

RESOLUTION NO. 1057

CITY OF LACEY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LACEY APPROVING AN AMENDMENT TO THE LACEY CROSSROADS DEVELOPMENT AGREEMENT

WHEREAS, On October 26, 2006 the City Council passed Ordinance No. 1273 which approved the Lacey Crossroads Development Agreement and authorized the City Manager to execute the same; and

WHEREAS, the City and College Way Commercial Plaza LLC (“College Way”) entered into the Lacey Crossroads Development Agreement, recorded January 19, 2007, under Thurston County Auditor’s No. 3896128 (the “2007 Development Agreement”), in order to govern the development, use, and design associated with the rezone and development of property within a portion of the Lacey Corporate Center, otherwise known as Lacey Crossroads; and

WHEREAS, the Developer is the successor-in-interest to College Way as to certain property located within Lacey Crossroads; and

WHEREAS, the 2007 Development Agreement limited permitted uses of the Developer’s property to specific types of commercial uses, designed by lot, rather than allowing all uses permitted in the ten-underlying Business Park and Community Commercial zoning districts; and

WHEREAS, the recent economic recession, rapid technological innovation, increased consumer use of online shopping, and other external social and market forces have resulted in significant changes to the retail real estate market at the local, regional, and national level since the 2007 Development Agreement was originally entered into; and

WHEREAS, the external market factors have significantly changed the type and range of available commercial tenants for Developer’s Property, and will continue to do so; and

WHEREAS, the City of Lacey has amended its land use maps and zoning codes for the Developer’s Property since the 2007 Development Agreement to provide for Community Office and Community Commercial zoning districts that allow a broad range of commercial uses; and

WHEREAS, THE Developer and the City now wish to amend the 2007 Development Agreement to allow all commercial uses on Developer’s property that may be authorized within the City’s Community Office and Community Commercial zoning districts, and to provide for

design guidelines for City review and approval of those commercial uses not originally contemplated by the 2007 Development Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,

Section 1. The recitals set forth above are adopted as the findings of the City Council of the City of Lacey in support of adoption of this resolution.

Section 2. The City Council, in accordance with RCW 36.70B.200 and LMC 16.82 hereby authorizes the City Manager to execute on behalf of the City the Amendment to the Lacey Crossroads Development Agreement attached hereto as Exhibit "A" and further authorizes the City Manager to enter into identical agreements with the remaining Crossroads property owners of Assessor's parcels 58040000001, 58040000100, 58040000300, 58040000600, 58040000700, 58040001500 at a future date.

Section 3. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 22nd day of March, 2018.

LACEY CITY COUNCIL


By 

Mayor

Attest:

  
for Peter Edmonds, Deputy  
City Clerk City Clerk

Approved as to form:

  
City Attorney

RETURN ADDRESS

Attn: Heather Burgess  
Phillips Burgess PLLC  
724 Columbia St. NW, Ste 320  
Olympia, WA 98501

**Document Title(s)**

Amended Lacey Crossroads Development Agreement

**Reference Numbers(s) of related documents**

3896128

Additional Reference #'s on page

**Grantor(s) (Last, First and Middle Initial)**

ECP College Way LLC

Additional grantors on page

**Grantee(s) (Last, First and Middle Initial)**

City of Lacey

Additional grantees on page

**Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)**

[to be added]

Additional legal is on page

**Assessor's Property Tax Parcel/Account Number**

[to be added]

Additional parcel #'s on page

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**AMENDMENT  
LACEY CROSSROADS DEVELOPMENT AGREEMENT**

This Amendment to the Lacey Crossroads Development Agreement (the “Amendment” or “Agreement”) is entered into this \_\_\_ day of \_\_\_\_\_, 2018, by and between the CITY OF LACEY, a Washington municipal corporation (the “City”), and ECP COLLEGE WAY, LLC, a Washington limited liability company (the “Developer”) (collectively, the “Parties”), for the purpose of governing the development, use, and design of the property covered under this Amendment.

**RECITALS**

WHEREAS, the City has the authority to enter into this Agreement pursuant to RCW 36.70B.170 through .210; and

WHEREAS, the City and COLLEGE WAY COMMERCIAL PLAZA LLC (“College Way”) entered into the Lacey Crossroads Development Agreement, recorded January 19, 2007, under Thurston County Auditor’s No. 3896128 (the “2007 Development Agreement”), in order to govern the development, use, and design associated with the rezone and development of property within a portion of the Lacey Corporate Center, otherwise known as Lacey Crossroads; and

WHEREAS, the Developer is the successor-in-interest to College Way as to certain property located within Lacey Crossroads, more particularly described in **Exhibit A**, and identified as Lots 2, 4, 5, 8, 9, 10, 11, 12, 13, 14, 16, and 17 of the Lacey Crossroads Binding Site Plan No. BSP-050003LA (collectively, “Developer’s Property”); and

WHEREAS, the 2007 Development Agreement limited permitted uses of the Developer’s Property to specific types of commercial uses, designated by lot, rather than allowing all uses permitted in the then-underlying Business Park and Community Commercial zoning districts; and

WHEREAS, the recent economic recession, rapid technological innovation, increased consumer use of online shopping, and other external social and market forces have resulted in significant changes to the retail real estate market at the local, regional, and national level since the 2007 Development Agreement was originally entered into; and

WHEREAS, these external market factors have significantly changed the type and range of available commercial tenants for Developer’s Property, and will continue to do so; and

WHEREAS, the City of Lacey has amended its land use maps and zoning codes for the Developer’s Property since the 2007 Development Agreement to provide for Community Office and Community Commercial zoning districts that allow a broad range of commercial uses;

WHEREAS, the Developer and the City now wish to amend the 2007 Development Agreement to allow all commercial uses on Developer's Property that may be authorized within the City's Community Office and Community Commercial zoning districts, and to provide for design guidelines for City review and approval of those commercial uses not originally contemplated by the 2007 Development Agreement.

### AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Developer agree as follows:

1. **Recitals Incorporated by Reference.** The Recitals set forth above are true and correct and incorporated herein by this reference.
2. **Applicability and Scope of Amendment.** This Amendment shall apply only to Developer's Property as described in **Exhibit A** hereto and shall not amend or supersede any terms or conditions of the 2007 Development Agreement for any remaining property. Except as specifically modified herein, all terms and conditions of the 2007 Development Agreement shall remain in full force and effect, and the building and development regulations, transportation concurrency regulations, impact fees, SEPA regulations and substantive SEPA policies and other laws, statutes, ordinances, or policies governing land development in effect as of the date of the 2007 Development Agreement shall continue to govern the development of Developer's Property, as specified in Sections 7 and 8(a) of the 2007 Development Agreement.
3. **Amendment.**

*Paragraph 4 of the 2007 Development Agreement is stricken and replaced with the following:*

4. **Land Use Zone Designation and Permitted Uses.** Lots 2, 5, 8, 9, 10, 11, 12, 13, 14, 16, and 17 of the Lacey Crossroads Binding Site Plan No. BSP-050003LA shall be zoned as Community Commercial District as depicted in amended **Exhibit B** hereto. Lot 4 of the Lacey Crossroads Binding Site Plan No. BSP-050003LA shall be zoned as Community Office District as depicted in amended **Exhibit B** hereto. Permitted land uses on individual lots shall be in accordance with the Lacey Municipal Code for the specified zoning district.

*Paragraph 8(c) of the Development Agreement is stricken and replaced with the following:*

**c. Development and Design Guidelines.** Development of Lacey Crossroads shall be subject to the Site Plan Review and Design Review processes of the City of Lacey. The development of Lacey Crossroads shall be in a manner consistent with Exhibit E to the 2007 Development Agreement and Amended Exhibits C, D, and F to this Agreement, as well as the uses permitted in accordance with the applicable zoning districts under the Lacey Municipal Code, which shall be the basis used by the City of Lacey in conducting and issuing site plan review, design review, grading and construction drawing review and approvals in conjunction with applicable City of Lacey ordinances and guidelines. Minor modifications may be permitted at the discretion of the City, which may include individual building size and/or location to accommodate specific uses with no further site plan approval, provided that the total project floor area square footage of 126,733 square feet does not increase by more than 10%.

*Exhibit B (Land Use Zone) to the 2007 Development Agreement is hereby amended as attached hereto and incorporated herein as **Amended Exhibit B.***

*Exhibit C (Lacey Crossroads Site Plan) to the 2007 Development Agreement is hereby amended as attached hereto and incorporated herein as **Amended Exhibit C.***

*Exhibit D (Design Concepts) to the 2007 Development Agreement is hereby amended as attached hereto and incorporated herein as **Amended Exhibit D.***

*Exhibit F (Lacey Crossroads Design Guidelines) to the 2007 Development Agreement is hereby amended as attached hereto and incorporated herein as **Amended Exhibit F.***

IN WITNESS WHEREOF, the Parties hereto executed this Amended Agreement the date first above written.

CITY OF LACEY

ECP COLLEGE WAY LLC

\_\_\_\_\_  
Scott Spence, City Manager

\_\_\_\_\_  
Nathan Cann, Authorized Person

Approved as to form:

\_\_\_\_\_  
David Schneider, City Attorney





**Exhibit A**  
**(Legal Description)**

**Amended Exhibit B**  
**(Land Use Zone)**

**Amended Exhibit C**  
**(Lacey Crossroads Site Plan)**

**Amended Exhibit D**  
**(Design Concepts)**

**Amended Exhibit F**  
**(Lacey Crossroads Design Guidelines)**

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Abbreviated Legal: LOTS 2, 4, 5, 8, 9, 10, 11, 12, 13, 14, 16, 17 OF LACEY CROSSROADS  
BSP NO. BSP-050003LA.

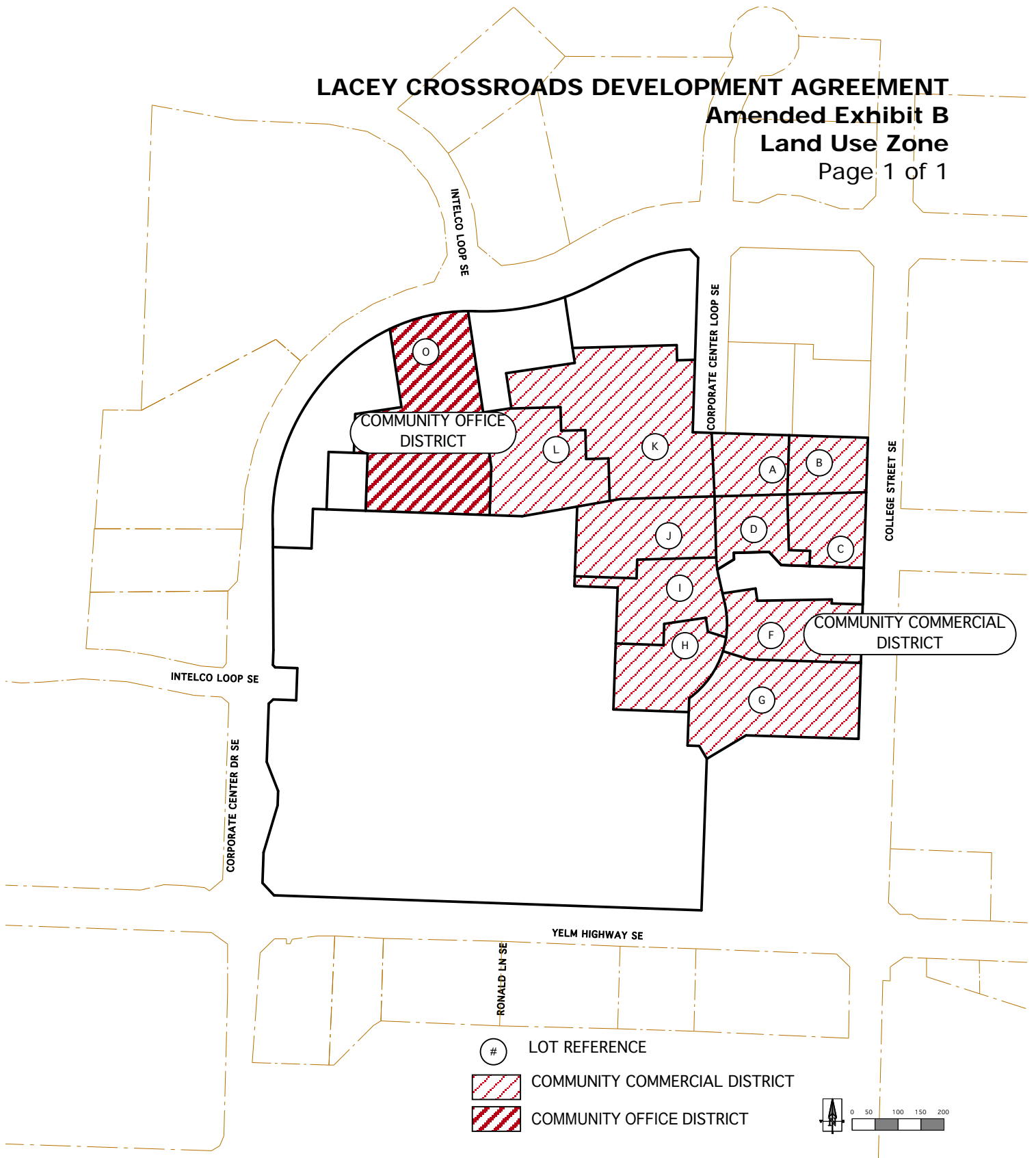
LOTS 2, 4, 5, 8, 9, 10, 11, 12, 13, 14, 16, 17 OF LACEY CROSSROADS BINDING SITE  
PLAN NO. BSP-050003LA, AS RECORDED JANUARY 26, 2007 UNDER AUDITOR'S  
FILE NO. 3897937. IN THURSTON COUNTY, WA.

# LACEY CROSSROADS DEVELOPMENT AGREEMENT

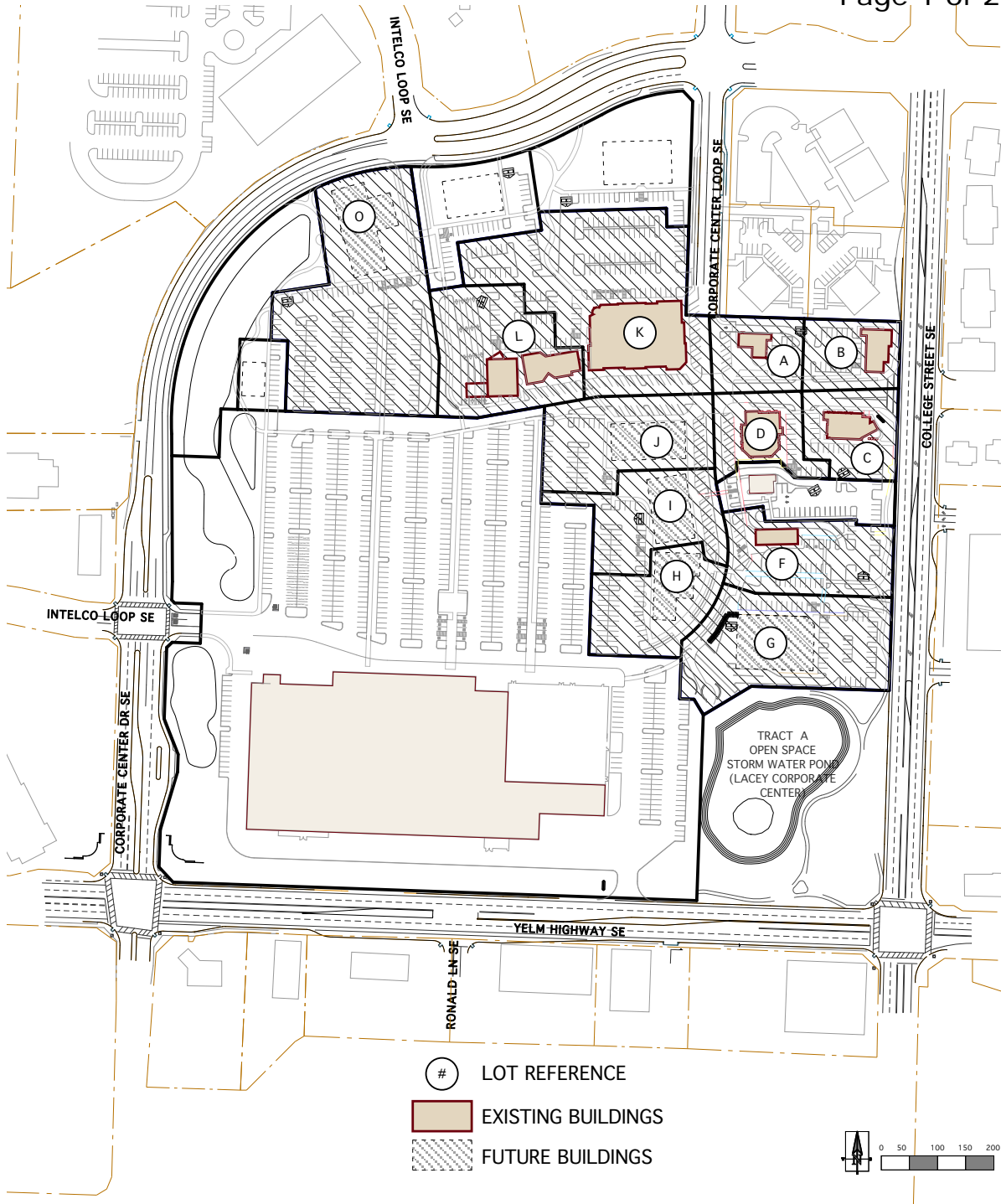
## Amended Exhibit B

### Land Use Zone

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# LACEY CROSSROADS DEVELOPMENT AGREEMENT Amended Exhibit C Lacey Crossroads Site Plan





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Amended Exhibit C  
Lacey Crossroads Site Plan  
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<b>LACEY CROSSROADS SHOPPING CENTER BUILDING AND PARKING STATISTICS</b>				
BUILDING NO. PER EXHIBIT C SITE PLAN	LAND USE ZONE & USES PERMITTED PER LACEY CROSSROADS DEVELOPMENT AGREEMENT	PROPOSED BUILDING FLOOR AREA	PROPOSED BUILDING STORIES	PROPOSED PARKING SPACES
A	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	1,790 S.F.	1	12
B	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	3,091 S.F.	1	18
C	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	3,606 S.F.	1	21
D	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	4,988 S.F.	1	24
F	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	7,436 S.F.	1	36
G	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	13,200 S.F.	2	69
H	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	7,400 S.F.	1	37
I	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	7,900 S.F.	1	48
J	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	8,700 S.F.	1	64
K	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	24,913 S.F.	2	138
L	COMMUNITY COMMERCIAL DISTRICT per chapter 16.34	7,699 S.F.	1	36
O	COMMUNITY OFFICE DISTRICT per chapter 16.41	36,000 S.F.	3	148
<b>TOTAL</b>		<b>126,723 S.F.</b>		<b>651</b>

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

**Exhibit D**

**Design Concepts**

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**PEDESTRIAN WALKS**

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

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**AWNINGS, LIGHTS, BENCHES, WINDOWS**



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**CORNER BUILDING CONCEPT**

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**CORNER PLAZA**

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**VARIED ARCHITECTURAL DESIGN**



**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

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**EXISTING TREES RETAINED**



LANDSCAPED PEDESTRIAN PLAZA



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**MAIN STREET**

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

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EXISTING SIDEWALK AND LANDSCAPING RETAINED

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**  
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MAIN STREET PLAZA CONCEPT



**LACEY CROSSROADS DEVELOPMENT AGREEMENT**  
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**SHOPPING PLAZA BETWEEN BUILDINGS**

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**EXISTING SIDEWALK AND LANDSCAPING**

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STOREFRONTS

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PLAZA AT THE POND



LACEY CROSSROADS DEVELOPMENT AGREEMENT

Exhibit D

Design Concepts



MAIN STREET PLAZA CONCEPT



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**Exhibit D**

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**EXISTING LANDSCAPING RETAINED**

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

**Exhibit D**

**Design Concepts**

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EXISTING TREES RETAINED

**LACEY CROSSROADS DEVELOPMENT AGREEMENT**

**Exhibit D**

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**LACEY CROSSROADS DEVELOPMENT AGREEMENT**  
**Amended Exhibit D**  
**Design Concepts**  
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MEDICAL & DENTAL SERVICES buildings shall have architectural and pedestrian features similar to retail uses including storefronts, awns and building articulation and materials. For all uses, front facades and doors will face the main street (Corporate Center Lane SE).

## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit D

### Design Concepts

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Drive through lanes may not be located between the building and the main street (Corporate Center Lane SE). Multi-lane drive throughs are not permitted. Design shall maintain the integrity of storefronts and the pedestrian sidewalk along the main street (Corporate Center Lane SE) and prevent wide driveway cuts and separation between buildings.



**LACEY CROSSROADS DEVELOPMENT AGREEMENT**  
**Amended Exhibit D**  
**Design Concepts**

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Lot G and Plaza Concept

# LACEY CROSSROADS DEVELOPMENT AGREEMENT

## Amended Exhibit F Lacey Crossroads Design Guidelines

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### LACEY CROSSROADS DESIGN GUIDELINES

#### 1. PURPOSE

- 1.1. The Lacey Crossroads Design Guidelines are intended to replace the Fountain Place Design Guidelines dated November 6, 1998 as previously approved by the Lacey City Council and supplement the City of Lacey Municipal Code design requirements.

#### 2. APPLICABILITY

- 2.1. The Lacey Crossroads Design Guidelines is to provide guidance and direction for the design, ambiance and character of the Lacey Crossroads project meeting the vision of the property owner and the City of Lacey. These guidelines in addition to the Development Agreement and Exhibits are to be used as a basis for the City of Lacey for issuing site plan review and design review approvals for Lacey Crossroads.

#### 3. GOALS OF LACEY CROSSROADS

- 3.1. Provide complementary uses that are beneficial to the Business Park, neighborhood and the community by providing the opportunity for the development of commercial facilities in outlying areas of the City and its urban growth area catering to the day to day needs of consumers of surrounding neighborhoods for a wide range of convenience goods and services. The development provides the opportunity for a major retailer and complementary commercial tenants that will provide consumer variety, choice and financial viability that is necessary for the success of the project.
- 3.2. Develop a retail and commercial development that emphasizes pedestrian amenities and access to and through the development including connections to the Business Park and surrounding public streets.
- 3.3. Create a pedestrian oriented shopping experience, integrate landscaping, pedestrian plazas and walks into the retail development with emphasis on pedestrian connections to the public street frontages.
- 3.4. Develop a high quality commercial project that complements the business park and is architecturally distinctive from the surrounding commercial development. Provide screening and buffering of parking facilities and loading zones adjacent to Yelm Highway and College Street by utilizing existing vegetation and new native plantings.

## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit F Lacey Crossroads Design Guidelines

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- 3.5. Soften the appearance of parking areas located along College Street through landscape design that integrates ornamental landscaping with existing conifers that does not screen the view of the internal retail area facades

#### 4. TREE PROTECTION

- 4.1. A final tree evaluation will be conducted for the site based on the site plan as depicted by Exhibit C. The tree evaluation will be focused on preserving and recommending protection techniques for trees located in the following areas:
  - 4.1.1. Trees located southwest corner of the site, adjacent to the intersection of Yelm Hwy/Corporate Center Drive.
  - 4.1.2. Trees located in designated buffers and landscape areas along Yelm Hwy and College Street.
  - 4.1.3. Trees located in the stormwater facility and open space area known as Tract A of the Lacey Corporate Center.
  - 4.1.4. Trees located between the southwest corner of Tract A and the right in/right out driveway access to Yelm Highway.
  - 4.1.5. The final tree evaluation will also review trees interior to the site and around the proposed storm facilities to determine if any may be incorporated into the site design based on tree type, health and site grading/development conditions.
  - 4.1.6. The final tree evaluations will also provide recommendations for method and location for transplanting the existing trees on Corporate Center Loop to appropriate locations in the site.

#### 5. SITE DESIGN CRITERIA

- 5.1. Interim buffer and screening along College Street.
  - 5.1.1. A 50 foot temporary buffer of existing trees will be maintained from the property line along College Street during initial clearing and construction activities. The buffer will be maintained until such time as the following are completed:
    - 5.1.1.1. The interior of the site is cleared;
    - 5.1.1.2. A rough grade of the site interior is established; and,
    - 5.1.1.3. Utility trenching has commenced;
  - 5.1.2. Upon the conversion of the 50 foot temporary buffer to the 25 foot landscape area, the installation of final landscaping within this area will be



## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit F Lacey Crossroads Design Guidelines

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immediately commenced in accordance with section 5.2.2 of these design guidelines.

- 5.1.3. A construction entrance will be located off of Corporate Center Drive in the proximity of Driveway 12 located between the office buildings as depicted in Exhibit C.
- 5.2. Final buffer and screening along College Street and Yelm Highway:
- 5.2.1. Yelm Highway- a 49 foot buffer will be maintained from the property line along Yelm Highway. The buffer will maintain the existing sidewalk and trees in their current location. The buffer will be supplemented with additional native plantings where appropriate. The City's Forester will conduct a review of these trees to recommend appropriate pruning, thinning and supplemental planting to ensure the stand of trees will maintain long term health and growth achieving a dense sight obscuring vegetative screen of Lowe's rear façade and loading area.
  - 5.2.2. The supplemental planting within the Yelm Highway buffer will include a combination of mounds/berms, and native vegetation consisting of groundcover, shrubs bushes and evergreen trees. Trees will be 8 or more feet in height at time of planting.
  - 5.2.3. College Street- a 25 foot landscape area will be established from the property line along College Street. The landscape area will be designed to incorporate existing landscaping with additional native plantings consisting of groundcover, shrubs, bushes and evergreen and/or deciduous trees as represented by Exhibit E.
- 5.3. Transition Buffer from Corporate Center Drive
- 5.3.1. A site transitional area will be provided between the Lacey Crossroads community commercial development and Corporate Center Drive a minimum of 75-feet in width.
  - 5.3.2. The transitional area will include stormwater facilities, pedestrian walkways and buildings for professional office, child care or substantially similar uses as depicted on Exhibit C or as permitted by the Business Park Zoning District, LMC 16.42. Building K will be a multi-story building and buildings L and M are intended to be one story with an option to have multiple stories to provide architectural screen of the internal parking area from Corporate Center properties to the North. The architectural characteristics of these buildings will be compatible with the materials and design with the professional office buildings within the Business Park.

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### Amended Exhibit F Lacey Crossroads Design Guidelines

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- 5.3.3. Landscaping in the transition area will consist of trees, bushes, shrubs and ground cover native to western Washington planted in a manner reflecting a natural setting. Existing trees will be retained where possible depending on grading requirements and tree health. Existing street trees located in the vacated portion of Corporate Center Loop will also be transplanted to the transition area under the supervision of the City's contract forester.
- 5.3.4. Stormwater facilities along Corporate Center Drive will be designed to appear as a natural vegetative amenity to the development with natural appearing shapes and landscaping. Landscaping will consist of vegetation suitable for wetland environments within the wet ponds and native up land type vegetation along the storm pond perimeter utilizing existing trees where possible based on the recommendation of the City's contract forester. The City of Lacey's "Guide for the Landscape Design of Stormwater Facilities", will be used for guidance in the aesthetic design and construction of the storm water facilities.
- 5.4. Tract A Open Space
  - 5.4.1. The open space and pond area located at the corner of Yelm Highway and College Street will be improved and enhanced through maintenance and supplemental plantings upon approval by the Lacey Corporate Center Association. Existing trees will be retained that are deemed healthy long term trees by the City's contract forester and the open space will be landscaped in a manner complementing the existing trees as conceptually shown on Exhibit C. Plantings will be primarily native deciduous and evergreen vegetation providing a transition and aesthetic amenity from the Yelm Highway and College Street intersection into the Crossroads main street plaza. Final landscaping plans for Tract A will be submitted to the City for approval prior to building permit issuance of any building within the Crossroads Development.
- 5.5. Pedestrian Access:
  - 5.5.1. The proposed development will connect pedestrian walkways to the existing sidewalks on Corporate Center Drive, Corporate Center Lane SE, College Street and Yelm Highway as shown on Exhibit C. Through parking and driving areas, the pedestrian walkways will consist of raised or flush concrete sidewalks. Associated landscaping consisting of ground cover, trees and shrubs, providing a minimum combined width (including walkway) of 20 feet to provide a sheltered walkway protected from the parking and driving areas will be provided adjacent to pedestrian pathways located in the parking area north of the anchor tenant as shown on Exhibit C. If the pedestrian walkway(s) are designed to be flush with adjacent parking areas, curbing and/or wheel stops will be installed in

## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit F Lacey Crossroads Design Guidelines

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areas where parking spaces immediately abut the walkway to prevent automobile/pedestrian conflicts

#### 5.6. Main Street Design:

- 5.6.1. The development shall create an urban environment along the internal main street as shown on Amended Exhibit C. Building storefronts and primary entrances will be oriented to the main street and plazas. Buildings will also have rear facades facing the parking areas designed with varied roof lines, windows, materials and entrances consistent with the front facades.
- 5.6.2. The main street will consist of two drive lanes; pull in diagonal parking and sidewalks. Sidewalks will be 8 to 20 feet in width to create a pedestrian scale environment along the store fronts as shown on Amended Exhibit C.
- 5.6.3. Pedestrian street crossings and plazas will consist of stamped and/or colored concrete surfacing consistent with Amended Exhibit C.
- 5.6.4. The conceptual landscaping depicted on Exhibit C with the incorporation of the landscape areas and buffers required by these design guidelines meet the stated purpose and intent of LMC 16.80. The parking areas, buildings and plazas will be landscaped consistent with the conceptual landscaping depicted on Exhibit C.
- 5.6.5. The pedestrian plaza located adjacent to building G will have an architectural feature such as a building, wall, tower, fountain, etc located on the west edge to provide a defined edge to the plaza. This will provide screening of the parking area to the west and create a focal point to the south of main street and adjacent open space.

#### 5.7. Views and Vistas:

- 5.7.1. Roof top mechanical equipment will be centered on the roof and screened from view to a point at ground level a distance of 80 feet from the building. Screening will be accomplished through the use of techniques that are visual extensions of the façade and roofline architecture. Roof top equipment will not be hidden by a fenced portion of the roof.
- 5.7.2. Refuse receptacles and any mechanical equipment that is not attached to a structure shall be located within an enclosure that is consistent in materials and an aesthetic amenity to the building(s).
- 5.7.3. Utility meters, communication antennas/dishes and other similar appurtenances attached to a building will be of the same color as the wall

## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit F Lacey Crossroads Design Guidelines

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and screened from view through the use of landscaping, ornamental screen walls or a combination thereof.

- 5.7.4. Equipment and refuse receptacle enclosures and defined loading areas will be screened from adjoining properties and public streets consistent with Tables 16T-24 and 16T-25 of the Lacey Municipal Code.

#### 5.8. Vehicular Access:

- 5.8.1. Vehicular driveway access to College Street and Yelm Highway will be as shown on Exhibit C. Any proposal to change the access shall be approved by City Council as an amendment to the Lacey Crossroads Development Agreement. The design and location of any proposed driveway accesses shall be supported by traffic engineering studies and recommendations and approved by the City of Lacey.

#### 5.9. Building Design:

- 5.9.1. The buildings and/or storefronts will be designed in a manner reflecting individual character and architectural design. The various buildings will utilize different building materials, wall modulations, roof lines, marquees, awnings, entry ways, etc.
- 5.9.2. Marquees, awnings and other features when incorporated into a wall elevation will have a utilitarian purpose of architectural design and pedestrian protection from the elements as prescribed by LMC 14.23.086.C.3
- 5.9.3. Windows will be incorporated into building facades facing a street, parking area and/or plaza to provide visibility into and out of the buildings consistent with the design concepts displayed on Amended Exhibit D.
- 5.9.4. In locations of facades that face a parking area or an adjacent building where view into the building is not desired (i.e. storage, mechanical or rest rooms) false windows with dark tinted glazing, display windows or special materials such as decorative pattern masonry, glass block, mosaic, wall modulation or a combination thereof as approved by the City will be incorporated into the building design to prevent blank walls of more than 20 feet in length. Display windows will be designed to accommodate product display and not for signage.
- 5.9.5. Seating areas, plazas and alcoves will be designed into and between the buildings to provide some outdoor and sheltered areas for dining and/or resting.

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### Amended Exhibit F Lacey Crossroads Design Guidelines

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- 5.9.6. Building design, material and amenity selection will be guided by design concepts displayed on Amended Exhibit C, and Amended Exhibit D.
- 5.9.7. The Lowe's building will have a complementary design with the main street retail pads, consisting of a minimum 10 foot wide sidewalk along the building, varying roofline, defined entrances and specifically the following:
  - 5.9.7.1. The architectural features such as pilasters, wall bump outs, or equivalent concepts will be incorporated into the south elevation to provide modulation along the length of the wall.
  - 5.9.7.2. The east façade will have architectural features that masked the fence/netting typically used for garden centers. All sales products other than plants and flowers will be screened from view from the main street buildings and plazas.
- 5.9.8. Additional design guidelines for the development of Lot G. The following additional design guidelines shall apply to the development of Lot G.
  - 5.9.8.1 Lot G (which may be developed with one or two buildings provided that the total square footage in Amended Exhibit C to this Agreement) will be developed in a manner consistent with the concept site plan attached as **Appendix A** hereto, including the placement of any drive-through lanes.
  - 5.9.8.2 The intended community plaza/garden connection with Tract A depicted on the concept site plan attached as Appendix A will be developed prior to certificates of occupancy being issued for buildings located on Lot G.
- 5.10. Exterior Plazas:
  - 5.10.1. Plaza locations and design will be in manner as depicted on Exhibits C and D.
  - 5.10.2. All plazas will provide a strong relationship between the interior and exterior spaces and include lighting to encourage evening use; seating and some covered areas so that the space can be used in times of inclement weather.
  - 5.10.3. All plaza amenities such as benches, lighting fixtures will be consistent with the architectural design and amenities associated with the Lacey Crossroads.
- 5.11. Parking

## LACEY CROSSROADS DEVELOPMENT AGREEMENT

### Amended Exhibit F Lacey Crossroads Design Guidelines

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- 5.11.1. In accordance with LMC 16.72.020.A, off-street parking spaces and driveways will not be used at any time for purposes other than their intended use, i.e., the temporary storage of motor vehicles used by persons visiting or having business to conduct on the premises for which the parking is provided. Storage sheds, product storage or other inventory may not be stored or displayed in the parking areas or any external portion of the store.
- 5.11.2. Outdoor seasonal exhibits, displays, sales, or other activities may be conducted, provided they are only displayed during the applicable season, they are located so they do not impede pedestrian access or fire lanes to the building or through the site and the items are stacked in an orderly manner as specified by LMC 14.23.82.B.3.

#### 5.12. Signage

- 5.12.1. All signage will meet the provisions of the City of Lacey Sign Ordinance, LMC 16.75 currently in effect.
- 5.12.2. All signs will be designed in a manner compatible with the overall aesthetic concept of the Lacey Crossroads.

END OF DOCUMENT

