regarding the procedure/process used in modeling the flows.

c. Flow charts showing routing, reaches, drainage areas, and detention ponds, etc., should be prepared. These are to correspond with the program output and basin maps. The computer printouts,

along, are not adequate documentation of the process, so assumptions are made.

d. Drainage reports must be modified to conform with the requirements of Chapter 1-3 (Preparation of Stormwater Management Plans) of the DOE Draft Stormwater Manual.

The reports submitted by the Developer's engineering firm are preliminary. The City will continue to use the consulting services of PEI/Barrett. They will review and advise the City on all storm water designs and issues related to the Homestead P.R.D. All PEI/Barrett costs directly related to this project will be borne by Homestead Northwest, Inc.

The City must be assured the flood plain of Fishtrap Creek will not be altered as a result of this project. All dwellings constructed in the P.R.D. area must not be placed in any danger of flooding. It must be demonstrated that all finished floors are a minimum of one foot above the Flood Plan. The Flood Plan elevations must be considered when designing the storm water system for all streets. The City is especially concerned that storm water not be permitted to back up into the streets when the Fishtrap Creek rises.

9. Hydrogeology. The developer is responsible for all aspects of the Homestead P.R.D. that may affect hydrogeological conditions at the site, including the following:

a. Change in land use, from Agricultural to a Public Golf Course.

b. Inclusion of numerous water table ponds within the golf course.

c. Conjunctive use of ponds as intrinsic part of the surface water management plan.

d. Use of existing on-site wells to provide irrigation water to the golf course and open space areas.

e. Construction of a sewage system with pipes installed below the water table.

The following items must be addressed:

Water Balance

Because water balance throughout the site is likely to be affected by the excavation of substantial soil volumes, the placement of fill in areas, and the irrigation of the golf course, the likely magnitude of these changes to the hydrologic cycle should be estimated by using a simple water balance approach. A complete assessment is to be included in the report.

Water Quality

Note: Reference "An Outline of a Best Management Program for Homestead, A Golf Course at Lynden, Washington," drawn up by Prescription TURF Services, Inc.

The potential impacts to the ground and surface water, based on the use of fertilizers and pesticides on the golf course, open areas, and residential property must be addressed in a report.

The City requires a P.R.D./Golf Course Management Plan, to be submitted in conjunction with the golf course construction plans. Management plans are to address such things as fertilizer and pesticide use, irrigation programs, and water conservation strategies, etc.

Plans for mitigating the adverse impact to the ground and surface water quality are to be submitted in conjunction with the golf course management plan. The plan may not be implemented until it is approved by the City. Once approved, Homestead will follow it.

Golf Course Irrigation

With the exception of water balance, the proposal to irrigate the golf course, through use of ground water from wells does not appear to represent a potential impact to the area. Under no circumstances shall City water be used to irrigate the golf course.

10. Transportation.

a. Based on the conclusions in the traffic study prepared by the Transpo Group, Inc., the developer will provide the following:

1) Prorata contribution towards the future signal installation at the intersection of SR-539/Badger Road. The developments' proportional share has been calculated at 13 percent.

2) A prorata contribution towards the signal installation at the intersection of SR-539/Main Street. The developments' proportional share has been estimated at 9 percent

3) With respect to A & B above the costs of the signal installation at the intersections will be based on an estimate prepared by The Transpo Group, Inc. A percentage of this fee will be paid to the City of Lynden at the time the first building permit is issued on each residential parcel in the Homestead P.R.D. The percentage will be equal to the maximum number of units allowed on each parcel divided by 600.

4) A prorata contribution towards a future four-way stop installation at the intersection of Depot/Main Street. This installation could include the installation of additional stop

signs, advance signs, pavement markings, and an overhead flashing light. The development's proportional share is 18 percent. The City will determine the appropriate time for installation. This share is to be paid by the developer at the time of installation or at the time any building permits are issued on the West side of Depot Road. Costs to be determined by the City of Lynden.

5) The development shall submit to the City staff a channelization, signing, and street lighting detail for the pedestrian/golf crossing on Depot Road at the development entrance at such time when the second nine-hole golf course is developed. Upon approval by the City, the developer will be responsible for the installation of the crossing.

6) The developer shall be responsible for the installation of pavement markings on Depot Road, at the main entrance, to provide left-turn channelization per the requirements of the City.

7) The developer shall install curb, gutter, sidewalk, and street lighting, as applicable, per the requirements of the City. These requirements may include turn-lane channelization for the commercial developments within the site, if deemed appropriate.

b. The following existing City streets will be improved to City standards as described below. All plans for such improvements must be approved by Lynden Public Works Department. The developer is required to dedicate to the City any land necessary for these improvements. The developer will not be paid directly for such deeded property but reserves the right to credit toward future impact fees under RCW 82.02.060, if appropriate. In the event improvements are made to Bender, Depot or Benson Roads North of the P.R.D. property line on those roads the developer agrees to support an L.I.D. or similar mechanism to fund such improvements.

1) Bender Road .

a. Scope - from North side of Fishtrap Creek bridge to North property line of the Bender Field recreation complex.

b. Timing - completion by the Fall of 1992.

c. Funding - 1/3 developer, 2/3 City of Lynden.

2) Depot Road

a. Scope - from the South property line of the P.R.D. along Depot Road to the Badger Road.

b. Timing - completion by December 31 of the year following the opening of the East nine holes of the Homestead Golf

Course. If the road is not complete by that date no further building permits will be issued within the P.R.D. unless a performance bond is submitted by the developer to complete the road.

c. Funding - developer - L.I.D. may be considered.

3) Benson Road

a. Scope - from the P.R.D. South property line along Benson Road to the Badger Road.

b. Timing - completion or performance bonding prior to the issuance of any occupancy permits for buildings on parcels W2 and W3.

c. Funding - developer cost recovery may be applicable for development of land West of Benson Road. L.I.D. may be considered. If land West of Benson is in City when road is built those landowners shall participate in cost of road by means of L.I.D. or on other equitable bases as determined by the City.

4) Homestead Blvd. East

a. Scope - Homestead Boulevard from Bender Road to Depot Road.

b. Timing - completion by December 31, 1993. No occupancy permits will be issued on parcels E1 to E6 until road is complete or performance bond is provided.

c. Funding - developer - L.I.D. may be considered.

5) Homestead Blvd. West

a. Scope - Homestead Boulevard from Depot Road to Benson Road.

b. Timing - complete prior to the issuance of any occupancy permits on parcels W4 or W5.

c. Funding - developer - L.I.D. may be considered.

c. Homestead Northwest, Inc. has requested permission to construct private streets and gates within the Planned Residential Development. The private streets would connect the various areas of the development. Private streets will be permitted under the following conditions:

- 1) All private streets must be 30' between curbs.
- 2) Sidewalks are to be installed, at the least, on one side

of the street.

- 3) "No Parking" signs posted on both sides of the street.
- 4) Lynden Police Department must be allowed full access to the private streets, and must retain its enforcing powers. A contract between the City of Lynden and Homestead Northwest, Inc., for city police services, may be necessary.
- 5) The City Fire Department and Emergency Services requirements will be the same as the Lynden Police Department's.
- 6) Street Cleaning services, equipment, and personnel will be the responsibility of the golf course owners and/or an established Homeowners Association accepted by the City. At no time will these responsibilities be transferred to the City. These terms should be addressed in the development covenant.
- 7) Snow Removal requirements will be the same as Street Cleaning.
- 8) Street Maintenance requirements will be the same as Street Cleaning and Snow Removal.
- 9) the City will be granted a Lifetime Ingress/Egress Easement, for the purpose of maintaining and service City utilities.
- 10) All pavement markings and pedestrian crossings must be maintained adequately and at all times, for safety purposes.
- 11) All private street Storm System maintenance will be the responsibility of the owners of the golf course and/or an established Homeowners Association accepted by the City.
- 12) Maintenance of all dead-end, private streets will be subject to the Uniform Fire and Building Codes, to ensure the proper access for emergency vehicles and equipment.
- 13) All City personnel must have access to the entire P.R.D. area.

11. Street Lighting. Private street lighting, provided by Homestead Northwest, Inc., and independent of any City of Puget Power lighting system, will be permitted under the following conditions:

- a. Proper lighting will be provided to the entire project.
- b. Owners of the golf course or homeowner's association will be responsible for maintaining the lighting system within the P.R.D. This should be addressed in the homeowner's P.R.D.

covenant.

c. The City reserves the right to require additional lighting, where appropriate, at the developer's expense.

d. the standard Cobra type lights will be installed on the North and South arterials.

e. Acorn style lighting shall be allowed within the P.R.D.

f. The Depot Road/Golf Course Crossing will be properly lighted, at the owner's expense. If a pedestrian crossing traffic light is required, it will be installed and maintained at the golf course owner's expense.

12. Signs. Signs will be as per the signage plan attached hereto, subject to final approval by the City Public Works Department.

13. Open Space. The covenants to the P.R.D. will clearly indicate the golf course or homeowner's association's perpetual responsibility for the maintenance and upkeep of the open space areas.

14. Trees. All trees planted along private and public streets within the P.R.D will be the perpetual responsibility of the owners of the golf course or the homeowner's association.

15. Clubhouse and Related Facilities. The developer must show that all facilities are reasonably sized to serve a demonstrated need of the community. These facilities may include:

a. Restaurant with banquet facilities.

b. Pro shop.

c. Convenience store limited to 2000 square feet.

d. Athletic Club.

e. Motel or hotel limited to 40 rooms unless a demonstrated need for additional rooms is shown.

16. Latecomers Agreement. Developer will be allowed latecomer's agreements for water, sewer and street improvements to the extend applicable and to the extend allowed by law.

17. Covenants, Conditions, and Restrictions. T h e covenants, conditions and restrictions submitted to the City and herein referred to will be placed in force upon the property covered by this plan and will not be altered or amended without the consent of the City.

18. Miscellaneous.

a. Parcel sizes may not be altered more than 5% from preliminary plan.

b. Single family use may not change to multi family use. However, multi family use may change to single family use as provided in Exhibit A.

c. Off street parking requirements according to Parcel Development Restrictions.

d. All parcels are subject to all building codes and the City's P.R.D. Ordinance.

e. Unused densities cannot be transferred to other parcels without approval through the P.R.D. hearing process.

f. The total number of units for the P.R.D. shall not exceed 603 units.

SUBMITTED THIS 20 day of July, 1992.

HOMESTEAD NORTHWEST, INC.

BY 
PRESIDENT

APPROVED:
CITY OF LYNDEN

BY 
MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY