

Wood Trails PPA and ZMA Exhibit Index List

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Wood Trails PPA and ZMA Exhibit Index List

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RECEIVED

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

City of Woodinville
Department of Planning & Community
Development

GENERAL APPLICATION FORM

File #	2004-054
Appl. Type	PPA
TRC III Date	
Fee paid	9840 ⁰⁰
Date Rec'd	6/18/04

EXHIBIT 2
PAGE 1 OF 4

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

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OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)	
If yes, what other permits/applications are you submitting at this time?	Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.				
Legal Description:	(See Attached)				
Tax Parcel Number:	(See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft):	2,199,780 sf/50.5 ac	Comp. Plan Designation:	Low Density Residential	Zone:	R-1
Current Use:	Vacant Land				
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.				

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name	Kathleen C. Horton	Name	
Signature		Signature	
Tax No. or Lot & Subdivision	032605 9074 01	Tax No. or Lot & Subdivision	
<input type="checkbox"/> Owner		<input type="checkbox"/> Owner	
<input type="checkbox"/> Contract Purchaser		<input type="checkbox"/> Contract Purchaser	
<input type="checkbox"/> Option Purchaser (Owners signature also required)		<input type="checkbox"/> Option Purchaser (Owners signature also required)	
Option Expiration Date		Option Expiration Date	

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.	
Signature:	Date
Loree Quade, Phoenix Development, Inc.	6/9/04

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JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

City of Woodinville
Department of Planning & Community
Development

GENERAL APPLICATION FORM

EXHIBIT 2
PAGE 2 OF 4

File #	2004-034
Appl. Type	DPA
TRC III Date	
Fee paid	9840-
Date Rec'd	6-18-04

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
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Legal Description:	(See Attached)			
Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential		Zone: R-1	
Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name	G & S Sundquist Third Family Limited Partnership	Name	Partnership
Signature	<i>G. E. Sundquist</i>	Signature	
Tax No. or Lot & Subdivision	032605-9111 09	Tax No. or Lot & Subdivision	
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date		<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.	
Signature:	Date
<i>Loree Quade, Phoenix Development, Inc.</i>	<i>6/9/04</i>

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JUN 18 2004

City of Woodinville
Department of Planning & Community
Development

CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

GENERAL APPLICATION FORM

File #	0204 031
Appl. Type	PPA
TRC III Date	
Fee paid	9840
Date Rec'd	6-18-04

EXHIBIT 2
PAGE 3 OF 4

GENERAL INFORMATION:

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Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
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Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name: Charlotte E. Huse, as Trustee of the Charles R. Huse Testamentary Trust	Name: Charles R. Huse Testamentary Trust
Signature: <i>Rose M. Robinson</i>	Signature:
Tax No. of Lot & Subdivision: 032605-09 & 032605-05	Tax No. of Lot & Subdivision:
<input type="checkbox"/> Owner	<input type="checkbox"/> Owner
<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Contract Purchaser
<input type="checkbox"/> Option Purchaser (Owners signature also required)	<input type="checkbox"/> Option Purchaser (Owners signature also required)
Option Expiration Date:	Option Expiration Date:

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: *Loree Quade, Phoenix Development, Inc.* Date: *6/9/04*

RECEIVED

City of Woodinville
Department of Planning & Community
Development

JUN 18 2004

Received Stamp

CITY OF WOODINVILLE
PLANNING DEPARTMENT
GENERAL APPLICATION FORM

File #	2004-054
Appl. Type	PPA
TRC III Date	
Fee paid	9840
Date Rec'd	6-18-04

EXHIBIT 2
PAGE 4 OF 4

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Legal Description:	(See Attached)			
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Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

* WITH POA FOR
LEONARD DRIBIN
EDYTH DRIBIN

Name: MORRIS GORELICK**	Name: HAROLD H. GORELICK
Signature: Morris Gorelick	Signature: Harold H. Gorelick
Tax No. or Lot & Subdivision: 032605-9042-03	Tax No. or Lot & Subdivision:
<input type="checkbox"/> Owner 032605-9045-00 & 032605-9032-05	<input type="checkbox"/> Owner
<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Contract Purchaser
<input type="checkbox"/> Option Purchaser (Owners signature also required)	<input type="checkbox"/> Option Purchaser (Owners signature also required)
Option Expiration Date	Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc. Date: 6/9/04



CHICAGO TITLE INSURANCE COMPANY

701 FIFTH AVENUE, #3400, SEATTLE, WA 98104

PHONE: (206)628-
FAX: (206)628-

05-208
Wood Trails

EXHIBIT 3
PAGE 4 of 54

ORDER NO: 001118057
YOUR NO: PHOENIX DEVELOPMENT
UNIT NO: 10
LOAN NO: RECEIVED

JUN 18 2004

SUPPLEMENTAL COMMITMENT CITY OF WOODINVILLE
PLANNING DEPARTMENT

AI

ORDER REFERENCE INFORMATION

SUPPLEMENTAL NUMBER: 1
SELLER:
PURCHASER/BORROWER: PHOENIX DEVELOPMENT, INC.
PROPERTY ADDRESS: WASHINGTON

Our Title Commitment dated 10/14/03 at 8:00 A.M. is supplemented as follows:

AJ PARAGRAPH NUMBER(S) 10, 11, 12, 13, AND 14 OF OUR COMMITMENT IS (ARE)
ELIMINATED.

AK THE FOLLOWING PARAGRAPH(S) HAS (HAVE) BEEN ADDED TO OUR COMMITMENT:

AL PARAGRAPH NUMBER 24:

AM 1. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF
FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF
THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
TAX ACCOUNT NUMBER: 032605-9045-00
LEVY CODE: 2505
ASSESSED VALUE-LAND: \$ 263,000.00
ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 3,294.55
PAID: \$ 0.00
UNPAID: \$ 3,294.55

AFFECTS: PARCEL A.

AN PARAGRAPH NUMBER 25:

AO 2. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF
FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF

SEE NEXT PAGE

Order No.: 1118057
 Your No.: PHOENIX DEVELOPMENT
 Unit No.: 10

SUPPLEMENTAL COMMITMENT
 (Continued)

THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
 TAX ACCOUNT NUMBER: 032605-9042-03
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 183,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
 PAID: \$ 0.00
 UNPAID: \$ 2,294.21

AFFECTS: PARCEL B.

NOTE: IF THE TAX AMOUNT IS NOT EVENLY DIVISIBLE INTO TWO PAYMENTS, KING COUNTY WILL REQUIRE THE HALF PAYMENT BE ROUNDED UP TO THE NEXT CENT. FAILURE TO ROUND UP THE HALF PAYMENT MAY RESULT IN REJECTION OF THE TAX PAYMENT BY THE COUNTY.

AP PARAGRAPH NUMBER 26:

AQ 3. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
 TAX ACCOUNT NUMBER: 032605-9032-05
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 183,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
 PAID: \$ 0.00
 UNPAID: \$ 2,294.21

AFFECTS: PARCEL C, AND OTHER PROPERTY.

NOTE: IF THE TAX AMOUNT IS NOT EVENLY DIVISIBLE INTO TWO PAYMENTS, KING COUNTY WILL REQUIRE THE HALF PAYMENT BE ROUNDED UP TO THE NEXT CENT. FAILURE TO ROUND UP THE HALF PAYMENT MAY RESULT IN REJECTION OF THE TAX PAYMENT BY THE COUNTY.

NEITHER THE DESCRIPTION CONTAINED IN THE KING COUNTY TAX ROLLS NOR THE DELINEATION OF PARCEL C ON THE KING COUNTY ASSESSORS MAP DISCLOSES THE DEED CONVEYING THE NORTH 30 FEET OF SAID SAID SUBDIVISION TO KING COUNTY, RECORDED UNDER RECORDING NUMBER 1456801.

Order No.: 1118057
Your No.: PHOENIX DEVELOPMENT
Unit No.: 10

SUPPLEMENTAL COMMITMENT
(Continued)

AR PARAGRAPH NUMBER 27:

AS 4. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2004
TAX ACCOUNT NUMBER:	032605-9038-09
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 183,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00
GENERAL & SPECIAL TAXES:	BILLED: \$ 2,294.21
	PAID: \$ 0.00
	UNPAID: \$ 2,294.21

AFFECTS: PARCEL D.

NOTE: IF THE TAX AMOUNT IS NOT EVENLY DIVISIBLE INTO TWO PAYMENTS, KING COUNTY WILL REQUIRE THE HALF PAYMENT BE ROUNDED UP TO THE NEXT CENT. FAILURE TO ROUND UP THE HALF PAYMENT MAY RESULT IN REJECTION OF THE TAX PAYMENT BY THE COUNTY.

AT PARAGRAPH NUMBER 28:

AU 5. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2004
TAX ACCOUNT NUMBER:	032605-9111-09
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 384,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00
GENERAL & SPECIAL TAXES:	BILLED: \$ 4,807.80
	PAID: \$ 0.00
	UNPAID: \$ 4,807.80

AFFECTS: PARCEL E.

AV PARAGRAPH NUMBER 29:

CHICAGO TITLE INSURANCE COMPANY

Order No.: 1118057
Your No.: PHOENIX DEVELOPMENT
Unit No.: 10

SUPPLEMENTAL COMMITMENT
(Continued)

AW 6. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2004
TAX ACCOUNT NUMBER:	032605-9044-01
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 183,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00
GENERAL & SPECIAL TAXES:	BILLED: \$ 2,294.21
	PAID: \$ 0.00
	UNPAID: \$ 2,294.21

AFFECTS: PARCEL F.

AX THERE HAS BEEN NO CHANGE IN THIS COMMITMENT SINCE OCTOBER 14, 2003, EXCEPT THE MATTERS NOTED HEREIN ABOVE.

AY
MARCH 22, 2004 AUTHORIZED BY: KEITH EISENBREY

PLAT CERTIFICATE

Order No.: 1118057

Certificate for Filing Proposed Plat:

In the matter of the plat submitted for our approval, this Company has examined the records of the County Auditor and County Clerk of KING County, Washington, and the records of the Clerk of the United States Courts holding terms in said County, and from such examination hereby certifies that the title to the following described land situate in said KING County, to-wit:

SEE SCHEDULE A (NEXT PAGE)

VESTED IN:

SEE ATTACHED EXHIBIT

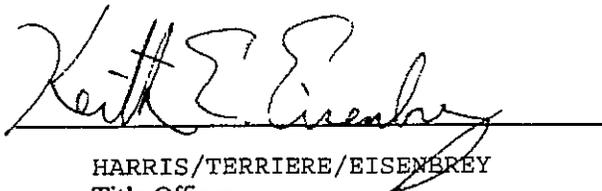
EXCEPTIONS:

SEE SCHEDULE B ATTACHED

CHARGE: \$200.00
TAX: \$17.60

Records examined to OCTOBER 14, 2003 at 8:00 AM

By



HARRIS/TERRIERE/EISENBREY
Title Officer

(206) 628-5623

PLAT CERTIFICATE
SCHEDULE A

(Continued)

Order No.: 1118057

VESTED IN

HAROLD GORLICK AND DIANE GORLICK, HUSBAND AND WIFE;
AND MORRIS GORELICK, AS HIS SEPARATE ESTATE; AND
MORRIS GORELICK, BRIAN LEE GORELICK, KENNETH BRUCE GORELICK, AND PAULA EMILY
GORELICK, AS TRUSTEES OF THE EXEMPTION EQUIVALENT TRUST, THE MARITAL TRUST, AND
THE DISCLAIMER TRUST, AS PROVIDED IN THE LAST WILL AND TESTAMENT OF EVELYN
GORELICK, DECEASED;
AS THEIR INTERESTS MAY APPEAR;
AS TO PARCELS A AND B; AND

DAVID L. FREY, AS HIS SEPARATE ESTATE;
HAROLD GORLICK AND DIANE GORLICK, HUSBAND AND WIFE;
MORRIS GORELICK, AS HIS SEPARATE ESTATE, AND MORRIS GORELICK, BRIAN LEE GORELICK,
KENNETH BRUCE GORELICK, AND PAULA EMILY GORELICK, AS TRUSTEES OF THE EXEMPTION
EQUIVALENT TRUST, THE MARITAL TRUST, AND THE DISCLAIMER TRUST, AS PROVIDED IN THE
LAST WILL AND TESTAMENT OF EVELYN GORELICK, DECEASED; AND
LEONARD P. DREBIN AND EDYTH S. DREBIN, HUSBAND AND WIFE;
AS THEIR INTERESTS MAY APPEAR;
AS TO PARCEL C.

CHARLOTTE E. HUSE, AS TRUSTEE OF THE CHARLES R. HUSE TESTAMENTARY TRUST, AS TO
PARCEL D;

THE G & S SUNDQUIST THIRD FAMILY LIMITED PARTNERSHIP, A WASHINGTON LIMITED
PARTNERSHIP, AS TO PARCEL E; AND

KATHLEEN C. HORTON, AS HER SEPARATE ESTATE, AS TO PARCEL F.

PLAT CERTIFICATE
SCHEDULE A

(Continued)

Order No.: 1118057

LEGAL DESCRIPTION

PARCEL A:

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL B:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL C:

THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THE NORTH 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD PURPOSES. BY DEED RECORDED UNDER RECORDING NUMBER 1456801.

PARCEL D:

THE EAST HALF OF THE SOUTHWEST QUARTER OF GOVERNMENT LOT 1, SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 20 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF GOVERNMENT LOT 1 IN SAID SECTION 3, EXCEPT THE WEST 30 FEET OF SAID EASEMENT AREA CONVEYED TO KING COUNTY UNDER RECORDING NUMBER 7707250767;

AND OVER THE NORTH 4 FEET OF LOT 1, KING COUNTY SHORT PLAT NUMBER 281084, RECORDED UNDER RECORDING NUMBER 8107230645;

AS SAID EASEMENT WAS ESTABLISHED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20000215000110.

PARCEL E:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

SEE NEXT PAGE

SCHEDULE A

(Continued)

Policy No.: 001118057

LEGAL DESCRIPTION

PARCEL F:

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

**PLAT CERTIFICATE
SCHEDULE B**

Order No.: 1118057

This certificate does not insure against loss or damage by reason of the following exceptions:

GENERAL EXCEPTIONS:

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
- B. Rights or claims of parties in possession not shown by the public records.
- C. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
- D. Easements or claims of easements not shown by the public records.
- E. Any lien, or right to lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the public records.
- F. Liens under the Workmen's Compensation Act not shown by the public records.
- G. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage removal.
- H. General taxes not now payable; matters relating to special assessments and special levies, if any, preceding or in the same becoming a lien.
- I. Reservations or exceptions in patents or in Acts authorizing the issuance thereof; Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- J. Water rights, claims, or title to water.
- K. THIS REPORT IS ISSUED AND ACCEPTED UPON THE UNDERSTANDING THAT THE LIABILITY OF THE COMPANY SHALL NOT EXCEED ONE THOUSAND DOLLARS(\$1000.00).

PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: 1118057

EXCEPTIONS

A 1. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: STREET PURPOSES
AREA AFFECTED: THE SOUTH 20 FEET OF THE EAST HALF OF
PARCEL A
RECORDED: DECEMBER 15, 1917
RECORDING NUMBER: 1179371

B 2. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: STREET PURPOSES
AREA AFFECTED: THE SOUTH 20 FEET OF PARCEL C
RECORDED: APRIL 8, 1918
RECORDING NUMBER: 1204907

C 3. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: STREET PURPOSES
AREA AFFECTED: THE SOUTH 20 FEET OF THE WEST HALF OF
PARCEL A
RECORDED: JANUARY 26, 1920
RECORDING NUMBER: 1385249

D 4. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

RESERVED BY: HERBERT S. UPPER
PURPOSE: STREET PURPOSES
AREA AFFECTED: THE NORTH 20 FEET OF PARCEL D
RECORDED: MAY 15, 1920
RECORDING NUMBER: 1419281

E 5. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: STREET PURPOSES
AREA AFFECTED: THE NORTH 20 FEET OF PARCEL B
RECORDED: JULY 16, 1920
RECORDING NUMBER: 1435302

F 6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

RESERVED BY: HERBERT S. UPPER
PURPOSE: STREET PURPOSES
AREA AFFECTED: THE NORTH 20 FEET OF PARCEL F

PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: 1118057

RECORDED: APRIL 6, 1921
RECORDING NUMBER: 1507559

g 7. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUGET SOUND POWER & LIGHT COMPANY
PURPOSE: ELECTRIC TRANSMISSION AND/OR
DISTRIBUTION LINE
AREA AFFECTED: THE SOUTH 50 FEET OF PARCEL E, AND
OTHER PROPERTY
RECORDED: JANUARY 12, 1979
RECORDING NUMBER: 7901120119

h 8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: WATER DISTRICT NO. 104
PURPOSE: WATER LINES
AREA AFFECTED: THE NORTH 15.00 FEET OF PARCEL E
RECORDED: MARCH 2, 1981
RECORDING NUMBER: 8103020296

i SAID INSTRUMENT INCLUDES A TEMPORARY EASEMENT OVER THE NORTH 40.00 FEET
OF PARCEL E..

j 9. COVENANT TO BEAR PART OR ALL OF THE COST OF CONSTRUCTION OR REPAIR OF
EASEMENT GRANTED OVER ADJACENT PROPERTY:

PURPOSE OF EASEMENT: INGRESS, EGRESS AND UTILITIES
RECORDING NUMBER: 20000215000110

k AFFECTS: PARCEL D.

l 10. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF
FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER
1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2003
TAX ACCOUNT NUMBER: 032605-9045-00
LEVY CODE: 2505
ASSESSED VALUE-LAND: \$ 252,000.00
ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 3,241.54
PAID: \$ 1,620.77

PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: 1118057

UNPAID: \$ 1,620.77

AFFECTS: PARCEL A.

11. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2003
TAX ACCOUNT NUMBER:	032605-9042-03
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 175,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00
GENERAL & SPECIAL TAXES:	BILLED: \$ 2,252.88
	PAID: \$ 1,126.44
	UNPAID: \$ 1,126.44

AFFECTS: PARCEL B.

12. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2003
TAX ACCOUNT NUMBER:	032605-9032-05
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 175,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00
GENERAL & SPECIAL TAXES:	BILLED: \$ 2,252.88
	PAID: \$ 1,126.44
	UNPAID: \$ 1,126.44

AFFECTS: PARCEL C, AND OTHER PROPERTY.

- NEITHER THE DESCRIPTION CONTAINED IN THE KING COUNTY TAX ROLLS NOR THE DELINEATION OF PARCEL C ON THE KING COUNTY ASSESSORS MAP DISCLOSES THE DEED CONVEYING THE NORTH 30 FEET OF SAID SAID SUBDIVISION TO KING COUNTY, RECORDED UNDER RECORDING NUMBER 1456801.

13. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR:	2003
TAX ACCOUNT NUMBER:	032605-9038-09

PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: 1118057

LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 175,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

 GENERAL & SPECIAL TAXES: BILLED: \$ 2,252.88
 PAID: \$ 1,126.44
 UNPAID: \$ 1,126.44

AFFECTS: PARCEL D.

14. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2003
 TAX ACCOUNT NUMBER: 032605-9044-01
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 175,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

 GENERAL & SPECIAL TAXES: BILLED: \$ 2,252.88
 PAID: \$ 1,126.44
 UNPAID: \$ 1,126.44

AFFECTS: PARCEL F.

15. RIGHT, TITLE AND INTEREST OF THRIFTY SUPPLY COMPANY, WHICH IS PRESUMED TO HAVE AN INTEREST IN SAID PROPERTY FROM THE KING COUNTY TAX ROLLS AND FROM EXECUTION OF INSTRUMENTS OF RECORD.

AFFECTS: PARCELS A, B, AND C.

16. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: DAVID L. FREY, A SINGLE MAN; AND HAROLD GORLICK AND DIANE GORLICK, HUSBAND AND WIFE; AND MORRIS GORELICK AND EVELYN GORELICK, HUSBAND AND WIFE; AND LEONARD P.DREBIN AND EDYTH S. DREBIN, HUSBAND AND WIFE
 TRUSTEE: PIONEER NATIONAL TITLE INSURANCE
 BENEFICIARY: LAURENCE JEAN DEARINGER AND ROSE ELVINA DEARINGER, HUSBAND AND WIFE ON DATE OF ACQUIRING TITLE AND ALL TIMES SINCE
 AMOUNT: \$ \$53,000.00
 DATED: JULY 15, 1980
 RECORDED: JULY 30, 1980

PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: 1118057

RECORDING NUMBER: 8007300385
 LOAN NUMBER: ---

THE AMOUNT NOW SECURED BY SAID DEED OF TRUST AND THE TERMS UPON WHICH THE SAME CAN BE DISCHARGED OR ASSUMED SHOULD BE ASCERTAINED FROM THE HOLDER OF THE INDEBTEDNESS SECURED.

u AFFECTS: PARCEL C.

v 17. MEMORANDUM OF OPTION TO PURCHASE AND THE TERMS AND CONDITIONS THEREOF:

GRANTED TO: CARLTON DEVELOPMENT GROUP
 RECORDED: AUGUST 5, 1999
 RECORDING NUMBER: 19990805001960

w AFFECTS: PARCELS A, B, AND C.

x 18. TERMS, POWERS, CONDITIONS, AND LIMITATIONS OF THE MARITAL TRUST, AND THE DISCLAIMER TRUST, AS PROVIDED IN THE LAST WILL AND TESTAMENT OF EVELYN GORELICK, DECEASED, UNDER WHICH TITLE TO A PORTION OF SAID PREMISES IS HELD.

y 19. TERMS, POWERS, CONDITIONS, AND LIMITATIONS OF THE CHARLES R. HUSE TESTAMENTARY TRUST, UNDER WHICH TITLE TO A PORTION OF SAID PREMISES IS HELD.

z 20. TERMS AND CONDITIONS OF THE PARTNERSHIP AGREEMENT FOR G & S SUNDQUIST THIRD FAMILY LIMITED PARTNERSHIP.

aa 21. MATTERS OF RECORD, IF ANY, AGAINST THE NAMES OF THE UNDISCLOSED GENERAL PARTNERS OF G & S SUNDQUIST THIRD FAMILY LIMITED PARTNERSHIP.

ab 22. NOTWITHSTANDING THE INSURING CLAUSES OF THIS POLICY, THE COMPANY DOES NOT INSURE AGAINST ANY LOSS OR DAMAGE BY REASON OF LACK OF ACCESS TO AND FROM THE LAND.

ac AFFECTS: PARCEL E.

ad 23. THE LEGAL DESCRIPTION IN THIS COMMITMENT IS BASED ON INFORMATION PROVIDED WITH THE APPLICATION AND THE PUBLIC RECORDS AS DEFINED IN THE POLICY TO ISSUE. THE PARTIES TO THE FORTHCOMING TRANSACTION MUST NOTIFY THE TITLE INSURANCE COMPANY PRIOR TO CLOSING IF THE DESCRIPTION DOES NOT CONFORM TO THEIR EXPECTATIONS.

PLAT CERTIFICATE
SCHEDULE B

(Continued)

EXHIBIT 3
PAGE 5 of 54

Order No.: 1118

AE NOTE 1:
GENERAL AND SPECIAL TAXES AND CHARGES, PAID IN FULL:

YEAR:	2003
TAX ACCOUNT NUMBER:	032605-9111-09
LEVY CODE:	2505
ASSESSED VALUE-LAND:	\$ 3,000.00
ASSESSED VALUE-IMPROVEMENTS:	\$ 0.00

AMOUNT BILLED AND PAID: \$ 40.04

AFFECTS: PARCEL E.

AF TAXES AND/OR BACK TAXES IN THE AMOUNT OF \$46,082.88 WERE PAID ON JANUARY 7, 2003, FOR FOREST LAND REMOVAL, CTR #092072, UNDER TAX ACCOUNT 032605-9111-90.

AG NOTE 2:
THE FOLLOWING MAY BE USED AS AN ABBREVIATED LEGAL DESCRIPTION ON THE DOCUMENTS TO BE RECORDED TO COMPLY WITH THE REQUIREMENTS OF RCW 64.04. SAID ABBREVIATED LEGAL DESCRIPTION IS NOT A SUBSTITUTE FOR A COMPLETE LEGAL DESCRIPTION WHICH MUST ALSO APPEAR IN THE BODY OF THE DOCUMENT:

PORTIONS OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 3-26-5.

AS OF OCTOBER 14, 2003, THE TAX ACCOUNTS FOR SAID PREMISES ARE 032605-9045-00, 032605-9042-03, 032605-9032-05, 032605-9038-09, 032605-9111-09, 032605-9111-90, AND 032605-99044-01.

END OF SCHEDULE B

8002110183

FILED FOR RECORD AT REQUEST OF
TRANSAMERICA TITLE INSURANCE COMPANY
P.O. BOX 1493
BELLEVUE, WASHINGTON 98009
01 06 707439-8

WHEN RECORDED RETURN TO

Name Mr. and Mrs. Harold Gorlick
Mr. and Mrs. Morris Gorelick
Address

FILED FOR RECORD AT REQUEST OF
TRANSAMERICA TITLE INSURANCE COMPANY
10635 N.E. 6th STREET
BELLEVUE, WASHINGTON 98004

City, State, Zip

Statutory Warranty Deed

105.00

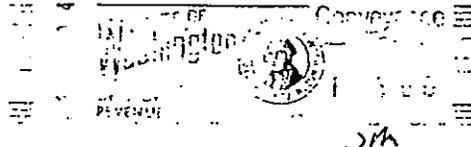
3.50

THE GRANTOR WILLIAM K. DAVIS, as his separate estate,

for and in consideration of TEN AND NO/100ths-----(\$10.00) DOLLARS, AND OTHER
GOOD AND VALUABLE CONSIDERATION,
in hand paid, conveys and warrants to HAROLD GORLICK and DIANE GORLICK, husband and wife,
and MORRIS GORELICK and EVELYN GORELICK, husband and wife,
the following described real estate, situated in the County of KING, State of Washington:
Parcel "A":
The Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 3,
Township 26 North, Range 5 East, W.M.;
EXCEPT the South 20 feet thereof for road.
Parcel "B":
The East 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast
1/4 of Section 3, Township 26 North, Range 5 East, W.M.;
EXCEPT the North 20 feet thereof for road.
ALL Situate in the County of King, State of Washington.

SUBJECT TO: Easement, as recorded under Recording No. 5844645.

E0578956



Dated January 31,

19 80

X: *William K. Davis*
WILLIAM K. DAVIS

707439-2

STATE OF WASHINGTON }
COUNTY OF KING } ss.

STATE OF WASHINGTON }
COUNTY OF } ss.

On this day personally appeared before me
WILLIAM K. DAVIS
to me known to be the individual described in and
who executed the within and foregoing instrument,
and acknowledged that HE signed the same
as HIS free and voluntary act and deed,
for the uses and purposes therein mentioned.

On this day of 19
before me, the undersigned, a Notary Public in and for the State of Wash-
ington, duly commissioned and sworn, personally appeared
and
to me known to be the President and Secretary,
respectively, of
the corporation that executed the foregoing instrument, and acknowledged
the said instrument to be the free and voluntary act and deed of said corpora-
tion, for the uses and purposes therein mentioned, and on oath stated that
authorized to execute the said instrument and that the seal
affixed is the corporate seal of said corporation.
Witness my hand and official seal hereto affixed the day and year first
above written.

GIVEN under my hand and official seal this
day of February, 19 80

*Notary Public in and for the State of Wash-
ington, residing at*

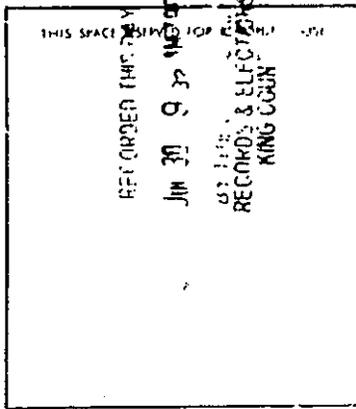
Notary Public in and for the State of Washington,
residing at



A TICOX COMPANY

Filed for Record at Request of

AFTER RECORDING MAIL TO:



REVENUE STAMP

8007300384
01/14/01 10:00:00 AM
E 17

Ben #75

456

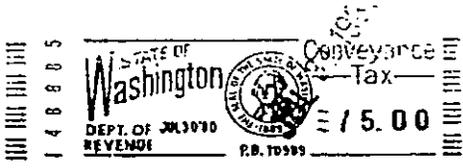
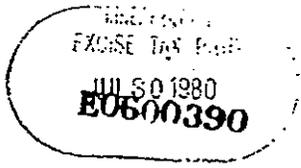
FORM 158

Statutory Warranty Deed

THE GRANTOR s LAURENCE JEAN DEARINGER and ROSE ELVINA DEARINGER, husband and wife on date of acquiring title and all times since for and in consideration of TEN DOLLARS and other valuable considerations in hand paid, conveys and warrants to David L. Frey, a single man; and Harold Gorlick and Diane Gorlick, husband and wife; and Morris Gorelick and Evelyn Gorelick, husband and wife; and Leonard P. Drelin and Edyth J. Drelin, husband and wife

The East half of the Northwest quarter of the Northeast quarter of the Northeast quarter of Section 3, Township 26 North, Range 5 East, W. M.; EXCEPT the South 20 feet for Road.

SUBJECT TO easements, restrictions and reservations now of record.



Dated this 15th day of July, 1980

Laurence Jean Dearinger (SEAL)
Rose Elvina Dearinger (SEAL)

STATE OF WASHINGTON,
County of Snohomish

On this day personally appeared before me LAURENCE JEAN DEARINGER and ROSE ELVINA DEARINGER to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 15th day of July 1980
Steve P. Barrios
Notary Public in and for the State of Washington,
residing at *Lynnwood*

EXHIBIT A

The East 1/2 of the Southwest 1/4 or Government Lot 1 (fractional Northeast 1/4 of the Northeast 1/4) in Section 3, Township 26 North, Range 5E, W.M. (EXCEPT the North 20 feet thereof for road) situate in King County, Washington.

9308251796



20000706000695

SUNDQUIST QCD 9 00
PAGE 001 OF 002
07/06/2000 11:49
KING COUNTY, WA

E1763405

07/06/2000 11:35
KING COUNTY, WA
TAX \$2 00
SALE \$0 00

PAGE 001 OF 002

Mail tax statements to:
G & S Sundquist Management, L.L.C.
3030 N.E. 181st
Seattle, Washington 98155

QUITCLAIM DEED

Assessor's Parcel No. 032605911109
032605913402

2000 070 6000695

The grantor, GUSTAV E. SUNDQUIST AND SYLVIA J. SUNDQUIST, husband and wife, of Seattle, County of King, State of Washington, for and in consideration of TEN DOLLARS (\$10.00) convey and quitclaim to THE G & S SUNDQUIST THIRD FAMILY LIMITED PARTNERSHIP, dated the 1st day of January, 2000, all interest in the following described real estate:

Parcel A: East 1/2 of Southeast 1/4 of Northeast of Section 03, Township 26, Range 05.

Parcel B: South 30 feet of West 1/2 of Southeast 1/4 of Northeast 1/4, Section 03, Township 26, Range 05.

Situated in County of King, State of Washington.

* B
1. 11/11/2000 2:00
10



PIONEER NATIONAL
TITLE INSURANCE

A TICOR COMPANY

Filed for Record at Request of

TO Dale W. Horton
18491 Ballinger Way NE
Seattle, WA 98155

THIS SPACE RESERVED FOR RECORDER'S USE.

REVENUE STAMPS

RECEIVED THIS DAY

JAN 19 6 30 PM '75

BY THE RECORDER
EDWARD J. KING

90/01/19
RECFEE \$ 00
CASHEL
FORM 1567
\$5

9001190052

W-085721 U-1 12680

Statutory Warranty Deed

THE GRANTOR HARRY G. KING, JR. and TERRY KING, his wife

for and in consideration of Ten Dollars and other valuable considerations

in hand paid, conveys and warrants to DALE W. HORTON and KATHLEEN C. HORTON, his wife

the following described real estate, situated in the County of King, State of Washington:

The west half of the southeast quarter of the northeast quarter of the northeast quarter of Section 3, Township 26 north, Range 5 east, W.M., in King County, Washington,
EXCEPT the north 20 feet for road.

REQUEST OF
TICOR TITLE INSURANCE CO.
1800 WESTERN AVE., SUITE 200
SEATTLE, WA 98104

Excise Tax Paid On Contract No. 292841
King Co. Excise Division
D. A. Mulvaney Deputy

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated February 19, 1975, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

Real Estate Excise Tax was paid on this sale or stamped exempt on 2-26-75, Rec. No. E292841.

Dated this 19th day of February, 1975

Harry G. King, Jr. (SEAL)
Terry King (SEAL)

STATE OF WASHINGTON, }
County of King

On this day personally appeared before me Harry G. King, Jr. and Terry King to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this

14 day of March 1975
Edward J. King
Notary Public in and for the State of Washington
residing at Seattle, Washington

... my true and lawful
... the corp of executing in
... any and all
... I now own or was either of
... together with power to assign any such
... or to the bills of sale or other instruments
... of my city, state or personal, standing in my name
... of Washington, with like effect as I could or would
... if this 2 of A had not been an

I hereby authorize and atty in fact to execute and this inst,
deed, bill of sale to other in the city of Spokane which
has been made in connection with the contracts of sale; hereby authorizing and
empowering the atty in fact to close and transactions at any
time and place and to execute deeds of conveyance in connection therewith
and the atty in fact is irrevocable, for the use and purpose
above stated in connection therewith I hereby authorize and atty in
fact to receive any necessary receipts and releases that may be
needed in connection with any transactions above
mentioned.

EXHIBIT 3
PAGE 2 of 54

John W McLaughlin
Approved and atty in fact by John W McLaughlin, def Edward H Taylor
Notary Public at Spokane, Wash. Jul 31-20
Main Office at 2321, Calif ave S W
+ + +

Spokane, Wash. 3-17 1458799 802
597
Ambrose W Godd of Spokane, wa, lately of S. wa
... Lemohn and B Lemohn, hus and wf
... of that city mtg held Oct 11-09, by ap
to ... in the of the sud of wa, in vol 461 of
mtg ...

let ... of lot 10 in blk 4, University Park add to
the ... road plat thof;

deed ... the sum of money they see have been fully
at ... quit claim and forever disch int so pres
of ... and operation of sd mtg, and
disch ... mtg in full
Ambrose W Godd at

Spokane, Wash. 30-20 by Ambrose W Godd, def
Lect ... at Spokane 2 2 Feb 6-21
Main ... Water office
+ + +

800 no. 1123
1458801

August Breitspacher, and Gertrude Breitspacher,
... of King, State of Washington
... and also by ren of benefits to sect
to ... laying out and estab a pub road thru
the ... better des, cy rel and q c to sp for use of
the ... as a pub road and highway, all int
in ...

lot N 30 ... of the NW 1/4 of lot 1 s 4 c 3, twp 26
n r ... of 1 right of way Miles-Baunton Road
with ...
August Breitspacher
Gertrude Breitspacher

Albany ... by August Breitspacher,
and ... def Gregory J Bell, n p for
the ... Waterhill, S.Y. N S
Main ...

1179371

915
149

D Fid Dec 15-17 1-55
Dec 14-17 \$250 50c irs x
Herbert S Upper, a bach

to Harry A Holtzclaw, and Lillian B Holtzclaw
fp g b s o to sp h and a, the fld in k c w

Tract 9 of Herbert S Upper's Garden tracts, otherwise kn as
the E 1/2 of the NE 1/4 of the NE 1/4 of the NE 1/4 less a strip 20ft
wide all the S si for st purps, all insec 3, tp 26 nr B
east of the W m

Covs excepting us to all taxes and debts levied against ad
Band since Apr 17-18, O W
nowit Herbert S Upper et

KCW Dec 14-17, by Herbert S Upper, a bach bef James Bothwell
n p for un resats H S Feb 1-18
fld by sp

+++

D Fid Dec 15-17 2-07
Dec 10-17 410

1179372

993
520

William T Walsh and Eva M Walsh, hwf, ofc, kow
to Mary Florence Agassiz, ofc, kow, a spinster
fp oy and g c to sp allint in the folg re est

Lot 5 in blk 10, Cowens University Park an add to the c ofc,
nr ofm mt in k c c
no was

William John Walsh et
Eva M Walsh et

KCW Dec 15-17, by William J Walsh and Eva M Walsh, hwf, bef
J L Hunner, n p for un resats H S Apr 11-19
Fld by sp Hall 1003, Havana Blvd

+++

D Fid Dec 15-17 3-18
It Dec 11-17 \$500 50c irs x

373-ng
1179374

993
521

Henry K Sander, a bach and Nellie B Sander, of kow
to Anton Dobkowski of the sm pl

Sp oy and g was to sp the folg re est
Lots 2 and 3, blk 9 of Marco's add to the c ofc, sitd
in k c w
no was

Henry K Sander et
Nellie B Sander et

KCW Dec 15-17, by Henry K Sander, a bach and Nellie B Sander
bef Colin O Radford, n p for un res at S H S Nov 27-18
Fld by sp 2038 Main st

+++

D Fid Dec 15-17 3-18
Dc Dec 12-17 \$500 50c irs x

1179375

993
521

Henry K Sander, a bach and Nellie B Sander, of kow
to Albina Dobkowski of the sm pl

fp oy and g was to sp the folg re est

Lots 4 and 5, in blk 9 of Marco's add to the c ofc, sitd
in k c w
no was

Henry K Sander et
Nellie B Sander et

KCW Dec 15-17, by Henry K Sander, a bach and Nellie B
Sander, bef Colin O Radford, n p for un res at S H S Nov 27-18
Fld by sp Hall to 2038, Main st

+++

1204907

D Apr 6-18 12-17
Mch 16-18 \$300 50 d IRSx
Herbert S Upper, a bach
TO
August Breitsprecher

fp g b n v and o to sp h and as fig ld in KOW

Tract 1A of Herbert S Upper's Garden plots, otherwise kn as the
E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, less a strip 20 ft alg
the E side & ad tt for street prps, all in Sec 3 Tp 26 NR 5
East of the W. 2.

Cover: GE
H W Herbert S Upper E1

ECF Mch 16-18 by E Herbert S Upper, a bach bef E S Goodwin, NP
1 and f o of Pres at S (NS May 22-18)
RE Case

908 fols 909
1204907
1030
162

CONF APR 8-18 12-20
MCH 16-18 Corporation
FEDERAL INVESTMENT CORPORATION, Wash corp of Seattle
TO
Verner L Jones of S, WA

fp will null to sp h or as and sp will pur of fp its sus or
as fig d n r e in KOW

All of Lot 42 and the E $\frac{1}{2}$ of Lot 43 in Blk 9 Greenwood Park
Secord Add to the Cof Seattle

E fp agrees to pay all debts now assessed agat ad prpty, also
all other indubss including r e txe until date
12 for ad ld is \$1650 of which \$150 ha bn pd, recpt ackd by sp
120 \$1500 to be pd at rate of \$25 or more per mo startg Apr 1-18
contg; thereafter until fully pd, which debts include int frn dte
until paid at 12 pa pybl

fp will pay all txe and debts frn dte, and maintain ins of \$1400
which pur pt are int he bn pd in full, fp agrees to cy ad prpy by
qd and surr wrd ad to sp h or as and furnish T Ins showing gd
tl to dte hereof, or policy of Tl Ins showing prpty fr and cfr
of all etc, sp agrees to exe a mtge to fp for unpd bal under
this cont any time fp so desires, mtg to be axotd frn dte aftr
\$750 shd be pd on this cont, for unpd bal, mtg to draw int at 7% p a
1200 is the amt of this cont (with provl for forfr)

THIS FEDERAL INVESTMENT CORPORATION fp to this cont by Resl of
MCH 16-18 the cont was prep to be sub by its Pt and atttd by i
the Treas and its Corp al to be hereunto affxd,
H W (12-18) Federal Investment Corporation
By E J Vaupell, president
Attob: H H Pease, Treasurer
Verner L Jones E1

ECF Mch 16-18 by E J Vaupell and H H Pease, Pt and Treasurer of
The cont was prep instr (CP*) bef C K Coleman, NP 1 and
H W of S (NS Oct 30-21)
RE Case (12)

Jan 20-20 1-48
Jul 21 10.00 irax
i. P. Blies and Mary Blies, w
to ...
sp ... to sp the fol ...

1385248

lot ... 4 ...

sub ... certaint cont entered into with one J. S. Young under
date of Jun 1-18
wif ...

P.P. Blies
Mary Blies
~~XXXXX~~

now ... by P.P. Blies and Mary Blies, bef ... Cushing
np ...
(Mail to ... Loan Assn)

Jan 20-20 1-59
Aug 1-18 300. 10.50 irax
Herbert L. Upper, a bach
to ... and Max Bresek
sp ... to sp their h and a the foid in now

1385249

tract ... other ... as the 1/4 of the ... of ... less
20 ft ... for street purp all in Sec 3 Tp 26 R 5
of ...

[This ... of a wd excepting as to wrr, gvn on Aug 1-18
to ... and Max Bresek for the same prop hincabove des)
cov ... by turn or under sp and not otherwise, excepting
as to ... and ... since Feb 1-17

Herbert L. Upper SI

now ... by Herbert L. Upper, a bach bef ... Vandewerker
np ...
Pay ...

Jan 20-20 2-7
Nov 1-18 100. 11.50 irax
Susan ... Adams, a widow, Florence Dadd, spine and Adelaide
Dadd, ... at law and distributees of Benjamin
Lumphaire ... of London, Ontario
to ...
sp ... to sp their h and a the foid in now

1385250

lot ... of Hillman's Garden tracts, acc to the rec plat
thof

for ... to ... and by ... ffl and GW

Susannah D. Adams SI
Florence Dadd SI
Adelaide Dadd SI

I wif
Dec of ... of Ontario, Nov 25-18 by Susannah Dadd Adams
a widow ... Adams, spine and Adelaide Dadd, spine, the
heire ... distributees of Benjamin Lumphaire Dadd, decd
bef ... in and for the ... of Ontario, Dom of Canada
res of ... Ontario, Canada no ... (Mail to T. Siegfrieds 507
...)

(3)

384

52

D H McCaskill and Jessie L McCaskill h/w of
Chattanooga Tenn

sp by and ... to sp ...

Lots ... in Blk 7 of Gilman Park First Add as per
map ... of Plate at page 57 recd of ad Co, said in KGW

D H McCaskill--
Jessie L McCaskill--

Now ... by D H McCaskill and Jessie L McCaskill h/w of
... of Wren at 3 (NS June 19-22)

.....

D ... 2-5
May ... 2500
Herb ...
D ...
D ...

1435302

1107
310

Sp ... in KGW

She ... of the NW 1/4 of the NW 1/4 less 30 ft along the
side ... all in Sec 26 NR 5 west of the W.M.

Govt ... since Oct 23-16
G.W.
Herbert S Uppar 31

Now ... by Herbert S Uppar, a back bet James
... Feb 1-22)

.....

Chas ... 2-5
J ...
K ...
A ...

1435303
YF 61297

The ... Bank of Seattle, a corp

Sp ... in KGW

at ... of every kind, located ... to be here
18.9 ... of the NW 1/4 of Govt Lot 6 sec 26 Sp 24 NR 4
W.M. ... also LEASE of ad Firm.

To ... let ... pa, accdg to note dtd Jul 10-20
... more than \$300
K Hammett 31

Now ... by K Hammett bet Gerrie McIntyre, NP 1 and f
... (Aug 19-22)

At ... to Jul 12-25)
fl ...

Handwritten notes:
60
Lent

S O Woten and Cora Woten

TO
Adolph H Green, w

spg b s and oy to sp flg des r e in KCW

Lots 4-5-6-7 in Blk 15 Northern Pacific Ad to R, a
reced plat thereof
Covs: Thru or under fp to W and D, subj to tax and debts
H W S O Woten
Cora Woten

KCW Apr 5-21 by S O Woten and Cora Woten, h and wf bef George
Frank Rogers, NP 1 and f s of w resat 8 (NR Moh 10-21
ml sp 506 Clove:dale st

502-3-4 W3
1507553

D Apr 6-21 10-45
Apr 4-21 \$10 ovs \$3 IRSx
Almeda R Hill, widow
To
David L well

113
113

sp oy and wcr to sp flg des r e

Beg at a pt on the S ln of Bateman st 233.5 ft W of the intrsc
of the S ln of Bateman st with the W ln of South 44th Street, th
W 40 ft; th S 105 ft to alley; th E 40 ft; th N 105 ft to the p
of beg being a part of Tract 2D Sunnyside wive Acie Tracts,
pltd in KCW
Almeda R Hill

KCW Apr 4-21 by Almeda R Hill, widow, bef C G Tackaberry, NP 1
and f s of w res at 8 (NR Oct 6-22)
ml sp 107 Jackson st

506-7-8 W3
1507559

D Apr 6-21 10-50
Moh 3-21 \$300 50% IRSx
Herbert S Upper, bach
TO
Margaret A Larpenter

sp R b s n and o to sp h and as flg ld in KCW

The 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4 less 2' ft along the W
side for street prps, all in Sec 3 Tp 26 NR 5 west of 12th

Covs: Ex as to tax and debts lvior assessed agt st prty since
July 10-15, 70
Herbert S Upper R1

KCW Moh 3-21 by Herbert S Upper, a bach bef S F Tandowaker, NP
1 and f s of w res at 7 (NR June 2-23)
ml sp 1745 10th NW (K)

MAIL TO
OFFICE OF THE TRANSMISSION
AFFAIRS
ESCROW DEPT.

FOR REC'D AT REQUEST
SAVED TITLE INSURANCE COMPANY
2615 4th AVENUE, SEATTLE, WA. 98121

ES. 35107-00
41002

SHOW #

For and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged,

GUSTAV E. SUNDQUIST AND SYLVIA J. SUNDQUIST, his wife

("Grantor" herein), hereby grants, conveys and warrants to PUGET SOUND POWER & LIGHT COMPANY, a Washington corporation ("Grantee" herein), for the purposes hereinafter set forth, a perpetual easement over, across and under the following described real property (the "Property" herein) in KING County, Washington:
Parcel 1. The South 30 feet of the West one-half and all of the East one-half of the Southeast quarter of the Northeast quarter of Section 3, Township 26 N, Range 5 East, W.M. EXCEPT County Road.
Parcel 2. The South quarter of the Southwest quarter of the Northeast quarter and the North 99 feet of the Northwest quarter of the Southeast quarter of Section 3, Township 26 North, Range 5 East, W.M. EXCEPT County Road.

Except as may be otherwise set forth herein Grantee's rights shall be exercised upon that portion of the Property (the "Right-of-Way" herein) described as follows:

A Right-of-Way _____ feet in width having _____ feet of such width on each side of a centerline described as follows:

- Parcel A. That portion of Parcel 1, above described, lying within the South 50 feet of the Southeast quarter of the Northeast quarter of said Section 3
- Parcel B. The South 50 feet of the East 230 feet of the South quarter of the Southwest quarter of the Northeast quarter as described in Parcel 2 above.
- Parcel C. The North 50 feet of the North 99 feet of the Northwest quarter of the Southeast quarter as described in Parcel 2 above.

7901120119

1. Purpose. Grantee shall have the right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the Right-of-Way together with all necessary or convenient appurtenances thereto, which may include but are not limited to the following:

- a. Overhead facilities. Poles and/or towers with crossarms, braces, guys and anchors; electric transmission and distribution lines; communication and signal lines; transformers.
- b. Underground facilities. Underground conduits, cables, vaults, manholes, switches and transformers; semi-buried or ground mounted facilities such as pads, transformers and switches.

Following the initial construction of its facilities, Grantee may from time to time construct such additional lines and other facilities as it may require.

2. Access. Grantee shall have the right of access to the Right-of-Way over and across the Property to enable Grantee to exercise its rights hereunder, provided, that Grantee shall compensate Grantor for any damage to the Property caused by the exercise of said right of access.

3. Right of Way Clearing and Maintenance. Grantee shall have the right to cut and remove or otherwise dispose of any and all brush and trees presently existing upon the Right-of-Way. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of trees, brush and other vegetation upon the Right-of-Way which could, in the opinion of Grantee, interfere with the exercise of Grantee's rights herein or create a hazard to Grantee's facilities.

4. Danger Trees. Grantee shall have the right to cut and remove or otherwise dispose of any trees located on the Property outside the Right of Way which in falling could, in Grantee's reasonable judgment, be a hazard to Grantee's facilities. Provided, however, that Grantee, prior to exercising such right, shall identify such danger trees and give prior written notification to Grantor and shall make payment to Grantor for the market value of any merchantable timber contained therein which is cut and removed or disposed of by Grantee.

Grantee's failure to comply with the conditions of this paragraph prior to exercising its rights under emergency conditions shall not be deemed a violation of this agreement, but Grantor shall still be entitled to compensation for such trees that are cut and removed or otherwise disposed of by Grantee.

5. Grantor's Use of Right-of-Way. Grantor reserves the right to use the Right-of-Way for any purpose not inconsistent with the rights herein granted, provided, that Grantor shall not construct or maintain any building or other structure on the Right-of-Way and Grantor shall do no blasting within 300 feet of Grantee's facilities without Grantor's prior written consent.

6. Indemnity. By accepting and recording this easement, Grantee agrees to indemnify and hold harmless Grantor from any and all claims for damages suffered by any person which may be caused by Grantee's exercise of the rights herein granted, provided, that Grantor shall not be responsible to Grantor for any damages resulting from injuries to any person caused by acts or omissions of Grantor.

Job No. 0310390 JM
Parcel 6

1% EXCISE TAX NOT REQUIRED
King Co. Records Division
By [Signature], Deputy

7. Abandonment. The rights herein granted shall continue until such time as Grantee ceases to use the Right-of-Way for a period of five (5) successive years, in which event this easement shall terminate and all rights hereunder shall revert to Grantor, provided, that no abandonment shall be deemed to have occurred by reason of Grantee's failure initially install its facilities on the Right-of-Way within any period of time from the date hereof.

8. Successors and Assigns. The rights and obligations of the parties shall inure to the benefit of and be binding, upon their respective successors and assigns.

DATED this 29th day of December, 19 78

GRANTOR

Gustav E. Sundquist
GUSTAV E. SUNDQUIST

Sylvia J. Sundquist
SYLVIA J. SUNDQUIST

7901120119

STATE OF WASHINGTON

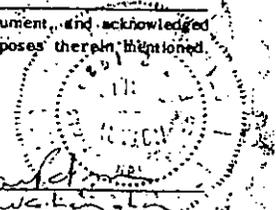
COUNTY OF KING } ss.

On this day personally appeared before me GUSTAV E. SUNDQUIST AND SYLVIA J. SUNDQUIST

to me known to be the individual s described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 29th day of December, 19 78

Nargaudt
Notary Public in and for the State of Washington
residing at Seattle



STATE OF WASHINGTON

COUNTY OF _____ } ss.

On this _____ day of _____, 19 _____, before me, the undersigned, personally appeared _____ and _____, to me known to be the _____ and _____ respectively, of _____

the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that _____ authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

NOTARY PUBLIC in and for the State of _____
residing at _____

1979 JAN 12 AM 8 30

DIRECTOR RECORDS &
ELECTIONS KING CO. WA.
DEPUTY

400

WATER
EASEMENT

The undersigned grantor(s), in exchange for the sum of \$1.00 (One Dollar) and other valuable consideration, grant to Water District No. 104, King County, Washington, a municipal corporation, and its successors and assigns, a permanent easement across the following described real property situated in King County, Washington:

The North 15.00 feet of the East half of Southeast quarter of the Northeast quarter of Section 3, Township 26 North, Range 5 East, W.M. in King County, Washington.

TOGETHER WITH a temporary construction easement over the North 40.00 feet of the East half of Southeast quarter of the Northeast quarter of Section 3, Township 26 North, Range 5 East, W.M., in King County, Washington.

Said temporary construction easement shall remain in effect until the improvements are accepted by Water District No. 104.

8103020276

15 00 00
RECD. F
03/09/01

DUPLICATE TAX NOT REQUIRED
King Co. Records Division

J. T. ..., Deputy

The terms and conditions of the easement are as follows:

1. The permanent easement is for the purpose of operating, maintaining, inspecting, repairing, or replacing water lines and all necessary facilities and equipment.
2. Water District No. 104 shall have access to and from the property at all times and may take all necessary actions on the property to fulfill the purposes set forth above.
3. Water District No. 104 shall, when exercising its rights under this easement, maintain and, when necessary, restore the premises to a condition similar to that which existed prior to any activity taken pursuant to this easement.
4. Grantor(s) shall take no action to impede the access of Water District No. 104 to the described property and shall promptly remove, at their expense, any obstructions to access upon notification by Water District No. 104.

Dated this 15th day of February, 19 01

Grantor(s) Signature

RECORDED THIS DATE
MAR 29 17 AM '01
BY THE CLERK OF
RECORDS & ELECTIONS
KING COUNTY

STATE OF WASHINGTON)
COUNTY OF King) SS

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 9th day of Feb, 1981, personally appeared before me Gustav E Sundquist and Sylvia Sundquist; and _____ and _____

to me known to be the individual (s) described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein described.

Sandra J. Eigen
Notary Public in and for the State of Washington, residing at Brookside

8103020296

STATE OF WASHINGTON)
COUNTY OF KING) SS

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this _____ day of _____, 19____, personally appeared before me _____ and _____; and _____ and _____

to me known to be the individual (s) described in and who executed the foregoing instrument, and acknowledged that _____ signed and sealed the same as _____ free and voluntary act and deed for the uses and purposes therein described.

Notary Public in and for the State of Washington, residing at _____

STATE OF WASHINGTON)
COUNTY OF KING) SS

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this _____ day of _____, 19____, personally appeared before me _____ and _____; and _____ and _____

to me known to be the individual (s) described in and who executed the foregoing instrument, and acknowledged that _____ signed and sealed the same as _____ free and voluntary act and deed for the uses and purposes therein described.

Notary Public in and for the State of Washington, residing at _____

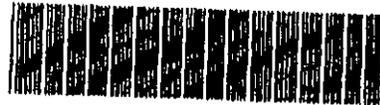
FILED for Record of Request of

8103020296

*After recording, please
return to:*

REED, McCLURE, MOGRI & THOM, P.A.
1701 BANK OF CALIFORNIA CENTER
SEATTLE, WASHINGTON 98104

AFTER RECORDING RETURN TO:
Leahy.ps
320 108th Ave. N.E., Suite 300
Bellevue, WA 98004



20000215000110
PAGE 001 OF 010
02/15/2009 09:27
KING COUNTY, WA

FIRST AMERICAN EAS 17.00

EXCISE TAX NOT REQUIRED
King Co. Records Division
By *[Signature]* Deputy

EASEMENT AND ROAD MAINTENANCE AGREEMENT

Grantor: Viewridge Development LLC

Grantee: Charles R. Huse Trust

1ST A.M.S. (10)
380713-5

2009-021 5000110

Legal Description (abbreviated): Affects Lot 1 and 2, Short Plat #281084, recorded at 8107230645 and affects N. 20 ft of W 1/2 of SW Qtr of Gov. Lot 1, S 3, T 26 N, R 5 E, Wm. Meridian, King County. Additional legal contained herein.

Assessor's Tax Parcel IDs # 032605-9128-00, 032605-9129-00 and 032605-9139-05.

Reference Nos. Of Documents Released or Assigned: No documents released or assigned.

This Easement and Road Maintenance Agreement ("Easement") is created on the date of last execution set forth below. Viewridge Development LLC, a Washington Limited Liability Company, ("Grantor") grants the easement described below for the benefit of real property owned by Charles R. Huse Trust ("Grantee") and for the benefit of Lot 2 of King County Short Plat Number 281084. Grantor and Grantee further agree to construction and maintenance of a roadway on the easement upon the terms and conditions set forth below.

Grantor owns the following described real property located in King County, State of Washington (hereinafter "Parcel A"):

Lot 1 of King County Short Plat Number 281084, recorded under recording number 8107230645, said Short Plat being a subdivision of the West Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington.

2009-021 5000110

Together with the North 20 feet of the West Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington; except the West 30 feet thereof conveyed to King County by Warranty Deed recorded under recording number 7707250767.

Grantor also owns the following described real property located in King County, State of Washington (hereinafter "Lot 2"):

Lot 2 of King County Short Plat Number 281084, recorded under recording number 8107230645, said Short Plat being a subdivision of the West Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington.

Grantee owns the following described real property located in King County, State of Washington ("Parcel B"):

The East Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington.

Grantor desires to create an easement for ingress, egress and utilities over a portion of Parcel A in favor of and appurtenant to (1) Parcel B for the benefit of Grantee and its successors in interest and (2) Lot 2 for the benefit of the fee title owner of Lot 2 and its successors in interest.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to legally bind Parcel A thereby for the benefit of Parcel B and Lot 2, Grantor grants this Easement and Grantor and Grantee agree to construction and maintenance of a roadway on this Easement as follows:

1. Grant of Exclusive Easement. Grantor represents, warrants and covenants that it is the fee title owner of Parcel A. Grantor hereby grants and conveys to Grantee and its successors, heirs and assigns, an Exclusive easement, over, across and upon the real property described below ("the Easement"), for purposes of ingress, egress and utilities to Parcel B:

The North 20 feet of the West Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington; except the West 30

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feet thereof conveyed to King County by Warranty Deed recorded under recording number 7707250767.

Together with the North 4 feet of Lot 1 of King County Short Plat Number 281084, recorded under recording number 8107230645, said Short Plat being a subdivision of the West Half of the Southwest Quarter of Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington.

2. **Definitions.** As used in this Easement, the terms set forth below shall have the following meanings:

2.1 "Designed and constructed in such manner as to provide suitable vehicular access to the Parcels A and B and Lot 2" means designed and constructed in accordance with the applicable standards for private road then in effect as promulgated by the City of Woodinville or other applicable jurisdiction.

2.2 "Easement Area" means the area legally described in Paragraph 1 above.

2.3 "Exclusive" means that use of the Easement Area shall be expressly limited in scope to providing ingress, egress and utilities to only (a) Parcel B and (b) Lots 1 and 2 of King County Short Plat Number 281084, recorded under recording number 8107230645, provided, however, that the parties hereto acknowledge the existence of instruments recorded under recording numbers 7408210120 and 94081001406 ("the Instruments") which Instruments purport to grant use rights in a portion of the Easement Area and the parties hereto agree that this Easement is granted subject to what use rights, if any, may exist in the Easement Area by operation of the Instruments.

2.4 "Maintenance" shall include any maintenance, repair work or improvements that are commercially reasonable, including but not limited to filling potholes and repaving the Easement.

2.5 "Roadway" means that portion of the common access road which is located within the Easement Area.

2.6 "Owner" means the person or persons of record holding the beneficial ownership of an interest in Parcel A or Parcel B or Lot 2. The rights, obligations and other status of being an owner shall commence upon acquisition of the beneficial ownership of an interest in Parcel A or Parcel B or Lot 2 and terminate upon disposition of such ownership, except termination of ownership shall not discharge an owner from obligations incurred prior to termination.

2.7 "For purposes of ingress, egress and utilities to Parcel B" includes in its meaning the use of the Easement for ingress, egress and utilities in conjunction with any use of Parcel B which is permitted, now or hereafter, under applicable land use ordinances and regulations, and shall operate as a prohibition against parking of any vehicle on the Easement.

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3. Covenant. Grantor hereby covenants ("the Covenant") on behalf of Grantor and its heirs, successors and assigns that, if Grantee or Grantee's successor(s), heir(s) or assign(s) hereinafter acquires fee ownership of any additional real property within Government Lot 1, Section 3, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington, then Grantor, its heirs, successors or assigns, shall promptly, upon notice of such acquisition, execute and record an amendment to this Easement which adds such acquired property to the dominant estate benefitted by, and entitled to rights of ingress, egress and utilities under, this Easement.

4. Construction. Grantor agrees to construct, pave and improve a common access roadway on the Easement Area. Except as otherwise provided in this paragraph 4, the construction, paving and improvement of the Roadway shall be at Grantor's sole expense. This Roadway shall be constructed in conformance with then applicable regulatory requirements and shall be designed and constructed in such manner as to provide suitable vehicular access to the Parcels A and B and Lot 2. In consideration of Grantee's previous reduction of Grantor's purchase price for Parcel A in the amount of \$30,000.00, Grantor agrees to install the utilities necessary to the subsequent development of Parcel B and Grantor further agrees to post an adequate bond to secure completion of said utility work. In the event that construction of a building or buildings on any portion of Parcel B commences within twenty five years of the date on which the deed conveying Parcel A to Grantor is recorded, then the then owner of Parcel B shall (1) reimburse the then owner(s) of Parcel A the additional sum of \$75,000.00 and (2), on May 1 of each year following such commencement of construction, shall partially reimburse the then owner(s) of Parcel A for property taxes on Parcel A, such annual partial reimbursement to be in an amount equal to 50% of the then current year's taxes assessed on Parcel A.

5. Duties. The Owners are jointly responsible to maintain the Roadway as a reasonably passable roadway for ingress, egress and utilities and to repair damage to the Roadway caused by normal wear and tear, provided, however, that (1) the owner(s) of Parcel A and Lot 2 shall be responsible to repair any damage to the Easement caused by the owner(s) of Parcel A or Lot 2, or by any other person(s) acting on their behalf, in the course of developing Parcel A or Lot 2 or of building a structure(s) on Parcel A and/or Lot 2 and that (2) the owner(s) of Parcel B shall not be responsible to share in maintenance costs unless and until a building(s) is built on Parcel B which uses the Easement for ingress and egress to the structure(s). An Owner is solely responsible to repair damage to the Roadway caused by the Owner or the Owner's employee, contractor, guest, invitee or agent and to repair damage to the Roadway caused during construction activity on such Owner's Parcel or Lot.

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6. **Notification Process.** Before contracting for maintenance work or for repair of damage caused by normal wear and tear, an Owner shall give written notice to the other Owner. The written notice shall state the scope of work proposed, whether the work is or is not Critical, why the work is necessary, who the Owner proposes to hire to perform the work, and the estimated cost of the work. "Critical" means work necessary to prevent injuries or to prevent imminent damage to the physical integrity of the Roadway. In the event the Owners do not reach agreement on issues concerning non-Critical work within forty five days of receipt of a notice of non-Critical work, or reach agreement on issues concerning Critical work within seven days of receipt of a notice of Critical work, each Owner shall have the right to complete work at that Owner's own expense with reservation of rights to initiate action against the other Owner(s) for reimbursement of a pro-rated portion of the costs incurred.

7. **Non-Approval.** Notwithstanding the terms of paragraph 5 and subject to the terms of paragraph 8, in the event a majority of the parties entitled to notice do not agree to performance of any Maintenance and a party still performs such Maintenance, the party performing the Maintenance shall be solely responsible for the cost of such Maintenance.

8. **Impassable Condition.** If there is not approval by a majority of the parties entitled to notice as to any Maintenance and a party reasonably believes that such Maintenance is necessary to prevent injuries, protect the welfare of the parties using the Easement or to protect the physical integrity of the Easement, then that party may perform the Maintenance and bring legal action to determine whether the Maintenance was necessary to prevent injuries, protect the welfare of the parties using the Easement or to protect the physical integrity of the Easement, and whether the other party or parties must pay their respective shares of the cost of the Maintenance.

9. **Damage Caused by a Party.** Notwithstanding the foregoing, if a party either directly or indirectly damages the Easement, that party shall repair the Easement at their sole cost. This obligation to repair the Easement includes, without limitation, the obligation of the owner of Parcel A to repair the Easement and restore it to its pre-occurrence condition where there occurs on Parcel A an event or condition, such as, without limitation, a slide, a collapse of a retaining wall or a drainage discharge, which damages the Easement or impairs its intended use. If the party causing the damage fails to repair the damage within thirty (30) days of the date of the damage, the provisions of paragraphs 6 and 8 shall apply except that cost of the repair work agreed or of work performed pursuant to the procedure contained in paragraph shall be solely the responsibility of the party responsible for causing the damages.

021 5900110

10. General Provisions.

10.1. Binding Effect. The Easement granted herein shall be perpetual and shall touch, concern, burden, attach to and be binding upon Parcel A as the serviant estate and upon the Grantor and his heirs, executors, successors and assigns and the Easement shall serve and run to the benefit of Parcel B as the dominant estate and inure to the benefit of the Grantee and its heirs, executors, successors and assigns. All rights and obligations of Grantor and Grantee in the Easement inure to the benefit of and are binding upon the parties' respective heirs, executors, successors and assigns. The Covenant made herein shall touch, concern, burden, attach to and be binding upon Parcel A as an equitable servitude and shall run with the land and shall inure to the benefit of the Grantee and its heirs, executors, successors and assigns.

10.2. Attorneys Fees. In the event that any suit or other proceeding is instituted by either party to this Easement arising out of or pertaining to this Easement or the relationship of the parties, the substantially prevailing party as determined by the court shall be entitled to recover its reasonable attorneys fees and all costs and expenses incurred relative to such suit from the other party or parties, in addition to such other relief as may be awarded.

10.3. Entire Agreement. This Easement contains the entire agreement between the parties with respect to this matter. It may not be modified except in a writing signed by the party against whom enforcement of the modification is sought.

10.4. Waiver. The waiver by a party of a breach of any provision of this Easement by the other party shall not operate or be construed as a waiver of any subsequent breach by that party. No waiver shall be valid unless in writing and signed by the party against whom enforcement of the waiver is sought.

10.5. Severability. If for any reason any portion of this Easement shall be held to be invalid or unenforceable, the holding of invalidity or unenforceability of that portion shall not affect any other portion of this Easement and the remaining portions of this Easement shall remain in full force and effect.

10.6. Notices. Any notice required or desired to be given under this Easement shall be in writing and shall be deemed given if personally delivered to the party, or on the third (3rd) day following mailing if sent by regular mail to the address listed below for that party:

Grantor: Gary Culpepper
Viewridge Development LLC
PO Box 1650
Woodinville, WA 98072

021 5900110

with copy to: David R. Koopmans, Esq.
Short Cressman & Burgess
999 Third Avenue, Suite 3000
Seattle, WA 98104-4086

Grantees: Charles R. Huse Trust
13427 SE 216th Street
Kent WA 98042

A party may change their mailing address by written notice to all other parties. If the owner of a Parcel changes, the other parties may utilize the mailing address from the King County Assessor's records unless and until the new owner provides a different mailing address to the parties.

10.7. Unity of Title. It is the intention that the rights and obligations herewith shall not terminate or be extinguished solely by reason of existing or future common ownership of the parcels or portions thereof.

The Grantor and Grantee executed this Easement on dates identified below.

4:00 021 5900110

GRANTOR:

GRANTEE:

VIEWRIDGE DEVELOPMENT LLC,
a Washington Limited Liability Company

THE CHARLES R. HUSE TRUST

By: G. C. Culpeper
Its: MEMBER
Date: 2/7/00

BY: _____
Charlotte Huse, Trustee
Date: _____

THIS DOCUMENT TO BE EXECUTED IN COUNTERPART

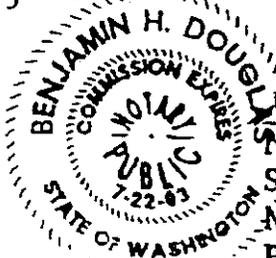
STATE OF WASHINGTON)

: ss.

COUNTY OF KING)

This is to certify that on this 7 day of FEBRUARY, 2000, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared GARY CULPEPER, member(s) of VIEWRIDGE DEVELOPMENT, LLC, a Washington limited liability company, to me known to be the individuals described in and who executed the within instrument as such member(s), and acknowledged to me that he/they signed the same as his/their free and voluntary act as such member(s), for the uses and purposes mentioned.

WITNESS my hand and official seal hereto affirmed the date and year first written above.



Benjamin H. Douglas
Notary Public in and for the
State of Washington, residing at STEVE LINE.
My Appointment Expires 7-22-03
Print/type name BENJAMIN H. DOUGLAS

400 021 5900110

GRANTOR:

GRANTEE:

VIEWRIDGE DEVELOPMENT LLC,
a Washington Limited Liability Company

THE CHARLES R. HUSE TRUST

By: _____
Its: _____
Date: _____

BY: Charlotte Huse
Charlotte Huse, Trustee
Date: 2/11/20

STATE OF WASHINGTON)
: ss.
COUNTY OF KING)

2021 5909110

This is to certify that on this 11 day of _____, 2000, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, member(s) of VIEWRIDGE DEVELOPMENT, LLC, a Washington limited liability company, to me known to be the individuals described in and who executed the within instrument as such member(s), and acknowledged to me that he/they signed the same as his/their free and voluntary act as such member(s), for the uses and purposes mentioned.

WITNESS my hand and official seal hereto affirmed the date and year first written above.

Notary Public in and for the
State of Washington, residing at _____
My Appointment Expires _____
Print/type name _____

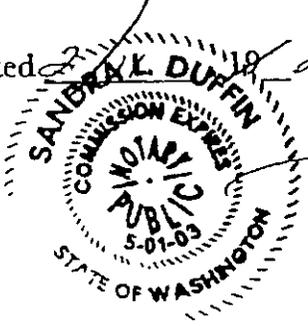
STATE OF WASHINGTON)

: ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Charlotte Huse is the person who appeared before me, signed this instrument and acknowledged it to be her free and voluntary act and deed, for the uses and purposes therein mentioned in the instrument.

Dated 2/18/2000



[Handwritten signature]

Notary Public in and for the State of Washington.

My Appointment Expires 5-1-2003
Print/type name SANDRA L. DUFFIN

500 021 5000110



**PIONEER NATIONAL
TITLE INSURANCE**

A TICO COMPANY

Filed for Record at Request of

Name.....
Address.....
City and State.....

PNTI File No.

RECORDED
BY THE
RECORDS & ELECTRONICS
DIVISION
KING COUNTY
JUL 20 9 32 AM '80

6/11/80
8007300385

DEED OF TRUST

THIS DEED OF TRUST made this 15th day of July 1980

between DAVID L. FREY, a single man; and HAROLD GORLICK and DIANE CORLICK, husband and wife; and MORRIS GORELICK and EVELYN GORELICK, husband and wife; and LEONARD P. DREBIN and EDYTH S. DREBIN, husband and wife whose address is 21004 Bothell Hwy., Bothell, Wa 98011

PIONEER NATIONAL TITLE INSURANCE COMPANY, a corporation, Trustee, whose address is 719 Second Avenue,

Seatle, Washington and LAURENCE JEAN DEARINGER and ROSE ELVINA DEARINGER, husband and wife on date of acquiring title and all times since

Beneficiary whose address is

WITNESSETH: Grantor hereby bargains, sells and conveys to Trustee in Trust, with power of sale, the following described real property in King County, Washington:

The East half of the Northwest quarter of the Northeast quarter of the Northeast quarter of Section 3, Township 26 North, Range 5 East, W.M.; EXCEPT the South 20 feet for Road.

real property is not used principally for agricultural or farming purposes, together with all tenements, hereditaments, and appurtenances now or hereafter thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof.

This deed is for the purpose of securing performance of each agreement of grantor herein contained, and payment of the sum of FIFTY-THREE THOUSAND AND NO/100ths Dollars (\$53,000.00) with interest, in accordance with the terms of a promissory note of even date herewith payable to Beneficiary or order, and made by Grantor, and all renewals, modifications and extensions thereof, and also such further sums as may be advanced or loaned by Beneficiary to Grantor, or any of their successors or assigns, together with interest thereon at such rate as shall be agreed upon.

To protect the security of this Deed of Trust, Grantor covenants and agrees:

1. To keep the property in good condition and repair; to permit no waste thereof; to complete any building, structure or improvement being built or about to be built thereon; to restore promptly any building, structure or improvement thereon which may be damaged or destroyed; and to comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property.
2. To pay before delinquent all lawful taxes and assessments upon the property; to keep the property free and clear of all other charges, liens or encumbrances impairing the security of this Deed of Trust.
3. To keep all buildings now or hereafter erected on the property described herein continuously insured against loss by fire or other hazards in an amount not less than the total debt secured by this Deed of Trust. All policies shall be held by the Beneficiary, and be in such companies as the Beneficiary may approve and have loss payable first to the Beneficiary as its interest may appear and then to the Grantor. The amount collected under any insurance policy may be applied upon any indebtedness hereby secured in such order as the Beneficiary shall determine. Such application by the Beneficiary shall not cause discontinuance of any proceedings to foreclose this Deed of Trust. In the event of foreclosure, all rights of the Grantor in insurance policies then in force shall pass to the purchaser at the foreclosure sale.

1. To defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee, and to pay all costs and expenses, including cost of title search and attorney's fees in a reasonable amount, in any such action or proceeding, and in any suit brought by Beneficiary to foreclose this Deed of Trust

5. To pay all costs, fees and expenses in connection with this Deed of Trust, including the expenses of the Trustee incurred in enforcing the obligation secured hereby and Trustee's and attorney's fees actually incurred, as provided by statute

6. Should Grantor fail to pay when due any taxes, assessments, insurance premiums, liens, encumbrances or other charges against the property hereinabove described, Beneficiary may pay the same, and the amount so paid, with interest at the rate set forth in the note secured hereby, shall be added to and become a part of the debt secured in this Deed of Trust.

IT IS MUTUALLY AGREED THAT:

1. In the event any portion of the property is taken or damaged in an eminent domain proceeding, the entire amount of the award or such portion thereof as may be necessary to fully satisfy the obligation secured hereby, shall be paid to Beneficiary to be applied to said obligation.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive its right to require prompt payment when due of all other sums so secured or to declare default for failure to so pay.

3. The Trustee shall reconvey all or any part of the property covered by this Deed of Trust to the person entitled thereto on written request of the Grantor and the Beneficiary, or upon satisfaction of the obligation secured and written request for reconveyance made by the Beneficiary or the person entitled thereto.

4. Upon default by Grantor in the payment of any indebtedness secured hereby or in the performance of any agreement contained herein, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In such event and upon written request of Beneficiary, Trustee shall sell the trust property in accordance with the Deed of Trust Act of the State of Washington, at public auction to the highest bidder. Any person except Trustee may bid at Trustee's sale. Trustee shall apply the proceeds of the sale as follows: (1) to the expense of sale, including a reasonable Trustee's fee and attorney's fee; (2) to the obligation secured by this Deed of Trust; (3) the surplus, if any, shall be distributed to the persons entitled thereto.

5. Trustee shall deliver to the purchaser at the sale its deed, without warranty, which shall convey to the purchaser the interest in the property which Grantor had or had the power to convey at the time of his execution of this Deed of Trust, and such as he may have acquired thereafter. Trustee's deed shall recite the facts showing that the sale was conducted in compliance with all the requirements of law and of this Deed of Trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchasers and encumbrances for value.

6. The power of sale conferred by this Deed of Trust and by the Deed of Trust Act of the State of Washington is not an exclusive remedy; Beneficiary may cause this Deed of Trust to be foreclosed as a mortgage.

7. In the event of the death, incapacity or disability or resignation of Trustee, Beneficiary may appoint in writing a successor trustee, and upon the recording of such appointment in the mortgage records of the county in which this Deed of Trust is recorded, the successor trustee shall be vested with all powers of the original trustee. The trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Grantor, Trustee or Beneficiary shall be a party unless such action or proceeding is brought by the Trustee.

8. This Deed of Trust applies to, inures to the benefit of, and is binding not only on the parties hereto, but on their heirs, devisees, legatees, administrators, executors, successors and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby whether or not named as Beneficiary herein.

8007300385

[Handwritten signatures] (Seal)
[Handwritten signature] (Seal)
[Handwritten signature] (Seal)
[Handwritten signature] (Seal)

STATE OF WASHINGTON }
COUNTY OF Snohomish } ss.

STATE OF WASHINGTON }
COUNTY OF } ss.

On this day personally appeared before me
David L. Frey, Harold Gorlick and
Diane Gorlick and Morris Gorelick and
Evelyn Gorelick and Leonard P. Drebin
to me known to be the individual described in and
who executed the within foregoing instrument, and
acknowledged that they signed the same as
their free and voluntary act and deed, for
the uses and purposes therein mentioned.

On this day of 19
before me, the undersigned Notary Public in and for the State of Washing-
ton, duly commissioned and sworn, personally appeared
and Edyth S. Drebin
to me known to be the President and
Secretary respectively, of
the corporation that executed the foregoing instrument, and acknowledged
the said instrument to be the free and voluntary act and deed of said corpora-
tion, for the uses and purposes therein mentioned, and on oath stated
that authorized to execute the said instrument and
that the seal affixed is the corporate seal of said corporation.

GIVEN under my hand and official seal this
20th day of Jan 19 30
[Signature]
Notary Public in and for the State of
Washington, residing at Lynnwood...

Witness my hand and official seal hereto affixed the day and year first
above written.
[Signature]
Notary Public in and for the State of Washington,
residing at

REQUEST FOR FULL RECONVEYANCE
Do not record. To be used only when note has been paid.

TO: TRUSTEE.
The undersigned is the legal owner and holder of the note and all other indebtedness secured by the within Deed of Trust. Said note, together with all other indebtedness secured by said Deed of Trust, has been fully paid and satisfied; and you are hereby requested and directed, on payment to you of any sums owing to you under the terms of said Deed of Trust, to cancel said note above mentioned, and all other evidences of indebtedness secured by said Deed of Trust delivered to you herewith, together with the said Deed of Trust, and to convey, without warranty, to the parties designated by the terms of said Deed of Trust, all the estate now held by you thereunder.

Dated..... 19



19990805001960
PAGE 001 OF 004
89-85-1999 13 29
KING COUNTY, WA

Return Address

Name Transaction Title
Attn: Alex Galloway
Address 1200 6th Ave #100
City, State, Zip Seattle, WA 98101

Document Title(s) (or transactions contained therein):

316 3683 / 165844 AG

2/1/02

- 1 Memorandum of Real Estate Purchase and Sale Agreement
- 2.
- 3.
- 4.

Reference Number(s) of Document(s) assigned or released:
(on Page of document(s))

Grantor(s)

- 1 Thrifty Supply Company
- 2
- 3.
- 4
- 5 Additional names on page 2 of document.

Grantee(s)

- 1 Carlton Development Group
- 2
- 3
- 4
- 5 Additional names on page of document

Legal description (abbreviated; i.e. lot, block, plat or section, township, range)
NE 1/4 of NE 1/4 of NE 1/4 of Sec. 3 Tshp 26 N. Rge 5E

Additional legal is on page 4 of document
Assessor's Property Tax Parcel/Account Number
032605-0045-00, 032605-0042-03, 032605-0032-05

Additional legal is on page of document

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

Washington State County Auditor/Recorder's
Indexing Form (Cover Sheet)

Filed for Record at Request of

TRANSNATION TITLE
INSURANCE COMPANY
ATTN: ALEX GALLOWAY
1200 - 6TH AVE., SUITE 100
SEATTLE, WA. 98101

MEMORANDUM OF REAL ESTATE
PURCHASE AND SALE AGREEMENT

JULY 8, 1999

This Memorandum, is made as of the 8th day of July, 1999, by and between CARLTON DEVELOPMENT GROUP, INC. a Washington corporation, with an office at 19025 - 92ND Ave West Edmonds, Washington 98020 (the "Purchaser") and THRIFTY SUPPLY COMPANY, with offices at 13212 NE 16th St., Suite 311, Bellevue, WA. 98005 (the "Sellers")

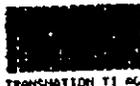
WITNESSETH

Whereas, the Seller is the owner in fee simple of all of the land (the "Land") located in the City of Woodinville, King County, Washington commonly known as Tax Parcel No.(s) 032605-9032-05, 032605-9042-03 and 032605-9045 more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof, together with all buildings, improvements and fixtures situated thereon, if any, are hereinafter collectively referred to as the "Property"); and

Whereas, the Purchaser and the Sellers executed that certain Real Estate Purchase and Sale Agreement (the "Agreement") dated July 8, 1999 between Purchaser as Purchaser and the Sellers as Sellers; and

Whereas, pursuant to the Agreement, the Purchaser agreed to purchase and the Sellers agreed to sell the Property, which is the subject of the Agreement.

CLTMTHRIFTYMEM.DOC-1



TRANSNATION TITLE

11 00

19990805001968
PAGE 002 OF 004
08/05/1999 13 28
KING COUNTY, WA

RECITALS

Now, therefore, it is mutually agreed by and between the Purchaser and the Sellers as follows:

1. The Agreement is in full force and effect; and
2. The foregoing recitals are true and correct and incorporated by reference herein; and
3. This Memorandum is to be presented for recording in the public records of King County, Washington to provide notice of the right of Purchaser or its assigns to acquire all right, title and interest in and of the Property.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the date first set forth above.

SELLERS:

THRIFTY SUPPLY COMPANY

By *Morris Gerlick*

Morris Gerlick
President

Date 7-8-99

PURCHASER:

CARLTON DEVELOPMENT GROUP, INC.

By *Mark H Lundberg*

Mark H Lundberg
President

Date 7/8/99

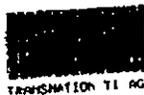


EXHIBIT "A"

LEGAL DESCRIPTION:

PARCEL A:

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4
OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST W.M.;

SITUATE IN THE CITY OF WOODINVILLE, COUNTY OF KING, STATE OF
WASHINGTON.

PARCEL B:

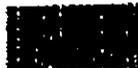
THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST
W.M.;

SITUATE IN THE CITY OF WOODINVILLE, COUNTY OF KING, STATE OF
WASHINGTON.

PARCEL C:

THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST
W.M.;

SITUATE IN THE CITY OF WOODINVILLE, COUNTY OF KING, STATE OF
WASHINGTON.



TRANSMISSION T1 4G

11 00

19990805081960
PAGE 064 OF 064
09-05-1999 13:21
KING COUNTY, WA



ORDER NO: 001118057
YOUR NO: PHOENIX DEVELOPMENT
UNIT NO: 10
LOAN NO:

SUPPLEMENTAL COMMITMENT #2

ORDER REFERENCE INFORMATION

SUPPLEMENTAL NUMBER: 2
SELLER:
PURCHASER/BORROWER: PHOENIX DEVELOPMENT, INC.
PROPERTY ADDRESS: WASHINGTON

Our Title Commitment dated 10/14/03 at 8:00 A.M. is supplemented as follows:

PARAGRAPH NUMBER(S) 17 OF OUR COMMITMENT IS (ARE) ELIMINATED.

PARAGRAPH NUMBER(S) 24 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

- 1. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
TAX ACCOUNT NUMBER: 032605-9045-00
LEVY CODE: 2505
ASSESSED VALUE-LAND: \$ 263,000.00
ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 3,294.55
PAID: \$ 1,647.28
UNPAID: \$ 1,647.27

AFFECTS: PARCEL A

RECEIVED

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

PARAGRAPH NUMBER(S) 25 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

- 2. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004

SEE NEXT PAGE

Order No.: 1118057
 Your No.: PHOENIX DEVELOPMENT
 Unit No.: 10

SUPPLEMENTAL COMMITMENT
 (Continued)

TAX ACCOUNT NUMBER: 032605-9042-03
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 183,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
 PAID: \$ 1,147.11
 UNPAID: \$ 1,147.10

AFFECTS: PARCEL B

PARAGRAPH NUMBER(S) 26 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

3. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
 TAX ACCOUNT NUMBER: 032605-9032-05
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 183,000.00
 ASSESSED VALUE-IMPROVEMENTS: \$ 0.00

GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
 PAID: \$ 1,147.11
 UNPAID: \$ 1,147.10

AFFECTS: PARCEL C, AND OTHER PROPERTY

NEITHER THE DESCRIPTION CONTAINED IN THE KING COUNTY TAX ROLLS NOR THE DELINEATION OF PARCEL C ON THE KING COUNTY ASSESSORS MAP DISCLOSES THE DEED CONVEYING THE NORTH 30 FEET OF SAID SUBDIVISION TO KING COUNTY, RECORDED UNDER RECORDING NUMBER 1456801.

PARAGRAPH NUMBER(S) 27 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

4. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
 TAX ACCOUNT NUMBER: 032605-9038-09
 LEVY CODE: 2505
 ASSESSED VALUE-LAND: \$ 183,000.00

Order No.: 1118057
Your No.: PHOENIX DEVELOPMENT
Unit No.: 10

SUPPLEMENTAL COMMITMENT
(Continued)

ASSESSED VALUE-IMPROVEMENTS: \$ 0.00
GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
PAID: \$ 1,147.11
UNPAID: \$ 1,147.10

AFFECTS: PARCEL D

PARAGRAPH NUMBER(S) 28 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

5. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
TAX ACCOUNT NUMBER: 032605-9111-09
LEVY CODE: 2505
ASSESSED VALUE-LAND: \$ 384,000.00
ASSESSED VALUE-IMPROVEMENTS: \$ 0.00
GENERAL & SPECIAL TAXES: BILLED: \$ 4,807.80
PAID: \$ 2,403.90
UNPAID: \$ 2,403.90

AFFECTS: PARCEL E

PARAGRAPH NUMBER(S) 29 HAS (HAVE) BEEN AMENDED AS FOLLOWS:

6. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2004
TAX ACCOUNT NUMBER: 032605-9044-01
LEVY CODE: 2505
ASSESSED VALUE-LAND: \$ 183,000.00
ASSESSED VALUE-IMPROVEMENTS: \$ 0.00
GENERAL & SPECIAL TAXES: BILLED: \$ 2,294.21
PAID: \$ 1,147.11
UNPAID: \$ 1,147.10

AFFECTS: PARCEL F

LEGAL DESCRIPTION

PARCEL A:

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL B:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL C:

THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NUMBER 1456801.

PARCEL D:

THE EAST HALF OF THE SOUTHWEST QUARTER OF GOVERNMENT LOT 1, SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 20 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF GOVERNMENT LOT 1 IN SAID SECTION 3, EXCEPT THE WEST 30 FEET OF SAID EASEMENT AREA CONVEYED TO KING COUNTY UNDER RECORDING NUMBER 7707250767;

AND OVER THE NORTH 4 FEET OF LOT 1, KING COUNTY SHORT PLAT NUMBER 281084, RECORDED UNDER RECORDING NUMBER 8107230645;

AS SAID EASEMENT WAS ESTABLISHED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20000215000110.

PARCEL E:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

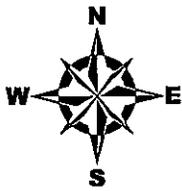
PARCEL F:

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

RECEIVED

JUN 18 2004

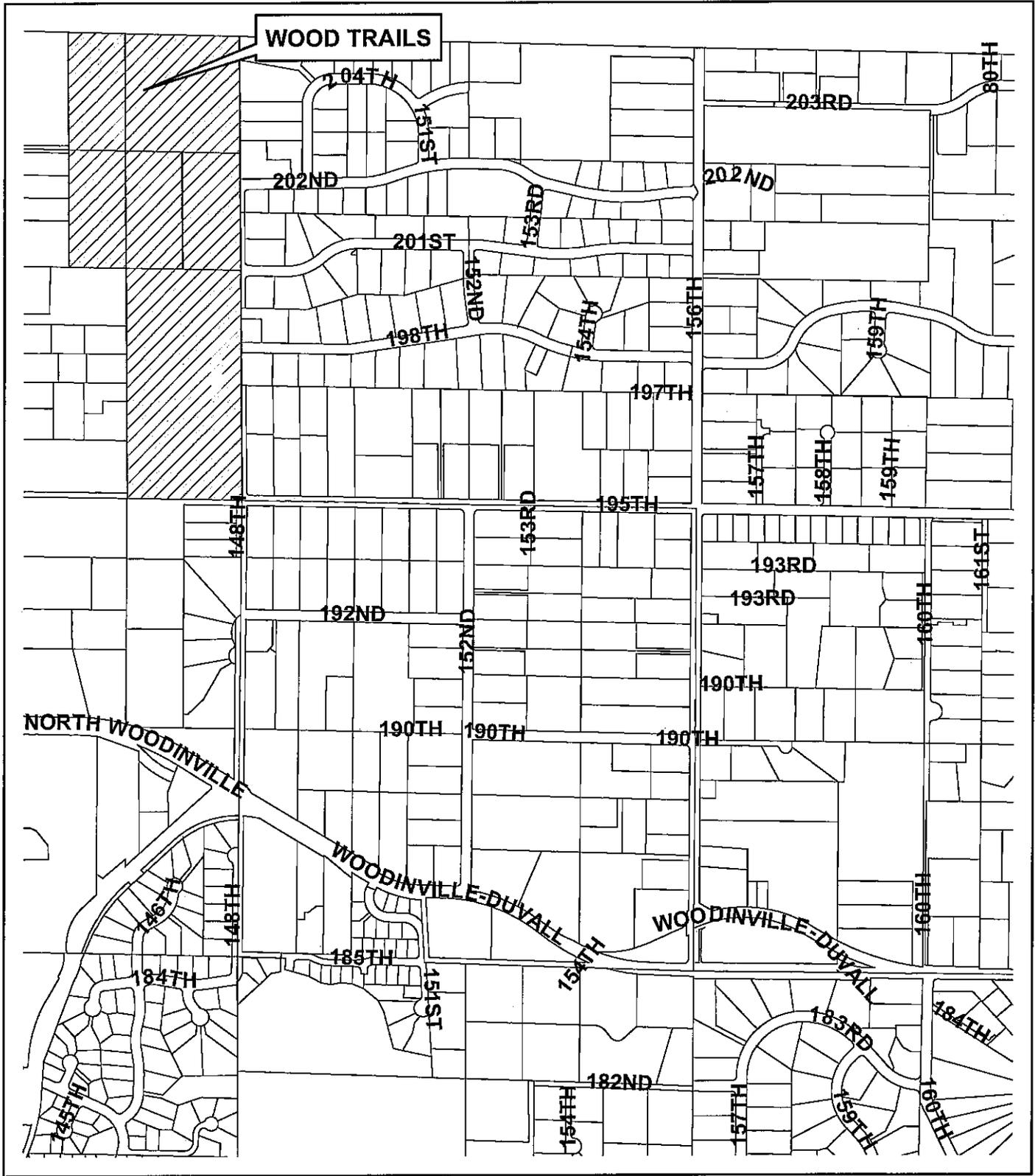
CITY OF WOODINVILLE
PLANNING DEPARTMENT



WOOD TRAILS REZONE AND PRELIMINARY PLAT

Parcel Numbers: 0326059111, 0326059032, 0326059038,
0326059042, 0326059044, 0326059045 ,

EXHIBIT 5
PAGE 1 OF 1



**Wood Trails Density Calculations
June 11, 2004
Triad Job No. 03-208**

Allowed Density

Total Site Area	50.5 acres
Future Development Tract (tract "A")	(11.8 acres)
Subtotal	38.7 acres
ROW/Access Tract	(2.5 acres)
Detention Pond Tract	(3.0 acres)
On-Site Recreation Tract	(0.9 acres)
NGPA Tract	(21.9 acres)
Subtotal	10.4 acres

Density Credit
(Steep slope hazard areas,
required buffers, NGPA) 21.9 acres

Percent of site (minus tract "A"):

$21.9 / 38.7 = 57\%$

Per 21.12.080

$21.9 / 50\% \text{ (density credit)} = 10.9 \text{ acres}$

Effective site area:

$10.4 + 10.9 = 21.3 \text{ acres}$

Allowed density:

$21.3 \times 4 = 85.2 \text{ lots, or } 85 \text{ lots}$

Minimum density calculation per 21.12.060

Percent of site in sensitive area and buffers (minus tract "A") 56%

Base density x minimum density per 21.12.030 x percent
of minimum density per 21.12.060:

$85 \text{ lots} \times .75 \times .60 = 38.7 \text{ or } 38 \text{ lots}$

RECEIVED

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Wood Trails - 38.7 Acres

Their Net Acreage - 21.3 acres x 4 du's/A = 85 du's

Build 66 du's

Transfer 19 du's

Our Net Acreage - 18.8 acres x 4 du's/A = 75 du's

Build - 66 du's

Transfer 9 du's

Montevallo - 16.48 Acres

Their Net Acreage - 13.47 Acres x 5 du's/A = 67 du's

Build 66 du's

Our Net Acreage - 11.27 Acres x 4 du's/A = 45 du's

x 5 du's/A = 56 du's

Transferable du's (9)

= 54 du's

Total Number of Dwelling Units

Proposed = 132 du's

Possible = 120 du's

"Our" calculations are arrived at doubling their proposed ROW as they use 30' ROW's and we base our calculations on 60 foot ROW's Note; The actual square footage needs to be calculated more accurately - doubling is not an accurate but a "ball park" method of determining ROW.

CITY OF WOODINVILLE
 13203 NE 175th Street
 Woodinville WA 98072
 (206) 489-2700

This Certificate provides the Building and Fire Departments with information necessary for permit approval

QTR NE
 SEC 3
 TWP 26
 RG D5
 Book 1B
 Pg CA

EXHIBIT 7
 PAGE 1 OF 6

CERTIFICATE OF WATER AVAILABILITY

Do not write in this box

Number _____ Name _____

- Building Permit
- Short Subdivision
- Preliminary Plat or PUD
- Rezone or other _____

APPLICANTS NAME Phoenix Development, Inc.

PROPOSED USE 65± Single-family lots

LOCATION 148th Ave NE and NE 205th Street

(See attached map)
 (Attached map & legal description if necessary)

WATER PURVEYOR INFORMATION

1. a. Water will be provided by service connection only to an existing _____ water main _____ feet from the site.

OR
 b. Water service will require an improvement to the water system of:
 (1) _____ feet of water main to reach the site; and/or
 (2) the construction of a distribution system on the site; and/or
 (3) other (describe) Elimination of temporary water services through District participation, which will require a public hearing.

2. a. The water system is in conformance with a County approved water comprehensive plan.

OR
 b. The water system improvement will require a water comprehensive plan amendment.

3. a. The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board approval for extension of service outside the district or city, or is within the County approved service area of a private water purveyor.

OR
 b. Annexation or BRB approval will be necessary to provide service.

4. a. Water is/will be available at the rate of flow and duration indicated below at no less than 20 psi measured at the nearest fire hydrant 50± feet from the building/property (or as marked on the attached map):

Rate of Flow		Duration	
<input type="checkbox"/> less than 500 gpm (approx. _____ gpm)		<input type="checkbox"/> less than 1 hour	
<input type="checkbox"/> 500 to 999 gpm		<input type="checkbox"/> 1 hour to 2 hours	
<input type="checkbox"/> 1000 gpm or more	FOR	<input type="checkbox"/> 2 hours or more	
<input type="checkbox"/> calculation of _____ gpm (Commercial Building Permits require flow test or calculation)			

OR
 Flow Test of 1278 gpm @ RES. 4588 gpm @ 20 psi ST: 52 psi RES: 49 psi

b. Water system is not capable of providing fire flow.
 COMMENTS/CONDITIONS Developer Extension Agreement required.

I hereby certify that the above water purveyor information is true. This certification shall be valid for one year from date of signature.

Woodinville Water District
 Agency Name
General Manager
 Title

Ken Howe
 Signatory Name
4-25-07
 Signatory / Date

ATTACHMENT TO
WOODINVILLE CERTIFICATE OF WATER AVAILABILITY
WOODINVILLE WATER DISTRICT

EXHIBIT 7
PAGE 2 OF 5

The following terms and conditions apply to the Woodinville Certificate of Availability.

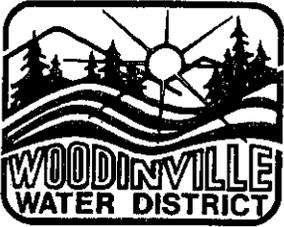
1. This Certificate of Water Availability is valid only for the real property referenced herein, which is in the District's service area, for the sole purpose of submission to the Woodinville Building and Land Department and/or the Seattle/King County Department of Public Health. This Certificate is between the District and the applicant only, and shall not be assigned or transferred by any party without the prior express written consent of the parties, such consent not to be unreasonably withheld. Further, no third person or party shall have any rights hereunder whether by agency or as a third party beneficiary or otherwise.
2. This District makes no representations, express or implied, that the applicant will be able to obtain the necessary permits, approvals, and authorizations from Woodinville or any other governmental agency necessary before applicant can utilize service which is the subject of this Certificate.
3. As of the date of the issuance of this Certificate, the District has water available to provide such utility service to the property which is the subject of this Certificate, and the utility systems exists or may be extended by the applicant to provide service to such property. However, service at a level consistent with the water system plan of the District and meeting the District's standards may require improvements to the District's water system. The issuance of this Certificate creates no contractual relationship between the District and the applicant, and the issuance of this Certificate may not be relied upon and does not constitute the District's guarantee that water will be available at the time the applicant may apply to the District for such service.
4. Application for and the possible provision of District utility service to the property which is the subject of this Certificate shall be subject to and conditioned upon the availability of water service to the property at the time of such application, as well as all federal, state, and District laws, ordinances, policies, and regulations in effect at the time of such application for utility service.

4/5/04
Date

D. George M. Newman
Signature acknowledges receipt and understanding of water Availability Certificate and attachment.

PAID

APR 06 2004
Amount 50.00
Check No. 450
By [Signature]
WOODINVILLE WATER DIST
Receipt # 11993 05/26/94



WOODINVILLE WATER DISTRICT

17238 N.E. Woodinville-Duvall Road
P.O. Box 1390
Woodinville, Washington 98072-1390
(425) 487-4100
FAX (425) 485-6381

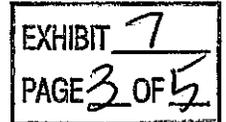
COMMISSIONERS

Geoff Clayton
Kenneth Goodwin
Tim Matson
Gwenn Maxfield
Karen Steeb

GENERAL MANAGER

Ken Howe

November 30, 2006



City of Woodinville
Development Services Department
17301 133rd Avenue NE
Woodinville, WA 98072

Re: Water & sewer service to the developments of Wood Trials and Montevallo

To Whom It May Concern:

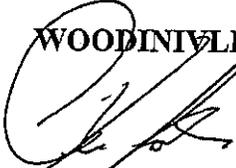
This letter is to confirm that the developments referenced above, located in the Wellington Hills area, are within the Woodinville Water District boundary for both water and sewer and the District is willing to provide those services to the proposed plats.

Water & Sewer Availability Certificates issued by the District in 2004 for these plats have expired and are no longer valid. Developer Extension Agreement applications have not been initiated by the developer, therefore the District does not have sufficient information at this time to determine if the developer will be required to upgrade the existing systems, in addition to the required extensions needed to serve the plats. Any required upgrades to the existing water and/or sewer system will be the sole responsibility of the developer.

Please feel free to contact Dee Jamison, Engineering Technician, at 425-487-4122 if you have any questions or require additional information.

Sincerely,

WOODINVILLE WATER DISTRICT


Ken Howe, P.E.
General Manager

RECEIVED

DEC 01 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

07-200

CITY OF WOODINVILLE
13203 NE 175th Street
Woodinville WA 98072
(206) 489-2700

This Certificate Provides the Building and Fire Departments with information necessary for permit approvals

QTR	NW	NE
SEC	3	3
TWP	26	26
RG	5	5
Book	1B	1B
Pg	C4	D4

CERTIFICATE OF WATER AVAILABILITY

Do not write in this box

Number

Name

EXHIBIT 7
PAGE 4 of 5

- Building Permit
 Short Subdivision
 Preliminary Plat or PUD
 Rezone or other _____

APPLICANT'S NAME PHOENIX DEVELOPMENT, INC. (WOOD TRAINS)

PROPOSED USE 67 + SINGLE-FAMILY HOMES

LOCATION 148TH AVE NE S. NE 205TH STREET

(SEE ATTACHED MAP)

(Attached map & legal description if necessary)

WATER PURVEYOR INFORMATION

1. a. Water will be provided by service connection only to an existing _____
water main _____ feet from the site.

OR

b. Water service will require an improvement to the water system of:
 (1) _____ feet of water main to reach the site; and/or
 (2) the construction of a distribution system on the site; and/or
 (3) other (describe) Elimination of temporary water services through District participation, which will require a public hearing.

2. a. The water system is in conformance with a County approved water comprehensive plan.

OR

b. The water system improvement will require a water comprehensive plan amendment.

3. a. The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board approval for extension of service outside the district or city, or is within the County approved service area of a private water purveyor.

OR

b. Annexation or BRB approval will be necessary to provide service.

4. a. Water ~~will be~~ available at the rate of flow and duration indicated below at no less than 20 psi measured at the nearest fire hydrant _____ feet from the building/property (or as marked on the attached map):

- | Rate of Flow | | Duration | |
|---|---|---|--|
| <input type="checkbox"/> less than 500 gpm (approx. _____ gpm) | <input type="checkbox"/> | <input type="checkbox"/> less than 1 hour | |
| <input type="checkbox"/> 500 to 999 gpm | <input type="checkbox"/> | <input type="checkbox"/> 1 hour to 2 hours | |
| <input type="checkbox"/> 1000 gpm or more | <input checked="" type="checkbox"/> FOR | <input checked="" type="checkbox"/> 2 hours or more | |
| <input checked="" type="checkbox"/> calculation of <u>3153</u> gpm (Commercial Building Permits require flow test or calculation) | | | |
| <input type="checkbox"/> Flow Test of _____ | | | |

Node J-883
St: 57 psi RES: 50 psi

OR

b. Water system is not capable of providing fire flow.

COMMENTS/CONDITIONS A developer extension agreement will be required to extend water mains. The fire flow was determined using a demand of 1000 gpm in the higher pressure zone. (570).

I hereby certify that the above water purveyor information is true. This certification shall be valid for one year from date of signature. Additional hydraulic modeling may be required at the developer's expense.

Woodinville Water District

Agency Name

General Manager

Title

Ken Howe, P.E.

Signatory Name

1-6-07

Signatory Date

**ATTACHMENT TO
WOODINVILLE CERTIFICATE OF WATER AVAILABILITY
WOODINVILLE WATER DISTRICT**

The following terms and conditions apply to the Woodinville Certificate of Availability.

1. This Certificate of Water Availability is valid only for the real property referenced herein, which is in the District's service area, for the sole purpose of submission to the Woodinville Building and Land Department and/or the Seattle/King County Department of Public Health. This Certificate is between the District and the applicant only, and shall not be assigned or transferred by any party without the prior express written consent of the parties, such consent not to be unreasonably withheld. Further, no third person or party shall have any rights hereunder whether by agency or as a third party beneficiary or otherwise.
2. This District makes no representations, express or implied, that the applicant will be able to obtain the necessary permits, approvals, and authorizations from Woodinville or any other governmental agency necessary before applicant can utilize service which is the subject of this Certificate.
3. As of the date of the issuance of this Certificate, the District has water available to provide such utility service to the property which is the subject of this Certificate, and the utility systems exists or may be extended by the applicant to provide service to such property. However, service at a level consistent with the water system plan of the District and meeting the District's standards may require improvements to the District's water system. The issuance of this Certificate creates no contractual relationship between the District and the applicant, and the issuance of this Certificate may not be relied upon and does not constitute the District's guarantee that water will be available at the time the applicant may apply to the District for such service.
4. Application for and the possible provision of District utility service to the property which is the subject of this Certificate shall be subject to and conditioned upon the availability of water service to the property at the time of such application, as well as all federal, state, and District laws, ordinances, policies, and regulations in effect at the time of such application for utility service.

12-19-06 Kelli A. Jappin
 Date Signature acknowledges receipt and understanding of water Availability Certificate and attachment.

PAID

DEC 19 2006
 Amount 4000 (16000)
 Check No. 12175
 By [Signature]
 WOODINVILLE WATER DIST.
 Receipt # 13539

CITY OF WOODINVILLE
 13203 NE 175th Street
 Woodinville WA 98072
 (206) 489-2700

This Certificate Provides the
 Building and Fire Departments
 with information necessary for
 permit approvals

QTR NE
 SEC 3
 TWP 26
 RG 5
 Book 1B
 Pg C4

CERTIFICATE OF SEWER AVAILABILITY

Do not write in this box

Number _____ Name _____

- Building Permit
 Short Subdivision
 Preliminary Plat or PUD
 Rezone or other _____

APPLICANT'S NAME Phoenix Development
 PROPOSED USE 67 ± Single-Family Homes
 LOCATION 148th Ave NE and NE 205th Street
(See attached map)
(Attached map & legal description if necessary)

WATER PURVEYOR INFORMATION

1. a. Sewer service will be provided by side sewer connection only to an existing _____ size sewer _____ feet from the site and the sewer system has the capacity to serve the proposed use.

OR

- b. Sewer service will require an improvement to the sewer system of:
 (1) ± 50 feet of sewer trunk or lateral to reach the site; and/or
 (2) the construction of a collection system on the site; and/or
 (3) other (describe) _____

(Must be completed if 1.b above is checked)

2. a. The sewer system improvement is in conformance with a County or City approved sewer comprehensive plan.

OR

b. The sewer system improvement will require a sewer comprehensive plan amendment.

3. a. The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board approval for extension of service outside the district or city.

OR

b. Annexation or BRB approval will be necessary to provide service.

4. Service is subject to the following:

- a. Connection charge: Metro SDC + Side Sewer Permit Fee
 b. Easement(s): On-site
 c. Other: Developer Extension Agreement required.

I hereby certify that the above sewer agency information is true. This certification shall be valid for one year from date of signature.

Woodville Water District
 Agency Name
General Manager
 Title

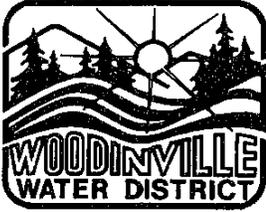
Ken Howe
 Signatory Name
8-25-04
 Signatory Date

EXHIBIT 8
 PAGE 1 OF 4

PAID

06 Dec
APR 23 2004
Amount 57.⁰⁰
Check No. 4450
By *[Signature]*
WOODINVILLE WATER DIST
11993

EXHIBIT 8
PAGE 2 OF 4



WOODINVILLE WATER DISTRICT

17238 N.E. Woodinville-Duvall Road
P.O. Box 1390
Woodinville, Washington 98072-1390
(425) 487-4100
FAX (425) 485-6381

COMMISSIONERS

Geoff Clayton
Kenneth Goodwin
Tim Matson
Gwenn Maxfield
Karen Steeb

GENERAL MANAGER

Ken Howe

November 30, 2006

City of Woodinville
Development Services Department
17301 133rd Avenue NE
Woodinville, WA 98072

Re: Water & sewer service to the developments of Wood Trials and Montevallo

To Whom It May Concern:

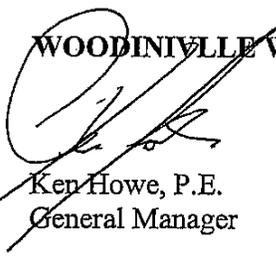
This letter is to confirm that the developments referenced above, located in the Wellington Hills area, are within the Woodinville Water District boundary for both water and sewer and the District is willing to provide those services to the proposed plats.

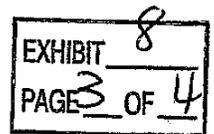
Water & Sewer Availability Certificates issued by the District in 2004 for these plats have expired and are no longer valid. Developer Extension Agreement applications have not been initiated by the developer, therefore the District does not have sufficient information at this time to determine if the developer will be required to upgrade the existing systems, in addition to the required extensions needed to serve the plats. Any required upgrades to the existing water and/or sewer system will be the sole responsibility of the developer.

Please feel free to contact Dee Jamison, Engineering Technician, at 425-487-4122 if you have any questions or require additional information.

Sincerely,

WOODINVILLE WATER DISTRICT


Ken Howe, P.E.
General Manager



RECEIVED

DEC 01 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

03-208

CITY OF WOODINVILLE
13203 NE 175th Street
Woodinville WA 98072
(206) 489-2700

This Certificate Provides the
Building and Fire Departments
with information necessary for
permit approvals

QTR	NW	NE
SEC	3	3
TWP	24	24
RG	5	5
Book	5	6
Pg	CA	DA

CERTIFICATE OF SEWER AVAILABILITY

Do not write in this box

Number

Name

EXHIBIT 8
PAGE 4 of 4

- Building Permit
- Short Subdivision
- Preliminary Plat or PUD
- Rezone or other

APPLICANT'S NAME PHOENIX DEVELOPMENT, INC. (WOOD TRAINS)
 PROPOSED USE 67 + SINGLE - FAMILY HOMES
 LOCATION 148TH AVE NE NE 205TH STREET
 (SEE ATTACHED MAP)
 (Attached map & legal description if necessary)

WATER PURVEYOR INFORMATION

1. a. Sewer service will be provided by side sewer connection only to an existing _____ size sewer _____ feet from the site and the sewer system has the capacity to serve the proposed use.

OR

- b. Sewer service will require an improvement to the sewer system of:
- (1) _____ feet of sewer trunk or lateral to reach the site; and/or
 - (2) the construction of a collection system on the site; and/or
 - (3) other (describe) _____

(Must be completed if 1.b above is checked)

2. a. The sewer system improvement is in conformance with a County or City approved sewer comprehensive plan.

OR

b. The sewer system improvement will require a sewer comprehensive plan amendment.

3. a. The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board approval for extension of service outside the district or city.

OR

b. Annexation or BRB approval will be necessary to provide service.

4. Service is subject to the following:

- a. Connection charge: System Development Charge + Permit Fee
- b. Easement(s): On + off-site as required
- c. Other: Developer Extension Agreement.

I hereby certify that the above sewer agency information is true. This certification shall be valid for one year from date of signature.

Woodinville Water District
 Agency Name
 General Manager
 Title

Ken Lowe, P.E.
 Signatory Name
 1-6-07
 Signatory Date

RECEIVED

EXHIBIT 9
PAGE 1 OF 3

APR 05 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT425.821.8448
425.821.3481 fax
800.488.0756 toll free
www.triadassoc.com

Facsimile Transmittal

March 29, 2004

To:
Tom Furin**Company:**
Northshore School Dist. No. 417**Fax Number:**
425-489-6039**CC:****From:**
Lee Ann Fraser**Triad Job No.:**
03-208**RE:**
Wood Trails**Pages (incl. Cover):**
3**Message:****Hard Copy:**
 Will not be sent
 Will be sent

Tom,

We are preparing to submit a preliminary plat application to the City of Woodinville. We are required to submit a completed School Walk Safety Assessment form (see attached) in our application. The proposed site is located 148th Ave NE and NE 205th Street. The proposed site is for 53 single-family homes.

Please let me know if you need any additional information for your review. Please mail your completed form to my attention, Lee Ann Fraser, Triad Associates, 11814 115th Ave NE, Kirkland, WA 98034.

Call me with any questions (425-821-8448).

Thank you.

Name:	Street Address:
Parcel Number:	Applicant:
Description of Project:	Attach a plat layout map showing adjoining streets

City of Woodinville
 King County, Washington
SCHOOL WALK SAFETY ASSESSMENT

EXHIBIT 7
 PAGE 2 OF 3

Assessment of walk safety conditions for schools serving the subject subdivision / short subdivision (circle one) is as follows:

- Students are bussed to schools serving the subdivision / short subdivision identified above.
- Sidewalks or other planning features that assure safe walking conditions for students who walk to and from schools exist between the proposed subdivision / short subdivision (see attached vicinity zoning map) and schools that serve the area;
- Sidewalks or other planning features that assure safe walking conditions for students who walk to and from schools that serve the subject subdivision / short subdivision are planned and are expected to be complete for use by _____;
- Sidewalks or other planning features that assure safe walking conditions for students who walk to and from schools that serve the subject subdivision / short subdivision do not exist in usable form at this time.

The subdivision / short subdivision identified above is served by the following schools:

Elementary School: WELLINGTON - CURRENT STOP IS NE 202nd ST + 153rd AVE NE

Junior High School: LEOTA - CURRENT STOP IS NE 201st + 152nd AVE NE

High School: WOODINVILLE - BUS STOP IS 202nd ST + 156th AVE NE

Comments: SIDEWALK OR SAFE WALKWAY TO CURRENT STOP LOCATIONS.

This information is needed in order to submit a plat application to the City of Woodinville. Your assistance in providing the information requested is genuinely appreciated.

Information provided by: [Signature]

Signature _____

DIRECTOR OF TRANSPORTATION

Title _____

March 30, 2006

Date _____

NORTH SHORE

School District _____



Northshore School District #417

Capital Projects

18603 Bothell Way NE

Bothell, WA 98011-1995

Phone: 425-489-6644 Fax: 425-489-6645

www.nsd.org

TO Triad Associates
11814 115th Avenue NE
Kirkland WA 98034

RECEIVED

LETTER OF TRANSMITTAL

APR 0 9 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RECEIVED

EXHIBIT 9
PAGE 3 OF 3

CITY OF WOODINVILLE PLANNING DEPARTMENT	Job No.
Attention Lee Ann Fraser	RECEIVED APR - 1 2004
Re: Wood Trails	City of Woodinville

- We are sending you Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order Description _____

Copies	Date	No.	Description
1			Completed City of Woodinville School Walk Safety Assessment for above referenced plat

These are transmitted as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- XAs requested Returned for corrections Return ___ corrected prints
- For review and comment _____
- For bids due _____ 20 _____ Prints returned after loan to us

REMARKS _____

COPY TO: City of Woodinville

SIGNED: Jeanette Enslow
Secretary, Capital Projects

**CITY OF WOODINVILLE
DEVELOPMENT CONSISTENCY CHECKLIST**

The City of Woodinville must issue a Determination of Consistency for all project permits pursuant to Woodinville Municipal Code Chapter 17.13. All project permits are reviewed to verify consistency with the current Comprehensive Plan and development regulations. In order to assist us in this process, a Development Consistency Checklist must accompany an application packet to be considered a complete application. You may attach additional sheets as necessary.

A. BACKGROUND

1. Name of proposed project, if applicable:

Wood Trails

2. Site Address:

The subject property is located immediately south of the King-Snohomish County line, west of 148th Ave NE, between NE 195th Street and NE 202nd Street.

3. Site Parcel Number(s):

**Parcel A - 032605-9045
Parcel D - 032605-9038**

**Parcel B - 032605-9042
Parcel E - 032605-9111**

**Parcel C - 032605-9032
Parcel F - 032605-9044**

4. Name of applicant:

Phoenix Development, Inc.

5. Address and phone number of applicant or contact person:

**George Newman
Triad Associates
11814-115th Avenue NE
Kirkland, WA 98034-6923
Office: (425) 821-8448 Fax: (425) 821-3481
gnewman@triadassoc.com**

6. Date checklist was prepared:

June 11, 2004

B. DEVELOPMENT REGULATION ELEMENTS

- 1. Land Use**

- a. Describe the type of land use that will be developed on the property.

Detached, single family residential

- b. List any land use permits that are required for this development.

Concurrent rezone and preliminary plat approval

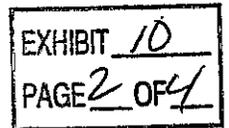
RECEIVED

JUN 18 2004

**CITY OF WOODINVILLE
PLANNING DEPARTMENT**

- c. If a land use permit is required, have all applications and documents been submitted?

Yes.



2. Density

- a. If the development is residential, how many units per acre are proposed? Show density calculations pursuant to WMC 21.12.080.

66 – detached, single-family lots are proposed.

85 - lots is maximum density allowed.

38 - lots is minimum density allowed.

See attached Preliminary Plat cover sheet with calculations (Sheet 1 of 9)

- b. What is the Comprehensive Plan designation for this site?

Low Density Residential

- c. What is the zoning for this site?

Existing zoning – R-1

Proposed zoning – R-4

3. Infrastructure

- a. Describe the roads and street improvements proposed.

Due to steep slopes, topographic separation, and industrial use to the west, street connectivity to 144th Avenue NE is not appropriate. Three cul-de-sacs will be created to serve three small neighborhood clusters. These will be extensions of NE 202nd, NE 201st and NE 195th Street.

- b. Attach a certificate of Water Availability (available from the Woodinville Water District).

See attached water availability letter from Woodinville Water District.

- c. Describe the sewers proposed to serve your project. If no sewers are proposed, attach proof of King County Department of Health approval for an on-site septic system.

Sanitary sewer main extension. See attached sewer availability letter from Woodinville Water District.

- d. Describe storm water improvements that are proposed.

Storm water will be collected through road catch basins, roof drain, yard drains and conveyed to a detention facility in the lower, west portion of the site (Tract J). Water quality treatment will occur prior to discharge.

- e. Describe on-site recreation parks or open space that are proposed as a part of the development (if required) pursuant to WMC Chapter 21.14.

A total of 22.8 acres, on 59% of the area to be subdivided, is proposed to be permanent open space. 21.9 acres shall be Native Growth Protection Area (NGPA) in Tracts F & L and 0.9 acres shall be Recreation Area Tracts C, G, I & N. Park impact mitigation fees are also required.

4. Character

- a. Provide the following information about your proposal for compliance to Density and Dimension requirements found in WMC Chapter 21.12:

Residential

Lot Widths:

60' Width or greater – 12 Lots
45' – 60' Width – 54 Lots

Building Height:

Not to exceed City of Woodinville requirements as required.

Street Setbacks:

10'

Building Coverage Percentage:

Not to exceed 35%

Interior Setbacks:

Front: 10' Side: 5' Rear: 5'

Impervious Surface Percentage:

Not to exceed 45%

Commercial/Industrial

(If your project is in a special district, see Section 5)

Street Setbacks: N/A

Floor to Lot Ratio (square feet): N/A

Interior Setbacks: N/A

Impervious Surface: N/A

Building Height: N/A

- c. List any Design Requirements found in WMC Chapter 21.14 that are applicable to your project such as on-site recreation space requirements or clustered development; and describe how your project conforms to these requirements.

Fee in lieu

- d. Describe the landscaping proposed for your project/development as required by WMC 21.16.

	<u>Street Frontage</u>	<u>Interior Lot Lines</u>	<u>Parking Lot</u>
Location on Plans (page #)	N/A	N/A	
Landscape Type	III	N/A	N/A
Area (Sq. Ft.)	1 tree every 50 feet	N/A	N/A

- e. Provide a significant tree retention plan, if required by WMC Chapter 21.16.

Provided with Preliminary Plat Submittal (Sheet 3 of 9)

f. How does your project comply with the parking and circulation regulations described in WMC Chapter 21.18? Please provide detail and applicable calculations.

N/A

g. Does your commercial project require Interim Design Principles (IDP) review? If yes, attach an IDP application and checklist.

N/A

5. Special District Overlay Requirements.

If your project is located within a special district overlay, you are required to complete this section of the checklist.

a. Which special district overlay is your project located in?

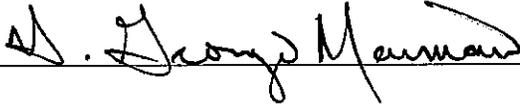
N/A

b. Describe how your project meets the requirements of the special district overlay of WMC Chapter 21.38.

N/A

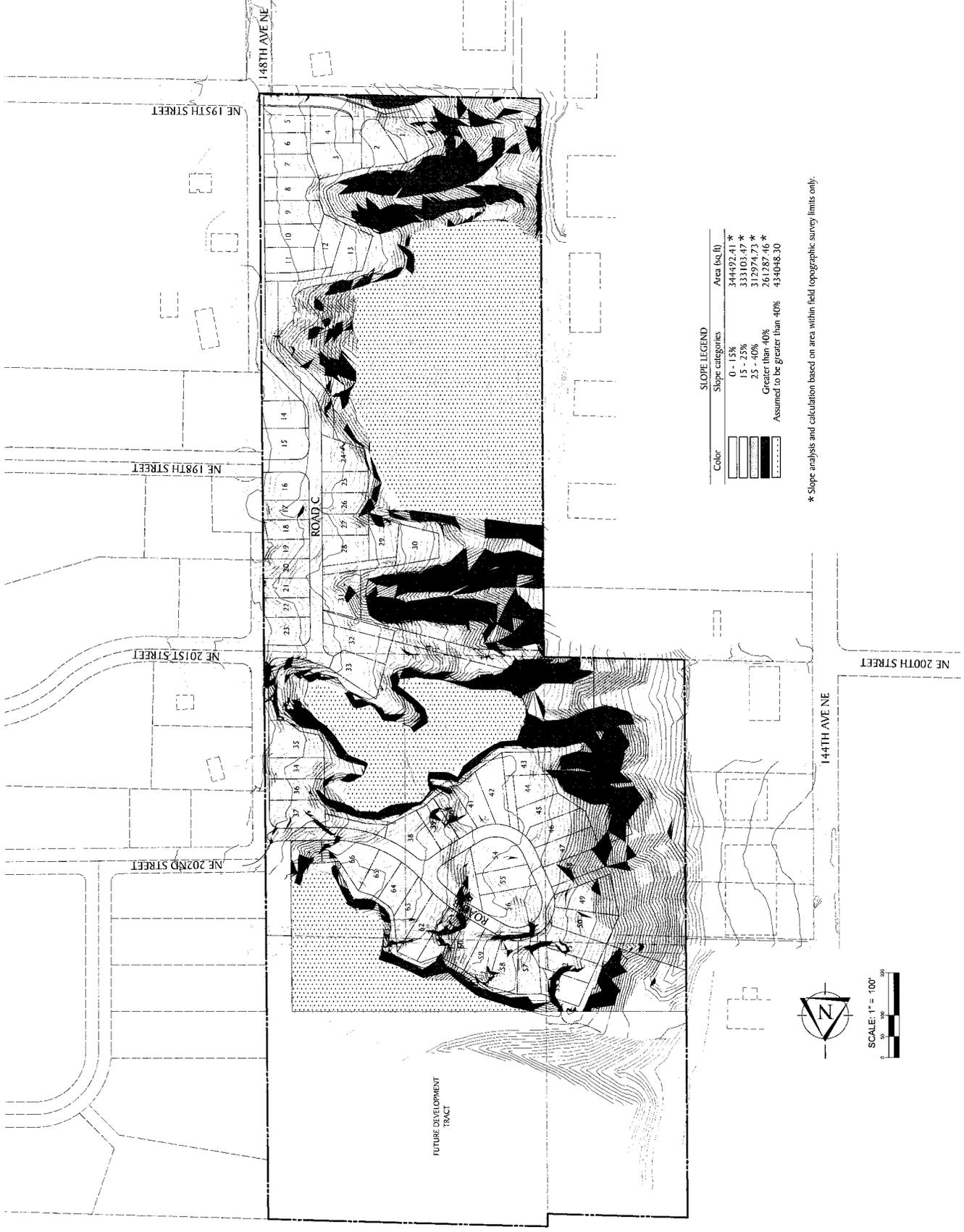
C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the City is relying on them to make its decision.

Signature:  Date: 6/11/04

WOOD TRAILS

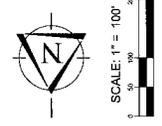
SLOPE EXHIBIT



SLOPE LEGEND

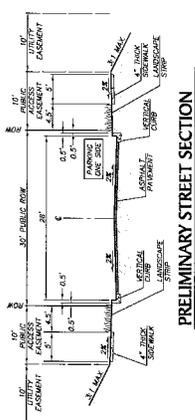
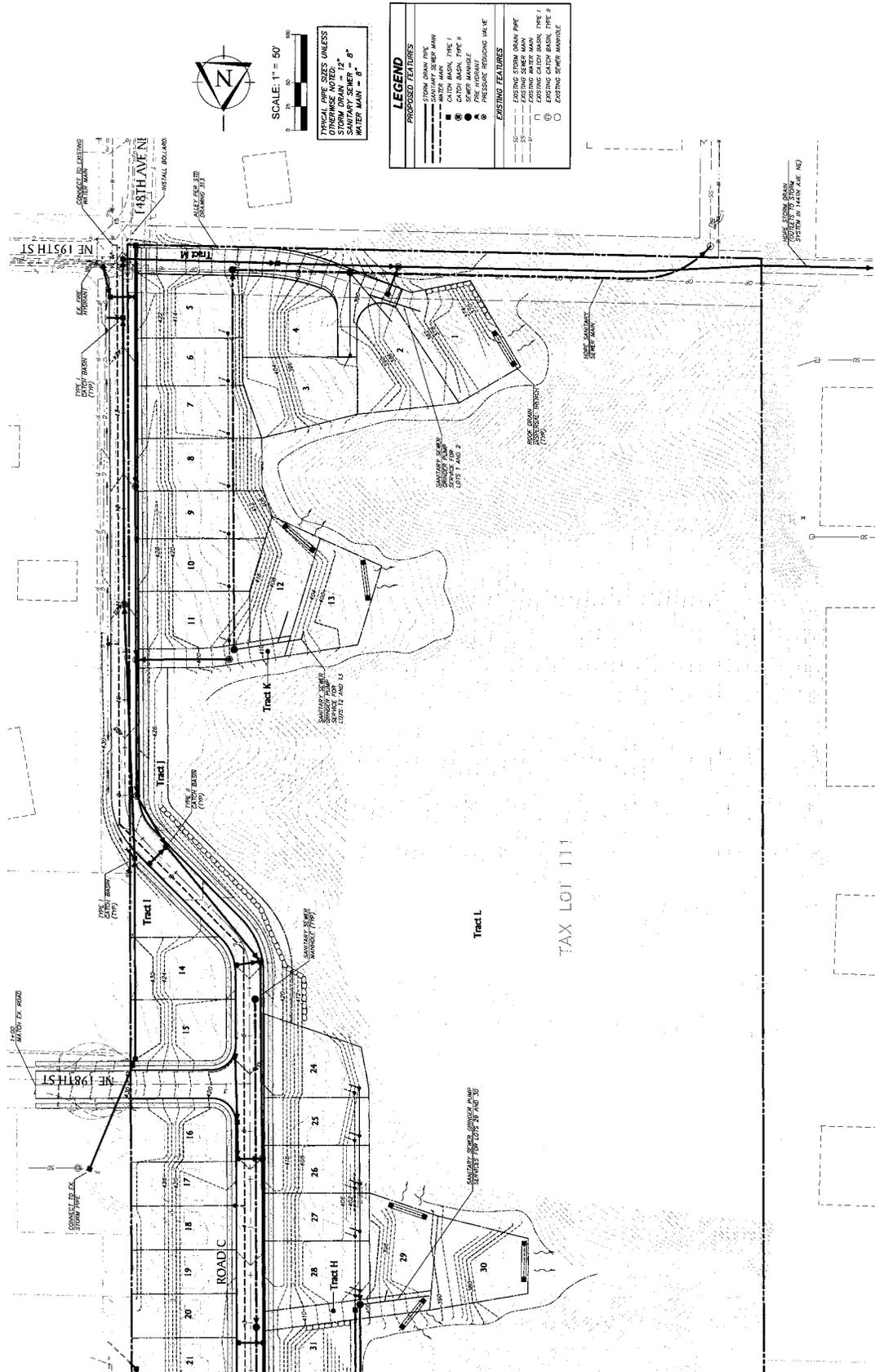
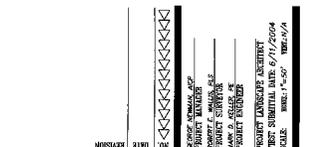
Slope categories	Area (sq ft)
0 - 15%	344492.41 *
15 - 25%	333103.47 *
25 - 40%	312974.72 *
Greater than 40%	261287.16 *
Assumed to be greater than 40%	434046.30

* Slope analysis and calculation based on area within field topographic survey limits only.



DATE: 12/15/04
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 PROJECT: WOOD TRAILS
 PROJECT MANAGER: J. HARRIS
 PROJECT SUPERVISOR: J. HARRIS
 PROJECT ENGINEER: J. HARRIS
 PROJECT LANDSCAPE ARCHITECT: J. HARRIS
 FIRST SUBMITTAL DATE: 12/15/04
 SCALE: SHEET 1 OF 2 1" = 100'

DATE: 12/15/04
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 PROJECT: WOOD TRAILS
 PROJECT MANAGER: J. HARRIS
 PROJECT SUPERVISOR: J. HARRIS
 PROJECT ENGINEER: J. HARRIS
 PROJECT LANDSCAPE ARCHITECT: J. HARRIS
 FIRST SUBMITTAL DATE: 12/15/04
 SCALE: SHEET 1 OF 2 1" = 100'



SEE SHEET 9



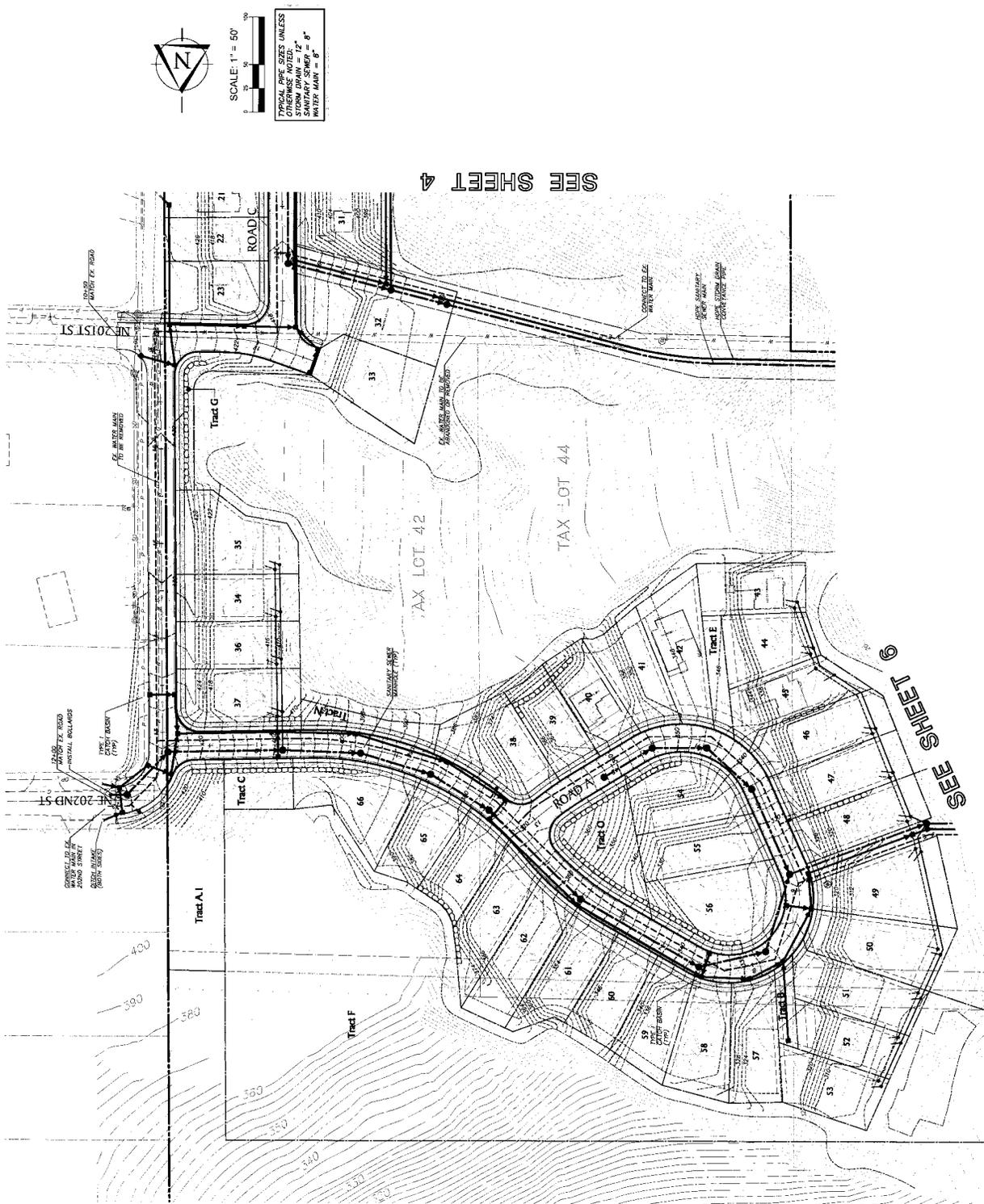
DATE: 6/1/04
STAMP NOT VALID
UNLESS SIGNED AND DATED
JOB NO. 03-208
SHEET NO. 5 of 9

PROJECT: WOOD TRAILS
CITY OF WOODVILLE
SCALE: 1" = 50'
PROJECT ARCHITECT: [Redacted]
PROJECT ENGINEER: [Redacted]
PROJECT SUPERVISOR: [Redacted]
PROJECT CHECKER: [Redacted]
PROJECT DESIGNER: [Redacted]

WOOD TRAILS

PRELIMINARY GRADING AND UTILITY PLAN

CITY OF WOODVILLE
WASHINGTON



TOPICAL DRAIN SIZES UNLESS OTHERWISE NOTED
STORM DRAIN = 12"
SANITARY DRAIN = 8"
WATER MAIN = 6"

WOOD TRAILS

PRELIMINARY ROAD PROFILES
 NE 201ST STREET, NE 198TH STREET AND TRACT M

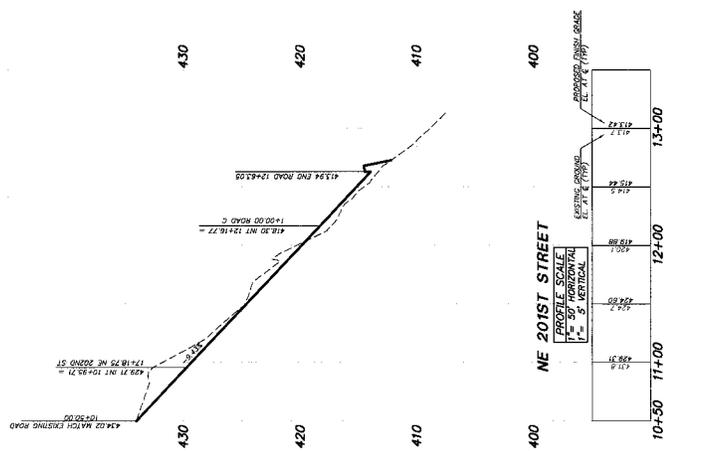
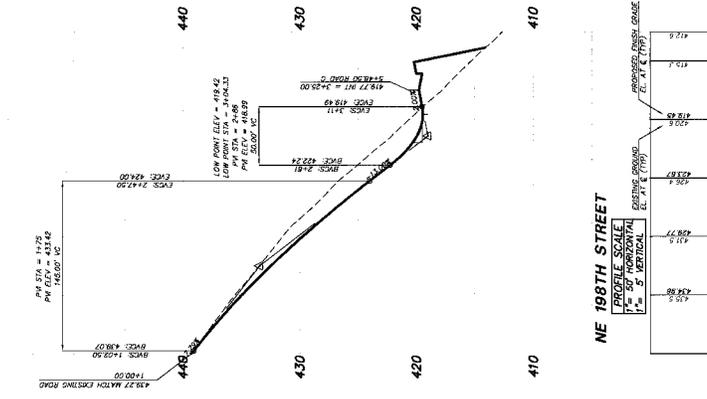
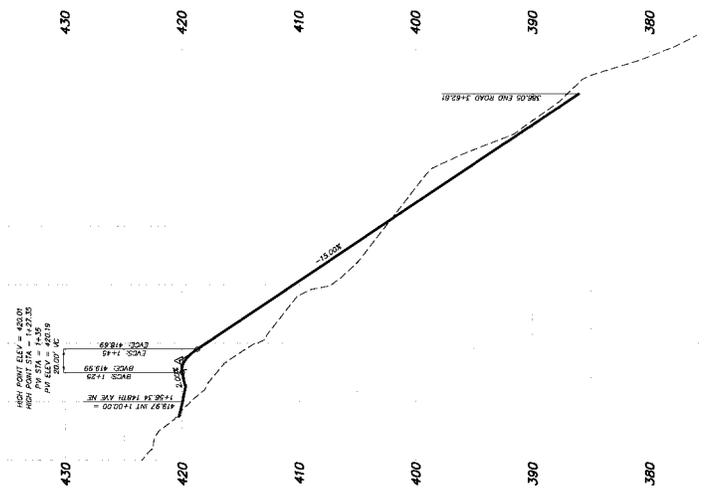
CITY OF WOODVILLE

DATE: 03-20-08
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]

DESIGNED BY: [Name]
 PROJECT MANAGER: [Name]
 PROJECT SUPERVISOR: [Name]
 SURVEYOR: [Name]
 SCALE: 1" = 50'
 SHEET NO.: 03-208
 SHEET TOTALS: 7 OF 9



DATE: 03-20-08
 SHEET NO.: 03-208
 SHEET TOTALS: 7 OF 9





1111 11th Ave NE
 Atlanta, GA 30301-4802
 404.527.1848
 404.527.1849
 404.527.1850
 www.triadassociates.com

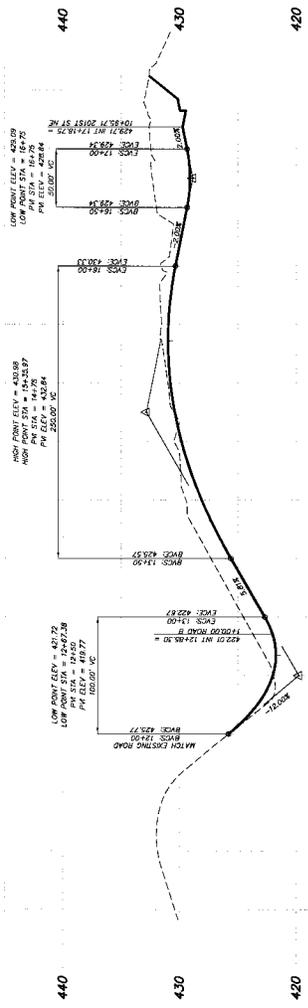
WOOD TRAILS

PRELIMINARY ROAD PROFILES
 NE 202ND STREET AND ROAD C

CITY OF WOODVILLE
 WASHINGTON



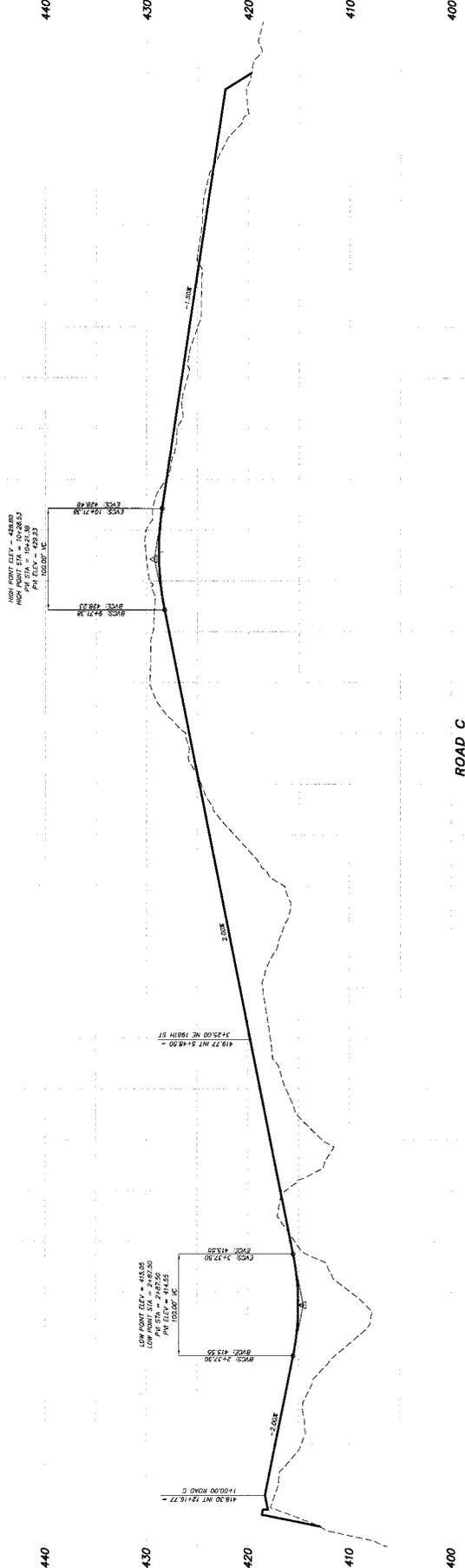
DATE: 03/11/04
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 PROJECT NO.: 03-208
 SHEET NO. 9 of 9



NE 202ND STREET

PROFILE SCALE
 1" = 5' VERTICAL

STATION	ELEVATION
10+00	421.72
11+00	422.28
12+00	423.77
13+00	425.87
14+00	428.00
15+00	430.00
16+00	432.00
17+00	434.00



ROAD C

PROFILE SCALE
 1" = 5' HORIZONTAL
 1" = 5' VERTICAL

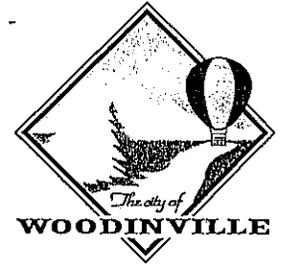
STATION	ELEVATION
1+00	418.30
2+00	417.50
3+00	415.00
4+00	418.80
5+00	417.80
6+00	418.80
7+00	422.80
8+00	423.80
9+00	426.80
10+00	428.80
11+00	428.80
12+00	427.80
13+00	425.80
14+00	423.80
15+00	421.80

Exhibit 12

Tree Retention Map

July 8, 2004

EXHIBIT 13
PAGE 1 OF 2



*"Citizens, business and local government;
a community commitment to our future."*

Loree Quade
Phoenix Development, Inc.
P.O. Box 3167
Lynnwood, WA 98046

RE: Application ZMA2004-053 Zoning Map Amendment for the Plat of Wood Trails
Application PPA2004-0054 Preliminary Plat for Woods Trails
Application SEP2004-055 SEPA for the Plat of Wood Trails

Dear Ms. Quade;

This letter is to inform you that The City of Woodinville received the above applications on June 18, 2004. Under WMC 17.09.030, the City must respond to your application within twenty-eight days of the date of submittal as to the completeness of the application.

The above applications have been deemed to be complete as of July 8, 2004. A complete application results in two actions. First, it vests that application against future land use amendments; that is the land use regulations in effect as of the date of vesting are those that are used to review your application unless otherwise stated. Any future change in regulations should not impact your application. Second, the determination of a complete application begins a one hundred twenty (120) day time period in which the City must take action (approving, approving with conditions or denying with cause) your applications.

Because the zoning map application requires an amendment to the City Zoning Map, the 120-day period applies only to the actions before the Hearing Examiner. The Examiner will make a recommendation to the City Council who must approve or disapprove any map amendment by ordinance.

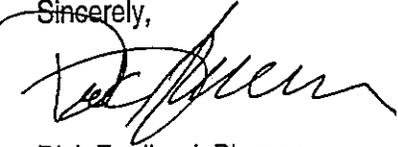
The 120-day clock may also be stopped. This will happen whenever additional information has been requested. The clock will remain stopped until the requested information has been received and reviewed as to its responsiveness.

You will be contacted by Ms. Janet Groak, of the City Planning Department regarding the posting of you proposed preliminary plat application. A Notice of Application (NOA) must be published in the paper, posted on site and mailed to any parties of record. There is a fourteen (14) day comment period from the date of publication/posting. Following the posting of the NOA, the City will issue a SEPA determination. This again must be published, and sent to property owners within 500 feet of the boundary of your proposed preliminary plat as well as parties of record. There is a fourteen (14) day appeal/comment period from the date of publication of this action.

Following the termination of the publication comment/appeal periods, the City Planning Department will review the proposed preliminary plat within existing regulations and write a staff report with recommendations to the City Hearing Examiner. A hearing date, time and location will be

established and a notice will be published in the local paper, sent to property owners within 500 feet of the subject property and to all parties of record. Upon completion of this time period, and on the established date and scheduled time, the Hearing Examiner will hold a public hearing. You and/or your representative as well as any expert witness testimony you may wish will be expected to present your case to the Examiner. The Examiner will make a decision as to the reasonableness of your applications within ten working days of the date of hearing.

Again, during the City's application review process of your proposal, it may be necessary to request supplemental information. Such a request does not affect the vesting of an application but is used rather to determine whether or not development impacts have been investigated sufficiently.

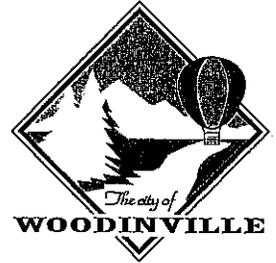
Sincerely,


Dick Fredlund, Planner
Woodinville Planning Department

cc: George Newman, Principal
Triad Associates, Inc.

CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA. 98072
NOTICE OF APPLICATION
PROJECT: Wood Trails

EXHIBIT 14
PAGE 1 OF 2



"Citizens, business and local government;
a community commitment to our future."

File Number: PPA2004-054/ZMA2004-053
Applicant / Contact: Phoenix Development, Inc./Loree Quade
Date of Application: June 18, 2004
Date of Completion of Application: July 8, 2004
Proposal Location: Directly south of the King-Snohomish County boundary ; West 148th Avenue NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington
Parcel Number(s): 0326059044; 0326059111; 0326059038; 0326059042; 0326059045; 0326059032
Proposed Project Action: Proposed subdivision of 50.5 acres into 66 Single Family lots (concurrent with a proposed zoning map amendment from R1- to R4).
Project Permits and / or Studies requested under RCW36.70B.070: N/A
Other Permits: SEP2004-055
Threshold Determination: To be determined
(if complete at time of issuance of NOA)
Determination of Consistency: To be determined
Hearing Date & Time (if applicable): N/A
Hearing Location: N/A

Copies of all application documents and/or environmental studies that evaluate the proposed project are available for review at City Hall.

This notice of application is issued under Woodinville Municipal Code Chapter 17.11.010; the City will not act on this proposal for 14 days following the date of notice of application. During this period, any interested party may submit written comments and/or appeal procedures. All interested parties are encouraged to participate in any hearings and may request a copy of the decision.

If you have any questions, please contact Dick Fredlund at (425) 489-2757 ext. 2247 ext. 2247.

Date of the Notice of Application: July 19, 2004
RESPONSIBLE OFFICIAL: Ray Sturtz
POSITION/TITLE: Planning Director
ADDRESS: 17301 133rd Avenue NE
Woodinville, WA 98072

SIGNATURE:

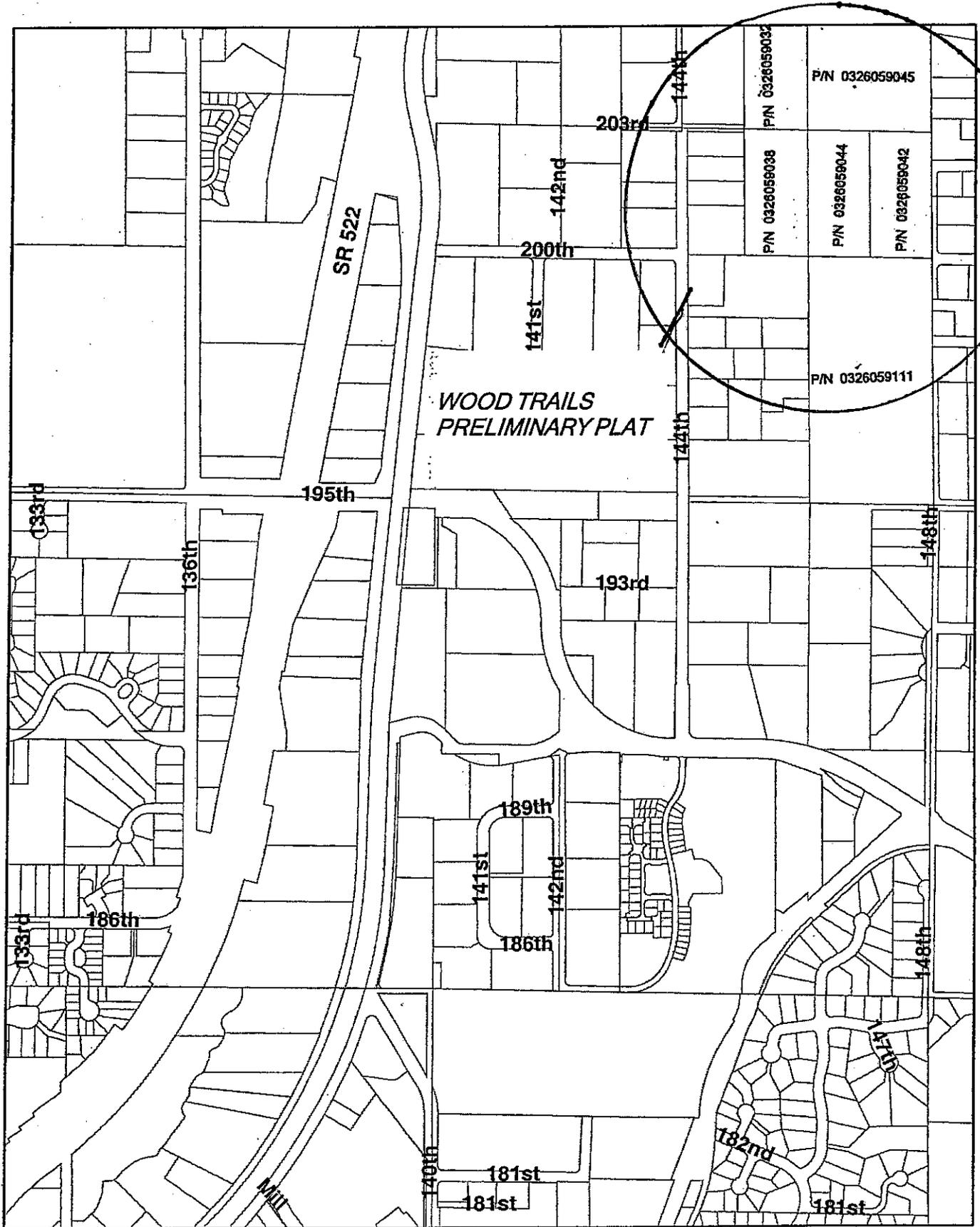
DATE: July 19, 2004



WOOD TRAILS

PPA2004-054

PARCEL NUMBERS 0326059044; 0326059111; 0326059038; 0326059042; 0326059045; 0326059032





**CITY OF WOODINVILLE
PLANNING DEPARTMENT
17301 133rd AVENUE NE
WOODINVILLE, WA 98072
(425)489-2757**

**NOTICE OF APPLICATION
Wood Trails**

File Number: PPA2004-054/ZMA2004-053
 Applicant/Contact: Phoenix Development, Inc./Loree Quade
 Date of Application: June 18, 2004
 Date of Completion of Application: July 8, 2004
 Proposal Location: Directly south of the King-Stromish boundary West 148th Avenue NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington
 Parcel Numbers: 0326059044, 0326059111, 0326059038, 0326059042, 0326059045, 0326059032
 Proposed Project/Action: Proposed subdivision of 50.15 acres into 66 Single Family lots (concurrent with a proposed zoning map amendment from R4 to R3)
 Project Permits and/or Studies requested under RCW36.70B.070: N/A
 Other Permits: SEP2004-055
 Threshold Determination: To be determined (if complete at time of issuance of notice of application)
 Determination of Consistency: To be determined
 Hearing Date & Time: (if applicable): To be determined
 Hearing Location: City of Woodinville Council Chambers
 Date of the Notice of Application: July 19, 2004
 Copies of all application documents and/or environmental studies that evaluate the proposed project are available for review at City Hall, Chapter 17.010, the City will not act on this proposal for 14 days following the date of notice of application. During this period any interested party may submit written comments and/or appeal procedures.

All parties interested are encouraged to participate in any hearings and may request a copy of the decision.
 If you have any questions, please contact Dick Fredlund at (425) 489-2757 ext. 2247.
 Responsible Official: Ray Sturtz, Director of Planning and Community Development

Published July 19th, 2004



CITY OF WOODINVILLE
AFFIDAVIT OF POSTING
FOR
NOTICE OF APPLICATION

EXHIBIT 16
PAGE 1 OF 4

Phoenix Dev. Inc
Applicant Name

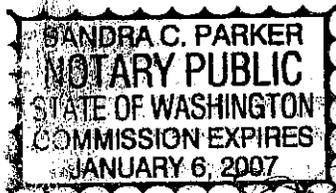
PPA 2004-054/ZMA 2004-53
File Number

I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

I certify that on 7/19/04 the **NOTICE OF APPLICATION SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at 148th Ave & NE 195th St so as to be clearly seen from each right-of-way providing vehicular access to the property.

[Signature]
Signature

Subscribed and Sworn to me this 19th day of July, 2004



[Signature]
Notary Public for the State of
Washington, residing at Boothell WA

This affidavit must be properly completed upon this posting of the required **Notice of Application** and returned to the Planning Department, not later than the 15th day preceding the Public Hearing date.

Return to:

City of Woodinville
Community Development Department
17301 133rd Avenue NE
Woodinville, WA 98072



CITY OF WOODINVILLE
AFFIDAVIT OF POSTING
FOR
NOTICE OF APPLICATION

EXHIBIT 16
PAGE 2 OF 4

Phoenix Dev. Inc
Applicant Name

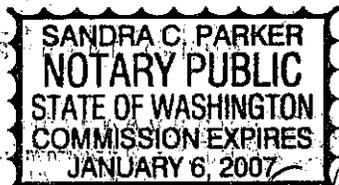
PPA 2004-054/ZMA 2004-53
File Number

I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

I certify that on 7/19/04 the **NOTICE OF APPLICATION SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at 148th Ave & 198th St so as to be clearly seen from each right-of-way providing vehicular access to the property.

Pat Beyluek
Signature

Subscribed and Sworn to me this 19th day of July, 2004



Sandra Parker
Notary Public for the State of
Washington, residing at Boothell, WA

This affidavit must be properly completed upon this posting of the required **Notice of Application** and returned to the Planning Department, not later than the 15th day preceding the Public Hearing date.

Return to:

City of Woodinville
Community Development Department
17301 133rd Avenue NE
Woodinville, WA 98072



CITY OF WOODINVILLE
AFFIDAVIT OF POSTING
FOR
NOTICE OF APPLICATION

EXHIBIT 16
PAGE 3 OF 4

Phoenix Dev. Inc
Applicant Name

PPA 2004-054 / ZMA 2007-53
File Number

I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

I certify that on 7/19/04 the **NOTICE OF APPLICATION SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at 140th Av & 201st St so as to be clearly seen from each right-of-way providing vehicular access to the property.

[Signature]
Signature

Subscribed and Sworn to me this 19th day of July, 2004

SANDRA C. PARKER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JANUARY 6, 2007

[Signature]
Notary Public for the State of
Washington, residing at [Address]

This affidavit must be properly completed upon this posting of the required **Notice of Application** and returned to the Planning Department, not later than the 15th day preceding the Public Hearing date.

Return to:

City of Woodinville
Community Development Department
17301 133rd Avenue NE
Woodinville, WA 98072



CITY OF WOODINVILLE
AFFIDAVIT OF POSTING
FOR
NOTICE OF APPLICATION

EXHIBIT 16
PAGE 4 OF 4

Piperix Dev. Inc.
Applicant Name

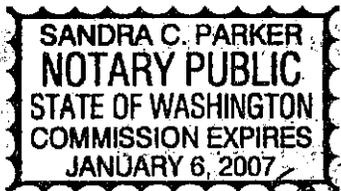
PPA2004-54/ZMA2004-53
File Number

I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

I certify that on 7/19/04 the **NOTICE OF APPLICATION SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at 198th Ave & 202nd St so as to be clearly seen from each right-of-way providing vehicular access to the property.

[Signature]
Signature

Subscribed and Sworn to me this 19th day of July, 2004



[Signature]
Notary Public for the State of
Washington, residing at Bothell, WA

This affidavit must be properly completed upon this posting of the required **Notice of Application** and returned to the Planning Department, not later than the 15th day preceding the Public Hearing date.

Return to:

City of Woodinville
Community Development Department
17301 133rd Avenue NE
Woodinville, WA 98072

pg 1 of 4

EXHIBIT 17
PAGE 1 OF 7

File #	2004-053
Appl. Type	ZMA
TRC III Date	
Fee paid	4600 ⁰⁰
Date Rec'd	6-18-04

RECEIVED
JUN 18 2004
Received Stamp

City of Woodinville
Department of Planning & Community Development

GENERAL APPLICATION FORM

**CITY OF WOODINVILLE
PLANNING DEPARTMENT**

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

RECEIVED
JUN - 3 2004

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? YES NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property: Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.

Legal Description: (See Attached)

Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1

Current Use: Vacant Land

Are there Sensitive Areas on Property? Yes, 21.9 Acres NGPA / Steep Slope.

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name: Kathleen C. Horton	Name:
Signature: <i>[Signature]</i>	Signature:
Tax No. or Lot & Subdivision: 032605 9044 01	Tax No. or Lot & Subdivision:
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc. Date: 6/9/04

RECEIVED

EXHIBIT 17
PAGE 2 OF 4

reg 2004

File #	2004/053
Appl. Type	ZMA
TRC III Date	
Fee paid	4000-
Date Rec'd	6-18

JUN 18 2004
CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

City of Woodinville
Department of Planning & Community
Development

GENERAL APPLICATION FORM

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? YES NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property: Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.

Legal Description: (See Attached)

Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1

Current Use: Vacant Land

Are there Sensitive Areas on Property? Yes, 21.9 Acres NGPA / Steep Slope.

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name G & S Sundquist Third Family Limited Partnership	Name
Signature <i>Loree Sundquist</i>	Signature
Tax No. or Lot & Subdivision 032605 9111 09	Tax No. or Lot & Subdivision
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc. Date: 6/9/04

RECEIVED

EXHIBIT 17
PAGE 3 OF 4

RECEIVED

APR 30 2004

City of Woodinville

Department of Planning & Community
Development

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

GENERAL APPLICATION FORM

09 388B

File #	2004/053
Appl. Type	ZMA
TRC III Date	
Fee paid	4600
Date Rec'd	6-18

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)	
If yes, what other permits/applications are you submitting at this time?	Subdivision, zoning map amendment, Environmental Review.

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.			
Legal Description:	(See Attached)			
Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential		Zone: R-1	
Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name: Charlotte E. Huse, as Trustee of the Charles R. Huse Testamentary Trust	Name: Charles R. Huse Testamentary Trust
Signature: <i>Rose M. Lehmann</i>	Signature:
Tax No. of Lot & Subdivision: 032605 9038 09 & 032605 9131 05	Tax No. or Lot & Subdivision:
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I to file this application and act on behalf of the signatories of the above authorization.	
Signature: Loree Quade, Phoenix Development, Inc.	Date: 6/9/04

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JUN 18 2004

CITY OF WOODINVILLE PLANNING DEPARTMENT GENERAL APPLICATION FORM

City of Woodinville 1954 only
Department of Planning & Community Development
EXHIBIT
PAGE 4 OF 4

Table with 2 columns: Field Name, Value. Fields include File # (2004 053), Appl. Type (ZMA), TRC III Date, Fee paid (4600), Date Rec'd (6-18).

GENERAL INFORMATION:

Name of Development/Project: Wood Trails
Applicant Name: Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address: P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number: 425-775-8663
Description of Proposed Action: A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? [X] YES [] NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)
If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property: Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.
Legal Description: (See Attached)
Tax Parcel Number: (See Attached) 1/4 Sec.: NE, SE Sec.: 03 Twn.: 26 Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac Comp. Plan Designation: Low Density Residential Zone: R-1
Current Use: Vacant Land
Are there Sensitive Areas on Property? Yes, 21.9 Acres NGPA / Steep Slope.

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

* WITH POA FOR LEONARD DREBIN EDYTH DREBIN

Table with 2 columns for signatures. Left column: MORRIS GORELICK** (Signature, Tax No. 032605-9042-03, checkboxes for Owner, Contract Purchaser, Option Purchaser). Right column: HAROLD H. GORLICK (Signature, Tax No., checkboxes for Owner, Contract Purchaser, Option Purchaser).

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc. Date: 6/9/04

Purpose of Checklist: The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the environment. The purpose of this checklist is to provide information to help King County's Responsible Official and any other agencies with jurisdiction to identify impacts from a proposal (and to reduce or avoid impacts from the proposal, if it can be done), and to help King County decide whether an EIS is required.

EXHIBIT 18
PAGE 1 OF 5

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JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

A. BACKGROUND

1. Name of proposed project, if applicable:

Wood Trails

2. Name of proponent:

Phoenix Development, Inc.

3. Address and phone number of proponent and contact person:

Proponent: Phoenix Development, Inc.
Contact: Loree Quade
P.O. Box 3197
7127 - 196th Street SW
Lynnwood, WA 98046-3167
(425) 775-8663 ext.106

Contact Person: George Newman, Principal
Triad Associates
11814 115th Avenue NE
Kirkland, WA 98034
(425) 821-8448

4. Date checklist prepared:

June 10, 2004

5. Agency requesting checklist:

City of Woodinville

6. Proposed timing or schedule (including phasing, if applicable):

The proponent will begin construction upon receiving all necessary approvals and permits. It is anticipated that the proposed project will be constructed beginning in Spring, 2005.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

Yes. Sanitary sewer extension through the subject property which could serve other areas within the Urban Growth Area (UGA).

EXHIBIT 18
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8. Environmental information that has been prepared, or will be prepared, directly related to this proposal.

An environmental assessment will be made based on the review of this SEPA Checklist. Supplemental to this SEPA Checklist are the following technical studies with specific technical information including:

- Level 1 Downstream Analysis, April 26, 2004 –Triad Associates
- Preliminary Technical Information Report, June 10, 2004 –Triad Associates
- Geotechnical Engineering Study, June 9, 2004 – Earth Consultants, Inc.
- Wood Trails Traffic Study, June, 2004 – The Transpo Group
- Wood Trails Wetland Reconnaissance, June 7, 2004, B-twelve Associates, Inc.

Each of the above documents are hereby incorporated by reference into this Checklist.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by this proposal?

Utility extension and construction approvals from the Woodinville Water District for public water and sanitary sewer.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

The following approvals/permits will likely be needed for this proposal:

- Rezone & Preliminary Plat Approval..... City of Woodinville
- SEPA Threshold Determination..... City of Woodinville
- Clearing and Grading Permits City of Woodinville
- Forest Practice Permit..... State Dept. Natural Resources
- Road and Storm Drainage Approval..... City of Woodinville
- Water Extension Approval..... Woodinville Water District
- Sanitary Sewer Extension Approval Woodinville Water District
- Building Permits..... City of Woodinville
- NPDES Permit..... State Dept. of Ecology

11. Description of the proposal including the proposed uses and the size of the project and site.

Proposal

The initial total property assemblage is 50.5 acres. The northerly 11.8 acres of this assemblage is unusable and is not needed for tree retention and open space requirements of the proposed 66 lots. This northerly Tract A will be segregated through a boundary line adjustment to be approved by the City prior to recording of the final plat.

The proposal is to subdivide southerly 38.7 acres based upon a rezone to R-4. Based on steep slope constraints 66 detached, single-family lots can be accommodated on the buildable portion of the site which meet city standards. The minimum density required pursuant to 21.12.060 WMC is 38 lots while the maximum density allowed is 85 lots. The applicant expressly preserves the option of transferring surplus density (19 lots) as permitted through Ch. 21.36 WMC, Transfer of Density Credits, to other potential sites within the Woodinville UGA.

Based on steep slope constraints and connectivity to the existing road system, three logical neighborhoods or pods have been created through careful site planning: a southerly pod of 13 lots, a central pod of 20 lots and a northerly looped pod of 33 lots. Forty-nine of the lots (74%) will have been designed to abut the common open space.

EXHIBIT 18
PAGE 3 OF 5

Zoning/Density

Property is currently zoned R-1. The subject property is within the City's Urban Growth Area (UGA) and designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use. Gross density will be 1.7 dwelling units per acre.

Site Utilities

All lots will utilize sanitary sewers and public water provided by Woodinville Water District. Puget Sound Energy will be the primary provider for electrical service. Verizon will provide telephone service and AT&T will serve cable subscribers.

Vehicular Access and Circulation

The 66 proposed lots will take access from three new public road extensions which will connect with the existing city road stubs to the property. The two existing city streets proposed to serve the new connected road system is NE 198th Street and NE 201st Street.

Site Clearing and Grading

The proposal will require clearing and grading for roads, utilities, and individual lot development.

Proposed Treatment of Steep Slopes

Steep slopes in the westerly portion of the site will be protected as a Native Growth Protection Area in common open space Tracts L and F.

Open Space Areas

A total of 22.8 acres of common open space is being provided which represents 59% of the area within the plat. Approximately 21.9 acres of that open space will be protected in perpetuity as Native Growth Protection Area (NGPA). Approximately 3 acres of the subject plat will be contained within the lower Tract D for detention. An additional 2.5 acres will be utilized for public road right-of-way and private access tracts.

Storm Drainage

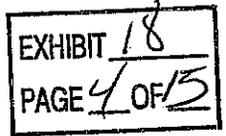
Most of the new storm water runoff from road and house impervious surfaces will be collected and directed to a single detention pond located within the lower, west central area of the site (Tract D, 3.0 acres). Due to topographic constraints, drainage from 6 lots in the southerly pod and 2 lots from the central pod will bypass the proposed detention pond. Runoff from Lots 1-4 and the short private access road (Tract M) will be conveyed to the existing storm drainage system within 144th Avenue NE via underground pipes along the southern boundary of the subject plat. Runoff from Lots 12, 13, 29 and 30 is proposed to be discharged through a dispersion trench in common open space Tract L. A waiver from the standard drainage design will be required.

12. **Location of the proposal. Provide a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if available.**

The subject is located in the north portion of the City of Woodinville and the Woodinville Urban Growth Area (UGA). The 50.5 acre assemblage is south of the Wellington Hills Golf Course and immediately south of the King-Snohomish County boundary. The rectangular shaped property lies on the west side of the 148th Avenue NE and can be accessed from NE 202nd Street, NE 201st Street,

NE 198th Street and NE 195th Street. The property lies in a portion of Section 3, Township 26N, Range 5E, W.M., in King County, Washington

Refer to the preliminary plat map for the legal description and vicinity map.



B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site (circle one):** rolling, hilly, steep slopes, mountainous.

The proposed residential development will occupy approximately 16 acres of the total site with the remainder being in common open space tracts as Native Growth Protection Area.

- b. **What is the steepest slope on the site (approximate percent slope)?**

Generally, the western portion of the site is level, while the eastern portion of the site slopes downward from west to east. The steepest slopes, 40% or greater, are located along the western half of the project site in the future native growth protection area.

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

A Geotechnical Engineering Report has been prepared by Earth Consultants Inc., dated June 9, 2004. It contains specific information in regard to existing conditions, groundwater, steep slopes, as well as general recommendations for site preparation, foundations, retaining walls and other construction, is included as supplemental environmental information with this environmental checklist. The geotechnical report identifies surface and subsurface conditions and concludes that the site can accommodate the development as proposed with inclusion of some construction recommendations.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

None identified.

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

Grading for this residential development will be limited to those areas identified for roads, storm drainage, utility infrastructure and home sites. It is estimated that there will be up to 80,000 cubic yards of soil moved with an additional 30,000 cubic yards of stripping. The ultimate cut and fill quantities will be determined during final engineering. No clearing or grading activity will start until the necessary permits are obtained.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

Limited erosion could occur as a result of the initial construction on-site. However, erosion control measures will be utilized during the construction phase to minimize

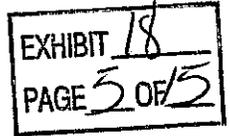
potential erosion impacts. Temporary erosion and sedimentation control plans will be submitted to and approved by the City of Woodinville prior to any clearing or grading activity.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Total impervious area is estimated at 8.91 acres, or about 23% of the total area included in the proposed plat.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The development area will largely be confined to the east and central portion of the property. The majority of the site encompassing the steep slopes will be preserved as a Native Growth Protection Area (21.9 acres). A temporary erosion and sedimentation control plan, designed in accordance with City of Woodinville standards, will be employed during the construction phase of this project. Said plan will be prepared in conjunction with the recommendations of the geotechnical report.



2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

During project construction, heavy equipment operation and workers' vehicles would generate exhaust emissions into the immediate vicinity. Construction activity on the site could also stir up exposed soils and generate dust and particulate matter into the local air. The completed project would result in a minor increase in the amount of emission-related pollutants in the local air from project related traffic.

- b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

There are no known off-site sources of emissions or odors that are likely to impact this project.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Watering of the site as necessary during the construction phase of the project will help control dust and other particulates.

3. Water

- a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The proposed plat is located within the Little Bear Creek watershed. An offsite wetland area was investigated by a wetland biologist at the request of city staff at the TRC III meeting. These findings are specified in a letter from B12 dated June

7, 2004 appended to this checklist. It was concluded that no wetlands, streams or buffers of off-site wetlands or streams are located on the property.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.

There is no surface water or wetlands impacted.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Additional stormwater runoff would occur in proportion to the total new impervious and cleared surfaces associated with the project. Small quantities of petrochemicals, fertilizers, and other household and yard products normally expected with a residential development are anticipated to be present in the runoff. Primary control of these potential pollutants would be provided through the inclusion of water quality measures in the drainage design.

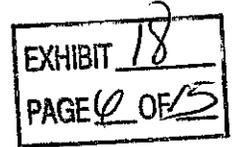
b. Ground:

- 1) Will groundwater be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No. The proposed development will be served by public water from Woodinville Water District. Therefore, no ground water will be withdrawn to serve future residences.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals ..; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

There will be no waste material discharged into the ground. The plat will be served by sanitary sewers from Woodinville Water District. Eight lots will discharge storm water through dispersion trenches or into existing drainage systems.



c. Water Run-off (including stormwater):

- 1) Describe the source of run-off (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The new plat roads, future homes and cleared lots will create additional impervious surfaces (8.91 acres total impervious surfaces). Increased storm water runoff will occur as a result of the home construction and paved roadway.

Refer to the Technical Information Report (TIR) dated June 10, 2004.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Minimal pollutants normally associated with this type of development could enter the surface water. However, the amount would be minimal since the on-site drainage will include the use of treatment facilities in conformance with current City of Woodinville standards. The proposed plans for stormwater and run-off control are expected to minimize entry of waste materials or pollutants to groundwater resources and/or surface waters.

- d. Proposed measures to reduce or control surface, ground, and run-off water impacts, if any:

See Level 1 Downstream Analysis dated June 1, 2004. Discharge of these additional waters would be collected and routed through water quality facilities designed to meet City of Woodinville water quality standards which require design per the 1998 King County Surface Water Design Manual. Since site drainage is tributary to Little Bear Creek, a detention pond designed to Level 2 flow control standards along with water quality treatment from the Resource Stream Protection Menu is required. These standards have been developed to minimize potential surface and ground, water impacts.

4. Plants

- a. Check or circle types of vegetation found on the site:

Evergreen trees: western red cedar, western hemlock
 Deciduous trees: red alder, black cottonwood, big leaf maple
 Shrubs: salmonberry, vine maple, sword fern, Pacific bleeding heart, false lily-of-the-valley

- b. What kind and amount of vegetation will be removed or altered?

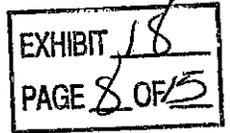
The entire site is forested with a canopy of deciduous and coniferous trees. To generate the site grade appropriate for the road, detention pond and proposed houses, all of the vegetation within these areas will be removed. The majority of the trees on this site will remain protected as NGPA within the 21.9 acres of common open space.

- c. List threatened or endangered species known to be on or near the site.

There are no known threatened or endangered species on or near the site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:





The development area of the site is approximately 16.8 acres and consists of the area for roads, utilities, trails, buffer and lots. The area of the proposed preliminary plat is approximately 38.7 acres in size. The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation.

WMC 21.16.130(1) (a) indicates that a minimum tree-credits factor required for the buildable area of each site is 30 tree credits per acre. The buildable area of the site is 16.8 acres then 504 tree credits are required to be provided. WMC 21.16.140 requires the preparation of a Tree Preservation Plan concurrent with a proposed preliminary plat application.

The tree survey indicates that 1,656 trees (of 6" size or greater) will be removed from the development area of the site to facilitate development. The trees located within the steep slopes greater than 40% and open space have not been surveyed. However, WMC 21.16.140(1) recommended by staff indicates that a tree survey may be conducted by a method that locates individual trees or by using standard timber cruising methods to reflect general locations, numbers, and grouping of trees. The tree survey identified 1,656 trees within the buildable area which would equate to 3,055.6 total tree credits, or, 184.52 credits per acre within the buildable area. This means that 2.7 acres of the 21.0 acres of the open space portion of the site will be utilized to meet the tree credit requirements for the project. By virtue of protecting the steep slopes greater than 40%, the plat as designed has over eight times the necessary tree retention requirement.

5. Animals

- a. Check or circle any birds and animals which have been observed on or near the site, or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: American crow (*Corvus brachyrhynchos*), American robin (*Turdus migratorius*), black-capped chickadee (*Parus atricapillus*), bushtit (*Psittiparus minimus*), common raven (*Corvus corax*), rufous-sided towhee (*Pipilo erythrophthalmus*), song sparrow (*Melospiza melodia*), steller's jay (*Cyanocitta stelleri*), and winter wren (

Mammals: deer, bear, elk, beaver, raccoon, other: species that easily adapt to suburban environments such as bats (*Myotis spp.*), deer mice (*Peromyscus maniculatus*), eastern cottontail rabbits (*Sylvilagus floridanus*), moles (*Scapanus spp.*), raccoons (*Procyon lotor*), shrews (*Sorex spp.*), skunks (*Mephitis spp.*), squirrels (*Sciurus carolinensis*, *Tamiasciurus douglasii*), Virginia opossums (*Didelphis virginiana*), and white-tailed deer (*Odocoileus hemionus*).

Fish: bass, perch, salmon, trout, herring, shellfish, other:

Amphibians: expected amphibian species include the pacific tree frog (*Hyla regilla*), the bullfrog (*Rana catesbeiana*), and the northwestern salamander (*Ambystoma gracile*).

- b. List any threatened or endangered species known to be on or near the site.

Based on a field inspection by Triad Associates staff, there were no threatened or endangered species observed on or near the site.

- c. Is the site part of a migration route? If so, explain.

None known.

d. Proposed measures to preserve or enhance wildlife, if any:

The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation. By virtue of protecting the steep slopes greater than 40%, the plat design has over eight times the necessary tree retention requirement.

EXHIBIT 18
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6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Electric and/or natural gas will be used to meet the primary energy needs of the new homes.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

The detached single family residential structures will be constructed to meet or exceed applicable local, state, and federal building codes to ensure compliance with energy conservation standards.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.**

Under normal working conditions, it is unlikely that environmental health hazards would be encountered. All project related construction will meet all current local, county, state and federal regulations.

- 1) Describe special emergency services that might be required.**

None.

- 2) Proposed measures to reduce or control environmental health hazards, if any:**

State regulations regarding safety and the handling of hazardous materials would be enforced during the construction process. Equipment refueling areas would be located in areas where a spill could be quickly contained, and where the risks of the hazardous material entering surface water is minimized.

b. Noise

- 1) What types of noise exist in the area, which may affect your project (for example: traffic, equipment operation, other)?**

The immediate vicinity to the east is a suburban density residential neighborhood with minimal off-site noise which would affect the subject property on a routine basis. The immediate vicinity to the west is an industrial area with some off-site noise which may affect the subject property. The retention of trees in the NGPA should provide some noise reduction.

EXHIBIT 18
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- 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Construction activities on the site would temporarily increase the peak on-site noise levels. All construction would be during the City of Woodinville's approved hours of operation. The completed project would result in a slight increase in ambient noise levels in the vicinity.

- 3) **Proposed measures to reduce or control noise impacts, if any:**

Construction activity will be limited to hours as specified by the City of Woodinville, which will help to mitigate the impacts of potential construction noise.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties?**

The subject property of the proposed subdivision is wooded and undeveloped. The area to the east is predominantly developed with residential single-family lots.

The immediate vicinity to the west is an industrial area which is topographically separated from proposed Wood Trails and the upper residential neighborhoods.

- b. **Has the site been used for agriculture? If so, describe.**

No.

- c. **Describe any structures on the site.**

None.

- d. **Will any structures be demolished? If so, what?**

No.

- e. **What is the current zoning classification of the site?**

The subject property is zoned R-1.

- f. **What is the current comprehensive plan designation of the site?**

The City of Woodinville GMA Comprehensive Plan includes the Future Land Use Map. The subject property is designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for industrial use.

- g. If applicable, what is the current shoreline master program designation of the site?

No shoreline; not applicable.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The area of steep slopes greater than 40% would be defined as sensitive area. They have been identified, delineated, and protected or mitigated in accordance with City of Woodinville sensitive area requirements (Ch.21.24 WMC).

- i. Approximately how many people would reside or work in the completed project?

Assuming approximately 2.5 people would live in each of the 66 developed homes, it is estimated that an additional 165 persons would reside in the built-out subdivision.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The requested R-4 zoning conforms to the R-4 locational criteria as revised by Ordinances 03-098 and 03-099. As specified by the Ordinances, the revised locational criteria are deemed as appropriately implementing the comprehensive plan, particularly Objective LU 6.F and Policy LU 6.F.2.

The requested R-4 zone, a zone specifically articulated by the City of Woodinville Comprehensive Plan as appropriate for areas designated Low Density Residential, complies with and will implement the City of Woodinville Comprehensive Plan.

The project will be developed in accordance with the applicable City of Woodinville development regulations which have been adopted as GMA development regulations to implement the goals and policies of the adopted GMA Comprehensive Plan.

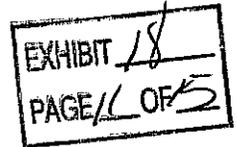
9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Sixty-six market-priced, detached single-family units will be constructed on the subject plat.

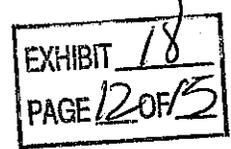
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.



c. Proposed measures to reduce or control housing impacts, if any:

The project will provide needed detached single-family housing in the north King County market.



10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Architectural plans for homes have not been specified at this stage. However, the proposed building plans will be governed by height restrictions dictated by the zoning requirements and the adopted uniform building code.

b. What views in the immediate vicinity would be altered or obstructed?

Development of the site would change the visual character of the site for the nearest existing residences from that of largely undeveloped land to that of a single-family residential development. Views of the Olympic Mountains to the west may be opened up in certain areas to improve the vistas from individual homes.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The preservation of over 20 acres of forested area between the new residential development and the lower industrial area should minimize impacts.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The completed project will generate limited light and glare typically associated with residential development (i.e., security and/or street lighting).

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not to our knowledge.

c. What existing off-site sources of light or glare may affect your proposal?

None known.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

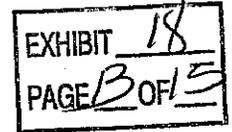
The subject property is informally used for walking.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The project would not displace any existing recreational uses.

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The project would provide passive recreational opportunities onsite by preserving over 22.8 acres of common open space in separate Tracts C, G, J, L, N and O.



13. Historic and Cultural Preservation

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

None known.

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

There are no landmarks or evidence of any significant historic, archaeological, scientific, or cultural resources known to be on or next to the site.

- c. **Proposed measures to reduce or control impacts, if any:**

If any historic or cultural evidence was encountered during construction or installation of improvements, an archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resources as appropriate.

14. Transportation

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

Primary access to the development will be from 198th Street NE and 201st Street NE which will connect with 156th Avenue approximately 0.5 miles to the east. Circulation within the development will be provided by a new public road, 148th Avenue NE, which will connect each of the three neighborhoods or pods.

- b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Transit is available on 156th Avenue NE.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**

The completed project will provide at least two off-street parking spaces per residential unit. The proposed project will not eliminate any parking spaces.

- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

Yes. The project proposes to construct new plat streets as permitted by City of Woodinville. The primary access to the site will be from 198th Street NE and 201st Street NE. The proposed road construction shall include a 30' right-of-way dedication

with a 5-foot planting strip and 5-foot sidewalk in a public access easement on the lots.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Please see the Traffic Impact Analysis prepared by The Transpo Group, dated June, 2004, for more detailed information.

- g. Proposed measures to reduce or control transportation impacts, if any:

The traffic impact analysis summarized the projected traffic impacts of the proposed Wood Trails development. Briefly, these are the general findings of this study:

- The roadway network and study intersections would accommodate project and background traffic volumes without any improvements. Traffic impacts associated with the proposed development do not cause any of the study intersections to degrade in LOS below the City of Woodinville LOS E standard. Thus, no specific additional mitigation is warranted.
- Due to the location of the nearest transit stop, and other area attractions, it is not anticipated that the pedestrian volumes along NE 201st Street or NE 198th Street would increase significantly as a result of this project.
- Left turn lanes are not warranted based on WSDOT left turn lane storage guidelines at either 156th Avenue NE/NE 201st Street or 156th Avenue NE/NE 198th Street, both of which would provide access to the site.
- NE 201st Street and NE 198th Street, in their current configuration, will have adequate capacity to accommodate the additional traffic to be generated by the proposed project. Furthermore, a comparison of forecast volumes to roadway capacity suggests there is sufficient capacity to support additional growth in the area.
- Proportionate share mitigation fees towards three City of Woodinville CIP projects in the area have been estimated to be approximately \$1,000.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

The completed project would result in a slight increase in need for police and fire protection, as well as emergency medical service. Also, a slight increase in school enrollment will result from this proposal.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

The project will be designed and constructed with adequate water pressure, properly located fire hydrants and sanitary sewers which meet Woodinville Water District



standards. Streets will be constructed as determined by the City Engineer to allow adequate access for fire protection and police vehicles.

EXHIBIT 18
PAGE 5 OF 5

16. Utilities

a. Indicate utilities currently available at the site:

Electricity, Natural Gas, Water, Refuse Service, Telephone, Sanitary Sewer, Septic System, Other. All utilities will be extended to and through the site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Sanitary Sewer: Woodinville Water District
Water: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy
Telephone: Verizon
Cable Service: AT&T

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: H. George Newman Date Prepared: June 10, 2004

H. George Newman, AICP
Principal
Triad Associates

EXHIBIT 19
PAGE 1 OF 24



WOOD TRAILS

*Proposed Residential Subdivision
City of Woodinville*

11814 115th Avenue NE
Kirkland, WA 98034-6923

425.821.8448
425.821.3481 fax
800.488.0756 toll free
www.triadassoc.com

Project Description & Rezone Analysis

City of Woodinville TRC File No.: TRC03033

June 3, 2004

Triad Job No.: 03-208

Prepared by:
H. George Newman, AICP
Principal

Triad Associates
11814 115th Avenue NE
Kirkland, WA 98034

For:
Phoenix Development, Inc.
P.O. Box 3167
7127-196th Street SW
Lynnwood, WA 98046-3167

RECEIVED

JUN 1 8 2004

**CITY OF WOODINVILLE
PLANNING DEPARTMENT**

Wood Trails Project Description

Rezone & Preliminary Plat Request

The applicant, Phoenix Development, Inc., is requesting a rezone of the subject 50.5 acre assemblage from the R-1 to the R-4 zone classification. The proposed rezone is being requested concurrently with a preliminary plat application for 66 detached, single-family lots.

Location

The subject property is located in the north portion of the City of Woodinville and within the Woodinville/King County designated Urban Growth Area (UGA). The initial 50.5 acre assemblage is south of the Wellington Hills Golf Course and immediately south of the King-Snohomish County boundary. The rectangular shaped property lies on the west side of the 148th Avenue NE and can be accessed from NE 202nd Street, NE 201st Street, NE 198th Street and NE 195th Street. The property lies in a portion of Section 3, Township 26N, Range 5E, W.M., in King County, Washington.

The northerly 11.8 acres of the initial 50.5 acre assemblage is not needed for tree retention and open requirements of the proposed 66 lots. This northerly 11.8 acres will be segregated through a boundary line adjustment to be approved by the City of Woodinville prior to recording of the final plat.

Subdivision Design and Density

The proposal is to subdivide the southerly 38.7 acres based upon a rezone to R-4. Based on steep slope constraints 66 detached, single-family lots can be accommodated on the buildable portion of the site which meet city standards. The minimum density required pursuant to *21.12.060 WMC* is 38 lots while the maximum density allowed is 85 lots. The applicant expressly preserves the option of transferring surplus density (19 lots) as permitted through *Ch. 21.36 WMC, Transfer of Density Credits*, to other potential sites within the Woodinville UGA.

Based on steep slope constraints and connectivity to the existing road system, three logical neighborhoods or pods have been created through careful site planning: a southerly pod of 13 lots, a central pod of 20 lots and a northerly looped pod of 33 lots. Forty-nine of the lots (74%) will have been designed to abut the common open space.

The subject property is currently zoned R-1, but within the City of Woodinville and the Urban Growth Area (UGA). The subject property is zoned *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use. Gross density will be 1.7 dwelling units per acre.

Site Utilities

The subdivision lots are proposed to be served with public water and sanitary sewer service by the Woodinville Water District. With the provision of sanitary sewers to this urban growth area project, the subject property is eligible for a rezone to R-4 to implement the Low Density Residential Designation of the comprehensive plan. Puget Sound Energy will be the provider of electrical service. Verizon will provide telephone service and AT&T will serve cable subscribers.

Vehicular Access and Circulation

The 66 proposed lots will take access from three new public road extensions which will connect with the existing public road network. The two existing city streets proposed to serve the new connected road system is NE 198th Street and NE 201st Street. These streets ultimately connect to 156th Ave NE , a north-south collector.

Open Space Areas

A total of 22.8 acres of common open space is being provided which represents 59% of the area within the plat. Approximately 21.9 acres of that open space will be protected in perpetuity as Native Growth Protection Area (NGPA). Approximately 3 acres of the subject plat will be contained within the lower Tract D for detention. An additional 2.5 acres will be utilized for public road right-of-way and private access tracts.

Storm Drainage

Most of the new storm water runoff from road and house impervious surfaces will be collected and directed to a single detention pond located within the lower, west central area of the site (Tract D, 3.0 acres). Due to topographic constraints, drainage from 6 lots in the southerly pod and 2 lots from the central pod will bypass the proposed detention pond. Runoff from Lots 1-4 and the short private access road (Tract M) will be conveyed to the existing storm drainage system within 144th Avenue NE via underground pipes along the southern boundary of the subject plat. Runoff from Lots 12, 13, 29 and 30 is proposed to be discharged through a dispersion trench in common open space Tract L. A waiver from the standard drainage design will be required.

The proposed subdivision utilizes the density calculations prescribed by WMC 21.12.080. 85 lots would be allowed and 66 lots are proposed. The proposed subdivision meets the minimum density requirement of 38 lots as set forth in WMC 21.12.060.

Wood Trails Rezone Analysis

A. Rezone Review Criteria

General criteria for the review of rezone applications are established in 21.44.070 Woodinville Municipal Code (WMC)

21.44.070 Zone reclassification.

A zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the Comprehensive Plan and applicable functional plans and complies with the following criteria:

- (1) There is a demonstrated need for additional zoning as the type proposed.
- (2) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties.
- (3) The property is practically and physically suited for the uses allowed in the proposed zone reclassification. (Ord. 175 § 1, 1997).

Rezone proposals are also addressed by case law. The following general rules apply to rezone applications: (1) there is no presumption of validity favoring the action of rezoning; (2) the proponents of the rezone have the burden of proof in demonstrating that conditions have changed since the original zoning; and (3) the rezone must bear a substantial relationship to the public health, safety, morals, or welfare. [*Citizens v. Mount Vernon (Mount Vernon)*, 133 Wn.2d 861, 874-75, 947 P.2d 1208 (1997), citing *Parkridge v. Seattle*, 89 Wn.2d 454, 462, 573 P.2d 359 (1978)] *The courts have also held that a rezone which serves to implement the adopted comprehensive plan need not meet the "changed circumstances" portion of the Parkridge test. [emphasis added] [SORE v. Snohomish County*, 99 Wn.2d 363, 370-371, 662 P.2d 816 (1983); *Bjarnson v. Kitsap County*, 78 Wn. App. 840, 846, 899 P.2d 1290 (1995)]

Discussion: It will be clearly demonstrated that the R-4 zone classification is specified as an implementing zone of the land use designation on comprehensive plan and will serve to implement that adopted plan. Therefore the changed circumstance test is not applicable. There is clearly a demonstrated demand and need for market price single family housing in the north King County and south Snohomish County. The rezone to R-4 provides a logical transition from the more intensive urban industrial land use to the west on the valley floor and lower density single family neighborhoods to the east. Extending urban services (particularly sanitary sewer and public water) to new development within the Urban Growth Areas is a fundamental objective of the Growth Management Act (GMA) which in turn is reflected in the City of Woodinville's GMA comprehensive plan. The property is practically and physically suited for the residential uses allowed in the proposed R-4 zone reclassification. A minimum 38 lots would be required and maximum 85 lots would be allowed. 66 lots are proposed through a design with substantial open space.

B. Rezone Process

21.42.100 Hearing Examiner review – Zone reclassification, variances, special use permits and conditional use permits referred by the Planning Director.
Applications for zone reclassification, special use permits, variances and conditional use permits referred by the Planning Director shall be reviewed by the Hearing Examiner subject to the notice procedures set forth in Chapter 17.11 WMC and applicable criteria set forth in Chapter 21.44 WMC. (Ord. 175 § 1, 1997)

C. Residential Zone Analysis: Purpose & Intent

21.04.080 Residential zone.

(1) The purpose of the Urban Residential zones (R) are to implement Comprehensive Plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:

(a) Providing, in the low-density zones (R-1 through R-4), for predominantly single-family detached dwelling units. Other development types, such as duplexes and accessory units, are allowed under special circumstances. *Developments with densities less than R-4 are allowed only if adequate services cannot be provided [emphasis added];*

Discussion: Adequate urban services, sanitary sewers and public water can be provided. Therefore, densities less than R-4 are not allowed where the urban service of sanitary sewers can be provided.

(b) Providing, in the moderate density zones (R-5 through R-8), for a mix of predominantly single-family attached and detached dwelling units. Other development types, such as apartments, duplexes, and townhomes would be allowed so long as they contribute to Woodinville's small town atmosphere as articulated in the vision statement found in the City's Comprehensive Plan and conform to all applicable regulations;

(c) Providing, in the medium density zones (R-9 through R-18), for duplexes, multifamily apartments, and townhomes, at densities supportive of transit and providing a transition to lower density areas; and

(d) Providing, in the high-density zones (R-19 through R-48), for the highest residential densities, consisting of duplexes and multistory apartments. Developments have access to transit, pedestrian and nearby commercial facilities, and provide a transition to high intensity commercial uses.

(2) Use of this zone is appropriate in residential areas designated by the Comprehensive Plan as follows:

(a) The R-1 zone on or adjacent to lands with area-wide environmental constraints, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

(b) The R-4 through R-8 zones on urban lands that are predominantly environmentally unconstrained and are *served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services [emphasis added]*; and

(c) The R-12 through R-48 zones in appropriate areas of the City that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services. (Ord. 295 § 4, 2001; Ord. 242 § 1, 1999; Ord. 175 § 1, 1997).

Discussion: Adequate public sewers and public water can be provided. Therefore, the R-4 zone is an appropriate implementing zone if it meets the above criteria and when designated as an implementing zone by the adopted comprehensive plan.

D. Rezone & Preliminary Plat Consistency with Comprehensive Plan

The City of Woodinville Growth Management Act (GMA) Comprehensive Plan, first effective June, 1996.

21.01.010 Comprehensive Plan adopted.

The comprehensive land use plan entitled "The City of Woodinville Comprehensive Plan," dated June 1996 is on file with the office of the City Clerk for public inspection, and is hereby adopted as the GMA Comprehensive Plan for the City of Woodinville. (Ord. 157 § 3, 1996).

The City of Woodinville GMA Comprehensive Plan includes the Future Land Use Map (Figure 3-3). The subject property is designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use.

The City of Woodinville GMA Comprehensive Plan includes ten elements: (1) GMA policies & guidelines, (2) land use, (3) housing, (4) human services, (5) economic development, (6) parks, recreation & open space, (7) community design, (8) transportation, (9) capital facilities and (10) utilities.

The rezone and preliminary plat proposal, complies with the following applicable Comprehensive Plan goals and policies.

GOAL LU-3 To attain a wide range of residential patterns, densities, and site designs consistent with Woodinville's identified needs and preferences.

Land Use Policy LU-1.2 Encourage future development in areas:
1. With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided; and
2. Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality.

Discussion: The subject property has topographic constraints, but clearly has buildable land which is underdeveloped. Adequate public sewers and public water can be provided. Therefore, the R-4 zone is an appropriate implementing zone. Environmental impacts will be minimized. Over 22 acres of common open space will be preserved.

Land Use Policy LU-1.3: Phase development and supporting municipal services together in an organized, cost-effective manner.

Discussion: The sanitary sewer will be extended from west to east in a cost efficient manner.

Land Use Policy LU-2.2: Connect residential, open space, and recreation areas by an appropriately planned network of streets, walkways, bicycle paths, and utility corridors.

Discussion: Connectivity has been carefully taken into consideration in the design of the site. The three neighborhood pods will take access from the most suitable existing public streets which connect to the subject property. A public trail will connect from the northerly pod to 144th Avenue NE. Also, the three pods or neighborhoods in Wood Trails are connected by a public road and sidewalk system.

Land Use Policy LU-3.1: Encourage development that complements the existing residential development patterns in Woodinville's neighborhoods.

Discussion: The property is practically and physically suited for the residential uses allowed in the proposed R-4 zone reclassification. A minimum of 38 lots would be required and a maximum of 85 lots would be allowed. 66 lots are proposed through a design with substantial open space.

Land Use Policy LU-3.2: Preserve the existing natural environment in Woodinville's neighborhoods.

Discussion: Approximately 21.9 acres of common open space will be preserved in perpetuity as Native Growth Protection Area (NGPA).

Land Use Policy LU-3.3: Maintain each residential area as a safe, pleasant and enjoyable place to live.

Discussion: Based on steep slope constraints and connectivity to the existing road system, three logical neighborhoods or pods have been created through careful site planning: a southerly pod of 13 lots, a central pod of 20 lots and a northerly looped pod of 33 lots. 49 of the lots (74%) will have been designed to abut the common open space. Adequate emergency vehicle access has been provided.

Land Use Policy LU-3.4: Provide controls to minimize encroachment by incompatible land uses within and between zoning districts.

Discussion: The preservation of over 20 acres of forested area between the new residential development and the lower industrial area will minimize impacts.

Land Use Policy LU-3.6: Allow densities higher than one dwelling per acre only when adequate services and facilities are available to serve the proposed development.

Discussion: Woodinville Water District has provided sanitary sewer and public water availability certification to this property within the UGA and the District's boundaries.

Land Use Policy LU-3.7: Encourage medium and moderate density housing throughout the community where sufficient public facilities and services are available, where the land is capable of supporting such uses, and where compatible with adjacent land uses.

Discussion: Woodinville Water District has provided sanitary sewer and public water availability certification to this property within the UGA and the District's boundaries.

Land Use Policy LU-3.8: Permit a range of densities to encourage a variety of housing types that meet the housing needs of residents with a range of incomes.

Discussion: The lots are smaller than the suburban density lots on septic systems to the east. However, overall gross density on the subject property is only 1.7 dwelling units per acre. 66 market-priced, detached single-family units will be constructed on the plat.

Future Land Use Map

“Under the Growth Management Act, all zoning actions and development regulations must be consistent with the community’s adopted comprehensive plan.”

“The Future Land Use Map and its accompanying policies will also play a key role in land development and zoning decisions made by elected and appointed officials. All zoning decisions must be consistent with the Comprehensive Plan.”

The subject property is designated Low Density Residential on said plan.

“Low Density Residential

This designation has been applied to all areas currently developed with predominantly single-family detached dwellings. Other dwelling types will be allowed under certain circumstances, such as duplexes, single-family attached, or accessory dwellings. The permitted density for this designation will not exceed 4 dwelling units per acre.”¹

Discussion: Urban services, sanitary sewers and public water can be provided. Therefore, WMC 21.04.80 requires that densities less than R-4 are not allowed where the urban service of sanitary sewers can be provided.

Land Use Policy LU-5.6: Enhance and control water quality through control of runoff and best management practices as adopted by the City of Woodinville.

Discussion: Water quality has been incorporated into the drainage design. See Level 1 Downstream Analysis, dated June 1, 2004, prepared by Triad Associates. Discharge of these additional waters would be collected and routed through water quality facilities designed to meet City of Woodinville water quality standards which require design per the 1998 King County Surface Water Design Manual. Since site drainage is tributary to Little Bear Creek, a detention pond designed to Level 2 flow control standards along with water quality treatment from the Resource Stream Protection Menu is required. These standards have been developed to minimize potential surface and ground, water impacts.

¹ City of Woodinville Comprehensive Plan, June 1996, Ch. 3, p.10. WMC 21.01.010, Ord. 157 § 3, 1996.

Land Use Policy LU-5.11: Control grading and clearing to minimize erosion.

Discussion: Erosion control measures will be utilized during the construction phase to minimize potential erosion impacts. Temporary erosion and sedimentation control plans will be submitted to and approved by the City of Woodinville prior to any clearing or grading activity.

Land Use Policy LU-5.12: Maintain natural vegetation coverage at levels sufficient to moderate surface water runoff and to protect the integrity of stream channels. When revegetation is required, appropriate native vegetation should be used.

Discussion: The development area of the site is approximately 16.8 acres and consists of the area for roads, utilities, trails, buffer and lots. The area of the proposed preliminary plat is approximately 38.7 acres in size. The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation.

Housing Policy H1.4: Define residential land use regulations to allow for development that will accommodate a range of incomes by providing for a range of housing types and cost. Regulations shall include provisions such as:

1. Requiring minimum urban densities for subdivisions to ensure full land use where urban services are provided.
4. Providing flexible subdivision standards subject to adopted criteria.

Discussion: Minimum urban densities (R-4) will be utilized in design. 66 market-priced, detached single-family units will be constructed on the subject plat. Since 85 lots are allowed and only 66 lots are proposed, 19 lots can be considered for transfer of residential density credits in accordance with Chapter 21.36 WMC. The subject property would be the Sending Site pursuant to Chapter 21.36.030 WMC.

Housing Policy H1.6: Provide incentives for moderately priced housing ownership through minimum lot size requirements, and permitting townhome and condominium housing.

Discussion: The project will provide needed detached single-family housing in the north King County market.

Community Design Policy CD-2.3:

Utilize trees and landscaping to mitigate environmental degradation and buffer surrounding land uses by impacted by residential, industrial and commercial activities.

Discussion: The preservation of over 20 acres of forested area between the new residential development and the lower industrial area should minimize impacts.

Community Design Policy CD-3.1.2:

New development should reflect the characteristics of the site. All new development must protect sensitive areas as required by City code. In addition, site design and layout should reflect natural topography and vegetation, solar access and energy conservation, and circulation as specified in the Woodinville Zoning Code.

Discussion: Development of the site would change the visual character of the site for the nearest existing residences from that of largely undeveloped land to that of a single-family residential development. Views of the Olympic Mountains to the west may be opened up in certain areas to improve the vistas from individual homes. A Geotechnical Engineering Report has been prepared by Earth Consultants Inc., dated June 9, 2004. It contains specific information in regard to existing conditions, groundwater, steep slopes, as well as general recommendations for site preparation, foundations, retaining walls and other construction, is included as supplemental environmental information with this environmental checklist. The geotechnical report identifies surface and subsurface conditions and concludes that the site can accommodate the development as proposed with inclusion of some construction recommendations.

E. Rezone Application Prerequisites

The applicant has proceeded through the required Technical Review Committee (TRC) process as required by the City of Woodinville. For this land use application (concurrent preliminary plat, rezone request and environmental review), three levels of TRC were required. The TRC I was conducted on October 1, 2003, the TRC II was conducted on February 3, 2004 and the TRC III was conducted on April 28, 2004. A summary of City of Woodinville staff comments at the end of TRC III is appended to this report.²

In addition, the applicant's team voluntarily conducted a neighborhood meeting at Woodinville Community Center on April 21, 2004. A summary of the meeting minutes is appended to this report.

² Technical Review Committee, Level III Meeting Notes, City of Woodinville Permit Center, April 28, 2004

F. Rezone Conclusions

1. The requested R-4 zone, a zone specifically articulated by the City of Woodinville Comprehensive Plan as appropriate for areas designated *Low Density Residential*, complies with and will implement the *City of Woodinville Comprehensive Plan Future Land Use Map*.
2. The requested rezone to R-4 with the proposed subdivision into 66 detached, single family residential lots, is sufficiently consistent with specific applicable polices of said plan.
3. The PUD indicates sufficient electrical capacity to serve the proposed development.
4. In general, conformity of a rezone to the applicable comprehensive plan is tantamount to its "bear[ing] a substantial relationship to the public...welfare," since the comprehensive plan is the most direct expression of public policy in the topical area of land use.
5. The requested rezone meets the applicable approval tests and should be approved.
6. Adequate basic utility services are available and can be extended to the proposed subdivision. The Woodinville Water District has provided written notice of public water and sanitary sewer service availability to the development.

G. Preliminary Plat Conformance with Applicable Zoning Requirements

The proposed subdivision conforms to the applicable regulations of the City zoning code and other land use controls. In particular, the proposed lot sizes and overall density are specifically permitted under the zoning code with the approved rezone to R-4. Therefore, the application conforms with the criteria of RCW 58.17.100 and .195.

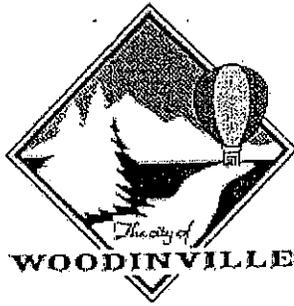
Under RCW 58.17.110, the city is required to determine if "appropriate provisions" are present in the subdivision application for a range of topical areas. The preponderance of the evidence shows that the proposed subdivision, as conditioned herein, makes appropriate provisions for those items enumerated within RCW 58.17.110(2)(a), and serves the public use and interest.

The content of adopted policies and regulations provides reasonable criteria by which to judge whether a proposed subdivision serves the public health, safety and welfare. The application as proposed meets the applicable review criteria. Therefore it serves the public health, safety and welfare.

**AREAS OF CONCERN EXPRESSED BY
THE NEIGHBORS AT THE
WOOD TRAILS NEIGHBORHOOD MEETING
APRIL 21, 2004**

Project Team present: Bob Vick, Phoenix Development, Inc. Loree Quade, Phoenix Development, Inc. George Newman (planner), Triad Assoc., Jeff Cox (landscape architect), Triad Assoc., Mark Keller (civil engineer), Triad Assoc., Mike Swenson (traffic engineer), The Transpo Group, Ray Coglans (geotechnical engineer), Earth Consultants.

- Size of lots.
- Single family, not multi-family.
- Square footage of the homes.
- Price range; many would like to see higher end product to preserve their property values.
- Where are sewers coming from?
- What expenses will the existing homeowners incur for the new utilities brought into the area?
- Will property owners be forced to hook-up to sewer
- What will the sewer connection fees be for the existing homeowners should they wish to connect
- What will the water consumption be?
- What tax dollars will be generated from the new development?
- What is the timing for subdivision and rezone application processing and site and home construction?
- What is the rezone process; did you consider R-1?
- How much noise will there be from existing roads/highways to the west once the site's cleared?
- The comp plan requires keeping the character of surrounding neighborhoods; how is that accomplished.
- Number of access points.
- An issue has been raised of one street accessing the proposed subdivision instead of three.
- A lot of concern raised regarding traffic on NE 202nd St.
- The suggestion was made to access the subdivision from 144th Ave NE and the industrial area.
- Poor sight distance on 195th; 3 children have died over the last 10(?) years.
- Will additional traffic change the classification of existing roads?
- Emergency vehicle access; can only get to the site via 156th.
- Why not extend 148th to Woodinville-Duvall Road?
- Traffic from future development to the north needs to be considered.
- Public noticing – 500' radius is not enough.



**CITY OF WOODINVILLE
TRC MEETING COMMENTS**

PERMIT CENTER
17301 133RD AVENUE NE
WOODINVILLE WA 98072
(425) 489-2754
FAX (425) 789-2756

TRC Proj: TRC03033
TRC Lev I: 10/01/2003
TRC Lev II: 02/03/2004
TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

SITE ADDRESS: PARCEL: 0326-059-042
LOCATION: 148 AVE NE & NE 205 ST

DESCRIPTION OF WORK

REZONE TO R-4, AND FORMAL SUBDIVISIONS FOR SEVERAL PARCELS.

APPLICANT:

WOOD TRAILS (AKA PHOENIX DEV II)
CONTACT PERSON: LOREE QUADE
SUNQUIST HOMES

OWNER:

THRIFTY SUPPLY CO

PO BOX 4148
98009

CITY CONTACT PERSON:

SUSIE MCCANN, PERMIT SUPERVISOR
PERMIT CENTER
17301 133 AVE NE
WOODINVILLE WA 98072
425 489-2754 EXT 2272
FAX 425 489-2756

TRC COMMENTS:

Cond: CON0002834
TRC GENERAL DISCLAIMER:

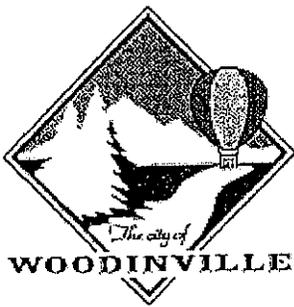
— TRC Lev I

Following review comments are based on the TRC packet information provided by the Permit Center on September 17, 2003. The following comments are non-binding/preliminary and are designed to get the applicant "on track" prior to the submittal of the development applications. Per the City of Woodinville Municipal Code (WMC) 17.09.010 Pre-application Conference: (3) "The discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law since it is impractical for a pre-application conference to be an exhaustive review of all potential issues." Once a complete application has been formally submitted and staff has performed the appropriate review of the development submittal, the following comments and/or issues discussed within the TRC meeting(s) may no longer apply, and revisions to the submittal may be required.

Cond: CON0002827
TRC I - BLD RON BRAUN, BLD INSP

Cond: CON0002828
TRC I - FMO CLIFF HOUSE, FMO INSP

- 1.) Structures built on grade over 15% shall require fire sprinkler system.
- 2.) Provide fire department access to within 150' of any portion of buildable lot.
- 3.) Fire department access roads with deadends over 150' shall have an approved turn-around.
- 4.) Road width and construction for fire department access shall meet City of Woodinville Transportation



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TRC MEETING COMMENTS**

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TRC Proj: TRC03033
TRC Lev I: 10/01/2003
TRC Lev II: 02/03/2004
TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

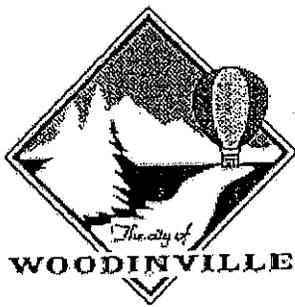
Design Requirements.

- 5.) Current hydrant flow chart shall be obtained from Woodinville Water District.
- 6.) Structures exceeding the required available water for fire flow requirements shall be provided with a fire sprinkler system.
- 7.) Fire flow will be calculated based on square footage of each structure.
- 8.) Required number and location of hydrants will be based on fire flow calculations.
- 9.) All homes shall be sprinkled due to greater than 30 homes served by a single point of access.

Cond: CON0002826
TRC I - CIVIL AL SATO, ALAN HAMMERQUIST, CIVIL INSP

UNOFFICIAL MAPS (KROLL) SHOW FUTURE 60" ROAD ACROSS WETLAND.

2. DISCUSS DESIGN WITH PERMANENT CUL-DE-SAC IN LIEU OF CROSSING.
3. DISCUSS ANY ISSUES RELATING TO CUL-DE-SAC DESIGN.
4. STREET LIGHTING ON-SITE AND OFF-SITE SHALL BE IN ACCORDANCE THE CITY SUBDIVISION CODE SECTION 20.06.150 AND TISS SECTION 1-4.7.
5. PERMANENT SURVEY CONTROL MONUMENTS SHALL BE PROVIDED FOR THE PLAT IN ACCORDANCE WITH THE CITY SUBDIVISION CODE SECTION 20.06.160.
6. PROVIDE SOILS INVESTIGATION INFORMATION FOR TESC MEASURES, ROCKERIES OVER 4 FT HEIGHT, SEPTIC SYSTEM DESIGN APPROVAL AND STRUCTURE FOUNDATION INFORMATION.
7. RESIDENTIAL DRIVEWAYS SHALL BE DESIGNED IN ACCORDANCE WITH CITY TISS SECTION 1-4.6.2.
8. FRONTAGE IMPROVEMENTS SHALL BE PROVIDED AS REQUIRED BY THE CITY ENGINEER THAT MAY INCLUDE 2"GRIND/OVERLAY AND PAVEMENT TRANSITIONS TO EXISTING PAVEMENT.
9. CUL-DE-SAC DESIGN SHALL BE IN ACCORDANCE WITH CITY TISS STD 314.
10. A HEAVY HAULING PERMIT SHALL BE REQUIRED FOR HAUL VOLUMES EXCEEDING 50 CU. YDS. FROM THE SITE.
11. ROCKERIES OVER 4 FT HEIGHT MUST BE DESIGNED BY STRUCTURAL ENGINEER LICENSED IN THE STATE OF WASHINGTON IN ACCORDANCE WITH CITY TISS SECTION 1-4.11 AND UBC SECTION 15.09.230 ADD SECTION 509.1.1 AND WILL REQUIRE SEPARATE BUILDING PERMIT.
12. CURB RETURN RADII AT STREET INTERSECTIONS SHALL BE IN ACCORDANCE WITH CITY TISS SECTION 1-4.2.8
13. CROSSWALKS SHALL BE PROVIDED AT POINTS WHERE A WALKWAY CROSSES THE LANE OF VEHICLE TRAVEL IN ACCORDANCE WITH CITY ZONING CODE 21.18.100



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PROJECT: WOOD TRAILS

14. THE QUANTITY WORKSHEET SHOULD INCLUDE SEPARATE COSTS FOR FRONTAGE IMPROVEMENTS FOR DETERMINATION OF THE PERFORMANCE BOND AMOUNT FOR PERMIT ISSUANCE.

15. FRONTAGE IMPROVEMENTS WILL INCLUDE CHANNELIZATION, HALF STREET 2' DEPTH GRIND/OVERLAY AND PAVEMENT TRANSITIONS TO EXISTING PAVEMENT AS REQUIRED BY THE CITY ENGINEER.

16. CONSTRUCTION PLANS SHALL BE PREPARED IN ACCORDANCE WITH THE CITY TISS SECTION 1-2.2.

Cond: CON0002824
TRC - PARKS PLANNER

1. PARK IMPACT FEES APPLY - \$1,796 PER LOT (21 LOTS X \$1,796 = \$37, 716).

IMPACT FEE PER UNIT/PER LOT SHALL BE PAID AT TIME OF NEW SINGLE FAMILY BUILDING PERMIT IS ISSUED.

Cond: CON0002822

TRC I - PROJECT PLANNER DICK FREDLUND/GINA COCCIA

DISCUSS THE FOLLOWING:

CLUSTERING OF LOTS REDUCED ROAD WIDTHS BUFFERING MINIMUM NET DENSITY CONSIDERATIONS.

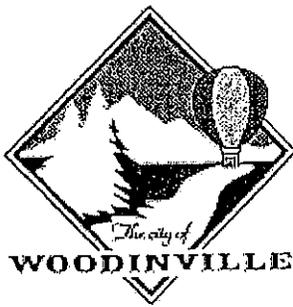
** Applicant needs to consider that re-zoning property from R1 - R4 would require upgrading to sewer. However, the re-zone would not require a Comprehensive Plan change, as R4 is also considered low density. The area that could be serviced by sewer would be rezoned, which is likely to be more than just one parcel. The Applicant would need to work with Woodinville Water/Sewer to determine the exact "service area" to be re-zoned.

** Assuming a re-zone from R1 to R4 - base density = 4 du/ac. GROSS acreage is 50.74 50.74 x 1 du/ac = 203 (202.96) lots - but we use NET density so it would be significantly less.

** WMC 21.16.130 - Applicant must submit a tree preservation plan and maintain at least 30 tree credits per acre (21.16.130.1.a).

** Possible Environmental Impact Statement (EIS) or Mitigated Determination of Non-Significance (MDNS) due to potential impacts on neighborhood.

** Applicant must apply for a Forest Practice Permit due to the overwhelming number of trees present on site.



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PROJECT: WOOD TRAILS

Applicant needs to provide a wetlands survey to designate location and type of critical areas present.

- ** WMC 21.12.100 (Zoning Code) Minimum lot area for construction is 2,500 square feet.
- ** WMC 21.12.030 (Zoning Code) Maximum impervious surface is 45% for a R4 zone.
- ** WMC 20.06.040 (Subdivision Code) Lot standards.
- ** WMC 20.06.050 (Subdivisions Code) Exceptions to lot standards.
- ** WMC 20.06.055 (Subdivision Code) Incentives for flexible lot standards for large subdivisions.

ADDITIONAL COMMENTS DISCUSSED AT THE MEETING:

1. Steep slope, wetland, and traffic impacts will most likely require a DS (this determination will be made in conjunction with the applicant at such time they have more information on the site. A DS may be modified once made, if the applicant can mitigate some of the presumed impacts).
2. City initiated rezone may occur.
3. Considerable citizen involvement predicted.
4. Minimum lot 2500 SF.
5. Binding Site Plan would be considered.
6. Steep slopes and roadway infrastructure areas will be deducted before determining density.
7. Forest Practice Permit and SEPA will be required.
8. Tree Preservation Plan contact is Erika Jensen, Planning Dept.

Cond: CON0002823
TRC I - TRANSPORTATION PLANNER, PATRICK LYNCH

TIA - Trip Generation and Distribution, LOS analysis, impacts to CIP, Mitigation. Include analysis on non-motorized trip generation and mitigation. Include any TDM components.

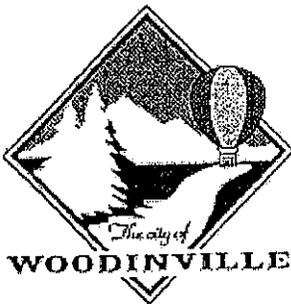
Frontage Improvements - High Density Residential Steet 104A, 60 ft ROW.

ROW dedication - per 104A, 60 ft.

Driveways - residential driveway standards. 14 ft. minimum width, meet minimum spacing, sight distance requirements per City standards.

Intersection Analysis - provide analysis for new intersections (sight distance, geometry, left turn analysis) City standards section 1-4. Left turn analysis - left turn pocket may be warranted.

Off-site street improvements (201st Street) must be improved to the standard for the respective designation (Low Density 103A). Road improvements governed by trip impacts. Look at the possibility of connecting 148th Ave. Access and upgrade of 148th Ave NE may be required by the City instead of NE 201st Street.



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PROJECT: WOOD TRAILS

Cul-de-Sacs must meet City standard section 1-4.2.9 (standard detail 314).

Provide traffic calming features and or devices.

Transportation Impact Fee Ordinance being considered by City Council - see attached staff report.

Street Illumination per City standards 1-4.7.

The proposed 48'-to 50' street right of way width will require a request for variance and approval by the City Engineer

All deviation letters need to be a part of the submittal.

Cond: CON0002825
TRC I - SURFACE WATER COOR

1. DISCUSS DETENTION REQUIREMENTS AND OFF-SITE RELEASE POINTS.

- * Project must be in accordance with current drainage requirements.
- * Little Bear Creek basin.
- * Stormwater runoff must be discharged at the natural location.
- * Technical Information Report required.
- * Proposed project must not create any offsite drainage problems. State in downstream analysis.
- * Resolve any existing on site drainage problems.
- * Indicate downspout control method. Infiltration is required if suitable soils are present. If soils will not support infiltration, runoff must be properly dispersed. If infiltration and dispersion are not practical, connection to the storm system may be allowed.
- * Provide Level 2 flow control (detention). Recommend using dispersal trench method for discharge. Point discharge on steep slopes can cause erosion.
- * Show that existing conveyance system will not be impacted by proposed project.
- * Temporary erosion and sedimentation control must be properly installed and maintained during construction.
- * No illicit discharges in storm system allowed during and after construction.
- * Minimize impervious areas. Save forested areas as much as possible.
- * Resource Stream Protection water quality menu required.
- * Roof area must be included in water quality calculations if the roofing material leaches metals.

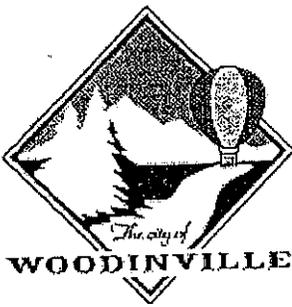


EXHIBIT 19
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CITY OF WOODINVILLE TRC MEETING COMMENTS

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TRC Lev II: 02/03/2004
TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

Cond: CON0002894
TRC I - SUSIE MCCANN, PERMIT CENTER

THE FOLLOWING LAND USE AND BUILDING PERMITS WILL BE REQUIRED:

1. PRELIMINARY PLAT - APPLICATION, CHECKLIST, LAND USE FEE.
2. SEPA REQUIRED - APPLICANT MUST COMPLETE SEPA PROCESS BEFORE A SITE DEVELOPMENT AND/OR BUILDING PERMIT WILL BE ISSUED.
3. SITE DEVELOPMENT PERMIT FOR INFRASTRUCTURE AND OFF-SITE IMPROVEMENTS.
4. HEAVY HAULING RIGHT OF WAY PERMIT REQUIRED IF APPLICANT IS REMOVING OR RECEIVING MORE THAN 5 TRUCKLOADS OF MATERAIL PER DAY.
5. RIGHT OF WAY PERMIT REQUIRED TO STAGE, USE, OR CONSTRUCT ANY IMPROVEMENTS IN THE CITY'S RIGHT OF WAY.
6. NEW SINGLE FAMILY BUILDING PERMIT FOR EACH LOT. APPLICANT CANNOT SUBMIT FOR A BUILDING PERMIT UNTIL FINAL PLAT HAS BEEN APPROVED, RECORDED AT KING COUNTY, AND KING COUNTY HAS ESTABLISHED INDIVIDUAL PARCEL NUMBERS FOR EACH LOT.
7. PLUMBING PERMITS ARE REQUIRED FOR EACH NEW SINGLE FAMILY.
8. MECHANICAL PERMITS REQUIRED FOR EACH NEW SINGLE FAMILY.
9. CITY OF WOODINVILLE DOES NOT ISSUE ELECTRICAL PERMITS. WASHINGTON STATE LABOR AND INDUSTRIES ISSUE ELECTRICAL PERMITS ON LINE AT 111.LNI.WA.GOV/BELLEVUE.
10. SIGN PERMIT REQUIRED TO CONSTRUCT PLAT SIGN.
11. BUILDING PERMIT REQUIRED FOR RETAINING WALLS OVER 4'.

DOCUMENTS:

- * GEO TECH REPORT REQUIRED
- * COPY OF A CURRENT WATER AND SEWER AVAILABILITY IS REQUIRED AT THE TIME OF PERMIT ISSUANCE. COPY OF WATER/SEWER CERTIFICATE MUST BE SUBMITTED WITH THE SITE DEVELOPMENT AND EACH NEW SINGLE FAMILY PERMIT APPLICATION.
- *PROOF OF OWNERSHIP REQUIRED TO SUBMIT FOR LAND USE AND BUILDING/SITE DEVELOPMENT PERMITS
- * APPLICANT MUST SUBMIT A COMPLETE APPLICATION AND PLAN REVIEW FEE OR THE APPLICATION WILL NOT BE ACCEPTED.



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TRC Proj: TRC03033
TRC Lev I: 10/01/2003
TRC Lev II: 02/03/2004
TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

1. Surveying and monumentation required to construct the project shall be in accordance with City TISS Section 2-1.4 and WMC 20.06.160.
2. Street lights shall be in accordance with City TISS Section 1-4.7 and WMC 20.06.150.
3. Flag type lots shall provide adequate frontage widths for access driveways in accordance with City TISS Section 1-4.6.2.
4. Geotechnical report for site soils information shall be required for site design recommendations.
5. Plat Street names shall be provided by the Pub. Wks Dept.
6. All construction documents shall be sealed with wet signature by licensed Civil Engineer by the State of Washington.
7. Site plans shall match list of conditions of preliminary plat approval
8. Compliance with the Hearing Examiner's Decision and MDNS.
9. Design deviations from City standards and requirements, require a request for variance/deviation form completed in accordance with TISS Section 1-1.8.
10. Mail box locations shall be approved by the U.S. Post Master in accordance with TISS Section 1-4.10 and 2-2.83.
11. Street and traffic control sign reflectivity shall be diamond grade and sign support shall be in accordance with City TISS Std. 331 Feb 03 in accordance with the Public Wks Dept.
12. A traffic control plan for construction is required in accordance with TISS Section 1-2.2 (9).
13. Provide site boundary survey with stamped by PLS licensed in the State of Washington.
14. Street grades shall be in accordance with TISS section 1-4.2.5
15. Rockeries and retaining wall over 4 ft height measured from bottom of footing to top of wall must be designed by a structural engineer licensed in the State of Washington in accordance with City TISS Section 1-4.11 and 1997 UBC Section 106.2.
16. Cul-de-sac shall be in accordance with City TISS Section 1-4.2.9 and Std 314
17. All elevations and grades shall be to KC Aerial Survey datum NAVD 1988 and Survey control Network shall be based on NAD 1983/1991.
18. A request for variance will be required for the proposed preliminary street section.

Cond: CON0003411

TRC II - SURFACE WATER COOR

- * Review notes from TRC I.
- * Review storm design requirements for steep slopes. Pipe anchors and energy dissipation structures may be needed.
- * Review pond embankment design requirements.
- * Show connection to existing system.
- * Maintenance access must be provided to all storm water facilities.
- * Downhill lots must not be impacted by upstream neighbors. For example, runoff from lot 42 must not cause drainage problems for lot 43. Address runoff and impacts from each lot.
- * Downstream analysis must clearly meet the intent of Core Requirement No. 2.
- * Show conveyance system for private access and driveway tracts.



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TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

Cond: CON0003412
TRC II - TRANSPORTATION PLANNER

TIA - Trip Generation and Distribution, LOS analysis, impacts to CIP, Mitigation. Include analysis on non-motorized trip generation and mitigation. Provide non-motorized connection to 144th Ave via Viewridge. Include any TDM components. Signal warrant analysis for 201st St/156th Ave will be required.

Provide internal full roadway connection on east property limit.

Frontage Improvements - High Density Residential Steet 104A, 60 ft ROW.

201ST Street is the primary route. 195th Street is the secondary route.

ROW dedication - per 104A, 60 ft.

Driveways - residential driveway standards. 14 ft. minimum width, meet minimum spacing, sight distance requirements per City standards. Consolidate driveways where possible.

Intersection Analysis - provide analysis for new intersections (sight distance, geometry, left turn analysis) City standards section 1-4. Left turn analysis - left turn pocket may be warranted.

Off site road improvements on 201ST, 202ND ST, and 195TH ST will be 36 foot grind and overlay section with 8 foot gravel shoulders. Limits are from proposed development to 156th Ave.

Cul-de-Sacs must meet City standard section 1-4.2.9 (standard detail 314).

Provide traffic calming features and or devices. Propose Traffic Calming Plan for City review.

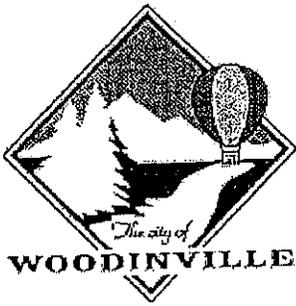
Transportation Impact Fee Ordinance being considered by City Council - see attached staff report.

Street Illumination per City standards 1-4.7.

The proposed 48'-to 50' street right of way width will require a request for variance and approval by the City Engineer.

Submit proposed truck haul route during construction. Will require a ROW permit.

All deviation letters need to be a part of the submittal.



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TRC Lev III: 04/28/2004

PROJECT: WOOD TRAILS

2004. The following comments are non-binding/preliminary and are designed to get the applicant "on track" prior to the submittal of the development applications. Per the City of Woodinville Municipal Code (WMC) 17.09.010 Pre-application Conference: (3) "The discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law since it is impractical for a pre-application conference to be an exhaustive review of all potential issues." Once a complete application has been formally submitted and staff has performed the appropriate review of the development submittal, the following comments and/or issues discussed within the TRC meeting(s) may no longer apply, and revisions to the submittal may be required.

Cond: CON0003686
TRC III - BLD - Still, no infrastructure is planned that requires a building permit.

Cond: CON0003736
TRC III - TRANSPORTATION PLANNER

1. Comments from TRC 1 and 2 still apply.
2. In response to question (3), City encourages connection of internal streets to improve emergency access and general mobility.

Cond: CON0003696
TRC III - SURFACE WATER COOR
* Review notes from TRC I and II. All requirements apply.
* Question 4. Design only shows a tract designated for the detention. Detention facility must meet 1998 King County Surface Water Design Manual requirements.

Cond: CON0003739
TRC III 4/28/04 - PERMIT CENTER

1. PERMITTING REQUIREMENTS ARE LISTED UNDER TRC I COMMENTS.

TRC I - SUSIE MCCANN, PERMIT CENTER

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3. SITE DEVELOPMENT PERMIT FOR INFRASTRUCTURE AND OFF-SITE IMPROVEMENTS.



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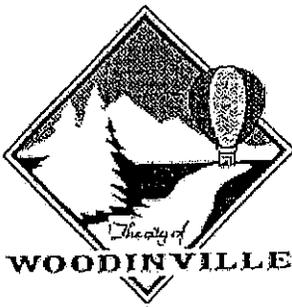
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- *PROOF OF OWNERSHIP REQUIRED TO SUBMIT FOR LAND USE AND BUILDING/SITE DEVELOPMENT PERMITS
- * APPLICANT MUST SUBMIT A COMPLETE APPLICATION AND PLAN REVIEW FEE OR THE APPLICATION WILL NOT BE ACCEPTED.

2. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

3. SITE DEVELOPMENT SUBMITTAL MUST INCLUDE ALL THE REQUIRED INFORMATION LISTED ON THE SITE DEVELOPMENT CHECKLIST AND THE FOLLOWING:

1. LIGHTING PLAN - SEPARATE PLAN SHEET
2. CHANNELIZATION AND SIGNAGE PLAN - SEPARATE PLAN SHEET.
3. CIVIL DRAWINGS WILL INCLUDE BOTH ON AND OFF-SITE IMPROVEMENTS.
4. CURRENT HYDRANT FLOW CHART



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PROJECT: WOOD TRAILS

5. WTR AND SWR CERT
6. GEO TECH REPORT

3. CITY OF WOODINVILLE IS PREPARING TO ADOPT THE INTERNATIONAL BUILDING CODES IN JULY 2004. ALL BUILDING PERMIT APPLICATIONS SUBMITTED PRIOR TO JULY 1, 2004 WILL BE REVIEWED UNDER THE UNIFORM BUILDING CODES. ALL BUILDING PERMIT APPLICATIONS SUBMITTED PRIOR TO JULY 1, 2004 WILL BE REVIEWED UNDER THE UNIFORM BUILDING CODES.

NEW SINGLE FAMILY BUILDING PERMITS SUBMITTED AFTER JULY 1, 2004 WILL BE REVIEWED UNDER THE INTERNATIONAL RESIDENTIAL CODE.

Cond: CON0003741
TRC III - FMO

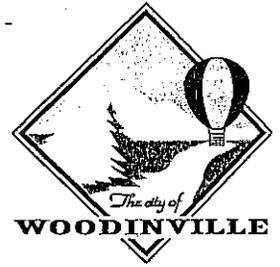
The access requirements of the International Fire Code, which goes into effect 7/1/04, are not met on the plans submitted for the TRC III.

The total number of lots accessing NE 195th shall be determined prior acceptance of the south site's access plan.

Is there a plan to connect the North future development through this development?

July 8, 2004

EXHIBIT 20
PAGE 1 OF 2



*"Citizens, business and local government;
a community commitment to our future."*

Loree Quade
Phoenix Development, Inc.
P.O. Box 3167
Lynnwood, WA 98046

RE: Application ZMA2004-053 Zoning Map Amendment for the Plat of Wood Trails
Application PPA2004-0054 Preliminary Plat for Woods Trails
Application SEP2004-055 SEPA for the Plat of Wood Trails

Dear Ms. Quade;

This letter is to inform you that The City of Woodinville received the above applications on June 18, 2004. Under WMC 17.09.030, the City must respond to your application within twenty-eight days of the date of submittal as to the completeness of the application.

The above applications have been deemed to be complete as of July 8, 2004. A complete application results in two actions. First, it vests that application against future land use amendments; that is the land use regulations in effect as of the date of vesting are those that are used to review your application unless otherwise stated. Any future change in regulations should not impact your application. Second, the determination of a complete application begins a one hundred twenty (120) day time period in which the City must take action (approving, approving with conditions or denying with cause) your applications.

Because the zoning map application requires an amendment to the City Zoning Map, the 120-day period applies only to the actions before the Hearing Examiner. The Examiner will make a recommendation to the City Council who must approve or disapprove any map amendment by ordinance.

The 120-day clock may also be stopped. This will happen whenever additional information has been requested. The clock will remain stopped until the requested information has been received and reviewed as to its responsiveness.

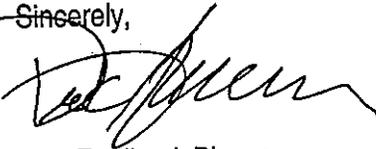
You will be contacted by Ms. Janet Groak, of the City Planning Department regarding the posting of you proposed preliminary plat application. A Notice of Application (NOA) must be published in the paper, posted on site and mailed to any parties of record. There is a fourteen (14) day comment period from the date of publication/posting. Following the posting of the NOA, the City will issue a SEPA determination. This again must be published, and sent to property owners within 500 feet of the boundary of your proposed preliminary plat as well as parties of record. There is a fourteen (14) day appeal/comment period from the date of publication of this action.

Following the termination of the publication commen/appeal periods, the City Planning Department will review the proposed preliminary plat within existing regulations and write a staff report with recommendations to the City Hearing Examiner. A hearing date, time and location will be

established and a notice will be published in the local paper, sent to property owners within 500 feet of the subject property and to all parties of record. Upon completion of this time period, and on the established date and scheduled time, the Hearing Examiner will hold a public hearing. You and/or your representative as well as any expert witness testimony you may wish will be expected to present your case to the Examiner. The Examiner will make a decision as to the reasonableness of your applications within ten working days of the date of hearing.

Again, during the City's application review process of your proposal, it may be necessary to request supplemental information. Such a request does not affect the vesting of an application but is used rather to determine whether or not development impacts have been investigated sufficiently.

Sincerely,



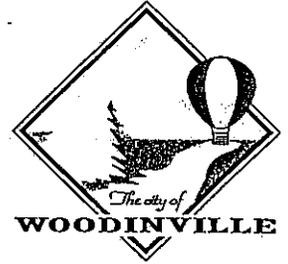
Dick Fredlund, Planner
Woodinville Planning Department

cc: George Newman, Principal
Triad Associates, Inc.

EXHIBIT <u>20</u>
PAGE <u>2</u> OF <u>2</u>

CITY OF WOODINVILLE
17301 133rd Avenue NE
WOODINVILLE, WA. 98072
NOTICE OF APPLICATION
PROJECT: Wood Trails

EXHIBIT 31
PAGE 2 OF 2



"Citizens, business and local government;
a community commitment to our future."

File Number: PPA2004-054/ZMA2004-053
Applicant / Contact: Phoenix Development, Inc./Loree Quade
Date of Application: June 18, 2004
Date of Completion of Application: July 8, 2004
Proposal Location: Directly south of the King-Snohomish County boundary ; West 148th Avenue NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington
Parcel Number(s): 0326059044; 0326059111; 0326059038; 0326059042; 0326059045; 0326059032
Proposed Project Action: Proposed subdivision of 50.5 acres into 66 Single Family lots (concurrent with a proposed zoning map amendment from R1- to R4).
Project Permits and / or Studies requested under RCW36.70B.070: N/A
Other Permits: SEP2004-055
Threshold Determination: To be determined
(if complete at time of issuance of NOA)
Determination of Consistency: To be determined
Hearing Date & Time (if applicable): N/A
Hearing Location: N/A

Copies of all application documents and/or environmental studies that evaluate the proposed project are available for review at City Hall.

This notice of application is issued under Woodinville Municipal Code Chapter 17.11.010; the City will not act on this proposal for 14 days following the date of notice of application. During this period, any interested party may submit written comments and/or appeal procedures. All interested parties are encouraged to participate in any hearings and may request a copy of the decision.

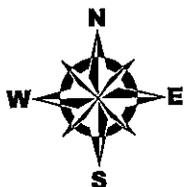
If you have any questions, please contact Dick Fredlund at (425) 489-2757 ext. 2247 .

Date of the Notice of Application: July 19, 2004
RESPONSIBLE OFFICIAL: Ray Sturtz
POSITION/TITLE: Planning Director
ADDRESS: 17301 133rd Avenue NE
Woodinville, WA 98072

SIGNATURE:

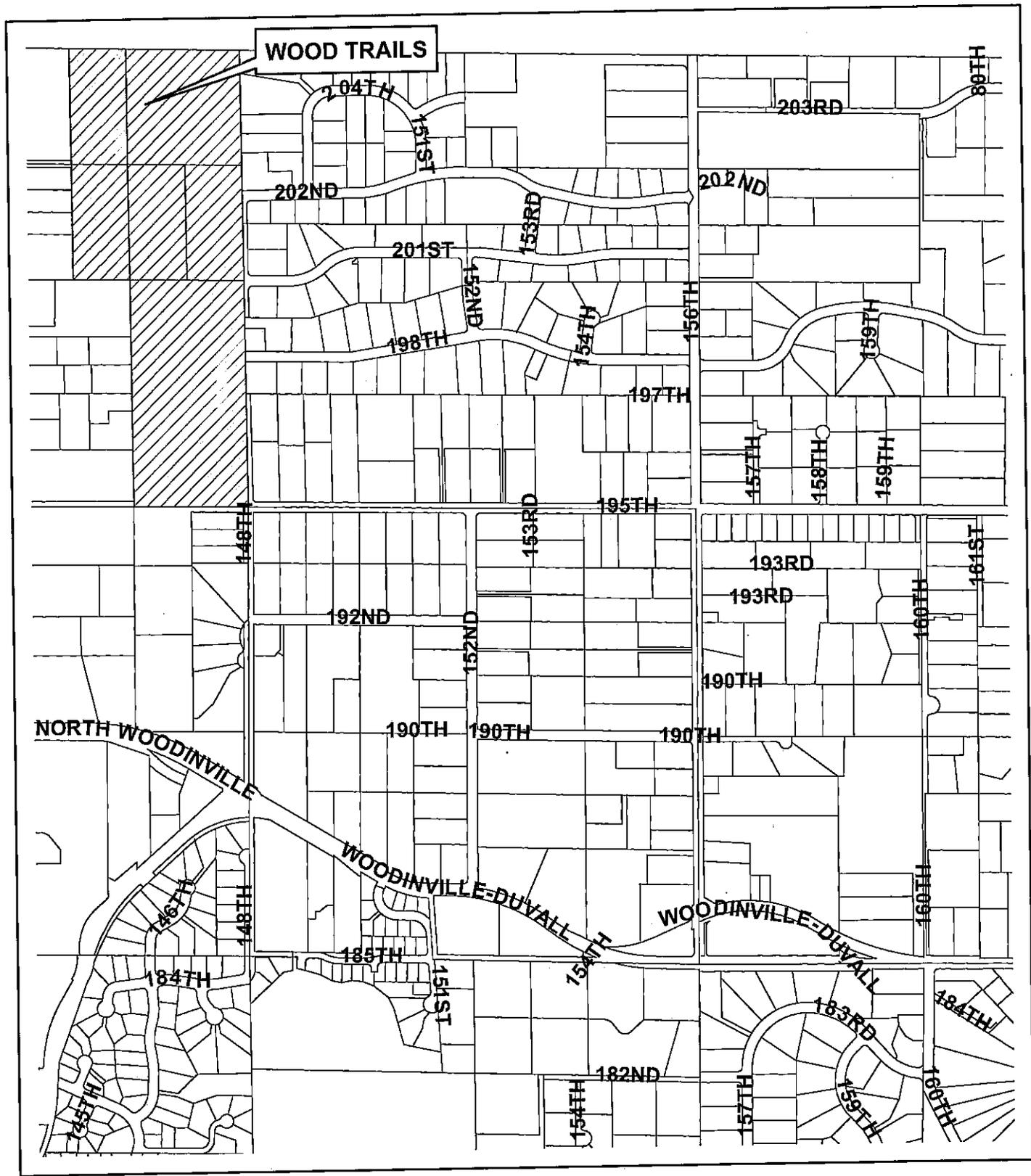
DATE: July 19, 2004

WOOD TRAILS REZONE AND PRELIMINARY PLAT



Parcel Numbers: 0326059111, 0326059032, 0326059038,
0326059042, 0326059044, 0326059045 ,

EXHIBIT 21
PAGE 2 OF 2



The Woodinville WEEKLY

WWW.NWNEWS.COM

July 19, 2004

U.S. Mail delivered to all Woodinville, Kingsgate, Duwall and Carnation residences. Carrier delivered to English Hill. Combined circulation: 29,765
13342 NE 175th (Woodgate Mall) • P.O. Box 587, Woodinville, WA 98072 • (425)483-0606 • FAX (425)486-7593

Vol. 28 No. 41

EXHIBIT 22
PAGE 1 OF 1

CITY OF WOODINVILLE
PLANNING DEPARTMENT
17301 133rd AVENUE NE
WOODINVILLE, WA 98072
(425)486-2757

NOTICE OF APPLICATION
Wood Trails

File Number: PPA2004-034/ZMA2004-053
Applicant/Contact: Phoenix Development, Inc./Loftee Guade
Date of Application: June 15, 2004
Date of Completion of Application: July 8, 2004
Proposed Location: Directly south of the King-Spokane boundary
West 18th Avenue NE from NE 195th Street to NE 202nd Street,
Woodinville, King County, Washington
Parcel Number: 0326059045, 0326059111, 0326059038,
0326059042, 0326059045, 0326059032
Proposed Project Action: Proposed subdivision of 50.5 acres into
66 single-family lots, concurrent with a proposed zoning map
amendment (from R to F4)
Project Permits and/or Studies requested under RCW36.70B.07.0:
N/A
Other Permits: SEP2004-055
Time for Determination: To be determined (if complete at time of
issuance of notice of application)
Determination of Consistency: To be determined
Hearing Date & Time: (if applicable): To be determined
Hearing Location: City of Woodinville Council Chambers
Date of the Notice of Application: July 19, 2004
Copies of all application documents and/or environmental studies that
evaluate the proposed project are available for review at City Hall.
This notice of application is issued under Woodinville Municipal Code
Chapter 17.11.010. The City will not act on this proposal for 14 days
following the date of notice of application. During this period, any
interested party may submit written comments and/or appeal procedures.
All parties interested are encouraged to participate in any hearings
and may request a copy of the decision.
If you have any questions, please contact Dick Fredlund at (425)
486-2757 ext. 2247.
Responsible Official: Ray Surtz, Director of Planning and Community
Development

Published July 19th, 2004

EXHIBIT 23
PAGE 2 OF 5

022605 9008 Gregory Stoneking & Joan Atlas 14808 NE 195th St Woodinville, WA 98072	022605 9132 Brian & Jill Ann Walsh 14824 NE 195th St Woodinville, WA 98072	022605 9133 David & Janine Mudrovich 14844 NE 195th St Woodinville, WA 98072
022605 9134 Michael & Marcia Holmdahl 14862 NE 195th St Woodinville, WA 98072	022605 9149 George & Sandra White 14818 NE 195th St Woodinville, WA 98072	022605 9152 Gold 74 Lolly Ln Stamford, CT 06903
032605 9001 Universal & Land Construction Compa PO Box 329 Woodinville, WA 98072	032605 9001 Universal & Land Construction Compa PO Box 329 Woodinville, WA 98072	032605 9001 Universal & Land Construction Compa PO Box 329 Woodinville, WA 98072
032605 9021 Richard & Janice Dailey 19417 148th Ave NE Woodinville, WA 98072	032605 9033 Len & Pam Lacasse 19825 32nd Ave NE Seattle, WA 98155	032605 9033 Len & Pam Lacasse 19825 32nd Ave NE Seattle, WA 98155
032605 9035 Christina & Sandy Enterprises L L 19600 144th Ave NE Woodinville, WA 98072	032605 9040 Frank & Linda Stull III 14390 NE 200th St Woodinville, WA 98072	032605 9048 Universal & Land Construction PO Box 329 Woodinville, WA 98072
032605 9071 Skywest Inc PO Box 82129 Kenmore, WA 98028	032605 9071 Skywest Inc PO Box 82129 Kenmore, WA 98028	032605 9071 Skywest Inc PO Box 82129 Kenmore, WA 98028
032605 9086 Park 144 Llc 19400 144th Ave NE Woodinville, WA 98072	032605 9086 Park 144 Llc 19400 144th Ave NE Woodinville, WA 98072	032605 9086 Park 144 Llc 19400 144th Ave NE Woodinville, WA 98072
032605 9087 L L C Henry II 10500 NE 8th St #625 Bellevue, WA 98004	032605 9091 Robert Gooch 9528 January Dr Las Vegas, NV 89134	032605 9100 Old 31 Llc 2100 116th Ave NE Bellevue, WA 98004
032605 9101 Collins Investments Llc 19900 144th Ave NE Woodinville, WA 98072	032605 9102 Woodinville Warehouse Associates LI PO Box 5003 Bellevue, WA 98009	032605 9103 Dpgp Investments L L C PO Box 1845 Bothell, WA 98041
032605 9104 Otto Development Limited Partnership 21835 NE 203rd Pl Woodinville, WA 98077	032605 9108 Mechanical Johansen PO Box 1768 Woodinville, WA 98072	032605 9110 L L C Henry II 10500 NE 8th St #900 Bellevue, WA 98004

EXHIBIT 23
PAGE 3 OF 5

032605 9117
Rome Properties Llc
19628 144th Ave NE
Woodinville, WA 98072

24

032605 9118
Stanley Family Limited Partners
19710 144th Ave NE
Woodinville, WA 98072

25

032605 9123
Walter Edson
PO Box 82373
Kenmore, WA 98028

26

032605 9124
Joseph Ravenel
19319 148th Ave NE
Woodinville, WA 98072

27

032605 9125
Ridgewood Llc
14680 NE N Woodinville Way #120
Woodinville, WA 98072

28

032605 9128
Viewridge Development
PO Box 1650
Woodinville, WA 98072

29

032605 9129
Viewridge Development Llc
PO Box 1650
Woodinville, WA 98072

30

032605 9130
Minch Land Holdings Llc
20150 144th Ave NE
Woodinville, WA 98072

31

032605 9131
Viewridge Development Llc
PO Box 1650
Woodinville, WA 98072

32

032605 9134
G & S Sundquist Third Family Limited
3030 NE 181st St
Seattle, WA 98155

33

032605 9138
Vis Real Estate
14326 Bear Creek Rd NE
Woodinville, WA 98077

34

032605 9142
Avalon Partners L L C
PO Box 1603
Woodinville, WA 98072

35

032605 9143
Roger & Kristine Wiggins
19722 144th Ave NE
Woodinville, WA 98072

36

032605 9144
Emerald Development
PO Box 1543
Woodinville, WA 98072

37

032605 9145
S & S Partnernship
5950 6th Ave S #200
Seattle, WA 98108

38

032605 9147
19230 Building Llc
19230 144th Ave NE
Woodinville, WA 98072

39

032605 9149
Boudreau Family Llc
20485 144th Ave NE
Woodinville, WA 98072

40

032605 9154
Us Glove Co Inc
14660 NE N Woodinville Way
Woodinville, WA 98072

41

247470 0010
Jonathan & Monica Zier
19203 148th Ave NE
Woodinville, WA 98072

41

247470 0020
Mrs. Richard Block
19199 148th Ave NE
Woodinville, WA 98072

42

324450 0055
James & Sandra Hoflin
14816 NE 192nd St
Woodinville, WA 98072

43

324450 0056
James & Sandra Hoflin
14816 NE 192nd St
Woodinville, WA 98072

44

324450 0057
Daniel & Jill Mcmillan
14869 NE 195th St
Woodinville, WA 98072

45

324450 0058
Glenn & Michelle Hoogerwerf
14826 NE 192nd St
Woodinville, WA 98072

46

324450 0060
Hoflin James & Sandra Dba Hoflin Ho
23113 76th Ave SE
Woodinville, WA 98072

47

324450 0063
Gary & Jeri Oman
14241 NE Woodinville Duvall Rd
Woodinville, WA 98072

49

324450 0064
David & Nancy Courtney
19410 148th Ave NE
Woodinville, WA 98072

50

664110 0100
Telemark Associates Llc
19913 144th Ave NE
Woodinville, WA 98072

92

923848 0030
William Vonschneidau
15002 NE 201st St
Woodinville, WA 98072

51

EXHIBIT 23
PAGE 4 OF 5923848 0040
James Hartman
14908 NE 201st St
Woodinville, WA 98072 (52)923848 0050
Stephen Maloney
PO Box 1602
Woodinville, WA 98072 (53)923848 0060
Martin & Jaclyn Schwarz
20122 148th Ave NE
Woodinville, WA 98072 (54)923848 0070
Allen Hicks & L W Kathleen
14808 NE 201st St
Woodinville, WA 98072 (55)923848 0080
Marc & Shirley Blankenburg
14807 NE 201st St
Woodinville, WA 98072 (56)923848 0090
Vicky Lynn Deloff
Anthony Raymond Sexson
14821 NE 201st St
Woodinville, WA 98072 (57)923848 0100
E Nadine Jones
14903 NE 201st St
Woodinville, WA 98072 (58)923848 0110
Kenneth Smith
14917 NE 201st St
Woodinville, WA 98072 (59)923850 0230
Michael & Michelle Ogrady
2000 112th Ave NE
Bellevue, WA 98004 (60)923850 0240
L W Kuebler
20255 149th PI NE
Woodinville, WA 98072 (61)923850 0250
C W Bower
20249 149th PI NE
Woodinville, WA 98072 (62)923850 0260
Mark & Angelique Tatham
10226 NE 197th St
Bothell, WA 98011 (63)923850 0270
Allan Swanson
20227 149th PI NE
Woodinville, WA 98072 (64)923850 0280
Sea Horn Construction Co
11320 NE 88th St
Kirkland, WA 98033 (65)923850 0290
W F Barnes
14816 NE 202nd St
Woodinville, WA 98072 (66)923850 0300
Eric & Mardy Lippke
14805 NE 202nd St
Woodinville, WA 98072 (67)923850 0310
Muriel Orr-ryan
14821 NE 202nd St
Woodinville, WA 98072 (68)923850 0320
James Bressani
14835 NE 202nd St
Woodinville, WA 98072 (69)923850 0330
Kate Fraley
14909 NE 202nd St
Woodinville, WA 98072 (70)923850 0420
James & Wendy Avery
14906 NE 202nd St
Woodinville, WA 98072 (71)923850 0430
Robert & Sarah Jacobs
20220 149th PI NE
Woodinville, WA 98072 (72)923850 0440
Jarrett & Erin Renshaw
20230 149th PI NE
Woodinville, WA 98072 (73)923850 0450
Reiny Falkenberg
20246 149th PI NE
Woodinville, WA 98072 (74)923851 0100
Otto & Susan Paris
14906 NE 198th St
Woodinville, WA 98072 (75)923851 0110
Douglas & Susan Gibson
14830 NE 198th St
Woodinville, WA 98072 (76)923851 0120
August Cifelli
14818 NE 198th St
Woodinville, WA 98072 (77)923851 0130
William Bradford
14811 NE 198th St
Woodinville, WA 98072 (78)923851 0140
Brian & Cheryl Fountain
14823 NE 198th St
Woodinville, WA 98072 (79)923851 0150
Richard Lyons
14835 NE 198th St
Woodinville, WA 98072 (80)923851 0160
Clifford & Sheri Ann Griffin
14907 NE 198th St
Woodinville, WA 98072 (81)

324450 0062
James & Sandra Hoflin
22906 81st Ave SE
Woodinville, WA 98072

49

923851 0250
King County
500 4th Ave
Seattle, WA 98104

82

619040 0010
Steve & Suzanne Stusser
10515 NE 170th St
Bothell, WA 98011

83

619040 0020
Northshore Sheet Metal
19612 144th Ave NE
Woodinville, WA 98072

84

EXHIBIT 23
PAGE 2 OF 2



EXHIBIT 24
PAGE 1 OF 2

file

STATE OF WASHINGTON

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

128 - 10th Avenue SW • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000

January 18, 2006

Ray Sturtz
Community Development Director
City of Woodinville Community Development
17301 - 133rd Avenue Northeast
Woodinville, Washington 98072-8563

RECEIVED

JAN 20 2006

City of Woodinville

Dear Mr. Sturtz:

Thank you for sending the Washington State Department of Community, Trade and Economic Development (CTED) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Woodinville - Proposed rezone of 55 acres of land from R-1 to R-4 for Wood Trails and Montevallo Subdivisions (Phoenix Development). These materials were received on 01/18/2006 and processed with the Material ID # 10015.

We have forwarded a copy of this notice to other state agencies. If this is a draft amendment, adopted amendments should be sent to CTED within ten days of adoption and to any other state agencies who commented on the draft.

If you have any questions, please call me at 360 725-3064.

Sincerely,

Linda Weyl
fox

Anne Fritzel
Growth Management Planner
Growth Management Services

Enclosure

STATE AGENCIES REVIEWING DEV REGS

Revised August 9, 2005

Cities and counties need to send their development regulations to the agencies' representatives, as listed below, at least 60 days ahead of adoption. Adopted development regulations should be sent to Washington State Department of Community, Trade and Economic Development (CTED) immediately upon publication, as well as to any state agencies that commented on the draft regulation. A jurisdiction does *not* need to send its regulation to the agencies which have been called ahead and that have indicated the local plan will not be reviewed. The jurisdiction should keep a record of this contact with state agencies and the state agencies response.

Elizabeth McNagny
Department of Social and Health Services
Post Office Box 45848
Olympia, Washington 98504-5848
(360) 902-8164 Fax: 902-7889
Email: mcnagec@dshs.wa.gov

SEPA/GMA Coordinator
Department of Ecology
Post Office Box 47600
Olympia, Washington 98504-7600
(360) 407-6960 Fax: (360) 407-6904
Email: gmacoordination@ecy.wa.gov

Steve Penland
Department of Fish and Wildlife
Post Office Box 43155
Olympia, Washington 98504-3155
(360) 902-2598 Fax: (360) 902-2946
Email: penlastp@dfw.wa.gov

Harriet Beale
Puget Sound Water Quality Action Team
Post Office Box 40900
Olympia, Washington 98504-0900
(360) 725-5442 Fax: (360) 407-7333
Email: hbeale@psat.wa.gov

Review Team
Department of Community, Trade and
Economic Development
Growth Management Services
Post Office Box 42525
Olympia, Washington 98504-2525
(360) 725-3000 Fax: (360) 753-2950
Email: reviewteam@cted.wa.gov

Bill Wiebe
Department of Transportation
Post Office Box 47300
Olympia, Washington 98504-7370
(360) 705-7965 Fax: 705-6813
Email: wiebeb@wsdot.wa.gov

Anne Sharar
Department of Natural Resources
Post Office Box 47001
Olympia, Washington 98504-7001
(360) 902-1739 Fax: (360) 902-1776
Email: anne.sharar@wadnr.gov

Rebecca Barney
Department of Corrections
Post Office Box 41112
Olympia, Washington 98504-1112
(360) 753-3973 Fax: (360) 586-8723
Email: rmbarney@doc1.wa.gov

John Aden
Department of Health
Division of Drinking Water
Post Office Box 47822
Olympia, Washington 98504-7822
(360) 236-3157 Fax: (360) 236-2252
Email: John.Aden@doh.wa.gov

RECEIVED

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

City of Woodinville
Department of Planning & Community
Development

EXHIBIT 25
PAGE 1 OF 3

File #	2004-055
Appl. Type	BEDA
TRC III Date	
Fee paid	730
Date Rec'd	6-18-04

GENERAL APPLICATION FORM

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

RECEIVED

JUN - 3 2004

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)	
If yes, what other permits/applications are you submitting at this time?	Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.				
Legal Description:	(See Attached)				
Tax Parcel Number:	(See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft):	2,199,780 sf/50.5 ac	Comp. Plan Designation:	Low Density Residential	Zone:	R-1
Current Use:	Vacant Land				
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.				

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name Kathleen C. Horton	Name
Signature	Signature
Tax No. or Lot & Subdivision 032605 9044 01	Tax No. or Lot & Subdivision
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.	
Signature: Loree Quade, Phoenix Development, Inc.	Date: 6/9/04

RECEIVED

EXHIBIT 25
PAGE 2 OF 3

File #	2004-055
Appl. Type	SEP
TRC III Date	
Fee paid	730
Date Rec'd	6-18

JUN 18 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

City of Woodinville
Department of Planning & Community
Development

GENERAL APPLICATION FORM

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (Consolidated Permit Reviews require all applications be submitted concurrently.)
If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.			
Legal Description:	(See Attached)			
Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential		Zone: R-1	
Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name G & S Sundquist Third Family Limited Partnership	Name
Signature <i>Loree Sundquist</i>	Signature
Tax No. or Lot & Subdivision 032605 9111 09	Tax No. or Lot & Subdivision
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.	
Signature: Loree Quade, Phoenix Development, Inc.	Date: 6/9/04

RECEIVED

EXHIBIT
PAGE ___ OF ___

REC

APR

EXHIBIT 25
PAGE 3 of 3

Type	2004 055 SEPA
Ill Date	
Fee paid	730
Date Rec'd	6-18

JUN 18 2004
CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

City of Woodinville
Department of Planning & Co
Development

GENERAL APPLICATION FORM

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? YES NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)
If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review.

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.			
Legal Description:	(See Attached)			
Tax Parcel Number: (See Attached)	1/4 Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential		Zone: R-1	
Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

AUTHORIZATION TO FILE:

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name: Charlotte E. Huse, as Trustee of the Charles R. Huse Testamentary Trust	Name: Charles R. Huse Testamentary Trust
Signature: Rose M. Lehmann	Signature:
Tax No. of Lot & Subdivision: 032605 9038 09 & 032605 9131 05	Tax No. or Lot & Subdivision:
<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date:	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date:

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc. Date: 6/9/04

Purpose of Checklist: The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the environment. The purpose of this checklist is to provide information to help King County's Responsible Official and any other agencies with jurisdiction to identify impacts from a proposal (and to reduce or avoid impacts from the proposal, if it can be done), and to help King County decide whether an EIS is required.

EXHIBIT 26
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A. BACKGROUND

1. Name of proposed project, if applicable:

Wood Trails

2. Name of proponent:

Phoenix Development, Inc.

3. Address and phone number of proponent and contact person:

Proponent: Phoenix Development, Inc.
Contact: Loree Quade
P.O. Box 3197
7127 - 196th Street SW
Lynnwood, WA 98046-3167
(425) 775-8663 ext.106

Contact Person: George Newman, Principal
Triad Associates
11814 115th Avenue NE
Kirkland, WA 98034
(425) 821-8448

4. Date checklist prepared:

June 10, 2004

5. Agency requesting checklist:

City of Woodinville

6. Proposed timing or schedule (including phasing, if applicable):

The proponent will begin construction upon receiving all necessary approvals and permits. It is anticipated that the proposed project will be constructed beginning in Spring, 2005.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

Yes. Sanitary sewer extension through the subject property which could serve other areas within the Urban Growth Area (UGA).

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

EXHIBIT 26
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8. Environmental information that has been prepared, or will be prepared, directly related to this proposal.

An environmental assessment will be made based on the review of this SEPA Checklist. Supplemental to this SEPA Checklist are the following technical studies with specific technical information including:

- Level 1 Downstream Analysis, April 26, 2004 –Triad Associates
- Preliminary Technical Information Report, June 10, 2004 –Triad Associates
- Geotechnical Engineering Study, June 9, 2004 – Earth Consultants, Inc.
- Wood Trails Traffic Study, June, 2004 – The Transpo Group
- Wood Trails Wetland Reconnaissance, June 7, 2004, B-twelve Associates, Inc.

Each of the above documents are hereby incorporated by reference into this Checklist.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by this proposal?

Utility extension and construction approvals from the Woodinville Water District for public water and sanitary sewer.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

The following approvals/permits will likely be needed for this proposal:

- Rezone & Preliminary Plat Approval..... City of Woodinville
- SEPA Threshold Determination..... City of Woodinville
- Clearing and Grading Permits City of Woodinville
- Forest Practice Permit..... State Dept. Natural Resources
- Road and Storm Drainage Approval..... City of Woodinville
- Water Extension Approval..... Woodinville Water District
- Sanitary Sewer Extension Approval Woodinville Water District
- Building Permits..... City of Woodinville
- NPDES Permit..... State Dept. of Ecology

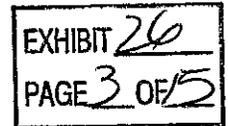
11. Description of the proposal including the proposed uses and the size of the project and site.

Proposal

The initial total property assemblage is 50.5 acres. The northerly 11.8 acres of this assemblage is unusable and is not needed for tree retention and open space requirements of the proposed 66 lots. This northerly Tract A will be segregated through a boundary line adjustment to be approved by the City prior to recording of the final plat.

The proposal is to subdivide southerly 38.7 acres based upon a rezone to R-4. Based on steep slope constraints 66 detached, single-family lots can be accommodated on the buildable portion of the site which meet city standards. The minimum density required pursuant to 21.12.060 WMC is 38 lots while the maximum density allowed is 85 lots. The applicant expressly preserves the option of transferring surplus density (19 lots) as permitted through Ch. 21.36 WMC, Transfer of Density Credits, to other potential sites within the Woodinville UGA.

Based on steep slope constraints and connectivity to the existing road system, three logical neighborhoods or pods have been created through careful site planning: a southerly pod of 13 lots, a central pod of 20 lots and a northerly looped pod of 33 lots. Forty-nine of the lots (74%) will have been designed to abut the common open space.



Zoning/Density

Property is currently zoned R-1. The subject property is within the City's Urban Growth Area (UGA) and designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use. Gross density will be 1.7 dwelling units per acre.

Site Utilities

All lots will utilize sanitary sewers and public water provided by Woodinville Water District. Puget Sound Energy will be the primary provider for electrical service. Verizon will provide telephone service and AT&T will serve cable subscribers.

Vehicular Access and Circulation

The 66 proposed lots will take access from three new public road extensions which will connect with the existing city road stubs to the property. The two existing city streets proposed to serve the new connected road system is NE 198th Street and NE 201st Street.

Site Clearing and Grading

The proposal will require clearing and grading for roads, utilities, and individual lot development.

Proposed Treatment of Steep Slopes

Steep slopes in the westerly portion of the site will be protected as a Native Growth Protection Area in common open space Tracts L and F.

Open Space Areas

A total of 22.8 acres of common open space is being provided which represents 59% of the area within the plat. Approximately 21.9 acres of that open space will be protected in perpetuity as Native Growth Protection Area (NGPA). Approximately 3 acres of the subject plat will be contained within the lower Tract D for detention. An additional 2.5 acres will be utilized for public road right-of-way and private access tracts.

Storm Drainage

Most of the new storm water runoff from road and house impervious surfaces will be collected and directed to a single detention pond located within the lower, west central area of the site (Tract D, 3.0 acres). Due to topographic constraints, drainage from 6 lots in the southerly pod and 2 lots from the central pod will bypass the proposed detention pond. Runoff from Lots 1-4 and the short private access road (Tract M) will be conveyed to the existing storm drainage system within 144th Avenue NE via underground pipes along the southern boundary of the subject plat. Runoff from Lots 12, 13, 29 and 30 is proposed to be discharged through a dispersion trench in common open space Tract L. A waiver from the standard drainage design will be required.

12. **Location of the proposal. Provide a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if available.**

The subject is located in the north portion of the City of Woodinville and the Woodinville Urban Growth Area (UGA). The 50.5 acre assemblage is south of the Wellington Hills Golf Course and immediately south of the King-Snohomish County boundary. The rectangular shaped property lies on the west side of the 148th Avenue NE and can be accessed from NE 202nd Street, NE 201st Street,

NE 198th Street and NE 195th Street. The property lies in a portion of Section 3,
Township 26N, Range 5E, W.M., in King County, Washington

Refer to the preliminary plat map for the legal description and vicinity map.

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B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site (circle one):** rolling, hilly, steep slopes, mountainous.

The proposed residential development will occupy approximately 16 acres of the total site with the remainder being in common open space tracts as Native Growth Protection Area.

- b. **What is the steepest slope on the site (approximate percent slope)?**

Generally, the western portion of the site is level, while the eastern portion of the site slopes downward from west to east. The steepest slopes, 40% or greater, are located along the western half of the project site in the future native growth protection area.

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

A Geotechnical Engineering Report has been prepared by Earth Consultants Inc., dated June 9, 2004. It contains specific information in regard to existing conditions, groundwater, steep slopes, as well as general recommendations for site preparation, foundations, retaining walls and other construction, is included as supplemental environmental information with this environmental checklist. The geotechnical report identifies surface and subsurface conditions and concludes that the site can accommodate the development as proposed with inclusion of some construction recommendations.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

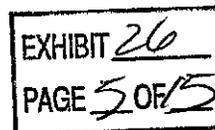
None identified.

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

Grading for this residential development will be limited to those areas identified for roads, storm drainage, utility infrastructure and home sites. It is estimated that there will be up to 80,000 cubic yards of soil moved with an additional 30,000 cubic yards of stripping. The ultimate cut and fill quantities will be determined during final engineering. No clearing or grading activity will start until the necessary permits are obtained.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

Limited erosion could occur as a result of the initial construction on-site. However, erosion control measures will be utilized during the construction phase to minimize



potential erosion impacts. Temporary erosion and sedimentation control plans will be submitted to and approved by the City of Woodinville prior to any clearing or grading activity.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Total impervious area is estimated at 8.91 acres, or about 23% of the total area included in the proposed plat.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The development area will largely be confined to the east and central portion of the property. The majority of the site encompassing the steep slopes will be preserved as a Native Growth Protection Area (21.9 acres). A temporary erosion and sedimentation control plan, designed in accordance with City of Woodinville standards, will be employed during the construction phase of this project. Said plan will be prepared in conjunction with the recommendations of the geotechnical report.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

During project construction, heavy equipment operation and workers' vehicles would generate exhaust emissions into the immediate vicinity. Construction activity on the site could also stir up exposed soils and generate dust and particulate matter into the local air. The completed project would result in a minor increase in the amount of emission-related pollutants in the local air from project related traffic.

- b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

There are no known off-site sources of emissions or odors that are likely to impact this project.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Watering of the site as necessary during the construction phase of the project will help control dust and other particulates.

3. Water

- a. Surface:**

- 1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The proposed plat is located within the Little Bear Creek watershed. An offsite wetland area was investigated by a wetland biologist at the request of city staff at the TRC III meeting. These findings are specified in a letter from B12 dated June

7, 2004 appended to this checklist. It was concluded that no wetlands, streams or buffers of off-site wetlands or streams are located on the property.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.

There is no surface water or wetlands impacted.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Additional stormwater runoff would occur in proportion to the total new impervious and cleared surfaces associated with the project. Small quantities of petrochemicals, fertilizers, and other household and yard products normally expected with a residential development are anticipated to be present in the runoff. Primary control of these potential pollutants would be provided through the inclusion of water quality measures in the drainage design.

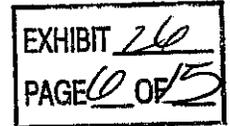
b. Ground:

- 1) Will groundwater be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No. The proposed development will be served by public water from Woodinville Water District. Therefore, no ground water will be withdrawn to serve future residences.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals ..; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

There will be no waste material discharged into the ground. The plat will be served by sanitary sewers from Woodinville Water District. Eight lots will discharge storm water through dispersion trenches or into existing drainage systems.



c. Water Run-off (including stormwater):

- 1) Describe the source of run-off (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The new plat roads, future homes and cleared lots will create additional impervious surfaces (8.91 acres total impervious surfaces). Increased storm water runoff will occur as a result of the home construction and paved roadway.

Refer to the Technical Information Report (TIR) dated June 10, 2004.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Minimal pollutants normally associated with this type of development could enter the surface water. However, the amount would be minimal since the on-site drainage will include the use of treatment facilities in conformance with current City of Woodinville standards. The proposed plans for stormwater and run-off control are expected to minimize entry of waste materials or pollutants to groundwater resources and/or surface waters.

d. Proposed measures to reduce or control surface, ground, and run-off water impacts, if any:

See Level 1 Downstream Analysis dated June 1, 2004. Discharge of these additional waters would be collected and routed through water quality facilities designed to meet City of Woodinville water quality standards which require design per the 1998 King County Surface Water Design Manual. Since site drainage is tributary to Little Bear Creek, a detention pond designed to Level 2 flow control standards along with water quality treatment from the Resource Stream Protection Menu is required. These standards have been developed to minimize potential surface and ground, water impacts.

4. Plants

a. Check or circle types of vegetation found on the site:

- Evergreen trees: western red cedar, western hemlock
 Deciduous trees: red alder, black cottonwood, big leaf maple
 Shrubs: salmonberry, vine maple, sword fern, Pacific bleeding heart, false lily-of-the-valley

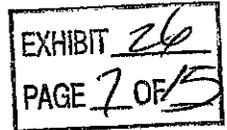
b. What kind and amount of vegetation will be removed or altered?

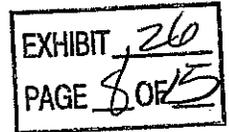
The entire site is forested with a canopy of deciduous and coniferous trees. To generate the site grade appropriate for the road, detention pond and proposed houses, all of the vegetation within these areas will be removed. The majority of the trees on this site will remain protected as NGPA within the 21.9 acres of common open space.

c. List threatened or endangered species known to be on or near the site.

There are no known threatened or endangered species on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:





The development area of the site is approximately 16.8 acres and consists of the area for roads, utilities, trails, buffer and lots. The area of the proposed preliminary plat is approximately 38.7 acres in size. The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation.

WMC 21.16.130(1) (a) indicates that a minimum tree-credits factor required for the buildable area of each site is 30 tree credits per acre. The buildable area of the site is 16.8 acres then 504 tree credits are required to be provided. WMC 21.16.140 requires the preparation of a Tree Preservation Plan concurrent with a proposed preliminary plat application.

The tree survey indicates that 1,656 trees (of 6" size or greater) will be removed from the development area of the site to facilitate development. The trees located within the steep slopes greater than 40% and open space have not been surveyed. However, WMC 21.16.140(1) recommended by staff indicates that a tree survey may be conducted by a method that locates individual trees or by using standard timber cruising methods to reflect general locations, numbers, and grouping of trees. The tree survey identified 1,656 trees within the buildable area which would equate to 3,055.6 total tree credits, or, 184.52 credits per acre within the buildable area. This means that 2.7 acres of the 21.0 acres of the open space portion of the site will be utilized to meet the tree credit requirements for the project. By virtue of protecting the steep slopes greater than 40%, the plat as designed has over eight times the necessary tree retention requirement.

5. Animals

- a. Check or circle any birds and animals which have been observed on or near the site, or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: American crow (*Corvus brachyrhynchos*), American robin (*Turdus migratorius*), black-capped chickadee (*Parus atricapillus*), bushtit (*Psittiparus minimus*), common raven (*Corvus corax*), rufous-sided towhee (*Pipilo erythrophthalmus*), song sparrow (*Melospiza melodia*), steller's jay (*Cyanocitta stelleri*), and winter wren (

Mammals: deer, bear, elk, beaver, raccoon, other: species that easily adapt to suburban environments such as bats (*Myotis spp.*), deer mice (*Peromyscus maniculatus*), eastern cottontail rabbits (*Sylvilagus floridanus*), moles (*Scapanus spp.*), raccoons (*Procyon lotor*), shrews (*Sorex spp.*), skunks (*Mephitis spp.*), squirrels (*Sciurus carolinensis*, *Tamiasciurus douglasii*), Virginia opossums (*Didelphis virginiana*), and white-tailed deer (*Odocoileus hemionus*).

Fish: bass, perch, salmon, trout, herring, shellfish, other:

Amphibians: expected amphibian species include the pacific tree frog (*Hyla regilla*), the bullfrog (*Rana catesbeiana*), and the northwestern salamander (*Ambystoma gracile*).

- b. List any threatened or endangered species known to be on or near the site.

Based on a field inspection by Triad Associates staff, there were no threatened or endangered species observed on or near the site.

- c. Is the site part of a migration route? If so, explain.

None known.

d. Proposed measures to preserve or enhance wildlife, if any:

The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation. By virtue of protecting the steep slopes greater than 40%, the plat design has over eight times the necessary tree retention requirement.

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6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Electric and/or natural gas will be used to meet the primary energy needs of the new homes.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

The detached single family residential structures will be constructed to meet or exceed applicable local, state, and federal building codes to ensure compliance with energy conservation standards.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.**

Under normal working conditions, it is unlikely that environmental health hazards would be encountered. All project related construction will meet all current local, county, state and federal regulations.

- 1) Describe special emergency services that might be required.**

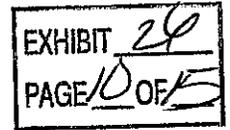
None.

- 2) Proposed measures to reduce or control environmental health hazards, if any:**

State regulations regarding safety and the handling of hazardous materials would be enforced during the construction process. Equipment refueling areas would be located in areas where a spill could be quickly contained, and where the risks of the hazardous material entering surface water is minimized.

b. Noise

- 1) What types of noise exist in the area, which may affect your project (for example: traffic, equipment operation, other)?**



The immediate vicinity to the east is a suburban density residential neighborhood with minimal off-site noise which would affect the subject property on a routine basis. The immediate vicinity to the west is an industrial area with some off-site noise which may affect the subject property. The retention of trees in the NGPA should provide some noise reduction.

- 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Construction activities on the site would temporarily increase the peak on-site noise levels. All construction would be during the City of Woodinville's approved hours of operation. The completed project would result in a slight increase in ambient noise levels in the vicinity.

- 3) **Proposed measures to reduce or control noise impacts, if any:**

Construction activity will be limited to hours as specified by the City of Woodinville, which will help to mitigate the impacts of potential construction noise.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties?**

The subject property of the proposed subdivision is wooded and undeveloped. The area to the east is predominantly developed with residential single-family lots.

The immediate vicinity to the west is an industrial area which is topographically separated from proposed Wood Trails and the upper residential neighborhoods.

- b. **Has the site been used for agriculture? If so, describe.**

No.

- c. **Describe any structures on the site.**

None.

- d. **Will any structures be demolished? If so, what?**

No.

- e. **What is the current zoning classification of the site?**

The subject property is zoned R-1.

- f. **What is the current comprehensive plan designation of the site?**

The City of Woodinville GMA Comprehensive Plan includes the Future Land Use Map. The subject property is designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for industrial use.

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- g. If applicable, what is the current shoreline master program designation of the site?

No shoreline; not applicable.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The area of steep slopes greater than 40% would be defined as sensitive area. They have been identified, delineated, and protected or mitigated in accordance with City of Woodinville sensitive area requirements (Ch.21.24 WMC).

- i. Approximately how many people would reside or work in the completed project?

Assuming approximately 2.5 people would live in each of the 66 developed homes, it is estimated that an additional 165 persons would reside in the built-out subdivision.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The requested R-4 zoning conforms to the R-4 locational criteria as revised by Ordinances 03-098 and 03-099. As specified by the Ordinances, the revised locational criteria are deemed as appropriately implementing the comprehensive plan, particularly Objective LU 6.F and Policy LU 6.F.2.

The requested R-4 zone, a zone specifically articulated by the City of Woodinville Comprehensive Plan as appropriate for areas designated Low Density Residential, complies with and will implement the City of Woodinville Comprehensive Plan.

The project will be developed in accordance with the applicable City of Woodinville development regulations which have been adopted as GMA development regulations to implement the goals and policies of the adopted GMA Comprehensive Plan.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

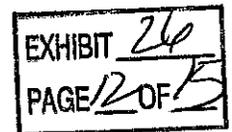
Sixty-six market-priced, detached single-family units will be constructed on the subject plat.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

The project will provide needed detached single-family housing in the north King County market.



10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Architectural plans for homes have not been specified at this stage. However, the proposed building plans will be governed by height restrictions dictated by the zoning requirements and the adopted uniform building code.

b. What views in the immediate vicinity would be altered or obstructed?

Development of the site would change the visual character of the site for the nearest existing residences from that of largely undeveloped land to that of a single-family residential development. Views of the Olympic Mountains to the west may be opened up in certain areas to improve the vistas from individual homes.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The preservation of over 20 acres of forested area between the new residential development and the lower industrial area should minimize impacts.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The completed project will generate limited light and glare typically associated with residential development (i.e., security and/or street lighting).

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not to our knowledge.

c. What existing off-site sources of light or glare may affect your proposal?

None known.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

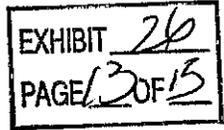
The subject property is informally used for walking.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The project would not displace any existing recreational uses.

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The project would provide passive recreational opportunities onsite by preserving over 22.8 acres of common open space in separate Tracts C, G, J, L, N and O.



13. Historic and Cultural Preservation

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

None known.

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

There are no landmarks or evidence of any significant historic, archaeological, scientific, or cultural resources known to be on or next to the site.

- c. **Proposed measures to reduce or control impacts, if any:**

If any historic or cultural evidence was encountered during construction or installation of improvements, an archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resources as appropriate.

14. Transportation

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

Primary access to the development will be from 198th Street NE and 201st Street NE which will connect with 156th Avenue approximately 0.5 miles to the east. Circulation within the development will be provided by a new public road, 148th Avenue NE, which will connect each of the three neighborhoods or pods.

- b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Transit is available on 156th Avenue NE.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**

The completed project will provide at least two off-street parking spaces per residential unit. The proposed project will not eliminate any parking spaces.

- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

Yes. The project proposes to construct new plat streets as permitted by City of Woodinville. The primary access to the site will be from 198th Street NE and 201st Street NE. The proposed road construction shall include a 30' right-of-way dedication

with a 5-foot planting strip and 5-foot sidewalk in a public access easement on the lots.

- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No.

- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Please see the Traffic Impact Analysis prepared by The Transpo Group, dated June, 2004, for more detailed information.

- g. **Proposed measures to reduce or control transportation impacts, if any:**

The traffic impact analysis summarized the projected traffic impacts of the proposed Wood Trails development. Briefly, these are the general findings of this study:

- The roadway network and study intersections would accommodate project and background traffic volumes without any improvements. Traffic impacts associated with the proposed development do not cause any of the study intersections to degrade in LOS below the City of Woodinville LOS E standard. Thus, no specific additional mitigation is warranted.

- Due to the location of the nearest transit stop, and other area attractions, it is not anticipated that the pedestrian volumes along NE 201st Street or NE 198th Street would increase significantly as a result of this project.

- Left turn lanes are not warranted based on WSDOT left turn lane storage guidelines at either 156th Avenue NE/NE 201st Street or 156th Avenue NE/NE 198th Street, both of which would provide access to the site.

- NE 201st Street and NE 198th Street, in their current configuration, will have adequate capacity to accommodate the additional traffic to be generated by the proposed project. Furthermore, a comparison of forecast volumes to roadway capacity suggests there is sufficient capacity to support additional growth in the area.

- Proportionate share mitigation fees towards three City of Woodinville CIP projects in the area have been estimated to be approximately \$1,000.

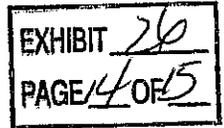
15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

The completed project would result in a slight increase in need for police and fire protection, as well as emergency medical service. Also, a slight increase in school enrollment will result from this proposal.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

The project will be designed and constructed with adequate water pressure, properly located fire hydrants and sanitary sewers which meet Woodinville Water District



standards. Streets will be constructed as determined by the City Engineer to allow adequate access for fire protection and police vehicles.

EXHIBIT 24
PAGE 15 OF 15

16. Utilities

a. Indicate utilities currently available at the site:

Electricity, Natural Gas, Water, Refuse Service, Telephone, Sanitary Sewer, Septic System, Other. All utilities will be extended to and through the site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Sanitary Sewer: Woodinville Water District
Water: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy
Telephone: Verizon
Cable Service: AT&T

C. SIGNATURE

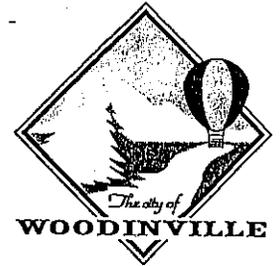
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: H. George Newman Date Prepared: June 10, 2004

H. George Newman, AICP
Principal
Triad Associates

July 8, 2004

EXHIBIT 27
PAGE 1 OF 2



*"Citizens, business and local government;
a community commitment to our future."*

Loree Quade
Phoenix Development, Inc.
P.O. Box 3167
Lynnwood, WA 98046

RE: Application ZMA2004-053 Zoning Map Amendment for the Plat of Wood Trails
Application PPA2004-0054 Preliminary Plat for Woods Trails
Application SEP2004-055 SEPA for the Plat of Wood Trails

Dear Ms. Quade;

This letter is to inform you that The City of Woodinville received the above applications on June 18, 2004. Under WMC 17.09.030, the City must respond to your application within twenty-eight days of the date of submittal as to the completeness of the application.

The above applications have been deemed to be complete as of July 8, 2004. A complete application results in two actions. First, it vests that application against future land use amendments; that is the land use regulations in effect as of the date of vesting are those that are used to review your application unless otherwise stated. Any future change in regulations should not impact your application. Second, the determination of a complete application begins a one hundred twenty (120) day time period in which the City must take action (approving, approving with conditions or denying with cause) your applications.

Because the zoning map application requires an amendment to the City Zoning Map, the 120-day period applies only to the actions before the Hearing Examiner. The Examiner will make a recommendation to the City Council who must approve or disapprove any map amendment by ordinance.

The 120-day clock may also be stopped. This will happen whenever additional information has been requested. The clock will remain stopped until the requested information has been received and reviewed as to its responsiveness.

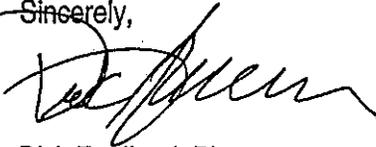
You will be contacted by Ms. Janet Groak, of the City Planning Department regarding the posting of you proposed preliminary plat application. A Notice of Application (NOA) must be published in the paper, posted on site and mailed to any parties of record. There is a fourteen (14) day comment period from the date of publication/posting. Following the posting of the NOA, the City will issue a SEPA determination. This again must be published, and sent to property owners within 500 feet of the boundary of your proposed preliminary plat as well as parties of record. There is a fourteen (14) day appeal/comment period from the date of publication of this action.

Following the termination of the publication commen/appeal periods, the City Planning Department will review the proposed preliminary plat within existing regulations and write a staff report with recommendations to the City Hearing Examiner. A hearing date, time and location will be

established and a notice will be published in the local paper, sent to property owners within 500 feet of the subject property and to all parties of record. Upon completion of this time period, and on the established date and scheduled time, the Hearing Examiner will hold a public hearing. You and/or your representative as well as any expert witness testimony you may wish will be expected to present your case to the Examiner. The Examiner will make a decision as to the reasonableness of your applications within ten working days of the date of hearing.

Again, during the City's application review process of your proposal, it may be necessary to request supplemental information. Such a request does not affect the vesting of an application but is used rather to determine whether or not development impacts have been investigated sufficiently.

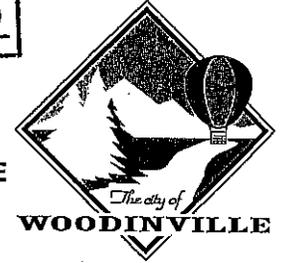
Sincerely,



Dick Fredlund, Planner
Woodinville Planning Department

cc: George Newman, Principal
Triad Associates, Inc.

DETERMINATION OF SIGNIFICANCE
AND REQUEST FOR COMMENTS ON SCOPE OF EIS
FOR SEP2004-055 AND PPA2004-056 PRELIMINARY PLAT OF WOOD TRAILS,
AN ADJACENT 11.8 ACRE SITE AND AN ASSOCIATED 16.5 ACRE SITE, ALL WITH THE
POTENTIAL FOR SOME 150+/- SINGLE FAMILY BUILDING LOTS



*"Citizens, business and local government
share a community commitment to our future."*

Description of proposal:

The applicant, Phoenix Development, is proposing rezone from R-1 to R-4 and to develop three related sites in the Wellington neighborhood of Woodinville. The three development sites represent a total of 67+/- acres, 30% of the neighborhood, and represent some 150+/- lots, which would more than doubling the number of dwelling units in this neighborhood.

The first site for which a preliminary plat has been filed (PPA2004-056) is a 66 lot plat designated as Wood Trails. The plat has a potential for up to 85 lots under the City's R-4 zoning designation. Phoenix Development intends to transfer the difference between the proposed number of lots and the maximum number of permitted lots, nineteen (19) lots, to an associated site ¼ mile east under the City's density transfer regulations. The Wood Trails site contains some 50.5 acres of which 11.8 acres are designated for future development. Of the remaining 38.7 acres, approximately 21.9 acres includes environmentally sensitive lands, principally steep slopes and is proposed to be placed in a Native Growth Protection Easement (NGPE).

The 11.8 acre future development site is located to the north of Wood Trails, adjacent to the Snohomish County/City of Woodinville City limits. This site contains a deep ravine which traverses the site in a northwesterly to southeasterly direction. Phoenix Development has submitted a Boundary Line Adjustment (BLA) which would provide a panhandle access south to Wood Trails and disburse traffic to that subdivision and thence to 156th Avenue NE through the Wellington neighborhood. It would be necessary to traverse the above noted ravine to accomplish this.

The third site, tentatively named Montevallo, is a 16.5 acre site, which includes some 1.6 acres of wetlands. This site is located adjacent to 156th Avenue NE. All three sites are located within the Wellington neighborhood, an area zoned R-1, (Residential-1 dwelling unit per acre). The three development sites, with the introduction of sanitary sewer, are proposed to be rezoned to R-4, (Residential-4 dwelling units per acre).

Proponent:

The applicant/proponent of the above three development parcels is Phoenix Development, Inc. P.O. Box 3167, 7127 – 196th Street SW, Lynnwood, WA 98046-3167 – Loree Quade, Project Manager, Phone (425)775-8663. The contact company and designer/engineer for two of the parcels, Wood Trails and Montevallo, is Triad Associates, 11814 1155th Avenue NE, Kirkland, WA 98034 – George Newman, Project Manager, (425)821-8448.

Location of proposal:

Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres.

The 11.8 acre tract is located between 148th Avenue NE (Extended) and a point 997.24 feet west thereof, and between a point 360 feet north of the centerline of NE 202nd Street and the north City limits.

Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres.

Lead Agency:

Department of Community Development, City of Woodinville, Washington, 17301 133rd Avenue NE, Woodinville, WA 98072 (425)489-2757.

EIS Required: The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c) and will be

prepared. An environmental checklist or other materials indicating likely environmental impacts can be reviewed at the offices of the lead agency.

The lead agency has identified the following areas for discussion in the EIS:

1. Impact on Neighborhood –

The three sites proposed for development by Phoenix Development Company represents 30% of the area of the Wellington neighborhood and could contain up to 150+/- single family residential lots. There are currently 145 residential lots in that neighborhood, not counting the three Phoenix sites, meaning that there is a potential of more than doubling the number of residential dwelling units of this neighborhood which would substantially change this neighborhood. The proposed developments should be reviewed in terms of the Land use Policies in the Comprehensive Plan. In particular, the developments need to consider Policy LU-1.1, "Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts for Woodinville", and Goal LU-3, "To attain a wide range of residential patterns, densities, and site designs consistent with Woodinville's identified needs and preferences".

2. Traffic –

- a. The more than doubling of the number of residences means that the traffic generated by the neighborhood will correspondingly double as will the neighborhood traffic impacts on 156th Avenue NE and its intersection with the Woodinville/Duvall Road. It will be necessary to analyze these impacts on neighborhood streets, such as safewalk routes for school children, an issue raised by the Northshore School District.
- b. Alternate routes need to be studied to determine if there are other possible routes into and out of the subdivisions. The EIS should review routing traffic from Wood Trails west to 144th Avenue NE in the industrial park by such means as a meandered access road down the slope. Additionally, the EIS should review the routing of traffic south to intersect with the Woodinville/Duvall Road at its intersection with North Woodinville Way North.
- c. Regarding traffic from the north 11.8 acre tract, at the north edge of Wood Trails, the EIS should explore the possibility or routing traffic north as opposed to directing traffic south and through the Wellington neighborhood.

3. Storm water drainage –

The drainage for the Wood Trails and the 11.8 acre parcel need to be reviewed in greater depth. Current plans examine the areas to be subdivided, but do not sufficiently study the impact of that development on the sensitive areas and NGPE areas that may result from changes in directional flow of storm water. The topography map presented with the application leaves much of the area outside of the proposed housing area unsurveyed. Because there are critical areas in what has been broadly classified as the Native Growth Protection Easement (NGPE) it is necessary to define the topography in these areas. It has also been substantiated that there is seepage between soil horizons in some of these areas as well as slumping. The impacts of 66 lots on these features need to be analyzed as does the possibility of slumping or caving of soils at the edge of the proposed residential lots.

Conflicting information has been presented that indicates there is a substantial sand underburden which has the potential of caving. This could be hazardous particularly if the sand layer became super saturated. Caving could impact the industrial area below the proposed subdivision particularly since a regional detention system is proposed directly above the industrial area in that layer. The City has had previous experience with this sand layer.

Scoping:

Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving us your comments is:

1. **Scoping meeting -**
A scoping meeting will be held at 7:00 p.m. in the City Council Chambers, Woodinville City Hall, on Thursday, October 28, 2004. Interested parties may provide comment on the scoping notice at this meeting.
2. **Written Comment -**
Written comment on the scoping notice will be received at the Planning Department, Woodinville City Hall until 5:00 p.m. November 1, 2004.

Responsible official: Ray Sturtz, Planning Director
Position/title: SEPA Official
Contact Person: Dick Fredlund
Phone: 425-489-2757 ext. 2247

Address: Community Development Department, City of Woodinville, 17301w - 133rd Avenue NE,
Woodinville, WA 98072

Date: October 11, 2004

Signature:



Appeal:

You may appeal this determination of significance to:

Ray Sturtz, SEPA Official at the City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072 by no later than 5:00 p.m., October 26, 2004. You should be prepared to make specific factual objections. Contact Dick Fredlund, Planner at the above address about the procedures for SEPA appeals.

There is no agency appeal.

DETERMINATION OF SIGNIFICANCE AND REQUEST FOR COMMENTS ON SCOPE OF EIS FOR SEP2004-055 AND PPA2004-056 PRELIMINARY PLAT OF WOOD TRAILS, AN ADJACENT 11.8 ACRE SITE AND AN ASSOCIATED 16.5 ACRE SITE, ALL WITH THE POTENTIAL FOR SOME 150+/- SINGLE FAMILY BUILDING LOTS



Description of proposal: The applicant, Phoenix Development, is proposing to rezone from R-1 to R-4 and to develop three related sites in the Wellington neighborhood of Woodinville. The three development sites represent a total of 67+/- acres, 30% of the neighborhood, and represent some 150+/- lots, which would more than doubling the number of dwelling units in this neighborhood.

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The 11.8 acre future development site is located to the north of Wood Trails, adjacent to the Snohomish County/City of Woodinville City limits. This site contains a deep ravine which traverses the site in a northwesterly to southeasterly direction. Phoenix Development has submitted a Boundary Line Adjustment (BLA) which would provide a panhandle access south to Wood Trails and disburse traffic to that subdivision and thence to 156th Avenue NE through the Wellington neighborhood. It would be necessary to traverse the above noted ravine to accomplish this.

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Proponent:
The applicant/proponent of the above three development parcels is Phoenix Development, Inc. P.O. Box 3167, 7127 - 196th Street SW, Lynnwood, WA 98046-3167 - Loree Quade, Project Manager, Phone (425) 775-8663. The contact company and designer/engineer for two of the parcels, Wood Trails and Montevallo, is Triad Associates, 11814 1155th Avenue NE, Kirkland, WA 98034 - George Newman, Project Manager, (425) 821-8449.

Location of proposal: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres.

The 11.8 acre tract is located between 148th Avenue NE (Extended) and a point 997.24 feet west thereof, and between a point 360 feet north of the centerline of NE 202nd Street and the north City limits.

Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres.

Lead Agency: Department of Community Development, City of Woodinville, Washington, 17301 133rd Avenue NE, Woodinville, WA 98072 (425) 489-2757.

EIS Required: The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c) and will be prepared. An environmental checklist or other materials indicating likely environmental impacts can be reviewed at the offices of the lead agency. The lead agency has identified the following areas for discussion in the EIS:

1. **Impact on Neighborhood** -
The three sites proposed for development by Phoenix Development Company represents 30% of the area of the Wellington neighborhood and could contain up to 150+/- single family residential lots. There are currently 145 residential lots in that neighborhood, not counting the three Phoenix sites, meaning that there is a potential of more than doubling the number of residential dwelling units of this neighborhood which would substantially change this neighborhood. The proposed developments should be reviewed in terms of the Land Use Policies in the Comprehensive Plan. In particular, the developments need to consider Policy LU-1.1, "Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts for Woodinville", and Goal LU-3, "To attain a wide range of residential patterns, densities, and site designs consistent with Woodinville's identified needs and preferences".
2. **Traffic** -
 - a. The more than doubling of the number of residences means that the traffic generated by the neighborhood will correspondingly double as will the neighborhood traffic impacts on 156th Avenue NE and its intersection with the Woodinville/Duvall Road. It will be necessary to analyze these impacts on neighborhood streets, such as safe walk routes for school children, an issue raised by the Northshore School District.
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3. **Storm water drainage**
The drainage for the Wood Trails and the 11.8 acre parcel need to be reviewed in greater depth. Current plans examine the areas to be subdivided, but do not sufficiently study the impact of that development on the sensitive areas and NGPE areas that may result from changes in directional flow of storm water. The topography map presented with the application leaves much of the area outside of the proposed housing area unsurveyed. Because there are critical areas in what has been broadly classified as the Native Growth Protection Easement (NGPE) it is necessary to define the topography in these areas. It has also been substantiated that there is seepage between soil horizons in some of these areas as well as slumping. The impacts of 66 lots on these features need to be analyzed as does the possibility of slumping or caving of soils at the edge of the proposed residential lots. Conflicting information has been presented that indicates there is a substantial sand underburden which has the potential of caving. This could be hazardous particularly if the sand layer became super saturated. Caving could impact the industrial area below the proposed subdivision particularly since a regional detention system is proposed directly above the industrial area in that layer. The City has had previous experience with this sand layer.

Scoping. Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving us your comments is:

1. **Scoping meeting** -
A scoping meeting will be held at 7:00 p.m. in the City Council Chambers, Woodinville City Hall, on Thursday, October 28, 2004. Interested parties may provide comment on the scoping notice at this meeting.
2. **Written Comment** -
Written comment on the scoping notice will be received at the Planning Department, Woodinville City Hall until 5:00 p.m. November 1, 2004.

Responsible official:	Ray Sturtz, Planning Director	Signature:
Position/title:	SEPA Official	
Contact Person:	Dick Fredlund	
Phone:	425-489-2757 ext. 2247	
Address:	Community Development Department, City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072	
Date:	October 11, 2004	

Appeal:
You may appeal this determination of significance to:
Ray Sturtz, SEPA Official at the City of Woodinville, 17301 - 133rd Avenue NE, Woodinville, WA 98072 by no later than 5:00 p.m., October 26, 2004. You should be prepared to make specific factual objections. Contact Dick Fredlund, Planner at the above address about the procedures for SEPA appeals.
There is no agency appeal.

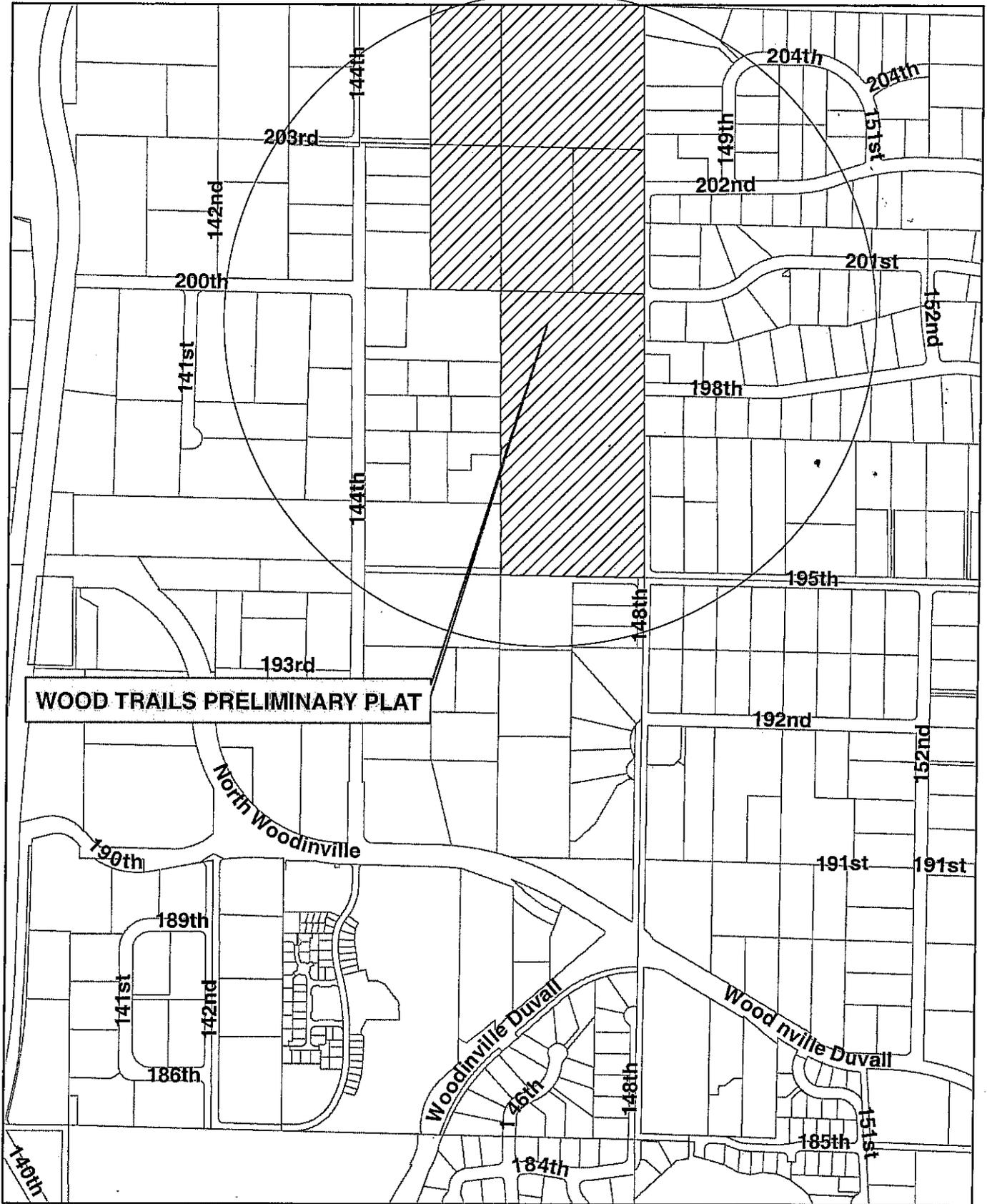


WOOD TRAILS PRELIMINARY PLAT

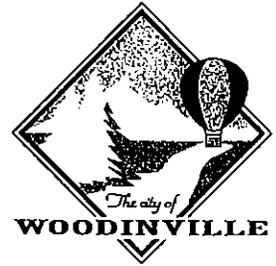
SEP2004-055

EXHIBIT 29
PAGE 2 OF 2

PARCEL NUMBERS 0326059044; 0326059111; 0326059038; 0326059045; 0326059032



**NOTICE OF REVISED EIS SCOPE
PRELIMINARY PLATS OF WOOD TRAILS AND MONTEVALLO
AND ASSOCIATED REZONES**



*"Citizens, business and local government;
a community commitment to our future."*

Note:

This is a Notice of Revised EIS Scope for the proposed Wood Trails and Montevallo subdivisions, and the associated rezone requests. The City of Woodinville issued a Determination of Significance on October 11, 2004, stating that these proposals are likely to have a significant adverse impact on the environment, and that an environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c). This Notice of Revised EIS Scope does not change that Determination of Significance.

The Determination of Significance included a proposed scope for this EIS, and also included a request for comments on that proposed scope. The City received written comments, and also received comments at a public meeting on October 28, 2004 held specifically to receive comments on the proposed EIS scope. Based on these comments, and on further analysis of the proposal, the City has revised the EIS scope. The purpose of this Notice of Revised EIS Scope is to inform interested parties of the revised EIS Scope. This is an informational notice only; there will be no comment period or public meeting associated with this notice. The revised EIS Scope described in this notice is final, and will form the basis of the EIS to be prepared for these projects.

Description of proposal:

The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

(A development proposal for an 11.8-acre site adjacent to the Wood Trails proposal has been withdrawn by the applicant, and therefore will not be considered in the EIS.)

Proponent:

Developer: Phoenix Development, Inc. P.O. Box 3167, 7127 - 196th Street SW, Lynnwood, WA 98046-3167 - Loree Quade, Project Manager, Phone (425)775-8663.

Contact: Triad Associates, 11814 115th Avenue NE, Kirkland, WA 98034 - George Newman, (425) 821-8448.

Location of proposal:

Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres. Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres.

Lead Agency:

Department of Community Development, City of Woodinville, Washington, 17301 133rd Avenue NE, Woodinville, WA 98072 (425)489-2757.

REVISED SCOPE: After considering written comments, verbal comments received at a meeting held on October 28, 2004, and based on further analysis, the lead agency has revised the scope of the EIS, identifying the following areas for discussion in the EIS.

1. Earth (soil stability/sand layer, seismic hazards, erosion potential)
2. Water (surface water, ground water/seepage, water runoff)
3. Plants (threatened or endangered species, habitat)
4. Animals (threatened or endangered species, habitat, migration routes)
5. Land and Shoreline Use (plans and policies, neighborhood character, open space environmentally sensitive areas)
6. Transportation (existing and proposed street system, motorized traffic, non-motorized traffic/pedestrian movement/school safe walk routes, safety hazards)
7. Public Services (parks and recreation)

Responsible official: Ray Sturtz
Position/title: SEPA Official
Contact Person: Dick Fredlund
Phone: 425-489-2757 ext. 2247

Address: Community Development Department, City of Woodinville, 17301 – 133rd Avenue NE, Woodinville, WA 98072

Date: December 20, 2004

Signature: 
Ray Sturtz, SEPA Official

Appeal:

There is no agency appeal.

RECEIVED

Received Stamp

MAR 29 2005

CITY OF WOODINVILLE
PLANNING DEPARTMENT

CITY OF WOODINVILLE
DEPARTMENT OF PLANNING & COMMUNITY
DEVELOPMENT EXHIBIT 31
PAGE 4 OF 4
GENERAL APPLICATION FORM

File #	2005-010
Application Type	EIS
TRC III Date	
Fee Paid	26,800
Date Rec'd	3/29/05

GENERAL INFORMATION:

Name of Development/Project: **Wood Trails & Montevallo** (Environmental Impact Statement)

Applicant Name: **Phoenix Development**

Applicant Address: **16108 Ash Way, Suite 201 Lynnwood, WA 98037**

Phone Number: **425-275-5306** (Loree Quade) Project Manager

Description of Proposed Action: **Environmental Impact Statement**

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? YES NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? **All Permits previously submitted**

PROPERTY INFORMATION:

Location of Subject Property: **South of NE 205th St. and West of 156th Ave. NE**

Legal Description: **See Attached**

Tax Parcel Number: See Attached	¼ Sec.: NW	Sec.: 02	Twn.: 26	Range: 05
Size (ac/sq ft): 16.5 acres	Comp. Plan Designation: Low-Density Resid.		Zone: R-1	

Current Use: **Single Family Residences and outbuildings**

Are there Sensitive Areas on Property Yes. Please list the size (ac/sq ft): **1.63 acres** No

SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

AUTHORIZATION TO FILE: **Phoenix Development, Inc.**

Name: Loree Quade - Project Manager	Name:
Signature: <i>Loree Quade</i>	Signature:
Tax No. or Lot & Subdivision: See Attached	Tax No. or Lot & Subdivision:
<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: *Loree Quade* Date: **3/29/05**

NOTICE OF DRAFT ENVIRONMENTAL STATEMENT (DEIS)
AVAILABILITY FOR WOOD TRAILS AND MONTEVALLO
PRELIMINARY PLATS



"Citizens, business and local government,
a community commitment to our future."

Threshold Determination: Draft Environmental Impact Statement
Date of Issuance: January 17, 2006
File Number: SEP2004-055, PPA2004-056 and PPA2004-093
Applicant: Phoenix Development, Inc.
Contact Person: Loree Quade

Proposal Location: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres; Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres, Woodinville, King County, Washington

S/T/R: NE 03/26/05

Proposal Description: The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

Lead Agency: City of Woodinville

In accordance with Chapter 197-11 Washington Administrative Code and rules adopted by the City of Woodinville that implement SEPA, notice is hereby given that the City of Woodinville has completed and issued a Draft Environmental Impact Statement (EIS) concerning the proposed *Wood Trails and Montevallo Subdivisions*. The Draft EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process.

The public comment period associated with this Draft EIS is

January 17, 2006 to 5:00 PM on March 3, 2006.

In order to provide an opportunity to present comments concerning this Draft EIS – in addition to submittal of written comments – a public meeting is scheduled for:

Thursday, February 16, 2006 from 7:00 to 9:00 PM
Woodinville City Hall
17301 133rd Avenue N.E.
Woodinville, Washington

This Draft EIS can be reviewed at the following locations:

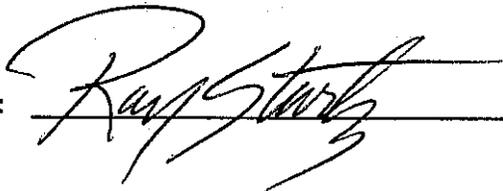
- **City of Woodinville Community Development Department**
Woodinville City Hall
17301 133rd Avenue N.E.
Woodinville, Washington
- **King County Library, Woodinville Branch**
17105 Avondale Road, N.E.
Woodinville, WA 98072
- **King County Library, Kingsgate Branch**
12315 NE 143rd St.
Kirkland, WA 98034

Copies may be printed and purchased at the Kinko's Copies outlet in Woodinville, 13620 N.E. 175th Street, Suite 110, or reproduced on compact disc (CD) for the cost of reproduction.

Any questions regarding the Environmental Impact Statement should be directed to Project Planner, Dick Fredlund, at (425) 489-2757 ext. 2247

SEPA OFFICIAL: Ray Sturtz
POSITION/TITLE: Director of Community Development
ADDRESS: 17301 133rd Avenue NE
Woodinville, WA 98072

SIGNATURE:



DATE: January 17, 2006

WOODINVILLE WEBKLY

Vol. 30 No. 15

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January 16, 2006

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CITY OF WOODINVILLE NOTICE OF DRAFT ENVIRONMENTAL STATEMENT (DEIS) AVAILABILITY FOR WOOD TRAILS AND MONTEVALLO PRELIMINARY PLATS

PROJECT: Wood Trails/Montevallo
Threshold Determination: Draft Environmental Impact Statement
Date of Issuance: January 17, 2006
File Numbers: SEP2004-055, PPA2004-056 and PPA2004-093
Applicant/Contact: Phoenix Development, Inc./Loree Quade
Proposal Location: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres; Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres, Woodinville, King County, Washington.
S/T/R: NE 03/26/05

Proposal Description: The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

Lead Agency: City of Woodinville
In accordance with Chapter 197-11 Washington Administrative Code and rules adopted by the City of Woodinville that implement SEPA, notice is hereby given that the City of Woodinville has completed and issued a Draft Environmental Impact Statement (EIS) concerning the proposed Wood Trails and Montevallo Subdivisions. The Draft EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process. The public comment period associated with this Draft EIS is

January 17, 2006 to 5:00 PM on March 3, 2006.

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Any questions regarding the Environmental Impact Statement should be directed to Project Planner, Dick Fredlund at (425) 489-2757 ext. 2247

SEPA OFFICIAL: Ray Sturtz, Director of Community Development
ADDRESS: 17301 133rd Avenue NE, Woodinville, WA 98072

NOTE: To view a site map for this project, please visit our web site: www.ci.woodinville.wa.us/events/legal-notice.asp

Published January 16th, 2006

Exhibit 34

Draft Environmental Impact Statement (DEIS) Report and Appendices A-L



"Citizens, business and local government;
a community commitment to our future."

**PLANNING DIRECTOR INTERPRETATION
REGARDING FINAL ENVIRONMENTAL IMPACT STATEMENT
APPEAL PROCEDURES**

AUTHORITY:

Pursuant to WMC 17.07.80, the Planning Director is authorized to issue official interpretations of all development regulations, as well as performing the function of SEPA Official for environmental review, per WMC 14.04.040 (adopted in 1998).

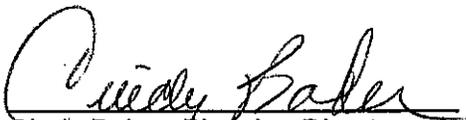
INTERPRETATION:

The Planning Director formally interprets WMC 14.04.260 as currently not allowing an administrative appeal. Administrative appeals for Final Environmental Impact Statements (FEIS) are to follow a formal procedure, which has not been established by the City. Therefore, adequacy of an FEIS is instead subject to judicial appeal in accordance with applicable state and local regulations.

APPEAL:

This interpretation is issued as a Type II decision pursuant to WMC 17.07.030, and is subject to appeal before the City of Woodinville Hearing Examiner. Any notice of appeal must be filed within 14 days of the issuance date of November 6, 2006 to the Planning Director.

Issued this 6th day of November, 2006


Cindy Baker, Planning Director
City of Woodinville

**OFFICIAL PLANNING DIRECTOR INTERPRETATION
REGARDING FEIS APPEAL PROCEDURES**

November 1, 2006

I. ACTION REQUIRING INTERPRETATION

The City received a letter from attorney J. Richard Aramburu dated September 22, 2006 requesting a formal interpretation of Section 14.04.260 of the Woodinville Municipal Code (WMC). Specifically, Mr. Aramburu has inquired as to whether the City's SEPA regulations allow the adequacy of a final environmental impact statement (FEIS) to be appealed administratively. Mr. Aramburu represents the Concerned Neighbors of Wellington, and his September 22, 2006 letter references the proposed Wood Trails/Montevallo development applications currently pending before the City.

II. AUTHORITY

Pursuant to WMC 17.07.080, the Planning Director is authorized to issue official interpretations of all development regulations. The Planning Director also serves as the City's responsible official for purposes of SEPA review. *See* WMC 14.04.040. Procedural SEPA determinations made by the City's responsible official "shall carry substantial weight in any appeal proceeding." WMC 14.04.260(7).

III. DISCUSSION

Local agencies may, but are not required to, provide for administrative appeals of SEPA determinations in their local procedures. *See* WAC 197-11-680(3)(a). Such appeals are allowed only with respect to final threshold determinations and/or final EISs. *See* WAC 197-11-680(3)(a)(iii). Significantly, in order for any administrative appeals of this type to apply, "[t]he agency must specify by rule, ordinance, or resolution that the appeals procedure is available." WAC 197-11-680(3)(a)(i). For purposes of the present inquiry, the critical issue concerns the extent to which the City of Woodinville has in fact specified "by rule, ordinance or resolution" that an FEIS may be appealed administratively.

The City's SEPA regulations are codified at Chapter 14.04 WMC. While additional references to SEPA may be located in other WMC Chapters, none of these code provisions clearly creates an administrative appeals process for FEISs. The City has likewise adopted no uncodified rule or resolution that establishes or otherwise governs SEPA appeals. Thus, to the extent that the City has in fact provided for the adequacy of FEISs to be administratively challenged, this authority must exist — if at all — within Chapter 14.04 WMC.

WMC 14.04.260 governs appeals of SEPA determinations. Summarized, this code provision: (1) requires consolidation of SEPA appeals with appeals concerning the underlying government action, (2) limits the number of appeal proceedings regarding procedural determinations, (3) establishes appeal deadlines and notice procedures, (4) provides for the creation of an

administrative record, and (5) prohibits issuance of development permits for projects under environmental review until expiration of the relevant appeal period. For purposes of this official interpretation, the critical provision of WMC 14.04.260 is subsection (4), under which the City establishes its “administrative appeal procedures” with respect to SEPA:

Any agency or person may appeal the City’s procedural compliance with Chapter 197-11 WAC for issuance of the following determinations:

- (a) A Final DNS or Mitigated DNS (MDNS) Made Prior to Project Permit Decision. . . .
.....
- (b) A Final DNS or Mitigated DNS (MDNS) Made with Project Permit Decision. . . .
.....
- (c) A Final Determination of Significance. . . .
.....

Omitted from this enumerated list is any express reference to final environmental impact statements as a separate category of administratively appealable SEPA determination. In contrast to the clearly defined appeal authority, hearing procedures and filing deadlines established for DNSs, MDNSs and DSs, WMC 14.04.260(4) contains no corollary provisions with respect to FEISs. Under the *expressio unius est exclusio alterius* maxim of statutory construction (“the expression of one implies the exclusion of the other”)¹, the apparent effect and intent of WMC 14.04.260 is *not* to provide for administrative appeals of this type.

The two generic references to FEISs within WMC 14.04.260 do not alter this conclusion. The first reference, WMC 14.04.260(2), provides that “[t]he City shall not allow more than one City appeal proceeding on a procedural determination (the adequacy of a determination of significance/nonsignificance *or of a final EIS*).” (Emphasis added.) This provision merely parrots the relevant state SEPA statute, and reiterates that the City’s local appeal procedures may not provide for multiple opportunities to administratively challenge the same environmental determination. *See* RCW 43.21C.075(3)(a). The second reference, WMC 14.04.260(4)(c), states that after a DS is appealed, “[a] subsequent open record hearing may be held on the underlying action and accompanying SEPA documents (*including an FEIS, if one is prepared*), and SEPA substantive determinations.” (Emphasis added.) Neither of the above provisions expressly states that an FEIS may be administratively appealed, or — unlike the code’s clear provisions for DNSs, MDNSs and DSs — establishes hearing procedures or appeal deadlines specific to this category of SEPA document.

WMC 14.04.260 was adopted in 1998. Since that time, the City has never processed nor allowed an administrative appeal of an FEIS.

¹ See, e.g., *Landmark Dev., Inc. v. City of Roy*, 138 Wn.2d 561, 571, 980 P.2d 1234 (1999). “Legislative inclusion of certain items in a category implies that other items in that category are intended to be excluded.” *Id.* (citing *Bour v. Johnson*, 122 Wn.2d 829, 836, 864 P.2d 380 (1993)).

IV. FINDINGS

Based upon the relevant WMC, RCW and WAC provisions cited above, the Planning Director hereby enters the following findings and conclusions:

1. The City received a letter from J. Richard Aramburu dated September 22, 2006, requesting a formal interpretation regarding the extent to which WMC 14.04.260 allows final environmental impact statements to be appealed administratively.
2. The Planning Director serves as the City's responsible official for purposes of SEPA, and is authorized to issue official interpretations of the City's development regulations. Procedural determinations of the SEPA responsible official are entitled to substantial weight in any appeal proceeding.
3. Pursuant to WAC 197-11-680(3)(a)(i), if a local agency provides for administrative appeals of SEPA determinations, the agency must specify by rule, ordinance or resolution that the appeals procedure is available.
4. The City's SEPA procedures are codified at Chapter 14.04 WMC.
5. WMC 14.04.260, the code provision governing SEPA appeals, specifically lists Determinations of Nonsignificance, Mitigated Determinations of Nonsignificance and Determinations of Significance as administratively appealable determinations, and sets forth hearing procedures and filing deadlines for each of these decision categories.
6. WMC 14.04.260 omits FEISs from the list of administratively appealable SEPA determinations, and does not set forth hearing procedures or filing deadlines for this category of decision. No other provision of the WMC expressly provides that an FEIS may be appealed administratively.
7. Since WMC 14.04.260 was adopted in 1998, the City has never allowed an FEIS to be appealed administratively.
8. The City has not specified by rule, ordinance or resolution that an FEIS may be administratively appealed.

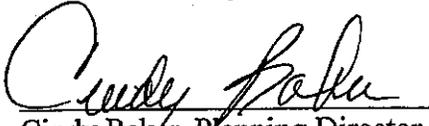
V. INTERPRETATION

Based upon the findings and conclusions set forth above, the Planning Director formally interprets WMC 14.04.260 as not establishing an administrative appeal procedure for final environmental impact statements. The adequacy of an FEIS is instead subject to judicial appeal in accordance with applicable state and local regulations.

VI. APPEAL

This interpretation is issued as a Type II project permit pursuant to WMC 17.07.030, and is subject to appeal before the City of Woodinville Hearing Examiner. Any notice of appeal must be filed within 14 days of November 6, 2006.

Issued this 1 day of November, 2006.



Cindy Baker, Planning Director
City of Woodinville

- Attachments: (1) WMC 14.04.260
(2) WAC 197-11-680
(3) Letter from J. Richard Aramburu (September 22, 2006)

Examiner within 14 days of the date the DNS or MDNS becomes final. The appeal period shall be extended an additional seven days if State or local rules adopted pursuant to Chapter 43.21C RCW (SEPA) allow public comment on a DNS issued as part of the appealable decision.

(b) A Final DNS or Mitigated DNS (MDNS) Made with Project Permit Decision. An appeal of the DNS or MDNS must be made to the Hearing Examiner within 14 days of the date the DNS or MDNS becomes final. The appeal period shall be extended an additional seven days if State or local rules adopted pursuant to Chapter 43.21C RCW (SEPA) allow public comment on a DNS issued as part of the appealable decision. The appeal is heard as an open record hearing by the Hearing Examiner, together with an appeal on the underlying governmental action; provided, that if an open record predecision hearing has already been held, the Hearing Examiner shall hear the appeal as a closed record appeal.

(c) A Final Determination of Significance (DS). An appeal of the DS must be made to the Hearing Examiner within 14 days of the date the DS becomes final. The appeal is heard as an open record hearing by the Hearing Examiner. A subsequent open record hearing may be held on the underlying action and accompanying SEPA documents (including an EIS, if one is prepared), and SEPA substantive determinations.

(5) For any appeal under this section, the City shall provide for a record that shall consist of the following:

- (a) Finding and conclusions;
- (b) Testimony under oath; and
- (c) A taped or written transcript.

(6) The City may require the applicant to provide an electronic transcript.

(7) The procedural determination by the City's responsible official shall carry substantial weight in any appeal proceeding.

(8) No permit shall be issued which would allow construction, demolition, grading, or other direct modification of the physical environment until expiration of the period for filing a notice of appeal, and until any appeal shall have been finalized at the Hearing Examiner level.

(9) The City shall give official notice whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal. The following permits or approvals require official notice: all actions of the City Council, a City official, the Hearing Examiner, or any board or commission for which no further

administrative appeal is provided. (Ord. 204 § 2, 1998)

14.04.270 Notice/statute of limitations.

(1) The City, applicant, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080 for any action.

(2) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the City Clerk, applicant or proponent pursuant to RCW 43.21C.080. (Ord. 204 § 2, 1998)

14.04.280 Definitions – Adoption by reference.

The City adopts the following sections of Chapter 197-11 WAC, as now existing or hereinafter amended, by reference:

- WAC
- 197-11-700 Definitions.
 - 197-11-702 Act.
 - 197-11-704 Action.
 - 197-11-706 Addendum.
 - 197-11-708 Adoption.
 - 197-11-710 Affected tribe.
 - 197-11-712 Affecting.
 - 197-11-714 Agency.
 - 197-11-716 Applicant.
 - 197-11-718 Built environment.
 - 197-11-720 Categorical exemption.
 - 197-11-721 Closed record appeal.
 - 197-11-722 Consolidated appeal.
 - 197-11-724 Consulted agency.
 - 197-11-726 Cost-benefit analysis.
 - 197-11-728 County/city.
 - 197-11-730 Decisionmaker.
 - 197-11-732 Department.
 - 197-11-734 Determination of nonsignificance (DNS).
 - 197-11-736 Determination of significance (DS).
 - 197-11-738 EIS.
 - 197-11-740 Environment.
 - 197-11-742 Environmental checklist.
 - 197-11-744 Environmental document.
 - 197-11-746 Environmental review.
 - 197-11-750 Expanded scoping.
 - 197-11-752 Impacts.
 - 197-11-754 Incorporation by reference.
 - 197-11-756 Lands covered by water.
 - 197-11-758 Lead agency.
 - 197-11-760 License.
 - 197-11-762 Local agency.
 - 197-11-764 Major action.
 - 197-11-766 Mitigated DNS.
 - 197-11-768 Mitigation.

- (vi) Ord. No. 33 – Official Street Plan;
- (vii) Ord. No. 35 – Hazardous Waste*;
- (viii) Res. No. 93-20 – Surface Water Management;
- (ix) Ord. No. 35 – Washington State Energy Code*;
- (x) Res. No. 93-11 – Solid Waste Management;
- (xi) Ord. No. 40 – Emergency Management;
- (xii) Ord. No. 34 – Capital Improvement Plan;
- (xiii) Ord. No. 37 – Establishing a Permit System for Moving Buildings;
- (xiv) Ord. No. 39 – Establishing Regulations for Sidewalks;
- (xv) Ord. No. 49 – Adopting Street and Construction Standards;
- (xvi) Ord. No. 50 – Designating Street Classifications;
- (xvii) Ord. No. 59 – Establishing Street Vacations, Notice, Fees, and Conditions;
- (xviii) Ord. No. 69 – Adopting State Highway Access Management Class System;
- (xix) Ord. No. 73 – Adopting a Commute Trip Reduction Plan (CTR);
- (xx) Ord. No. 84 – Adopting 1993 Comprehensive Sewer Plan of Woodinville Water District;
- (xxi) Ord. No. 93 – Adopting Washington Model Traffic Ordinance;
- (xxii) Ord. No. 99 – Regulating SOB;
- (xxiii) Ord. No. 101 – Amending Zoning Code SOB Overlay*;
- (xxiv) Ord. No. 103 – Regulations for Planting of Public Trees;
- (xxv) Ord. No. 112 – Adopting Interim Design Principles;
- (xxvi) Ord. No. 121 – Building, Mechanical, Plumbing, Electrical Codes;
- (xxvii) Ord. No. 134 – Fire Code;
- (xxviii) Ord. No. 143 – Regulatory Reform;
- (xxix) Ord. No. 157 – GMA Comprehensive Plan;
- (xxx) Ord. No. 173 – Shoreline Master Program;
- (xxxii) Ord. No. 175 – GMA Development Regulations.

(5) Except for permits and variances issued pursuant to WMC Title 24, Shoreline Management, when any proposal or action not requiring a decision of the City's Hearing Examiner is conditioned or denied on the basis of SEPA by a non-elected official, the decision shall be appealable to

the City's Hearing Examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within 10 days of the decision being appealed. Review by the Hearing Examiner shall be on a de novo basis. (Ord. 204 § 2, 1998)

*Code reviser's note: Ord. 121 repeals Ord. 35. Ord. 175 repeals Ord. 101; refer to the land use map.

14.04.260 Appeals.

(1) Unless otherwise provided by this section:

(a) Appeals under this chapter shall be of the governmental action together with its accompanying environmental determinations and shall be heard by the Hearing Examiner as the decision-maker of the highest level of review;

(b) Appeals of environmental determinations made (or lacking) under this chapter shall be commenced within the time required to appeal the governmental action which is subject to the environmental review.

(2) The City shall not allow more than one City appeal proceeding on a procedural determination (the adequacy of a determination of significance/nonsignificance or of a final EIS).

(3) The City shall consolidate an appeal of procedural issues and of substantive determinations made under this chapter (such as a decision to require particular mitigation measures or to deny a proposal) with a hearing or appeal on the underlying governmental action by providing for a single simultaneous hearing before the Hearing Examiner to consider the City's decision on a proposal and any environmental determinations made under this chapter.

(4) The City establishes the following administrative appeal procedures: Appeals to SEPA decisions are heard by the Hearing Examiner. For SEPA decision appeals made prior to project decision, only one open record public hearing before the Hearing Examiner will be held for both the SEPA appeal and the project permit. The Hearing Examiner shall be the responsible authority for both the SEPA appeal decision and the project permit decision. This includes project permits that would otherwise be heard by another decision-maker, such as the Planning Director or City Council. Any agency or person may appeal the City's procedural compliance with Chapter 197-11 WAC for issuance of the following determinations:

(a) A Final DNS or Mitigated DNS (MDNS) Made Prior to Project Permit Decision. An appeal of the DNS or MDNS made prior to the final permit decision must be made to the Hearing

(3) When a decision maker considers a final decision on a proposal:

(a) The alternatives in the relevant environmental documents shall be considered.

(b) The range of alternative courses of action considered by decision makers shall be within the range of alternatives discussed in the relevant environmental documents. However, mitigation measures adopted need not be identical to those discussed in the environmental document.

(c) If information about alternatives is contained in another decision document which accompanies the relevant environmental documents to the decision maker, agencies are encouraged to make that information available to the public before the decision is made.

[Statutory Authority: RCW 43.21C.110, 84-05-020 (Order DE 83-39), § 197-11-655, filed 2/10/84, effective 4/4/84.]

197-11-660

Substantive authority and mitigation.

(1) Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact subject to the following limitations:

(a) Mitigation measures or denials shall be based on policies, plans, rules, or regulations formally designated by the agency (or appropriate legislative body, in the case of local government) as a basis for the exercise of substantive authority and in effect when the DNS or DEIS is issued.

(b) Mitigation measures shall be related to specific, adverse environmental impacts clearly identified in an environmental document on the proposal and shall be stated in writing by the decision maker. The decision maker shall cite the agency SEPA policy that is the basis of any condition or denial under this chapter (for proposals of applicants). After its decision, each agency shall make available to the public a document that states the decision. The document shall state the mitigation measures, if any, that will be implemented as part of the decision, including any monitoring of environmental impacts. Such a document may be the license itself, or may be combined with other agency documents, or may reference relevant portions of environmental documents.

(c) Mitigation measures shall be reasonable and capable of being accomplished.

(d) Responsibility for implementing mitigation measures may be imposed upon an applicant only to the extent attributable to the identified adverse impacts of its proposal. Voluntary additional mitigation may occur.

(e) Before requiring mitigation measures, agencies shall consider whether local, state, or federal requirements and enforcement would mitigate an identified significant impact.

(f) To deny a proposal under SEPA, an agency must find that:

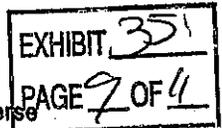
(i) The proposal would be likely to result in significant adverse environmental impacts identified in a final or supplemental environmental impact statement prepared under this chapter; and

(ii) Reasonable mitigation measures are insufficient to mitigate the identified impact.

(g) If, during project review, a GMA county/city determines that the requirements for environmental analysis, protection, and mitigation measures in the GMA county/city's development regulations or comprehensive plan adopted under chapter 36.70A RCW, or in other applicable local, state or federal laws or rules, provide adequate analysis of and mitigation for the specific adverse environmental impacts of the project action under RCW 43.21C.240, the GMA county/city shall not impose additional mitigation under this chapter.

(2) Decision makers should judge whether possible mitigation measures are likely to protect or enhance environmental quality. EISs should briefly indicate the intended environmental benefits of mitigation measures for significant impacts (WAC 197-11-440(6)). EISs are not required to analyze in detail the environmental impacts of mitigation measures, unless the mitigation measures:

(a) Represent substantial changes in the proposal so that the proposal is likely to have significant adverse



environmental impacts, or involve significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; and

(b) Will not be analyzed in a subsequent environmental document prior to their implementation.

(3) Agencies shall prepare a document that contains agency SEPA policies (WAC 197-11-902), so that applicants and members of the public know what these policies are. This document shall include, or reference by citation, the regulations, plans, or codes formally designated under this section and RCW 43.21C.060 as possible bases for conditioning or denying proposals. If only a portion of a regulation, plan, or code is designated, the document shall identify that portion. This document (and any documents referenced in it) shall be readily available to the public and shall be available to applicants prior to preparing a draft EIS.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110, 97-21-030 (Order 95-16), § 197-11-660, filed 10/10/97, effective 11/10/97. Statutory Authority: RCW 43.21C.110, 84-05-020 (Order DE 83-39), § 197-11-660, filed 2/10/84, effective 4/4/84.]

197-11-680

Appeals.

(1) **Introduction.** Appeals provisions in SEPA are found in RCW 43.21C.060, 43.21C.075 and 43.21C.080. These rules attempt to construe and interpret the statutory provisions. In the event a court determines that these rules are inconsistent with statutory provisions, or with the framework and policy of SEPA, the statute will control. Persons considering either administrative or judicial appeal of any decision which involves SEPA at all are advised to read the statutory sections cited above.

(2) **Appeal to local legislative body.** RCW 43.21C.060 allows an appeal to a local legislative body of any decision by a local nonelected official conditioning or denying a proposal under authority of SEPA. Agencies may establish procedures for such an appeal, or may eliminate such appeals altogether, by rule, ordinance or resolution. Such appeals are subject to the restrictions in RCW 36.70B.050 and 36.70B.060 that local governments provide no more than one open record hearing and one closed record appeal for permit decisions.

(3) Agency administrative appeal procedures.

(a) Agencies may provide for an administrative appeal of determinations relating to SEPA in their agency SEPA procedures. If so, the procedures must comply with the following:

(i) The agency must specify by rule, ordinance, or resolution that the appeals procedure is available.

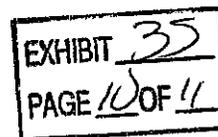
(ii) Appeal of the intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed.

(iii) Appeals on SEPA procedures shall be limited to review of a final threshold determination and final EIS. These appeals may occur prior to an agency's final decision on a proposed action.

(iv) An agency shall provide for only one administrative appeal of a threshold determination or of the adequacy of an EIS; successive administrative appeals on these issues within the same agency are not allowed. This limitation does not apply to administrative appeals before another agency.

(v) Except as provided in (a)(vi) of this subsection, the appeal shall consolidate any allowed appeals of procedural and substantive determinations under SEPA with a hearing or appeal on the underlying governmental action in a single simultaneous hearing before one hearing officer or body. The hearing or appeal shall be one at which the hearing officer or body will consider either the agency's decision or a recommendation on the proposed underlying governmental action. For example, an appeal of the adequacy of an EIS must be consolidated with a hearing or appeal on the agency's decision or recommendation on the proposed action, if both proceedings are allowed in agency procedures. If an agency does not provide for a hearing or appeal on the underlying governmental action (either a hearing on the agency's recommendation or an agency appeal hearing after the decision is made), the agency may not hold a SEPA administrative appeal, except as allowed under (a)(vi) of this subsection.

(vi) The following appeals of SEPA procedural or substantive determinations need not be consolidated with a hearing or appeal on the underlying governmental action:



(A) An appeal of a determination of significance;

(B) An appeal of a procedural determination made by an agency when the agency is a project proponent, or is funding a project, and chooses to conduct its review under SEPA, including any appeals of its procedural determinations, prior to submitting an application for a project permit. Subsequent appeals of substantive determinations by an agency with jurisdiction over the proposed project shall be allowed under the SEPA appeal procedures of the agency with jurisdiction;

(C) An appeal of a procedural determination made by an agency on a nonproject action; and

(D) An appeal to the local legislative authority under RCW 43.21C.060 or other applicable state statutes.

(vii) If a county/city to which RCW 36.70B.110 applies provides for an administrative appeal, any such appeal of a procedural or substantive determination under SEPA issued at the same time as the decision on a project action shall be filed within fourteen days after a notice of decision under RCW 36.70B.130 or after other notice that the decision has been made and is appealable. In order to allow public comment on a DNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven days if the appeal is of a DNS for which public comment is required under this chapter or under county/city rules adopted under SEPA. For threshold determinations issued prior to a decision on a project action, any administrative appeal allowed by a county/city shall be filed within fourteen days after notice that the determination has been made and is appealable. Nothing in this subsection alters the requirements of (a)(v) and (vi) of this subsection.

(viii) Agencies shall provide that procedural determinations made by the responsible official shall be entitled to substantial weight.

(b) Agencies providing for administrative appeals shall provide for a record as required by RCW 43.21C.075 (3)(c).

(c) If an agency provides an administrative appeal procedure, that procedure must be used before anyone may initiate judicial review of any SEPA issue that could have been reviewed under the agency procedures.

(4) Judicial appeals.

(a) SEPA authorizes judicial appeals of both procedural and substantive compliance with SEPA.

(b) When SEPA applies to a decision, any judicial appeal of that decision potentially involves both those issues pertaining to SEPA (SEPA issues) and those which do not (non-SEPA issues). RCW 43.21C.075 establishes time limits for raising SEPA issues, but says that existing statutes of limitations control the appeal of non-SEPA issues. The statute contemplates a single lawsuit.

(c) If there is a time limit established by statute or ordinance for appealing the underlying governmental action, then appeals (or portions thereof) raising SEPA issues must be filed within such time period.

(d) The notice of action procedures of RCW 43.21C.080 may still be used. If this procedure is used, then the time limits for judicial appeal specified in RCW 43.21C.080 shall apply, unless there is a time limit established by statute or ordinance for appealing the underlying governmental action. If so, the time limit for appeal of SEPA issues shall be the time limit in the statute or ordinance for the underlying governmental action. If the proposal requires more than one governmental decision that will be supported by the same SEPA documents, then RCW 43.21C.080 still only allows one judicial appeal of procedural compliance with SEPA, which must be commenced within the applicable time to appeal the first governmental decision.

(e) If the time limit established by statute or ordinance for appealing the underlying governmental action is less than fifteen days, then the notice of action in RCW 43.21C.080(1) may be given by publishing once within that shorter time period, in a newspaper of general circulation in the area where the property that is the subject of the action is located, and meeting the other requirements of RCW 43.21C.080.

(f) If there is no time limit established by statute or ordinance for appeal, and the notice of action provisions are not used, then SEPA provides no time limit for judicial appeals. Appeal times may still be limited, however, by general statutes of limitation or the common law.

(g) For the purposes of this subsection, "a time limit established by statute or ordinance" does not include time limits established by the general statutes of limitation in chapter 4.16 RCW.

(5) Official notice of the date and place for commencing a judicial appeal.

(a) Official notice of the date and place for commencing an appeal must be given if there is a time limit established by statute or ordinance for commencing an appeal of the underlying governmental action. The notice shall include:

(i) The time limit for commencing appeal of the underlying governmental action and SEPA issues, and the statute or ordinance establishing the time limit; and

(ii) Where an appeal may be filed.

(b) Notice is given by:

(i) Delivery of written notice to the applicant, all parties to any administrative appeal, and all persons who have requested notice of decisions with respect to the particular proposal in question; and

(ii) Following the agency's normal methods of notice for the type of governmental action taken.

(c) Written notice containing the information required by subsection (5)(a) of this section may be appended to the permit, decision documents, or SEPA compliance documents or may be printed separately.

(d) Official notices required by this subparagraph shall not be given prior to final agency action.

[Statutory Authority: Chapter 43.21C RCW and 1997 c 429, 98-06-092 (Order 97-43), § 197-11-680, filed 3/4/98, effective 3/8/98. Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110, 97-21-030 (Order 95-16), § 197-11-680, filed 10/10/97, effective 11/10/97. Statutory Authority: RCW 43.21C.110, 95-07-023 (Order 94-22), § 197-11-680, filed 3/6/95, effective 4/6/95; 84-05-020 (Order DE 83-39), § 197-11-680, filed 2/10/84, effective 4/4/84.]

197-11-700 Definitions.

(1) The terms used in these rules shall be uniform throughout the state as applied to SEPA (WAC 197-11-040). Agencies may add to certain of these definitions in their procedures, to help explain how they carry out SEPA, but shall not change these definitions (WAC 197-11-906).

(2) Unless the context clearly requires otherwise:

(a) Use of the singular shall include the plural and conversely.

(b) "Preparation" of environmental documents refers to preparing or supervising the preparation of documents, including issuing, filing, printing, circulating, and related requirements.

(c) "Impact" refers to environmental impact.

(d) "Permit" means "license" (WAC 197-11-760).

(e) "Commenting" includes but is not synonymous with "consultation" (Part Five).

(f) "Environmental cost" refers to adverse environmental impact and may or may not be quantified.

(g) "EIS" refers to draft, final, and supplemental EISs (WAC 197-11-405 and 197-11-738).

(h) "Under" includes pursuant to, subject to, required by, established by, in accordance with, and similar expressions of legislative or administrative authorization or direction.

(3) In these rules:

(a) "Shall" is mandatory.

(b) "May" is optional and permissive and does not impose a requirement.

(c) "Include" means "include but not limited to."

PLANNING DIRECTOR INTERPRETATION REGARDING FINAL ENVIRONMENTAL IMPACT STATEMENT APPEAL PROCEDURES

AUTHORITY: Pursuant to WMC 17.07.80, the Planning Director is authorized to issue Official Interpretations of all development regulations, as well as perform the function of a EPA Official for environmental review per WMC 17.04.040 (adopted in 1998).

INTERPRETATION: The Planning Director formally interprets WMC 14.04.260 as currently not allowing an administrative appeal. Administrative appeals for Final Environmental Impact Statements (FEIS) are to follow a formal procedure, which has not been established by the City. Therefore, adequacy of an FEIS is instead subject to judicial appeal in accordance with applicable state and local regulations.

APPEAL: This interpretation is issued as a Type II decision pursuant to WMC 17.07.030, and is subject to appeal before the City of Woodinville Hearing Examiner. Any notice of appeal must be filed within 14 days of the issuance date of November 6, 2006 to the Planning Director. Issued this 6th day of November, 2006.

Cindy Baker, Planning Director
City of Woodinville

Published November 6th, 2006

The Woodinville WEEKLY

November 6, 2006

U.S. Mail delivered to all Woodinville and Kingsgate residences. Carrier delivered to English Hill. Combined circulation: 30,000

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Vol 31 No 5

EXHIBIT 36
PAGE 1 of 1

NOTICE OF FINAL ENVIRONMENTAL STATEMENT (FEIS)
AVAILABILITY FOR WOOD TRAILS AND MONTEVALLO
PRELIMINARY PLATS



"Citizens, business and local government;
a community commitment to our future."

Threshold Determination: Final Environmental Impact Statement
Date of Issuance: December 13, 2006
File Number: EIS2005-016, PPA2004-056 and PPA2004-093
Applicant/Contact: Phoenix Development, Inc./Loree Quade

Proposal Location: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres; Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres, Woodinville, King County, Washington.

S/T/R: NE 03/26/05

Proposal Description: The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).

Lead Agency: City of Woodinville

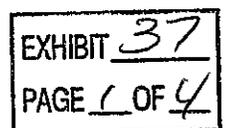
In accordance with Chapter 197-11 Washington Administrative Code and rules adopted by the City of Woodinville that implement SEPA, notice is hereby given that the City of Woodinville has completed and is issuing a Final Environmental Impact Statement (FEIS) concerning the proposed *Wood Trails and Montevallo Subdivisions*. The Final EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process.

A public hearing will be held for the preliminary plat and rezone applications and public notice of the hearing will occur at least 15 days prior to the hearing and will be published in the City's official newspaper, the Woodinville Weekly, as well as being posted and mailed to all parties as specified by WWC 17.11.030.

The Final EIS will be available to the general public on Wednesday, December 13, 2006. **Please see the News Release in the Woodinville Weekly dated December 11, 2006 for further detail.**

Any questions regarding the Environmental Impact Statement should be directed to Susie McCann, Acting Manager Plan Review and Inspections.

SEPA OFFICIAL: Cindy Baker, Director of Development Services.
ADDRESS: 17301 133rd Avenue NE, Woodinville, WA 98072
NOTE: To view a site map for this project, please visit our web site:
www.ci.woodinville.wa.us/events/legal-notices.asp



The FEIS will be available for public inspection at Woodinville City Hall, 17301-133rd Avenue NE, and the Woodinville Library, 17105 Avondale Road during regular business hours. A bound copy or CD can be purchased at the Woodinville branch of FedEx-Kinko's, 13620 NE 175th Street. The 3-volume document is also available on the City's website at <http://www.ci.woodinville.wa.us/events/EIS.asp>.



Any questions regarding the Environmental Impact Statement should be directed to Susie McCann, Acting Manager Plan Review and Inspections.

SEPA OFFICIAL: Cindy Baker
POSITION/TITLE: Director of Development Services
ADDRESS: 17301 133rd Avenue NE
Woodinville, WA 98072

SIGNATURE: *Cynthia Baker* **DATE:** December 13, 2006



EXHIBIT 37
PAGE 2 OF 4

December 18, 2006



"Citizens, business and local government;
a community commitment to our future."

To: Interested persons

Re: Wood Trails and Montevallo Subdivisions
Final Environmental Impact Statement

The Public Hearing before the City Hearing Examiner on the Preliminary Plat and Re-zone Applications for the Wood Trails and Montevallo Subdivisions has been rescheduled. The Public Hearing is now scheduled for 2 days, Wednesday, February 28th, 2007, and Thursday, March 1st, 2007, (7 p.m. to 10 p.m.), at Carol Edwards Center, gymnasium, 17401-133rd Avenue NE, Woodinville, WA 98072. Questions regarding the Public Hearing should be directed to Susie McCann, Manager (susiem@ci.woodinville.wa.us), phone #(425) 489-2754.

Since a number of citizens have raised questions regarding the time for filing an appeal of the Wood Trails and Montevallo Subdivisions Final Environmental Impact Statement, the following statement is issued as public information.

The State Environmental Protection Act ("SEPA") allows for administrative appeals at the local agency level and for judicial appeals of a Final Environmental Impact Statement ("FEIS").

The provision for an administrative appeal of a FEIS at the local agency level is not required under SEPA. The Development Services Director has recently issued an Administrative Interpretation of the Woodinville Environmental and Development Regulations and determined that there is no local ordinance providing for an administrative appeal of a FEIS. This means that a judicial appeal of the Wood Trails and Montevallo Subdivisions FEIS is the only available means of appeal.

The rules for judicial appeals of an FEIS can be found in the Washington Administrative Code at WAC 197-11-680 (4). In part, these rules state the following:

"(b) When SEPA applies to a decision, any judicial appeal of that decision potentially involves both those issues pertaining to SEPA (SEPA issues) and those which do not (non-SEPA issues). RCW 43.21C.075 establishes time limits for raising SEPA issues, but says

EXHIBIT 37
PAGE 3 OF 4

that existing statutes of limitations control the appeal of non-SEPA issues. The statute contemplates a single lawsuit."

"(c) If there is a time limit established by statute or ordinance for appealing the underlying governmental action, then appeals (or portions thereof) raising SEPA issues must be filed within such time period."

The decision of the Woodinville City Council to approve or deny a re-zone or subdivision application is a land use decision which may be appealed by following the provisions of the Land Use Petition Act ("LUPA") found in RCW 36. 70C. A LUPA appeal must be served and filed within 21 days of the decision by the City Council. SEPA claims, including any claims that the FEIS is procedurally or substantively flawed, may be included within the LUPA appeal. Any SEPA claims not included within the appeal of the decision to approve or deny the re-zone or to approve or deny the subdivision application will likely be waived. A judicial appeal of only the FEIS without an appeal of the underlying project application is not allowed by statute.

Summary: Any appeal of the Wood Trails and Montevallo Subdivisions Final Environmental Impact Statement is timely made only if included in a timely served and filed LUPA appeal of the underlying decision to either approve or deny the requested rezone or the requested subdivision application. The LUPA appeal must be served within 21 days of the decision by the City Council. The City Council will make its decisions after reviewing the recommendations made by the Hearing Examiner.

The foregoing message is not intended as legal advice and anyone considering an appeal of the Wood Trail and Montevallo Subdivisions Final Environmental Impact Statement should consult their own attorney for legal advice.

Cindy Baker
by *CLJ*
Cindy Baker
Interim Development Services Director

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PAGE	4 OF 4

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PAGE 1 OF 1

Vol. 31 No. 10

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December 11, 2006

The Woodinville WEEKLY

CITY OF WOODINVILLE NOTICE OF FINAL ENVIRONMENTAL STATEMENT (FEIS) AVAILABILITY FOR WOOD TRAILS AND MONTEVALLO PRELIMINARY PLATS

PROJECT: Wood Trails/Montevallo
Threshold Determination: Final Environmental Impact Statement
Date of Issuance: December 13, 2006
File Numbers: EIS2005-016, PPA2004-056 and PPA2004-093
Applicant/Contact: Phoenix Development, Inc./Loree Quade
Proposal Location: Wood Trails is located between 148th Avenue NE and a point 659.39 feet west of 148th Avenue NE and between NE 195th Street and the center line of NE 201st Street; and between 148th Avenue NE and a point 997.24 feet west thereof; and between the centerline of NE 201st Street and a point 360 feet north of the center line of NE 202nd Street, containing 38.7 acres; Montevallo is located between 156th Avenue NE and a point 992.57 feet west thereof; and between the north City limits and a point 659.39 feet south thereof, containing 16.5 acres, Woodinville, King County, Washington, Woodinville, King County, Washington
S/T/R: NE 03/26/05
Proposal Description: The applicant, Phoenix Development, has submitted preliminary plat applications for two sites in the Wellington neighborhood of Woodinville. The first preliminary plat, Wood Trails (PPA2004-056) is a 66-lot plat on a 38.7 acre site zoned R-1 (Residential - 1 dwelling unit per acre). The second preliminary plat, Montevallo (PPA2004-093), is a 66-lot plat on a 16.5-acre site, also zoned R-1. The applicant has submitted a rezone request to rezone both sites to R-4 (Residential - 4 dwelling units per acre).
Lead Agency: City of Woodinville
In accordance with Chapter 197-11 Washington Administrative Code and rules adopted by the City of Woodinville that implement SEPA, notice is hereby given that the City of Woodinville has completed and is issuing a Final Environmental Impact Statement (FEIS) concerning the proposed *Wood Trails and Montevallo Subdivisions*. The Final EIS provides analysis of potential impacts based on the range of environmental parameters identified through the scoping process. A public hearing will be held for the preliminary plat and rezoning applications and public notice of the hearing will occur at least 15 days prior to the hearing and will be published in the City's official newspaper, the Woodinville Weekly, as well as being posted and mailed to all parties as specified by WWC 17.11.030.
The FEIS will be available to the general public on Wednesday, December 13, 2006. Please see the News Release in this issue of the Woodinville Weekly for further details.
Any questions regarding the Environmental Impact Statement should be directed to Susie McCann, Acting Manager Plan Review and Inspections.
SEPA OFFICIAL: Cindy Baker, Director of Development Services.
ADDRESS: 17301 133rd Avenue NE, Woodinville, WA 98072
NOTE: To view a site map for this project, please visit our web site: www.ci.woodinville.wa.us/events/legal-notices.asp

Published December 11th, 2006

Exhibit 39

Final Environmental Impact Statement (FEIS) Report and Appendices A-P

Date: June 17, 2004

To: Dick Fredlund
City of Woodinville
Woodinville City Hall
17301 - 133rd Ave NE
Woodinville, WA 98072

COPY



11814 115th Avenue NE
Kirkland, WA 98034-6923

425.821.8448
425.821.3481 fax
800.488.0756 toll free
www.triadassoc.com

Job No: 03-208

Project: Wood Trails - Three Separate Deviation Requests
City Permit #TRC03033

Enclosed are:

- Prints
- Copies
- Reproducibles
- Reports
- Documents
- Specifications
- Other

These have been sent:

- For Your Use
- For Your Review / Approval
- For Your Signature / Return
- At Your Request
- For Your Records
- For Your Information
- Other

EXHIBIT 40
PAGE 1 OF 31

Quantity	Date	Description
1	6/11/04	Reduction of Right-of-Way Width
1	6/10/04	Disperse Roof/Footing Drains On-Site
1	6/10/04	Exceed Maximum Catch Basin Spacing

Remarks:

Dick,

Attached are three deviation requests which have been previously discussed with Joe Seet (road right-of-way) or Yosh Monzaki (drainage).

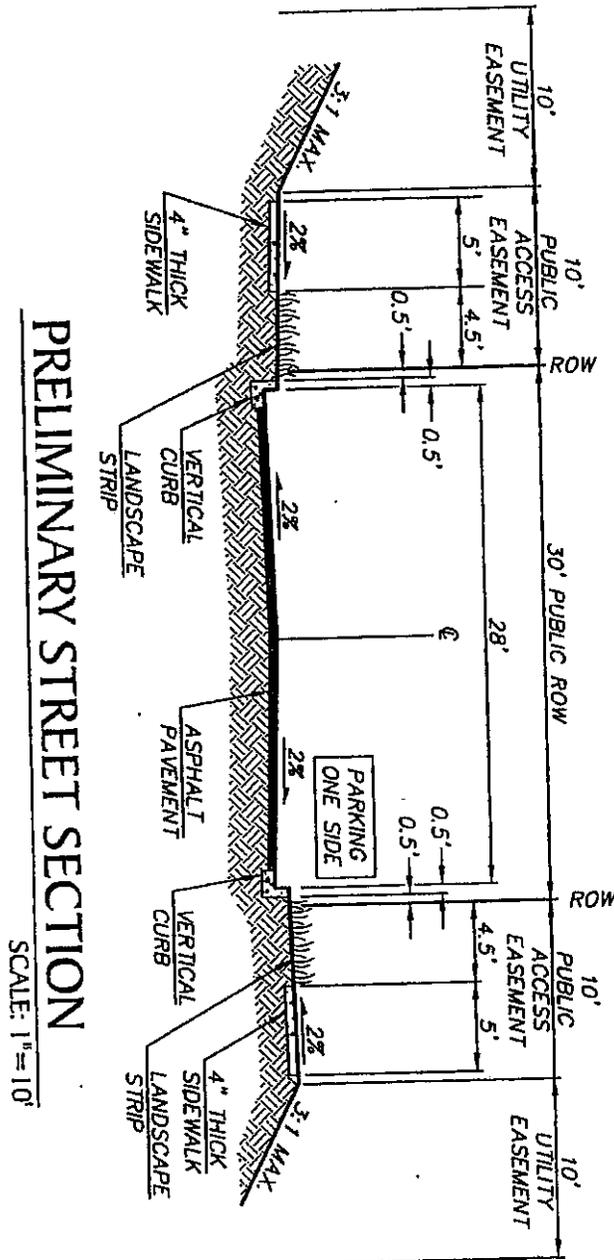
The contact person in our office is George Newman (425-821-8448).

Thank you.

Sent By: Lee Ann Fraser
Lee Ann Fraser
Project Administrator

Copies To: Loree Quade
Phoenix Development, Inc.
(w/enclosures)

EXHIBIT 40
 PAGE 2 OF 31



PRELIMINARY STREET SECTION

SCALE: 1" = 10'

© 2004 TRIAD ASSOCIATES

PRELIMINARY STREET SECTION

PHOENIX DEVELOPMENT
WOOD TRAILS

CITY OF WOODINVILLE,

WASHINGTON



11814 115th Ave. NE
 Redmond, VA 98073-8723
 425.821.8448
 425.821.5481 fax
 800.448.8728 toll free
 www.triadassoc.com

MANAGER: GEORGE NEWMAN, A.
 SURVEYOR:
 ENGINEER: MARK D. KELLER, P.E.
 LANDSCAPE ARCH:
 1ST SUBMITTAL DATE: 4/23/04
 SCALE: HORIZ: N/A
 VERT: N/A

JOB NO. 03-208
 SHEET NO. 1 OF 1



DEVIATION from STANDARDS REQUEST

Permissible alternatives different from the City of Woodinville Standards may be approved if such modifications are in the public interest, are based upon sound engineering judgment, and the requirements for safety, function, appearance, and maintainability are fully met. A minimum of 10 work days shall be permitted for a determination of acceptance or denial, or request for additional information per Transportation Infrastructure Standards and Specifications Section 1-1.8.

Date of Request: 6-10-04 Prepared by: Mark Keller
C/O Triad Associates Phone: 425-821-8448
Permit #: TRC03033 Parcel #: (See attached)

Development Name: Wood Trails

Please define the Standard that you are requesting a deviation from.

Std #: Design Req. 1-5.2.2 Title: Catch Basins

Description of deviation: Exceed maximum catch basin spacing

Need (Why): Due to the topography of the site, it is necessary to extend storm drainage down a steep slope where vehicular access is not possible. Accessible structures will be provided at the top and bottom of slope. Continuous HDPE pipe will be used between structures.

OFFICIAL USE ONLY - DO NOT WRITE IN THIS BOX

Deviation Tracking #: _____

Public Works: Approved
Conditions/Comments:

Denied

Need more information

Reviewed By: _____

Fire District: Approved
Conditions/Comments:

Denied

Need more information

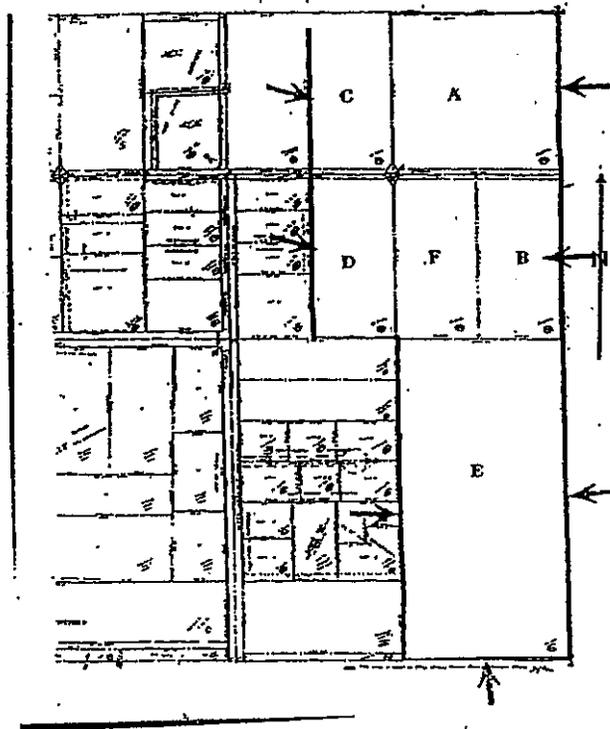
Reviewed By: _____

Approval Signature: _____ Date: _____
City Engineer

Approval Expiration Date: _____

Parcel #:

- 032605-9045 (Parcel A)
- 032605-9042 (Parcel B)
- 032605-9032 (Parcel C)
- 032605-9038 (Parcel D)
- 032605-9111 (Parcel E)
- 032605-9044 (Parcel F)





DEVIATION from STANDARDS REQUEST

Permissible alternatives different from the City of Woodinville Standards may be approved if such modifications are in the public interest, are based upon sound engineering judgment, and the requirements for safety, function, appearance, and maintainability are fully met. A minimum of 10 work days shall be permitted for a determination of acceptance or denial; or request for additional information per Transportation Infrastructure Standards and Specifications Section 1-1.8.

Date of Request: 6/11/04 Prepared by: George Newman Phone: (425) 821-8448

Permit #: TRC Proj: TRC03033 Parcel #: See attached

Development Name: Wood Trails

Please define the Standard that you are requesting a deviation from.

Std #: 103A Title: Street Design Standard

Description of deviation: Reduction in right-of-way width from 60-foot right-of-way width to 30-foot right-of-way width as presented and discussed at TRC II (2/18/04) and City Engineer meeting (5/10/04). Sidewalks and planting strip in public easement on lot.

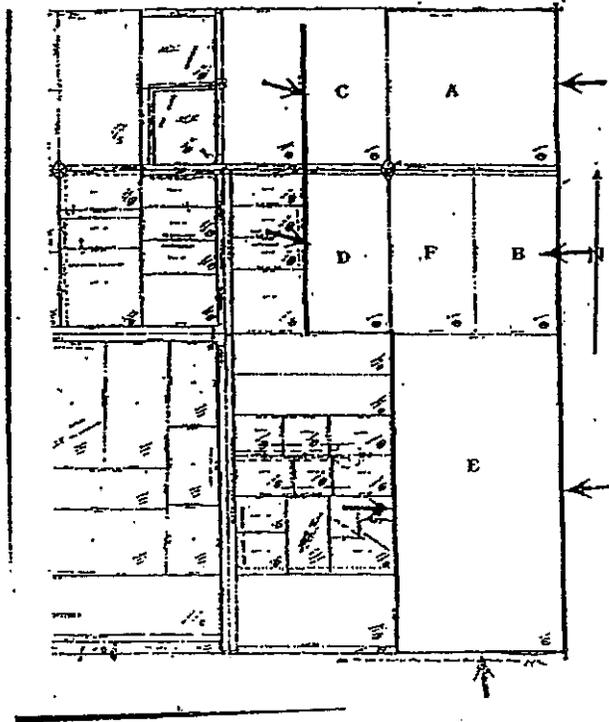
Need (Why): Topographic & Environmental constraints, (2) Further connectivity not possible (3) Reduces impervious surfaces & runoff impacts to steep slopes (4)

Comprehensive plan encourages urban infill (5) Similar deviation granted in Miller's Ridge.

OFFICIAL USE ONLY - DO NOT WRITE IN THIS BOX		Deviation Tracking #: _____
Public Works: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Need more information
Conditions/Comments:		Reviewed By: _____
Fire District: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Need more information
Conditions/Comments:		Reviewed By: _____
Approval Signature: _____	Date: _____	
City Engineer		
Approval Expiration Date: _____		

Parcel #:

- 032605-9045 (Parcel A)
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DEVIATION from STANDARDS REQUEST

Permissible alternatives different from the City of Woodinville Standards may be approved if such modifications are in the public interest, are based upon sound engineering judgment, and the requirements for safety, function, appearance, and maintainability are fully met. A minimum of 10 work days shall be permitted for a determination of acceptance or denial, or request for additional information per Transportation Infrastructure Standards and Specifications Section 1-1.8.

Date of Request: 6-10-04 Prepared by: Mark Keller Phone: 425-821-8448
C/O
Permit #: TRCO3033 Parcel #: (See attached)
Development Name: Wood Trails

Please define the Standard that you are requesting a deviation from.

Std #: N/A Title: _____

Description of deviation: Disperse roof/footing drains on-site

Need (Why): Topography does not allow connection to storm system for all lots and driveways. Geotechnical review is included in geotech report date 6-9-04. Detention pond is sized to compensate for this undetained area. Treatment trade is detailed in

Technical Information Report dated 6/10/04.

OFFICIAL USE ONLY - do not write in this box

Deviation Tracking #: _____

Public Works: Approved Denied Need more information
Conditions/Comments: _____
Reviewed By: _____

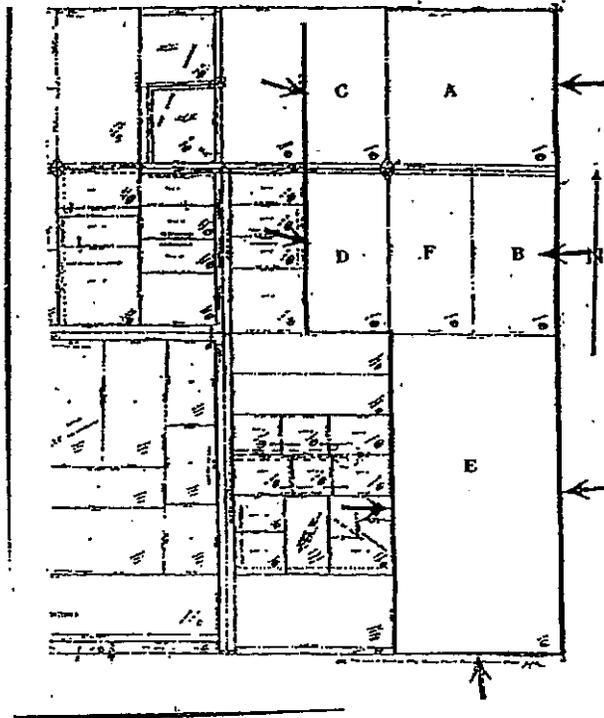
Fire District: Approved Denied Need more information
Conditions/Comments: _____
Reviewed By: _____

Approval Signature: _____ Date: _____
City Engineer

Approval Expiration Date: _____

Parcel #:

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- 032605-9111 (Parcel E)
- 032605-9044 (Parcel F)





DEVIATION from STANDARDS REQUEST

Permissible alternatives different from the City of Woodinville Standards may be approved if such modifications are in the public interest, are based upon sound engineering judgment, and the requirements for safety, function, appearance, and maintainability are fully met. A minimum of 10 work days shall be permitted for a determination of acceptance or denial, or request for additional information per Transportation Infrastructure Standards and Specifications Section 1-1.8.

Date of Request: 5/24/05 Prepared by: Mark Keller, Triad Associates Phone: 425-821-8448

Permit #: _____ Parcel #: _____

Development Name: Wood Trails

Please define the Standard that you are requesting a deviation from.

Std #: KCSWDM CORE #1 Title: CORE REQUIREMENT 1.- Discharge at Natural Location.

Description of deviation: See Attached.

Need (Why): See Attached.

OFFICIAL USE ONLY - Do not write in this box.		Deviation Tracking #: _____
Public Works: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Need more information
Conditions/Comments:		
		Reviewed By: _____
Fire District: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Need more information
Conditions/Comments:		
		Reviewed By: _____
Approved/ Not-approved	Signature: _____	Date: _____
City Engineer		
Approval Expiration Date: _____		

1.2 CORE REQUIREMENTS

This section details the following eight core requirements:

- Core Requirement #1: Discharge at the Natural Location, Section 1.2.1 (p. 1-17)
- Core Requirement #2: Offsite Analysis, Section 1.2.2 (p. 1-19)
- Core Requirement #3: Flow Control, Section 1.2.3 (p. 1-25)
- Core Requirement #4: Conveyance System, Section 1.2.4 (p. 1-38)
- Core Requirement #5: Temporary Erosion and Sediment Control, Section 1.2.5 (p. 1-43)
- Core Requirement #6: Maintenance and Operations, Section 1.2.6 (p. 1-46)
- Core Requirement #7: Financial Guarantees and Liability, Section 1.2.7 (p. 1-47)
- Core Requirement #8: Water Quality, Section 1.2.8 (p. 1-49).

1.2.1 CORE REQUIREMENT #1: DISCHARGE AT THE NATURAL LOCATION

REQUIREMENT

All surface and storm water runoff from a project must be discharged at the natural location so as not to be diverted onto or away from downstream properties. The manner in which runoff is discharged from the project site must not create a significant adverse impact to downhill properties or drainage systems (see "Discharge Requirements" below).

Intent: To prevent adverse impacts to downstream properties caused by diversion of flow from one flowpath to another, and to discharge in a manner that does not significantly impact downhill properties or drainage systems. Diversions can cause greater impacts (due to greater runoff volumes) than would otherwise occur from new development discharging runoff at the natural location. Diversions can also impact properties that rely on runoff water to replenish wells and ornamental or fish ponds. *Projects that do not discharge at the natural location will require an approved adjustment of this requirement (see Section 1.4).*

□ DISCHARGE REQUIREMENTS

Proposed projects must comply with the following discharge requirements (1, 2, and 3) as applicable:

1. Where no conveyance system exists at the abutting downstream property line and the natural (existing) discharge is unconcentrated, any runoff concentrated by the proposed project must be discharged as follows:
 - a) IF the 100-year peak discharge¹⁹ is less than or equal to 0.2 cfs under existing conditions and will remain less than or equal to 0.2 cfs under developed conditions, THEN the concentrated runoff may be discharged onto a rock pad or to any other system that serves to disperse flows.
 - b) IF the 100-year peak discharge is less than or equal to 0.5 cfs under existing conditions and will remain less than or equal to 0.5 cfs under developed conditions, THEN the concentrated runoff may be discharged through a dispersal trench or other dispersal system provided the applicant can demonstrate that there will be no significant adverse impact to downhill properties or drainage systems.
 - c) IF the 100-year peak discharge is greater than 0.5 cfs for either existing or developed conditions, or if a significant adverse impact to downhill properties or drainage systems is likely, THEN a

¹⁹ Peak discharges for applying this requirement are determined using KCRS as detailed in Chapter 3.

SECTION 1.2 CORE REQUIREMENTS

conveyance system must be provided to convey the concentrated runoff across the downstream properties to an acceptable discharge point.²⁰ Drainage easements for this conveyance system must be secured from downstream property owners and recorded prior to engineering plan approval.

2. IF a proposed project or any **natural discharge area** within a project is located within a *Landslide Hazard Drainage Area*²¹ and, in fact, ultimately drains over the erodible soils of a SAO-defined landslide hazard area with slopes steeper than 15%, THEN a **tightline system must be provided** through the landslide hazard area to an acceptable discharge point unless one of the following exceptions applies. The tightline system must comply with the design requirements in Core Requirement #4 and in Section 4.2.2 unless otherwise approved by DDES. Drainage easements for this system must be secured from downstream property owners and recorded prior to engineering plan approval.

Exceptions: A tightline is not required for any **natural discharge location** where one of the following conditions can be met:

- a) Less than 2,000 square feet of new impervious surface will be added within the **natural discharge area**, OR
 - b) All runoff from the **natural discharge area** will be infiltrated for runoff events up to and including the 100-year event, OR
 - c) The *developed conditions runoff volume*²² from the **natural discharge area** is less than 50% of the existing conditions runoff volume from other areas draining to the location where runoff from the natural discharge area enters the landslide hazard area onto slopes steeper than 15%, AND the provisions of Discharge Requirement 1 are met, OR
 - d) DDES determines that a tightline system is not physically feasible or will create a significant adverse impact based on a soils report by a geotechnical engineer.
3. For projects adjacent to or containing SAO-defined landslide, steep slope, or erosion hazard areas, the applicant must demonstrate that onsite drainage facilities and/or flow control BMPs will not create a significant adverse impact to downhill properties or drainage systems.

²⁰ *Acceptable discharge point* means an enclosed drainage system (i.e., pipe system, culvert, or tightline) or open drainage feature (e.g., ditch, channel, swale, stream, river, pond, lake, or wetland) where concentrated runoff can be discharged without creating a significant adverse impact.

²¹ *Landslide Hazard Drainage Areas* are areas mapped by the County where it has been determined that overland flows from new projects will pose a significant threat to health and safety because of their close proximity to SAO-defined landslide hazard areas that are on slopes steeper than 15% (see the Definitions Section for a more detailed definition of SAO landslide hazard areas). Such areas are delineated on the Landslide Hazard Drainage Areas map adopted with this manual (see map pocket on inside of back cover).

²² For the purposes of applying this exception, the *developed conditions runoff volume* is the average annual runoff volume as computed with KCRS per Chapter 3. Any areas assumed not to be cleared when computing the developed conditions runoff volume must be set aside in an open space tract or covenant in order for the proposed project to qualify for this exception. Preservation of existing forested areas in Landslide Hazard Drainage Areas is encouraged.

Description of Deviation:

This request is to approve an adjustment to Core Requirement 1 to provide for a diversion of stormwater discharge from the natural location for the proposed Wood Trails development.

Please refer to the *Existing Conditions Exhibit* and the *Downstream Drainage Exhibit* attached to aid in the following discussion. Also refer to the Level 1 Downstream Analysis dated June 11, 2004 for further drainage details.

Currently, the site is undeveloped with land cover of primarily 2nd growth forest with moderate underbrush. Topography of the site slopes from east to west with approximately 140' to 180' of vertical relief. Several ravines exist within the western portion of the site where the terrain transitions from moderate to steep. Flows that have developed in short segments of the ravines are then dispersed over moderately thick vegetative brush before discharging west, offsite, into downstream industrial zoned properties. Site flows are collected in the drainage systems of these properties and conveyed west to three separate pipe systems beneath 144th Avenue NE. These systems, referred to as Systems A, B, and C, convey site flows from 144th Avenue NE west beneath NE 203rd Street, NE 200th Street, and the Formost Property immediately south of NE 193rd Place, respectively. System A recombines with System B approximately 1/3-mile west of the site on Woodinville-Snohomish Road. Flows from all systems discharge to Little Bear Creek approximately 1/2-mile west of the site.

The Wood Trails development proposes to construct a single detention pond (along with required water quality facilities) to be located in the west-central portion of the site. The facility will provide detention and water quality treatment of stormwater for the portion of the property proposed for development. A portion of upstream areas tributary to the site will be routed through the pond but not detained (flow-thru area of Upstream Basin A and B). Released flows from the pond are proposed to discharge to a single downstream receiving system, System B. Upstream flows from Upstream Basin C is proposed to be conveyed through the site via a tight-lined pipe system to System C. Existing flows to Systems A and C will be diverted to System B in the developed condition. Refer to the *Existing and Developed Areas Exhibit* attached.

A detailed analysis of diverted areas and flows, along with results and conclusions of impacts due to the proposed flow diversion are provided with this deviation request. A downstream capacity analysis of Systems B and C is included as well.

Need (Why):

The need to divert flows as requested are due to the difficult topography of the site, connection constraints, and availability of easements.

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Flow Diversion Analysis:

Existing flows to each system was determined by multiplying the 100-year peak flow rate per acre of the onsite existing area (developed portion) and upstream areas by the existing tributary areas to each downstream system (A, B, and C). The same methodology was applied to that of the developed site, but with tributary flows to System B calculated by multiplying the tributary area to System B (area tributary to the detention pond – onsite and upstream) by the 100-year release rate from the detention pond divided by the total detained area.

Diversion Summary Tables

Detailed area and flow calculations are included in the Diversion Analysis Calculations section of this Deviation Request. The following are the summary of the results.

Existing and Developed Areas

Refer to the *Existing Basin Areas Exhibit* and the *Developed Basin Areas Exhibit* attached for delineation of the following areas.

Existing Basin Areas to Downstream Systems (ac)				
Basin	A	B	C	Total
Onsite	14.1	3.3	4.1	21.5
Upstream	1.1	10.6	7.9	19.6
Total	15.2	13.9	12	41.1

Developed Basins to Downstream Systems (ac)				
Basin	A	B	C	Total
Onsite	0	20.1	1.4	21.5
Upstream	0	11.7	7.9	19.6
Total	0	31.8	9.3	41.1

Diverted Areas and Flows

Note that negative values represent areas/flows diverted from the basin.

Diverted Areas from Downstream Systems (ac)				
Basin	A	B	C	Total
Onsite	-14.1	16.8	-2.7	0
Upstream	-1.1	1.1	0	0
Total	-15.2	17.9	-2.7	0

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Flow/Area (cfs/ac)	Existing		Developed
	Onsite	Upstream	Onsite
	A, B, and C	A and B	B (released from pond)
	0.081	0.229	0.166

Refer to the Diversion Analysis Calculations section for calculation details.

Diverted Flows from Downstream Systems (cfs)			
Basin	A	B*	C
Onsite	-1.14	2.79	-0.22
Upstream	-0.25	0.18	0.00
Total	-1.39	2.97	-0.22

Flows diverted from downstream systems A and C from onsite and upstream basins were calculated by multiplying the 100-year peak flow per acre of the respective basins by the area diverted from each downstream system.

*Diverted flows to System B were calculated by multiplying areas to System B by *0.166 cfs/acre* as determined as the release rate from the onsite detention pond.

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Downstream Drainage Capacity Analysis

System B

Refer to the *System B – Downstream Drainage Capacity Exhibit* to aid in the following discussion.

Existing Capacity: NE 200th Street – Underground Pipe System (north side)

From approximate field measurements and as-built drawings obtained from the City of Woodinville, it appears that downstream drainage of site flows can be provided by a connection to the existing underground pipe system beneath NE 200th Street. The proposed connection point is to a 24” diameter pipe system at a manhole approximately 340’ west of NE 144th Avenue. This 24” pipe system daylights to an open ditch along the east side of Woodinville-Snohomish Road at its intersection with NE 200th Street (approximately 1,000 ft west of the proposed connection). Slopes of this system range from approximately 2 to 8 percent. The downstream drainage distance from the site reaches the ¼-mile threshold within NE 200th Street. It is estimated using Manning’s Equation (see attached calculations) that the existing 24” drainage system within NE 200th Street has the capacity to convey **17.3 cfs** at minimum pipe system slope of 2%.

Estimated Tributary Flows

According to the 1998 KCSWDM (adopted by the City of Woodinville), the downstream system is required to pass peak flows generated from the 25-year storm event without overtopping any structures.

Downstream Tributary Area (Industrial Developments)

Total = 17.5 acres

Impervious = 14.0 acres (estimated at 80% impervious coverage)

Till Grass = 3.5 acres

KCRTS Output – Peak Flows (15-minute time steps)

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File: id-bl5.tsf				-----Flow Frequency Analysis-----			
Project Location: Sea-Tac				-- Peaks -- Rank Return Prob			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate	Rank	Time of Peak		(CFS)	Rank	Return	Prob
(CFS)						Period	
6.67	6	8/27/01	18:00	18.29	1	100.00	0.990
4.65	8	9/17/02	17:45	<u>13.39</u>	<u>2</u>	<u>25.00</u>	0.960
13.39	2	12/08/02	17:15	9.16	3	10.00	0.900
5.37	7	8/23/04	14:30	7.69	4	5.00	0.800
7.27	5	10/28/04	16:00	7.27	5	3.00	0.667
7.69	4	10/27/05	10:45	6.67	6	2.00	0.500
9.16	3	10/25/06	22:45	5.37	7	1.30	0.231
18.29	1	1/09/08	6:30	4.65	8	1.10	0.091
Computed Peaks				16.66		50.00	0.980

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It is estimated that the peak flow rate discharge from the onsite detention pond during the 25-year storm event is *2.36 cfs* (refer to the Diversion Analysis Calculations section for pond modeling details). The estimated flow rate from tributary downstream areas to this existing drainage system is *13.39 cfs* (calculated from approximately 17.5 acres of industrial area estimated at 80% impervious coverage). Therefore, the total flow tributary to the analyzed system within NE 200th ST is approximately *15.75 cfs* (2.36 cfs released from the site + 13.39 cfs from estimated downstream tributary areas).

System C

Refer to the *System C – Downstream Drainage Capacity Exhibit* to aid in the following discussion.

Detention Analysis

Land Coverage	Upstream C	Onsite	
		Existing	Developed
Impervious	1.6	0	0
Till Forest	2.8	12.5	8.4
Till Grass	3.5	0	1.4*
Total	7.9	12.5	9.8

Delineated areas were calculated to a point of compliance (POC) downstream of the site at the southwest property boundary.

*Bypass area to System C was modeled as all till grass. A dispersion system/splash block will be utilized to slow down runoff from impervious surfaces to mimic flow characteristics of pervious surfaces.

KCRTS Output - Peak Flows (Hourly time steps)

Existing Basin C to POC = Upstream C + Onsite Existing

Flow Frequency Analysis			
Time Series File:exst-c.tsf			
Project Location:Sea-Tac			
---Annual Peak Flow Rates---			
Flow Rate (CFS)	Rank	Time of Peak	
1.52	2	2/09/01	15:00
0.750	7	1/05/02	16:00
1.48	3	2/27/03	7:00
0.465	8	8/26/04	2:00
0.847	6	1/05/05	8:00
1.41	4	1/18/06	16:00
1.28	5	11/24/06	4:00
2.59	1	1/09/08	6:00
Computed Peaks			

-----Flow Frequency Analysis-----			
Peaks (CFS)	Rank	Return Period	Prob
2.59	1	100.00	0.990
1.52	2	25.00	0.960
1.48	3	10.00	0.900
1.41	4	5.00	0.800
1.28	5	3.00	0.667
0.847	6	2.00	0.500
0.750	7	1.30	0.231
0.465	8	1.10	0.091
2.23		50.00	0.980

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Developed Basin C to POC = Upstream C + Onsite Developed

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:dev-c-dt.tsf				Time Series File:dev-c-dt.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				----Flow Frequency Analysis----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
1.39	3	2/09/01	15:00	2.59	1	100.00	0.990
0.748	7	1/05/02	16:00	1.47	2	25.00	0.960
1.47	2	2/27/03	7:00	1.39	3	10.00	0.900
0.491	8	8/26/04	2:00	1.36	4	5.00	0.800
0.803	6	1/05/05	8:00	1.22	5	3.00	0.667
1.36	4	1/18/06	16:00	0.803	6	2.00	0.500
1.22	5	11/24/06	3:00	0.748	7	1.30	0.231
2.59	1	1/09/08	6:00	0.491	8	1.10	0.091
Computed Peaks				2.22		50.00	0.980

Peak flows generated from onsite bypass areas to System C does not exceed the existing peak flows to System C. *Therefore, detention for the bypassed area is not required.*

Velocity Analysis (System C Conveyance)

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:conv-cl5.tsf				Time Series File:conv-cl5.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				----Flow Frequency Analysis----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
1.72	4	2/09/01	12:45	<u>5.20</u>	<u>1</u>	<u>100.00</u>	0.990
0.947	7	1/06/02	1:00	2.95	2	25.00	0.960
2.95	2	12/08/02	17:15	2.21	3	10.00	0.900
0.674	8	8/26/04	0:45	1.72	4	5.00	0.800
2.21	3	11/17/04	5:00	1.43	5	3.00	0.667
1.39	6	1/18/06	15:00	1.39	6	2.00	0.500
1.43	5	11/24/06	1:00	0.947	7	1.30	0.231
5.20	1	1/09/08	6:30	0.674	8	1.10	0.091
Computed Peaks				4.45		50.00	0.980

The 100-year peak flow rate of **5.20 cfs** from areas proposed to be conveyed within the proposed tight-line system assuming approximately 16.7% slope through a 15" CMP pipe has a velocity of **10.73 fps**. Flow velocity within this system may be reduced by adding headloss from drop structures or bends within the system. Further analysis will be provided in final engineering.

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Peak Factor:	484.00	SCS Abs:	0.20			
Storm Dur:	24.00 hrs	Intv:	10.00 min			
	Area	CN	TC			
Pervious	22.1800 ac	83.48	0.50 hrs			
Impervious	25.9200 ac	98.00	0.18 hrs			
Total	48.1000 ac					
Supporting Data:						
Pervious CN Data:						
2nd Growth Forest		81.00	11.2000 ac			
Till Grass		86.00	10.9800 ac			
Impervious CN Data:						
Impervious		98.00	25.9200 ac			
Pervious TC Data:						
Flow type:	Description:	Length:	Slope:	Coeff:	Travel Time	
Sheet	Short prairie grass and lawns	300.00 ft	2.67%	0.1500	28.03 min	
Shallow	Short grass, pasture and lawns (n=0.030)		380.00 ft	8.42%	11.0000	1.98 min
Impervious TC Data:						
Flow type:	Description:	Length:	Slope:	Coeff:	Travel Time	
Channel	Concrete pipe (n=0.012): 42	650.00 ft	0.92%	42.0000	2.69 min	
Channel	Concrete pipe (n=0.012)	1330.00 ft	16.69%	42.0000	1.29 min	
Channel	CMP pipe (n=0.024)	760.00 ft	0.79%	21.0000	6.79 min	

The estimated peak flow rate for the 25-year storm event is **21.64 cfs**.

Results

Flow Diversion

It is estimate that *1.39 cfs* and *0.22 cfs* will be diverted from Downstream Systems A and C, respectively. Downstream System B will receive *2.97 cfs* of additional flow in the event of the 100-year storm.

Downstream Capacity

System B is estimated to receive a total of *15.75 cfs* during the 25-year storm event. It is determined that the capacity of the existing System B within NE 200th ST at minimum system slope is *17.3 cfs*.

System C is estimated to receive *21.64 cfs* in the 25-year storm event. The minimum capacity of the existing system is *22 cfs*.

Drainage analyses of both downstream systems were provided beyond the ¼-mile point. Estimated flow rates were conservative and did not consider detention for downstream tributary areas. Note that detailed downstream capacity analysis for both Systems B and C will be performed in final engineering.

Conclusions

As shown, the intent of Core Requirement #1: Discharge at the Natural Location is satisfied. No adverse impacts to downstream properties are anticipated from the proposed project. In addition, no significant downstream hydrologic features will be affected by diverted flows. The capacity of both Systems B and C are shown to be adequate to convey the proposed discharged flows. No significant drainage problems have been identified for either downstream systems according to King County Water and Land Resources Division (as noted in the Level 1 Downstream Analysis dated April 26, 2004 prepared by Triad Associates) or downstream investigation. In addition, no drainage problems have been identified within these drainage systems per conversations with City of Woodinville staff. In the case that overflow of the system does occur, drainage overflow routes would stay within the public right-of-way.

Diversion Analysis Calculations

Analysis using the King County Runoff Time Series (KCRTS) program is provided for both the existing and developed conditions. Parameters used for the program are Sea-Tac Rainfall Region, Scale Factor 1.0, Till Soils, and hourly time-steps.

Existing Areas and Flows

Onsite Basin:

Flows were generated for the existing basin area of 21.5 acres. This area was modeled as forest on till covering the extent of areas tributary to the detention pond under developed conditions.

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:exst.tsf				Peaks - - Rank Return Prob			
Project Location:Sea-Tac				Period			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		(CFS)	Rank	Return Period	Prob
1.35	2	2/09/01	18:00	<u>1.74</u>	<u>1</u>	<u>100.00</u>	0.990
0.368	7	1/06/02	3:00	1.35	2	25.00	0.960
1.00	4	2/28/03	3:00	1.04	3	10.00	0.900
0.036	8	3/24/04	20:00	1.00	4	5.00	0.800
0.597	6	1/05/05	8:00	0.878	5	3.00	0.667
1.04	3	1/18/06	20:00	0.597	6	2.00	0.500
0.878	5	11/24/06	4:00	0.368	7	1.30	0.231
1.74	1	1/09/08	9:00	0.036	8	1.10	0.091
Computed Peaks				1.61		50.00	0.980

The 100-year peak flow from the existing site is estimated to be *1.74 cfs*. Therefore, diverted flows of onsite areas from downstream systems will be determined by multiplying *0.081 cfs/acre* (1.74 cfs/21.5 acres) by the diverted area from each downstream system.

Upstream Basin:

Land Coverage	Upstream Basin Areas to Downstream Systems (ac)			
	A	B	C	Total
Impervious	0.3	2.8	1.6	4.7
Till Forest	0.4	3.9	2.8	7.1
Till Grass	0.4	3.9	3.5	7.8
Total	1.1	10.6	7.9	19.6

Impervious areas for upstream basins were determined to be 20% of the basin (per R-1 zoning) plus estimated road areas. Till Forest for upstream basins A and B were conservatively estimated to be 50% of pervious coverage. Actual delineated forested areas for upstream basins

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A and B were 72% and 58% based a 1998 aerial photograph (see attached). Till forest coverage for upstream basin C was delineated to be approximately 35%.

Note that a detention pond exists within the Upstream Basin B. This detention pond provides flow-control for approximately 6.7 acres of the Plat of Wellington Hills No. 4. This pond was constructed in 1978 and was sized according to flow-control standards for a single storm event. From Drainage Calculations Report dated 1978 provided by King County (see excerpt attached), it appears that the detention pond was sized to control release rates to that of the existing condition for up to the 10-year storm event. This release rate was calculated to be 0.85 cfs. Since then, hydrologic modeling and sizing of flow-control facilities within the City of Woodinville are required to be that which uses a continuous hydrologic simulation model (KCRTS). For the purpose of this drainage diversion analysis, it will be assumed that flows for this detained upstream basin is equivalent to that of runoff rates of the basin in the existing condition using KCRTS modeling. This assumption is conservative and yields similar peak flow rates to that of the single event model for the 10-year storm event [10-year peak flows: Single event = 0.85 cfs, KCRTS Continuous Model = 0.80 cfs (6.7 ac x 1.39 cfs/11.7 acres – see below)]. Flows from this upstream basin will be routed to the onsite detention facility which will be modeled as a flow-thru area.

KCRTS Output - Upstream Basin A and B

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:us-ab.tsf				Peaks - Rank Return Prob			
Project Location:Sea-Tac				Period			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return	Prob
1.31	4	2/09/01	2:00	<u>2.68</u>	<u>1</u>	<u>100.00</u>	0.990
0.928	7	1/05/02	16:00	1.55	2	25.00	0.960
1.55	2	2/27/03	7:00	1.39	3	10.00	0.900
0.853	8	8/26/04	2:00	1.31	4	5.00	0.800
1.04	6	10/28/04	16:00	1.29	5	3.00	0.667
1.39	3	1/18/06	16:00	1.04	6	2.00	0.500
1.29	5	11/24/06	3:00	0.928	7	1.30	0.231
2.68	1	1/09/08	6:00	0.853	8	1.10	0.091
Computed Peaks				2.30		50.00	0.980

The 100-year peak flow estimated for the existing upstream basins A and B is **2.68 cfs**. Therefore, diverted upstream flows from each downstream system will be determined by multiplying **0.229 cfs/acre** (2.68 cfs/11.7 acres) by the diverted area.

KCRTS Output - Upstream Basin C (15-minute time steps)

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:us-c15.tsf				Peaks - Rank Return Prob			
Project Location:Sea-Tac				Period			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return	Prob

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1.04	6	2/09/01	12:30	3.87	1	100.00	0.990
0.717	7	1/05/02	15:00	<u>2.32</u>	2	<u>25.00</u>	0.960
2.32	2	12/08/02	17:15	1.75	3	10.00	0.900
0.641	8	8/26/04	0:45	1.15	4	5.00	0.800
1.75	3	11/17/04	5:00	1.09	5	3.00	0.667
1.09	5	10/27/05	10:45	1.04	6	2.00	0.500
1.15	4	10/25/06	22:45	0.717	7	1.30	0.231
3.87	1	1/09/08	6:30	0.641	8	1.10	0.091
Computed Peaks				3.35		50.00	0.980

Peak flows estimated for Upstream Basin C will be tight-lined to System C. Flows estimated for conveyance analysis is determined by the KCRS program using 15-minute time steps. Per the 1998 KCSWDM, the 25-year peak flow rate of 2.32 cfs will be used for conveyance capacity analysis.

Wood Trails – City of Woodinville Deviation from Standards Request

Developed Areas and Flows

Per the *Preliminary Technical Information Report* dated June 11, 2004, the detention pond proposed onsite was modeled with an assumed upstream “flow-thru” basin of 8.5 acres. Since then, the upstream flow-thru area has been revised to be 11.7 acres. Flows diverted to System B are calculated based on the 100-year peak outflow rate from the onsite detention pond. Revised pond calculations from the KCRTS program are provided below. Refer to the *Drainage Basins Exhibit* attached for delineation of developed basin areas.

Land Coverage	Input Areas for KCRTS Pond Modeling (ac)			
	Existing	Onsite Detained	Bypass	Flow-thru
Impervious	0	8.9	0.9	3.1
Till Forest	21.5	3.9	0	4.3
Till Grass	0	6.9	0.9	4.3
Total	21.5	19.7	1.8	11.7

KCRTS Output - Peak Flows

ALLOWABLE = Existing + Upstream Flow-Thru

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:allowable.tsf				Time Series File:allowable.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
2.50	2	2/09/01 15:00		4.22	1	100.00	0.990
1.28	7	1/05/02 16:00		2.50	2	25.00	0.960
2.43	3	2/27/03 7:00		<u>2.43</u>	<u>3</u>	<u>10.00</u>	0.900
0.855	8	8/26/04 2:00		2.34	4	5.00	0.800
1.41	6	1/05/05 8:00		2.12	5	3.00	0.667
2.34	4	1/18/06 16:00		<u>1.41</u>	<u>6</u>	<u>2.00</u>	0.500
2.12	5	11/24/06 4:00		1.28	7	1.30	0.231
4.22	1	1/09/08 6:00		0.855	8	1.10	0.091
Computed Peaks				3.65		50.00	0.980

DET-USFT = Onsite Detained + Upstream Flow-Thru

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:det-usft.tsf				Time Series File:det-usft.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
4.24	5	2/09/01 2:00		8.62	1	100.00	0.990
3.21	7	1/05/02 16:00		5.05	2	25.00	0.960
5.05	2	2/27/03 7:00		4.65	3	10.00	0.900

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3.20	8	8/26/04	2:00	4.50	4	5.00	0.800
3.88	6	10/28/04	16:00	4.24	5	3.00	0.667
4.50	4	1/18/06	16:00	3.88	6	2.00	0.500
4.65	3	10/26/06	0:00	3.21	7	1.30	0.231
8.62	1	1/09/08	6:00	3.20	8	1.10	0.091
Computed Peaks				7.43		50.00	0.980

BYPASS

Flow Frequency Analysis			
Time Series File:bypass.tsf			
Project Location:Sea-Tac			
---Annual Peak Flow Rates---			
Flow Rate (CFS)	Rank	Time of Peak	
0.299	5	2/09/01	2:00
0.234	8	1/05/02	16:00
0.361	2	2/27/03	7:00
0.241	7	8/26/04	2:00
0.293	6	10/28/04	16:00
0.316	4	1/18/06	16:00
0.350	3	10/26/06	0:00
0.616	1	1/09/08	6:00
Computed Peaks			

-----Flow Frequency Analysis-----			
Peaks (CFS)	Rank	Return Period	Prob
0.616	1	100.00	0.990
0.361	2	25.00	0.960
0.350	3	10.00	0.900
0.316	4	5.00	0.800
0.299	5	3.00	0.667
0.293	6	2.00	0.500
0.241	7	1.30	0.231
0.234	8	1.10	0.091
0.531		50.00	0.980

KCRTS Output - Pond Modeling

Retention/Detention Facility

Type of Facility: Detention Pond

Side Slope: 2.00 H:1V

Pond Bottom Length: 260.00 ft

Pond Bottom Width: 60.00 ft

Pond Bottom Area: 15600. sq. ft

Top Area at 1 ft. FB: 28809. sq. ft

0.661 acres

Effective Storage Depth: 8.25 ft

Stage 0 Elevation: 0.00 ft

Storage Volume: 175255. cu. ft

4.023 ac-ft

Riser Head: 8.25 ft

Riser Diameter: 12.00 inches

Number of orifices: 3

Orifice #	Height (ft)	Diameter (in)	Full Head Discharge (CFS)	Pipe Diameter (in)
1	0.00	3.25	0.835	
2	4.75	4.00	0.840	6.0
3	6.25	3.50	0.498	6.0

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Top Notch Weir: Rectangular

Length: 1.00 in
Weir Height: 6.75 ft
Outflow Rating Curve: None

Hyd	R/D Facility	Tributary	Reservoir	POC	Outflow
	Outflow	Inflow	Inflow	Target	Calc
1	5.30	0.62	*****	*****	<u>5.52</u>
2	2.36*	0.30	*****	*****	2.51
3	1.84	0.35	*****	2.43	1.96
4	1.68	0.32	*****	*****	1.79
5	1.58	0.36	*****	*****	1.68
6	0.99	0.29	*****	1.41	1.06
7	0.57	0.23	*****	*****	0.65
8	0.45	0.24	*****	*****	0.60

Duration Comparison Analysis
Base File: allowable.tsf
New File: dsout.tsf
Cutoff Units: Discharge in CFS

Cutoff	-----Fraction of Time-----			Probability	-----Check of Tolerance-----		
	Base	New	%Change		Base	New	%Change
0.700	0.67E-02	0.57E-02	-15.0	0.67E-02	0.700	0.662	-5.5
0.839	0.50E-02	0.44E-02	-12.1	0.50E-02	0.839	0.744	-11.3
0.977	0.37E-02	0.37E-02	-1.3	0.37E-02	0.977	0.968	-0.9
1.12	0.27E-02	0.26E-02	-3.6	0.27E-02	1.12	1.10	-1.6
1.25	0.18E-02	0.19E-02	5.3	0.18E-02	1.25	1.27	1.5
1.39	0.14E-02	0.13E-02	-2.4	0.14E-02	1.39	1.39	-0.2
1.53	0.11E-02	0.98E-03	-7.7	0.11E-02	1.53	1.48	-3.5
1.67	0.78E-03	0.68E-03	-12.5	0.78E-03	1.67	1.63	-2.1
1.81	0.62E-03	0.44E-03	-28.9	0.62E-03	1.81	1.71	-5.6
1.95	0.42E-03	0.31E-03	-26.9	0.42E-03	1.95	1.83	-5.8
2.08	0.28E-03	0.20E-03	-29.4	0.28E-03	2.08	1.98	-5.2
2.22	0.13E-03	0.15E-03	12.5	0.13E-03	2.22	2.33	5.1
2.36	0.82E-04	0.98E-04	20.0	0.82E-04	2.36	2.40	1.8

Maximum positive excursion = 0.125 cfs (5.7%)
occurring at 2.21 cfs on the Base Data:allowable.tsf
and at 2.33 cfs on the New Data:dsout.tsf

Maximum negative excursion = 0.094 cfs (-11.4%)
occurring at 0.821 cfs on the Base Data:allowable.tsf
and at 0.728 cfs on the New Data:dsout.tsf

The detention pond model shown above satisfies the requirements for Level 2 flow control. The 100-year peak outflow from the pond is determined to be **5.52 cfs**, therefore, diverted flows to System B in the developed condition will be determined by multiplying the tributary area to System B by **0.166 cfs/acre** (5.52cfs/(21.5 ac + 11.7 ac)).

*2.36 cfs used for conveyance capacity analysis for System B.

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Wood Trails -- City of Woodinville Deviation from Standards Request

Garbage

KCRTS Output - Peak Flows (15-minute time steps)

Developed Basin at POC = Upstream C + Onsite Developed

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:dev-c15-dt.tsf				Time Series File:dev-c15-dt.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
1.72	4	2/09/01	12:45	5.20	1	100.00	0.990
0.947	7	1/06/02	1:00	<u>2.95</u>	<u>2</u>	<u>25.00</u>	0.960
2.95	2	12/08/02	17:15	2.21	3	10.00	0.900
0.674	8	8/26/04	0:45	1.72	4	5.00	0.800
2.21	3	11/17/04	5:00	1.43	5	3.00	0.667
1.39	6	1/18/06	15:00	1.39	6	2.00	0.500
1.43	5	11/24/06	1:00	0.947	7	1.30	0.231
5.20	1	1/09/08	6:30	0.674	8	1.10	0.091
Computed Peaks				4.45		50.00	0.980

Downstream Tributary Area (Industrial Developments)

Total = 30.4 acres

Impervious = 24.32 acres (estimated at 80% impervious coverage)

Till Grass = 6.08 acres

Flow Frequency Analysis				Flow Frequency Analysis			
Time Series File:id-c15.tsf				Time Series File:id-c15.tsf			
Project Location:Sea-Tac				Project Location:Sea-Tac			
---Annual Peak Flow Rates---				-----Flow Frequency Analysis-----			
Flow Rate (CFS)	Rank	Time of Peak		Peaks (CFS)	Rank	Return Period	Prob
11.57	6	8/27/01	18:00	31.74	1	100.00	0.990
8.09	8	9/17/02	17:45	<u>23.24</u>	<u>2</u>	<u>25.00</u>	0.960
23.24	2	12/08/02	17:15	15.93	3	10.00	0.900
9.33	7	8/23/04	14:30	13.35	4	5.00	0.800
12.64	5	10/28/04	16:00	12.64	5	3.00	0.667
13.35	4	10/27/05	10:45	11.57	6	2.00	0.500
15.93	3	10/25/06	22:45	9.33	7	1.30	0.231
31.74	1	1/09/08	6:30	8.09	8	1.10	0.091
Computed Peaks				28.91		50.00	0.980

It is estimated that the peak flow rate from the site to the downstream point of compliance in the 25-year storm event is **2.95 cfs**. The estimated flow rate from tributary downstream areas to this existing drainage system is **23.24 cfs**. Therefore, the total flow tributary to the proposed connection point within this system is approximately **26.19 cfs** (2.95 cfs released from the site + 23.24 cfs from estimated downstream tributary areas).

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Wood Trails – City of Woodinville Deviation from Standards Request

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August 16, 2005

Yoshihiro Monzaki, P.E.
City of Woodinville
17301 133rd AVE NE
Woodinville, WA 98072

RE: Wood Trails Deviation Request - Response to Comments
Triad Job No. 03-208

Dear Yoshihiro:

Thank you for your review and consideration of the subject deviation request. Please find below a response to your comments (comments re-typed and responses in italics) and the attached updated deviation request.

Page 4. State how the impervious areas were "estimated".

The deviation request has been updated to more clearly describe how the impervious areas were estimated. Please see page 4, paragraph 5.

Page 4. State whether the existing detention facility was considered in the calculations.

All of the known downstream detention facilities were considered in the calculations. Please see page 4, paragraph 5 of the revised deviation request.

Page 5. State that Level 2 flow control was used.

This has been stated. Please see page 5, paragraph 1 of the revised deviation request.

Page 5. State that it is the PROPOSED on site detention pond being discussed in the first paragraph.

This has been stated. Please see page 5, paragraph 1 of the revised deviation request.

Page 5. Account for the bypass area in system B.

The bypass area has been included. Please see page 5, paragraph 1 of the revised deviation request.

Page 5. Account for the impervious area (downspouts, driveways, ...) in the on site developed area.

The impervious areas have been accounted for. Please see page 6, paragraph 3 of the revised deviation request for a description.

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Yoshihiro Monzaki, P.E.
City of Woodinville
August 16, 2005

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Page 6. Explain how flows decrease after development.

Flows in Basin C decrease after the developed condition due to the diversion of some of the area to Basin B. Please see page 7, paragraph 1 of the revised deviation request.

Page 7. Account for the impervious area (downspouts, driveways, ...) in the on site developed area.

The impervious areas have been accounted for. Please see page 8, paragraph 6 of the revised deviation request for a description.

Page 7. Does the 80% event summary refer to 80% impervious area?

The summary table has been updated. Please see page 9.

Exhibit System B and C. Show point of compliance.

Exhibits have been updated to show the point of compliance.

1998 KCSWDM Figure 3.2.1.D. Clarify that the 100-year precipitation amount used in the analysis was 3.7 inches, not 3.07 inches.

The analysis used the precipitation amount of 3.7". The notation on the exhibit was incorrect and has been updated.

Sincerely,

TRIAD ASSOCIATES

Mark Keller, P.E.
Principal

MK/mk

cc:Loree Quade

enclosures

G & S SUNDQUIST THIRD FAMILY LIMITED
3030 NE 181ST ST
SEATTLE WA 98155
WT / KC 33-0326059134

MINCH LAND HOLDINGS LLC
20150 144TH AVE NE
WOODINVILLE WA 98072
WT/KC 31-0326059130

DAVID & JANIE MUDROVICH
14844 NE 195TH ST
WOODINVILLE WA 98072
WT / KC 3-0226059133

MICHAEL & MARCIA HOLMDAHL
14862 NE 195TH ST
WOODINVILLE WA 98072
WT/ KC 4-0226059134

VIEWRIDGE DEVELOPMENT
P O BOX 1650
WOODINVILLE WA 98072
WT / KC 29, 30, 32
0326059128 & 29 & 31

VLS REAL ESTATE
14326 BEAR CREEK RD NE
WOODINVILLE WA 98077
WT/KC 34-0326059138

UNIVERSAL & LAND CONSTRUCTION
P O BOX 329
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WT / KC 7&12 03260590010326059048

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19417 148TH AVE NE
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WT / KC 8-326059021

HERLIN GREGORY
31414 NE 141ST
DUVALL WA 98019
WT / KC 9-0326059033

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14390 NE 200TH ST
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WT/ KC 11-0326059040

PARK 144 LLC
19400 144TH AVE NE
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WT / KC 13&14
0326059071/0326059086

HENRY II LLC
CHRIS LANGER
10500 NE 8TH ST #900
BELLEVUE WA 98004
WT KC 15&23
0326059087/0326059110

OLD 31 LLC
14914 NE 177TH DR
WOODINVILL WA 98072
WT / KC 17-0326059100

COLLINS INVESTMENTS LLC
19900 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 18-0326059101

WDNVL WAREHOUSE ASSOC. LL\ROSEN
PROPERTIES
P O BOX 5003
BELLEVUE WA 98009
WT / KC 19-0326059102

DPGP INVESTMENTS LLC
P O BOX 1845
BOTHELL WA 98041
WT / KC 20-0326059103

CYRUS WAY BUSINESS PARK
321 HIGHLAND DR
SEATTLE WA 98109
WT / KC 21-0326059104

MECHANICAL JOHANSEN
P O BOX 1768
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WT / KC 22-0326059108

ROME PROPERTIES LLC
19628 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 24-0326059117

STANELY FAMILY LIMITED PARTNERSHIP
19710 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 25-0326059118

AVALON PARTNERS LLC
P O BOX 1603
WOODINVILLE WA 98072
WT/KC 35-0326059142

COOPERS FOUNDATION LOCATION
1642 NE 122ND CT
REDMOND WA 98052
WT / KC 36-0326059143

RIDGEWOOD LLC
14680 NE WOODINVILLE WAY #120
WOODINVILLE WA 98072
WT / KC 0326059125

EMERALD DEVELOPMENT
P O OBX 1543
WOODINVILLE WA 98072
WT / KC 37-0326059144

S & S PARTNERSHIP
C/O PACIFIC PLUMBING SUPPLY
7115 W MARGINAL WY SW
SEATTLE WA 98106
WT / KC 38-0326059145

19230 BUILDING LLC
P O BOX 1130
WOODINVILLE WA 98072
WT / KC 39-0326059147

WT PROPERTY OWNERS

EXHIBIT 41
PAGE 1 OF 12

STEVE & SUSAN STUSSER
10515 NE 170TH ST
BOTHELL WA 98014
WT/KC83-6190400010

NORTHSHORE SHEET METAL
19612 144TH AVE NE
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WT/KC84-6190400020

KING COUNTY
500 4TH AVE
SEATTLE WA 98104
WT/KC82-9238510250

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WOODINVILLE, WA 98072
WT/SNO85-27053400401500

MRS RICHARD BLOCK
19199 148TH AVE NE
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WT/KC 42-2474700020

ARCV WASHINGTON LLC
9375 SW COMMERCE CIR #7
WILSONVILLE OR 97070
WT / KC 43-3244500058

BOUDREAU FAMILY LLC
20485 144TH AVE NE
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WT / KC 93-0326059149

WT / KC 40-326059154

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WT / KC 45-3244500057

GLEN & MICHELLE HOOGERWERF
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WT / KC 46-3244500058

PREMIER PACIFIC HOMES
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WT/ KC-47-3244500060

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WT/SNO 91-270535003005

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JOHN VANGEMERT
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27053400402000/27053400402400

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ROBERT ORDAL
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14808 NE 201ST ST
WOODINVILLE WA 98072
WT/KC 55-9238480070

MARC & SHIRLEY BLANKENSHIP
14807 NE 201ST ST
WOODINVILLE WA 98072
WT/KC 56-9238480080

KENNETH SMITH
14917 NE 201ST ST
WOODINVILLE WA 98072
WT / KC 59-9238480100

STEVEN & PATRICIA STIVALA
14816 NE 192ND ST
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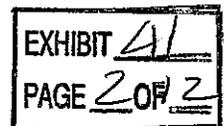
JARRETT & ERIN RENSHAW
20230 149TH PL NE
WOODINVILLE WA 98072
WT/KC73-9238500440

DOUGLAS & SUSAN GIBSON
14830 NE 198TH ST
WOODINVILLE WA 98072
WT/KC76-9238510110

GEOFFREY KNUTZEN
14818 NE 198TH ST
WOODINVILLE WA 98072
WT/KC77-9238510120

WILLIAM BRADFORD
14811 NE 198TH AT
WOODINVILLE WA98072
WT/KC78-9238510130

RICHARD LYONS
14835 NE 198TH ST
WOODINVILLE WA 98072
WT/KC80-9238510150



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WT / KC 62-9238500250

MT

ROBERT STEVENSON
WT/KC68-9238500310

MT

ALLAN SWANSON
WT/KC64-9238500270

MT

CECIL HORN
SEA HORN CONSTRUCTION
WT/KC65-9238500280

MT

ERIC & MARDY LIPPKE
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MT

ROBERT & SARA JACOBS
WT/KC72-9238500430

POR

NADINE JONES
WT / KC 58-9238480100

POR

MICHAEL & MICHELLE OGRADY
WT/KC 60-9238500230

POR

L W KUEBLER
WT/KC61-9238500240

POR

DAVID & NANCY COURTNEY
WT/KC-50-3244500064

POR

WILLIAM VONSCHNEIDAU
WT/KC 51-9238480030

POR

JAMES HARTMAN
WT/KC52-09238480040

POR

STEPHEN MALONEY
WT/KC 53-9238480050

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WT/KC 54-9238480060

POR

VICKY DELOFF & ANTHONY SEXSON
WT/KC57-9238480090

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ADAM & ALICIA GOLD
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POR

GREGORY STONEKING & JOAN ATLAS
WT / KC 1-0226059008

POR

BRIAN & JILL ANN WALSH
WT / KN 2-0226059132

POR

GREGORY & SANDRA WHITE
WT / KC 5-0226059149

POR

JEFF AND LAURA GLICKMAN
WT / KC 26-0326059123

POR

JEFF & MARGO MILTENBERGER
WT / KC 44-3244500056

POR

W F BARNES
WT/KC66-9238500290

POR

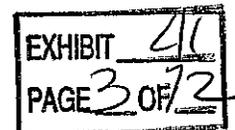
MARK & ANGELIQUE TATHAM
WT/KC 63-9238500260

POR

MURIEL ORR-RYAN
WT/KC68-9238500310

POR

KATE FRALEY
WT/KC70-9238500330



POR
REINY FALKENBERG
WT/KC74-9238500450

POR
OTTO PARIS & SUSAN SWAN
WT/KC75-9238510100

POR
BRIAN & CHERYL FOUNTAIN
WT/KC79-9238510140

POR
CLIFFORD & SHERI ANN GRIFFIN
WT/KC81-9238510160

US GLOVE CO INC
C/O JSH PROPERTIES INC
555 S RENTON VILLAGE PL #100
12/06 Returned NO forwarding address

EXHIBIT 41
PAGE 4 OF 12

Adam & Alicia Gold
19628 148th Ave
Woodinville, WA 98072
POR WT /KC 6-0226059152

Ann & Ted Rupley
16324 NE 203rd Place
Woodinville, WA 98072
WT/MT-POR

Anne Hermes
23615 - 71st Drive SE
Woodinville, WA 98072
WT/MT-POR

Austin T. Winant
15908 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Aviv and Sara Shahar
15363 NE 201st Street
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WT/MT-POR

Barbara Czuba
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WT/MT-POR

Bill Trippett
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WT/MT-POR

Brad Stoll
20222 151st NE
Woodinville, WA 98072
WT/MT-POR

Brian and Cheryl Fountain
14823 NE 198th ST
Woodinville, WA 98072
POR WT/KC79-9238510140

Brian Walsh
14824 NE 195th Street
Woodinville, WA 98072
POR WT / KN 2-0226059132

Cifello August
2206 NE 168th CT
WOODINVILLE WA 98072
WT/MT-POR

Cindi & Dave Stinson
15009 NE 195th St
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Cliff & Sheri Griffin
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POR WT/KC81-9238510160

CONCERNED NEIGHBORS OF
WELLINGTON
FRED GREEN, PRES.
20624 86TH AVE SE
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15419 NE 198th St
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WT/MT-POR

Daryl Heinzerling
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WT/MT-POR

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Woodinville, WA 98072
WT/MT-POR

David and Nancy Courtney
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Woodinville, WA 98072
POR WT/KC-50-3244500064

David Shepherd
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Woodinville, WA 98072
WT/MT-POR

Don & April Fountain
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WT/MT-POR

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20340 156th Ave NE
Woodinville, WA 98072
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WT/MT-POR

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WT/MT-POR

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15116 NE 202nd Street
Woodinville, WA 98072
POR-MT /KC 37-9238500120

George and Sandra White
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POR WT / KC 5-0226059149

Greg, Hokulani and Kailani Orton
15908 NE 193 PL
Woodinville, WA 98072
WT/MT-POR

Guy A. Mahan
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WT/MT-POR

PARTY OF RECORD

EXHIBIT 41
PAGE 5 OF 12

Helen Gottschalk
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Ivan and Helen Fry
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WT/MT-POR

J Latlas
14808 NE 195th Street
Woodinville, WA 98072

WT/MT-POR

Jack and Clarice Riggs
14952 NE 202nd Street
Woodinville, WA 98072
POR MT /KC 64-9238500390

Jaclyn Schwarz
20122 148th Ave NE
Woodinville, WA 98072
-POR WT/KC 54-9238480060

James & Martha Snell
15009 NE 198th Street
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WT/MT-POR

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Woodinville, WA 98072
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Rich Hill
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15252 NE 195th
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Woodinville, WA 98072
POR WT / KC 26-0326059123

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Woodinville, WA 98072
WT/MT-POR

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14808 NE 195th St
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WT/MT-POR

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WT/MT-POR

Joseph & Linda Petrin
14919 NE 198th Street
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WT/MT-POR

Julia Poole
15306 NE 202nd St
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WT/MT-POR

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14909 NE 202 St
Woodinville, WA 98072
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Kellie Tollifson
23621 71st Dr SE
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WT/MT-POR

Kelly & John Huff
15107 NE 201st PL
Woodinville, WA 98072
WT/MT-POR

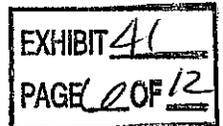
Kerri & Kirk Scarbrough
15124 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Kristy & Jeff Howell
14817 NE 192nd Street
Woodinville, WA 98072-8447
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15635 NE 195th Street
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WT/MT-POR

LeRoy & Kay Kuebler
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Mark & Mary Day
20219 151st Ave NE
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Mike & Gail Odenius
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POR - MT / KC 7-0226059079

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POR-MT / KC 13-0226059128

Robert & Lori Harman
14949 NE 202nd Street
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POR MT / KC 61-9238500360

EXHIBIT 41
PAGE 70 OF 12

Robert Casto
14950 NE 204th St
Woodinville, WA 98072
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Roger & Jui Mason
15023 NE 195th St
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Ron & Chris Olsen
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Roy & Sharon Ghazimorad
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15208 NE 201st ST
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Michael Banfield
P O Box 13
Woodinville WA 98072
3244500085

Jeff Boselly
15324 NE 202nd St
Woodinville WA 98072

**Do not use after this point
For records management only**

WT/MT-POR
Roger Mason
Duplicate

WT/MT-POR
Sue Swan
**Returned 11/06
No Forwarding**

WT/MT-POR
Susan and Todd Huso
**Returned 11/06
No Forwarding**

WT/MT-POR
Jim and Thelma Bressani
No longer at this address

WT/MT-POR
Janet Littlefield
**Returned 11/06
No Forwarding**

WT/MT-POR
Russell and Deborah King
**Returned 11/06
No Forwarding**

WT/MT-POR
Steve Gooding
**Returned 11/06
No Forwarding**

Margo Miltenberger
**Returned 12/06
No Forwarding**



**DISTRIBUTION LIST
ORGANIZATIONS
COMMENTS**

CITY OF BOTHELL
Wasim Khan, P.E.
Transportation Engineer
9654 NE 182ND ST
BOTHELL WA 98011

MUCKLESHOOT INDIAN TRIBE
KAREN WALTER
ENVIRONMENTAL DIVISION
FISHERIES DEPARTMENT
39015 172ND SE
AUBURN WA 98002

**STATE OF WASHINGTON CAPITOL
PROJECTS**
DEPARTMENT OF TRANSPORTATION
ATTEN:RAMIN PAZOOKI
P O BOX 330310 / MS 240
SEATTLE WA 98133-9710

CONCERNED NEIGHBORS OF WELLINGTON
FRED GREEN, PRES.
20624 86TH AVE SE
SNOHOMISH WA 98296

UPDATED 01/07

**LITTLE BEAR CREEK PROTECTIVE
ASSOCIATION**
GREG STEVPHENS, PRES.
21926 SR 9 SE
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DEPARTMENT OF FISH & WILDLIFE
GINGER HOLSER
16018 MILL CREEK BLVD
MILL CREEK WA 98012

**KING CO WATER AND LANDS
RESOURCE DIVISION**
STEVE FOLEY, SENIOR ENGINEER
201 S JACKSON ST #600
SEATTLE WA 98104

WSDOT NORTHWEST REGION
KC AREA DEVELOPER SERVICES
P O BOX 330310 / MS 240
SEATTLE WA 98133

WASHINGTON DEPARTMENT OF ECOLOGY
NORTHWEST REGIONAL OFFICE
3190 160TH AVE SE
BELLEVUE WA 98008

KC WATERWASTE TREATMENT
MS SHIRLEY MARROQUIN,
ENV. PLANNING SUPERVISOR
201 S JACKSON ST
MS KSC-0505
SEATTLE WA 98104-3855

WOODINVILLE LIBRARY
17105 AVONDALE ROAD NE
WOODINVILLE WA 98072

PRESTON, GATES AND ELLIS
DENISE STIFFARM
925 4TH AVE #2900
SEATTLE WA 98104

KING COUNTY LIBRARY
KINGSGATE BRANCH
12315 NE 143RD ST
KIRKLAND WA 98034

DEPARTMENT OF CORRECTIONS
REBECCA BARNEY
P O BOX 41112
OLYMPIA WA 98504

NORTHSHORE SCHOOL DISTRICT
CAPITAL PROJECTS
22105 23RD RD SE
BOTHELL WA 98021

DEPARTMENT OF ECOLOGY
SEPA/GMA COORDINATOR
P O BOX 47600
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**INTERAGENCY COMMITTEE
ON OUTDOOR RECREATION**
LORINDA ANDERSON
P O BOX 40917
OLYMPIA WA 98504

SEATTLE CITY LIGHT
MR. JACK AQUINO
P O BOX 34023
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WA DEPARTMENT OF FISH AND WILDLIFE
STEVE PENLAND
P O BOX 43155
OLYMPIA WA 98504

**SNOHOMISH COUNTY DEPARTMENT OF
PLANNING AND DEVELOPMENT SERVICES**
3000 ROCKEFELLER
EVERETT WA 98201

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BILL KOSS
P O BOX 42650
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COMCAST
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Construction Coordinator
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Everett, WA 98203

DEPARTMERN OF NATURAL RESOURCES
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PSE
JOE JAINGA, MUNICIPALITY LIAISON MGR.
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BARBARA HEAVEY
900 OAKSDALE AVE SW
RENTON WA 98055

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PUGET SOUND WATER QUALITY
HARRIET BEALE, ACTION TEAM
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CROSS VALLEY WATER DISTRICT
8802 180TH ST SE
SNOHOMISH WA 98296

DEPARTMENT OF TRANSPORTATION
BILL WIEBE
P O BOX 47300
OLYMPIA WA 98504

NORTHSHORE UTILITY DISTRICT
6830 NE 185TH ST
BOTHELL WA 98028

GROWTH MANAGEMENT SERVICES
REVIEW TEAM / CTED
P O BOX 42525
OLYMPIA WA 98504

WOODINVILLE WATER DISTRICT
P O BOX 1390
WOODINVILLE WA 98072

**DEPARTMENT OF HEALTH DIVISION OF
DRINKING WATER**
JOHN ADEN
P O BOX 47822
OLYMPIA WA 98504

PUGET SOUND REGIONAL COUNCIL
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SEATTLE WA 98104

THE WATERSHED COMPANY
750 SIXTH STREET SO
KIRKLAND WA 98033
UPDATED 01/07

OGDEN MURPHY WALLACE
ZACHARY LELL
1601 5TH AVE 2100
SEATTLE WA 98101

US EPA, REGION 10
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RESPONSIBLE SEPA OFFICIAL
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PSE
MARK OGGEL
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VERIZON NORTHWEST
MR JUSTIN FONTE
2312 WEST CASINO RD
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US FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 98101

**WA STATE OFFICE OF ARCHAEOLOGY &
HISTORIC PRESERVATION**
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G RICHARD HILL
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EARTH CONSULTANTS, INC
EARTH SOLUTIONS NW, LLC
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REDMOND WA 98052

THE TRANSPO GROUP
11730 188TH AVE NE SUITE 600
KIRKLAND WA 98034
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B-12 WETLAND CONSULTING
SEWALL WETLAND CONSULTING
1103 WEST MEEKER STREET #C
KENT, WA 98032

WEINMAN CONSULTING, LLC
9350 SE 68TH STREET
MERCER ISLAND WA

TETRA TECH, EC, INC
12100 NE 195TH STREET #200
BOTHELL WA 98011

NELSON GEOTECHNICAL ASSOCIATES
17311 135TH AVE #300
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EXHIBIT 41
PAGE 10 OF 12

J RICHARD ARAMBURU
COLLEGE BUILDING #209
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WASIM KHAN, PE
TRANSPORTATION ENGINEER
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CITY OF SPOKANE
GREG SMITH
HEARING EXAMINER
808 WEST SPOKANE FALLS BLVD
SPOKANE WA 99201

EXHIBIT 41
PAGE 11 OF 12

COMMISSIONER
VICTOR ORRIS

COMMISSIONER
PHIL RELNICK

COMMISSIONER
ART PREGLER

MAYOR CATHY VONWALD

DEPUTY MAYOR
HANK STECKER

COUNCILMEMBER
CHUCK PRICE

COUNCILMEMBER
SCOTT HAGEMAN

COUNCILMEMBER
MIKE ROSKIND

COUNCILMEMBER
GINA LEONARD

COUNCILMEMBER
DON BROCHA

CITY OF WOODINVILLE
PUBLIC COPY
DEVELOPMENT SERVICES DESK

CITY OF WOODINVILLE
PUBLIC COPY
DEVELOPMENT SERVICES DESK

COMMISSIONER
PAT EDMONDS
VICE CHAIRMAN

COMMISSIONER
MICHAEL CORNING

CITY OF WOODINVILLE
FILE COPY

CITY OF WOODINVILLE
EXECUTIVE DEPARTMENT

CITY OF WOODINVILLE
ADMINISTRATION

CITY OF WOODINVILLE
PARKS

CITY OF WOODINVILLE
PUBLIC WORKS

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

CITY OF WOODINVILLE
CITY MANAGER'S COPY

DEPARTMENT OF ECOLOGY
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SEPA REGISTRAR
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KIRKLAND WA 98034

WOODINVILLE LIBRARY
17105 AVONDALE ROAD NE
WOODINVILLE WA 98072

COMMISSIONER
LES RUBSTELLO
CHAIRMAN

SUSIE MCCANN

EXHIBIT 41
PAGE 20 OF 12

Ray Sturtz

EXHIBIT 42

PAGE 1 of 241

From: Steve Gooding [goodis@genieind.com]**Sent:** Monday, May 17, 2004 6:28 PM**To:** Ray Sturtz**Cc:** 'fred@greenfinancial.com'

Mr. Sturtz, I reside at 15124 NE 195th St, Woodinville and have done so since 1984. I just became aware of the ~~Wood Trails~~ development. Please for the health, safety, and well being of my children, grandchildren, pets and wildlife, do not allow our street to become a thoroughfare. Despite the dramatic growth of Woodinville myself and my neighbors have enjoyed relative serenity as a result of the fact that through traffic is not traversing back and forth. I know that my house in particular sits slightly down hill from the road which creates a situation where the 2nd floor bedrooms are almost level with the street. The configuration of my home and for the most part the entire neighborhood was not configured to accommodate daily commuter traffic.

Please for my sake, make the access to the new development from Hwy 9 or Woodinville-Duval Road.

Please do not hesitate to call me on this very important issue at anytime.

~~Steve Gooding~~~~1800-582-1914 (206) 882-8608~~**Fax (425) 882-5840 or 1800 262 7708****Cell (206) 799-1253****goodis@genieind.com**

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05/18/2004

Mr. & Mrs. Courtney;

EXHIBIT 42
PAGE 2 of 2611

Your comments have been received and have been entered into the applicati

-----Original Message-----

From: acecar@earthlink.net [mailto:acecar@earthlink.net]

Sent: Monday, July 19, 2004 9:52 AM

To: Dick Fredlund

Subject: comments on proposed "Woods Trails" rezone request and development

July 19, 2004

Dave and Nancy Courtney
19410 148th Ave NE
Woodinville, WA 98072
425 415 6177

Mr. Dick Fredlund
City of Woodinville
Planning Department
17301 133rd Ave. NE
Woodinville, WA 98072

Re:comments re: rezone application
Project: Wood Trails

Dear Mr. Fredlund,

I write to you as a concerned party and resident of the adjoining affected neighborhood that would be negatively impacted as a result of a rezone request presently before your department for review known as "Wood Trails" development by applicant Phoenix Development. Presently ALL the adjoining neighborhoods are zoned R-1. The character of the community with the open spaces and the absence of crammed development is what originally attracted us to 'settle' here as well as enjoy the quality of life that we have always identified the City of Woodinville as offering due to the low housing density and the large lots which allow green spaces between homes.

We also chose a 'dead end' street as a natural limitation to traffic to protect our three children from traffic and to increase our own sense of security. My pre-purchase investigation also discovered the city council's original commitment to preserve the natural buffer of trees between the industrial area located just below us and the residential neighborhoods above. That buffer area is located on a hillside that even King County had indicated was a 'Sensitive areas site' with regards to the dramatic slope and the possibility that development may compromise the stability of the hillside. The tree buffer area, which the proposed development is examining, is also a haven for many different

types of wildlife (coyotes, deer, numerous types of birds, and numerous and varied species of small animals). Considering the inevitable county forced sewage treatment facility located very close by it would also help to buffer (hopefully) the foul smells that are bound to come with the treatment plant.

The impact on the adjoining neighborhoods in terms of the dramatic increase of traffic generated, the noise, pollution and traffic construction will ultimately bring with it, the inevitable downward force on existing property values caused by 4500 sq. ft. lot and the type of housing possible on such 'trailer home sized' lots I haven't been able to find one positive impact the development would add to our existing neighborhoods. That doesn't even address the issues of increased traffic on an already busy 156th Ave NE and the threat of more traffic as it would impact the safety of our school aged children as they walk to or wait for, the bus to access Wellington Elementary or Leota Jr. High.

I would be a little less concerned if the developer was to respect the character of our neighborhood by staying within its present R-1 zoning. It would generate less traffic, have less impact on our already over-burdened school system, and affect our present property values, which we have all been paying taxes on for our present occupancies. It would also honor the original statement of the City of Woodinville City Councils that this buffer would be maintained between the residential and industrial neighborhoods.

Certainly no development with such high density and so many units can blend into an existing neighborhood where the standard has been low density on large lots. Allowance of this project to receive a rezoning would be an insult to the present citizens and taxpayers of our city by an outside developer only interested in stuffing as many units onto an unstable hillside site for a motivation of greed rather than to blend into an already existing neighborhood standard. If higher density development is called for by the new laws which I must remind you were NOT voted upon by the citizens but IMPOSED onto us by bureaucratic regulators, shouldn't these developments be placed where there are already higher density neighborhoods such as closer to downtown Woodinville? I think yes. Leave the existing residential neighborhoods alone. The City should support its citizens interest FIRST and maintain the existing R-1 zoning which the citizens and taxpayers of Woodinville have not only abided by for many years, but have paid taxes on as well which have supported the city, its departments and development of its infrastructure and government.

Our family and neighbors DO NOT want the radical zoning change, which Phoenix Development has applied for to be granted by the City or its planning department.

Thank you for your consideration. Our neighborhood stands as one on this issue and we have all pledged to resist this imposition by an outside developer to materially affect the character of our existing neighborhoods which adjoin and/or access his proposed out of character development.

Very Truly Yours,

Dave Courtney

JUL 20 2004

City of Woodinville

acecar@earthlink.net Mail Account

From: acecar@earthlink.net Mail Account [acecar@earthlink.net]
Sent: Monday, July 19, 2004 11:53 AM
To: Fred Green
Subject: FW: comments on proposed "Woods Trails" rezone request and development

EXHIBIT 42
PAGE A of 241**-----Original Message-----**

From: acecar@earthlink.net Mail Account [mailto:acecar@earthlink.net]
Sent: Monday, July 19, 2004 11:52 AM
To: Dick Fredlund
Subject: comments on proposed "Woods Trails" rezone request and development

July 19, 2004

Dave and Nancy Courtney
19410 148th Ave NE
Woodinville, WA 98072
425 415 6177

Mr. Dick Fredlund
City of Woodinville
Planning Department
17301 133rd Ave. NE
Woodinville, WA 98072

Re: comments re: rezone application
Project: Wood Trails

Dear Mr. Fredlund,

I write to you as a concerned party and resident of the adjoining affected neighborhood that would be negatively impacted as a result of a rezone request presently before your department for review known as "Wood Trails" development by applicant Phoenix Development.

Presently ALL the adjoining neighborhoods are zoned R-1. The character of the community with the open spaces and the absence of crammed development is what originally attracted us to 'settle' here as well as enjoy the quality of life that we have always identified the City of Woodinville as offering due to the low housing density and the large lots which allow green spaces between homes.

We also chose a 'dead end' street as a natural limitation to traffic to protect our three children from traffic and to increase our own sense of security.

My pre-purchase investigation also discovered the city council's original commitment to preserve the natural buffer of trees between the Industrial area located just below us and the residential neighborhoods above. That buffer area is located on a hillside that even King County had indicated was a

'Sensitive areas site' with regards to the dramatic slope and the possibility that development may

7/19/04

compromise the stability of the hillside. The tree buffer area, which the proposed development is examining, is also a haven for many different types of wildlife (coyotes, deer, numerous types of birds, and numerous and varied species of small animals). Considering the inevitable county forced sewage treatment facility located very close by it would also help to buffer (hopefully) the foul smells that are bound to come with the treatment plant.

The impact on the adjoining neighborhoods in terms of the dramatic increase of traffic generated, the noise, pollution and traffic construction will ultimately bring with it, the inevitable downward force on existing property values caused by 4500 sq. ft. lot and the type of housing possible on such 'trailer home sized' lots I haven't been able to find one positive impact the development would add to our existing neighborhoods. That doesn't even address the issues of increased traffic on an already busy 156th Ave NE and the threat of more traffic as it would impact the safety of our school aged children as they walk to or wait for, the bus to access Wellington Elementary or Leota Jr. High.

I would be a little less concerned if the developer was to respect the character of our neighborhood by staying within its present R-1 zoning. It would generate less traffic, have less impact on our already over-burdened school system, and affect our present property values, which we have all been paying taxes on for our present occupancies. It would also honor the original statement of the City of Woodinville City Councils that this buffer would be maintained between the residential and industrial neighborhoods.

Certainly no development with such high density and so many units can blend into an existing neighborhood where the standard has been low density on large lots. Allowance of this project to receive a rezoning would be an insult to the present citizens and taxpayers of our city by an outside developer only interested in stuffing as many units onto an unstable hillside site for a motivation of greed rather than to blend into an already existing neighborhood standard. If higher density development is called for by the new laws which I must remind you were NOT voted upon by the citizens but IMPOSED onto us by bureaucratic regulators, shouldn't these developments be placed where there are already higher density neighborhoods such as closer to downtown Woodinville? I think yes. Leave the existing residential neighborhoods alone. The City should support its citizens interest FIRST and maintain the existing R-1 zoning which the citizens and taxpayers of Woodinville have not only abided by for many years, but have paid taxes on as well which have supported the city, its departments and development of its infrastructure and government.

Our family and neighbors DO NOT want the radical zoning change, which Phoenix Development has applied for to be granted by the City or its planning department.

Thank you for your consideration. Our neighborhood stands as one on this issue and we have all pledged to resist this imposition by an outside developer to materially affect the character of our existing neighborhoods which adjoin and/or access his proposed out of character development.

Very Truly Yours,



Dave Courtney

EXHIBIT 42
PAGE 5 of 241

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

July 30, 2004

RECEIVED

Mr. Ray Sturtz, Planning Director
Mr. Dick Fredlund, Planner
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

EXHIBIT 42
PAGE 6 of 241

JUL 30 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Subject: ~~Wood Trails~~ - Notice of Application - Comments

These comments are submitted on behalf of the Concerned Neighbors of Wellington (CNW), a group of over 150 Woodinville residents and property owners living in the northeast area of the City commonly known as Wellington.

A Notice of Application dated July 19, 2004 requests the approval of a rezone, preliminary plat, and SEPA Checklist for Wood Trails. The notice provides a 14-day comment period before the City acts on the SEPA Threshold Determination. We have obtained copies of the application and conducted a review of the documents and studies and are submitting the following comments to alert you of our initial findings and concerns with this application.

We have had limited opportunity to review the application in this short period and offer the following preliminary comments with the understanding that we will provide other detailed comments at a later time.

This Wood Trails site has been known and considered to be one of the most challenging and difficult sites for development within the City of Woodinville due to its steep and unstable slopes, difficult access, critical areas, and acknowledged buffer between adjacent industrial and residential areas. The level of information and detail provided in the SEPA checklist and referenced technical reports do not adequately identify and address the environmental impacts, and the complex design and construction issues associated with such a development. Furthermore the documentation is incomplete and/or incorrect in characterizing the development and its impact on the neighboring residential area.

There are many statements in the SEPA checklist, which we believe are incorrect. Many of the required elements have been inadequately addressed. Some of these issues are identified in the comments listed below. Other elements in the SEPA that are incompletely addressed include earth (erosion), air, water (groundwater), environmental health (noise), land use (adjacent properties), aesthetics, and public services. Cumulative impacts were not analyzed for any of the elements. Proposed mitigation measures were often inadequate or negligible at best given site conditions, and likely on-site and off-site impacts. It is our opinion that the applicant has submitted an inadequate SEPA checklist, and given the significant adverse impacts, the project is not entitled to a Determination of Non-Significance (DNS) or a Mitigated DNS (MDNS).

P.O. Box 2934, Woodinville, WA 98072-2934
Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

Given the multiple environmental elements that would be adversely impacted by the proposed development as currently planned, an Environmental Impact Statement (EIS) is warranted before any determination of environmental impacts can be completed for the project.

Comments

1. Clustering of 66 lots on 10.4 acres is high density not compatible with the neighborhood character and residential density of 1 unit/acre.
2. SEPA notification stating 66 lots on 50.5 acres is incorrect.
3. Cumulative effects and impacts associated with surplus density credits for 19 lots need to be identified and included with this document.
4. Methods for clearing, excavating, hauling, and protecting 110,000 cubic yards of earthwork is extremely vague and incomplete. There are numerous on-site and off-site impacts from earthwork of this magnitude that are not identified and/or addressed.
5. Steep slopes and other sensitive areas are not clearly defined and/or delineated to accurately determine their limits within the 38.7-acre site. Accurate delineation of these limits is important to determine the net buildable area and ultimately the actual density.
6. *What kind* Other wildlife (including endangered or threatened bird species) than the species described in the checklist exist and have been observed recently by nearby residents. The clear cutting and site clearing will impact this wildlife and habitat. A more formal investigation and analysis of threatened or endangered species by a qualified wildlife biologist needs to be performed so that an adequate review and determination of impacts can be performed.
7. Tree removal will expose the industrial buildings and area below and result in significant noise (from SR 522 traffic) levels for existing residents located above the proposed development. Industrial odor impacts also need to be determined. These impacts are not mentioned.
8. The extension of sanitary sewer service eastward from this development will likely result in higher density redevelopment nearby and the cumulative effects and impacts of this increased density need to be identified as a part of this project.
9. There is no open space or recreation/play areas identified within the actual 10.4 acres of proposed development. Due to the high density and small lot size, and since nearby public facilities do not exist, adequate open space should be provided within this constrained and land-locked site.
10. The Transportation Impact Analysis focuses on traffic volumes and levels of service along 156th Ave NE and Woodinville-Duvall Road and concludes that there is no significant degradation in level of service caused by this development. The trip distributions do not reflect the constrained (multiple dead-ends with only one outlet)

EXHIBIT 42
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Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

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street network in the Wellington area. This is incomplete as there are a number traffic related impacts that are not identified and need to be addressed.

11. The Transportation Analysis fails to describe the numerous deficiencies that exist along the streets that are intended to provide access to this development, including lane and shoulder widths, site distance, reduced/restricted speed limits, pavement condition, sidewalks/paths, crosswalks and lighting. These deficiencies cannot be overlooked and require a more thorough analysis to determine where improvements are needed to address safety and operational issues.
12. Pedestrian routes and connections from the development to Wellington and Leota Jr. High School are not referenced and are critical non-motorized elements to be evaluated.
13. The proposed layout of the development using three semi-isolated "pods" does not result in a self-contained integrated community, does not integrate in a beneficial way to the existing adjoining residential areas, and would adversely impact the existing characteristics of the adjoining streets and neighborhoods.
14. Many of the assumptions and discussion points stated in the Rezone Analysis are very misleading, and present only a very narrow one-sided interpretation of many of the requirements of the Woodinville Municipal Code and the Comprehensive Plan. The applicant has purposefully selected key words or phrases in the various requirements that appear to support the rezoning request needed for the proposed development plan, while de-emphasizing or completely ignoring other criteria that are required by Woodinville to be evaluated as part of the rezoning request.
15. The proposed development does not, in any aspect, complement the existing development pattern of the adjacent and nearby residential neighborhoods.
16. The development as currently proposed is incompatible with both the existing neighborhood (zoned R-1) and the adjoining industrial area. Potential impacts to offsite areas, including the industrial properties located immediately downgradient of the site, have not been addressed.
17. The summary and characterization of the case law addressing the *changed circumstances* element of re-zone applications, as set forth in the Wood Trails Re-Zone Analysis, is incomplete and not properly applicable to the Wood Trails fact pattern.
18. The assumed environmental benefit of the identified Native Growth Protection Area (NGPA) is minimal at best. The NGPA as currently delineated is nothing more than an area of extremely steep slopes that the developer has deemed as unbuildable. Developing properties on these steep slopes is problematic, and presents numerous technical, environmental, and economic issues that the developer would in all likelihood not want to tackle at this point in time. Using the NGPA to provide more potential lots on a gross acreage basis, and then requesting density credits for not building on these extremely steep slopes, is an unreasonable application of the intent of development density requirements and options.

P.O. Box 2934, Woodinville, WA 98072-2934

Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Concerned Neighbors of Wellington.

"Dedicated to Preserving the Character of the Wellington Neighborhood"

EXHIBIT 42
PAGE 9 of 2411

19. The geotechnical analysis completed to-date is inadequate to address many of environmental and design issues associated with development of this property as planned. The subsurface geology is poorly understood, and statements in the geotechnical report contradict published geologic maps without providing the necessary supporting data. The number and depth of the field explorations are not adequate to complete the analyses needed to evaluate an area that has already been identified as an erosion hazard area and containing large areas of very steep slopes. Statements concerning slope stability and erosion are unsupported.
20. There are numerous technical issues and concerns associated with the construction and operation of the very large detention pond based on the current limited understanding of subsurface conditions in this portion of the site.
21. The surface water (stormwater) analysis utilizes several "segregation" assumptions and approaches to support an overall drainage plan which requires multiple variances, and barely avoids several key threshold criteria (i.e. apparent arbitrary delineation of upstream basin flows, dam safety, etc.) that would result in additional analyses and required design elements.
22. Impacts to downstream collection systems in the industrial area are not adequately evaluated.

We are prepared to provide additional information to support our comments if and when necessary. Please notify me of any developments or changes in the status of this application. Thanks for your assistance and cooperation thus far in the process.

Sincerely,

Fred Green

Fred A. Green
President

RECEIVED

✓ entered
8/17/04
CB

AUG 17 2004

Leonard and Sharon Clemeson

15103 N. E. 202nd Street

CITY OF WOODINVILLE Woodinville, Washington 98072
PLANNING DEPARTMENT

(425) 486-0956

EXHIBIT 42

PAGE 10 of 24

August 12, 2004

Mr. Ray Sturtz, Planning Director

Mr. Dick Fredlund, Planner

City of Woodinville

17301 - 133rd Avenue NE

Woodinville, Washington 98072

RECEIVED

AUG 13 2004

City of Woodinville

Re: Wood Trails and other developments planned for the
Wellington Area

We would like to add our voices to those of our friends and neighbors to voice our displeasure over the proposed Wood Trails development. Like our neighbors, we moved here for the relative peace and beauty of the area. We thought it was a good place to raise our children and it had relatively easy access to Seattle. We believed in the motto "*Country Living, City Style*". We paid our dues by working with the PTA when our kids were in school, voted for every bond issue when they came up and worked to keep King County from trying to put a jail in Woodinville.

We voted to become a city because we thought we would have an advocate who would fight to keep the character of our community intact. Others have listed the wildlife that would be affected by this development but we would like to add an American Marten, a female Great Horned Owl and about 45 varieties of birds and three species of squirrels that we observed in the woods next to our property and deer that we saw just the other day that thrilled our neighbor's five year old. These aren't big things, but they add to the quality of life in this area. Moments like this will disappear if developers are allowed free reins to do what they will. If this is the case then we think you should seriously consider changing the city motto to something more appropriate with your decisions.

Very truly yours,

Leonard P. Clemeson

Sharon J. Clemeson

✓
entered
cb**Dick Fredlund**

From: Marsha Tupper [mtupper51@att.net]
Sent: Monday, August 16, 2004 4:25 PM
To: Dick Fredlund
Subject: Wood Trails Proposal

EXHIBIT 42
PAGE 11 of 241

August 16, 2004

City of Woodinville:

As residents of the Wellington neighborhood we would like to voice our concerns over the proposed Wood Trails development. We moved to Washington three years ago and selected Woodinville for our home over other cities on the eastside specifically because of its rural character and large lot sizes. We were alarmed to hear about the proposed rezoning of the Wood Trails area from R1 to R4 and the clustering of 66 homes on just over 10 acres of land. We feel this high density project is not compatible with the aesthetics of the current Wellington and Wellington Hills neighborhoods and fear that the installation of sewer service in this area could lead to further development nearby.

We are also concerned about the affect this development will have on wildlife and plant habitat. We often walk the trails through this area and have seen everything from coyotes and deer to owls, Douglas squirrels and blooming native trillium in the spring. Because of its steep slopes and ravines, this area is a natural buffer for the wildlife it supports and we hope that it will remain that way.

Finally, we are concerned about the infrastructure of the surrounding areas if this development is allowed to go through. Is it really feasible that two or three two-lane country roads will be able to handle all of the resident traffic to and from 156th Avenue, not to speak of all the construction-related traffic (large construction equipment, earth moving equipment, logging trucks, etc)?

We ask that you consider the change from R1 to R4 zoning in the Wood Trails area very carefully and take into consideration the concerns of those who live in the Wellington neighborhood before making a decision.

Sincerely,

Craig & Marsha Tupper
15419 NE 198th Street
Woodinville, WA 98072

08/18/2004

✓
entered
CB

Dick Fredlund

From: Helen Gottschalk [hgotts@microsoft.com]
Sent: Wednesday, August 18, 2004 9:23 AM
To: Dick Fredlund
Subject: Wood Trails, MonteVilla developments

EXHIBIT 42
PAGE 12 of 241

Mr Dick Fredlund, City of Woodinville:

I am writing to express my concern for the Wood Trails and Montevilla developments, which will significantly impact the neighborhood's resources, traffic, environment and wildlife. I strongly urge that the applications be carefully reviewed with the requirement of an Environment Impact Statement, to ensure that all relevant issues are adequately and satisfactorily addressed.

Thank you very much!

Helen
14918 NE 198th St
Woodinville WA 98072
425.486.1983

hgotts@microsoft.com
425.703.3589

Dick Fredlund

From: Helen Gottschalk [hgotts@microsoft.com]
Sent: Wednesday, August 18, 2004 9:23 AM
To: Dick Fredlund
Subject: Wood Trails, MonteVilla developments

EXHIBIT 42
PAGE 13 of 246

Mr Dick Fredlund, City of Woodinville:

I am writing to express my concern for the Wood Trails and Montevilla developments, which will significantly impact the neighborhood's resources, traffic, environment and wildlife. I strongly urge that the applications be carefully reviewed with the requirement of an Environment Impact Statement, to ensure that all relevant issues are adequately and satisfactorily addressed.

Thank you very much!

Helen

14918 NE 198th St
Woodinville WA 98072
425.486.1983

hgotts@microsoft.com
425.703.3589

08/18/2004

Dick Fredlund

From: Pete Symington [pete@dollarseattle.com]
Sent: Thursday, August 19, 2004 6:02 PM
To: Dick Fredlund
Subject: FW: Wood Trails Development

EXHIBIT 42
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Peter Symington
 Dollar Rent A Car
 206-433-6769 Ext 209
 206-431-7582 Fax

Confidentiality Notice: The information contained in this email transmission is confidential and intended for the addressee only. If the reader of this message is not the addressee or the addressee's agent, you are hereby advised that any dissemination, distribution or copying of the information is prohibited. If you receive this email in error, please call us collect immediately upon receipt and return the email documents to us by first class mail to P.O. Box 68428, Seattle, WA 98168. Your postage will be reimbursed. Thank you for your cooperation.

-----Original Message-----

From: Pete Symington [mailto:pete@dollarseattle.com]
Sent: Thursday, August 19, 2004 5:00 PM
To: 'dick@ci.woodinville.wa.us'
Subject: Wood Trails Development

Dear Dick,

I just wanted you to know that I am very concerned about this proposed development and that I would like to be kept informed of these projects activities. I have lived at my present address, 15410 N.E. 198th St., for 25 years have already seen this street extended once. This extension has brought increased traffic, noise and vandalism. People always drive too fast down this street and I am surprised that there hasn't been a serious accident.

This proposed development is completely contrary to our present community and will certainly jeopardize its continuation. An R-4 zoning is not compatible with our present community and will impact our community with further re-zoning as sewers are added. When we voted to be a City we were told we would be protected but instead it has lessened our recourse. This development which is being proposed under the cloak of the growth management act is misusing this act and its intent. It was not passed to adversely affect existing communities. This property development company is not responsible and is only doing the minimum to get a permit. The land it is building on is questionable, the high density is ridiculous, it will destroy a natural noise barrier and greatly increase traffic in what is supposed to be a safe neighborhood.

When they were asked to explore alternatives to the N.E. 202nd and N.E.195th St. they simply substituted N.E. 198th so they would not have to spend as much improvement money. I attended a meeting on August 17th and it was indicated that there were at least two alternative access points and they just happen to be on a northern piece of property that was originally part of the development but now they are waiving this 12 acre parcel of land. I wonder why? One was from the North and one was from the West. I suspect there may be other alternative accesses but they will not consider anything else unless the City of Woodinville tells them to. As a last resort, if you feel you must approve this development, at least make them provide alternative access roads and not use N.E. 195th, 198th, 201st and 202nd. This is our community and we want to keep it the way it and keep it as safe as possible. Also, we do not want to see our property values decline with this type of high density housing. Also, I believe they are fraudulently misrepresenting the type of home that will be built. They showed pictures of homes over 3000 square feet and put forth price ranges of \$450,000 plus but when they were pressured for an answer they said it will be up to the builder. So I think is very evident that they intend to build as many homes as possible and they will probably be in a lower price range.

Since I am already writing you I would like to request that Speed Bumps be installed on N.E. 198th St. I am not asking because of the proposed development but because we already need them.

08/20/2004

Thanks you for your time.

Sincerely,

Peter G. Symington
15410 N.E. 198th St.
Woodinville, WA 98072

EXHIBIT 42
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Dick Fredlund

From: Dick Fredlund
Sent: Friday, August 20, 2004 10:10 AM
To: 'Sharp Products, Inc.'
Subject: RE: Concerned Neighbor

EXHIBIT 42
PAGE 16 of 241

Dear Mr. Sharp;

I really cannot respond to comments regarding the proposed Montevallo proposal as they, Phoenix Development, have not submitted an application to the City for this development and until they do, we do not have a project which can be used to start a list of persons wishing to become a part of record. I will try and answer some of your questions as they apply generally to new development.

With regard to a traffic study, all new developments must submit a traffic study which determines the volume of traffic created by that development, the number of peak traffic trips generated, both for a.m. and p.m. peak periods. They are also required to make general determinations where that traffic will go, the routes they will use and the intersections that will be impacted by that traffic. If the intersection impacted is in the City Capital Improvement Program, the City will require the developer to pay traffic mitigation for their proportionate share of the cost of the projected improvements.

The developer must also submit a SEPA (State Environmental Policy Act) application which is reviewed by the various City departments. As a part of the SEPA application, they must respond to an 18 page environmental checklist, one section of which deals with wildlife.

All new developments must meet minimum street lighting standards. A developer will be required to submit a light coverage report which is reviewed by the City and by Puget Sound Energy. This is usually done at the time of preliminary plat approval but can be submitted later when they submit their detailed construction plans.

Housing values. It is illegal for a city to require a builder to build homes in a certain value category. The City comprehensive plan encourages a variety of housing types but we cannot specify that a builder build a certain type home. Housing values are generally controlled by lending institutions which require a house value base upon cost of land, the cost of improving that land plus a few other factors, or at least they used to. I haven't dealt with this end of financing for a few years.

With regard to schools. Each development must provide the City with a safewalk assessment. This provides the school district with information as to what is happening, how many new lots are being added to the district. This information is used annually along with current student housing to determine what if any school mitigation should be charged for each new house during the following year.

I would expect that the "Concerned Citizens of Wellington" the associated formed in your neighborhood in response to the Wood Trails development will be equally involved with the Montevallo development when and if the proposal is submitted to the City. You may wish to contact them as well.

-----Original Message-----

From: Sharp Products, Inc. [mailto:paul.sharp@verizon.net]
Sent: Friday, August 20, 2004 9:03 AM
To: Dick Fredlund
Subject: Concerned Neighbor

Mr. Fredlund,

My family and I have lived in the Woodinville area for 25+ years and feel very fortunate to be a part of this community. We currently live on NE 198th St and have concerns about the new proposed developments of Wood Trails and Montevallo.

We attended the meeting hosted by Phoenix Development regarding Wood Trails and Montevallo on Tuesday of this week. Here are some of our concerns:

1) The traffic studies encompass the impact of Wood Trail ONLY. We've been told this represents about 800 cars per day. The developer told us that they are not required at this time to provide a traffic study on the impact of the Montevallo development. We are very concerned that we, as well as the City, are being misled on the true impact of traffic.

2) We know that the Developers are sensitive by law to wetlands. However, we learned in this meeting that the Developers are not required to do a study on the impact of wildlife in the effected areas of development. Currently we have deer, coyotes, raccoons, owls, rabbits, squirrels, chipmunks, and various species of birds nesting in these areas.

3) We also learned that the new developments will have street lights. When questioning Phoenix Development, they could not tell us how many lights were going to be installed. Light pollution is an additional concern and we'd like to have answers as to what is planned and the impact on the surrounding areas.

4) We asked Phoenix Development for details on the purposed housing - square footage, sale price. They could not answer our questions and told us they were not required to provide this information to the City of Woodinville therefore it is not available to us.

5) When asked about the impact of population from these proposed developments on our schools, we were told 'zero impact'. With 66 homes in just one development, how can there be no impact?

Mr. Fredlund, we are writing to you today in the hopes that you will see and respect our concerns. We feel that an Environmental Impact Statement (EIS) to be provided by the Developer is critical to understand the impact to our community.

We would also request to be placed as a party of interest on Wood Trails and Montevallo developments.

Thank you for your time. We look forward to hearing from you. We know you're a very busy man but would appreciate your feedback and comments.

Paul Sharp
15008 NE 198th St
Woodinville, WA 98072
206-423-6246

EXHIBIT 42
PAGE 17 of 211

Dick Fredlund

*✓ entered
w
CB.*

From: Sharp Products, Inc. [paul.sharp@verizon.net]
Sent: Friday, August 20, 2004 9:03 AM
To: Dick Fredlund
Subject: Concerned Neighbor

EXHIBIT 42
PAGE 18 of 211

Mr. Fredlund,

My family and I have lived in the Woodinville area for 25+ years and feel very fortunate to be a part of this community. We currently live on NE 198th St and have concerns about the new purposed developments of [REDACTED] and Montevallo.

We attended the meeting hosted by Phoenix Development regarding Wood Trails and Montevallo on Tuesday of this week. Here are some of our concerns:

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- 3) We also learned that the new developments will have street lights. When questioning Phoenix Development, they could not tell us how many lights were going to be installed. Light pollution is an additional concern and we'd like to have answers as to what is planned and the impact on the surrounding areas.
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We would also request to be placed as a party of interest on [REDACTED] and Montevallo developments.

Thank you for your time. We look forward to hearing from you. We know you're a very busy man but would appreciate your feedback and comments.

Paul Sharp
15008 NE 198th St
Woodinville, WA 98072
206-423-6246

*Entered
C.B.*

At this point there has been no application by the developer and therefore no official Montevallo project; however we have had a couple of meetings with the developer on their proposed project and anticipate they will eventually submit an application.

-----Original Message-----

From: Sarashahar@aol.com [mailto: Sarashahar@aol.com]

Sent: Friday, August 20, 2004 5:09 PM

To: Dick Fredlund

Subject: please put us on the party of

EXHIBIT 42

PAGE 19 of 211

Dear sir,
we are happy resident of woodinville, and we reside in WELLINGTON. The latest plans of development worries us enormously. Hence the developer will get there wish, the neighborhood will become unsafe for kids, environmentally hazardous, and the unique quality of life that brought us here will no longer exist, it is sad and bad for all parties we hope that our concern will be heard and counted, as we are part of this wonderful city. there for we asking to be placed as a party of interest on the [REDACTED] and Montevallo development.

AVIV & SARA SHAHAR

15363 NE 201st ST, Woodinville WA98072

**Dick Fredlund**

From: Paul Chrysler [paulch@johnlscott.com]**Sent:** Saturday, August 21, 2004 9:05 AM**To:** Dick Fredlund**Cc:** paulch@johnlscott.com; Fred Green**Subject:** [REDACTED]EXHIBIT 42
PAGE 20 of 241

Dick.....thanks for the opportunity to comment. I should say at the outset that I personally feel the type of development proposed is out of character for the neighborhood as it exists. There are some other concerns beyond that, however.

Some time ago, I was involved in a similar situation in Edmonds, where a developer wanted to install a high density project in the heart of a R-20,000 area. It ultimately failed because of developer's inability to configure lots in a manner consistent with CC &R's contained in the plat. The Hearings Examiner, however, allowed (or better yet turned a blind eye) to numerous falsehoods stated in the application. These were with regard to traffic, environmental concerns, requirements for similarity of surrounding properties, open space, facilitation of foot transportation and such. The mere fact that the developer stated no significant deviation from the requirements existed was accepted as fact by the examiner.

Now, to the point I want to make. I would expect the City of Woodinville to be more genuine in its examination of the Phoenix' assertions. I am certain they will be examined carefully and am of the impression that if half-truths and/or falsehoods are permitted to go unchallenged by the City, they will be challenged by the Concerned Citizens of Wellington and their attorneys. So, the purpose of this writing is to encourage the City to honestly, carefully, and objectively examine Phoenix' assertions and claims of compliance with the conditions set forth by the city.

Thank you for this opportunity to be heard.....regards, Paul Chrysler, Associate Broker. John L. Scott Real Estate-Wdv.

08/23/2004

Dick Fredlund

entered
PB 82404

From: Pete Bova [pgbov@gte.net]
Sent: Saturday, August 21, 2004 3:14 PM
To: Dick Fredlund

EXHIBIT 42
PAGE 21 of 241

Dear Sir, As a concerned resident of the Wellington Hills area I would like to see the Phoenix Development Co. have to go thru the Environmental Impact Statement process and show more comprehensive traffic plans for this already congested road. As you are well aware the Cascade Bicycle Club uses this road on all of their recommended rides with no regard for the residents of this road. Repeated calls to the King County Sheriff get no satisfaction. Now add all of the increased traffic to this rural country road and you have created an impending tragedy.

Thanks For Your Courtesy
Peter G. Bova
19832-156Th Ave NE
Woodinville, Wa. 98072

entered
C.B.

At this point there has been no application by the developer and therefore no official Montevallo project; however we have had a couple of meetings with the developer on their proposed project and anticipate they will eventually submit an application.

You have been placed on record as a party of interest for Wood Trails.

EXHIBIT 42
PAGE 22 of 241

-----Original Message-----

From: James Snell [mailto:jes3788@comcast.net]
Sent: Monday, August 23, 2004 8:55 AM
To: Dick Fredlund
Subject: Wood Trails and Montevallo developments

To: Dick Friedland,

I am very concerned about the proposed dense urban developments in the area where I live. I do not feel that this kind of development is in the best interests of either the residents of this area or the city of Woodinville. They will degrade the environment and the character of the area. Such dense new developments will place additional strain on the infrastructure of Woodinville and require expensive new improvements. It seems to me that the Wood Trails development particularly should be the subject of an environmental impact study as the slopes there are steep and potentially unstable. A few record rains could lead to mudslides and even a house ending up in the valley below. A public park would be a better use of the land if it must be developed at all. I would like to be placed as a party of interest on the Wood Trails and Montevallo developments.

James and Martha Snell
15009 NE 198th St.
Woodinville, Wa. 98072
Phone: 425-402-8072
E-Mail: jes3788@yahoo.com

EXHIBIT 42
PAGE 23 of 241

Entered
8/24/04
CB.

Dick Fredlund

From: Cindi Stinson [crstinson@yahoo.com]
Sent: Monday, August 23, 2004 11:31 AM
To: Dick Fredlund
Subject: Wood Trails and Montevallo

Dick Fredlund,

I am against subdividing the [REDACTED] and Montevallo property into smaller than R1 it goes against the current properties that we are a part of. We moved to Woodinville for the R1 qualities that we so love. Please consider accessing the new subdivisions from below (ie: 144 ave. or 200th Street) so it does not destroy our current neighborhoods.

I would like you to request that the developer be required to complete an Environmental Impact Statement (EIS). Thank-you.

Please keep me informed as a party of interest.

Cindi Stinson
15009 NE 195th Street
Woodinville, WA 90872
crstinson@yahoo.com

Do you Yahoo!?
Express yourself with Y! Messenger! Free. [Download now.](#)

EXHIBIT
Party of
Record

Dick Fredlund

From: Sam Mehrabian
Sent: Wednesday, August 25, 2004 9:54 AM
To: Dick Fredlund
Subject: FW: Wood Trails Development

EXHIBIT 42
PAGE 24 of 261

Dick,

Please notify this person of your correct e-mail address.

Thanks,

sam

-----Original Message-----

From: Pete Symington [mailto:pete@dollarseattle.com]
Sent: Thu 8/19/2004 6:00 PM
To: dick@ci.woodinville.wa.us
Cc:
Subject: [REDACTED]

Dear Dick,

I just wanted you to know that I am very concerned about this proposed development and that I would like to be kept informed of these projects activities. I have lived at my present address, 15410 N.E. 198th St., for 25 years have already seen this street extended once. This extension has brought increased traffic, noise and vandalism. People always drive too fast down this street and I am surprised that there hasn't been a serious accident.

This proposed development is completely contrary to our present community and will certainly jeopardize its continuation. An R-4 zoning is not compatible with our present community and will impact our community with further re-zoning as sewers are added. When we voted to be a City we were told we would be protected but instead it has lessened our recourse. This development which is being proposed under the cloak of the growth management act is misusing this act and its intent. It was not passed to adversely affect existing communities. This property development company is not responsible and is only doing the minimum to get a permit. The land it is building on is questionable, the high density is ridiculous, it will destroy a natural noise barrier and greatly increase traffic in what is supposed to be a safe neighborhood.

When they were asked to explore alternatives to the N.E. 202nd and N.E.195th St. they simply substituted N.E. 198th so they would not have to spend as much improvement money. I attended a meeting on August 17th and it was indicated that there were at least two alternative access points and they just happen to be on a northern piece of property that was originally part of the development but now they are waiving this 12 acre parcel of land. I wonder why? One was from the North and one was from the West. I suspect there may be other alternative accesses but they will not consider anything else unless the City of Woodinville tells them to. As a last resort, if you feel you must approve this development, at least make them provide alternative access roads and not use N.E. 195th, 198th, 201st and 202nd. This is our community and we want to keep it the way it and keep it as safe as possible. Also, we do not want to see our property values decline with this type of high density housing. Also, I believe they are fraudulently misrepresenting the type of home that will be built. They showed pictures of homes over 3000 square feet and put forth price ranges of \$450,000 plus but when they were pressured for an answer they said it will be up to the builder. So I think is very evident that they intend to build as many homes as possible and they will probably be in a lower price range.

08/25/2004

Since I am already writing you I would like to request that Speed Bumps be installed on N.E. 198th St. I am not asking because of the proposed development but because we already need them.

Thanks you for your time.

Sincerely,

Peter G. Symington
15410 N.E. 198th St.
Woodinville, WA 98072

EXHIBIT 42
PAGE 25 of 241

August 28, 2004

TO: City of Woodinville

EXHIBIT 42
PAGE 2 of 241

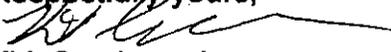
RE: Wood Trails and associated developments

Please be advised of my and my wife's on-going concern regarding the proposed Wood Trails and associated developments. We are very pleased that the City has made a determination of significance. The following is a brief list of the impacts which we feel should be addressed during the process:

- The Wood Trails project is proposed for an area of very steep slope. A thorough geological survey of the site should be made to determine whether any development can be safely established on this site. Clearly extensive soil samples and other appropriate techniques will be necessary to fully evaluate the condition. Also, the benefits of this natural buffer in controlling storm water runoff needs to be carefully researched to ensure the industrial/warehouse district down slope is not adversely impacted.
- The Wood Trails and associated developments will have a significant impact on traffic in the neighborhood which the existing road infrastructure is not adequate to support. A detailed traffic flow analysis needs to be completed which appropriately addresses the unique aspects of the road system in the Wellington subdivision. The traffic impacts cannot be adequately represented by a cursory analysis using aggregate standards.
- Finally, this project needs to be structured in such a way that the fundamental character of the Wellington neighborhood can be persevered. It was the existing, unique character of this neighborhood that attracted my wife and I to the Woodinville community. We elected to settle in this established neighborhood thinking we would be protected from unexpected changes in character.

My wife has established a successful small business downtown and is a member of the Chamber of Commerce. We would be sorely disappointed if the character of our neighborhood were so fundamentally altered that we would need to relocate once again to achieve our desired quality of life.

Respectfully yours,


Kirk Scarbrough
15124 NE 198th St
Woodinville, WA 98072



Catherine Borghes

From: Dick Fredlund
Sent: Thursday, August 26, 2004 4:15 PM
To: Catherine Borghes
Subject: FW: New Wood Trails and Montevallo, Developments

EXHIBIT 42
PAGE 27 of 241

-----Original Message-----

From: Shere Hawk [mailto:sherehawk@comcast.net]
Sent: Thursday, August 26, 2004 2:55 PM
To: Dick Fredlund
Subject: New Wood Trails and Montevallo, Developments

Hello Mr. Fredlund, I am a resident on 160th Ave. NE. We are starting to hear about some new developments close by that sound worrisome. Lots of houses on not so much land, on a small rural road. I wish I didn't always feel like those developers were greedy and willing to do whatever to get their way. Could we please make them have a good environmental impact statement done?? Maybe as we look at the sewage/drainage issues again, they will be forced to reconsider so we don't all have to pay for this later. Thanks.

Shere and Jeff Hawk
19420 160th Ave. NE
Woodinville, WA 98072
425 481 0841

08/26/2004



Dick Fredlund

From: Jack Riggs [j.riggs@comcast.net]
Sent: Wednesday, August 25, 2004 9:52 AM
To: Dick Fredlund
Subject: Wood Trails & Montevallo

EXHIBIT 42
PAGE 28 of 241

Dear Mr. Fredlund:

We wish to be placed as a party of interest on the Wood Trails and Montevallo developments.

Jack & Clarice Riggs
14952 NE 202nd St
Woodinville WA 98072

The Wood Trails development is of great concern to us. We feel the environment will be negatively impacted. We hope the City of Woodinville will require an Environmental Impact Statement. Homes built as densely as the developers want will erode this very steep and wooded area. Gone would be the wooded buffer for all the long existent neighborhoods in the Wellington area, as well as the various wildlife that are known to inhabit the planned development area.

We strongly oppose a zoning change from R1 to R4 for Wood Trails & Montevallo. Keeping the zoning R1 would maintain a "quality of life" that all of us homeowners moved here for - a quiet & safe neighborhood in which to raise families and retire if we so choose. We have lived in our home nearly 25 years and plan to remain here as long as possible.

The streets that are planned as access to Wood Trails are not wide streets and the edges of the paving are already crumbling, just with the local traffic we now have. There are no sidewalks or street lights. Safety is of great importance as there are many school age children living here. We also question the ability to adequately serve Wood Trails in emergency situations.

We love Woodinville and have always have loved it's slogan "Country Living, City Style". With developments like this pushing into our established neighborhoods, we might as well cross out the "Country Living" part of it -- because we'll have more bumper to bumper traffic "city style".

We are counting on the City of Woodinville to do the right thing for it's citizens.
Thank you.

Jack & Clarice Riggs

08/25/2004

October 20, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am one of the Concerned Neighbors of Wellington and I am extremely worried about the recent proposals to change this area from R-1 to R-4 and for the Wellington Golf Course being zoned for multi-family or industrial building.

I grew up in Issaquah and moved to California for several years after I graduated college. When my husband and I decided to move back here, we wanted to find an area that was similar to Issaquah but definitely not Issaquah. Issaquah had once been a beautiful little town where I and my brothers could ride horses, visit neighbors down the road and safely walk to school. Whoever planned (or didn't plan) Issaquah's growth did a terrible job. It is the result of poor planning, overgrowth and traffic congestion. And it looks ugly. It saddens me every time I try to drive through that city now.

I am a Realtor with John L. Scott, WDV and I am not opposed to growth. Growth keeps me in business. Growth is inevitable. Bad planning is not. The dramatic increases in traffic, resulting from a change in zoning, will put my eleven year old at a safety risk. He crosses 156th on a regular basis, he walks and rides around our Wellington neighborhood, and I feel he is relatively safe from a car hitting him. However, I periodically hear tires screeching to a halt in our neighborhood to avoid hitting a child or a pet. ***On my street especially, I live just around a blind curve. (15725 NE 198th St).*** There have been many close calls while we're pulling out of our driveway and when kids cross the road from our driveway. Parents are not supposed to drive down our street to let kids off at the corner barricade to reach Wellington elementary but they do it anyway. It happens especially when they are late and in a hurry. With the amount of increased traffic throughout the neighborhood, due to zoning changes, I can only count the days until a kid gets hit by a car...not driven by a teenager, but by a late parent.

I have had the wonderful experience of raising a son in the Wellington Neighborhood. He went to Wellington Elementary, Leota Jr. High and Woodinville H.S. I have another son, age 11 who I hope will have the same safe, wonderful experience of growing up in this area. Woodinville will either be a safe, beautiful city, with growth contained, planned and accepted or it will be another Issaquah...ruined, unsafe, and looking nothing like it does now.

Please help to keep this from happening.

Sincerely,

Lisa Rhodes

Lisa Rhodes
15725 NE 198th St
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

Fred Green

From: Erin & Jarrett Renshaw [jarrett.erin@comcast.net]
Sent: Thursday, October 21, 2004 9:01 PM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Comment on Scope of EIS for Wood Trails

EXHIBIT 42
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October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Please make note of our concerns regarding the impact of the two proposed developments linked to Wood Trails.

Changing the face of the entire area over time:

- We will forever be in danger of "scope creep" as the R-1 zoning begins to be overrun by R-4 or higher, forever changing the character of the existing neighborhoods

These developments will be built on two relatively small pieces of land but will double the number of residents in our neighborhood. Assuming more than one car per new household, which is likely, this could add 300 more vehicles making daily trips through the area:

- I am concerned about traffic congestion and the increased risk to our children of injury or death that doubling the flow of traffic to this area could bring.
- We are in an area of atmospheric inversion – the same conditions that bring us the frequent smell of soup and someday, possibly sewage, will now bring us more car exhaust and smog.

Quality of Life:

- Public recreational facilities will be overtaxed
- Noise pollution is bound to increase
- Storm water drainage and erosion will be impossible to control.
- Natural woodlands and wildlife would be decimated
- Replacement of our scenic view with a view of the backs of cheaply built houses or townhomes.

Security:

- Fire and Police response is likely to slow down in general.
- Accessibility to Wood Trails may be inadequate for Fire and paramedic.

10/27/2004

Financial:

- With the advent of a sewer system and the threat of Brightwater looming, it would be just a matter of time before we are forced to hook up and pay the steep price for the "privilege."

Sincerely,

Jarrett and Erin Renshaw
20230 149th Pl. NE
Woodinville

EXHIBIT 42
PAGE 32 of 241

cc: Concerned Neighbors of Wellington

10/27/2004

Fred Green

From: Sharon Clemeson [almetclem@attbi.com]
Sent: Saturday, October 23, 2004 2:00 PM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Letter to Woodinville 10-21-04

EXHIBIT 42
PAGE 33 of 241

Leonard and Sharon Clemeson
15103 N. E. 202nd Street
Woodinville, Washington 98072

(425) 486-0956

October 21, 2004

Mr. Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 – 133rd Avenue NE
Woodinville, Washington 98072

Email: rays@ci.woodinville.wa.us

Re: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We are going to be out of town until November 9th and will not be able to attend the meeting next Thursday regarding the EIS.

We would like to add our voices to those of our friends and neighbors to voice our displeasure over the proposed Wood Trails development. Like our neighbors, we moved here for the relative peace and beauty of the area. We thought it was a good place to raise our children and it had relatively easy access to Seattle. We believed in the motto "*Country Living, City Style*". We paid our dues by working with the PTA when our kids were in school, voted for every bond issue when they came up and worked to keep King County from trying to put a jail in Woodinville. We voted to become a city because we thought we would have an advocate who would fight to keep the character of our community intact.

Others have listed the wildlife that would be affected by this development but we

would like to add an American Marten, a female (and male) Great Horned Owl, Great Blue Heron, American Eagle and about 45 varieties of birds and three species of squirrels (Northern Flying, Grey and Douglas) that we observed in the woods next to and on our property.

We are probably more aware of the wild life since we live next to one of the wooded areas and we work out of our home. We've noticed that many of the birds and animals are nomadic. The cedar waxwings are only here in fall when they come for the blueberries. When there is a larger population of the various rodents the interested predators follow. I spotted the American Martin in the trees when there were a lot of Douglas Tree Squirrels. They have seemed to move south and west through the woods the next year toward the Wood Trails development area. The female Great Horned Owl came when we had a lot of rats. The other night I heard a Great Horned Owl, but it sounded like a male. Mourning Doves have lived in the trees for many years. They moved off when the owls moved in. Two weeks ago we were visited by a young Coyote. We have many in late winter and early spring.

We used to have bird feeders for all size birds and hundreds on our deck in the winter, but turned to small feeders when we found a Cooper's hawk using our yard and sitting on our deck. We rarely see the evening grosbeaks, black headed grosbeaks, house finches, varied thrush and pine siskins. We have many finches, spotted tohees and juncos that pick up the spilled seeds. This summer we saw a Bullock's oriole. We still have many large birds that come. We have Stellar's Jays, a pair of Downy woodpeckers and Flickers coming to eat suet on the deck right now. We've had Pileated woodpeckers in the woods in the past.

We've raised many generations of Black-capped Chickadees, Chestnut-backed Chickadees, and Red and White Breasted Nuthatches. They bring their young to the feeders when they are ready to leave the nests. We haven't had quail in the yard since we moved in, but that is due to our cats! The neighbor across the street saw a covey this summer. We've had tree swallows at different times, usually in summer.

About a month ago my cat woke me early in the morning to come see some raccoons. A pair; and I believe there were babies under the deck eating left over seeds. The parents wouldn't leave when they would have normally run off. They kept looking under the deck and only a small animal could get under there. My light went off and I couldn't observe them further.

The deer that we saw in August thrilled our neighbor's five year old. These aren't big things, but they add to the quality of life in this area. Moments like this will disappear if developers are allowed free reins to do what they will. If this is the case then we think you should seriously consider changing the city motto to something more appropriate with your decisions.

Sincerely,

EXHIBIT 42
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Leonard P. and Sharon Clemeson
15103 NE 202nd Street
Woodinville, Washington

EXHIBIT 42
PAGE 35 of 241

cc: Concerned Neighbors of Wellington

Fred Green

From: Marsha Tupper [mtupper51@att.net]
Sent: Saturday, October 23, 2004 2:00 PM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Comment on Scope of EIS for Wood Trails October 25, 2004

EXHIBIT 42
 PAGE 3 of 24

October 23, 2004

Ray Sturtz, Planning Director, SEPA Official
 Planning Department
 City of Woodinville
 17301 133rd Ave NE
 Woodinville, WA 98072
 Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

As residents of the Wellington neighborhood we would like to voice our concerns over the proposed Wood Trails development. We moved to Washington three years ago and selected Woodinville for our home over other cities on the eastside specifically because of its rural character and large lot sizes. We were alarmed to hear about the proposed rezoning of the Wood Trails area from R1 to R4 and the clustering of 66 homes on just over 10 acres of land. We feel this high density project is not compatible with the aesthetics of the current Wellington and Wellington Hills neighborhoods and fear that the change in zoning and the installation of sewer service in this area could lead to further development nearby.

We are also concerned about the affect this development will have on wildlife and plant habitat. We often walk the trails through this area and have seen everything from coyotes and deer to owls, Douglas squirrels, pileated woodpeckers, blooming native trillium in the spring and currently, a large variety of wild mushroom. Because of its steep slopes and ravines, this property is a natural buffer for the wildlife and plant life it supports and we hope that it will remain that way. We walk the neighborhood on the west side of 156th Avenue, from 198th Street to 203rd Street almost every day in the early morning, and have spotted coyotes on the roads and in residential properties at least once per week during the past six months. Neighbors have also reported sightings to us. This is a huge increase over previous years and we are concerned that as natural areas are destroyed, more and more coyotes will be roaming the neighborhood.

Finally, we are concerned about the infrastructure of the surrounding areas if this development is allowed to go through. Is it really feasible that two or three two-lane country roads will be able to handle all of the resident traffic to and from 156th Avenue, not to speak of all the construction-related traffic (large construction equipment, earth moving equipment, logging trucks, etc)? Just last week, traffic had to be halted on 156th to allow large construction trucks to make a right-hand turn onto 195th Avenue, as they were not able to make the turn from their own lane. I have also had to backup in the left-hand turn lane at the intersection of Woodinville-Duval Road and 156th Avenue in order that a large logging truck could make a right-hand turn onto Woodinville-Duvall Road.

We ask that you consider the above impacts in the EIS and hope that the City will prepare a document that responds to the scoping comments.

Sincerely,

10/27/2004

Craig & Marsha Tupper
15419 NE 198th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

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PAGE 37 of 241

October 22, 2004

EXHIBIT 42
PAGE 38 of 241

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave. NE
Woodinville, WA 98072

RECEIVED

OCT 25 2004

City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We have looked over initial plans for this development - particularly regarding traffic impacts to the existing neighborhood - and are very concerned about the illogic of the plan.

- Why on earth would the City of Woodinville allow all this additional traffic to add to the backup at 156th Ave. - Wdnvl/Duvall corner? That corner is already a nightmare - not just at rush hour, but throughout the day, and especially on weekends. The absurd notion that Phoenix Development's traffic "engineer" proposes that residents of Wood Trails would turn north on 156th Ave. and exit the neighborhood through the Golf Course Rd. is even sillier!
- We've lived on this street for 24 years and in that time have only found it useful to use the dangerous-narrow-unlit golf course road to visit one set of friends who live up in Clearview. No resident of this area would use that route to access Alderwood Mall or Canyon Park. Furthermore, local residents don't have to travel that far for most of our shopping/entertainment/dining trips nowadays. Woodinville has plenty of everything except a mall and for that we all drive down the Wdnvl/Duvall Rd. - NE North Wdnvl Wy to Hwy 522 and jump on the highway there.
- Another gigantic factor in traffic will be the addition of a Costco at the mouth of the golf course road. Yea, that will be a convenient route to use to run kids to soccer, zip to the grocery store, go out to dinner and a movie...
- Our street in full of dips and hills. We walk our two little dogs twice daily and are constantly dodging construction vehicles (from a single home being built by Hofflin Construction). During the winter we couldn't walk for weeks at a time because of the 1" deep slurry of mud that these trucks tracked onto the street. I can't imagine how any of the school-age children were able to get to Wellington or Leota Jr. High without having their pant legs and shoes slimed to the knees! Now try to imagine how this effect will be multiplied times 65!
- Why would Woodinville even consider routing that much new traffic in a two mile detour rather than one block straight up the hill from the old fire house? Is it because Phoenix wouldn't want to have potential buyers drive through an industrial park to access their neighborhood?
Yet they think it is SO much better to pour all that new traffic through existing neighborhoods which have neither sidewalks, bike lanes or street lighting?
- If the sewer, water and power is all accessible at the base of the proposed development, then why not overlay a street on that excavation/construction?
- If the zoning changes to R-6 for Wood Trails then how many weeks/days will it take to change zoning (after all the sewer will just be about .10 mile down the street) on the five acre parcel (15252 NE 195th) located next to the 1.25 acre (which is already being prepared for sale) bordering it? The spectre of the domino effect looms large. I can just imagine some developer licking his chops to snag that smaller parcel then wait a year or so until the widow decides to sell her five acres: Yahoo! 40 or more homes on 195th St. in one devastating stroke!

- Already Phoenix Development has made the statement that they will extend the sewer from Wood Trails to their next proposed development along 204th. Looks like that domino line is already toppling!
- We may look young, but we weren't born yesterday: The idea of improving 195th and 202nd and then placing bollards at the end is a very transparent ploy to placate residents along these streets. That method is only proposed for one reason - to make it easy at some future date to remove the bollards - preferably after neighborhood energy has been worn down!

It seems like just yesterday that we both voted to incorporate Woodinville and yet now when we see the seemingly money-grab decisions that the city has made so far (how 'bout those new "cliff dwellings" on the Wdnl/Duvall Rd.?) we somewhat regret that vote. We are dismayed to think the city would again go for the high-density-perched-on-a-cliff-development-and-run-all-the-traffic-through-the-existing-neighborhoods proposal again.

Please use some common sense and look carefully at all the impacts of this development - not just the \$ signs. There's much more to our "Woodinville quality of life" than tax base.

Sincerely,



Joyce Hyder

P.S. My husband and I requested (to Mr. Fredlund) that we be added to your list as a party of record regarding the Wood Trails development several months ago.

Dave & Joyce Hyder
5226 NE 195th St.
Woodinville
25 483-1592
jhyder@comcast.net

We have never received any information from the city regarding any matters concerning this zoning change or any of the meetings involving Phoenix Development. Are we on the list to be notified? We still depend upon Concerned Neighbors of Wellington to keep us informed of the City's actions.

cc: Concerned Neighbors of Wellington

October 24, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED
OCT 26 2004
City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

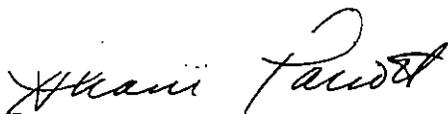
Dear Mr. Sturtz,

Rezoning will result in an increased burden on the residents already here – greater student population in our schools, increased traffic on our two lane roads, and more noise and air pollution.

I bought in Wellington because it isn't suburbia. I wanted the trees and animals and privacy that space between homes offers. I love the peace and quiet and dark at night that you don't get living in a highly populated area; the smell of the trees in the morning mist. And I love the animals. As part of the natural storm water drainage, I have a seasonal pond in my back yard. I've seen Mallard and Wood Ducks, Mergansers, Pileated Woodpeckers, Red Tailed Hawks, Stellar Jays, Bullfrogs, lizards and skinks, chipmunks, squirrels, hares and wild rabbits, raccoons, coyotes, river otters, deer, and a slew of other yet to be identified birds and mammals. If high density housing is built, impacting the normal water drainage and increasing traffic, the way of life for these animals will change too.

It seems this rezoning would benefit the developers but negatively impacts all other human and animal residents already in the area. Rezoning would bring greater load on our natural resources, our schools, parks, roads, public and emergency services, and certainly impact the look and feel of Wellington.

Please keep the area the way it is, giving me a wonderful way of life to come home to after a stressful work. Please keep Wellington zoned R1.



Shani Parrott
16212 NE 200th Court
Woodinville, WA 98072
425/482-7992
shaniparrott@earthlink.net

cc: Concerned Neighbors of Wellington

October 25, 2004

EXHIBIT 42
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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

A few things have come to mind concerning the Woods Trail project. I'd imagine these interests have been already brought up, but if they are a first, than please include them.

We have a neighboring owl heard often in the evening hours, from our property. We have seen and heard the same sound of the owl while walking upon the proposed wood Trails footprint. (Site plan) We assume the existing lots of Wellington neighborhood find enough foliage to maintain habitat. I would imagine he lives within the proposed wood trails footprint and hunts in the surrounding area. Unknown of its type, I'm not sure if it's endangered or not.

I have heard and understand coyotes use the proposed wood trails area as a corridor from the golf course area to Woodinville-Duvall Road area. A known route of wildlife travel along the east side of the Woodinville valley.

I wonder if the added traffic on 198th, 200th, 201th, 202th will damage the livability of the neighborhood. Each of those streets has blind cross streets, and curves. The neighborhood also has a high number of infant and elementary children, apparent of a full school bus from just those streets. The distance from bostian rd. to the proposed site is far enough in distance, speed bumps or signals of other slow speed devices would be needed.

I also wonder about the existing streets proposed for access to the project. There are no curbs, storm water, filtration, and whether the street lights been studied for these traffic volumes for safety and livability of the neighborhood.

In addition, I wonder if there have been any studies done on the total traffic affects of other accesses to the proposed site. Hwy 9 currently has on the table, Costco, the site pad for the Technical College, brightwater, Wellington Golf Course (Snohomish City) and how do wood trails fit into the added density scenario.

I've noticed the street pavement has patches of repair near the Bostian Road intersection and in good shape pavement near the less traveled proposed site. I'm curious what the added traffic would do to the pavement.

Lastly, the Brightwater site to the north has earthquake concerns and wonder if there have been any studies of soil etc. on the proposed site.

Sincerely

William von Schneidau

A Wellington Neighborhood Resident and Woodinville town Resident

15002 ne 201 st. Woodinville, Wa. 98072

cc: Concerned Neighbors of Wellington

Fred Green

From: Gary J. Hasse [ghasse2@comcast.net]
Sent: Friday, October 22, 2004 5:31 PM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Woodtrails Development

EXHIBIT 42
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October 25, 2004

Ray Sturtz, Planning Director, SEPA Official Planning Department City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am greatly disturbed in regards to the Phoenix Development Group's proposal to build the Wood Trails and Montevallo developments. I have lived in the Wellington Estates area for the past 26 years and have really enjoyed the quiet and rural atmosphere of the area. It is not uncommon to see deer, owls, redheaded woodpeckers, squirrels, chipmunks, opossum, raccoon and other wild animals in the neighborhood. The streets are quiet and as they are not through streets have always been safe for our children to play on.

My concern is that these new developments will mean literally more than doubling the amount of homes in the area and will increase the traffic in the area more than that. The wild life will disappear and the tranquility of the neighborhood will be lost forever. If the rezone from a R-1 to a R-4 were granted the integrity of the neighborhood would deteriorate. The new homes planned do not conform to the homes in the surrounding area. We would no longer have the rural atmosphere but would be subjected to the more city like living.

In addition, I feel that the proposed Montevallo development will result in considerable water run off into my own back yard. The proposed development is uphill from my property and if it is developed as proposed it will no longer be able to absorb the rainwater as it has before. We all know that the law of gravity will ensure that the excess water will end up in my neighbors' back yards and mine. This is not acceptable.

If these developments must go on, then they should be required to fit the integrity of the existing neighborhood. That would mean maintaining the R-1 status and building less homes on the acreage.

In closing, I do hope that you and the rest of the city will evaluate these proposals very closely. You should not destroy the atmosphere we have all enjoyed for so many years just to line these greedy developers pockets with higher profits.

Sincerely

Gary and Jo Ann Hasse
15116 NE 202nd St.
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 22, 2004

EXHIBIT 42
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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Living in a neighborhood that is safe, appealing, and has a feeling of home is something everybody strives to achieve, maintaining such a neighborhood is the responsibility of those that live in that neighborhood, and of those who plan the communities made up of the many neighborhoods.

With the proposed development of Wood Trails, my neighborhood (Wellington Hills) will lose its appeal, become unsafe for my children to walk and ride their bikes on the streets, and will lose the quality it currently has. I urge you to please consider the impacts that will be imposed on my neighborhood by developing Wood Trails. The charm and character of the Wellington Hills Neighborhood will be lost forever.

To rezone our neighborhood area will completely change it forever, add traffic to our streets, and add a high degree of danger to the neighborhood children. Opening our dead end streets to serve the Wood Trails Development will have a significant impact to the current safety margin enjoyed by the many elementary and junior high kids that walk to school; many children ride their bikes and play on these dead end streets too. Traffic currently driving the dead end streets is very low in volume, and the drivers are aware the kids play in the street. Any addition to the number of vehicles traveling our streets will increase the danger and the likelihood of injuring a child. Mr. Sturtz, please keep our neighborhood safe, do not allow the development of Wood Trails as proposed. Maintain the neighborhood by maintaining the current zoning (R-1) please do not cluster the new homes; do not open our dead end streets. As proposed, Wood Trails will completely change the character, and safety of our neighborhood.

Sincerely,

Clifford A Griffin
14907 NE 198th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

Catherine Borghes

From: Catherine Borghes
Sent: Monday, October 25, 2004 12:29 PM
To: 'mtupper51@att.net'
Subject: FW: Comment on Scope of EIS for Wood TrailsOctober 25, 2004

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10/25/04

Dear Mrs. & Mrs. Tupper,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Marsha Tupper [mailto:mtupper51@att.net]
Sent: Saturday, October 23, 2004 2:04 PM
To: Ray Sturtz
Cc: fred@greenfinancial.com
Subject: Comment on Scope of EIS for Wood TrailsOctober 25, 2004

October 23, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

As residents of the Wellington neighborhood we would like to voice our concerns over the proposed Wood Trails development. We moved to Washington three years ago and selected Woodinville for our home over other cities on the eastside specifically because of its rural character and large lot sizes. We were alarmed to hear about the proposed rezoning of the Wood Trails area from R1 to R4 and the clustering of 66 homes on just over 10 acres of land. We feel this high density project is not compatible with the aesthetics of the current Wellington and Wellington Hills neighborhoods and fear that the change in zoning and the installation of sewer service in this area could lead to further development nearby.

We are also concerned about the affect this development will have on wildlife and plant habitat. We often walk the trails

10/25/2004

through this area and have seen everything from coyotes and deer to owls, Douglas squirrels, pileated woodpeckers, blooming native trillium in the spring and currently, a large variety of wild mushroom. Because of its steep slopes and ravines, this property is a natural buffer for the wildlife and plant life it supports and we hope that it will remain that way. We walk the neighborhood on the west side of 156th Avenue, from 198th Street to 203rd Street almost every day in the early morning, and have spotted coyotes on the roads and in residential properties at least once per week during the past six months. Neighbors have also reported sightings to us. This is a huge increase over previous years and we are concerned that as natural areas are destroyed, more and more coyotes will be roaming the neighborhood.

Finally, we are concerned about the infrastructure of the surrounding areas if this development is allowed to go through. Is it really feasible that two or three two-lane country roads will be able to handle all of the resident traffic to and from 156th Avenue, not to speak of all the construction-related traffic (large construction equipment, earth moving equipment, logging trucks, etc)? Just last week, traffic had to be halted on 156th to allow large construction trucks to make a right-hand turn onto 195th Avenue, as they were not able to make the turn from their own lane. I have also had to backup in the left-hand turn lane at the intersection of Woodinville-Duval Road and 156th Avenue in order that a large logging truck could make a right-hand turn onto Woodinville-Duvall Road.

We ask that you consider the above impacts in the EIS and hope that the City will prepare a document that responds to the scoping comments.

Sincerely,

Craig & Marsha Tupper
15419 NE 198th Street
Woodinville, WA 98072

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cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am concerned about the future of Woodinville and the natural beauty of our neighborhood. If the city allows projects such as Wood Trails, our community as we know it, will be changed forever in a negative way.

Our traffic at Woodinville/Duvall Road and Ave. 156th is already poor. Today at noon I saw 2 school buses and 8 cars waiting to turn left from 156th onto W/D road. The cars were backed up onto the hill, which is very dangerous. Wellington School is at capacity. I hate to see the owls, hawks, deer and even coyotes disappear from the hillside. I don't want to see a line of houses as I drive home. I want to see nature.

We do not want to see the area of Wellington change from R1 to R4. Wood Trails and similar developments are not positive for Woodinville. The reason we moved to Woodinville was for the big lots and quiet neighborhoods.

Sincerely,

~~Ondi Stinson~~
Ondi Stinson
15009 NE 195th Street
Woodinville, WA 98072

Catherine Borghes

From: Catherine Borghes
Sent: Monday, October 25, 2004 11:57 AM
To: 'jarrett.erin@comcast.net'
Subject: RE: Comment on Scope of EIS for Wood Trails

10/25/04

Dear Mr. and Mrs. Renshaw

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,
Ray Sturtz,
Community Development Director

-----Original Message-----

From: Erin & Jarrett Renshaw [mailto:jarrett.erin@comcast.net]
Sent: Thursday, October 21, 2004 8:54 PM
To: Ray Sturtz
Cc: Fred@GreenFinancial.com
Subject: Comment on Scope of EIS for Wood Trails

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Please make note of our concerns regarding the impact of the two proposed developments linked to Wood Trails.

Changing the face of the entire area over time:

- We will forever be in danger of "scope creep" as the R-1 zoning begins to be overrun by R-4 or higher, forever changing the character of the existing neighborhoods

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10/25/2004

These developments will be built on two relatively small pieces of land but will double the number of residents in our neighborhood. Assuming more than one car per new household, which is likely, this could add 300 more vehicles making daily trips through the area:

- I am concerned about traffic congestion and the increased risk to our children of injury or death that doubling the flow of traffic to this area could bring.
- We are in an area of atmospheric inversion – the same conditions that bring us the frequent smell of soup and someday, possibly sewage, will now bring us more car exhaust and smog.

Quality of Life:

- Public recreational facilities will be overtaxed
- Noise pollution is bound to increase
- Storm water drainage and erosion will be impossible to control.
- Natural woodlands and wildlife would be decimated
- Replacement of our scenic view with a view of the backs of cheaply built houses or townhomes.

Security:

- Fire and Police response is likely to slow down in general.
- Accessibility to Wood Trails may be inadequate for Fire and paramedic.

Financial:

- With the advent of a sewer system and the threat of Brightwater looming, it would be just a matter of time before we are forced to hook up and pay the steep price for the "privilege."

Sincerely,

Jarrett and Erin Renshaw
20230 149th Pl. NE
Woodinville

cc: Concerned Neighbors of Wellington

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October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED

EXHIBIT 42
PAGE 5 of 24

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

This letter is in reference to the proposed Wood Trails development project. This project would have a serious impact on the surrounding natural areas of our community as well as cause significant traffic congestion in already sensitive corners. What is most troubling is that this project violates many of Woodinville's 1994 Visioning comments and a number of Policies in the Comprehensive Plan. I quoted out of the Comprehensive Plan during our first meeting last spring prior to the City's involvement. I will repeat that here for the record. I will also specifically address what I would like to see in the EIS.

The Comprehensive Plan for the City of Woodinville provides a guide for future growth in Woodinville.¹ As citizens this is what we look to for guidance as to what the city will do in the future. If there are gross violations of this plan by the city government then the citizens are left without a voice on the very land they inhabit. The City of Woodinville prepared this Comprehensive Plan as required by the Washington State Growth Management Act as the City's guide for future development based on the community's vision and values.² The plan contains both a Future Land Use Map and the City's Zoning Map. See Figures 3-2 and A3-2 respectively of the Comprehensive Plan.

The character of the Wellington Neighborhood would be changed forever with the addition of 66 homes crammed into 18 or so acres and all of whose residents would be exiting their new development through the Wellington Neighborhood. This speaks against Chapter 3 Sec. 3.2 Policy LU-1.1, which states, "Preserve the character of existing neighborhoods while accommodating the state's 20-year growth forecasts for Woodinville." By bringing in the apartment like dwellings disguised as homes on postage size lots they are certainly violating the "character" of this neighborhood which is one of the oldest neighborhoods in modern Woodinville. If we want to continue celebrating the "appeal" of Northwest living, which Woodinville is known for, we should refuse all proposals that do not compliment the vision set forth in the Comprehensive Plan. If this proposal is accepted we will have created an urban community where concrete takes precedence over the quality of life.

The Wood Trails proposal contradicts the original planning guidelines of the City of Woodinville. The proposed development does *not* satisfy the requirement "Where adverse environmental impacts can be minimized: and where such development will enhance the area's appearance or vitality." (Chapter 3, page 1, Goal LU-1.2, clause 2). The City has an obligation to "maintain or improve Woodinville's quality of life, environmental attributes, and Northwest woodland character" (Chapter 3 page 1, Goal LU-1). Taking down a forest and replacing it with wall to wall houses with a few saplings in between would certainly ruin the "Northwest woodland character."

Concerning the EIS. I would like to request that, as part of the EIS, two detailed drainage/erosion models be developed. The first model should show the current drainage and erosion. The second should show the expected drainage and erosion once the trees have been removed and much of the land paved over or populated with houses. The two should be exhaustively compared to each other to get a thorough understanding of the environmental impact of the alteration of the hillside. The runoff on this hillside will be altered significantly if the proposed development is completed. This will have an adverse affect on the efforts to keep the salmon population strong in Bear Creek. Additionally, any potential seismic hazards should be

¹ City of Woodinville Comprehensive Plan, Chap. 1, Sec. 1.1

² City of Woodinville Comprehensive Plan, Chap. 1, Sec. 1.2

investigated. Policy Env-4.1, Chapter 12 Environmental, page 2 states "Protect public safety in potential seismic, flood hazard and slide hazard areas." Within the last 6 months articles in the Woodinville Weekly discussed the Whidbey Island fault running southeast underneath the Brightwater site. Well, Woodland Trails is just south of the Brightwater site so the existence of the fault and future damage due to the fault must be thoroughly investigated.

In addition, the wildlife habitat could be disturbed, most likely eliminated, if this project were to be approved. We have seen owls between 198th and 201st near where this new neighborhood would meet the Wellington Hills neighborhood. It is vital, not only to the habitat of this species, but others, that thorough studies of the effects on the wildlife habitat take place. If approved, this project could have a dangerous rippling effect on the environment.

Sincerely,

Michael A. O'Grady and Michelle L. O'Grady
Mike & Michelle O'Grady

14906 NE 204th St.
Woodinville, WA 98072

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cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED

OCT 25 2004

City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

About five months ago I moved from West Seattle to Woodinville in order to escape high-density living and the inherent problems it creates. I bought a beautiful home on a sizable lot on NE 201st St. The lot backs to a green belt (neighborhood park). We love our new home.

I was surprised to find out recently that the city is considering a rezoning of my area in order to allow a developer to come in and build a high-density neighborhood at the end of my street. This is so shortsighted that I felt the need to write this letter. Please make no mistake...the impact on my neighborhood would be felt forever.

At night, I can hear owls hooting not far from my back door. Do we know what kind of owls they are? Do we know how many there are? Do we know how a development this size will adversely affect this population? Well we better find out.

In the mornings, at my birdfeeders, I see Woodpeckers, I see Yellow Finches, I see Blue Birds, I see Humming Birds, I see birds I don't even recognize and can't readily name. Can the city name these birds? Does the city know their population? Does the city know what will happen to these birds when we start clearing most all of the trees in my neighborhood? You know the developer WILL remove a lot of trees. How else will they be able to shove so many homes into such a small area?

During the day I see raccoon; I see chipmunk; I see squirrel. Where will these populations move to when they are forced out? Does the city know that?

How about the storm drains? Or should I say storm culverts? How is our system going to handle the greatly increased run-off and the erosion that comes next? Please tell me the city knows this!

I understand that my rural street, the one our kids play on today, is going to be converted into a thoroughfare. Does the city know what that will do to safety? Do they know how to protect our children when they are out playing in front of their homes?

And what about the investment I just made in my future and my family's future. Does the city know the impact this development will have on my property value? If they don't, I would appreciate it if someone would look into it for me! Let's not make a decision everyone will regret.

Sincerely



Tom Merz and Family
15208 NE 201st St., Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 25, 2004

RECEIVED

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

My name is E. Nadine Jones and I live at 14903 NE 201st Street in Woodinville. I'm opposed to building Wood Trails & Montevello development.

I live on 201st Street, which Phoenix Properties thinks is one of the best routes to the proposed housing development.

I am proud to live in Woodinville. When my husband and I retired we bought this property 19 years ago, we were very pleased to move into a neighborhood that had the foresight of planning one home per acre. It was excellent planning all those years ago and certainly I would be distressed to see the plans changed now.

We were told about the wonderful sound barrier/buffer of trees on the west to protect us from the noise of the commercial area and highway below. If the trees are removed the noise will be terrible.

Our yard has been one of the best assets to the property. It has a chain-linked fence that protects the wild life that frequently visits. Today and most every day I will see rabbits, squirrels, robins, northern flickers, stellar jays and woodpeckers. At night I hear Owls hooting. As my late husband said, "This is heaven." Will I still have this beauty after the trees are cut down and the wild life perishes? No, it will disappear and be a great loss to the citizens of Woodinville. I truly do not want to give up the natural beauty that has been here for so long.

If the re-zoning is approved our investment will have changed a great deal. Resale is impossible now that I am a widow. Who would want to buy this property with the unknowns of sewer costs, change to R 4, widening and resurfacing streets and traffic zooming by?

If this project is approved this will be a nightmare for the neighborhood not only 201st but 198th, 202nd and 156th. The building process that will occur including the coming and going of the logging trucks, large machine trucks such as bulldozers, cranes, cement, lumber, roofing, and garbage trucks to name a few, will destroy the streets. The construction workers such as framers, roofers, electricians, painters, plumbers, and many, many more will have to go by my house. This is not for a day or two but will go on for a lengthy amount of time to build those houses. During that time it is usually raining, and/or perhaps snowing with temperatures low enough to freeze. The steep grade will be hard to negotiate.

Once the homes are built at the new sight, the traffic will increase tremendously and if the weather turns to snow or freezing rain 201st will become a parking lot for all those homes. The new owners will be parking their cars in front of my house and walk down the hill with fear that they will not be able to get out later. NE 201st street is not wide enough to accommodate more than two lanes of traffic with parking on both sides. Added to that is the safety of the children. Though I don't have young children I have grown rather attached to the ones in the neighborhood.

In conclusion please continue to keep the Wellington Hills area as R-1.

Sincerely



E. Nadine Jones

14903 NE 01st Street Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

RECEIVED

NOV 1 2004

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October 25, 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am writing concerning the proposed traffic option to bring traffic south on 148th to Wood./Duvall Rd. I am shocked that this could be proposed as an alternative without even notifying the residents who live on 148th, 192nd, and 152nd. This possible option would not only devastate our property values, but dramatically alter our lifestyle. The only reason our neighborhood found out was because we were notified since we owned property on 195th that we have recently sold.

I am also concerned about the direction the City of Woodinville is heading. They do not seem to be representing the vast majority of citizens who do not want to see high density neighborhoods come to Woodinville. This is very disturbing!! You are suppose to be representing us, the citizens.

Thank you for taking time to read these comments. I truly hope that this letter and the many others that have been sent will be taken into great consideration.

Sincerely,

Sandra Hoflin
14816 NE 192nd St.
Woodinville

cc: Concerned Neighbors of Wellington

NOV 1 2004

Dear Mr. and Mrs. Hauck, **CITY OF WOODINVILLE
PLANNING DEPARTMENT**

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

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October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I urge you to rule in favor of the Concerned Neighbors of Wellington, a group of folks who simply want the best for our community.

We have joined together as parents, grandparents, friends and neighbors to preserve a community which treasures the beauty of its surroundings.

Please join with us to preserve this beauty.

Sincerely,

Jonathan Hauck
15330 NE 201st Street

cc: Concerned Neighbors of Wellington

Catherine Borghes

From: Catherine Borghes
Sent: Monday, October 25, 2004 12:02 PM
To: 'ghasse2@comcast.net'
Subject: FW: Woodtrails Development

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PAGE 57 of 241

10/25/04

Dear Mr. and Mrs. Hasse,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Ray Sturtz
Sent: Monday, October 25, 2004 9:29 AM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Woodtrails Development

-----Original Message-----

From: Gary J. Hasse [mailto:ghasse2@comcast.net]
Sent: Friday, October 22, 2004 5:29 PM
To: Ray Sturtz
Cc: Fred Green
Subject: Woodtrails Development

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am greatly disturbed in regards to the Phoenix Development Group's proposal to build the Wood Trails and Montevallo developments. I have lived in the Wellington Estates area for the past 26 years and have really enjoyed the quiet and rural atmosphere of the area. It is not uncommon to see deer, owls, redheaded woodpeckers, squirrels, chipmunks, opossum, raccoon and other wild animals in the neighborhood. The streets are quiet and as they are not through streets have always been safe for our children to play on. My concern is that these new developments will mean literally more than doubling the amount of homes in the area and will increase the traffic in the area more than that. The wild life will disappear and the tranquility of the neighborhood will be lost forever. If the rezone from a R-1 to a R-4 were granted the integrity of the neighborhood would deteriorate. The new homes planned do not conform to the homes in the surrounding area. We would no longer have the rural atmosphere but would be subjected to the more city like living.

In addition, I feel that the proposed Montevallo development will result in considerable

water run off into my own back yard. The proposed developme... is uphill from my property and if it is developed as proposed it will no longer be able to absorb the rainwater as it has before. We all know that the law of gravity will ensure that the excess water will end up in my neighbors' back yards and mine. This is not acceptable.

If these developments must go on, then they should be required to fit the integrity of the existing neighborhood. That would mean maintaining the R-1 status and building less homes on the acreage.

In closing, I do hope that you and the rest of the city will evaluate these proposals very closely. You should not destroy the atmosphere we have all enjoyed for so many years just to line these greedy developers pockets with higher profits.

Sincerely

Gary and Jo Ann Hasse
15116 NE 202nd St.
Woodinville, WA 98072

EXHIBIT 42
PAGE 38 of 241

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RECEIVED
OCT 26 2004
City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

EXHIBIT 42
PAGE 5 of 24

Dear Mr. Sturtz,

I am a concerned citizen of the City of Woodinville, who does not want my city's future financial wellbeing put in jeopardy by the premature approval of the development of high density housing in the Wood Trails Development Area. The only way that the city (i.e. we citizens) can be reasonably sure that a disaster does not occur is to require a full and independent E.I.S. before the project is approved. Once the project is approved and work commences, massive movement of great quantities of earth and the total destruction of the stabilizing flora in the area will make any such determination moot.

I have many other concerns, such as unforeseen difficulties in 9-11 emergency and fire response, dangers due to increased traffic through a residential neighborhood, inadequacies of the substandard pavement on 202nd street (Gravel and Tar construction), etc. Such concerns may be shrugged off as "Not in my neighborhood" syndrome. However, possible legal liabilities should not be shrugged off.

The proposed construction area is replete with steep sided canyons that do not show on the topographical maps supplied by the W.T.D. Corporation. These maps are full of errors. There are gross inaccuracies that can be easily seen by any one willing to standing at the end of 202nd or 201st street and look. Much of the land appears to be unstable. There will surely be lawsuits if there is slump damage to homes, or land slides into the Industrial park, located below the proposed high density housing. The City of Woodinville will be the "deep pocket" named in the suite. Woodinville has been warned of the possible danger and there is no way that we can say, "We didn't know". This is why I am a greatly concerned citizen of the City of Woodinville.

Sincerely



William F. Barnes
14916 NE 202nd Street
Woodinville, WA 98072

e-mail will@wfbarnes.com

Fred Green

EXHIBIT 42

PAGE 1 of 2

From: Julia Poole [japoole1@earthlink.net]
Sent: Friday, October 22, 2004 11:31 PM
To: Fred Green
Subject: copy of my letter to Ray Sturtz about scoping

October 22, 2004

Ray Sturtz, Planning Director, SEPA Official

Planning Department

City of Woodinville

17301 133rd Ave NE

Woodinville, WA 98072

Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails and associated developments

Dear Mr. Sturtz,

I have many concerns about the proposed Wood Trails, Montevallo and associated developments:

1. I live next to the proposed Montevallo development. Our family property contains some wetlands. I am concerned about the potential impact of storm water drainage from Montevallo on the wetlands and also the septic systems of the houses already adjacent to the Montevallo property. I have been told that the soil here has a lot of clay that doesn't absorb water well. We already have wetlands on the West end of this property and on the East end of our property there is an area that is also unusually wet and is not absorbing water well. I request soil analysis, soil borings and other measures to protect the land and septic systems of properties adjacent to Montevallo from harm from the proposed Montevallo development. I also suggest these measures for Wood Trails and its associated neighboring properties.

2. There are many old trees next to the wetlands that the developers of Montevallo plan to destroy. I am concerned about the loss of these trees. The loss of these trees is a detriment to the beauty of this area, the air quality, and loss of habitat for the wildlife who live in these woods. I have seen deer, raccoons, rabbits, squirrels, coyotes, hawks, robins, Stellar's Jays, sparrows, chickadees, Northern Flickers, Pileated Woodpeckers, Red-breasted Sapsuckers, Spotted Towhees, and Red-breasted Nuthatches, and other birds in my woods and yard and the proposed Montevallo property. Do we want to set a precedent that Woodinville is willing to destroy its large old trees and the habitat these provide for wildlife? I request that a member of

the Tree Board and an environmental specialist study the trees and wildlife on the Montevallo and Wood Trails property and determine the impacts of their loss. I also request that they study options of keeping an R-1 density to lower the impacts on these properties so that more trees and habitat will be kept, especially next to the wetlands in the corner of Montevallo property, adjacent to the East end of the property at 15306 NE 202nd ST, to increase the habitat for birds and wildlife there, and improving the air quality and retaining the beauty of nature in Woodinville.

3. I am concerned about noise pollution, light pollution and glare, and the aforementioned lack of trees in the proposed re-zoning and adding higher density housing to this area that has been zoned R-1 since at least 1967. Re-zoning to R-4 would change the whole character of a very long-established neighborhood, with many of the original families still living here. Do we want to keep Woodinville "Country Living, City Style" or is this development going to change Woodinville to "City Living, City Style"? People moved out here for a reason. If we wanted to live in a high density concrete jungle, we would have moved to one. Rezoning to R-4 sets an unfortunate precedent for more impervious surfaces, less greenery, fewer trees and plants, less birds and wildlife, and more traffic and air pollution, in all the surrounding neighborhoods as well as these new developments. I request that city planners and residents study and review carefully if this is the direction and precedent they want to set. I also request that an environmentalist assess the impacts of Wood Trails and Montevallo and associated developments for noise pollution, light pollution and air pollution on existing neighborhoods.

4. I request that traffic impacts to both car traffic and pedestrians, especially the safety of children, be studied, taking into account the proximity of our neighborhood to Leota Jr. High and Wellington Elementary.

5. I request that impacts on the school enrollment be studied, as well as impacts of the increased population on the Fire Department and Police Department, as well as the Woodinville Water District.

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PAGE 2 of 241

6. I ask that the City of Woodinville prepare a document that responds to the scoping comments, summarizing the comments received and identifying what elements of the environment will be reviewed in the EIS, as well as the level of analysis. This document is recommended by the SEPA Handbook at Section 3.2.2.

7. I would like to know who will do the EIS and what controls the City of Woodinville will have over its general content and quality. I ask that any consultants who draft the EIS should be responsible to the City of Woodinville, and not the developer, to be sure of unbiased opinions.

8. I would like to have staff define what kind of development the 11.8 acre parcel will be. I would also like defined what development plan will be used for Montevallo. Will the city of Woodinville use the plan that was before the TRC?

9. I have concerns about the 19 development credits from an unbuildable area of Woodland Trails being applied to the Montevallo site. Why should trees being preserved in a section of land not even in site of Montevallo be permission to add 19 more houses and fewer trees in a totally different area? The neighbors near Montevallo and residents of Montevallo should not have to suffer loss of aesthetics and increased noise and density for a benefit of trees remaining in a location not near to or even in sight of them. I ask that city planners take this into consideration and request mitigation of more old growth trees being left at the Montevallo

site, and that the two separate pieces of land be viewed separately in terms of density credits.

10. I request that the historic and cultural preservation of the Wellington Hills area be taken into account. Wellington Hills is one of the earlier neighborhoods in Woodinville. Our family is one of the original residents. The neighborhood was built in 1967, and has always been a quiet, R-1 zoned neighborhood, safe for children to play and ride their bicycles in. On Halloween trick-or-treaters used to come from all over Woodinville to this neighborhood. For years our household purchased 200 mini-candy bars to pass out each Halloween to welcome these children to our safe cul-de-sac. The Woodinville Weekly newspaper was also started in this neighborhood by Carol Edwards. People from all over Woodinville used to come pick strawberries at the U-pick strawberry farm that was on the Montevallo site. I request that the EIS address our historic and cultural preservation.

11. The Montevallo site was once a strawberry farm. I request that the possibility of re-zoning it to be once again for agricultural use, open space or pea patches be considered by city planners and the EIS.

Thank you for addressing these concerns.

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Sincerely

Julia Poole

15306 NE 202nd ST

Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department, City of Woodinville
17301 133rd Ave. NE
Woodinville, WA 98072

RECEIVED

OCT 28 2004

City of Woodinville

Re: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

The purpose of this letter is to respectfully document our comments and concerns on the scope of the EIS for Wood Trails and associated proposals. There are multiple components that should be considered in the EIS from our perspective and according to the components of WAC 197-11-550, WAC 197-11-420, WAC 197-11-444, WAC 197-11-550, WAC 197-11-560, WAC 197-11-408, WAC 197-11-420:

1. Steep slope analysis to include but not be limited to soil analysis, number of soil borings, impact of nearby earthquake faults, slope failure analysis, geologic history of the site(s).
2. Traffic
3. Fire access/issues
4. Police access/issue
5. Transportation system
6. Relationship to existing land use plans and to estimated population
7. Light and glare
8. Aesthetics
9. Historic and cultural preservation
10. Schools
11. Parks and recreation
12. Maintenance
13. Communication
14. Water/storm water, floods
15. Air quality
16. Odor
17. Climate
18. Sewer/soiled waste
19. Noise
20. Energy and natural resources
21. Plants/animals/fish

Not only should all of these components be evaluated, but who will do the EIS and what controls does the City of Woodinville have over its general content and quality according to the WAC's? What kind of development will be used for the 11.8 acre piece? How

many homes are intended for this parcel and how will it be used? What is the development plan for Montevallo and will you use the plan that was before the TRC

In summary, the City of Woodinville is making decisions that can and will have an impact on our neighborhood, its' residents, the city, and our environment in some of the following ways:

Traffic: These neighborhoods and roadways are not untended to handle the volume of traffic that will results from this land development. This also impacts safewalk routes for school children and others. Alternate routes, at a minimum, should be considered in and out of these subdivisions.

Storm water run-off: Storm water run-off is currently managed in the Wellington development. The downstream impacts of these developments and the potential for infiltration into native soils must be addressed.

Wildlife: The impact on wildlife is a given. In the past year alone, we have seen deer, mountain beavers, coyotes, woodpeckers, raccoons, rabbits, squirrels, birds, frogs, and owls, to mention but a few.

Size of lots and numbers of houses: This neighborhood was not planned for small lots with resultant increased number of houses as it relates to all of the elements of WAC 197-11-444.

Land Use Policies in Comprehensive Plan: These proposals do not preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20 year growth forecast for Woodinville and to attain a wide range of residential patterns, densities and site designs consistent with Woodinville's identifiable needs and preferences.

Thank you for your consideration.

Sincerely,

Brad Stoll and Sherry Stoll
20222 151st Ave. NE
Woodinville, WA 98072
bradstoll@comcast.net
sherrystoll@comcast.net
425-4818716

cc: Concerned Neighbors of Wellington

October 25, 2004

EXHIBIT 42
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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED

OCT 22 2004

City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

My wife and I moved to Woodinville in 1996 from our farm in Arlington. We purchased our home in Wellington Hills Estates for the sole reason of its location and surroundings. It seems now that the lifestyle we have come to know and love is being threatened by massive construction projects in our area. I can only wonder what will happen to the unique character of this neighborhood if the projected re-zoning from R-1 to R-4 is allowed to proceed, to the benefit of developers and certainly not to us, as homeowners.

Our home is adjacent to a recorded wetland through which we enjoy seeing wildlife that will definitely become uprooted with development in the area. We have mountain beaver, nesting ducks, many different varieties of birds, deer, coyotes and two species of squirrels which, at this time, provide endless entertainment for the two of us and our seven grandchildren.

So much for our rather selfish concerns about the local wildlife; after all, up-rooting, in the name of progress, is done everyday. Are you even remotely aware of the traffic problems connected with the proposed development of the area or is that something we, as homeowners, must simply accept? The infrastructure, at this time, on 156th and Duvall/Woodinville is not designed to accommodate the additional traffic generated by the development of the R4 zoning. The confusion of both the construction of the many new homes and the much needed re-thinking on the traffic problem is going to take a very long time to resolve. In the meantime, if this is allowed to happen, we, the affected neighborhoods, would be forced to "suck it up" and learn to live with it.

I suppose we could move.....I sure don't want to, again.

Sincerely



Michael and Gail Odenius
15132 NE 204th St.
Woodinville, Washington 98072

cc: Concerned Neighbors of Wellington

Fred Green

From: PatrickJI@aol.com
Sent: Monday, October 25, 2004 8:47 PM
To: dickf@ci.woodinville.wa.us
Subject: Wood Trails Development

EXHIBIT 42
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To Dick Fredlund

I have many concerns about the Wood Trails Development that Phoenix Development Inc. wants to build. My top concerns have to do with zoning, land usage, traffic and safety.

I am against rezoning to R 4 rather than the current zoning of R 1. Phoenix plans to cram multiple dwellings on very small parcels of land using credits from parcels that are not buildable. This is not really R 1 zoning or even R 4 zoning. It sounds more like R 25 zoning. I do not believe this land is conducive to Phoenix's proposed plan from the standpoint of the number of dwellings on very steep small land parcels and also from the standpoint of the wild life that is in the area. Just this summer I had two coyotes and one deer in my yard plus many other smaller animals and birds.

Phoenix desires to use the roads through neighborhoods east of the development for traffic from Wood Trails. These roads are designed for traffic patterns in R 1 zoning. Most of the traffic from Wood Trails ultimately will be going west. It does not make sense to direct traffic east through neighborhoods and then filter the traffic on to other roads going west. The road I live on has many blind spots and blind driveways entering the street. The added traffic from Wood Trails would cause a serious safety issue. Phoenix needs to address the planning for roads going west down the hill.

I know the City of Woodinville plans extensively to maintain high standards for growth in this area. I do not see Wood Trails meeting these standards.

Thank you for hearing my concerns.

Sincerely,

Janet Patrick

10/27/2004

October 25, 2004

EXHIBIT 42
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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

After discussing the upcoming decision you will be a major part of, with my neighbors, we all hope you will include in your requirement for EIS scoping the following important issues to Woodinville and the existing Wellington neighborhoods;

- The previous intent of the City Council to utilize the natural buffer of trees the proposed "Woods Trails" areas plat, to minimize the impact of noise, light and glare as well as the pollution (air quality issue), the industrial area below, railroad and SR 522 have on the above Wellington neighborhoods. We all expect the City council to honor its original intent to maintain this 'buffer' area.
- The 'sensitive areas' designation, which King County had indicated this plat of land was due to its unknown stability (geologically) considering its slope and potential for earth movement.
- The impact that development would have on the deer, coyotes, small mammals, large and small birds which presently inhabit the site.
- The fact that King County has shoved Brightwater sewage treatment plant (located VERY close by) down our throat and this would be the only buffer to filter not only objectionable odors but also the increase in noise.
- The negative impact the additional traffic 'trips' per day per household will have on our already limited access route (156th Ave. NE) and the resultant safety concerns this raises for our children who attend Wellington and Leota schools nearby who travel and have to cross the already busy 156th Ave. NE daily.
- The impact all these additional housing units will have on our limited school capacity at Wellington and Leota schools and the additional costs faced by our already overtaxed community.
- The impact to present neighborhoods of the construction traffic which has very limited access and will certainly endanger our children as well as create additional noise and air pollution.
- The limited access we already have for fire, police and first aid response (only can access our neighborhoods off 156th Ave. NE) and the additional use our 'quiet' neighborhoods" will be subjected to, for access of these services to the proposed development.

Page 2 letter to Ray Sturtz re: proposed "Woods Trails" Development

- The radical change in aesthetics of the nature of the existing Wellington neighborhood, which is a R-1 zoning.
- The removal of yet another 'green space', which is NOT renewable once, it is built on and it's negative impact on creation of yet more solid surface, non ground water absorbing land.
- The availability of other areas closer to the downtown cluster, where there is already denser use, services available and which would have much less impact on any existing neighborhoods.

Sincerely,

David and Nancy Courtney
19410 148th Ave. NE
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

EXHIBIT 42
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RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

As residents of the Wellington community, my family is very concerned with the potential impact the Wood Trails/Montevello projects will have on our schools as well as traffic. I've attended one of the meetings hosted by the development company and was amazed that the city was even entertaining the idea of allowing such a development in a community zoned for one per acre.

I was impressed with how the city resolved the Tent City issue to safeguard our schools. I can only hope that the council continues protecting our schools and communities by not allowing this project to go through

Sincerely

Pablo Gonzalez-Gandolfi
16313 NE 198th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED

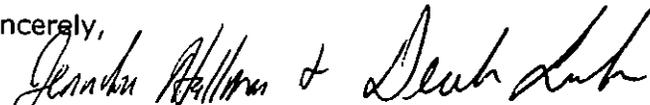
OCT 28 2004
City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We are very concerned about the possible development of the Wood Trails and Montevello Developments. We value the quality of life in our neighborhood and the controlled growth management originally promised to us by the City of Woodinville. We believe that doubling the number of residents in our neighborhood, with the addition of these two plats with greater than R-1 zoning, would jeopardize our current community lifestyle and safety. We live off of 195th AVE NE and are concerned about the additional traffic which the high density zoning would cause on 156th AVE NE. We are also worried that 195th AVE NE does not provide adequate sidewalks and street lighting for children that walk to Wellington Elementary and Leota Junior High Schools. We strongly support the action that the Concerned Neighbors of Wellington organization have been taking on behalf of our community. We look forward to additional discussion at the community meeting on October 28th. Thank you for considering our concerns.

Sincerely,


Jennifer Hallman and Derek Luhn
19160 160th AVE NE
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

EXHIBIT 42
PAGE 71 of 241

Dear Mr. Sturtz,

Living in a neighborhood that is safe, appealing, and has a feeling of home is something everybody strives to achieve, maintaining such a neighborhood is the responsibility of those that live in that neighborhood, and of those who plan the communities made up of the many neighborhoods.

With the proposed development of Wood Trails, my neighborhood (Wellington Hills) will lose its appeal, become unsafe for my children to walk and ride their bikes on the streets, and will lose the quality it currently has. I urge you to please consider the impacts that will be imposed on my neighborhood by developing Wood Trails. The charm and character of the Wellington Hills Neighborhood will be lost forever.

To rezone our neighborhood area will completely change it forever, add traffic to our streets, and add a high degree of danger to the neighborhood children. Opening our dead end streets to serve the Wood Trails Development will have a significant impact to the current safety margin enjoyed by the many elementary and junior high kids that walk to school; many children ride their bikes and play on these dead end streets too. Traffic currently driving the dead end streets is very low in volume, and the drivers are aware the kids play in the street. Any addition to the number of vehicles traveling our streets will increase the danger and the likelihood of injuring a child. Mr. Sturtz, please keep our neighborhood safe, do not allow the development of Wood Trails as proposed. Maintain the neighborhood by maintaining the current zoning (R-1) please do not cluster the new homes; do not open our dead end streets. As proposed, Wood Trails will completely change the character, and safety of our neighborhood.

Sincerely,

Clifford A Griffin

14907 NE 198th Street

Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

RECEIVED

NOV 1 2004

EXHIBIT 42
PAGE 22 of 241

October 25, 2004

VIA E-MAIL

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We own the property at 19626 148th Avenue NE in Woodinville and we're quite concerned about the potential development in front of us.

We know you have heard from a number of neighbors about the impact of additional residents and traffic in the area and we're concerned about those issues as well.

In addition, we recently renovated our home with the thought that the area would be our home for many years. This turn of events is most concerning to us.

One additional item that may not have been brought to light is the appearance of a large sink hole in front of our property. We know the city has looked at it and we understand the opinion is that there is some kind of underground stream. We are concerned about the impact on our property if the proposed development happens.

In closing, we would urge the city to consider the impact of this development on the rural, community feel of the neighborhood. We don't want overcrowding at our schools, nor the increased traffic the additional building would bring. This area needs to remain R-1.

Sincerely,

Adam & Alicia Gold

19626 148th Avenue NE
Woodinville, WA 98072

39 White Oak Lane
Stamford, CT 06905
203-609-0572
ahgold@earthlink.net

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RECEIVED

EXHIBIT 42
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NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

In addition to the many adverse impacts identified for discussion in the EIS, please include the areas of noise and air quality impacts of this proposed project. Also impacts to the homes directly surrounding the project during construction.

Sincerely

Brian and Cheryl Fountain
14823 NE 198th Street
Woodinville WA 98072

cc: Concerned Neighbors of Wellington

October 25, 2004

EXHIBIT 42
PAGE 7 of 24

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We're homeowners off of 202nd street, and are extremely concerned about the impact on our neighborhood of the proposed Wood Trails development. Specifically, we're concerned about the potential doubling of automobile traffic, impact on wildlife, including deer, rabbits and bald eagles, to name a few. We are also concerned about the impact on ground water, and the inevitable overcrowding of our schools. We moved into a "country" neighborhood, and these capitalists are boxing us in with a sewage treatment plant, a costco, potentially an industrial site on the Golf Course; when will this end!!!!

Sincerely

Mark and Marie Day
20219 151st Avenue N.E.
Woodinville, Wa
98072

RECEIVED
OCT 26 2004
City of Woodinville

cc: Concerned Neighbors of Wellington

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

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RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We are writing this letter today to address our concerns of this new proposed housing development "Wood Trails" in the Wellington area. We have lived in this area for almost 20 years and have raised our children here. We specifically picked this area years ago because of the country atmosphere. We understand that the owners of this property want to build houses. All we are asking for is that they play by the same rules as everyone else has in this neighborhood, R-1 zoning.

When the city vacated the slope easement to our immediate west, One and a half million yards of dirt, plus, all of the trees and brush were removed from the hillside adjacent to our property. Thus creating, a *wonderful view* of the industrial park below. Not to mention, the noise level that *doubled* that we now have to tolerate. To mediate some of the damage, we planted over 30 trees and screened our wests boundary.

When they built the houses to our east, they changed the existing drainage. Now some of it goes thru our basement. We had to install a French drain in our front yard and (2) sump pumps in our basement, and we still have flooding problems when it rains. Another direct result of this building is we had to change our water meter when they rerouted the water mains. Costing us \$3800.00.

We live on a substandard, dead-end street. There are several children living on this street and it is dangerous now. You can imagine how dangerous it will be with a major Increase in traffic.

If they want to build houses in this neighborhood, follow the existing rules. **(1) house on (1) acre.** Please don't make us have to pay emotionally, environmentally, and financially.

Sincerely

Rick and Jan Dailey
19417 148th Ave NE
Woodinville, Wa 98072

cc: Concerned Neighbors of Wellington

Fred Green

From: John & Mary Tatarsky [surprise46@comcast.net]
Sent: Tuesday, October 26, 2004 6:45 AM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Wood Trails Comment

EXHIBIT 42
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Ray Sturtz, Planning Director, SEPA Official Planning Department City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

As residents living on NE 198th Street, Woodinville, we would like to comment on the proposed Wood Trails housing development. When we moved to this area 9 years ago we chose our house on this dead end street for many reasons, one of the most important being the lack of vehicular traffic, and resultant noise and air pollution. Having lived on busy streets in the past, it was a relief to finally have some peace and quiet, to have a street in front of our house where our daughter could ride her bike without major car traffic, and where we could take a walk without dodging autos.

Little would we have thought at the time that a development such as Wood Trails would ever be proposed for the steep terrain at the end of our neighborhood. The developer makes the argument that this is progress, and that they are complying with the growth management and development rules. That is debatable, but I would hope the city looks critically at the impact such a development will be putting on the citizens already living here.

Most of us chose this area for the open space and light housing density that exists here; and now a very densely packed row house type of neighborhood is being forced upon us. We look to the City of Woodinville, and its planning department, to recognize our concerns and mitigate the impact of such a development.

Although most residents would rather not have this development at all, we believe a compromise solution might be available. In our opinion the most harmful aspect of this development is the impact of automobile traffic through our neighborhoods, using the roads our houses front onto as arterials to this project. Why is the only access to this project being designed through our existing low density neighborhood? There are three other sides to this development, yet we see little to no effort on the part of the developer to seriously consider other access roads. So what if it will cost the developer more money to design and construct a road or two up a steep hill? So what if they design an access road from a commercial area?

If they can find a way to build houses on this marginally buildable land, they should be able to find a way to access it without disturbing the peace and quiet of the residents who are already here.

If in the end all our arguments are for naught and the City of Woodinville allows this project to proceed, at the very least it should recognize the concerns of its current residents, and demand this developer spend a bit more to redesign the traffic access to keep the traffic from this housing project away from our neighborhoods. That would be a compromise we believe most current residents could live with. If this project is approved as currently planned, Woodinville will have become just another suburb of "little boxes on a hillside", with no protection for its neighborhoods. And that would be a shame.

Sincerely

John & Mary Tatarsky
15112 NE 198th Street
Woodinville, WA 98072

EXHIBIT 42
PAGE 77 of 241

October 26, 2004

RECEIVED

OCT 28 2004

City of Woodinville

Mr. Ray Sturtz, Planning Director
Mr. Dick Fredlund, Planner
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

EXHIBIT 42
PAGE 28 of 211

Subject: Wood Trails - Comments

Dear Ray and Dick,

We have a number of concerns with the proposed Wood Trails development. Foremost is safety, this letter reiterates street safety concerns that we submitted to the City in a letter dated April 2002.

We and other residents along NE 195th Street have been very concerned about the inadequate street width and sight distance at the crest of the hill near our home. These conditions have presented serious safety concerns for years. Recently, new homes have been constructed nearby, and a number of families with small children are often present. These conditions need to be improved before any additional development in the area is considered.

Specific safety concerns include:

- The crest vertical curve is substandard and results in very poor sight distance. It is signed: "Limited Sight Distance - Road Narrows - 15 MPH".
- The paved roadway width measures 20-22 feet in most areas, with no shoulders, which does not meet City street standards.
- There is no available width (paved or unpaved) for pedestrians to move out of the roadway to avoid motor vehicles. The roadsides have heavy brush and/or steep cut and fill slopes along most of its length.
- The narrow width and inadequate sight distance further compromise safety at several driveways along the street.
- The roadway aligns in an east-west direction and the morning and evening sun blinds drivers approaching the crest of the hill during many times of the year, which further reduces safety in this area. This often occurs during the time of day when children are walking to/from school.
- There is no roadway lighting along NE 195th Street.
- This road was never intended to serve more than a few residents. There is no roadside drainage ditch, and the pavement condition is very poor. The western segment of this road consists of a minimal pavement section that is fractured and breaking up.

We appreciate your attention to this matter and please keep us informed on the status of Wood Trails.

Sincerely,


Roger and Jill Mason
15023 NE 195th Street
Woodinville, WA 98072

c: Concerned Neighbors of Wellington

Paul L. and Kathleen W. Forman
19831 156th Ave NE
Woodinville, WA 98072

EXHIBIT 42
PAGE 7 of 211

October 26, 2004

TO: City of Woodinville
FM: Paul and Kathie Forman
RE: The proposed Wood Trails Development

As Woodinville City residents living on 156th Ave NE we have many concerns about the proposed rezoning of the land in question, but our major one is traffic flow. During the 14 years we have lived in our home we have experienced first hand a steady increase in the amount of vehicle traffic on 156th Ave NE. Before any additional housing developments can even be considered in our neighborhood, the City of Woodinville must address the currently inadequate number of through streets in the wider area. All east-west roads off 156th Ave NE seem to depend totally on that single artery for north-south travel.

Access to neighborhood schools – Wellington Elementary and Leota Junior High – is prohibited by the blockading of a public street and a multitude of deliberately incomplete roads, forcing even residents who live less than a block from those sites to drive out onto 156th Ave NE and then the Woodinville-Duvall Road in order to transport their children to and from school. Two years ago, on Leota's Curriculum Night, a fire on the corner of 168th Ave NE and the Woodinville-Duvall Road created stand-still traffic over a two hour period. If we were ever to have a major emergency during a school day that involved either (or both) school campuses, the resulting gridlock would be a terrifying and interminable ordeal for every child, parent, educator, and law enforcement official.

It seems unthinkable to us that the City would allow developers to create high density clusters of additional dwellings dependent on an already over-stressed system (or nonsystem) of roads without first comprehensively studying and correcting our existing traffic flow problems. Minor accidents on the W-D Road between 168th NE and 156th NE tie up traffic for 45 minutes or more. On school mornings lines of cars regularly back up from the signal at 168th NE through the intersection at 156th Ave NE.

Workable solutions are far more complex than widening 156th Ave NE or widening the Woodinville-Duvall Road. The truth is, if you plan to authorize developments within this region of Woodinville to the extent of the proposed projects, you must be willing to first deal with the citizens already living within an extensive area of this community and work with them (or in spite of them) to responsibly create a pattern of public roads appropriate to the needs of all who use them – especially an east-west through road north of the Woodinville-Duvall Road connecting the Woodinville-Snohomish Road and 168th or 176th Ave NE. Despite protests from neighbors who do not want to live on through public streets, the wider public has a right to have roads connect for both safety and convenience. Residents of any sort of development in the proposed area must have access to the west and south without relying solely on the already overused 156th Ave NE. and Woodinville-Duvall Road. Additional development in the area is absurd until the underlying traffic issues are addressed and resolved.

Sincerely,


Paul Forman and Kathie Forman

Fred Green

From: Scarbrough [kscarbro@gtcinternet.com]
Sent: Wednesday, October 27, 2004 8:31 PM
To: Fred Green
Subject: Letter to Ray Sturtz

EXHIBIT 42
PAGE 8 of 241

October 27, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

In the four years we have lived at this address we have seen much wildlife. At last count we have recorded 57 species of birds in our own yard alone. This includes such diverse native species as barred owls, Cooper's hawks, pileated woodpeckers, quail, and band-tailed pigeons. We have also hosted nesting tropical migrants such as hummingbirds, warblers, tanagers, and swallows. Larger species such as deer, raccoons, Douglas squirrels, and gray squirrels also live in our woods.

This area should be carefully examined for environmental impact. Our woods are being cleared at an alarming rate, having a detrimental effect on our wildlife and hence, our quality of life.

Sincerely

Kerri W. Scarbrough
15124 NE 198th St, Woodinville

cc: Concerned Neighbors of Wellington

|

Fred Green

From: Leroy Kuebler [l.kuebler@att.net]
Sent: Wednesday, October 27, 2004 3:45 PM
To: Ray Sturtz
Cc: Fred Green
Subject: Comment on Scope of EIS for Wood Trails

EXHIBIT 42
PAGE 81 of 241

October 27, 2004

Ray Sturtz, Planning Director, SEPA Official Planning Department City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We have lived in Wellington Hills Estates since 1969 and we would like to share our thoughts about some of the problems that we believe may occur if the proposed project is approved. The proposed site is adjacent to our West property line.

One of the streets that will be a feeder for the construction traffic is 202nd. The street is bituminous surface treatment and the heavy construction traffic no doubt will cause some damage. Also, the City allowed a commercial building to be built very close to the East right of way on 156th St NE, just North of the White Stallion. It looks as though this will preclude widening of the road to accommodate the anticipated additional traffic from the planned "developments" in the Wellington Hills area.

There are deer in our back yard quite frequently. Also there are at least two families of coyotes. We get brief glimpses of the coyotes on occasion particularly when the leaves are gone. However when they have their young they are quite vocal. Recently we had a huge gray owl sitting on the planter box on our back deck. We've seen the owl several times in the last two years.

We don't think this project is a good idea due to the costs related to 202nd, the steep topography of the proposed site and the displacement of the wildlife that live there.

Thank you for you consideration.

Sincerely

LeRoy & Kay Kuebler
20255 149th PL NE
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

27 October 2004

EXHIBIT 42

PAGE 82 of 241

RECEIVED

Ray Sturtz
Planning Director
Community Development Department - City of Woodinville
17301 133rd Avenue NE
Woodinville, Washington 98072

OCT 28 2004
City of Woodinville

Re: SEP2004-055, PPA2004-056. Proposed plats of Wood Trails and Montevallo

Dear Mr. Sturtz:

My property is one parcel in the land assemblage for the proposed Montevallo plat.

The published Scoping notice for Wood Trails and Montevallo states the "Wellington" neighborhood currently has 145 residential lots. The 145-lot total appears to only count the lots on the west side of 156th Street. I do not know the parameters used to count lots or to officially determine the size of the affected neighborhood. It would seem that the rest of the immediate neighborhood, i.e., the several subdivisions along the east side of 156th Street, that have no outlet except to 156th Street, should be considered. The plat of *Wellington*, which is immediately east across 156th Street from Wellington Hills, has 70 lots. Other small plats and individual parcels appear at a cursory glance to double that figure. Consequently, even if some weighted average is used to account for locations east of 156th Street, the neighborhood's current size greatly exceeds 145 lots.

Woodinville, as a growing city, needs to welcome proposals to increase the supply of single-family houses. Wood Trails and Montevallo represent a way for Woodinville to provide new houses on in-fill sites rather than in outlying locations that add to urban sprawl. Encouraging development of new houses on such in-fill sites is an opportunity for civic-minded citizens to participate, in an indirect way, in creating enough housing to meet the demand of our increasing population. Increasing the supply of affordable housing is a goal many Woodinville citizens have expressed as desirable for our community, e.g., the current tent city on publicly owned land. The trickle-down effect works. One reason more people cannot afford housing is because the supply is artificially restricted by over-regulation or by neighborhood protesters exerting undue influence on private property rights.

I believe you and other public officials will ensure that new residential development proceeds in a responsible manner. The required EIS for Wood Trails and Montevallo should be viewed as a tool in enabling development to proceed in a manner that protects not only adjacent property owners, but also the rights of those whose land is proposed for development. I trust the EIS is not being required as a roadblock to development or an appeasement to anti-growth activists.

Sincerely,



John Halverson
20325 156th Avenue NE
Woodinville

RECEIVED

October 27, 2004

NOV 1 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am writing to request that you take into consideration the following points during the EIS process for Wood Trails (and any other developments slated for the adjacent areas).

Traffic -

First and foremost, I am concerned about the increase in traffic in the greater Wellington neighborhood which would result from the development of this land as proposed for Wood Trails. This includes the immediate access streets within the entirely residential part of the neighborhood on the west side of 156th NE, but also 156th NE itself. I have lived in the Wellington neighborhood for the last 12-plus years, and I have seen the growth in the amount of traffic traveling on 156th NE. I am very concerned that this development will place undue burden on the existing infrastructure, negatively impacting the current residents on both sides of 156th NE.

While I applaud the improvements the city made to the shoulder of 156th NE a few years back, this street remains hazardous for foot and bicycle traffic much of the time. This street is used as a route for multiple bicycle training rides and events, especially on weekends, several months out of the year. As it stands now, with one lane each direction and a single shared walking/bicycle shoulder area, I seriously question whether the existing street is capable of safely handling the quantity of traffic that will come with the development of Wood Trails.

In the past contact I have had with the city over traffic questions, I believe the number of daily trips per household quoted is around 10, which takes into account the various in and out trips per home and the trips allocated to service vehicles and visitors to each residence. When you multiple 10 times the number of proposed homes, it creates a significant amount of additional traffic. I do not believe there is a plan to add in the near future either an additional walking/bicycle shoulder area or center turn lane to 156th NE, which would be reasonable to accommodate the potential additional traffic. Additionally, as a taxpayer, I am not particularly interested in funding road improvements to 156th NE if solely to accommodate the additional traffic created by the development of low density land as high density land.

I would like the city to consider the impact of the additional traffic on Woodinville-Duvall Road and the left-turn lane on that road that will lead onto 156th NE. During the busy times of day, I have concerns that the left-turn lane traffic will back up further down the hill, as the lane can only accommodate so many cars at a time. I am concerned that the

backed-up left turn lane will create a hazardous situation where the traffic coming up the hill comes upon the backed-up cars.

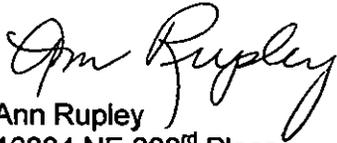
Wildlife –

To a lesser degree, but still important to our Woodinville lifestyle of Country Living, City Style, is the presence of wildlife within our neighborhood. In recent months, my family and I have encountered deer, coyote, raccoon, quail, ducks, and rabbits while driving between our home at the end of NE 203rd and the corner where it meets 156th NE. While not in constant view, we still have a fair amount of wildlife in this area. Further traffic and development will eliminate the limited remaining habitat for these animals. I realize they are not endangered species as such, but the problem is that they will have to go somewhere. Where will it be, and what will be the impact?

I have written to City of Woodinville staff on various issues in the past and have appreciated the desire of the city to consider input from its citizens on matters of importance to them. I am sure you and your staff will give due consideration to my request and others from the Concerned Neighbors of Wellington.

Thank you for your time.

Sincerely,



Ann Rupley
16324 NE 203rd Place
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

OCT 28 2004

TO: Planning Department reviewers of the Wood Trails & Montevello Developments
 Planning Department, Woodinville City Hall, 17301 133 rd Avenue N.E. City of Woodinville
 FROM: Robert A. Harman, Geologist, resident of 14949 202nd Street October 18, 2004
 COPY SENT TO: Concerned Neighbors of Wellington

RECOMMENDED GEOLOGIC AND HYDROLOGIC E.I.S. TOPICS BASED ON A SIMILAR DEVELOPMENT BEING CONSIDERED BY THE CITY OF REDMOND

On October 12, 2004 Dr. Curtis Koger of Associates Earth Scientists gave a talk to the Northwest Geology Meeting on the "Geology and Hydrology of the Eastern Bear Creek Plateau". I highly recommend the Woodinville Planning Department contact him (425 827-7701) to see what EIS demands were expected from the City of Redmond. I realize that each development has their own special considerations. However, below are listed topics that I believe should be considered. Dic Fredlund said my previous submitted letters with charts, tables, and maps would be considered but recommended this cover letter to address the potential topics of a EIS.

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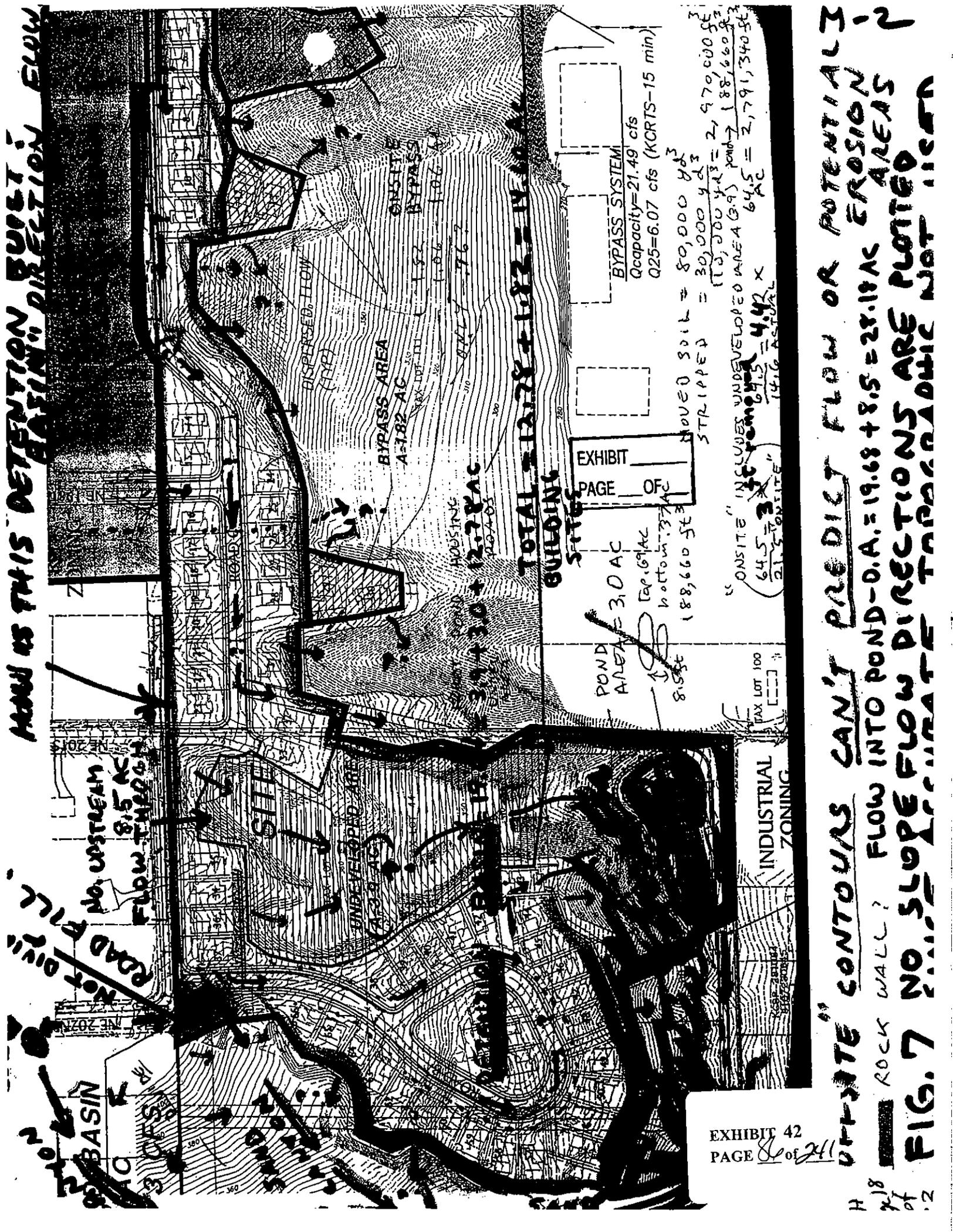
IDENTIFICATION OF THE VERTICAL AND LATERAL EXTENT OF THE GEOLOGIC STRATA THAT INFLUENCES EROSION AND GROUND WATER MOVEMENT

The Ground Water distribution and its preferential movement is important when considering the location of Retention Ponds and its impact on the wetlands adjacent to Montevello and 202 Park (that floods). In the Wood Trails area ground water forms springs and sources of water to the stream wetlands that provide the only year round stream flow for wild life in the 202-Golf Course Canyon (see submitted charts). The ground water strata when saturated can create slumps such as the ones witnessed by the city and 202 neighbors. The cliff in the 202-Golf Course Canyon certainly provides a major hazard to the industrial park area if high density housing is perched nearby. Maximum seasonal discharge rates from the roads and the development should be quantified so more discussion would be included about the rate Retention Ponds will be expected to fill. This should include the expected suspended sediment amounts and predicted fill sediment fill rate of the pond and the potential fill of the industrial park's infiltration discharge system. Wetland plants should be described on the project slopes to monitor future water loss to slopes.

REDMOND EIS EFFORTS: 86 borings or cores were made to delineate the geologic formation names and their aerial distribution (isopach or strata thickness maps). Spring locations were correlated with these strata maps and then flow rates determined. The borings ranged in length from 40 to 200 feet in contrast to Triads Ass. cores that were mostly 5 feet in length with only one 20 feet long. Soil Management Excavations were made to provide detailed variation in attitude of sediment types. The most serious is the presence of Blue Clays that act as impermeable layers creating slip-slump surfaces and/or barriers to draining Retention Ponds. Over 450 water well logs covering 31 square miles were made to identify Ground Water directions and flow rates. A 11 million gallon Retention Pond Test was conducted to verify expected pond settlement rates. I was surprised to learn that the Bear Creek Plateau the geologic sand formation was Double Bluff and not Vashon Outwash (Esperance Sand) I believed formed the steep slopes of Woodinville. As in this EIS a glacial geologist expert should be able from the borings to map how these glacial strata vary laterally and vertically around the steep slopes of Woodinville.

THE TOPOGRAPHY AND SLOPE STABILITIES SHOULD BE ASCERTAINED

My discussion with one geologist at the meeting believed that King County should have a LIDAR Aerial Survey Map that would show the orientation of canyons and areas of steep slopes. Certainly such a topographic map is warranted for such a large development that may threaten the industrial park. In the Wood Trails area many trees show downslope undercutting of their roots suggesting even gentle slopes indicate surface drainage erosion. The tractor that recently dug exploratory holes had 3 foot track holes that indicate the potential of concrete foundation failures. Ron Hodge on 201st street used a tractor to remove a stump that caused the tractor to sink so deep that another tractor was used to retrieve the lowered one. Even in the Wellington Hills area concrete floors show such cracks and sidewalks disoriented due to unstable horizontal surfaces.



HOW IS THIS DETENTION BASIN? DIRECTION FLOW

ROAD NO. UPSTREAM FLOW THROUGH

NO. SLOPE FLOW DIRECTIONS ARE PLOTTED

ROCK WALL?

FIG. 7

EXHIBIT 42
PAGE 21 of 211

H 2/18 of 2

DETECTION BASIN

ROAD

NO. SLOPE FLOW DIRECTIONS ARE PLOTTED

INDUSTRIAL ZONING

TAX LOT 100

NO. SLOPE FLOW DIRECTIONS ARE PLOTTED

ROCK WALL?

FIG. 7

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H 2/18 of 2

DISPERSED FLOW

BYPASS AREA A=182 AC

ON-SITE

BYPASS SYSTEM
Capacity=21.49 cfs
Q25=6.07 cfs (KCRTS-15 min)

MOVED SOIL = 80,000 yd³
STRIPPED = 30,000 yd³
(10,000 yd³ = 2,970,000 ft³)
(10,000 yd³ = 2,970,000 ft³)
(10,000 yd³ = 2,970,000 ft³)
(10,000 yd³ = 2,970,000 ft³)

ON-SITE INCLUDES UNDEVELOPED AREA (6.9) POND 188,660 sq ft
(64.5 = 3 x 21.5 ON-SITE) 14.6 AC TOTAL
64.5 = 4.92 x 14.6 AC TOTAL

POND AREA= 3.0 AC
Top: 69 AC
Bottom: 37 AC
188,660 sq ft

HOUSING

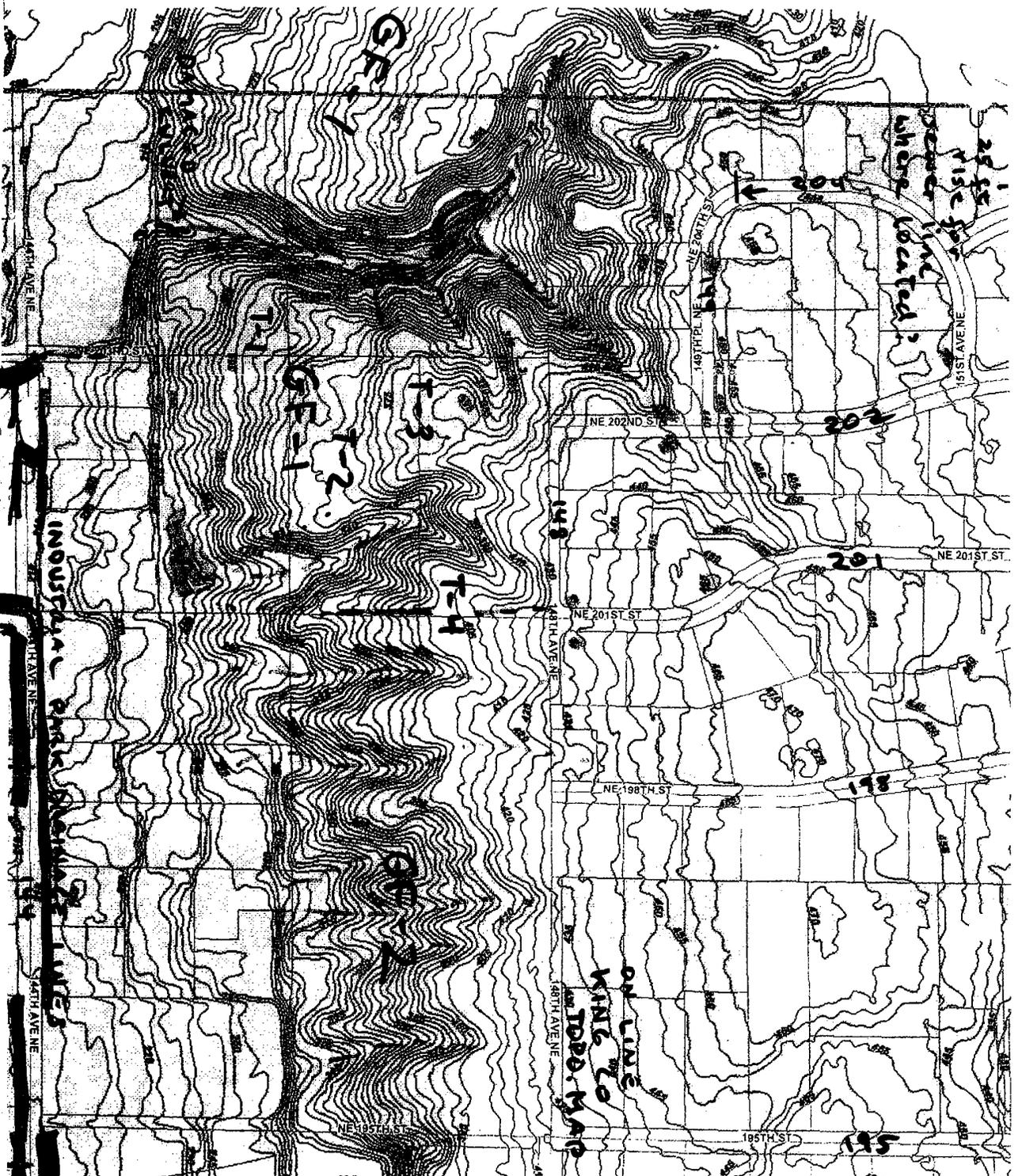
UNDEVELOPED AREA

TOTAL 12.78 + 10.2 = 22.98 AC

BUILDING SITE

EXHIBIT PAGE OF

INDUSTRIAL ZONING



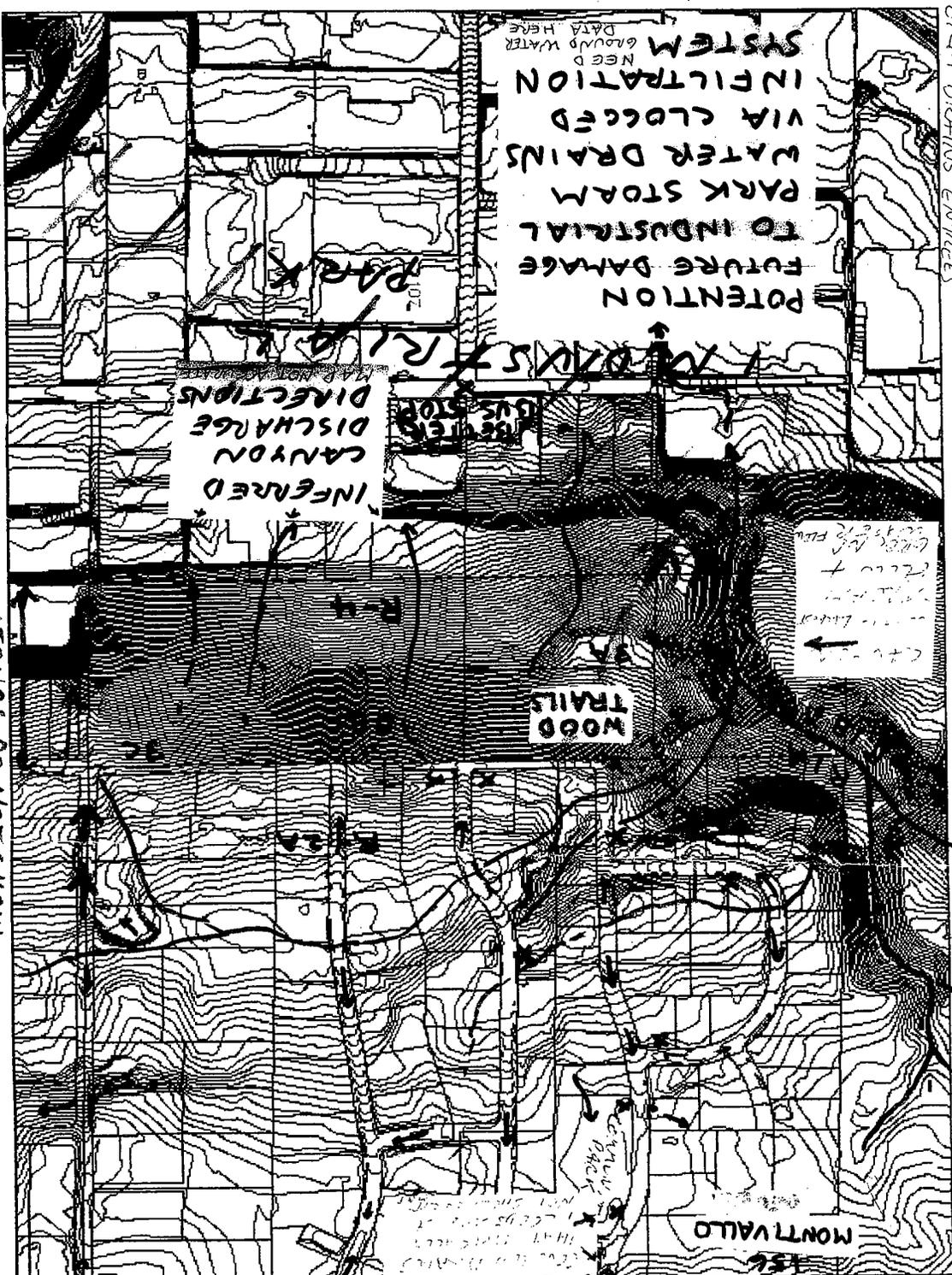
RH Page 19 of 23

M-3

SEE PART OF SUBMITTED LETTER "EROSION IS NOT CONSIDERED IMPORTANT IN TRAIL REPORT"

RH Page 20 of 23
 4-23

FIG. 4 EARLIER MAP SUBMITTED TO CITY PLANNERS



CONTOURS DO NOT SHOW LOCATION OF CANYONS

OFF COURSE

X BUS STOP: SNOW-ICE SCHOOL DELAY DAYS

- Zone Overlay A
- wood-contours
- Woodinville_Site
- 2-line-roads-wood
- woodinville_addr
- ImageDirectory

EXHIBIT 42
 PAGE 20 of 24

CS
a

Test Pit Log **EX DATA SHEET** ✓ 310

Project Name: Wood Trails		NOT PLOTTED		Sheet 1	of 1
Job No. 10683	Logged by: ELW	Date: 9/2/04	Test Pit No.: TP-310		
Excavation Contactor: NW Excavating			Ground Surface Elevation: 383'		

Notes:

General Notes	W (%)	Graphic Symbol	Depth Ft. Sample	USCS Symbol	Surface Conditions: Depth of Topsoil & Sod 6": ferns
	17.6		1	SM	Brown silty fine SAND with gravel, loose to medium dense, moist
			2		-iron oxide staining
			3		-becomes tan
			4		-becomes medium dense
	5.4		5		-becomes dense
			6		-becomes light gray, lightly cemented
	3.2		7	ML	-contains thin silt beds, reduced gravel
			8		Gray sandy SILT, very dense, moist
	11.7		9		-well cemented - refusal
					-51.0% fines
					Test pit terminated at 9.0 feet below existing grade. No groundwater encountered during excavation. ✓

EXHIBIT 42
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**EXAMPLE OF 48" TEST CORE DIGS
NOT CORRELATED - PLOTTED**

TEST PIT LOG 10683.GPJ ECLGDT 8/8/04



Earth Consultants Inc.
Geotechnical Engineers, Geologists & Environmental Scientists

Test Pit Log
Wood Trails
Woodinville, Washington

Proj. No. 10683	Dwn. GLS	Date Sept. 2004	Checked RAC	Date 9/8/04	Plate
-----------------	----------	-----------------	-------------	-------------	-------

Subsurface conditions depicted represent our observations at the time and location of this exploratory hole, modified by engineering tests, analysis and judgment. They are not necessarily representative of other times and locations. We cannot accept responsibility for the use or interpretation by others of information presented on this log.

0 11 0 2 77 277

October 28, 2004

RECEIVED

OCT 28 2004

City of Woodinville

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

EXHIBIT 42
PAGE 21 of 241

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Thank you for this opportunity to express our concerns with regards to the proposed Wood Trails and Montevello residential developments.

Knowing that these developments will double the population of our neighborhood, we are deeply concerned how the city proposes to address public safety issues, specifically street lighting, sidewalks for safe passage, and narrow, limited sight streets.

We understand that studies have been done with respect to car traffic, but what about pedestrian traffic? Students of all ages will be walking to nearby schools and waiting on unlighted street corners along 156th for bus connections. Even if our street, 195th, is only used for emergency vehicles and if access is changed to the west, kids will still use narrow, unlighted surface streets to get to neighborhood schools.

We appreciate your consideration of these safety issues.

Sincerely

George Sandra White

George and Sandra White
14818 NE 195th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

RECEIVED

October 28, 2004

OCT 28 2004

Dear Woodinville City Council,

City of Woodinville

My wife Sandra and I would like to officially express our displeasure with the apparent rezoning effort that is taking place on the proposed new residential area you are calling Wood Trail and Montevello.

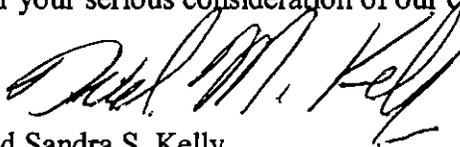
We believe this will dramatically change the quality of life in our neighborhood as well as impact the safety of our children. With a majority of all the development that has taken place in this area over the last 20 to 25 years being done on lots nearly the size of one acre, we find it unacceptable to allow a developer to come in and build up to eight homes per acre. Why is this being allowed? If you hang the allowance strictly on availability of the sewer lines I think you have overlooked many other aspects that will impact our neighborhood.

I also understand that there is no plan for the development, even if it were to have one acre lots per home, to have access from the Highway 9 and small arterials on the lower side of the hill. It makes absolutely no sense at all to require any more additional traffic, especially of this potential magnitude, to only come up the Woodinville Duvall Road and then down 156th Avenue. Who has thoroughly thought this out and using what reasoning?

We vote not NO high density house developments. We are not against development, we are just against rezoning.

Thank you for your serious consideration of our concerns.

Respectfully,



D Michael and Sandra S. Kelly
1552 NE 197 Place, Woodinville 98072

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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

October 28, 2004

EXHIBIT 42
PAGE 93 of 241

RECEIVED

OCT 28 2004

City of Woodinville

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We would like to suggest the following items:

Re: Impact on neighborhood:

- o The evaluation of the impact on wildlife and their natural habitat. We have seen great blue herons that frequent the neighborhood during spring and fall, and evening grosbeaks during spring migration.
- o Loss of trees and vegetation that act as a noise buffer between the neighborhood and the industrial area at the bottom of Wood Trails
- o Consideration of alternate access routes to Wood Trails.

Re: Traffic safety:

- o Mitigation plans for the limited sight on NE 198th St going west towards Wood Trails in the evening and coming east from Wood Trails in the morning.

Re: Traffic congestion

- o The evaluation of additional traffic to the neighborhood caused by more than doubling the housing density, including the cumulative effects of the new traffic that will be generated by Costco, which cannot be ignored.

Re: Public infrastructure:

- o The evaluation of possible construction damage to the residential streets, and the commitment of repairing them by the developers.
- o If new infrastructures in the form of roads, sewers, and police and fire services are required, the proposed monetary compensation by the developer, otherwise all Woodinville residents end up subsidizing Phoenix Development Company.

Re: Storm water runoff:

- o Will there be a Drainage Control Plan Review? This massive land- and grade-disturbing activity with the loss of the natural drainage system may eventually release pollutants to our streams and lakes.
- o Will there be an estimation of the amount of runoff down through Wood Trails based on the assumption that the existing natural vegetation buffer will no longer be there?

Finally just as we will carefully evaluate roofers, painters and structural engineers that we consider for working on our own home, we would like to review the resumes and qualifications of the licensed engineers who will be doing the technical evaluations and recommendations of this EIS.

Thank you!
Sincerely

Steve and Helen Gottschalk
14918 NE 198th St
Woodinville WA 98072
cc: Concerned Neighbors of Wellington

Catherine Borghes

From: Catherine Borghes
Sent: Thursday, October 28, 2004 1:22 PM
To: 'Jlatlas@aol.com'
Subject: RE: Comment on Scope of EIS for Wood Trails and Montevello

EXHIBIT 42
PAGE 24 of 241

Dear Ms. Stoneking,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

Subject: Comment on Scope of EIS for Wood Trails and Montevello

Dear Mr. Sturtz,

I would like to make some comments concerning the proposed Wood Trails and Montevello developments. We are against the rezoning of these properties from R-1 to R-4 for many reasons:

Size and Neighborhood Character:

The size of these 2 developments will triple the amount of homes in this immediate area and at a much higher density than is currently the character of the neighborhood. The neighboring area is currently R-1 and as such has a rural neighborhood character that a development of this density would not mirror. It is completely out of character with its neighboring community. There will be no effective barrier between these neighborhoods further eroding the current R-1 character already in our neighborhood.

A rezone to R-4 is not in keeping with the surrounding neighborhood and should not be allowed.

Access Roads:

1) The Wood Trails development is projected to use what are currently mostly dead end streets that are now used by approximately 50-60 homes. You will be adding at least another 65 more homes using these streets. These streets were not built to handle the additional traffic these homes would add. 195th Street is especially hazardous as there are 3 hills on this street, is very narrow and many times in the winter is very difficult to maneuver when there is snow on it.

All of these dead end streets dump onto 156th Ave which these additional vehicles will also use several times a day. 156th Avenue is well known to be a very hazardous road in the winter time as there are several hills on it in just a half-mile section that ices over and every winter many vehicles lose traction and end up in the ditches on each side of the road.

The Montevello development would encourage a large amount of traffic over 240th through the Wellington

Golf Course, which is also a very hazardous road at any time of the year due to the fact it is very narrow, windy and hilly and very icy in winter. Many people have slid off that road in bad weather before. Also 2 holes cross that road and accidents with golfers would be aggravated.

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The Wood Trails development would be adding another 65 homes to this problem.

The Montevello development would be adding another 70 homes to the usage of 156th and 240th further adding to the dangers on these 2 streets.

2) Currently the left turn lane from the Woodinville -Duvall Road turning North onto 156th backs up to the point many cars are lined up in the left through-lane blocking traffic going up the hill for many people.

Adding these 2 developments to this area will only add to the problem at that intersection.

3) Currently the offramp at 195th Street also backs up so that cars are lined up on the shoulder for up to a 3rd of a mile creating a danger.

Adding these 2 developments vehicle traffic to this offramp will be adding to this problem.

4) Wellington Elementary and Leota Schools students and their parents use the east end of 195th to drop off their children for these 2 schools instead of going down Woodinville-Duvall Road and waiting through 2 traffic lights and all the going to work traffic to get them to school. Currently the east end of 195th is blocked off by a Jersey barrier that the city put in place several years ago to prevent through access. This resulted in the parents having to drive a circuitous route through the adjoining neighborhood and that neighborhood bearing the brunt of all the auto traffic to and from their streets to get to the end of 195th and then turn around in the street where there is no cul-de-sac there. This meant 2 trips back and forth down their streets per car every morning and if they picked them up in the afternoon another 2 trips down these same streets. No other streets bear this burden and citizens were quite angry with the city for doing this.

The above 2 developments will only add to the burden these streets have had to bear.

Also the city stated the reason for the Jersey Barrier was to protect children from vehicle traffic while walking to school using 195th Street. Since the city was so inclined to protect these children then, I would assume they would want to continue to protect the children in this neighborhood and not allow 3 times as many vehicles on these roads if these developments were allowed.

5) The cumulative impact of rezoning these parcels to R-4 would be far reaching. If these are allowed to rezone there is a strong possibility that adjacent lots would also apply for R-4 and further impact the above roads and schools. This would drastically change the character of this area forever. For example if you took just my street which is the shortest one and allowed all 22 homes on it to rezone to R-4, you would have a minimum of 88 new homes on just my street alone! Multiply that by the amount of homes in the neighborhood surrounding this proposed development and you have a traffic problem of major proportions.

Allowing this rezone will serve as a precedent for additional development and the resulting traffic it would bring and would further erode the character of Woodinville.

Impact to Schools:

Both Wellington Elementary and Leota Jr. High are at capacity and Wellington still uses temporary classrooms. The addition of 136 more homes could potentially add 300 or more students to these schools. That is the equivalent of at least 10-15 more class rooms. Is Woodinville ready and able to build more schools by the time these homes are occupied? And if this rezone then allows others in our area to follow suit - you may have 1000's more students to build more schools for.

Specific to the Intersection of 195th Street and 148th Avenue:

The preliminary plat map for Wood Trails dated June 11, 2004 shows "Removable Bollards" placed at the end of 195th Street diagonally to block access to this street by the proposed Wood Trails development. These bollards effectively block 2 properties to the historical access to their properties. Specifically the

property at the corner of 195th and 148th would be unable to use the existing driveway at the back end of this property in a manner that would allow a towed recreational vehicle and several other large vehicles access to it's storage garage. This would render the garage unusable by this owner because of the angle of access and steepness of the slope at this angle.

Specific to 148th Avenue:

The preliminary plat map mentioned above shows 148th Avenue becoming a 30 ft wide street for this development. However it also shows that all 30 feet are taken from the adjoining property to the north of it and the developer is not sharing in his portion of 15 feet of his property. Also please verify if code is 60 feet for a street or 30 feet.

Specific to Lots 1 - 4 of Wood Trails:

The above plat map shows the street to these lots form a "hammer head" form of cul-de-sac. Is this allowable per code? Since the developer has stated that there will be parking on the street this makes the 20' ends of the "hammer head" cul-de-sac an extremely small cul-de-sac which may be too small to turn a vehicle. Assuming each of these homes will park cars on their opposite side of the street, this gives a vehicle at most 8 feet in which to turn around. I don't know any vehicle that can do that.

Soil:

There is a history of subsidence in this area. A very large hole appeared in the area just north of 195th Street in what is the 148th Avenue right of way. It was at least 15 feet wide by 12 feet across and too deep to see the bottom. The city was called and they roped it off for a week until they knew more about it. They were unable to determine what had caused it and filled in the hole with debris. It was hinted that an underground spring may exist there.

Homes built near this hillside have experience water seepage into the basement during construction and now requires ongoing pumping.

Noise:

The noise level in this neighborhood has deteriorated dramatically in the last 10 years due to the increase in the amount of traffic on the 405 and 522 freeways. There are certain days when some of the businesses in the industrial park just west of us can be heard. Also the new recycling center is heard very well and can even be heard on weekends with constant loud crushing sounds.

The removal of the trees on this land will further aggravate the already high noise level here. As it is now they act as somewhat a buffer.

Questions for the City:

What will you do to mitigate the traffic?

What will you do to mitigate the noise?

What will you do to ensure the stability of the soil?

What will you do to address the stormwater runoff on a very steep slope and mitigate any impact to the Industrial businesses below?

Where will the coyotes and rabbits go that are seen on almost a daily basis?

What will be done to analysis the impact of any nearby earthquake faults?

There is a geological history to this hillside - what will you do to ensure that all information is gathered and considered?

In Summary:

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Per the SEPA Handbook , Section 3.2.2 I request that the City prepare a document responding to the scoping comments summarizing the comments received and identifying what elements of the environment will be reviewed in the EIS as well as the level of analysis.

Also please comment on what controls the City will have over the the general content and quality of the the EIS and who will do the EIS.

I specifically want to be assured that the City has mechanisms in place to assure that the requirements of WAC 197-11-420 are in place

I also request that the City will require that the consultant who drafts the EIS will be responsible to the City and not the developer.

Sincerely,

Joan Stoneking
14808 NE 195th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

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Dear Doyle & Janet Watson,

Thank you for your letter concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

RECEIVED

Sincerely,

Ray Sturtz,
Community Development Director

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

October 28, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Our family and neighbors are very concerned about the proposed "Wood Trails" project just northwest of our home on 195th street. We oppose this project due to the many environmental impacts (flora and fauna, traffic, safety)

First I will speak to the environmental impacts, one of the most critical considerations. With the recent devolvement of other new R1 (1 Acre) zoned homes in our area, which resulted in massive amounts of deforestation and disruption, we have noticed a great amount of wildlife have been flushed out of their native habitat and into our yards. Some of the animals we're now seeing in our yards were less likely to be seen before the development occurred. This points to the fact that habitat and wildlife have been lost, even with the less invasive R1 zoning. We can attest to this fact because we have lived in our house since 1977 and have watched the negative evolution. It is inevitable, if the "Wood Trails" (R4 Zoned) project is undertaken, habitat for thousands of wildlife will be destroyed. The flora which feeds and harbors these animals is vital to these creatures. Just some of the plants that will be affected are: Trilliums, wildflowers, Oregon grape, Huckleberry, Pine, Cedar, Alder, Cherry, Hemlock, Maples, Bracken/Sword Ferns, Wild Bleeding Heart, Wild Honeysuckle, Salal, blackberries, and Wild Roses. We have seen many species of wildlife living and thriving in the proposed area on many walks that we take. Just some of the animals that have been, and could be impacted, are: Deer, Quail, Coyotes, Hawks, Owls, Rabbits, Robins, Blue Jays, Finches, Woodpeckers (Many Types such as Pileated), Brown Squirrels, Grey Squirrels, Chipmunks, Mountain Beaver, Hummingbirds, Gardner snakes, and salamanders.

Traffic and Safety are another great concern, most of the roads that are existing are not meant for high traffic, high capacity access. These are low-speed residential roads with many children that walk these routes to

nearby schools. Having the proposed development connected to these roads will certainly increase traffic and decrease safety for our children. Traffic is already a huge problem in most areas of Woodinville and increasing high density housing will just amplify the problem. We understand a new Costco is also to be built at the bottom of the hill near the old FITZ junkyard, this will certainly double or triple the traffic in the surrounding area. We must keep perspective when we plan new infrastructure and ask critical questions about whether or not we have the access (roads) capable of meeting the demand. Woodinville should not be sacrificed and turned into another suburban housing development. Let's keep Woodinville unique, green, and beautiful!

The fact is Woodinville is loosing its natural beauty, one destructive high-density development at a time. As I drive on 522 from Monroe to Woodinville I look to where all the green beauty stands today on the proposed site. I very much enjoy this beauty, it makes Woodinville look unique and semi-preserved, it has a in-the-country feeling - I call it charm. A complex of high density homes, roads, and cars will surely be a tumor on this beautiful sight. You as our planners' really do have the choice to preserve Woodinville and not let it become like every other suburban-stripmall city.

We find the name "Woods Trails" to be an oxymoron in terms. "Woods" implies there are trees, but the builder will most certainly clear cut the trees to make way for high density living/parking. The new name means nothing if it's not descriptive of it's surroundings. Maybe it should be called "No-Tree-Hill Vista" This quote is very fitting: "Suburbia, where they cut down all the trees and name the streets after them." So true, yet so very sad. I would like for my children and the next generation children to come to see Woodinville with Plants, animals, and in it's current beauty. We must be stewards of the land; this is why we're all standing up to save this small piece of Woodinville.

Please consider this plea for protecting Woodinville's beautiful future.

Sincerely, concerned citizens,

Doyle & Janet Watson
15101 NE 195th ST
Woodinville, WA 98072

Don't just search. Find. Check out the new MSN Search!
<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>

October 28, 2004

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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

My family and I have lived in the Woodinville area for 25+ years and feel very fortunate to be a part of this community. We currently live on NE 198th St and have concerns about the new purposed developments of Wood Trails and Montevallo.

We attended a briefing hosted by Phoenix Development regarding Wood Trails and Montevallo. While many questions and concerns were brought to the table, answers from Phoenix Development were not supplied and these issues were 'side-stepped'. Here are some of our concerns:

- 1) The traffic studies encompass the impact of Wood Trail ONLY. We've been told this represents about 800 cars per day. The developer told us that they are not required at this time to provide a traffic study on the impact of the Montevallo development. We are very concerned that we, as well as the City, are being mislead on the true impact of traffic.
- 2) We know that the Developers are sensitive by law to wetlands. However, we learned in this meeting that the Developers are not required to do a study on the impact of wildlife in the effected areas of development. Currently we have deer, coyotes, raccoons, owls, rabbits, squirrels, chipmunks, and various species of birds nesting in these areas.
- 3) We also learned that the new developments will have street lights. When questioning Phoenix Development, they could not tell us how many lights were going to be installed. Light pollution is an additional concern and we'd like to have answers as to what is planned and the impact on the surrounding areas.
- 4) We asked Phoenix Development for details on the purposed housing - square footage, sale price. They could not answer our questions and told us they were not required to provide this information to the City of Woodinville therefore it is not available to us.
- 5) When asked about the impact of population from these proposed developments on our schools, we were told 'zero impact'. With 66 homes in just one development, how can there be no impact?

I am writing to you today in the hopes that you will see and respect our concerns.

Sincerely,

Paul Sharp
15008 NE 198th St.
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

EXHIBIT
PAGE ___ OF ___

Catherine Borghes

From: Catherine Borghes
Sent: Thursday, October 28, 2004 1:19 PM
To: 'kscarbro@gtcinternet.com'
Subject: RE: Woodtrails development

RECEIVED

NOV 1 2004

**CITY OF WOODINVILLE
PLANNING DEPARTMENT**

10/28/04

Dear Ms. Scarbrough,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

October 27, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

In the four years we have lived at this address we have seen much wildlife. At last count we have recorded 57 species of birds in our own yard alone. This includes such diverse native species as barred owls, Cooper's hawks, pileated woodpeckers, quail, and band-tailed pigeons. We have also hosted nesting tropical migrants such as hummingbirds, warblers, tanagers, and swallows. Larger species such as deer, raccoons, Douglas squirrels, and gray squirrels also live in our woods.

This area should be carefully examined for environmental impact. Our woods are being cleared at an alarming rate, having a detrimental effect on our wildlife and hence, our quality of life.

Sincerely

Kerri W. Scarbrough
15124 NE 198th St, Woodinville

EXHIBIT _____
PAGE ____ OF ____

10/28/2004

Catherine Borghes

From: Catherine Borghes
Sent: Thursday, October 28, 2004 1:26 PM
To: 'l.kuebler@att.net'
Subject: RE: Comment on Scope of EIS for Wood Trails

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Dear Mr. and Mrs. Kuebler,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We have lived in Wellington Hills Estates since 1969 and we would like to share our thoughts about some of the problems that we believe may occur if the proposed project is approved. The proposed site is adjacent to our West property line.

One of the streets that will be a feeder for the construction traffic is 202nd. The street is bituminous surface treatment and the heavy construction traffic no doubt will cause some damage. Also, the City allowed a commercial building to be built very close to the East right of way on 156th St NE, just North of the White Stallion. It looks as though this will preclude widening of the road to accommodate the anticipated additional traffic from the planned "developments" in the Wellington Hills area.

There are deer in our back yard quite frequently. Also there are at least two families of coyotes. We get brief glimpses of the coyotes on occasion particularly when the leaves are gone. However when they have their young they are quite vocal. Recently we had a huge gray owl sitting on the planter box on our back deck. We've seen the owl several times in the last two years.

We don't think this project is a good idea due to the costs related to 202nd, the steep topography of the proposed site and the displacement of the wildlife that live there.

Thank you for you consideration.

Sincerely

LeRoy & Kay Kuebler
20255 149th PL NE
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

Dear Mr. Motteler

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Fred Motteler [mailto:fmotteler@uascwa.com]

Sent: Thursday, October 28, 2004 1:51 PM

To: Ray Sturtz

Subject: Environmental Impact Statement for the proposed Woods Trails and Montevallo Developments

Ray Sturtz
Planning Director and SEPA Official for the City of Woodinville

Mr. Sturtz,

As a city resident, home owner, parent, pedestrian, and bicyclist the proposed Wood Trails and Montevallo developments will have significant impact on my family's quality of life.

My primary concern is the increase in motor vehicle traffic on Wellington neighborhood roads. Due to hills, curves, and corners, many of these roads were never designed for significant traffic. For example, hills on NE 195th St. limit visibility.

My entire family frequently walks and bicycles throughout the Wellington neighborhood. My son bicycles to Leota Jr. High. I bicycle to work on a daily basis. My wife and I have several jogging routes through the Wellington neighborhood that take advantage of the wide gravel shoulders, lack of motor vehicle exhaust fumes, and generally quiet surroundings.

A secondary concern is the increase in motor vehicle traffic on 156th Ave. NE. As pointed out in the "Determination of Significance" document, traffic on 156th Ave. NE is expected to more than double.

Any significant increase in vehicle traffic on 156th Ave. NE is unacceptable. The current traffic on 156th Ave. NE is already a significant safety hazard for pedestrians and bicyclists. Even with the wide shoulder on the west side of road, being passed by vehicle going 45+ mph is not a pleasant experience, nor safe. More traffic just increases the risk for a serious accident.

Additional traffic on 156th Ave. NE will also have a significant negative impact on traffic on Woodinville/Duvall Rd. During peak traffic hours, there are already long lines of motor vehicles (1/4 mile or more) backed up on Woodinville/Duvall Rd. at the intersection with 156th Ave. NE.

Alternate motor vehicle routes must be seriously considered. From Wood Trails a route west to 144th Ave. NE makes the most sense. An additional route south to the Woodinville/Duvall Rd. should be also be considered. From the north tract, traffic should be routed north.

These alternate routes can provide efficient access to SR-522, highway 9, and downtown Woodinville. There is no need for the additional traffic to be routed through the Wellington neighborhood. Why have everyone who lives in the Wood Trails development drive the "long way around" when several more direct routes are available and make more sense?

Sincerely,

Fred Motteler
19616 156th Ave. NE
Woodinville WA, 98072-7001

fmotteler@uascwa.com

October 29, 2004

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Dick Fredlund
City Planner
City of Woodinville

Dear Mr. Fredlund,

Last night I attended the meeting to discuss the future of the Wellington neighborhood. At the meeting I made verbal comments that I would like to expand upon and provide to you in writing. I am writing this as a 24 year resident of the City of Woodinville, having lived the last 20 years at 14830 NE 198th Street. My home phone number is 425.483.8246.

The points I made last night are incorporated in the topics below:

Traffic

I attempted to take the eastbound exit to 195th Street from Highway 522 at approximately 5:30 p.m. last night. Traffic was backed up onto the shoulder of 522 almost to the onramp from downtown Woodinville. There were no accidents visible, just heavy volumes. I proceeded to the Highway 9 exit, turned south and then proceeded east on the golf course road to 156th Avenue NE and eventually to my home. I say this to underscore the fact that despite a substantial improvement made to connect the Woodinville-Duvall road to highway 522 at 195th Street, the volumes are at times overwhelming the capacity of this road. The only other close access is through the golf course road, an extremely narrow and hazardous road given the golf balls and the road's narrowness, lack of shoulders and steepness.

The impact of the Wood Trails development will exacerbate traffic. Moreover it appears that other developments will also be undertaken such as Montavallo that will add to the congestion. What is most upsetting to me is the fact that Wood Trails represents putting high density housing and attendant traffic at the extreme end of what are now dead end streets. Vehicles must then use streets designed for low traffic volumes based upon R-1 Zoning. Logic would suggest that high density housing should be close to the main highway access with lower density further from the access points. One can see this occurring in downtown Woodinville and in Bothell across from Home Depot. Wood Trails represents the opposite of this and is therefore illogical in its placement. This placement then creates all the issues raised by others, safety, lighting, congestion, etc.

Character of the Neighborhood

There is simply no way to reconcile R-4 zoning and the proposed Wood Trails development with the R-1 zoning and approximately 135 existing residences. The Wood Trails development will fundamentally and irreversibly change the rural, quiet, low traffic, pride in ownership that is demonstrated by the current residents of the Wellington area.

Erosion

Wood Trails is proposed to be built on land that has been considered and rejected by builders for the past 25 years. Simply put it is too steep to build or access with roads from the west. I enjoyed the City's request that the EIS include evaluation of a "meandering" road to the west. In Skykomish, a logging town where I grew up, this is called a switchback!

The models used in the EIS will most assuredly underestimate the erosion potential of this site. Wood Trails has a westerly exposure. The forest in question contains a significant number of conifers, mostly Douglas Fir and Western Hemlock, two native northwest species that have shallow root systems since they grow in a moist environment.

Most storms with strong winds blow from southwest to northeast in the winter with large rainfalls accompanying them. Any mature stand of trees disrupted by development and therefore left exposed to these storms will result in significant timber blow-down that will endanger residents, damage proposed and existing properties, and expose root systems resulting in loss of soil integrity. Rainfall will then erode the exposed soil. I know this personally since my property is one home away from the proposed development and in the first 5 years I lived there I lost trees each year, two large hemlocks ending up on my neighbor's garage, necessitating home repair, insurance companies, etc.

Creeping Incrementalism

Woodinville is a wonderful city to reside in and enjoy. The City has done a good job of improving traffic (south bypass especially), creating opportunities for city amenities (Cinemas, Barnes and Noble, etc) and providing high density housing in areas close to the city core that enable pedestrian traffic. Wood Trails flies in the face of these good decisions. It is high density housing in the wrong place.

In order for the City of Woodinville to maintain its character while permitting growth it is my strong belief that we must look at what is happening in all directions from the city; Bothell to the west, rural protected land to the south, unincorporated King County to the east and Snohomish County to the north. The Wellington area borders the northeast boundary of our city. City planners would be remiss if they did not include what is happening directly to the north, in Snohomish County, a pro-development county that has granted substantial development rights to Phoenix Development in Bothell and Lynnwood. The City of Woodinville will not make a correct decision if the decision is not taken in the context of the broader picture, i.e., Snohomish County's intentions with Costco, Brightwater, the Wellington Golf Course, etc. Given Snohomish County's recent pro-development history, specifically in conjunction with this developer, causes me great concern regarding the quality of life in the Wellington area of Woodinville. Each individual project may pass on its own merits, however, taken as a whole, a chaotic hodge-podge of incongruent neighborhoods results, this is creeping incrementalism and it will degrade the qualities of Woodinville we enjoy so much.

Please continue your record of good decisions based upon reasonable consideration of the facts. Do not bend to pressure from the developer or the lure of residential property

income from this small high density development in the wrong place. The decisions you make will be permanent, the developer will be gone tomorrow, yet the residents of Woodinville depend on you to hear our arguments.

Please feel free to contact me if I can be of any assistance.

Sincerely,

Douglas L Gibson
14830 NE 198th St
Woodinville, WA. 98072

Dick Fredlund

From: Ray Sturtz
Sent: Monday, November 29, 2004 1:37 PM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Wood Trails

CB

Please email Frank back thanking him for his comments and that they will be submitted to the Hearing Examiner at the public hearing, time & date to be determined which he will be notified of. Then place him on the list. Thanks. -Ray

-----Original Message-----

From: frank [mailto:frankjudyc@comcast.net]
Sent: Monday, November 29, 2004 8:00 AM
To: Ray Sturtz
Cc: Fred@GreenFinancial.com
Subject: Wood Trails

October 31, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am a resident of Woodinville living on 195th St. and wish to voice my strong objections to the proposed development of Wood Trails. I am very concerned with the increase in traffic this will cause as I believe all of the traffic will be directed at the traffic light of 156th and Woodinville-Duvall Rd. Traffic on the Woodinville-Duval Rd is bad enough coming from Cottage Lake, this will only add to our commuting woes. I leave my house before 7 and its bad even then with traffic backed up at the corner of Rt 9 and 195th. Coming home is worse with traffic backed up onto the off ramp of 522 already. This additional traffic will make a bad situation even worse. I firmly believe that this traffic will cause a grid lock situation for years to come. Now when you add the new Costco to the mix and we are woefully short on alternate routes around this bottleneck. Please do not approve this development.

Sincerely

Frank Coppa
19423 153rd Ave NE
Woodinville Wa 98072

cc: Concerned Neighbors of Wellington

Fred Green

From: Allie Tullis [a_tullis@comcast.net]
Sent: Sunday, October 31, 2004 3:31 PM
To: rays@ci.woodinville.wa.us
Cc: Fred Green
Subject: Comment on Scope of EIS for Wood Trails

RECEIVED

NOV 1 2004

**CITY OF WOODINVILLE
PLANNING DEPARTMENT**

October 31, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

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RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

One year ago today I excitedly purchased my first home; it is in the Wellington neighborhood on NE 195th street. I looked long and hard for a home of this character, with its quiet, private setting and respectful, friendly neighbors on all sides. I also delight in sharing my property with the local deer, coyotes, multiple species of birds and even owls – who I am certain take refuge in the nearby wooded acreage slated for the proposed Wood Trails development.

Naturally you can imagine how disturbing it is for myself and other residents of Wellington to know that the integrity of our community now stands at risk for the sole profits of residential developers. It is incredibly difficult to swallow the prospect of this neighborhood deteriorating at the hands of a few indifferent business persons attempting to scavenge and overdevelop one of the few parcels of remaining Woodinville acreage. All businesses require boundaries; and the current Wellington zoning is a boundary set in place for a reason – it wasn't intended to be changed; and I assure you, I have not run into a single resident on my or neighboring streets area who isn't frightened and/or discouraged by the invasive Wood Trails proposal.

I implore you, please help us protect and keep our community by conducting a thorough EIS of the Wood Trails acreage and appropriately preventing this development from happening.

Thank you.

Sincerely,

Allie Tullis
15110 NE 195th Street
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

Dear Mr. and Mrs. Schultz,
Thank you for your letter concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Ray Sturtz
Sent: Tuesday, November 02, 2004 9:42 AM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Comment on Scope of EIS for Wood Trails

-----Original Message-----

From: Matt & Lisa Schultz [mailto:schultzm@verizon.net]
Sent: Sunday, October 31, 2004 9:45 AM
To: Ray Sturtz
Cc: Fred Green
Subject: Comment on Scope of EIS for Wood Trails

October 31, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails and Montevallo

Dear Mr. Sturtz,

Thank you for taking time to address issues we have relevant to the EIS for the proposed development of Wood Trails and Montevallo.

We share many of the concerns expressed by the Concerned Neighbors of Wellington and individual citizens at the scoping meeting of October 28. We are particularly concerned about the potential loss of wildlife habitat; the reduction of a vegetative and noise barrier; increased automobile traffic; increased surface water run-off accompanied by increased non-point pollution from street run-off; effects of the clearing and impervious surface on groundwater and water quality in Little Bear Creek; and the related reduction in the safety of pedestrians, children, and recreational users of the area.

Other concerns we ask be considered include the effect of increased

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automobile traffic on bicycle traffic, inasmuch as 156th Avenue NE is a popular bicycling route. Also, we are concerned about the cumulative effects of continued land clearing in the Wellington area. We have observed an increase in the wildlife that uses our property, which we attribute in part to a reduction in loss of local habitat, which would only increase if the proposed projects are allowed to proceed. We believe a field census/survey for sensitive plant and animal species is essential. We have observed numerous wildlife species in the neighborhood, which we have enumerated on the attached list. Because there are water supply wells in the area, and because groundwater quality may affect Little Bear Creek, we believe it is necessary to install groundwater monitoring wells and use computer modeling to determine potential effects. Similar monitoring and modeling are necessary to evaluate storm water volumetric run-off and erosion, especially in light of uncertainties regarding the soil type and depth and reports from neighbors of existing flooding. Any such studies must take into account recent hydrologic events, such as the recent 5-inch rainstorm. Finally, we ask that the properties be evaluated for any past industrial or waste disposal practices and planned waste removal, should any be found.

We believe it is important for the developer to consider cumulative and secondary effects, such as the propensity for additional higher density zoning if R-4 zoning is allowed, the need for or removal of traffic gates, and the capacity of local schools, fire departments, and police service to service the increased population.

On another note, we are discouraged that re-zoning of the subject properties to R-4 is even being contemplated. We echo the message that much of Wellington is laid out to provide larger lots, and we reside here largely because of that feature. We believe that potential economic benefits to the residents of sanitary sewer connections are overstated by the developer - we have experienced a cost of about \$50 per month for sewers in our past residence, compared to a cost of about \$300 every 3 years for a septic disposal system. Moreover, it is our belief that the major effect of sanitary sewers is to allow a much greater housing density, inconsistent with the values of our neighborhood.

Thank you for hearing our concerns, and we hope that a response to our concerns is reflected in the City of Woodinville's rejection of an R-4 zoning at a minimum. Ideally, we would wish to retain the subject areas as a woodland habitat/buffer area, especially as growth pressures increase from Snohomish County.

Sincerely,

Matt and Lisa Schultz
16206 NE 200th Court
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

October 31, 2004

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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

Enclosed please find three pages which comprise my yard's bird list for the past four years. My yard is one block from the proposed Wood Trails development and connected via continuous green belt. By my own rules birds are only listed if seen or identified within the boundaries of my property. Keep in mind I work more than full time so my observations reflect only a portion of the birds present.

That said, I would like to emphasize I have seen some species of particular note: pileated woodpecker, Cooper's hawk, band-tailed pigeon, and rufous hummingbird, all four of which are found on the Audubon Watch list. Cooper's hawk and pileated woodpecker are found on the WA Gap Analysis as species at risk and are both known to nest here as recently as this past summer.

The pileated woodpecker is, furthermore, a candidate for endangered species listing by the Washington Department of Fish & Wildlife. There are several pileateds which roost, feed, and most importantly nest in the mature trees and snags in the immediate area. Mature and contiguous woods are necessary for their survival.

According to Tim McGrudder, Conservation chair for East Lake Washington Audubon, the pileated's survival was important enough to force developers in Redmond to set aside a specific number of trees of particular description to support its existence. This precedent may apply here.

He also mentioned the importance of the adequate native growth protection easement (NGPE) when planning a development as a permanent buffer. Maintaining a corridor for wildlife to move throughout the existing houses is vital. The current plan for Woodtrails shows the proposed houses forming a north-south barrier from the residual trees below and the existing neighborhood above the slope. This makes the proposed density of homes unacceptable. The Monteverde plan is vague regarding the buffer surrounding the wetlands and is isolated from the bluff below in the Wood Trails development plan.

Noting and addressing these issues by an unbiased third party is imperative to a full and fair environmental impact study.

Thank you.

Sincerely,



Kerri W. Scarbrough
15124 NE 198th St

cc: Concerned Neighbors of Wellington

EXHIBIT _____
PAGE ___ OF ___

Our Backyard List

Bird	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Bushtit	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0
Chickadee, Black-Capped	2004	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4					
Chickadee, Chestnut-backed	2004	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 4				
Creeper, Brown	2004	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 1
Crossbill, Red	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0				
Crow, American	2004	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 1
Eagle, Bald	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0							
Falcon, Peregrine	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0									
Finch, House	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 2
Flicker, Northern	2004	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Flycatcher, Pacific-slope	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0				
Goldfinch, American	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Goose, Canada	2004	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0				
Grosbeak, Black-headed	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Grosbeak, Evening	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Hawk, Coopers	2004	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Hawk, Red-tailed	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0						
Hawk, Sharp-shinned	2004	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 0	<input type="checkbox"/> 1						
Heron, Great Blue	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 3	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1
Hummingbird, Rufous	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Jay, Stellar's	2004	<input checked="" type="checkbox"/> 0	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 2
Junco, Dark-eyed	2004	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 2
Kinglet, Golden-crowned	2004	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 3				
Kinglet, Ruby-crowned	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 3				

Sunday, January 04, 2004

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Bird	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	De
Mallard	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Nuthatch, Red-breasted	2004	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 3
Owl, Barred	2004	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Owl, Western Screech-	2004	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1								
Pigeon, Band-tailed	2004	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0
Quail, California	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0					
Robin	2004	<input checked="" type="checkbox"/> 0	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1
Sapsucker, Red-breasted	2004	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Siskin, Pine	2004	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3
Sparrow, Song	2004	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 4				
Sparrow, Vesper	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0					
Sparrow, White-Crowned	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Starling, European	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Swallow, Barn	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0					
Swallow, Violet-green	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Swift, Vaux's	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0							
Tanager, Western	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 3	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Thrush, Hermit	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0						
Thrush, Swainson's	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Thrush, Varied	2004	<input checked="" type="checkbox"/> 0	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1
Towhee, Spotted	2004	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 4	<input type="checkbox"/> 4					
Vireo, Huttons	2004	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Vireo, Warbling	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0				
Warbler, Black-throated Gra	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Warbler, Townsend's	2004	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 1

Bird	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Warbler, Wilson's	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Waxwing, Cedar	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 0
Woodpecker, Downy	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1
Woodpecker, Hairy	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 0	<input type="checkbox"/> 0
Woodpecker, Pileated	2004	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 1	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2
Wren, Bewick's	2004	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 1
Wren, Winter	2004	<input type="checkbox"/> 0	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 0	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 1

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October 31, 2004

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Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

CITY OF WOODINVILLE
PLANNING DEPARTMENT

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I am writing to once again express my opposition to the proposed Woods Trails project. I live at 15104 NE 202nd Street with my wife and 5-year-old daughter. I am gravely concerned about the impacts the proposed project would have on our neighborhood.

My initial concern is with the traffic impact. Our home lies at the bottom of the slope of 202nd Street from 156th Street. The speed limit on the street is 25 mph. Unfortunately, because of the character of the street, most vehicles average approximately 35 mph as they pass our home. As it stands right now, there is a great deal of automobile traffic that passes our house each day. So much so in fact, that we do not allow our daughter to play in the front yard without our presence. The impacts on vehicle traffic on 156th St. and Woodinville-Duvall Rd. would be severe. The dip in the road is dangerous in good weather and can be impassible in bad. 156th Street is not capable of handling the amount of traffic that will come from this project, never mind the increase to be expected from the location of a Costco at the bottom of 240th St. The estimates of the traffic impact from the approval of the Woods Trails Project would dramatically increase the traffic within our neighborhood and negatively impact our quality of life.

I also believe that the environmental impacts on our citizens would be severe. I ask that you consider the big picture when considering these impacts. We are currently facing the building of the Brightwater Wastewater Treatment Plant approximately one mile from our neighborhood. In addition, Costco is planning to build a store on Route 9 opposite 240th St. SE (more commonly known as Golf Course Road), which will, without a doubt, increase the vehicular traffic on 156th Ave. NE, Woodinville-Snohomish Road, and SR 522. The loss of trees from the proposed Woods Trail Project as well as the increase in vehicular traffic will have a profound impact on both the air and sound quality for the people who live in the area. I can only imagine the impact the project will have on the wildlife in the area. Last week as I took my daughter to school, five deer crossed the street from my neighbor's yard and were headed back towards the woods at the bottom of the street. This was the second time in less than three months that I have encountered deer in the neighborhood. I have also had the pleasure of seeing owls, raccoons, rabbits, and a coyote. My neighbors across the street (the Clemesons at 15103 NE 202nd Street) have told us that coyotes and rabbits frequent their backyard, and a marten lived within the woods next door. Our daughter enjoys seeing rabbits in our yard in the spring and summer, and shares these tales with her classmates.

We believe the approval of these projects will undermine and decrease the community value of our neighborhood. Additionally, the traffic will have a negative impact on the safety of our streets, which are frequently used by children and bicyclists. We strongly urge the City of Woodinville to reject these projects due to the negative impact they would have. Thank you for your thoughtful consideration in this matter.

Sincerely,

Patrick M. Moriarty
Evelyn Champagne Moriarty
15104 NE 202nd Street
Woodinville, WA 98072-6451

cc: Concerned Neighbors of Wellington

Oct. 31, 2004

RAY STURTZ, PLANNING DIRECTOR
COMMUNITY DEVELOPMENT
CITY OF WOODINVILLE

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EXHIBIT 42
PAGE 18 of 21

NOV 1 2004

Dear Ray Sturtz, CITY OF WOODINVILLE
PLANNING DEPARTMENT

Wood Trails should only be R-1.
If it becomes R4 than EIS Traffic b. must
be built. Also all roads should flow
into them and not through Wellington.

Roads in many eastside neighborhoods
do not connect to one another for
traffic reasons.

Sincerely,
James Hartman
14908 N.E. 201ST ST.
Woodinville, WA. 98072-6467

NOV 1 2004

Fred Green**CITY OF WOODINVILLE**

EXHIBIT 42

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From: Cheri Bridges [cheribrid@yahoo.com] **PLANNING DEPARTMENT****Sent:** Monday, November 01, 2004 12:31 PM**To:** Fred Green**Subject:** copy of letter to City of Woodinville re: Wood Trails

Here is a copy of our letter to the City of Woodinville for the CNW
October 31, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We understand that growth is inevitable and that it is probably unrealistic to maintain our country living near town forever. There are places in the city where R-4 development is appropriate, but we don't believe that this is one of them.

We are particularly concerned about the destruction of the environment of the pilliated woodpeckers and the increased traffic on 156th. We do not understand how a sign stating that the road is for "local traffic only" is enforceable or going to prevent through traffic. The City has already identified several serious traffic problems such as the intersections at Hollywood, McCorry's, the trestle and 202 at hwy 522. We believe the now approved Costco site and this development of Woods Trails will create at least 3 more congested areas within the city. We urge the City to seek solutions to existing traffic congestion and at the same time control development so as to not worsen existing conditions or create new congestion problems.

Sincerely,

Terry and Cheri Bridges
16004 NE 195th Street
Woodinville, WA 98072
cc: Concerned Neighbors of Wellington

Do you Yahoo!?

Check out the new Yahoo! Front Page. - www.yahoo.com

11/1/2004

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Richard & JoAnn Block
19199 148th Ave. NE
Woodinville, WA 98072

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

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November 1, 2004

Ray Sturtz, Planning Director
Community Development Department
City of Woodinville
17301-133rd Avenue NE
Woodinville, WA 98072

Letter in Opposition to Applicant Phoenix Development of Wood Trails SEP 2004-055 and PPA2004-056

Dear Mr. Sturtz,

I am the president of a large healthcare organization and am familiar with the licensing process, at least, as it applies to the regulations of the Department of Health. As I understand the requirements of this phase of the process, we are to comment only on the environmental issues that are relevant to this application.

We have been residents of Woodinville for 8 years. It has met our family's needs in every way, until recently. With the coming of Costco, the possibility of a wastewater treatment plant and the agreement to let the homeless camp out in Woodinville it appears that our community is heading in a direction that will change the character that attracted us to this community. If this project is approved it will be the proverbial "nail in the coffin" for many residents.

The environmental concerns were addressed at the Scoping meeting October 28, 2004 by the Concerned Neighbors of Wellington. We expect that the environmental issues to be reviewed will include:

- Impact on local wildlife-Deer, coyote, mountain beaver and hundreds of other wildlife are dependent on the only running stream in the area which appears to be affected by this project. These animals add character to the Woodinville community and demonstrate the resident's sensitivity to maintaining a balance between growth and the natural environment.
- Impact on Traffic-It is critical to review the impact that adding 150 homes will have on the local streets. We drive our daughter to Leota Junior High every day. The 2 mile journey routinely takes 20-25 minutes round trip. Imagine another 200+ cars traversing 156th and Woodinville-Duval Road. Egress from 152nd Ave NE to

19199 148TH AVE. NE
WOODINVILLE, WA 98072

Woodinville-Duval Road, our only way out of our development, will be next impossible with the additional 200+ cars coming down from 156th to SR522.

EXHIBIT 42
PAGE 121 of 241

- Drainage-It appears that due to the soil consistency and the topography there may be a major impact on the environment and potentially could lead to lawsuits by affected parties. This needs to be studied. We are situated directly above the industrial complex as would this development. We have had substantial problems due to the clay soil with flooding and runoff. Fortunately, fifty percent of our one acre lot is natural growth and so the runoff is absorbed before cascading over into the industrial complex. The effects of clearing this natural growth and depositing four times as many homes and people onto the land, needs intense scrutiny by qualified professionals.

This project will change the character of the existing neighborhood and the environment substantially. Re-zoning from R-1 to R-4 will obviously alter the composition of the neighborhood. The recent approval for the dozen or so homes on the hill overlooking the Woodinville-Duval Road opposite 152nd Ave. NE is an example of a mass housing approach to planning at the expense of the natural environment. Those homes have virtually no property, are built on top of each other and are an eyesore on the horizon. If this application is permitted to move further in the process, it will send a message to other developers that the Woodinville Town Council is receptive to indiscriminate development. The problem is that the Council seems set on this 20 year King County Growth Plan which appears to encourage density building. In business plans change as they should in government. The King County Council just passed the CAO Why restrict the use of rural land yet in Woodinville R-1 to R-4 zoning becomes a routine occurrence? The only justification for this growth is to increase the tax dollars flowing into the City's coffers at the sacrifice of the "quality of life" for the existing property owners. We expect the Council will carefully evaluate this application for its impact on the environment and reject it on the evidence.

Sincerely,



Richard D. Block



JoAnn A. Block

cc: Fred Green, President- Concerned Neighbors of Wellington

sent

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MEMORANDUM

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PAGE 122 of 241

NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Date: November 1, 2004

To: City of Woodinville Planners
C/O Mr. Dick Fredlund

From: Marjorie Pomeroy
Resident, 19815 154th Ct., NE
Woodinville, WA 98072
425.483.9448

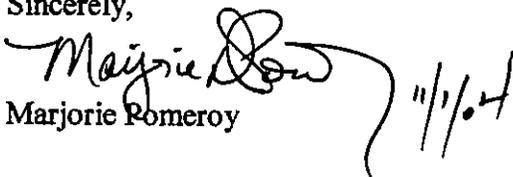
Re: Development Plans for the Wood Trails/Montevello Projects

I have lived in the Wellington/Leota neighborhood in Woodinville for almost 10 years and I am registered as a party of interest in the above stated project. I have concerns about the current plans for the Wood Trails/Montevello proposals in this well-established neighborhood and I write you today to express those areas.

- My number one concern--If the city of Woodinville allows a zone change from R-1 to R-4 as proposed by the Phoenix Development Group, this decision will lead to great and significant changes to our property values and the sheer character of our neighborhood. Increased human and vehicular traffic congestion would be a transformation for the worse if the approximately 136 additional homes that are planned are developed right next door. Please do not compromise the precedent rule of the R-1 zoning for this neighborhood by allowing this group to develop at their proposed R-4 capacity...the very character, peace, and establishment of this precious neighborhood that has attracted many families over the years would be forever ruined. I encourage you to maintain the scope of development in this neighborhood at the R-1 zone restriction.
- A concern & question--Is the Development Group only interested in developing the land if they can get the approval for the R-4 zone change?
- A concern & question--With potential development of any sort (regardless of the building zone level) is there a likelihood that those of us already living here would be forced to hook up to sewer because of the increased development? How much would this cost and would the city pay for those of us already established here?

Thank you for considering these questions and concerns as you deliberate how to effectively and thoughtfully allow expansion of development in Woodinville. These are great questions whose answers will have lasting impact on hundreds of families in Woodinville in the future. I submit these thoughts respectfully to your leadership.

Sincerely,


Marjorie Pomeroy

Fred Green

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From: Jack Riggs [j.riggs@comcast.net]

Sent: Monday, November 01, 2004 1:01 PM NOV 1 2004

To: rays@ci.woodinville.wa.us

Cc: Fred Green

Subject: Comment on Scope of EIS for Wood Trails

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Ray Sturtz, Planning Director, SEPA Official
Planning Department, City of Woodinville
17301 133rd Ave NE
Woodinville WA 98072

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

We strongly oppose a zoning change from R1 to R4 for Wood Trails. The negative impact to the environment is of great concern.

Homes built as densely as in this proposed development will erode this very steep and wooded area. Gone would be the wooded buffer against noise & pollution for the long existent Wellington neighborhoods. What about the various wildlife that are known to inhabit that area?

The streets that are planned as access to Wood Trails are not wide streets and the edges of the paving are already crumbling just with the local traffic we now have. There are **no** sidewalks or street lights! Safety is of great importance, as there are many school age children in these neighborhoods.

If there is a zoning change the potential for additional rezones "all around us" would also greatly impact the quality of life in this area. Would that mean the R1 properties on which we now reside could eventually be considered for rezone ??

We are counting on the City of Woodinville to have the EIS conducted by an unbiased group whose responsibility is to the "City" and not the developers. Thank you.

Sincerely,

Jack & Clarice Riggs
14952 NE 202nd St
Woodinville WA 98072

cc: Concerned Neighbors of Wellington

EXHIBIT _____
PAGE ___ OF ___

RECEIVED

NOV 1 2004

Dear Mark and Suzanne Johnston,

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund Project Planner at (425) 489-2757, ext. 2247 for additional information.

EXHIBIT 42
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Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Ray Sturtz
Sent: Tuesday, November 02, 2004 8:27 AM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Comment on Scope of EIS for Wood Trails and Montevallo

-----Original Message-----

From: Mark Johnston (MSDN) [mailto:markjoh@microsoft.com]
Sent: Monday, November 01, 2004 5:23 PM
To: Ray Sturtz
Subject: RE: Comment on Scope of EIS for Wood Trails and Montevallo

November 1st, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails and Montevallo

Dear Mr. Sturtz,

My wife and I attended the EIS scoping meeting on October 28th, 2004. I also spoke twice on record. I feel very uncomfortable speaking in public but I felt compelled to speak given the situation. At any rate, the meeting was handled with respect and with purpose. Well done.

Most of the faces that you and everyone else saw at the meeting are faces that are going to be around for a long time. All the people that attended the meeting

love Woodinville and love what it stands for: Good people, big lots, safe place for kids, lots of trees, and lots of wildlife. In 5 years, if another such neighborhood meeting was held, the majority of the faces you'd see would be these same faces, in our opinion. That's because of the passion for the community and the will to keep Woodinville, Woodinville. If 150 houses are added to the mix, we believe the most passionate and the biggest percentage of people showing up to neighborhood meetings will still be these same faces. However, many of the faces in Thursday's meeting will be gone if 150 houses appear. Of these departing faces, most of them will probably be parents of younger children. They will deem the neighborhood unsafe for their children or not the neighborhood they wanted for their kids and move to a different neighborhood, city, or state. Of the faces remaining, the majority will be older couples and couples without children or families that were fortunate that their cul-de-sac neighborhood, for instance, wasn't changed to a cut through street. So, the majority of the remaining faces will be older couples and couples without children. Then when they pass on, no one is remaining to carry the torch to keep Woodinville, Woodinville. Woodinville in the Wellington neighborhood and surrounding areas will be forever changed.

This is not because of new development in the neighborhood. It's because of a radical development that adds more than the size of the existing neighborhood in houses, to a smaller area mainly within the existing neighborhood. We believe it'll cause issues even beyond what the EIS studies. There will probably be issues related to schooling, buses, etc. So many negative effects can happen when adding such a large population to a given neighborhood. If it was a brand new neighborhood that had direct access to major roads, we believe, the issues would be lessened. There could (and probably would) still be issues but there would be less of them, in our opinion.

Our address is 19131 148th Ave NE. To give perspective, if 148th Ave NE was extended to the Woodinville Duvall Road, our house would be the closest one to Woodinville Duvall road (on the West side of 148th Ave NE).

We first heard about the scoping meeting the day before the scoping meeting was held. We were notified by a neighbor who posted the DS draft on our front door. We were shocked and amazed that the process got to this point before we were notified. Apparently, the reason why we were even notified is because the neighbor who posted the DS used to own property within the 500ft notification zone of the development. We believe in future correspondence, 500ft from the development is too narrow. We believe it should be 500ft from everywhere where there is a proposed change due to the development. So, if a development may involve 5 road changes, for instance, we believe all houses 500ft from any of those 5 road changes as well as 500ft from the development should be notified. This will help ensure that all affected people are properly notified.

We bought our house in September 2003. We moved from the Houghton neighborhood of Kirkland which is a very sought after neighborhood in Kirkland. We, however, wanted more property for our four kids (ages 1, 3, 9, and 11) to run around in, more bedrooms (we had 3) and live where it's safe for the kids to play. We felt our kids weren't safe playing at our Kirkland house because they could get hit by a car as well as sexual predators could be driving by every day.

The Kirkland street we lived on served the neighborhood as well but was also a cut street from Lake Washington Blvd to 108th Ave. So, we decided it was time to move. In our process of looking, we looked at Woodinville. My wife and I always liked Woodinville (she lived in Woodinville when she was young). Woodinville offered us many choices of properties and many cul-de-sacs. A community with lots of cul-de-sacs, is a highly desirable community in our opinion. We loved the country feel and warmth of Woodinville. We eventually found our dream house. It provided us lots of room, 1.5 acres for the kids to run around in, and lots of privacy. Our property is mostly woods which our kids love for exploring as well as the abundant wildlife that they were never able to experience before. Having breakfast and seeing bunnies or deer is a wonderful sight. We never knew a mountain beaver existed before we moved to Woodinville. If the 148th Ave extension is development, we will have a road in our side back yard. All of our windows in the back of the house face south so we would have headlights shining in our windows including our master bedroom. The privacy and safety reasons for moving into our Woodinville house would be mute.

If the 148th Ave cul-de-sac became a through street, all neighborhood kids would be negatively affected. Kids use the cul-de-sac to do many kid activities. The neighborhood would forever be changed for the worse.

Our driveway is approximately 150ft long and goes down from the cul-de-sac. The top of our house is about 40 feet high and it's roughly 30 ft below the cul-de-sac. So, our driveway is quite steep. During the big snowstorm over the winter, the neighborhood kids sled down our driveway with our kids and had a grand time. The steepness of the driveway is mentioned because there is similar terrain all around our house. In some places, the terrain is steep East to West and other places it's steep North to South or South to North. We believe the area the road is designated is too steep for a road.

Even if we are wrong with that statement, the slope down to our house is so steep that fears of erosion, landslide, and tree weakening are great.

I've been told that the city owns 30ft between our property and the neighbor's property. I'm also told that 45 feet is the minimum width to build a road. Given that, it would seem that if a road was put in, a line or two of trees on our property would probably have to be stumped because their roots would be damaged and they'd be at risk for falling down. So, if the city is allowed to stump some of our trees, that would give us even less privacy. We fear a landslide of dirt could cover our house (our garage is only 5 feet above the ground on the east side or trees will fall down due to being cut so close to our property. We feel a retaining wall would probably need to be built to help stop erosion or landslide. However, it's most likely that there is no room to also add a retaining wall. In order for the retaining wall to serve it's purpose it probably would need to be on our property.

We have issues with the proposed zoning change. We are not against changes. Changes can be good, bad and sometimes both. We believe the bad far outweigh the good in this case. One good is that more people are moving into the neighborhood and get to experience Woodinville. This also brings tax revenue to the city. One bad change is that it's mainly at the expense of the existing Wellington (and surrounding) neighborhoods. Adding 150 houses to a neighborhood that is already at or near the limits traffic wise (based on the

current road conditions) in some areas is dangerous. Even if roads are widened, dead ends are blown through, and cul-de-sacs are blown through, it's all for the benefit of the new houses. What was previously a grand neighborhood because of the dead ends and cul-de-sacs would be turned into cut through streets for the new houses. Notice that the new development has cul-de-sacs. That's the ideal configuration.

So, who loses? The existing neighbors that already have dead end streets or cul-de-sacs or neighborhood only streets that turn into cut through streets. Also, existing neighbors and new neighbors will suffer with bad traffic on various streets (156th, for instance).

Who wins? The new neighbors because they have cul-de-sacs and they drive through other people's neighborhoods and don't have anybody driving through theirs.

Now, there can't be all winners or no losers in every situation. But we believe the situation can be re-worked so that the number of "losers" is significantly reduced or eliminated. The biggest chance of doing this is to not allow that many houses to be added to the neighborhood. And the easiest way is to not change the zoning. Or at least change is slowly (R-2, for instance).

Changes to the neighborhood, and any other existing neighborhood, should be done slowly (percentage wise – existing houses verses new houses added). Preserving neighborhoods should, in our opinion, be a top priority. Total preservation isn't possible with this day in age of growth but throttling the growth such that radical changes aren't done, is better for the community, neighborhoods, environment, and wildlife.

A signed hard copy can be furnished upon request.

Sincerely,

Mark and Suzanne Johnston
19131 148th Ave NE, Woodinville, WA 98072
425-488-3633
markjoh@microsoft.com
ilovemoosie@hotmail.com

From: Mark Johnston (MSDN)
Sent: Monday, November 01, 2004 4:49 PM
To: 'rays@ci.woodinville.wa.us'
Subject: Comment on Scope of EIS for Wood Trails and Montevallo

Greetings,

Attached is a letter detailing comments my wife and I have pertaining to the scope of EIS for Wood Trails and Montevallo.

Note: Our daughters (Haley and Hannah Ljunggren) independently wrote letters on their behalf and my wife delivered them to your office a few minutes ago. I'm mentioning this in case their last name confuses you.

Congratulations on your grand daughter.

Please let me know if you have any issues with the document or have questions or need clarifications.

Sincerely,

Mark and Suzanne Johnston
19131 148th Ave NE, Woodinville
425-488-3633
markjoh@microsoft.com
ilovemoosie@hotmail.com

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NOV 1 2004

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

Dear Mr. Ray Sturtz,

please do not tear down our woods to make a road. My brothers, my sisters and I all play in the woods, when friends come over we play capture the flag in the woods.

Our woods are so important to us, these woods are the homes of many varieties of animals. The animals would no longer have a safe home.

If you tear down our woods my family and our pets are at risk. While we are playing a game a car could shoot on by and we could get hit or our dogs could get hit. This road would be right next to our house, a very busy road not 20 ft away from a house containing an 11 yr old, an 8 yr old, a 3 yr old, and a 1 yr old.

The whole reason we moved to Woodinville is so that we could be safer, have more land and several other things this road would be taking from us.

Please do not make us move away from my wonderful home. By having this road put in we would be unsafe.

All I did this summer was play in the woods with my family and friends. I love these woods and I love my home please do not take them away from me.

Your friend,
Haley

19131 148th ave
Woodinville, Wa 98072

p.s. this is my home address please
don't let it change.

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EXHIBIT 42
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NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Dear Mr. Ray Sturtz, Please don't build the road. It will mean moving for me and my family. We are still getting settled. The reason for that is because we moved because we couldn't go outside with out my mom being scared that we would get hit by a car. Plus I love those woods. All I did this summer was play in them, make games and explore. Please dont take my fun away. Also we could not ever find a house as good as this one. All my friends love my house. So do I. We spent months on my room. I feel so safe and am not scared at all. Please, Please, **PLEASE!** Dont build the road. Please. Dont make us move.

From Hannah Ljunggren
age 9 2004

19131
98072

148th ave ne Woodinville wa

RECEIVED
NOV 1 2004

EXHIBIT 42
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Dear Mr. and Mrs. Fry,

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Ivanhel@aol.com [mailto:Ivanhel@aol.com]
Sent: Monday, November 01, 2004 4:53 PM
To: Ray Sturtz
Subject: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz:

My husband and I have resided at our home in Wellington Hills for almost 30 years. I am writing as a member of Concerned Neighbors of Wellington regarding Phoenix Development's application for the rezoning of "Wood Trails" to R-4. I have attended the meetings sponsored by the company regarding the development.

My small dog and I regularly walk Wellington and the surrounding neighborhood. And, my grandchildren and I often walk and bike and ride trikes or pull wagons in the streets of Wellington. Traffic safety is a paramount concern of mine.

There are no sidewalks. There are not even decent shoulders in many areas of the neighborhood. Speeding is an ongoing problem. I have even encountered school buses speeding by the house. During rush-hour traffic, it has sometimes taken several minutes for me to get across 156 Avenue N. E. during my walks.

Thirty years has brought a lot of change to the neighborhood. There are many more houses here than were here when we bought our home in 1975. Northeast 198 Street did not even exist (nor did the streets and homes east of 156 Avenue Northeast). Even N. E. 201 Street, where we live, ended just a few houses west of ours. But, when homes and streets were added, the houses were zoned R-1. And that has not changed in 30 years.

But, in those 30 years, I have never seen any improvements to the roads. Indeed, in my walks, I have observed continued erosion in the surface of the road: numerous cracks, big holes, breaks in the surfacing. Additional traffic, the likes of which we have never imagined, that would be generated not only by the residents of housing proposed by Phoenix Development but by logging trucks; construction trucks of every description; UPS and FedEx trucks; additional school buses, etc. would quickly further erode the roads. Who's going to pay for that? Were they ever intended to handle the volumes of traffic that would be directed to them? I don't think so.

Another thing that has not changed in my thirty years of walking the area is the steepness of the terrain of the proposed "Wood Trails" development. I could not then nor can I now imagine so many houses being built on such steep terrain in so great a number and in such close proximity. Erosion is certain to follow just as it has at the Waste Management site in Woodinville and in the abhorrent Tanglin Ridge Development on Woodinville Duvall Road.

The owls, deer, rabbits, and birds still live in "Wood Trails." The trees provide a natural noise barrier between the residential and the industrial area. Certainly, they are pleasing aesthetically and they even provide recreation (witness the old treehouse that's still there that my son and his friends built some 25 years ago). Trees provide natural air filtration. They provide a barrier from the glare of industrial lights. And, they help provide a natural protection from erosion as does the vegetation that grows there.

And, the schools. What about them? Are any provisions being considered to assure that Wellington; Leota; and Woodinville High School can handle the additional load that will be placed on them in such a short term?

I applaud the City of Woodinville for issuing a Determination of Significance regarding the applications of Phoenix Development. I am wondering what development plan will be used for Montevallo. Will the City use the plan that was before the TRC?

Also, who will do the EIS and what controls will the City of Woodinville have over its quality and general content? Will the consultants who draft the EIS be responsible to the City and not the developer? Obviously, it is paramount that the City does not allow Phoenix Development to write an EIS favorable to themselves.

Finally, my husband and I would ask that the City of Woodinville prepare a document that responds to the scoping comments as recommended by the SEPA Handbook at Section 3.2.2.

Sincerely,

Ivan J. and Helen R. Fry
15317 N. E. 201 Street
Woodinville, WA 98072

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NOV 1 2004

CITY OF WOODINVILLE
PLANNING DEPARTMENT

November 1, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

Re: Scope of EIS for Wood Trails and Montevallo Developments

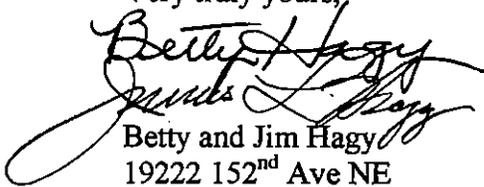
Dear Mr. Sturtz

We attended the informational meeting on October 28, 2004 and listened to many concerns and recommendations concerning the EIS to be prepared by the City.

We also, like many others who spoke, live in the Wellington area because of the "openness" associated with the existing area and we are concerned that wholesale cramming of houses onto lots with density credits and/or other somewhat obtuse methods will degrade the area.

You are encouraged to incorporate "at least" the elements we heard at the meeting and others that may have been offered in previous meetings/letters to which we are not aware.

Very truly yours,


Betty and Jim Hagy
19222 152nd Ave NE
Woodinville, WA 98072

RECEIVED

November 1, 2004

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

The EIS needs to consider 1) Lost value of home equity of existing neighbors in the economic study, 2) Woodinville comp plan and vision statement regarding variety of residences, open spaces, and preservation of character of existing neighborhoods, 3) The consequences of a full build out of the neighborhoods, 4) The impact of the Snohomish County Comp Plan on Wellington and the value of pending any further developments until that plan is final, and 5) there must be no conflict of interest in the completion of the EIS.

Economic Study: There are many aspects of economic cost. One of those is lost value of real estate. The DS stated there are 130 homes in Wellington. When you consider both sides of 156th, the neighbors that live on 156th and those in the neighborhoods to the immediate north and south there are over 275 homes. If the average value is \$375,000, we are talking about \$100 million worth of real estate. If you inaccurately only consider the 130 homes, that's still nearly \$50 million of property value. If we only saw a 4% of lost value that's still over \$4 million (or \$2 million if only considering the 130 homes). Many educated neighbors feel it will be much more than 4% evidenced by the rush "for sale" signs.

If the builder earns a profit of \$30,000 per home on 68 homes, his gross profit on Wood Trails would be about \$2 million. Yes a builder deserves a right to earn a profit in developing his land but not to the peril of the existing landowners. The needs of the many do outweigh the needs of one. It is inappropriate to take home equity from existing homeowners and transfer it to a builder in the form of a profit. This is theft and the courts would likely agree.

Some appraisers may argue that no matter what the value of existing real estate over time will still appreciate. Even if that is true, if our property only appreciates at only 3% rather than 7% in a given year, that would still result in a 4% lost value in equity. Based on 275 homes this would equal more than \$4,000,000 in lost equity. Regardless of how you calculate the number of homes or values used, the cost to existing homeowners will be enormous and surely far exceeds the need of a builders profit.

Variety: According to H-1.1 of the comp plan the city mandates a variety of lot sizes. If you have three balloons, red, green and blue, you have a variety. If you lose the green balloon, you have lost part of your variety. The R-1 zoning and unique wide open lots make up part of the variety of Woodinville residences. By allowing Wood Trails as R-4 and bringing sewer to Wellington, the variety our neighborhood brings to

Woodinville will be lost. Further, **the Woodinville vision statement clearly identifies the need to preserve existing character and open spaces.** The R-1 zoning and current character of Wellington contribute to the open spaces clearly referred to in the Woodinville vision statement and comp plan.

Full Build Out: One aspect the EIS must consider is a full build out of the Wellington and Leota neighborhood. Once sewer is brought up the hill and zoning is allowed to change on the Wood Trails and Montevallo parcels, there will be several more requests for more developments and for existing homeowners with access to sewer to subdivide their lots. The city will not be able to deny the next developer permits until greater infrastructure can accommodate it. Who will pay for the infrastructure? There currently are no mitigation offers by the developer or plans by the city to accommodate the financial impact of widening 156th, redesign of the intersection at 156th and Woodinville Duvall road, or the intersections at 195th and highway 9 which already takes 4-6 rotations to go through the intersection. Regularly when the lights changes to flashing red for a train, the intersection backs up to the storage facility intersection.

Snohomish County Comp Plan: In regards to the plans for Wellington Hills Golf Course by Snohomish County, the residents of Woodinville and particularly Wellington will be significantly impacted by their proposed land use changes presented in October of this year by Snohomish County. It would be ludicrous to consider a change to Wellington before we know the final land use designation in the Snohomish County comp plan and its affect on neighborhoods. **Woodinville should not permit Wood Trails, Montevallo, or any other sub-division in the Wellington (156th Avenue NE) corridor until the impact of industrial development of the golf course property can be fully assessed as an exacerbating circumstance in conjunction with the additional infrastructure demands proposed residential sub-divisions will bring.**

EIS – No Conflict of Interest: It is imperative that the EIS is completed without conflict of interest. That is, the firm that completes the EIS should not be tied in any way, either now or in previous contracts to the developer. Neither should they be reporting directly to the planning department. According to the planning department, most likely the firm contracted for the site work completed so far at Wood Trails would be allowed to complete the EIS for the developer because it would be cheaper for the developer. Who cares! We want it done right! Not at a discount by someone who answers to the developer. Regardless of who the firm reports to, their fee is paid by the developer. **The firm completing the EIS should not report to the developer and must not have ever been under contract by the developer.**

Thank you for your consideration of these points.

Sincerely



Fred & Pam Green
15218 NE 198th St.
Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

RE

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

**City Planning Division
Attention: Dick Fredland
Ron Hodge 15022 N.E. 201 St. Woodinville**

I have a concern about the Woodland Development project that I believe that hasn't been addressed yet. The trees that are in the project area supply a big wind buffer to our homes. When we have any big wind storms a few trees come down but the brunt of the storm is always taken on the west side of the hill where the project will be. I think the trees there are vital to our protection. Over on the golf course on the green of the third hole there's been a clear cut right up to twenty feet of the green. The wind now will blow you right off. You can hear the noise from the freeway. The smell from the Campbell's soup co. is 5 times stronger now. I know the housing project will not provide us with the wind break we now have and the noise level will increase. I'm in construction myself and I'm all for development but, changing r-1 to r-4 going through our street is not going to help our neighborhood. I wouldn't have a problem with r-1 to keep the same life style we are accustom to.



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NOV 1 2004

Dear Ms. Lease

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plan for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

-----Original Message-----

From: Ray Sturtz
Sent: Tuesday, November 02, 2004 8:33 AM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Comment on Scope of EIS for Wood Trails and Montevello

-----Original Message-----

From: kelsan@att.net [mailto:kelsan@att.net]
Sent: Monday, November 01, 2004 10:18 AM
To: Ray Sturtz
Cc: Fred@GreenFinancial.com
Subject: Comment on Scope of EIS for Wood Trails and Montevello

November 1, 2004

Ray Sturtz, Planning Director, SEPA Official

Planning Department

City of Woodinville

17301 133rd Ave NE

Woodinville, WA 98072

Dear Mr. Sturtz,

My family lives off 156th, down NE 203rd Place, so we are east of 156th. Wood Trails and Montevello will significantly impact traffic. If you double the number of households off 156th, how will I ever make a left turn? There are some times of the day, now, when I have trouble getting out on 156th. I'm usually heading to downtown Woodinville to put my money in the city coffers. If we cannot, with ease, get to the shopping areas downtown, we'll find other ways to spend our money.

In addition, the intersection at 156th and Woodinville-Duvall road has already declined in its good service. We used to get a green light when there was no traffic on Woodinville-Duvall Road. Now, we have to sit through a complete (2-minutes?) traffic cycle, even when there's no traffic on W-D Road. Adding the traffic from the gas stations, the intersection seems to be more congested and more dangerous.

Also, what is Woodinville going to do about the Costco traffic? I've read that they expect most traffic to use the Woodinville-Snohomish Road. Not true. If you're driving from east of Woodinville, Duvall, Avondale, you name it, shoppers will find 156th. By putting the traffic light at 240th for Costco, you're inviting drivers to use 156th. I know that Costco and Costco's intersection lie in Snohomish County, but you must not be living in a bubble, thinking no one will find 156th.

I do have another question. What are you doing with the treed area east of the water tower? Don't you also expect that to go under development? What rezoning is the developer asking for? When studying the EIS for Wood Trails and Montevello, you haven't even included this impact on the traffic. With the addition of these households, will the net effect be, say, 3 TIMES the current households?

I know this sheet is for commenting on the Wood Trails and Montevello EIS. However, there are so many other developments going on that deeply affect the traffic, I certainly hope your job is to take all of them into consideration. To reiterate, my areas of concern are: 1) the doubling of households off 156th and the traffic; 2) the Woodinville-Duvall Rd and 156th intersection; 3) the addition of hundreds of cars per day driving through to Costco; and 4) the development we expect east of the water tower.

I would appreciate a response to our concerns.

Sincerely,

Susan Lease

8024 242nd St SE

Woodinville, WA 98072

cc: Concerned Neighbors of Wellington

EXHIBIT 42
PAGE 41 of 241**Catherine Borghes**

From: Catherine Borghes
Sent: Monday, November 01, 2004 8:34 AM
To: 'Pete@dollarseattle.com'
Subject: FW: Wood Trails Development

Dear Mr. Symington,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS.

Sincerely,

Dick Fredlund

Dear Dick,

Most of this letter was sent to you in August but I am sending it to you again because the e-mail I sent to you last week apparently was not received as I did not hear my name mentioned at the EIS meeting last Thursday night. I agree with all of the people who got up and spoke and I am more convinced than ever that the proposed Wood Trails development should never be approved. Also, I have serious reservations about the proposed Montevello development and a thorough EIS should be required for this area too. I think we have some very serious traffic problems evolving very soon with the addition of the CostCo store north of town. This is going to bring a lot of traffic to 156th N.E. This is a street that is already very heavily traveled with very little shoulders and no sidewalks of any kind. It was not designed for this additional development. Below is my original which still applies. Thanks!

I just wanted you to know that I am very concerned about this proposed development and that I would like to be kept informed of these projects activities. I have lived at my present address, 15410 N.E. 198th St., for 25 years have already seen this street extended once. This extension has brought increased traffic, noise and vandalism. People always drive too fast down this street and I am surprised that there hasn't been a serious accident.

This proposed development is completely contrary to our present community and will certainly jeopardize its continuation. An R-4 zoning is not compatible with our present community and will impact our community with further re-zoning as sewers are added. When we voted to be a City we were told we would be protected and our neighborhood would be kept the same but instead it has lessened our recourse. This development which is being proposed under the cloak of the growth management act is misusing this act and its intent. It was not passed to adversely affect existing communities. This property development company is not responsible and is only doing the minimum to get a permit. The land it is building on is questionable, the high density is ridiculous, it will destroy a natural noise barrier and greatly increase traffic in what is supposed to be a safe neighborhood.

When the developer was asked to explore alternatives to the N.E. 202nd and N.E. 195th St. they simply substituted N.E. 198th so they would not have to spend any improvement money. I attended a meeting on August 17th and it was indicated that there were at least two alternative access points and they just happen to be on a northern piece of property that was originally part of the development but now they are waiving this 12 acre parcel of land. I wonder why? One was from the North and one was from the West. I suspect there may be other alternative accesses, such as the South, but they will not consider anything else unless the City of Woodinville tells them to. If after a thorough and fair EIS has been performed, you feel you must approve this development, at least maintain the zoning at R-1 and make them provide alternative access roads and not use N.E. 195th, 198th, 201st and 202nd. This is our community and we want to keep it as is and keep it as safe as possible. Also, we do not want to see our property values decline with this type of high density housing. I believe they are fraudulently misrepresenting the type of home that will be built. They showed pictures of homes over 3000 square feet and put forth price ranges of \$450,000 plus, but when they were pressured for an answer they said it will be up to the builder. So I think it is very evident that they intend to build as many homes as possible and they will probably be in a lower price range.

11/01/2004

Since I am already writing you I would like to request that Speed Bumps be installed on N.E. 198th St. I am not asking because of the proposed development but because we already need them.

Thanks you for your time.

Sincerely,

Peter G. Symington
15410 N.E. 198th St.
Woodinville, WA 98072

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Dear Ms. Tollifson,

Thank you for your email concerning the subject Scope of EIS for SEP2004-055 and PPA2004-056 Preliminary Plat for Wood Trails. Your concerns will be given careful consideration when determining the scope of the EIS. You may contact Dick Fredlund, Project Planner at (425) 489-2757, ext. 2247 for additional information.

Sincerely,

Ray Sturtz,
Community Development Director

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

-----Original Message-----

From: Kellie Tollifson [mailto:ktollifson@verizon.net]

Sent: Monday, November 01, 2004 6:52 AM

To: Ray Sturtz

Subject: Wood Trails

Dear Mr. Sturtz,

Attached is a letter from me regarding Wood Trails.

Thank you,

Kellie Tollifson

Wildlife Species Observed in the Wellington Neighborhood
1997-2004

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Pileated Woodpecker
Downy or hairy woodpecker
Sharp-shinned or Coopers hawk
Northern Flicker
Screech owl
Barred owl
American goldfinch
Bald eagle
Great blue heron
Evening grosbeak
American goldfinch
Wood duck (breeding)
Red-tailed hawk (breeding)
American kestrel
Merlin
Western tanager
Kingfisher
California quail
Red-breasted nuthatch
Black-capped chickadees
Grouse

Mountain beaver
Western jumping mouse
Douglas squirrel
Seven-lined chipmunk
Black-tailed deer
Beaver
Wild rabbit
Possum
Raccoon
Coyote
Muskrat
Big brown bat
Little brown bat

Pacific salamander
Rough-skinned newt
Pacific tree frogs
Northern red-legged frogs
Western red-backed salamander
Northwestern garter snake
Northern alligator lizard

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

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November 1, 2004

NOV 1 2004

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PLANNING DEPARTMENT

Mr. Ray Sturtz, Planning Director
Mr. Dick Fredlund, Planner
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

Subject: Comments on the ~~EIS Scope~~ for Wood Trails, Montevallo and 11.8-Acre
Future Development Sites

These comments concern the scope of the EIS for the proposed Wood Trails development and associated parcels proposed for residential development. The comments are submitted on behalf of the Concerned Neighbors of Wellington (CNW). CNW consists of a group of over 150 Woodinville residents and property owners living in the northeast area of the City commonly known as the Wellington neighborhood.

As described in the City of Woodinville's Determination of Significance (DS) Notice, the City has requested that the applicant, Phoenix Development, prepare an EIS for the purpose of evaluating potential environmental impacts associated with the development of three separate parcels/sites:

- The 66-lot plat identified as the Wood Trails residential development (Wood Trails).
- An 11.8-acre parcel located north and adjacent to the Wood Trails development site.
- A 16.5-acre site located adjacent to 156th Avenue NE that has been identified as the Montevallo residential development (Montevallo). Based on the limited information provided by Phoenix Development to-date, the Montevallo development will consist of 67 to 70 individual residential lots.

According to the DS Notice, the applicant has proposed that all three of the sites be rezoned from the existing R-1 residential zoning designation to an R-4 designation.

At the public scoping meeting on October 28, 2004, the City informed the audience that the 11.8-acre parcel located north of the Wood Trails development has been removed entirely as part of the Proposed Action for this EIS. Based on the City's comments at the scoping meeting, we understand that this parcel is no longer included in the rezoning request, nor can be used to transfer any density credits to the Wood Trails or Montevallo developments. The City stated that (1) any future land-use actions associated with development or rezoning of the 11.8-acre parcel would initiate a separate application and SEPA review process, and (2) at this point in time, the parcel has no direct bearing on the

P.O. Box 2934, Woodinville, WA 98072-2934

Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Wood Trails and Montevallo SEPA review process and EIS. The City also mentioned that Phoenix Development has, or intends to, submit a request for a Boundary Line Adjustment (BLA) for the 11.8-acre parcel. Specific details regarding the BLA have not been provided to CNW. However, the BLA will create one or more additional parcels that could be used for either future residential development at the site, or to transfer the density credits from the new parcels to another proposed development site. The BLA for the 11.8-acre parcel is part of the overall Proposed Action as stated in the DS Notice, and should be evaluated in conjunction with development at the Wood Trails and Montevallo sites.

As noted in the City's DS Notice, the proposed developments would more than double the numbers of residential units in the Wellington neighborhood. CNW has been evaluating the adverse impacts the proposed developments would have on the following:

1. The existing characteristics of the affected neighborhood;
2. The existing environmental conditions at the proposed development sites and surrounding areas;
3. Future development of other parcels in the Wellington and Leota neighborhoods currently zoned as R-1;
4. The existing supporting infrastructure, many elements of which are already deficient, and with no known funding mechanisms for required mitigation.

The high density, urban character and remote location of the Wood Trails site causes significant adverse impacts due to its unsuitable site conditions, unacceptable access options, and incompatibility with existing and future land use in the neighborhood. Likewise, the high density and urban character of the Montevallo site also causes significant adverse impacts to existing and future land use in the Wellington area.

The applicant's overall goal is to develop the "buildable" portions of the sites to actual physical densities ranging from R-6 to R-8+. This would be accomplished by using a combination of clustering and the possible transfer of density credits between various parcels owned by the applicant, resulting in significant long-term implications to future residential development throughout the Wellington and Leota neighborhood areas. Proposed development of the Wood Trails and Montevallo sites would likely initiate a trend to develop or redevelop other parcels in the Wellington and Leota neighborhoods at greater densities than currently exist, or planned for in the Woodinville Comprehensive Plan. This is in direct contrast to many of the area-wide planning considerations that are already in place or being updated. By allowing development in this area at actual densities of R-4 and greater, the overloaded infrastructure currently supporting the Wellington/Leota area, such as arterial roads, would need significant improvements. However, funding for infrastructure improvements of this magnitude has not, to our knowledge, been identified or secured.

Given that the proposed developments would have a significant overall adverse impact on the existing neighborhood, it is our opinion that the EIS should:

1. Be completed by the City in a fair and objective manner.
2. Include a set of alternatives that considers a wide-range of options for residential development at the two sites.
3. Be comprehensive in scope, and include a thorough well-documented analysis of each potentially effected element.
4. Include a complete analysis of potential indirect impacts, cumulative impacts, and unavoidable adverse impacts for each of the elements and each of the alternatives.
5. Evaluate the long-term impacts to future development in the Wellington and Leota neighborhoods.
6. Be completed in a manner such that all analyses and conclusions are fully documented, verifiable, and meet or exceed the standards commonly employed to evaluate comparable sites that involve long-term planning issues of similar breadth and magnitude.

The following sections of this letter summarize our specific comments concerning the scope of the EIS. For organizational purposes, we have grouped our comments for the scope of the EIS into three general topics: (1) general EIS/SEPA issues and concerns, (2) specific elements of the EIS, and (3) specific issues associated with the identification and development of alternatives for the EIS analysis.

General EIS/SEPA Issues and Concerns

1. We understand that the City is planning to have the applicant's design engineer prepare the EIS. This approach invites a large degree of unwarranted partiality to the EIS process. We understand that the City has retained a qualified consulting firm to review the EIS. However, to maintain a high level of objectivity and appearance of fairness to avoid any real and/or perceived conflict of interest, either City staff or a "neutral" third party consulting firm working on the City's behalf should be responsible for scoping and preparing the EIS. The EIS should not be prepared by any consulting firms that are, or have been, under contract with the developer.
2. CNW recommends that in scoping and preparing the EIS, the City should coordinate with other agencies, municipalities and public entities that might be effected directly or indirectly from the proposed developments. As many of us have become aware in recent months, there are multiple comprehensive long-term planning activities and regulatory review processes currently underway or in-place. These activities could have significant impacts on the Wellington neighborhood and surrounding areas, or in turn would be effected by the proposed developments and rezoning request. Examples include: Woodinville Water District's preparation of a new Comprehensive Sewer Plan; Snohomish County's

update of their Comprehensive Plan (which includes development of the Wellington Hills Golf Course property); the Northshore School District's Capital Facilities Plan; the City's review and approval of amendments to the City's environmentally sensitive areas regulations; and the City's Capital Improvement Plan (CIP).

3. The City should consider evaluating the applicant's rezone request and associated transfer of density credits separately and on its own merits relative to long-term impacts to the entire Wellington/Leota neighborhoods and supporting infrastructure. This rezone request presents a wide-range of long-term planning and design issues which extend beyond the specific aspects of the Wood Trails and Montevallo residential development sites. The EIS should include an analysis of the direct and indirect cumulative impacts that would result from the approvals of these projects. The projects create the precedent of allowing for R-4 (or greater) residential development in the entire Wellington/Leota residential neighborhood currently zoned as R-1. Changes that would be needed in the City's Comprehensive Plan and CIP should be identified, along with potential sources of funding that would be needed to provide the associated infrastructure required to accommodate the significant increase in the residential population.
4. We request that the City consider development of a Wellington/Leota neighborhood plan that evaluates all of the long-term planning activities currently underway for this area and the immediate vicinity. The neighborhood plan should include: (1) an assessment of current infrastructure deficiencies such as arterial roads; (2) an evaluation of additional long-term impacts posed by likely future development scenarios; and (3) identification of realistic mitigation measures and funding sources. This type of neighborhood plan would allow the City to evaluate the impacts posed by developments such as Wood Trails and Montevallo within the context of overall planning considerations. The neighborhood plan should be undertaken and completed before the City decides on whether or not to approve the Wood Trails and Montevallo residential developments and the associated rezoning request(s).
5. CNW is concerned about the possibility that the anticipated scope of the EIS will be limited to too few alternatives of limited scope. The applicant and the City have apparently decided to complete one EIS that covers: (1) both the rezone and associated transfer of density credits for the individual sites; (2) the specifics of the proposed Wood Trails development; and (3) the specifics of a second development site, the Montevallo site. The Montevallo site is not geographically contiguous with the Wood Trails site, but is apparently associated solely on the basis of having the same developer applicant. Given the available information for the proposed development sites and our understanding of SEPA requirements, developing a short list of reasonable alternatives will be a relatively arduous process. Limiting the list of alternatives makes it extremely difficult to fully evaluate the multiple combinations of rezone requests, transfer of density credits requests, and the various specific site development options and associated constraints for each of the sites. CNW strongly encourages the City to create a

range of reasonable alternatives that covers all of the design options, zoning options, environmental costs, potential degradation of neighborhood quality, and infrastructure impacts options associated with each project site both individually and collectively.

6. The City should consider economic issues when evaluating alternatives for the various zoning, density credit transfer, and site access scenarios. These issues would include: (1) the likely loss in value of existing residential homes located adjacent to the proposed developments and along the proposed access roads; (2) costs to provide and maintain access during site construction activities without degrading current road conditions, or creating or exacerbating safety issues, or impairing current use of the neighborhood streets by existing residents; and (3) long-term costs to upgrade the existing infrastructure. The City should consider the merits of purchasing the Wood Trails property to maintain the buffer between industrial and residential areas, and to minimize long-term costs to the City that would result from sharing the burden of mitigating or remediating infrastructure problems associated with site access, site stability, and site access issues.
7. We are concerned that during this EIS scoping comment period, there has been no specific description of possible land use for the 11.8-acre parcel, although the applicant's rezone request originally included this parcel as noted in the DS. As stated previously, the BLA for this parcel is part of the overall Proposed Action. For SEPA purposes and plat review purposes, it should be evaluated as part of the EIS analysis. A more-complete description of the project for this parcel and the Proposed Action that includes the BLA element is needed so we can provide specific comments concerning this issue. There does not appear to be a good reason for effectively creating a new parcel through the BLA, given the limited available information and the apparent motivation behind the BLA request to develop the Wood Trails and Montevallo sites. Because Phoenix Development originally included this parcel in the rezone request, it is likely that they will return to evaluating this site to either develop portions of the site, or to transfer the density credits to one or more nearby sites. This probability requires that the EIS analysis includes the 11.8-acre parcel as potential future R-4 residential development to evaluate direct, indirect and cumulative impacts.
8. CNW is concerned about the lack of currently available information for the Montevallo site that will be required to complete the EIS. Based on Triad Associates' brief presentation at the October 28 scoping meeting, we understand that Phoenix Development will submit an application for the Montevallo site in the very near future. The timing of the application submittal by Phoenix Development to immediately follow the end of the EIS scoping period does not provide the public with some "hard" information concerning the Montevallo site. Without the project application information, providing site-specific comments within the timeframe of the EIS scoping comment period is not feasible. We are basing our comments on (1) a preliminary site plan that the applicant provided the City sometime within the last two months, (2) the limited information that Phoenix Development and Triad Associates provided during an open-house type

meeting in August, and (3) the limited information that Triad Associates provided at the October 28 public scoping meeting. The knowledge that the application for Montevallo will be submitted in the near-future appears to warrant an extension of the EIS scoping comment period. We believe the EIS scoping activities should cease until the applicant has committed to specific project plans for the Montevallo site. This would provide the public an opportunity to submit informed comments about the entire Proposed Action for the EIS.

9. The City should prepare a formal scoping document that summarizes the scoping comments and describes the scope of the EIS that will be prepared. The scoping document should include: (1) the elements that the City has identified as needing a detailed analyses of potential impacts; (2) the rationale for excluding specific elements from the EIS analyses; (3) a description of the various alternatives that have been developed for the EIS; and (4) how the selected alternatives encompass the range of development scenarios for the two sites and provide for a complete analysis of long-term impacts to the Wellington/Leota neighborhood areas.

Elements of the EIS

The DS Notice identified three general areas/elements that the City has identified as needing further analyses in the EIS: impacts on neighborhood, traffic and stormwater drainage. CNW agrees that these three areas should remain key issues for development and preparation of the EIS. However, it is our opinion that (1) there are other specific issues associated with neighborhood impacts, traffic and stormwater that do not appear to be clearly identified by the City, and (2) there are additional elements of the environment that would be significantly impacted that were not identified in the DS Notice. The following list summarizes our comments concerning elements that should be addressed during development and preparation of the EIS.

The Wood Trails site has been known and considered to be one of the most challenging and difficult sites for development within the City of Woodinville due to its steep and unstable slopes, difficult access, critical areas, and acknowledged buffer between adjacent industrial and residential areas. Based on the limited available information, the proposed development for the Montevallo site does not appear to have the quantity and magnitude of site constraints and access issues as the Wood Trails site. For ease of discussion, the following discussion of the EIS elements pertain to both of the sites unless noted otherwise.

1. Earth - Subsurface Site Conditions: The geotechnical analysis submitted as part of the Wood Trails application package is completely inadequate to address many of the environmental and design issues associated with development of this property as planned. Gaining a thorough understanding of subsurface conditions beneath each of the sites is needed to complete the level of analyses appropriate for the EIS. For the Wood Trails site, a well-designed and documented exploration program is needed to: (1) obtain an understanding of the subsurface

soil and groundwater conditions at depth across the entire site; (2) evaluate geologic hazards (see below); and (3) evaluate site development constraints. At a minimum, explorations should extend to appropriate depths to provide for: (1) the assessment of soil characteristics below depths anticipated for excavation and grading cuts; (2) a thorough slope stability analysis; (3) identification and characterization of existing or potential seasonal perched water table conditions; and (4) measuring the depth and thickness of the water table aquifer.

2. Earth - Geologic Hazards: The Wood Trails site consists of steep and extremely steep slopes. Most of the Wood Trails site is located in a high erosion hazard area as depicted on critical area maps. A complete analysis of geologic hazards, particularly landslide hazards, erosion hazards, and seismic hazards, should be included in the EIS for both the existing and developed conditions. Results from the seismic and fault studies actively underway for the proposed Brightwater Treatment Plant studies should be incorporated into the analysis of seismic risk and associated slope stability analysis. Erosion hazards, sediment transport, and landslide hazards both on and off the site should be evaluated for site construction activities and likely post-development activities. Steep slopes and other geologic hazard areas need to be clearly defined and/or delineated to accurately determine their limits and assess the net buildable area and ultimately the actual density.
3. Earth - Construction-Related Impacts: A complete analysis of potential construction-related impacts associated with soil erosion, geologic hazards, and water quality should be completed. This is particularly critical for evaluating potential on-site and off-site impacts at the Wood Trails site given the current limited site access, the presence of numerous ravines and steep slopes, and the presence of developed industrial facilities located at the base of the slope. Methods for clearing, excavating, hauling, and protecting the estimated 110,000 cubic yards of earthwork at the Wood Trails site should be evaluated. There are numerous on-site and off-site impacts from earthwork of this magnitude. Estimates and locations of soil cuts and fills should be determined for the Proposed Action and the alternatives to fully address the construction-related impacts. The limited access and site topography will necessitate the setting up of various staging areas for allowing heavy equipment to clear, strip and grade the various "isolated" residential clusters spread across areas of the site that are bordered by ravines and steep unstable slopes. Setting up the needed staging and working areas will undoubtedly require that clearing and grading activities extend beyond the developed "footprints" shown on the site maps. The EIS should also include an evaluation of potential impacts to the existing stormwater conveyance systems in the industrial area resulting from the transport of large quantities of sediment-laden runoff generated during site construction and stabilization.
4. Groundwater Recharge: The existing undeveloped nature of the property sites provides a significant amount of groundwater recharge. A thorough analysis of groundwater recharge, including a water balance analysis comparing the existing and developed conditions, should be completed to evaluate hydrologic impacts. Changes in groundwater recharge would impact intermittent or perennial

discharge to on-site and off-site tributary drainages, discharge to on-site and off-site wetlands, and base flow for Little Bear Creek.

5. Stormwater Control, Conveyance, Treatment and Discharge: The EIS should include a complete analysis of (1) the existing and developed surface water conditions, and (2) the proposed stormwater runoff collection system. The significant increase in impervious surfaces at both of the sites will result in significant increases in stormwater runoff. Assuming that final grading at the Montevallo site would generally follow the existing topography, the resulting stormwater runoff would likely be routed to the western portion of the site and adjacent to an existing wetland. The EIS should evaluate impacts to wetland hydrology and downgradient properties caused by changes to runoff volumes and rates, and associated fluctuations in the water table. There are numerous technical issues and concerns associated with the proposed stormwater conveyance and discharge system currently proposed for the Wood Trails site. These include: construction and operation of the proposed very large detention pond located near the base of a very steep slope and immediately upgradient of existing industrial facilities; impacts to maximum flow capacities for the downstream industrial stormwater conveyance system from the detention pond outlet to the final discharge point adjacent to Little Bear Creek; use of temporary facilities for stormwater control and treatment during site construction activities; potential temporary and/or long-term impacts to slope stability, soil erosion, base groundwater flow, seeps, and surface water flows and sediment transport in the numerous ravines.
6. Environmental Health: The current undeveloped characteristics of the Wood Trails site provide a needed buffer between the industrial and residential areas for minimizing ambient noise emanating from industrial activities. Development of the Wood Trails property will significantly increase the ambient noise levels and detectable industrial odors. Overall ambient air quality could also be degraded by the removal of a large area of relatively mature forest. The EIS should identify and analyze impacts to existing noise levels and air quality in the adjacent neighborhoods. From the other perspective, the EIS should analyze the impacts to industrial operations in response to future complaints by the Wood Trails residents regarding noise, odor, and other potential environmental health issues if the buffer is removed. Noise impacts related to construction activities at the sites should also be included in the EIS analysis.
7. Wildlife Habitat: Numerous sitings of listed species, including endangered or threatened bird species, have been noted by nearby residents at the sites and in the immediate vicinity. The Wood Trails site provides an extensive area of undisturbed wildlife habitat, and provides a key wildlife corridor for migratory animals in Woodinville and neighboring south Snohomish County. The clear-cutting and development of the sites will destroy this wildlife habitat. A detailed investigation and analysis of threatened or endangered species and existing wildlife habitat should be completed by a qualified wildlife biologist for the purpose of completing the impact analyses.

8. Scenic Resources and Visual Aesthetics: The City recognized the importance of buffering the North Industrial Neighborhood and the adjoining residential area to the east with Resolution No. 093. The resolution clearly identified the “natural slope barrier between the industrial neighborhood and the adjoining residential area to the east”. The resolution further stated that a low-density residential designation shall be retained between the buffer and 148th Ave NE due to steep slope sensitive areas. The buffer was deemed important to separate/protect industrial uses and effects from residential neighborhoods. The intent of the resolution is clear, and any development of this site must be consistent with it.

The clustered effect of lots in Wood Trails and Montevallo sites would physically look like R-6 to R-8+ residential housing and would visually and aesthetically conflict with the existing neighborhood character. For example, the Wood Trails lots are arranged like “row-housing” along the eastern boundary, and the result is the abutting one-acre homes will have 3-4 neighbors each. There is no visual buffer proposed to maintain the level of visual privacy that exists throughout the Wellington neighborhood.

9. Existing Land Use Plans, Zoning, and Housing: The proposed developments would be isolated from other similar moderate-density developments located elsewhere in the City. However, the extension of sanitary sewer service eastward from this development will likely result in higher density redevelopment nearby, and the cumulative effects and impacts of this increased density need to be identified as a part of this project. The development as currently proposed is incompatible with both the existing neighborhood (zoned R-1) and the adjoining industrial area. Potential impacts to offsite areas, including the industrial properties located immediately downgradient of the site, have not been addressed.

Higher density housing such as that proposed for the two sites should be located close to main arterial/highway access, and not at the extreme end of dead end streets in low density residential areas.

Because of density credit transfers and clustering, the proposed developments would actually result in “as-built” densities classified as Moderate Residential Density in the City’s Comprehensive Plan and Municipal Code, consisting of R-6 to R-8 density patterns.

10. Existing Neighborhood Character: The City’s Comprehensive Plan provides a number of Policies and Goals to protect and preserve existing neighborhoods. The following are among the Policies and Goals that should be used to ensure consistency with the Comprehensive Plan.

- LU-1.1 Preserve the character of the existing neighborhoods while accommodating projected growth over the next 20 years
- LU-3.2 Preserve the existing natural environment of the neighborhoods
- LU-5.7 Protect geologically hazardous areas

- H-1.1 Allow for a variety of housing types and lot sizes
- T-2.1 Require new development to pay its fair share for transportation improvements

Impacts to the existing Wellington / Leota neighborhood need to be evaluated. The relatively high-density Wood Trails and Montevallo developments contrast sharply with the existing R-1 rural residential character and the urban character of the high-density proposal. Larger setbacks and separation of homes; larger yards with lawns, trees, and natural vegetation; paved streets with gravel shoulders and no sidewalks characterize the existing residential area. The proposal is characterized by minimum setbacks and separation of homes, small yards with minimal landscaping, paved streets with curb, gutter, sidewalk and on-street parking.

For example, the clustering of 66 lots on 10.4 acres in Wood Trails is high density and not compatible with the neighborhood character and residential density of 1 unit/acre. The proposed layout of the development using three semi-isolated "pods" does not result in a self-contained integrated community, does not integrate in a beneficial way to the existing adjoining residential areas, and would adversely impact the existing characteristics of the adjoining streets and neighborhoods. The proposed development does not, in any aspect, complement the existing development pattern of the adjacent and nearby residential neighborhoods.

11. Open Space and Recreational Areas Within Developments: There are no active open space or recreation/play areas identified within Wood Trails, and it is unknown if space is provided at the Montevallo site. Due to the small lot size, constrained site, and lack of nearby public facilities, adequate active open space should be provided for both of these developments. The adequacy of existing neighborhood active and passive recreational facilities should be studied as part of the EIS. The maintenance and security responsibilities associated with the Native Growth Protection Area (NGPA) and stormwater ponds should be thoroughly evaluated including risks of erosion, flooding, slides, or other failures that could result on this site.
12. Schools: The capacity for significant additional student enrollment at existing schools should be determined and coordinated with the school district. Pedestrian routes and connections from the development to Wellington and Leota Jr. High School are not referenced and are critical non-motorized elements to be evaluated. The EIS should identify existing walking routes to the schools, and complete an analysis of safety issues along those routes. The City's 6-year CIP identifies two (unfunded) non-motorized projects for the Wellington area, and one is specifically intended provide a safe walking route to the schools.

13. Transportation – Traffic Operations and Safety: The Transportation Impact Analysis was performed for Wood Trails only and needs to be updated to include all development being proposed. Recently the Costco development was approved, and traffic volumes and impacts to 156th Ave NE need to be incorporated into the update. The Wood Trails analysis focused on traffic volumes and levels of service along 156th Ave NE and Woodinville-Duvall Road, and concluded that there was no significant degradation in level of service caused by Wood Trails. The trip distributions did not reflect the constrained (multiple dead-ends with only one outlet) street network in the Wellington area and the distribution of trips to the Golf Course Road were not consistent with actual travel patterns. This is incomplete, as there are a number of traffic related impacts that were not identified and need to be addressed. AM and PM peak hour analysis should be considered with consideration for AM school-related travel. The updated analysis should identify construction-related traffic, including operations and safety when school children are present, along with construction vehicle and equipment access to the parcels throughout the construction period.
14. Transportation – Traffic – Street Deficiencies: The Transportation Analysis fails to describe the numerous deficiencies that exist along these residential streets that were never intended to serve high density development as being proposed. They were intended to provide basic access to rural residential parcels, and in many locations do not meet City standards. Deficiencies include lane and shoulder widths, site distance, reduced/restricted speed limits, pavement condition, sidewalks/paths, crosswalks and lighting. The EIS should include a detailed analysis of the livability and usability of the proposed neighborhood access roads, both for construction-related and post-development use, that would have significant increases in traffic volumes. A more thorough analysis is required to determine where improvements are needed to address safety, operational and structural deficiencies.
15. Traffic - Cumulative impacts: Extending R-4 zoning over the adjacent area should be considered as well as the potential for short plats for larger parcels now occupied by a single home. The traffic impact of a broad area of rezoning on adjacent streets and intersections should be considered, including 156th Ave NE, Woodinville-Duvall Rd, and Wellington Hills Golf Course Rd.
16. Parking: The current plan shows minimal street widths with very limited or no on-street parking, which is not realistic considering the small lot sizes. Access, circulation and parking should be thoroughly investigated.
17. Post-Construction/Development Issues: The EIS should identify enforcement mechanisms to ensure that property owners do not either create new post-development environmental impacts, or offset any implemented mitigation measures. Examples of these types of issues include: additional clearing of vegetation adjacent to individual parcels; increased irrigation on steep slopes; and re-routing of drainage and stormwater runoff. These types of post-development activities by individual property owners could result in increased soil erosion

along steep slopes, creation or reactivation of landslides, and impairments to the function and operation of in-place stormwater conveyance and treatment systems.

Development of Alternatives

It is important to identify a range of alternatives that reduce or minimize the probable significant adverse impacts. The City has recently agreed on two additional alternatives (other than no-action and their current proposal) that are focused on providing new access connections to the site and neighborhood.: (1) provide access to Wood Trails from the west; (2) provide access to Wood Trails from the south. Other than providing new access routes, these do not address/mitigate any of the adverse impacts, and in fact, create additional adverse impacts of their own.

We suggest the City evaluate a number of alternatives such as the following.

- Recognize that reasonable alternatives will reduce environmental impact.
- Each of the sites needs to be analyzed for various types of development scenarios.
- The alternatives should not focus solely on design alternatives, but should include other land use options and residential densities.
- Include other alternatives that accomplish the objectives on properties owned by the applicant.
- Assess the repercussions to the applicant developing the parcels at R-1 densities as currently zoned.
- Consider an alternative where the City purchases the Wood Trails property.
- Evaluate short-term and long-term impacts to the neighborhood and built-out infrastructure, including funding scenarios or the necessary infrastructure improvements.
- Use a screening process that measures the pros and cons of each alternative.

Closure

This letter represents the concerns of the CNW, whose members include many of the individual residents whom have provided separate written comments to the City, or expressed their comments and concerns at the October 28 scoping meeting. Although this letter aims to capture many of the CNW members' concerns, this letter should not be viewed by the City as an all-encompassing summary of the Wellington residents' comments regarding the scope of the EIS and other related issues. As the City is aware, many individual comments were either recorded at the meeting and/or have been submitted separately in written correspondence to the City. The City should not disregard these individual comments or letters from the Wellington residents by assuming this letter incorporates all of their comments and concerns.

We trust that the City will review and evaluate our comments with the thoroughness and diligence needed to prepare a comprehensive EIS that fully addresses the Wellington area residents' concerns about the proposed projects and resulting impacts. We look forward to reviewing the formal scoping document that we expect you will prepare.

Please notify us of any developments or changes in the status of the EIS or the project applications. Thanks for your assistance and cooperation thus far in the process.

Sincerely,

Concerned Neighbors of Wellington

EXHIBIT 42
PAGE 157 of 241

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

EXHIBIT 42
PAGE 158 of 241

December 29, 2004

Mr. Ray Sturtz, Planning Director
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

Subject: Montevallo Application Review and Comment

The Concerned Neighbors of Wellington (CNW) are requesting that the City of Woodinville extend the comment period for the proposed Montevallo development application that is currently scheduled to end on Monday, January 3. The 14-day comment period began on December 20, and many of us were not informed or became aware of the submittal of the application until December 21 - 22. This comment period coincides with the Christmas and New Years holiday weeks. The City observes two work holidays during this period (December 24 and 31), resulting in only about 6 to 7 working days for the public to obtain copies of the application documents, review the documents, and submit comments before the end of the 14-day comment period.

We also understand that, as would be expected, some City staff are taking some time off during the week of December 27-31, and receiving expedited copies of the application materials might be problematic. Mr. Dick Fredlund informed us that, given the somewhat extenuating circumstances regarding the limited days to obtain the materials and submit comments, an extension of the 14-day comment period for the Montevallo application appeared to be reasonable.

CNW is requesting that the City of Woodinville extend the time period to submit written comments for the Montevallo application for at least another seven (7) days, resulting in a new deadline of January 10 (or later) for comments to be submitted.

Please consider this request as soon as possible, and let us know of your decision by Thursday morning, December 30, given the upcoming holiday weekend and the impending January 3 deadline for comments. Please email or fax your response to this request to 425-821-3587, and do not hesitate to call either myself at 425-821-1111 or Otto Paris (425-806-9564) if you have any questions or concerns. The CNW appreciates your timely response on this request.

Sincerely,

Fred Green

Fred A. Green
President

P.O. Box 2934, Woodinville, WA 98072-2934
Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

RECEIVED

January 18, 2005

JAN 18 2005

Mr. Ray Sturtz, Planning Director
Mr Dick Fredlund, Planner
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

EXHIBIT 42
PAGE 159 of 241

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Subject: 48 Person Pre-School on 156th Ave NE

We continue to be concerned about the development pressures that the greater Wellington area is experiencing. Proposals such as Wood Trails and Montevallo would double the population in the area west of 156th Ave, bringing a host of traffic and livability impacts.

Pre-schools serve an important need and are an enhancement to a residential community such as Wellington. However, we remain concerned that since no master plan exists for the Wellington area, including the 156th Ave. corridor, development proposals are being reviewed independently, rather than comprehensively. The cumulative traffic and livability impacts are going "undetected" with the City's "incremental" review and approval process. As a result, needed traffic safety and capacity improvements will not be provided as development occurs – and become a problem for residents to solve after the developers have moved on.

A 48 person pre-school probably generates 80 trips in the AM peak hour (40 in and 40 out) - and perhaps the same in the PM Peak hour. The proposed Montevallo development generates 46 AM trips and 62 PM trips per their traffic study. Wood Trails generates similar traffic volumes. These pre-school trips should be determined by a traffic study and the cumulative impacts of all this development be analyzed.

We expect the City to use a comprehensive approach in the review of the numerous development proposals in Wellington - for we residents suffer the consequences of poor planning - which are higher traffic volumes, decreased safety/increase in collisions, and ultimately increased taxes to fund the needed improvements.

We look forward to your response. Please contact me if you have any questions.

Sincerely,

Fred Green

Fred A. Green
President

P.O. Box 2934, Woodinville, WA 98072-2934

Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Dick Fredlund

From: Ray Sturtz
Sent: Monday, January 24, 2005 10:07 AM
To: Catherine Borghes
Cc: Dick Fredlund
Subject: FW: Wood Trails Development

-----Original Message-----

From: Joseph Petrin [mailto:jgpetrin@comcast.net]
Sent: Tuesday, October 26, 2004 9:30 PM
To: Ray Sturtz
Subject: Wood Trails Development

October 25, 2004

Ray Sturtz, Planning Director, SEPA Official
Planning Department
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
Email: rays@ci.woodinville.wa.us

RE: Comment on Scope of EIS for Wood Trails

Dear Mr. Sturtz,

I know that there are many things to consider when reviewing the Wood Trails project. I truly believe that changing this land from R-1 to R-4 would negatively impact the Woodinville I love so much.

This hillside area would change forever and is simply too sensitive to withstand so much development. Storm water run off; more traffic to our neighborhoods; and the sound of all the wonderful birds (woodpeckers, quail, grouse, cranes, and owls) would be replaced with the sound of freeway traffic.

Protect the sensitive areas of Woodinville and leave the land as we envisioned it when Woodinville citizens voted to be a City. The land proposed for the Wood Trails project is too fragile to withstand high-density building and should remain R1.

Sincerely

Linda Petrin
14919 NE 198 St
Woodinville, WA 98072
425-485-5669

cc: Concerned Neighbors of Wellington

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

cc: Ray
[Redacted]
PETE

December 19, 2005

EXHIBIT 42
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RECEIVED

DEC 19 2005

Mr. Ray Sturtz, Planning Director
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

City of Woodinville

@ 11:03am

hand delivered
to front counter

Subject: Wood Trails / Montevallo Preliminary Draft EIS Review

Dear Ray:

The Concerned Neighbors of Wellington (CNW) organization appreciates the opportunity to review the preliminary DEIS documents for the Wood Trails / Montevallo projects. We realize that this draft is considered a "working draft", and there will likely be some changes before the DEIS is released for public review and comment.

In reviewing the preliminary draft of the DEIS, we have discovered several fundamental flaws in the overall framework, assumptions, and analyses used. We understand that providing our comments now falls somewhat outside of the scope of the SEPA process, and we do not view these as a substitute for providing formal comments after the DEIS is publicly issued. However, we believe it is valuable for the city to be aware of the significant gaps and fundamental defects in the structure and scope of the EIS analysis now, instead of waiting to bring these to your attention after the final DEIS is issued. This letter summarizes a number of the significant gaps and flaws that we view to be of considerable concern with respect to preparing a sound DEIS document for this precedent-setting decision.

The following sections provide an overview of the gaps, flaws, omissions, and issues that we have identified when reviewing the current draft of the DEIS. Please note that our comments refer to the draft documents that we received from the City, dated October 6, 2005.

Selection and Description of Alternatives

- Descriptions of some of the alternatives are incomplete, and there are omitted variations (i.e. access) that we recommend be combined with the selected alternatives to cover a range of options that (1) attain the objectives of the applicant in building the two non-contiguous residential developments, and (2) present less overall environmental impact. As we stated in our comments during the EIS scoping, it is important to identify a range of alternatives that reduce or minimize the probable significant adverse impacts.
- The Proposed Action requires the approval of a rezone request, along with requests for transfer of density credits and clustering of the residential units. It seems reasonable that

a variation of developing one or more of the sites with sewer R-4 densities, but without (or reduced) clustering or transfer of density credits, is a viable option.

- The Attached Housing (Townhouse) Alternative as currently described could be considered as a “non-realistic” alternative, given that a conditional use permit would be required to construct the attached housing for the Wood Trails site. Two conditions for obtaining a conditional use permit are stated on page 2-19--it is our opinion that both of these conditions would be indisputably inapplicable given existing neighborhood characteristics and sensitive-area delineations.
- The description for the Attached Housing (Townhouse) Alternative for the Montevallo site is very vague, and there are no figures or site plans to assist in evaluating this alternative. It is unclear why this alternative would not include attached housing on both sites, and the configuration of housing on the Montevallo site is unknown. Evaluating environmental impacts for this alternative with any degree of confidence is not possible without the applicant preparing a site plan and more detailed description of the Montevallo site. It is also unclear whether or not the Attached Housing (Townhouse) Alternative results in a net lower overall environmental impact than the Proposed Action. If the applicant wishes to have the public consider this as a viable alternative, additional detail work needs to be included in the EIS to produce the missing items outlined above.
- The description for the No Action Alternative is too general to meet the minimum requirements of an acceptable EIS, and evaluating potential environmental impacts for such an open-ended description would be difficult even if the analyses were complete. An example of how the vague description of this alternative results in unsupported statements and incomplete analysis is noted in the Earth section of the document on page 3.1-12.

As stated in Ecology’s SEPA Handbook, a No Action Alternative “is typically defined as what would be most likely to happen if the proposal did not occur”. We find it difficult to fathom that “no new development would occur on the subject properties” given that: (1) the developer is the outright owner, or has secured ownership options, for the Wood Trails site and presumably all of the Montevallo properties; (2) the applicant’s line of business is developing residential properties; (3) the current land and housing market conditions and appeal of developable land in this area of Woodinville; and (4) there are no known scenarios for not allowing residential development to occur at R-1 densities on either of the sites.

It is our opinion that both of the sites could, and likely would, be developed at R-1 densities without any impediments with respect to rezone approvals and supporting infrastructure issues. Therefore, it appears that the No Action Alternative should be better described by the applicant as a future R-1 development pattern similar to the recent “estate-size” homes that continue to be constructed in the Wellington neighborhood.

Another option for the No Action Alternative might be the use of the Wood Trails area as a park or vegetative buffer. This type of description for the No Action Alternative would

provide some basis for analyzing this site according to its existing condition, and would also provide some support for the actual intent of City Resolution No. 93 (buffer between industrial area and residential area). [Note: This precedent-setting resolution, which has been in place for several years, appears to be somewhat in conflict with the proposed Wood Trails development]. However, unless there is a viable option for purchasing the property to maintain it as a park or vegetative buffer, assuming that the current existing condition would be maintained at the Wood Trails site does not seem to be a defensible "no action" scenario for the EIS.

- We believe the City's conclusion not to fully evaluate road access options for the Wood Trails site is short-sighted. The conclusion that "none of these other alternatives would be reasonable and that none needed to be evaluated in detail" is unsupported given the information available in the EIS. The three access alternatives from the west of the Wood Trails site shown in Figures 2.3a, 2.3b and 2.3c do not present these alternatives as "overlays" within the context of the Proposed Action. These alternatives are presented as though they are through roads across the entire width of the Wood Trails project site, and would not have any physical relationship to the design and layout of the Proposed Action.

It is readily apparent that the two access alternatives from the northwest portions of the property (Alternatives A and B) would only need to extend to the closest connecting point on the west side of the roadway loop (Road B) for the Proposed Action to gain access to the development. The statements about additional construction impacts for these roads (particularly Alternative B), although not false, are not supported by any real comparative information that more fully evaluates these access options. In reality, when one looks at how far west down slope that the northern pod of homes would extend to, the additional grading and filling are would be relatively minimal in comparison to all of the construction-related activities that would already have to occur in this portion of the site.

To not complete a more thorough, documented and quantifiable evaluation of access options as part of the EIS analysis is remiss given that (1) the City identified this topic as one of three primary issues in the Determination of Significance Notice, (2) the City's Revised EIS Scope also included this issue, and (3) the obvious priority this specific issue has with surrounding residences as noted during formal comment letters and the public hearing for EIS Scoping. It is obvious that the applicant is not pursuing alternative access roads because of the increased costs that would result from both additional site construction efforts and the loss of a few buildable lots. Being unwilling to more fully evaluate access alternatives to Wood Trails based solely on the issue of increased costs is not a defensible argument for not completing the appropriate level of analysis in the EIS for this important and highly contentious issue. The EIS should include a comprehensive analysis of at least one reasonable Wood Trails site access option that provides a comparative evaluation of impacts with respect to the other alternatives. This is critical for the city given the level and intensity of public feedback provided to the city during its last public meeting.

Missing or Incomplete Analysis of Potential Impacts

- There is not a complete comparative summary of potential impacts for each of the alternatives. The comparison of the alternatives for each of the elements analyzed is inconsistent between the various sections of the document, and is often incomplete and/or overly generalized. Clear and thorough comparative summaries for each of the alternatives and for each of the elements should be presented for direct impacts, indirect impacts, mitigation measures, and unavoidable significant adverse impacts.
- Existing ground water conditions and associated impacts are not adequately addressed. An analysis of ground water recharge should be completed given the significant changes in the water balance for each of the sites that would occur for each of the alternatives. Information concerning ground water recharge is critical for evaluating potential hydrologic impacts to the wetland on the Montevallo site, along with other elements associated with the Wood Trails site.
- The analysis of geologic hazards (landslides, erosion, seismic, sediment transport) is not complete for both site construction and post-development situations.
- Construction-related impacts are not adequately described or addressed for the various elements. Although the Wood Trails site is identified as an Erosion Hazard Area, very little information is presented as to how mitigation measures would be utilized to minimize erosion hazard impacts. Significant soil management issues that will occur during site grading, filling and site development activities are not identified, described, or resolved. General statements regarding standard erosion mitigation measures do not adequately address the very real problems associated with the type of intensive development occurring on a site with limited construction access and operational areas.
- Construction-related impacts to existing roads are also not addressed in the DEIS. The existing neighborhood streets that would be used intensively by heavy construction equipment accessing the two development sites would likely be severely degraded and require incremental investment to make them whole. Mitigation measures for these significant impacts should be identified in the DEIS.
- There are little, if any, provisions described for managing storm water at the Wood Trails and Montevallo sites during site construction activities. This includes water quality issues and associated mitigation measures to minimize potential effects on down gradient properties and within the Little Bear Creek drainage area.
- The Montevallo site analysis does not completely address the water run-off issues that currently exist. The water runoff from the Montevallo site gathers to 3' and 4' deep now in the wetlands area below during the winter season. Particular concerns include the fact that the wetland requires surrounding source area to maintain its water level, and that construction of a utility trench near the wetland may be a drainage conduit that depletes the wetland.

- The wetland mitigation plan outlined for the Wood Trails site refers to some offsite stream enhancement work. A figure or map showing the location and extent of this proposed enhancement area should be included, along with a description of how approval will be gained from the owner of the offsite property.

Transportation – Roadway System

- The study area does not include the Wellington Hills Golf Course Rd intersections at 156th Ave NE, and at Woodinville-Snohomish Rd; yet, the “trip distribution” for the proposed action distributes 40% of the project trips through these intersections. The Golf Course Rd and intersections (which are located in Snohomish County) should be included in the study area.
- The existing street network is not described to reflect the unique and rural character within the Wellington area. The existing network includes a number of dead end streets with no grid for circulation or access alternatives. The existing streets have a number of deficiencies (cross-section, grade, sight distance, pavement structure, drainage, etc) which are not identified. The street classifications are not properly defined (i.e. 156th Ave NE is classified by the City as a minor arterial requiring a three lane cross section). The entire Wellington Hills area has only one outlet to Woodinville Duvall Rd – which provides the only connection to downtown Woodinville and SR 522. The safety, operations, and emergency services issues should be analyzed to reflect this unique constraint. Events such as the recent fatality on W-D Rd which required its closure and routing of traffic through Wellington; and snow and ice conditions on 156th Ave NE that result in it being impassable are examples of safety and operations issues that must be analyzed.
- A number of traffic counts have been performed recently within the study area. It is unclear how the existing traffic volumes were derived for this study. The count type, date, time, and duration needs to be validated and summarized clearly.
- The study uses an assumption for the capacity of these residential streets as 2500 ADT – which is unreasonable and impossible in this context. The capacities of these dead end streets are constrained by their intersection with 156th Ave NE – NOT by the segments between intersections. Capacity, operations and safety should be analyzed accordingly.
- Woodinville-Duvall Rd is a major east-west regional arterial serving a large area of King County to the east. It experiences significant congestion – and three fatalities have occurred in recent months. No reference to Woodinville-Duvall Rd is made in the study – and should be added.
- The basis of the Trip Distribution from the City’s traffic model is unclear and must be validated. The large percentage (40%) of outbound trips going northbound via the golf course road does not reflect existing travel patterns. The trip distribution also routes trips eastbound along NE 195th Street through the existing “barricade” – proving the model assumptions are incorrect. The obvious concern with the inaccurate trip distribution is

that it grossly understates the impact (turn lane storage capacity and LOS) to the intersection at 156th Ave/W-D Rd.

- The study provides a list of “pipeline” projects – i.e. other future projects in the area. The description, type, location, size, and timing of these projects are not presented. Furthermore, their impacts on traffic are unknown – including when they will occur and what mitigation or improvements will be required for them to be approved. The traffic analysis needs to describe how these “pipeline” project trips are added to the Project Baseline trips, and how necessary improvements are funded (who pays) when capacities are exceeded. A specific explanation of how the recent Costco development traffic is incorporated into the analysis is also needed.
- The traffic calculations are likely incorrect since the pedestrian counts were taken during the last week of school when most students are on abnormal schedules due to graduation, tests, end of the year activities, and so forth. The document fails to mention that the school district has decided to bus students west of 156th due to the high traffic rate of this road and the risk it brings to young children. Walking to school even though it is less than a mile away is considered hazardous by the school district. While a list of road projects in Snohomish County is included, no listing for King County is included and this error should be corrected. In addition, no mention is made of how public transit should change in order to accommodate the needs of the 132 new families that the applicant proposes will be living in the area. Mention is made of traffic impacts being limited but table 3.5i shows only three times as many new trips for R4 zoning as in R1 zoning. It is also puzzling that Attached Housing would cause less traffic delays (see Table 3.5n) than the Proposed Action given that there will be more families and therefore also more trips.
- Parks that are mentioned in the document are actually owned by Home Owners Associations (HOA’s) and are for the exclusive use of the HOA members. The 202nd park, Queensgate, and Wellington Hills Country Club are all privately-owned areas and would be off limits to the Wood Trails and Montevallo residents. Including these places as options for recreation is erroneous and any conclusions in the document made on this incorrect information must also be viewed as incorrect.
- In the animal section much is said about the pleated woodpecker but nothing is mentioned of other animals living in the area such as the tree frogs, and the spotted owl. The spotted owl is on the list of Endangered Species and pictures of spotted owls have been taken on resident’s property between the Wood Trails and Montevallo sites. The document should also include discussion on the loss of other animal habitat for deer, raccoon, possum and many species of frog, salamander, etc. All these animals would experience significantly reduced habitat as a result of the density of the proposed zoning and increased property development.

Additional Comments Concerning Indirect Impacts, Cumulative Impacts, Rezoning and Land Use Planning

- The DEIS does not include any scenarios for future development of the 11.8-acre parcel that is located adjacent to the proposed Wood Trails development. While we recognize that this parcel is not formally part of this DEIS, the impact of developing this land, which is owned by the same developer, is not considered or documented within this DEIS as a potential indirect and/or cumulative impact. We are concerned that there may be future development of the 11.8-acre parcel, but the EIS process does not allow for any consideration of cumulative potential impacts to the environment and existing infrastructure with respect to similar development occurring in the near-future on this parcel. The applicant should be required to discuss their future development plans for this 11.8-acre parcel within this EIS so that the full impact of their proposed plans can be considered by the city at the same time.
- We remain concerned that scoping issues raised by the public during the October, 2004, Woodinville City Council meeting have not been incorporated into the scope of the DEIS. We believe that by publishing a formal scoping document as we requested in our previous comment letters, the City could avoid future questions concerning how the EIS scope was derived, including the analysis and selection of the various alternatives.
- The re-zoning to R4 of both these neighborhoods is not consistent with the city's growth plan. Developing these two properties with an R-4 zoning will result in significant adverse visual impacts on surrounding neighborhoods. It is clear that accepting a rezone to R4 in these neighborhoods jeopardizes the value of the Woodinville Vision and Growth Plans. Prospective buyers, homeowners, businesses, and high-end builders will question the reliability of Woodinville's zoning plan and will look for other properties where future growth is more predictable. It is better to clearly distinguish R1 sections of the city which will attract high-end builders and will provide a sense of comfort for long-term development potential. From a transportation and access perspective, it is preferable to place R4 and higher-density housing in neighborhoods closer to established services.
- R4 zoning is not in character with this segment of the city borders, but rather with the downtown area of the city instead. As demonstrated in recent legal decisions, our city is not obligated to re-zone the area simply because one could extend sanitary sewers into the area. There are other factors besides the ability to extend a sanitary sewer into an area that determine the feasibility and wisdom of re-zoning a segment.
- There are conclusions made in the document that are not factually correct. In section 3.4-20 the authors state that R-1 zoning would avoid some of the impacts and be more consistent with the area. However, it goes on to say that the Proposed Action and Attached Housing Alternative would be more protective of water quality. Having a sewer does not necessarily provide better water quality since during storms raw sewage can be dumped into rivers and streams. Consider that areas of Redmond's sanitary sewer system are at 125% capacity, and the city has been fined daily for not being able to process all

sewage they collect. Septic systems would not be affected by a heavy rain and would localize problems instead of spreading them into areas populated by salmon and other wildlife.

- There seems to be a significant omission of public perception and economic issues as a whole. In particular, there is insufficient discussion of the fact that there has been considerable opposition expressed already to the development plans, especially to an R-4 re-zoning and the potential for these proposed projects to create a “gateway” to further R-4 development. It is not adequate to simply include a record of public meetings. It is also important to include this record as part of the EIS.
- Any economic analysis must address the decline in value of the surrounding properties should certain forms of development be allowed. Similarly, the improved value of an alternative park-like development should be addressed. The DEIS makes no mention of what changes will occur to nearby property values. It does mention costs related to the builder for parks and traffic. It also ignores the effects on local residents due to construction, noise, air pollution from construction machinery, and other quality-of-life issues that urban-type development will cause in a rural neighborhood.
- Evidence of the adverse economic impacts of the potential development include the large increase in the number of houses for sale in the entire area and the occurrence of three separate sale retractions on one property when each prospective buyer became aware of the Wood Trails development potential. Essentially, no analysis has been presented in the EIS on loss of property value to the city or existing homeowners—instead, the tone of the document indicates ‘this is to be expected and is normal’. We believe the loss of value to surrounding properties is an intrinsic part of the economic analysis. Perhaps the developers should be required to provide compensatory mitigation fees to the surrounding neighbors.

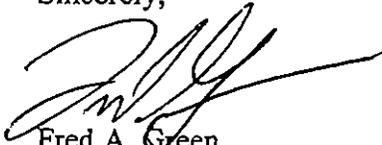
The city of Redmond has carefully planned development in such a way as to preserve high-end neighborhoods with R1 zoning and also set aside separate, more urban neighborhoods where walk-to shopping is available and lower-priced properties can be obtained. We encourage the city of Woodinville to take the same approach to its zoning plans in order to attract homeowners at both ends of the value spectrum.

December 19, 2005

The EIS will eventually be used as a decision-making document as the application moves forward through the approval process. The decisions which emanate from this process will impact the Wellington / Leota neighborhood and future land-use decisions in this area of Woodinville for years to come. As a neighborhood organization in Woodinville comprised of over 100 residences, it is our goal to assist the City of Woodinville management team in developing a defensible high-quality EIS that can be used by decision-makers without being concerned about the adequacy, or inadequacy, of the EIS.

Please do not hesitate to contact me if you have any questions or concerns about our requests concerning the Wood Trails / Montevallo DEIS review and public comment. If needed, we would be happy to meet with the City's EIS project team in person to clarify or discuss our concerns with the current version of the DEIS.

Sincerely,



Fred A. Green

President

Concerned Neighbors of Wellington

cc: Pete Rose, City Manager

FEB 16 2006

Quality Living in a Small City

CITY OF WOODINVILLE
PLANNING DEPARTMENT

Neighborhoods:

EXHIBIT 42
PAGE 170 of 241

Neighborhoods are the building blocks of a community. They are more than subdivisions, and are defined as much by the sense of community they create for their residents as by their structures, streets and amenities within their boundaries.

Quality neighborhoods **offer choices**, provide residents with a **sense of identity** and connections, and **encourage continuous renewal and reinvestment**.

Quality neighborhoods should offer the opportunity to work and live within their neighborhood when scale, character and function of business settings are compatible with homes.

The streets of a quality neighborhood are pedestrian friendly. They are laid out in an interconnected network and attractively landscaped to **encourage walking**. Streets give residents, particularly youth and the elderly, choices and control of their mobility and easy access to important destinations from their residents.

Each and every existing neighborhood within the city of Woodinville has a sense of community, each with their own identity and character which are defined and identified by the people, families, homes, and neighborhood layout. When a new development is added that does not "fit" this sense of community, and it fails to blend with the neighborhood character, the sense of community is lost, the neighborhood character is lost, and the "building blocks of a community are lost, removing all sense of neighborhood belonging to the community..

Wellington is a long established neighborhood which has maintained its character throughout the years. The neighborhood has grown in the number of homes and families yet maintaining its sense of community by adding the new development that "fits" into the community it is.

Rezoning and adding "Clusters" do not fit in the Wellington neighborhood. Rezoning will forever change the character of the Wellington neighborhood and it will drive the sense of community away.

Maintain the R-1 Zoning and build the new homes so that they fit the Wellington neighborhood and the community.

Respectively

The Cliff and Sheri Griffin Family
14907 NE 198th St
Woodinville WA 980972
425-485-4864

My name is E. Nadine Jones and I live at 14903 NE 201st Street in Woodinville, WA, I am

REC

EXHIBIT 42
PAGE 17 of 241

opposed to building Wood Trails & Montevello development.

FEB 10 2000

I live on 201st Street, which Phoenix Properties thinks is one of the best routes to the proposed housing development.

CITY OF WOODINVILLE
PLANNING DEPARTMENT

I am proud to live in Woodinville. When my husband and I retired we bought this property 21 years ago, we were very pleased to move into a neighborhood that had the foresight of planning one home per acre. It was excellent planning all those years ago and certainly I would be distressed to see the plans changed now.

We were told about the wonderful sound barrier/buffer of trees on the west to protect us from the noise of the commercial area and highway below. If the trees are removed the noise will be terrible.

Our yard has been one of the best assets to the property. It has a chain-linked fence that protects the wild life that frequently visits. Today and most every day I will see rabbits, squirrels, robins, northern flickers, stellar jays and woodpeckers. At night I hear Owls hooting. As my late husband said, "This is heaven." Will I still have this beauty after the trees are cut down and the wild life perishes? No, it will disappear and be a great loss to the citizens of Woodinville. I truly do not want to give up the natural beauty that has been here for so long.

If the re-zoning is approved our investment will have changed a great deal. Who would want to buy this property with the unknowns of sewer costs, change to R 4, widening and resurfacing streets and traffic zooming by?

There must be a better access road to that property! Changing the lives of all these owners seems a mistake. Could a fire truck get there in time to be of any help?

In conclusion please continue to keep the Wellington Hills area as R-1.

Sincerely

E. Nadine Jones

RECEIVED

Jeff Glickman

From: Jeff Glickman [jeff@glickman.com]
Sent: Thursday, February 16, 2006 1:09 PM
To: 'zlell@omwlaw.com'
Subject: Formal Notice of DEIS Material Deficiency

FEB 16 2006

EXHIBIT 42
PAGE 12 of 241

CITY OF WOODINVILLE
PLANNING DEPARTMENT

From: Jeff Glickman [mailto:jeff@glickman.com]
Sent: Thursday, February 16, 2006 12:02 PM
To: 'maries@ci.woodinville.wa.us'; 'peter@ci.woodinville.wa.us'; 'deborahk@ci.woodinville.wa.us'; 'rays@ci.woodinville.wa.us'; 'dickf@ci.woodinville.wa.us'; 'cvonwald@ci.woodinville.wa.us'; 'hstecker@ci.woodinville.wa.us'; 'cprice@ci.woodinville.wa.us'; 'shageman@ci.woodinville.wa.us'; 'mroskind@ci.woodinville.wa.us'; 'gleonard@ci.woodinville.wa.us'; 'dbrocha@ci.woodinville.wa.us'
Subject: Formal Notice of DEIS Material Deficiency

To City of Woodinville Mayor, City Manager, City Council and Director of Community Development,

I am a property owner in the Wellington Neighborhood. I live within, or about, the 500' radius of the proposed Wood Trails plat. I have never received a single notice from the City of Woodinville regarding this proposed plat. The City is obligated to notify me and arguments incorporating errors and omissions as to why I have not been notified are not a valid defense.

I accidentally discovered the existence of this proposed development from a neighbor approximately one week ago. The proposed Wood Trails plat is in the DEIS phase. I visited the City of Woodinville Planning office this past week to obtain a full and complete set of documentation, without limitation, regarding the proposed Wood Trails development, and all city codes and ordinances. At this time I was informed of the existence of the DEIS and was directed that the sole means to obtain a copy was from Kinko's. Upon this direct instruction from City of Woodinville Planning Office employees, I attempted to obtain a copy of the Draft EIS Statement from Kinko's, Woodinville. Initially, Kinko's was not aware that they had a city document - it took hours to find someone who was even aware that there was a city document available for reprint. Ultimately, Kinko's was not able to produce a complete copy for me. As with most citizens, it is an undue economic burden to read a multi-hundred page document at City offices or the library.

As I know you are already aware from internal city communications, the DEIS is materially deficient. Most notably, figures and pages are missing. Arguments incorporating errors and omissions as a defense are invalid. Furthermore, of the pages which are present, the area delineated as the study area of the DEIS is in error, which invalidates the DEIS in its entirety. The city is obligated by SEPA to present a complete and accurate DEIS to the citizens of Woodinville. This DEIS violates both SEPA and NEPA requirements, and is a material misrepresentation of the facts to the citizens of Woodinville. State SEPA law specifically states that a minimum 15-day review period for the DEIS must be granted to the citizens. The city of Woodinville has violated this statute.

This is a formal demand to invalidate the DEIS process because of flagrant process errors and city violation of SEPA statutes. The DEIS process cannot be construed as even having been started because an incomplete and invalid document was provided to the citizens, and because the citizens have not had 15 days to review a complete document. The only remedy for the city is to write a new DEIS that is accurate and complete, provide notice to all property owners with 500' as required by law, and provide the citizens of Woodinville the minimum 15-day review period as required by SEPA.

Do not deny the citizens of Woodinville the due process that is guaranteed to them by State and Federal law. You, the city work for us, the citizens. You are here at our bidding to protect our rights, not violate them. We will hold you collectively and individually accountable in a court of law if you fail to protect our rights.

Sincerely,

Jeff Glickman
19405 148th Ave NE
Woodinville, WA 98072

2/16/2006

Dick Fredlund

From: Jeff Glickman [jeff@glickman.com]
Sent: Tuesday, February 21, 2006 3:46 PM
To: Marie Stake; peter@ci.woodinville.wa.us; Deborah Knight; Ray Sturtz; Dick Fredlund; Cathy VonWald; Hank Stecker; Chuck Price; Scott Hageman; Mike Roskind; Gina Leonard; Don Brocha
Subject: Notice of Receipt - Wood Trails and Montevallo DEIS Replacement Pages

To City of Woodinville Mayor, City Manager, City Council and Director of Community Development,

Thank you for the replacement pages for the Wood Trails and Montevallo DEIS. As you are already aware, approximately 270 sets of these replacement pages were placed in the mail by City of Woodinville employees on Thursday February 16th 2006, the same day as the City of Woodinville's Wood Trails and Montevallo DEIS Public Meeting. I received my copy of the replacement pages on Friday February 17th 2006, the day after the City of Woodinville's Wood Trails and Montevallo DEIS Public Meeting. While those persons who were a party of record on this matter received replacement pages, the City of Woodinville has not been able to identify, notify, or otherwise reach the many citizens who are not a party of record on this matter and provide them with corrected replacement pages.

State SEPA statutes direct cities to provide a verbal means and written means for citizens to respond to the DEIS. The mailing of 270 sets of DEIS page corrections is tantamount to an admission by the city of the substantive nature of the DEIS omission. The purpose of the public process established by SEPA is to guarantee due process to the citizens for the DEIS process. Delivering the 270 sets of replacement pages the day after the DEIS public meeting has denied due process to those citizens wishing to respond verbally to the DEIS. SEPA does not give the city the option to force citizens to respond in writing.

The City of Woodinville, in its handling of the Wood Trails and Montevallo DEIS process, has violated the process set forth by the State of Washington and SEPA designed to protect its citizens. This is a second formal demand to invalidate the DEIS process because of process errors and city violation of SEPA statutes. The DEIS process cannot be construed as having been started because an incomplete and invalid document was provided to the citizens, and because the citizens have not had 15 days to review a complete document. The only remedy for the city is to write a new DEIS that is accurate and complete, provide notice to all property owners with 500' as required by law, and provide the citizens of Woodinville the minimum 15-day review period as required by SEPA.

Sincerely,

Jeff Glickman
19405 148th Ave NE
Woodinville, WA 98072

RECEIVED

3:35pm
MAR 03 2006

TO: Planning Department reviewers of the Wood Trails & Montevello Developments
Planning Department, Woodinville City Hall, 17301 133 rd Avenue
CITY OF WOODINVILLE
PLANNING DEPARTMENT
FROM: Robert A. Harman, Geologist, resident of 14949 202nd Street February 16, 2006
COPY SENT TO: Concerned Neighbors of Wellington

I've submitted six letters of concern in the past to the Planning Department as well as two display boards documenting the lack or poorly discussed items by the developers. In addition, many of the areas indicated by your reviewer, Nelson Geotechnical Associates, were not adequately addressed. These are listed below and the submitted display board that indicates the omissions and errors in the submitted E.I.S.

- 1) They do not report the slump or soil creep features that are present in the area such as downed trees, slump bent trees, and slump cement structure breaks that have occurred in our neighborhood. Their test pit and core data all show loose sands on top of dense sands or clays all which suggest slump and soil creep potentials. They did not give reasons why their conclusions were different from King County studies that designate this area Erosion Hazard Area. At the Northwest Geology Meeting Tuesday night a geologist indicated that these dense outwash sands can hold structures but are very susceptible to erosion and foundations being undercut. This would be enhanced by this R-4 treeless site. He recommended the Redmond E.I.S. geologist Dr. Chris Koger that has reviewed this topic. Homes should not be built near the steep slopes.
- 2) They do not report the 50 foot eroded cliff or the erosion along the stream banks and the eroded displaced cement conduit pipes that no longer captures the Wetland Stream that exits into the industrial park. Both development sites will flow into this stream. Costco made a concerted effort in placing many large diameter pipes to capture sands and debris as well access portals for their removal. Such large pipes should be placed at the base next to the industrial park
- 3) Why didn't they use the up-to-date King County topographic maps? The E.I.S did not bother to describe the geologic features such as slope-canyon frequency differences (GS 1 & 2 map) or the possible origins of the "terraces" (T-1,2,3,4). Is it possible that these terraces represent ancient landslides? The old slump bent trees at the terrace end may suggest this. They made no effort to show cross-section views of the geologic variations that occurs between outwash sands and blue clays. The more frequent occurrence of blue clays underlying these outwash sands at the greater home site northern area provides the potential slippage when the stabilizing vegetation is removed. Their use of the term glacial till does not fit the dominance of thick sands that characterize this northern area site. The use of "clean sands" are not typical of either glacial outwash sands or loess deposits since glacial flour occurs in glacial floodplains. Long cores would have helped explain these features.

SEE PHOTO
DISPLAY
BOARDS
and
PHOTOS
a, c

PHOTOS
d, c

SEE
MAP
M-3

Cs, a, b
SEE
CROSS
SECTION

4) No effort was made to use geologically well situated long cores to identify the preferential ground water seepage sites that characterize these northern steep slopes that contain "wetland plants". They do not map their occurrence to help suggest potential hazzard areas by taking long cores to help indicate ground water flows or rates. Their four long core studies were done during a drought year and in April not during times of maximum seepages. Only one core was taken in the home site areas. Three long cores were taken at the detention pond site all containing blue clays. No correlations between cores within the development site were attempted.

CS

5) No actual stream discharge measurements were ever made to document their table-made discharges despite this area also is also supplied by septic tank additions. Was their ever measurements made when this years month of January had record setting rainfall values? The Montevillo housing site should significantly add to the wetland stream where erosion of its stream banks were observed during this time of maximum rainfalls No effort was made to report the 202 street floods and problems that near-Montivello site neighbors has had with ground water The discharges I made from the wetland stream that enter into the industrial park were as follows:

SEE TEXT
P 6.7
M-2
M-4

July 24 2004 150 cubic ft./ hour August 16 2004 225 ft³/ hr
Jan July 31 2006 9,000 cubic feet / hour
2004 Dry stream predicted discharge 9,000-14,000 ft³ / hr

6) The Detention Pond will not percolate in its blue clay location. The fine sands during maximum flows should by pass the pond directly into the small diameter industrial pipes. One city planner told me they are covered by insurance from lawsuits as long as "good intentions are made". I'm sure the industrial park and the insurers would examine this question if no adequate protection from unexpected discharges are considered or made. No permeable test pit was conducted to examine water loss rates.

CS
P 6.7

7) The present site is capable of using septic tanks at a R-1 density. I've photographed all the test dig sites and found the dominance of loose sands. Percentages using gravels by weight may prejudices their conclusions when lower percent by volumes occur when observing the dig sites. High fragment frequencies occur at the blue clay site and lower frequencies of dug up fragment at the sand sites ~~makes~~ suggest that maybe dense sands were not that frequent. Their sediment analysis data dominated areas of cobble occurrences (13 at the Detention Pond, and 11 at 195 sites with 11 homes) few were made at the site were the greatest density homes the occur in the 202 St. site (31 homes & only 4 analysis) and 201 St. (19 homes & 8 analysis). Equating the R-1 neighborhood with their remove treeless R-4 development is nonsense when trees older then R-1 homes exist.

i, j

CS
b

p2

TO: Planning Department reviewers of the Wood Trails & Montevello Developments
Planning Department, Woodinville City Hall, 17301 133 rd Avenue N.E.

FROM: Robert A. Harman, Geologist, resident of 14949 202nd Street February 16, 2006
COPY SENT TO: Concerned Neighbors of Wellington

This letter is written since not enough time was available to make the following points:

NO CROSS-SECTIONAL TOPOGRAPHIC PROFILES WERE MADE OR ADEQUATE NUMBER OF LONG CORES WERE EXAMINED

No accurate topographic maps were used to show the orientation of the test site digs and their sediment or ground water features. The reader of the E.I.S. could only COMPARE THE DIG SITE LOG SHEETS and hopefully know how they geographically relate. The geologic meaning of CORRELATION BETWEEN DIG SITES indicates that sediment core lengths and their descriptions and data have been plotted via their close topographic-elevation proximity. Only one core was taken over the housing development site. My plots of their core data indicate an increase in blue clays or silts in the northern development area where the steep slopes showed significant ground water discharges during this years maximum rainfall month of January. This may explain why the steepest slopes that occur here.

CS, a, b

NO GEOLOGIC SECTIONS WERE MADE EITHER LOCALLY OR NEARBY

Steep slopes occur in the development area where geologic trenches or direct observations should have been made to aid in correlation of geologic strata. The massive sands the form the 50 foot cliff were not reported. Trenching is necessary in most of the steep slope areas since SOIL CREEP OBLITERATES STRUCTURES. The nearby Golf Course western steep slopes is a excellent type-section showing the equivalent strata found in the development area i.e. bottommost blue clays with upper outwash sands and uppermost glacial tills. The southern 195th St. cliff in the industrial park provides an excellent contrast between the north-south sediment strata variation that may help explain the increase canyon dissection in that area compared to the north. These trenches along with more long cores would help predict either slope stability and erosion potentials. The origin of cobbles only described at the Detention Pond site and the 195th area were not explained.

f

GLACIAL TILL PHOTOS WERE ONLY MADE IN THE HIGHER ELEVATIONS

A close examination of the photos show some signs of possible bedding features. However, their high stratigraphic positions near the upper level highlands mapped as glacial till is not surprising. It could be that visiting geologists using the 202 St gravel-cobble lumber company built road to the lower site areas interpret it as glacial till.

CS

NO PERMEABILITY OR GROUND WATER FLOW RATES WERE MEASURED

The term permeability was used to indicate that septic tanks would not perk if a R-1 development occurred over E.I.S. study area. No laboratory or field measurements were ever conducted to verify this conclusion. Two long cores should have been made in order to test rhodamine stained water to measure flow rates between the cores. Hydraulic gradients were never identified since ground water flows were assumed not to be significant ? Hydrophytic wetland plants such as devils club grow on this northern steep sandy slopes. A major ground water discharge has produced a eroded ravine and large trees to topple in this unstable ravine. The wetland stream below also contains numerous downed large trees indicating unstable northern slopes.

CS

g, h

DETENTION

NO RETENTION POND TEST WAS MADE SIMILAR TO THE REDMOND E.I.S.

The E.I.S. core data show the dominance of blue clays or silts at the retention pond site. This pond site should be tested to evaluate its draining rate capacity. Fine sands should flow across its retention pond surface into the industrial drains. This detention pond may end up as nothing but a mosquito infested pond.

CS

REMOVAL OF TREES WERE NOT GIVEN SERIOUS CONSIDERATION

Removal of tree roots will lessen the long term stability of the development sites. Future residents develop their own backyards to their satisfaction, More trees might be removed when property owners want to create better views or garden space with more sun. These soils and subsurface sands are easily eroded.

M-1

CONCERNS WITH THE E.I.S. SUMMARY TABLE OF ALTERNATIVES

Enclosed is a photo-map showing the size of the R-1 Concerned Neighbors of Wellington homesite areas compared to the R-4 plus Wood Trails Development homesites. The latter will remove all trees and regrade surface soils and impact subsurface sands. Their percent comparison of R-1 to R-4 areas utilized their unbuildable forested slopes. Roads into the R-1 areas are wooded and homes inserted between trees older than the homes. Their statement that "no significant change in long term slope stability, based on existing subsurface conditions, limited near steep slope areas, slope stabilization measures." They have not considered 1) sediment and groundwater cause slips were not examined from long cores. 2) backyards can be eroded due to steep slope sands 3) the northern sandy steep slopes are impossible to stabilize since soil creep, slumping, and groundwater will occur over long periods of time witnessed by the numerous down trees.

b

M-1 → 4

HAS THE E.I.S. WRITERS SEEN THE LETTERS AND DISPLAY BOARDS I'VE SENT TO THE CITY PLANNERS FOR WRITER EARLY NOTIFICATION entitled

- 1) INITIAL RESPONSE TO THE TRIAD ASSOCIATES WOOD TRAILS REPORT indicated the need for accurate topo-maps, problem sands, eroded 50 ft cliff, fallen trees
- 2) NEED FOR PROFILE OF EQUILIBRIUM SURVEY concern over documenting future erosion
- 3) TOUR GUIDE TO GEOLOGIC, HYDROLOGIC, AND AESTHETIC FEATURES concerns over beautiful tree that make R-1 home sites unique
- 4) NON-MAPPED CRITICAL AREAS-STREAM WETLANDS IDENTIFIED stream wetlands were not described and this being the only yearlong flowing stream (I believe this must have been received since they excluded the wetland area) Need for seasonal discharge data.
- 5) CONCERN OVER RUNOFF-CLOGGED INDUSTRIAL DRAINS see enclosed color map showing drainage areas, culverts, & unmapped canyons
- 6) CALCULATIONS OF POTENTIAL EROSION AND SEDIMENT THAT COULD POSSIBLY FILL A SINGLE RETENTION POND (I'll enclose it again) The 201 St development was not present in 1970 so a canyon next to Mr. Barnes house showed increase erosion based on its new base level and lateral erosion of the stream.
- 7) NEED FOR A CITY E.I.S. TO CONSIDER REDMOND'S E.I.S. (enclosed) Numerous very long cores, soil manage excavations, retention pond test, ground water well examinations. Why were these Redmond city expectations omitted from this development site that is located in a King County Erosion Hazard Area?

THE WOOD TRAILS GEOLOGICAL & HYDROLOGICAL DATA SUPPORTS THE KING COUNTY R-1 HOMESITE MAPPED CLASSIFICATION AREA

RH page 4 of 23

P4

TO: Planning Department reviewers of the Wood Trails & Montevello Developments
Planning Department, Woodinville City Hall, 17301 133 rd Avenue N.E.
FROM: Robert A. Harman, Geologist, resident of 14949 202nd Street October 18, 2004
COPY SENT TO: Concerned Neighbors of Wellington

RECOMMENDED GEOLOGIC AND HYDROLOGIC E.I.S. TOPICS BASED ON A SIMILAR DEVELOPMENT BEING CONSIDERED BY THE CITY OF REDMOND

On October 12, 2004 Dr. Curtis Koger of Associates Earth Scientists gave a talk to the Northwest Geology Meeting on the "Geology and Hydrology of the Eastern Bear Creek Plateau". I highly recommend the Woodinville Planning Department contact him (425 827-7701) to see what EIS demands were expected from the City of Redmond. I realize that each development has their own special considerations. However, below are listed topics that I believe should be considered. Dick Fredlund said my previous submitted letters with charts, tables, and maps would be considered but recommended this cover letter to address the potential topics of a EIS.

IDENTIFICATION OF THE VERTICAL AND LATERAL EXTENT OF THE GEOLOGIC STRATA THAT INFLUENCES EROSION AND GROUND WATER MOVEMENT

The Ground Water distribution and its preferential movement is important when considering the location of Retention Ponds and its impact on the wetlands adjacent to Montevello and 202 Park (that floods). In the Wood Trails area ground water forms springs and sources of water to the stream wetlands that provide the only year round stream flow for wild life in the 202-Golf Course Canyon (see submitted charts). The ground water strata when saturated can create slumps such as the ones witnessed by the city and 202 neighbors. The cliff in the 202-Golf Course Canyon certainly provides a major hazard to the industrial park area if high density housing is perched nearby. Maximum seasonal discharge rates from the roads and the development should be quantified so more discussion would be included about the rate Retention Ponds will be expected to fill. This should include the expected suspended sediment amounts and predicted fill sediment fill rate of the pond and the potential fill of the industrial park's infiltration discharge system. Wetland plants should be described on the project slopes to monitor future water loss to slopes.

REDMOND EIS EFFORTS: 86 borings or cores were made to delineate the geologic formation names and their aerial distribution (isopach or strata thickness maps). Spring locations were correlated with these strata maps and then flow rates determined. The borings ranged in length from 40 to 200 feet in contrast to Triads Ass. cores that were mostly 5 feet in length with only one 20 feet long. Soil Management Excavations were made to provide detailed variation in attitude of sediment types. The most serious is the presence of Blue Clays that act as impermeable layers creating slip-slump surfaces and/or barriers to draining Retention Ponds. Over 450 water well logs covering 31 square miles were made to identify Ground Water directions and flow rates. A 11 million gallon Retention Pond Test was conducted to verify expected pond settlement rates. I was surprised to learn that the Bear Creek Plateau the geologic sand formation was Double Bluff and not Vashon Outwash (Esperance Sand) I believed formed the steep slopes of Woodinville. As in this EIS a glacial geologist expert should be able from the borings to map how these glacial strata vary laterally and vertically around the steep slopes of Woodinville.

THE TOPOGRAPHY AND SLOPE STABILITIES SHOULD BE ASCERTAINED

My discussion with one geologist at the meeting believed that King County should have a LIDAR Aerial Survey Map that would show the orientation of canyons and areas of steep slopes. Certainly such a topographic map is warranted for such a large development that may threaten the industrial park. In the Wood Trails area many trees show downslope undercutting of their roots suggesting even gentle slopes indicate surface drainage erosion. The tractor that recently dug exploratory holes had 3 foot track holes that indicate the potential of concrete foundation failures. Ron Hodge on 201st street used a tractor to remove a stump that caused the tractor to sink so deep that another tractor was used to retrieve the lowered one. Even in the Wellington Hills area concrete floors show such cracks and sidewalks disoriented due to unstable horizontal surfaces.

EROSION IS NOT CONSIDERED IMPORTANT IN TRIAD REPORT

p 3 of 3.2 "no major signs of erosion was observed"

p 5 of 4.1 "all drainage systems appear to have adequate capacities" (See appendix for below calculations)

COMPARISON OF A CANYON EROSION WITH CULVERT DISCHARGES

Two culverts occur at the same site leading into a large canyon south of the Barnes residency on 202 nd Street. One steel culvert drains primarily rapid street runoffs (1584 ft³/hour) while a concrete culvert drains a creek valley in late spring (12.7 ft³/hr). Road Drainage is 988 ft³/1 inch event and adjacent drainage area creates 563 ft³/1 inch or combined events of 1551 ft³/ 1 inch. Note this value compares favorably with max. rapid street runoff.

M-2
N-4

AMOUNT OF EROSION IN THIS CANYON The eroded gully next to these canyons is roughly 130 ft long and 2ft by 3 ft wide (780 ft³) while further downcreek 200 ft long and 4ft by 15 ft wide (12000 ft³); below projections uses a 7000 ft³ erosion sediment volume.

PROJECTED SEDIMENT VOLUMES TO THE DETENTION POND

Using a 370,260 ft²(10%) No. Upstream discharge of 3084 ft³/1 inch added to the Detention Basin 857,261 ft²(45%) Discharge of 32,134 ft³/ 1 inch the combine volume discharges would be 35,188 ft³/one inch event. This basin discharge is 22.7 times larger than the above culvert canyon sediment of 7000 ft³ or equivalent 161,000 ft³ deposited at the Detention Pond having a 188,000 ft³ volume.

Certainly rainfall and sediment accumulation in this pond and its removal becomes a very important consideration in this project.

CONSIDERATION OF THE 156th-AVE-GOLF COURSE DISCHARGES AND CANYONS THAT OUTFLOW INTO THE INDUSTRIAL PARK

If the discharge of the 156th-Golf Course Discharge of 91,529 ft³/ 1 inch is 10 times the lower canyons discharge of 9152.9 ft³/ 1 inch their combine discharge into the industrial park 100,782 ft³/ one inch; This value and the detention pond discharge is 135,970 ft³/ 1 inch. These discharges into canyons containing leaves, street debris and the erosion of sediment should certainly have a major impact on the 12 inch diameter pipes that drain the industrial park. Not much discussion was made of suspended sediment concentrations and the porosities and permeabilities of the infiltration system.

This major Woodinville development needs a lot more work before the City and its taxpayers should approve this project.

~~pg~~

RH page 6 of 23

P6

DRAINAGE AREAS AND DISCHARGE CALCULATIONS

LOCATION AREA	DRAINAGE AREA	VOLUME/1 INCH	RAPID RUNOFF
GOLF COURSE-156	10,985,000 252 AC	915,290	10% 91,529
BARNES 202 CYN	Ft2	Ft3/1 INCH EVENT	Ft3/1 INCH EVENT
R1-A	777,400	64,781	10% 6,478
R1-B	169,000	14,078	10% 1,408
R1-C	152,100	12,670	10% 1,267
TOTALS	1,098,500 25.2 AC	91,529	10% 9,153
ABOVE TOTALS TO INDUSTRIAL PARK CANYON ENTRANCE			100,682
UPSTREAM R-2A	1,199,900 27.5 AC vs 21AC	99,952	(should also include R1-3A) 10% 9,995
BUILDING SITE	(not obtained from final site locations-note differences 13.2 vs 14.6 AC)		
R-3A (202 AREA)	270,400	22,532	45% 10,139
R-3B (201-198)	169,000	14,083	45% 6,337
R-3C (195)	135,200	11,266	45% 5,070
TOTALS	574,600 13.2 AC vs 14.6 AC	47,881	45% 21,546
SLOPE-UNDEVELOPED	1,385,800		POND 188,660
R-4	31.8 AC	115,479	10% 11,548
INDUSTRIAL PARK TO 144 th AVE			
	3,987,271	354,841	80% 283,873
TOTAL ABOVE RAPID RUNOFFS TO INDUSTRIAL PARK-144			416,096

202 CULVERT CALCULATIONS

DRAINAGE AREA IN VALLEY-barnes canyon= 253,500 ft² AREA ABOVE 149 = 67,600 ft²

202 + 149 ROAD AREAS = $\frac{250(30) + 220(20)}{2} = 11,900 \text{ ft}^2 \times .0833 = 988 \text{ ft}^3 / 1 \text{ inch event}$

STEEL CULVERT 202 $(.75) 3.14 = 1.76 \text{ ft}^2 \times (.25) = .44 \text{ ft}^3 / \text{sec} = 1584 \text{ ft}^3 / \text{hour}$

CONCRETE CULVERT 202 $600 \text{ ml} / 6 \text{ sec} / (1000 \times 28.3) = .00353 \text{ ft}^3 / \text{sec} = 12.7 \text{ ft}^3 / \text{hr}$

BELOW BARNES TO INDUSTRIAL PARK CANYON

24 inches wide (.75 inch deep)(9 inches/sec) = 162 in³ / sec = .09325 ft³ / sec

= 336 ft³ / hour

24 inches wide (.5 inches deep)(6 inches/sec) = 72 in³ / sec(.0005787) = .041667 ft³ / sec

= 150 ft³ / hour

RATIO BETWEEN GROUND WATER AT CULVERT VS GOLF COURSE-156 CANYON

$150 \text{ ft}^3 / \text{hr} / (1 / 12.7 \text{ ft}^3 / \text{hour}) = 11.8 \text{ times greater ground water spring runoff}$

RATIO BETWEEN STEEL CULVERT DISCHARGE VERSUS CONCRETE CULVERT

$1584 \text{ ft}^3 / \text{hr} / (1 / 12.7 \text{ ft}^3 / \text{hr}) = 124.7 \text{ times greater during maximum runoff}$

TEXT
P2

P7

EROSION OF SANDS THAT
UNDERMINE TREES

LOESS FINE SAND

← DEPOSITS SIMILAR TO CLIFF

TREES OLDER THAN HOMES



WOULD NOT OCCUR IN
WOOD TRAILS DEVI

g

INT

9

RH page 8 of 23

EXHIBIT
P

EXHIBIT 42
PAGE 82 of 211

RH page 9 of 23

C

EXHIBIT 42
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Dislodged broken culvert
that empties into the industrial drain pipes

EXHIBIT
PAGE OF

24 Page 10 of 23



RH Page 11 of 23

FEB 19 2006 e

AT THE GOLF COURSE SURFACE

OUTWASH SANDS FORMING CLIFFS

BLUE CLAYS CREATE GROUND WATER
SLIP AREAS & EROSION

NEARBY STRATIGRAPHIC SECTION

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PAGE 185 of 241

EXHIBIT 42
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Ground water ravine erosion
View of backside of root

EXHIBIT
PAGE 186 OF 241

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EXHIBIT 42
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EXHIBIT
PAGE 0

Close-up of discharging ground water
And hydrophytic devils club & root

RH Page 14 of 23

EXHIBIT 42
PAGE 188 of 241

EXHIBIT _____
PAGE _____ OF _____

lower 241
RH Page 15 of 23
2. DENSE = 1550 ↑ ABUNDANT FRAGMENTS 6

JANU TEST SITE

202

EXHIBIT 42
PAGE 189 of 241

3
DENSE? 1539 FEW FRAGMENTC
3H Page 16 of 23

EXHIBIT
PAGE OF

CONCERNED NEIGHBORS WELLINGTON

COMPARE ↑
LOT SIZES →

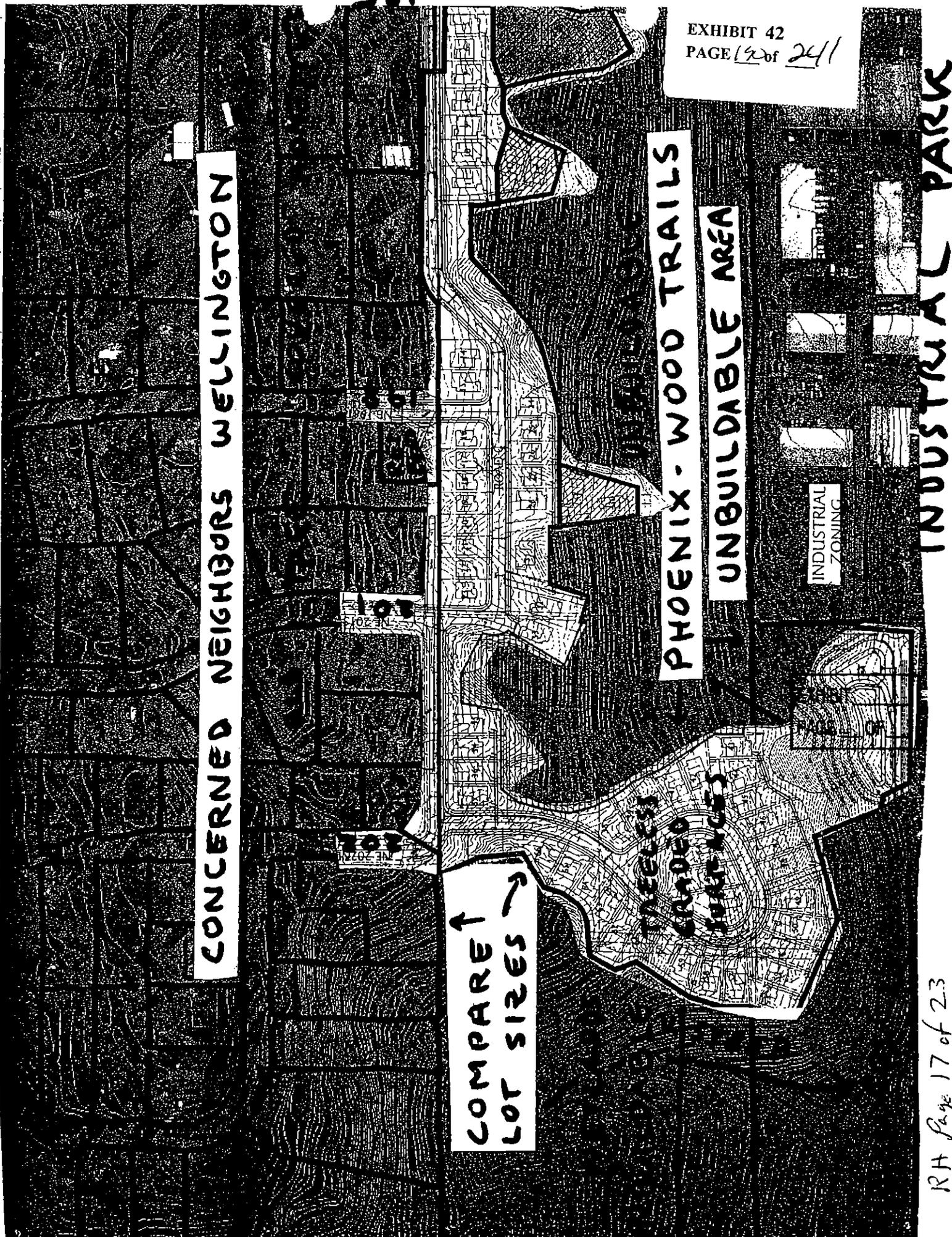
PHOENIX - WOOD TRAILS

UNBUILDABLE AREA

INDUSTRIAL ZONING

NEEDED
GRADED
STRAIGHTENED

INDUSTRIAL PARK



Cindy Baker

EXHIBIT 42

PAGE 19 of 241

From: Jenson, Matthew O [matthew.o.jenson@boeing.com]
Sent: Monday, December 18, 2006 9:41 AM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; Cathy VonWald; MARK STEWART
Subject: Please extend the deadline for FEIS response

Dear Ms. Baker et al.,

I was finally able to get back online this morning from a friend's house in Redmond. Prior to Thursday night, review of the Wood Trails & Montevallo FEIS had been near the top of my priority list. However, the big storm has quickly reoriented my list. Since Thursday, my primary concern has been the care of my family (from a hotel in Seattle) and the clean up of downed trees on my property.

When I first learned that the FEIS was formally released last week, I was disappointed. As evidenced by the number and thoroughness of the comments to the DEIS, it should be clear that a significant number of residence are very interested in participating in the process. In fact, it took the city nine months to process and respond to all of the comments. It seemed disingenuous that the city should release the FEIS in the thick of the Holiday season when residents' schedules could least accommodate the time required to review such an extensive document in such a short time frame. But, I was prepared to sacrifice a large part of an important pre-Holiday weekend to do just that.

However, the storm changed everything. With power still out and my family displaced for who knows how much longer, I simply cannot meet the 7 day deadline for reviewing the FEIS. I sincerely hope that the city will find a way to extend the deadline beyond the originally planned 7 days to at least 30 days, if not 60 days.

Sincerely,

Matt Jenson - Engineering, Operations & Technology Financial Services IT - Business Analyst
206-713-6069 (Cell) / 425-865-1949 (Office) / 425-830-2981 (Personal Cell)

* I would normally use my personal email for this type of letter, but that was not possible due to the storm. So, all the standard legalize should apply... This email reflects only my opinions and does not in anyway represent the position of The Boeing Company, etc...

Cindy Baker

EXHIBIT 42

PAGE 192 of 241

From: Becky Warden [beckynell@comcast.net]
Sent: Thursday, December 14, 2006 12:25 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: Request adequate period of time for FEIS Review

Dear Cindy,

I read yesterday about the FEIS for the dense developments of Wood Trails and Montevallo in the Wellington Neighborhood. I am dismayed by the timing of the release of this document, as well as the short review period. This is particularly difficult timing as the holidays are approaching and people will likely be preoccupied with family. I request a 60 day delay in this deadline. The document is extensive, and it will take time to review it to see that ALL of my concerns were addressed.

I can't help but feel that the city is allowing the rights of developers to supersede the rights of current property owners and taxpayers in Wellington. In my work as a driver, I am daily affected by the heavy and slow traffic in the corridor down 132nd, past Woodin Elementary, and over the 522 interchange. The development along this road has been dense and the infrastructure has not been addressed to accommodate the added people and cars. I will do all I can to stop the same unconscionable and dangerous development along 156th street.

Sincerely,
Wellington Property owner,
Becky Warden

12/18/2006

Cindy Baker

EXHIBIT 42
PAGE 193 of 241

From: Jenson, Matthew O [matthew.o.jenson@boeing.com]
Sent: Monday, December 18, 2006 9:41 AM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; Cathy VonWald; Hank Stecker
Subject: Please extend the deadline for FEIS response

Dear Ms. Baker et al.,

I was finally able to get back online this morning from a friend's house in Redmond. Prior to Thursday night, review of the Wood Trails & Montevallo FEIS had been near the top of my priority list. However, the big storm has quickly reoriented my list. Since Thursday, my primary concern has been the care of my family (from a hotel in Seattle) and the clean up of downed trees on my property.

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Sincerely,

Matt Jenson - Engineering, Operations & Technology Financial Services IT - Business Analyst
206-713-6069 (Cell) / 425-865-1949 (Office) / 425-830-2981 (Personal Cell)

* I would normally use my personal email for this type of letter, but that was not possible due to the storm. So, all the standard legalizations should apply... This email reflects only my opinions and does not in anyway represent the position of The Boeing Company, etc...

EXHIBIT 42
PAGE 174 of 241**Cindy Baker**

From: Frank White [white.frank@comcast.net]
Sent: Thursday, December 14, 2006 12:53 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: Request adequate period of time for FEIS Review
Importance: High

Dear Cindy,

I read yesterday about the FEIS for the dense developments of Wood Trails and Montevallo in the Wellington Neighborhood. I am dismayed by the timing of the release of this document, as well as the short review period. This is particularly difficult timing as the holidays are approaching and people will likely be preoccupied with family. I request a 60 day delay in this deadline. The document is extensive, and it will take time to review it to see that ALL of my concerns were addressed.

I can't help but feel that the city is allowing the rights of developers to supersede the rights of current property owners and taxpayers in Wellington. In my work as a driver, I am daily affected by the heavy and slow traffic in the corridor down 132nd, past Woodin Elementary, and over the 522 interchange. The development along this road has been dense and the infrastructure has not been addressed to accommodate the added people and cars. I will do all I can to stop the same unconscionable and dangerous development along 156th street.

Sincerely,
Wellington Property owner,
Frank White

12/18/2006

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 9:08 AM
To: Susie McCann
Subject: FW: A letter of concern... Corrected letter with Susie McCann and Connie Fessler.)

(Please share this email

COPY

-----Original Message-----

From: RoyG [mailto:piaschool@comcast.net]
Sent: Wednesday, December 13, 2006 11:47 PM
To: Cindy Baker
Cc: Steve Munson
Subject: FW: A letter of concern... Corrected letter (Please share this email with Susie McCann and Connie Fessler.)

-----Original Message-----

From: RoyG [mailto:piaschool@comcast.net]
Sent: Wednesday, December 13, 2006 11:35 PM
To: CindyB@ci.woodinville.wa.us
Cc: cfessler@ci.woodinville.wa.us; SteveM@ci.woodinville.wa.us
Subject: A letter of concern... (Please share this email with Susie McCann also.)

December 13, 2006

To the Woodinville City Staff,

The Final Environmental Impact Statement has been completed and published today, December 13, 2006. The city staff,

involving a significant number of people, spent 9 months to read, research, and respond to the letters and statements

pertaining to the Draft Environmental Impact Statement of March, 2006. It appears to have taken the city's employees more

time to complete this document than they realized at the start of this process. The citizens of Woodinville were willing to

wait for this extended period of time in order to have their concerns acknowledged in the FEIS

document and to have their numerous issues addressed in a thorough manner. Now, it would seem to be only fair and reasonable

that the citizens be given adequate time to review the FEIS themselves. Seven days is definitely not adequate or

acceptable, especially compared with the nine months the city staff was

permitted. The City of Woodinville has never

processed a DEIS/FEIS document before, and the community is learning as well as the process unfolds. This time of the year

itself is already filled with obligations, vacations, travel, a variety of holidays celebrations and a very hectic schedule

for most of us. It is necessary to give sufficient time to the citizens of Woodinville that you represent so they may

fulfill their responsibility and have sufficient time to read the FEIS. A period of 60 days is a fair request. I would ask

that the city staff make this effective immediately, so we may all enjoy this holiday season.

Sincerely,

Roy and Sharon Ghazimorad

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 9:06 AM
To: Susie McCann
Subject: FW: Wood Trails/Montevallo Final EIS Review

COPY

From: Griffin [mailto:hotterwill@comcast.net]
Sent: Thursday, December 14, 2006 3:53 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: Wood Trails/Montevallo Final EIS Review

To: Woodinville City Staff
Date 12/14/06
RE Wood Trails/Montevallo Final EIS Review

I request a 60 day delay on the deadline for responding to the Final EIS. This is a new process for both the city staff and the citizens of Woodinville, let's not rush this. I and my family are in the process of preparing for the holidays, redoing the interior of our home, and putting together travel plans for the holidays, having to take the additional time to review such a large complicated document as the FEIS in just 7 days is adding more stress to my family. Please delay the deadline to give me a chance to do a complete review of this complex and large document.

Also, since the City Staff has had over 9 months to respond to the Draft EIS and is now giving me only 7 days to review and comment on the Final EIS, don't you find that a delay is the right thing to do?

Thank you!

Cliff and Sheri Griffin
14907 NE 198th Street
Woodinville WA 98072
425-485-4864

--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.409 / Virus Database: 268.15.18/586 - Release Date: 12/13/2006

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 9:05 AM
To: Susie McCann
Subject: FW: I need more than 7 days to review Wellington FEIS

COPY

From: Dinocarle@comcast.net [mailto:Dinocarle@comcast.net]
Sent: Thursday, December 14, 2006 9:22 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: I need more than 7 days to review Wellington FEIS

Please allow 60 days to review the FEIS. It is unreasonable and poor public service to allow only 7 days to review a document that impacts the safety of our children and the quality of our lives here in the Wellington neighborhood.

This is a large, complicated document, and the city should take that into account. After all, the City of Woodinville, employing professionals whom we citizens pay for, has needed 9 months to review this document.

Please reply with your answer.

Thank You,

Dino Cecchetto

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 9:06 AM
To: Susie McCann
Subject: FW: EIS

COPY

From: robert day [mailto:m-mday1@msn.com]
Sent: Thursday, December 14, 2006 5:20 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; Fred Green
Subject: EIS

Dear Cindy,

My wife and I have just started looking at the recently published EIS for the Woodtrails and Monteverello sub divisions. I would respectively request more time to review this extensive and complicated document. We have specific issues we have brought up to the City in a previous letter and need adequate time to make sure those issues have been addressed. The City has had 9 months to draft this cumbersome document, we feel it only fair that we get 60 days to go through it line by line. The upcoming holidays are hectic enough without the added pressure of working our way through this text.

Please let us have a fair amount of time to review your document. We anxiously await your response.

Mark and Marie Day
20219 151st Avenue NE
Woodinville
485 2656

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

EXHIBIT 42
PAGE 20 of 241

December 13, 2006

Cindy Baker
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

Subject: Request for Extension of Review Period for the EIS for the Proposed
Wood Trails/Montavello Developments

Dear Ms. Baker,

On behalf of the Concerned Neighbors of Wellington (CNW), we are requesting a 60-day extension of the review period of the Final Environmental Impact Statement (FEIS) for the proposed Montavello/Wood Trails Developments within the City of Woodinville.

Based on the reviews conducted previously by CNW and other citizens of Woodinville of the Draft EIS (DEIS), there were numerous omissions, inconsistencies, and inaccurate representations in the document. We are concerned that sufficient time be allowed to evaluate changes and additions to the DEIS that would be necessary to address these shortcomings.

When one considers the scope and complexity of the project and that over seven months were spent to revise the DEIS, we think it very reasonable to request a 60-day extension. We also anticipate that the technical experts we are interested in retaining will require additional time to evaluate the issues at hand and prepare for presentations at hearings.

Moreover, the FEIS is being released during the most extensive holiday season of the year and we respectfully request a response to our request not later than the close of business, Friday, December 15.

I would prefer that you would reach me by phone, fax, or email: Phone: 425-821-1111, Fax: 425-821-3587, Email: Fred@GreenFinancial.com.

Thank you for your consideration.

Sincerely,

Fred Green

Fred A. Green
President

cc: Rick Aramburu, Attorney at Law, Steve Munson, Connie Fessler

P.O. Box 2968, Woodinville, WA 98072-2968
Concerned Neighbors of Wellington is a Washington Non-Profit Corporation

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 4:50 PM
To: Frank White
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; Susie McCann
Subject: RE: Request adequate period of time for FEIS Review
Attachments: Dec 18, 2006 WT Montevallo.TIF

COPY

Dear Mr. White,

In response to the many email inquiries about the Final EIS Montevallo and Wood Trails rezone and subdivision, we are attaching an official statement from the City to assist the public in understanding their next steps. We hope this information assists you in participating in the on-going process.

If you have any questions, please contact Susie McCann in my absence (susiem@ci.woodinville.wa.us, phone #425-489-2754, Ext. 2272).

Sincerely,

Cindy Baker (sg)

This email is being sent for Cindy Baker who is currently out of town and unavailable.

From: Frank White [mailto:white.frank@comcast.net]
Sent: Thursday, December 14, 2006 12:53 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: Request adequate period of time for FEIS Review
Importance: High

Dear Cindy,

I read yesterday about the FEIS for the dense developments of Wood Trails and Montevallo in the Wellington Neighborhood. I am dismayed by the timing of the release of this document, as well as the short review period. This is particularly difficult timing as the holidays are approaching and people will likely be preoccupied with family. I request a 60 day delay in this deadline. The document is extensive, and it will take time to review it to see that ALL of my concerns were addressed.

I can't help but feel that the city is allowing the rights of developers to supersede the rights of current property owners and taxpayers in Wellington. In my work as a driver, I am daily affected by the heavy and slow traffic in the corridor down 132nd, past Woodin Elementary, and over the 522 interchange. The development along this road has been dense and the infrastructure has not been addressed to accommodate the added people and cars. I will do all I can to stop the same unconscionable and dangerous development along 156th street.

Sincerely,
Wellington Property owner,
Frank White

12/18/2006

COPY

Susie McCann

From: Barbara_Czuba@berlex.com
Sent: Thursday, December 14, 2006 1:40 PM
To: Cindy Baker; Susie McCann
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; bczuba@aol.com
Subject: FEIS - Montevallo / Wood Trails: Request for a longer public review pe

EXHIBIT 42

PAGE 202 of 241

Dear Ms. Baker and Ms. McCann --

In order to effectively review and comment upon the Wood Trails and Montevallo Final Environmental Impact Statement (FEIS) that was just issued yesterday (Dec 13, 2006), I would like to request that the City of Woodinville please provide a 60-day public review and comment period for this FEIS document rather than the deadline of 7-days from date of publication.

The reason I request this longer public review and comment period is due to the following:

1) The size and complexity of the FEIS document for the Wood Trails and Montevallo developments

In order to effectively review and ensure that all of the comments and concerns of the Wellington area citizens have been addressed appropriately and accurately within this FEIS document, I feel that a longer review period is required.

A 60-day public review period will provide the citizens of Woodinville the opportunity to thoroughly and rigorously review the FEIS document to ensure that the best possible development plan is ultimately implemented within the Wellington area of Woodinville.

The proposed Montevallo / Wood Trails developments will permanently alter the character and quality of the Wellington neighbor. This fact thus demands that we as Woodinville citizens ensure that our concerns have been accurately and effectively addressed within the FEIS for the Wood Trails and Montevallo developments. A 60-day public review period provides the amount of review time that is required for a document of this type.

2) Due to the overall number and complexity of our concerns and comments, as issued to the City of Woodinville during our review of the DEIS, I feel that the FEIS will be extensively revised from what was submitted originally as the DEIS. Thus, in order to thoroughly and rigorously review the FEIS with respect to answering all of our concerns and comments, I feel a longer public review period of 60-days is required.

This longer 60-day review period will ensure that the FEIS has indeed appropriately and accurately addressed all of our concerns and comments to the DEIS. Additionally, this longer public review period will ensure that the FEIS will result in new developments within the Wellington area that do not negatively alter the character and quality of our neighbor, as well as the City of Woodinville.

Thank you so much for your time and consideration,

Barbara Czuba
Wellington area resident
NE 203rd Place

Susie McCann

EXHIBIT 42
PAGE 203 of 241

From: Cindy Baker
Sent: Monday, December 18, 2006 4:38 PM
To: Orton, Gregory
Cc: Susie McCann
Subject: RE: We need more time to review the FEIS statement!!!
Attachments: Dec 18, 2006 WT Montevallo.TIF

COPY

Dear Mr. Orton,

In response to the many email inquiries about the Final EIS Montevallo and Wood Trails rezone and subdivision, we are attaching an official statement from the City to assist the public in understanding their next steps. We hope this information assists you in participating in the on-going process.

If you have any questions, please contact Susie McCann in my absence.

Sincerely,

Cindy Baker (sg)

This email is being sent for Cindy Baker who is currently out of town and unavailable.

From: Orton, Gregory [mailto:grego@amazon.com]
Sent: Monday, December 18, 2006 12:41 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: We need more time to review the FEIS statement!!!
Importance: High

Hello Cindy, Connie and Steve (and others who hold Woodinville's future in their hands),

As a lifetime resident of Woodinville (and Wellington), I am appauled at the leadership that might take my wonderful little country town and turn it into a sprawling eye sore of a community, not unlike what you see in Lake Stevens. Developers must have a powerful influence over you and like many situations, I'm guessing it comes down to money. Please correct me if I am wrong and tell me why you would ever entertain the idea of 4-8 homes per acre in the Wellington area? Also, why would you publish such a large document (the FEIS published on your web site) and only give your citizens 7 days to respond after you've had 9 months to review? There is no way you can expect your constituency to fully comprehend such a large document in such little time, especially after the storm that came through and given the holidays. I am asking for at least a 60 day delay in the deadline if not more.

As our community leaders we expect you to be on our side when it comes to playing politics of this kind. Are you not hearing us? We are watching what's going on with this and the Brightwater project and it wreaks of foul play. How do you expect to be re-elected when the cry from your constituency is to stop this from moving forward? Can any of you provide concrete examples of why this is a good idea. We have not heard any reasonable response from the City of Woodinville as to why this is good for the citizens of Woodinville. Maybe this can be your opportunity to get my family and friends votes back. Myself and others will be sending my hard earned money to lawyers to fight this cause. Lawyers aren't cheap and we're doing it anyways. I'm also writing your names beside the check entry to remind me that your decisions are why I've sent the check.

We need more time to review the FEIS statement!!!

Page 2 of 2

Please make us feel confident that you are in office for us, and not sprawling developments that bring in more tax dollars. Thank you for your time and responses.

EXHIBIT 42
PAGE 24 of 241

gregorton senioruserinterfacedesigner amazon.com x-61163 • "design is the result of thinking..."

12/18/2006

Susie McCann

EXHIBIT 42
PAGE 25 of 241

From: Cindy Baker
Sent: Monday, December 18, 2006 10:50 AM
To: Connie Fessler; Susie McCann
Subject: FW: Please extend the deadline for FEIS response

-----Original Message-----

From: Jenson, Matthew O [mailto:matthew.o.jenson@boeing.com]
Sent: Monday, December 18, 2006 9:41 AM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson; Cathy VonWald; Hank Stecker
Subject: Please extend the deadline for FEIS response

Dear Ms. Baker et al.,

I was finally able to get back online this morning from a friend's house in Redmond. Prior to Thursday night, review of the Wood Trails & Montevallo FEIS had been near the top of my priority list. However, the big storm has quickly reoriented my list. Since Thursday, my primary concern has been the care of my family (from a hotel in Seattle) and the clean up of downed trees on my property.

When I first learned that the FEIS was formally released last week, I was disappointed. As evidenced by the number and thoroughness of the comments to the DEIS, it should be clear that a significant number of residence are very interested in participating in the process. In fact, it took the city nine months to process and respond to all of the comments. It seemed disingenuous that the city should release the FEIS in the thick of the Holiday season when residents' schedules could least accommodate the time required to review such an extensive document in such a short time frame. But, I was prepared to sacrifice a large part of an important pre-Holiday weekend to do just that.

However, the storm changed everything. With power still out and my family displaced for who knows how much longer, I simply cannot meet the 7 day deadline for reviewing the FEIS. I sincerely hope that the city will find a way to extend the deadline beyond the originally planned 7 days to at least 30 days, if not 60 days.

Sincerely,

Matt Jenson - Engineering, Operations & Technology Financial Services IT -
Business Analyst
206-713-6069 (Cell) / 425-865-1949 (Office) / 425-830-2981 (Personal
Cell)

* I would normally use my personal email for this type of letter, but that was not possible due to the storm. So, all the standard legalize should apply... This email reflects only my opinions and does not in anyway represent the position of The Boeing Company, etc...

Susie McCann

From: Tatarsky, John [John.Tatarsky@affiliatedfm.com]
Sent: Friday, December 15, 2006 3:21 PM
To: Cindy Baker
Cc: Susie McCann; cfessler@ci.woodinville.wa.us; Steve Munson; Mary & John Tatarsky
Subject: Woodtrails FEIS - Request for more time to review

Hello Ms Baker.

I am a resident of Woodinville, and I commented on the Draft Environmental Impact Statement for the proposed Woodtrails development in Woodinville.

I just now found out the final Environmental Impact Statement has been released, and that you are only allowing 7 days for public review and comment??! I have a full time job, and this is not nearly enough time for me to read what amounts to around 1,500 pages of information!

I fail to understand why you are allowing so little time for interested parties to read and digest this final statement; it is not only an inconvenient time of year to find the time to study this, but with the wind storm last night I do not have electrical power, and will not be able to access your web site to review the document until power is restored (at this point, they are saying it may take several days).

I am writing this note from my office at work, imploring you to provide at the minimum at least 30 days for interested parties to review the FEIS. Sixty days would be even better. I have to believe there are many other interested people who also need more time to review this document. If an impartial and thorough review process is desired by the City, the right thing to do will be to extend the comment period for this FEIS.

Please let me know your decision.

Thank you.

John Tatarsky
15112 NE 198th Street
Woodinville, WA 98072

425-402-6355

12/16/06

City of Woodinville

We are requesting a 60 day
delay in the deadline to review the
FEIS. We have not even been able to
print it out before we lost power

Sincerely

Inc. Sharon Cemesa
15103 NE 202nd
(425) 486-0956

RECEIVED

DEC 18 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Susie McCann

EXHIBIT 42
PAGE 208 of 241

From: Cindy Baker
Sent: Monday, December 18, 2006 9:07 AM
To: Susie McCann
Subject: FW: Request adequate period of time for FEIS Review

From: Becky Warden [mailto:beckynell@comcast.net]
Sent: Thursday, December 14, 2006 12:25 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: Request adequate period of time for FEIS Review

Dear Cindy,

I read yesterday about the FEIS for the dense developments of Wood Trails and Montevallo in the Wellington Neighborhood. I am dismayed by the timing of the release of this document, as well as the short review period. This is particularly difficult timing as the holidays are approaching and people will likely be preoccupied with family. I request a 60 day delay in this deadline. The document is extensive, and it will take time to review it to see that ALL of my concerns were addressed.

I can't help but feel that the city is allowing the rights of developers to supersede the rights of current property owners and taxpayers in Wellington. In my work as a driver, I am daily affected by the heavy and slow traffic in the corridor down 132nd, past Woodin Elementary, and over the 522 interchange. The development along this road has been dense and the infrastructure has not been addressed to accommodate the added people and cars. I will do all I can to stop the same unconscionable and dangerous development along 156th street.

Sincerely,
Wellington Property owner,
Becky Warden

Susie McCann

EXHIBIT 42
PAGE 209 of 241

From: Jennifer Hallman [jenhallman@hotmail.com]
Sent: Thursday, December 14, 2006 10:36 AM
To: Cindy Baker
Cc: Connie Fessler; Susie McCann; Steve Munson
Subject: FEIS Document

COPY

Importance: High

Dear Ms. Baker:

I appreciate the work the City of Woodinville has done to publish the Final Environmental Impact Statement for the R1 area in Wellington. I would like to request 60 days to review the document, not merely seven days. This document is extremely large and very complexity. It will require additional time (especially as the holidays are approaching) for citizens to properly review and comment on the contents of the document.

In an effort to continue to fairly involve the voters please extend this deadline. It is important for the City of Woodinville to demonstrate their desire for community involvement in this significant project. As you commented in a city news release "the combined projects are one of the largest residential developments in the City's history." A project of this scope deserves a 60 time period for citizens to review.

Thank you for your consideration.

Sincerely,

Jennifer Hallman and Derek Luhn

19160 160th AVE NE
Woodinville, WA 98072

425-415-0447

cc: Connie Fessler, Susie McCann, Steve Munson

COPY

EXHIBIT 42
PAGE 210 of 241

From: George M. White [mailto:gmskwhite@msn.com]
Sent: Wednesday, December 13, 2006 9:04 PM
To: Cindy Baker
Cc: cfessler@cl.woodinville.wa.us; Steve Munson
Subject: Wood Trails Montevallo FEIS

To: Cindy Baker,

We appreciate receiving notification that the Final Environmental Impact Statement for Wood Trails/Montevallo is now available for citizen review.

However, we would like to ask for more than 7 days for citizen review of this lengthy and complex document. A 60 day citizen review period seems reasonable. Please consider the following to justify an extended citizen review period:

- 1) The size, complexity and large scope of the document, as well as extensive revisions from the original DEIS require more than 7 days for review.
- 2) The City had 9 months to respond to comments from the DEIS and you are allowing your citizens only 7 days to review and respond. I would hope that you would consider the appearance of such a shortened citizen response period and instead promote the idea that the City and its citizens can work together. Please don't "railroad" this process at this critical time.
- 3) The City of Woodinville, both as a city, and as a community, has never processed any DEIS or FEIS. By extending the citizen review period to a reasonable time (60 days), I would think the City and the Community would both profit from a sense of "working together" on community issues.
- 4) The fact that you have publically released the FEIS document on December 13th for just a 7 day review at this busy/holiday time may serve to willingly or unwillingly limit public input. I would hope that you would extend the citizen review time to allow your citizens, as well the City, to give full thought to this very important FEIS.

Please be fair to your citizens and extend the review period for the Final Environmental Impact Statement for Wood Trails/Montevallo.

Thank you,
George & Sandra White
14818 NE 195th Street
Woodinville, WA 98072

To: Cindy Baker,

We appreciate receiving notification that the Final Environmental Impact Statement for Wood Trails/Montevallo is now available for citizen review.

However, we would like to ask for more than 7 days for citizen review of this lengthy and complex document. A 60 day citizen review period seems reasonable. Please consider the following to justify an extended citizen review period:

- 1) The size, complexity and large scope of the document, as well as extensive revisions from the original DEIS require more than 7 days for review.
- 2) The City had 9 months to respond to comments from the DEIS and you are allowing your citizens only 7 days to review and respond. I would hope that you would consider the appearance of such a shortened citizen response period and instead promote the idea that the City and its citizens can work together. Please don't "railroad" this process at this critical time.
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Please be fair to your citizens and extend the review period for the Final Environmental Impact Statement for Wood Trails/Montevallo.

Thank you,
George & Sandra White
14818 NE 195th Street
Woodinville, WA 98072

CC: Connie Fessler
CC: Steve Monson

RECEIVED
DEC 14 2006
CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Susie McCann

© © © © ©

From: Connie Fessler
Sent: Monday, December 18, 2006 9:26 AM
To: grubstello@omwlaw.com
Cc: Cindy Baker; Steve Munson; Susie McCann
Subject: RE: FEIS Appeal

EXHIBIT 42
PAGE 22 of 241

Thanks, Greg. We will get this out to folks. I'm sure questions will come up at the meeting tonight. I think I will have copies of our statement available to cut down on the public comment. See you tonight.

-----Original Message-----

From: Jim Katica
Sent: Monday, December 18, 2006 9:17 AM
To: Connie Fessler
Subject: FW: FEIS Appeal

COPY

-----Original Message-----

From: Greg A. Rubstello [mailto:grubstello@omwlaw.com]
Sent: Monday, December 18, 2006 8:38 AM
To: cfessler@ci.woodinville.wa.us
Cc: Jim Katica
Subject: FEIS Appeal

Connie,

A public message from the City regarding the time to appeal the Wood Trails and Montaveallo Subdivisions FEIS could read as follows:

Since a number of citizens have questioned the City staff as to the time for filing an appeal of the Wood Trails and Montevallo Subdivisions Final Environmental Impact Statement, the following statement is issued as public information.

The State Environmental Protection Act ("SEPA") allows for administrative appeals at the local agency level and for judicial appeals of a Final Environmental Impact Statement ("FEIS"). Administrative appeals at the local agency level are optional with the local agency. The City Planning Director has recently issued an Administrative Interpretation of the Woodinville Environmental and Development Regulations and determined that there currently is no local ordinance providing for an administrative appeal of a FEIS. This means that a judicial appeal of the Wood Trails and Montaveallo Subdivisions FEIS is the only available means of appeal.

The rules for judicial appeals of an FEIS can be found in the Washington Administrative Code at WAC 197-11-680 (4). In part, these rules state the following:

(b) When SEPA applies to a decision, any judicial appeal of that decision potentially involves both those issues pertaining to SEPA (SEPA issues) and those which do not (non-SEPA issues). RCW 43.21C.075 establishes time limits for raising SEPA issues, but says that existing statutes of limitations control the appeal of non-SEPA issues. The

statute contemplates a single lawsuit.

(c) If there is a time limit established by statute or ordinance for appealing the underlying governmental action, then appeals (or portions thereof) raising SEPA issues must be filed within such time period.

The decision of the Woodinville City Council to approve or deny a subdivision application is a land use decision which may be appealed by following the provisions of the Land Use Petition Act ("LUPA") in Chapter 36. 70C RCW. LUPA appeals must be served and filed within 21 days of the decision by the City Council. SEPA claims may be included within the LUPA appeal. Any SEPA claims not included within the appeal of the decision to approve or deny the subdivision application will likely be waived.

Summary: Any appeal of the Wood Trails and Montevallo Subdivisions Final Environmental Impact Statement is timely made if included in a timely served and filed LUPA appeal of the underlying decision to approve or deny the subdivision application. The LUPA appeal must be served within 21 days of the decision by the City Council to approve or deny the subdivision application.

The foregoing message is not intended as legal advice and anyone considering an appeal of the Wood Trial and Montevallo Subdivisions Final Environmental Impact Statement should consult their own attorney for legal advice.

Call me if questions or if I can be of further assistance. Otherwise, I will see you a tonight's meeting.

Greg Rubstello

December 18, 2006

City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

RECEIVED
DEC 19 2006
CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Rec'd letter
from City
dated
12-18-06

ATTN: Cindy Baker, Director of Development Services

RE: FEIS Wood Trails and Montevale

Though I did not read it in the Woodinville Weekly announcement of December 11th, nor in the Notice of FEIS sent by Cynthia Baker dated December 13th, I understand there is a 7 day deadline, December 20th, to respond before the case is handed over to the Hearing Examiner for review.

I would request the 7 day deadline to respond be extended 60 days for the following reasons:

- 1) The FEIS documents posted to the Woodinville website was not complete (was missing several appendices) December 13th, thus the date of issuance is incorrect.

- 2) This is a very large and detailed document with extensive revisions expected since the Draft EIS. It will take time to review, compare to the DEIS and compile comments.
- 3) The document was posted to the City Website December 13th, just a day before the largest wind storm in history hit the area, taking out power to 750,000 customers in King County alone. It is impossible to access the city's Website, visit the Woodinville Library or Kinko's when none have electricity.
- 4) As of December 18th the area is still without power and no expected date for service to resume from Puget Sound Energy, making it difficult to impossible for those interested in reviewing the Final EIS.
- 5) After 9 months of review the Final EIS was posted 10 days before Christmas Eve, only a few days before people hoped guests or left town for the holiday.

6) processing the DEIS and FEIS is a first for the city of Woodinville and the Community. There is a great deal at stake to our way of life, the environment and the wildlife and all due diligence must be taken.

EXHIBIT 42
PAGE 26 of 241

7) Considering the City needed 9 months to respond to the Draft EIS public comments, I would respectfully request the deadline for public comment be extended at least 60 days, so the citizens of Woodinville may provide quality feedback to the FINAL Environmental Impact Statement before the Hearing Examiner review.

Thank you,

Shani Parrott

SHANI PARROTT
16212 NE 200th CT
Woodinville, WA 98072
425.482.7992 (home)

cc: Connie Fessler
Susie McCann
Steve Munson

RECEIVED

DEC 19 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Rec'd Letter
From City
C2KD
12/18/06

Julie Darratt

16212 NE 200

Woodinville, Wa 98072

December 19, 2006

EXHIBIT 42
PAGE 21 of 241

City of Woodinville,

RE: FEIS For WoodTrails / Montevallo

(I) I would like to request an extension on the reply deadline. There are many reasons for this.

- ① The City has ~~two~~ years to review, yet they are only allowing the citizens 7 days
- ② the City released the FEIS with a deadline of December 20, 2006 just days before the biggest and most family oriented holiday of the year. This action alone clouds the City's motive / actions.
- ③ The worst wind / winter storm in over 10 years hits Woodinville and I personally have been without power for 6 days now.
- ④ Under these circumstances, without power, it has not been possible to download the FEIS. Kinko's has been closed due to no electricity as well.

(II) I would think the City of Woodinville would put the concerns of the residents before developers.

- ① the suspiciously innocuous notice announcing the publishing of The FEIS hints at possible cover up and collusion. The City is aware that

The entire community has been awaiting the FEIS for at least a year. One has to ponder the small print the City used.

(11) Each citizen is legally entitled to review the FEIS and verify that it addresses each and every concern I expressed in rebuttal to the EIS.

(12) This is the most complicated FEIS ever in Woodville history. Over the last year at many Council meetings, we know that there were hundreds of flaws and so many gaping holes in the EIS that it should not have even passed Pete Reese's / Ray Sturtz's desks. Please allow time for adequate review. This process is in everyone's best interest.

(13) I urge the City of Woodville to reconsider their time line and allow at least 60 days if not more for residents to respond.

Thank you.

Sincerely,

Julia Z Pannott

16212 NE 200th Court

We need more time to review the FEIS statement!!!

Page 1 of 1

EXHIBIT 42
PAGE 219 of 241

Susie McCann

From: Cindy Baker
Sent: Monday, December 18, 2006 2:13 PM
To: Connie Fessler
Cc: Susie McCann
Subject: FW: We need more time to review the FEIS statement!!!
Importance: High

From: Orton, Gregory [mailto:grego@amazon.com]
Sent: Monday, December 18, 2006 12:41 PM
To: Cindy Baker
Cc: cfessler@ci.woodinville.wa.us; Steve Munson
Subject: We need more time to review the FEIS statement!!!
Importance: High

Hello Cindy, Connie and Steve (and others who hold Woodinville's future in their hands),

As a lifetime resident of Woodinville (and Wellington), I am appauled at the leadership that might take my wonderful little country town and turn it into a sprawling eye sore of a community, not unlike what you see in Lake Stevens. Developers must have a powerful influence over you and like many situations, I'm guessing it comes down to money. Please correct me if I am wrong and tell me why you would ever entertain the idea of 4-8 homes per acre in the Wellington area? Also, why would you publish such a large document (the FEIS published on your web site) and only give your citizens 7 days to respond after you've had 9 months to review? There is no way you can expect your constituency to fully comprehend such a large document in such little time, especially after the storm that came through and given the holidays. I am asking for at least a 60 day delay in the deadline if not more.

As our community leaders we expect you to be on our side when it comes to playing politics of this kind. Are you not hearing us? We are watching what's going on with this and the Brightwater project and it wreaks of foul play. How do you expect to be re-elected when the cry from your constituency is to stop this from moving forward? Can any of you provide concrete examples of why this is a good idea. We have not heard any reasonable response from the City of Woodinville as to why this is good for the citizens of Woodinville. Maybe this can be your opportunity to get my family and friends votes back. Myself and others will be sending my hard earned money to lawyers to fight this cause. Lawyers aren't cheap and we're doing it anyways. I'm also writing your names beside the check entry to remind me that your decisions are why I've sent the check.

Please make us feel confident that you are in office for us, and not sprawling developments that bring in more tax dollars. Thank you for your time and responses.

gregorton senioruserinterfacedesigner amazon.com x-61163 • "design is the result of thinking..."

12/18/2006

Concerned Neighbors of Wellington

"Dedicated to Preserving the Character of the Wellington Neighborhood"

EXHIBIT 42
PAGE 20 OF 211

December 13, 2006

Cindy Baker
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072

RECEIVED
DEC 18 2006
City of Woodinville

Subject: Request for Extension of Review Period for the EIS for the Proposed
Wood Trails/Montavello Developments

Dear Ms. Baker,

On behalf of the Concerned Neighbors of Wellington (CNW), we are requesting a 60-day extension of the review period of the Final Environmental Impact Statement (FEIS) for the proposed Montavello/Wood Trails Developments within the City of Woodinville.

Based on the reviews conducted previously by CNW and other citizens of Woodinville of the Draft EIS (DEIS), there were numerous omissions, inconsistencies, and inaccurate representations in the document. We are concerned that sufficient time be allowed to evaluate changes and additions to the DEIS that would be necessary to address these shortcomings.

When one considers the scope and complexity of the project and that over seven months were spent to revise the DEIS, we think it very reasonable to request a 60-day extension. We also anticipate that the technical experts we are interested in retaining will require additional time to evaluate the issues at hand and prepare for presentations at hearings.

Moreover, the FEIS is being released during the most extensive holiday season of the year and we respectfully request a response to our request not later than the close of business, Friday, December 15.

I would prefer that you would reach me by phone, fax, or email: Phone: 425-821-1111, Fax: 425-821-3587, Email: Fred@GreenFinancial.com.

Thank you for your consideration.

Sincerely,
Fred Green
Fred A. Green
President

RECEIVED
DEC 21 2006
CITY OF WOODINVILLE
DEVELOPMENT SERVICES

cc: Rick Aramburu, Attorney at Law, Steve Munson, Connie Fessler

P.O. Box 2968, Woodinville, WA 98072-2968
Concerned Neighbors of Wellington is a Washington Non-Profit Corporation



King County

Wastewater Treatment Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street
Seattle, WA 98104-3855

COPY

DEC 27 2006
EXHIBIT 42
PAGE 21 OF 241

RECEIVED

December 22, 2006

DEC 27 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Susie McCann, Acting Manager
Plan Review and Inspections
City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

RE: Wood Trails and Montevallo Subdivisons/EIS2005-016

Dear Ms. McCann

The King County Wastewater Treatment Division has reviewed the Final Environmental Impact Statement dated December 2006, for the Wood Trails and Montevallo Subdivision projects. King County is requesting that the City of Woodinville submit sewer extension plans and modifications for the project to the Design, Construction and Asset Management Program, Civil/Architectural Section for local public agency review and approval. Drawings should be submitted for review during design development so that King County staff can assess the project's impacts. Please send the drawings to:

Eric Davison, DCAM, Civil/Architectural Section
King County Wastewater Treatment Division
201 South Jackson Street, KSC-NR-0508
Seattle, WA 98104-3855
Tel. (206) 684-1707
eric.davison@metrokc.gov

Thank you for the opportunity to review and comment on this proposal.

Sincerely,

Sandy Redick, Administrative Staff Assistant
Environmental Planning & Community Relations

cc: Eric Davison, DCAM, Civil/Architectural Section
Cindy Baker, Director of Development Services



Left Intentionally Blank

Cindy Baker

cc file WT
Bob W.
Susie McCann

TO: 1) Woodinville City Council & Planners regarding
Wood Trails- Montevallo Projects
and 2) Concerned Neighbors of Wellington and Moratorium City Residents
FROM: Bob Harman 40 year resident geologist, 14949 N.E. 202 St

Jan 8, 2007

EXHIBIT 42
PAGE 223 OF 241

CITY CLAIMS MORATORIUM STUDY COMPLETED ! NOT TRUE !

Golder Associates still has to report on their investigation of the cliffs geology-hydrology that lines a **CRITICAL BASIN, THE GOLF COURSE-WELLINGTON HILLS BASIN AND ITS WETLAND CANYON STREAM**. This basin was incorrectly included in their study as the **HILLSIDE BASIN** which is geologically and hydrological different. Studies are ongoing of this study basin. It is **UNIQUE TO THE WOODINVILLE MORATORIUM AREA** for the following reasons:

- 1) **IT HAS THE ONLY ALL YEAR LONG FLOWING STREAM FOR WILDLIFE SUMMER DRINKING WATER**
- 2) **THE STREAM HAS THE HIGHEST EROSION ENERGY THAN ANY OTHER STREAM IN THE MORATORIUM AREA. THIS ENCOURAGES CLIFF EROSION & LANDSLIDES AND HAS DISRUPTED A CITY DRAIN. IT NOW HAS A BLOCKING 3 TON TREE-ROOT THAT MAY THREATEN AN UNMAPPED CITY CULVERT. THIS CULVERT STILL HAS NO PROTECTION GRATE FOR VISITING KIDS AND DEBRIS !**
- 3) **THE CITY HAS NO UPDATED MAP SHOWING THE SIZE OF THEIR DRAINS AND STATUS OF SEDIMENT TRAP FILLS. DISCHARGES TODAY ARE HAVING NEGATIVE IMPACTS. R-4 DISCHARGES WILL BRING GREATER CONCERNS AND THESE HAVE NOT BEEN DISCUSSED IN THE REPORT. LARGE AMOUNTS OF THE CANYON SANDS HAVE CLOGGED A 12" INDUSTRIAL PIPELINE SO IT IS NO LONGER USABLE. NOW THE UNMAPPED NEWER 30" CULVERT HAS HAD LARGE AMOUNTS OF CANYON SANDS THAT ARE MOST LIKELY ENTERING LITTLE BEAR CREEK.**

THE CITY STUDY DOES NOT DESCRIBE THE HISTORICAL SEQUENCE OF EVENTS SUMMARIZED BELOW THAT CREATED THE BASINS IN THE MORATORIUM AREA

- 1) A GLACIAL EPOCH THAT SHAPED THE UPLAND MORATORIUM AREA BASINS
- 2) A POST GLACIAL TIME THAT ERODED THE HILLSIDE RAVINES DUE TO THE LACK OF VEGETATION. TODAY THE VEGETATION LESSENS RAVINE EROSION.
- 3) A LATER POST-GLACIAL TIME WHERE GROUND WATER DUE TO ICE MELT CREATED CONDITIONS FOR ANCIENT LANDSLIDES FOUND ON THE STEEP CITY HILLSIDE SLOPES
- 4) THE LATE GLACIAL TIME TO THE PRESENT THAT NOW FORMS THE GOLF COURSE-WELLINGTON HILLS AND OTHER CANYONS.
- 5) FUTURE R-4 DEVELOPMENT REMOVE ALL VEGETATION RETURNING THE SITES TO THE FIRST POST-GLACIAL CONDITION, CREATING SEVERE EROSION HAZARDS.

PLEASE ATTEND THE OPEN HOUSE AT CITY HALL FROM 4:30 – 6PM M ON THIS WEDNESDAY TO SEE RESIDENT AND CITY EFFORTS DURING THIS MORATORIUM PERIOD

RECEIVED

JAN 08 2007

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Cindy
I'll share this with
Bob Anderson
Bob H

COMPARISON OF ANNUAL PRECIPITATION MINUS EVAPORATION NET DISCHARGES AND THE DISCHARGES FROM SEPTIC TANKS OF THE DRAINAGE AREA BASINS

EXAMPLES OF TWO BASINS HAVING THE SAME SEPTIC TANK IMPACTS

1) DISCHARGE FROM THE NORTHERN ENTRANCE DRAINAGE AREA INTO LAKE LEOTA

DETERMINE DRAINAGE AREA = 32 SQUARES(600X600) = 11,520,000 SQ. FT
YEARLY INPUT = 11,520,000 SQ FT(P-E 25 in/yr)(1/12ft/in) = 24,000,000 cu ft/yr
SEPTIC TANK INPUT = 200homes(150 gal/day)(231 cu in/gal)(1/12)^3 (365d/yr) = 1,463,793 cu ft/yr
PERCENT SEPTIC DISCHARGE PER DRAINAGE AREA = 1,463,793/24,000,000(100) = 0.61 %
PERCENT SEPTIC DISCHARGE PER TOTAL DISCHARGE = (1,463,793/25,463,793)100 = 0.57%
(TOTAL DISCHARGE VOLUME = 24,000,000 + 1,463,793 = 25,463,793 cu ft/yr)

2) DISCHARGE FROM THE GOLF COURSE-WELLINGTON HILLS DRAINAGE AREA

DETERMINE DRAINAGE AREA = 13.5(600X600) = 4,860,000 sq ft
YEARLY INPUT = 4,860,000 sq ft(P-E 25 in/yr)(1/12 in/t) = 10,250,000 cu ft/yr
SEPTIC TANK INPUT = 100homes(150 gal/day)(231 cu in/gal)(1/12)^3(365d/yr) = 731,896.4 cu ft/yr
PERCENT SEPTIC DISCHARGE PER DRAINAGE AREA = 731,896.4/10,250,000(100) = 0.71%
PERCENT SEPTIC DISCHARGE PER TOTAL DISCHARGE = (731,896/10,981,896.4)100 = .67%
(TOTAL DISCHARGE VOLUME = 10,250,000 + 731,896.4 = 10,981,896.4 cu ft/yr)

SIGNIFICANCE IF LAKE LEOTA N. BASIN IS PROTECTED FROM R-4 DEVELOPMENT TO HELP MAINTAIN A HEALTHY LAKE LEOTA THEN THE OTHER D.A. SITE THAT HAS THE ONLY SUMMER DRINKING WATER FOR MAMMALS SHOULD ALSO BE PROTECTED. HOWEVER, THE SUSTAINABLE DEVELOPMENT REPORTS THAT THE LOCAL POLLUTIONS AROUND LAKE LEOTA IS REponsible FOR THE LAKE'S POLLUTION.

EXAMPLES OF COMPARISON BETWEEN R-1 AND R-4 POTENTIAL DEVELOPMENT SITES

1) DISCHARGES FROM THE R-1 SITE USING SEPTIC TANKS

DETERMINE SITE ADJACENT INPUT DRAINAGE AREA AND DEVELOPMENT SITE AREA
90% of 19 acres + 90% of 21.1 acres of development THE HIGHER % IS NON-IMPRMEABLE AREAS
17.1(43,500 sq ft/ac) + 19(43,500 sq ft/ac) = 743,850 + 826065 = 1,569,915 sq ft
YEARLY INPUT = 1,569,915 sq ft(P-E input 25 ft/yr)(1/12 ft/in) = 3,270,656.3 cu ft/yr
SEPTIC TANK INPUT = 19 homes(150 g/d)(231 cu in/g)(1/12)^3(365d/yr) = 139,061.2 cu ft/yr
PERCENT SEPTIC DISCHARGE PER NET AREAL DISCHARGE = 139,061.2/3,270,656.3 (100) = .43 %
PROBABLE INPUT = 10 homes(150 g/d)(231 cu in/g)(1/12)^3(365d/yr) = 73,190.1 cu ft/yr
PERCENT SEPTIC DISCHARGE PER NET AREAL DISCHARGE = 73,190.1/3,270,656.3(100) = .22 %

2) DISCHARGES FROM THE R-4 SITE USING A DRAIN PIPE TO THE INDUSTRIAL PARK

ABOVE SAME SITE AREA = 10% of 19 acres + 45% of 21.1 acres (percents for impermeable surfaces)
1.9(43,500 sq ft/ac) + 9.5(43,500 sq ft/ac) = 82,764 + 413,250 = 496,014 sq ft
INPUT VOLUME PER SECOND FOR A ONE INCH RAINFALL IN ONE HOUR
496,014 sq ft(1/12 ft) = 41,334.5 cu ft/hr / (3,600 sec/hr) = 11.5 cu ft/sec
SIZE DRAIN PIPE NEEDED ON A 22 DEGREE SLOPE
12 inch PIPE = 9 cfs NOT LARGE ENOUGH FOR SITE 18 inch PIPE = 27 cfs if only 1 inch rainfall
DRAIN PIPES NEEDED IN THE INDUSTRIAL PARK SHOULD BE 30 INCH DIAMETERS
BASED ON PRESENT REPORTS OF DRAIN PIPE FAILURE (IF FOR R-4 DEVELOPMENT)

RECEIVED

We need an updated DRAIN PIPING MAP (with size) and SEDIMENT TRAP UPKEEP RECORD DIAM.
CITY OF WOODINVILLE
DEVELOPMENT SERVICES

EXHIBIT 42
PAGE 25 OF 241

Dick Fredlund

From: Ray Sturtz
Sent: Tuesday, April 18, 2006 4:43 PM
To: Catherine Borghes; Dick Fredlund
Subject: FW: Party of REcord Request

Ray Sturtz, Community Development Director
17301 133 Avenue NE
Woodinville, WA. 98072
phone: 425-489-2757 ext. 2281
fax: 425-489-2756

From: Makhdoom Ahmed [mailto:makhdoom_family@yahoo.com]
Sent: Tuesday, April 18, 2006 12:58 PM
To: Ray Sturtz
Subject: Party of REcord Request

I would like to become a Party of Record for Wood Trails and Montevallo.

Makhdoom Ahmed
14849 NE 195th street
Woodinville, WA 98072

Thank you!

Yahoo! Messenger with Voice. Make PC-to-Phone Calls to the US (and 30+ countries) for 2¢/min or less.

Candy
Eventual Approach

CC MT/WT
file
CC: Sustained
Development
File

RECEIVED

JAN 25 2007

CITY OF WOODBRIDGE
DEVELOPMENT SERVICES

COSTCO AREA & VAULTS

AREA = 1500ft x 570ft = 855,000 sqft
ONE INCH RAINFALL VOLUME/HOUR =
855,000(1/12) = 71,250cuff/hr(3600) = 20cfs
VOLUME 1VAULT=50(3.14)(8)^2=10,048cuff
TOTAL VOL=100vaults(10,048)=1,004,800 cuff
NO. VAULTS FILL/HR=1,004,800/71,250 =14/hr

← NEED EXACT
size

R-4 DEVELOPMENT IN WETLAND BASIN

IMPERMEABLE AREA=7.2acres(43,560)=313,632sqft RAIN
VOL/HR=313,632(1/12)=26,136cuff/hr=7.3 cfs
DETENTION POND VOL=101,888cuff/10,048=10 vaults NO.
VAULTS FILL/HR = 26,136/10,048 = 2.6 vaults
OK FOR ONE INCH BUT NOT OK FOR 3.8 inch/hr COSTCO
AREA SAFETY = 313,632/855,000 = .367
37% OF NO. COSTCO VAULTS = 37 (not just 10)

EXHIBIT 42
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R-4 DEVELOPMENT ON HILLSIDE BASIN

IMPERMEABLE + UPLAND R-1 DISCHARGE
45%(21.1ac)(43,560) + 10%(19.7ac)(43,560)
= 826,065 + 743,850 = 1,569,915sqft
RAIN VOL/HR=1,569,915(1/12)=130,826cuff/hr=36.3 cfs
NO. VAULTS FILL/HR = 130,826/10,048 = 13 vaults +
COSTCO AREA SAFETY = 1,569,915/855,000 = 1.8
1.8 x NO. OF COSTCO SAFETY VAULTS = 180 VAULTS

IF DEVELOPER
NEEDS OBJECTS

HILLSIDE DEVELOPMENTS MUST HAVE UPLAND DETENTION
PONDS AS WELL AS BOTTOM HILLSIDE VAULTS TO PROVIDE
SAFE DISCHARGES

HILLSIDE ERODED SEDIMENT IN DETENTION PONDS FILL
RAPIDLY ON STEEP SLOPES & PIPES NEED MORE GRATES
FOR WATER CAPTURE BUT COLLECTS MORE PIPE COVERING
GRAVEL. IF PIPES COLLECT SURFACE DRAINAGE HOW DOES
GROUND WATER LOSS IMPACT SLOPE VEGETATION?

reduce sudden death
I prefer Apartments with nearby pond & park area
ROAD FROM IND. PARK
SAFETY only way for kids - bus
ice-snow

TOUR
GOAL: RE-DO WITH WETLAND EXPERT

REGIONAL STREAM DISCHARGES

EXHIBIT 42
PAGE 27 OF 241

LITTLE BEAR CREEK

$$20\text{ft} \times 5\text{ft}/\text{sec} \times 3\text{ft} = 300\text{ft}^3/\text{sec} (63 \text{ lb/cuft}) = 18,900/2000 = 9.5\text{ton}/\text{sec}$$

COTTAGE LAKE CREEK N.E. 165 ST N.E. wetland

$$20\text{ft}(1\text{ft}/\text{s})(4\text{ft}?) = 80\text{cuft}/\text{sec}(63) = 5400/2000 = 2.5 \text{ t/s}$$

VISIT
+
other in
Moratorium
w/
Expert

COTTAGE LAKE CK-N.E. 155 ST- AVONDALE

$$15\text{ft}(3\text{ft}/\text{sec})(8/12\text{ft}) = 30\text{ft}^3/\text{sec}(63) = 1890/2000 = 0.95\text{t/s}$$

COTTAGE LK CK-N.E. 128 ST- AVONDALE

$$18\text{ft}(3\text{ft}/\text{sec})(3\text{FT}) = 162\text{ft}^3/\text{sec}(63) = 10,206/2000 = 5.1 \text{ t/s}$$

BEAR CK- 198 AVE N.E.

$$2 \text{ FT}(1 \text{ ft/s})(3/12\text{ft}) = 1/2\text{ft}^3/\text{sec}(63) = 31.5/2000 = 0.02\text{t/s}$$

DANIELS CREEK -176 AVE N.E.-196 ST N.E.

$$7\text{ft}(2\text{ft}/\text{sec})(8/12\text{ft}) = 9.3\text{ft}^3/\text{sec}(63) = 588/2000 = 0.29\text{t/s}$$

wind 1.35/sec

Cindy Baker

Bob Harman

cc
MT/WT file
Sustainable
Development
file

REGIONAL STREAM DISCHARGE DATA

LAST DISCHARGE DATA IGNORE SINCE BELOW DATA UTILIZED BETTER MEASURING DEVICES

LITTLE BEAR CREEK-MALTBY (upstream) January 26, 2007

(12ft)(2.5 ft deep)(1 ft/sec) = 30cfs(63)/(2000) = 0.95 tons/sec

LITTLE BEAR CREEK-GRACE HWY 9 ENTRANCE

(21ft)(1.5 ft deep)(1.0 ft/sec) = 31.5cfs(63)/(2000) = 1.0 tons/sec

LITTLE BEAR CREEK-N.E. 195th ST- HIGH SCHOOL

(12ft)(3 ft deep)(1.5 ft/sec) = 54cfs(63)/(2000) = 1.7 tons/sec

LITTLE BEAR CREEK-N.E.190th ST- (downstream H.S.)

(17ft)(2 ft deep)(2 ft/sec) = 68cfs(63)/(2000) = 2.1 tons/sec

COTTAGE LAKE CREEK-N.E. 165th ST >WETLAND

(21ft)(2 ft deep)(1 ft/sec) = 42cfs(63)/(2000) = 1.33 tons/sec

COTTAGE LAKE CREEK -N.E. 155th ST

(15ft)(6/12 ft deep)(3 ft/sec) = 22.5cfs(63)/(2000) = .71 tons/sec

COTTAGE LAKE CREEK- N.E. 128th ST-AVONDALE

(17ft)(2 ft deep)(2 ft/sec) = 68cfs(63)/(2000) = 2.1 tons/sec

SEIDEL CREEK

(2 ft)(3/12 ft deep)(1 ft/sec) = 1/2cfs(63)/(2000) = 0.02 tons/sec

BEAR CREEK-WOODINVILLE-DUVALL RD

(15 ft)(3 ft deep)(2 ft/sec) = 90cfs(63)/(2000) = 2.8 tons/sec

BEAR CREEK-AVONDALE (downstream)

(18 ft)(3 ft deep)(2 ft/sec) = 108cfs(63)/(2000) = 3.4 tons/sec

DANIELS CREEK-176th AVE N.E.-196 ST NE (upstream)

(7 ft)(8/12 ft deep)(2 ft/sec) = 9,3cfs(63)/(2000) = 0.29 tons/sec

DANIELS CREEK-185th AVE-COTTAGE LAKE WETLAND

(5 ft)(1.5 ft deep)(1 ft/sec) = 7.5cfs(63)/(2000) = 0.24 tons/sec

GOLF COURSE-WELLINGTON HILLS STREAM

(3 ft)(1/2 ft deep)(2 ft/sec) = 3cfs(63)/(2000) = 0.1 tons/sec

SEASONAL VARIATION MAXIMUM =.64 t/s MINIMUM = .0014 t/s

At the Industrial park entrance of the canyon

EXHIBIT 42
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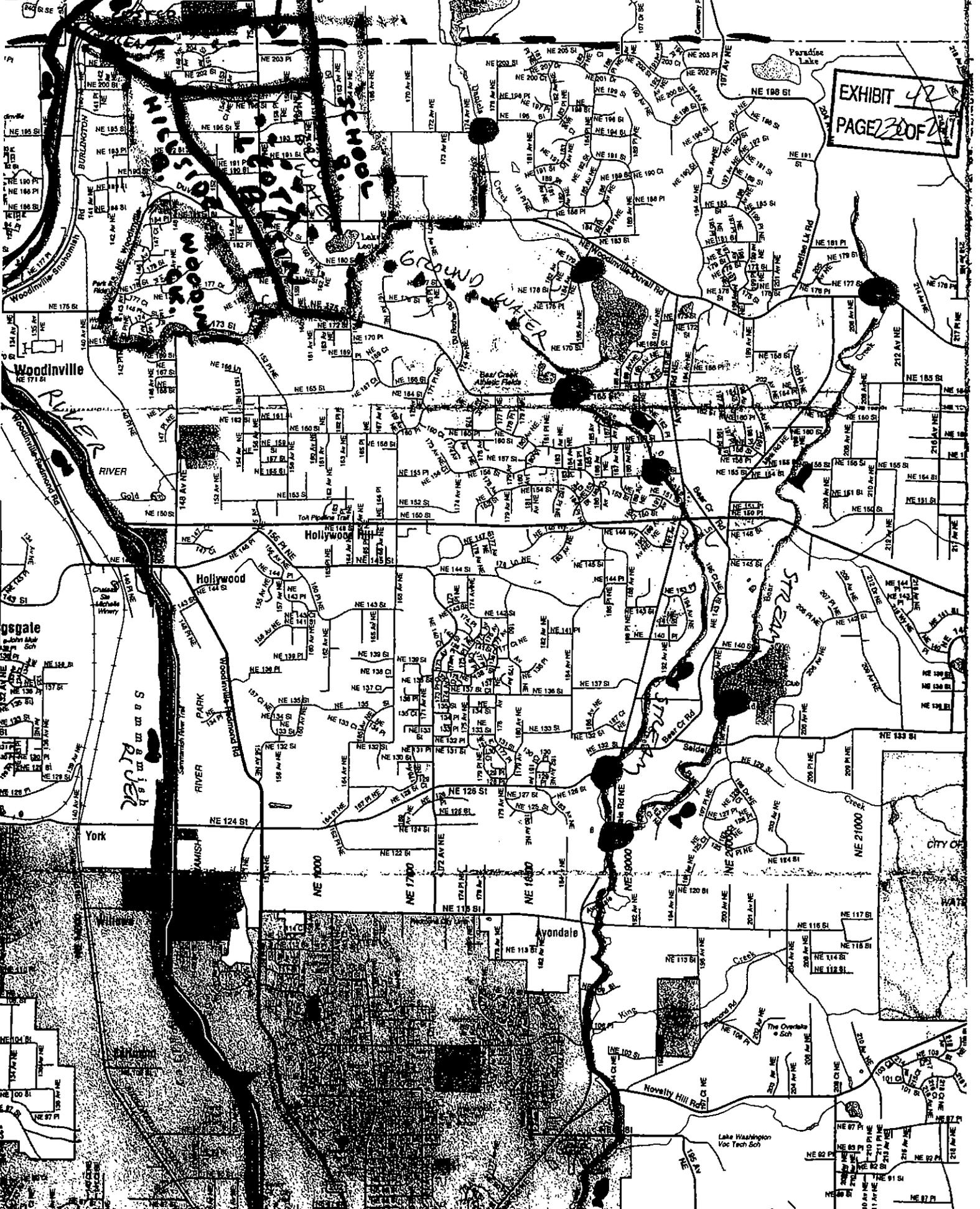
RECEIVED

JAN 26 2007

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

GOLF-COURSE
WELLINGTON HILLS GAS N 32 33 34

EXHIBIT 42
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COSTCO AREA & VAULTS

AREA = 1500ft x 570ft = 855,000 sqft
ONE INCH RAINFALL VOLUME/HOUR =
855,000(1/12) = 71,250cuft/hr(3600) = 20cfs
VOLUME 1VAULT=50(3.14)(8)^2=10,048cuft
TOTAL VOL=100vaults(10,048)=1,004,800 cuft
NO. VAULTS FILL/HR=1,004,800/71,250 =14/hr

assumed

R-4 DEVELOPMENT IN WETLAND BASIN

IMPERMEABLE AREA=7.2acres(43,560)=313,632sqft
RAIN VOL/HR=313,632(1/12)=26,136cuft/hr=7.3 cfs
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OK FOR ONE INCH BUT NOT OK FOR 3.8 inch/hr COSTCO
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37% OF NO. COSTCO VAULTS = 37 (not just 10)

R-4 DEVELOPMENT ON HILLSIDE BASIN

IMPERMEABLE + UPLAND R-1 DISCHARGE
45%(21.1ac)(43,560) + 10%(19.7ac)(43,560)
= 826,065 + 743,850 = 1,569,915sqft
RAIN VOL/HR=1,569,915(1/12)=130,826cuft/hr=36.3 cfs (209,400ft^3)Det Pd
NO. VAULTS FILL/HR = 130,826/10,048 = 13 vaults(21 vaults)Det Pd
COSTCO AREA SAFETY = 1,569,915/855,000 = 1.8
1.8 x NO. OF COSTCO SAFETY VAULTS = 180 VAULTS
HILLSIDE DEVELOPMENTS MUST HAVE UPLAND DETENTION
PONDS AS WELL AS BOTTOM HILLSIDE VAULTS TO PROVIDE
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HILLSIDE ERODED SEDIMENT IN DETENTION PONDS FILL
RAPIDLY ON STEEP SLOPES & PIPES NEED MORE GRATES
FOR WATER CAPTURE BUT COLLECTS MORE PIPE COVERING
GRAVEL. IF PIPES COLLECT SURFACE DRAINAGE HOW DOES
GROUND WATER LOSS IMPACT SLOPE VEGETATION?

City Council Members & Staff,

There's a nasty rumor floating around that the Public Hearing scheduled for February 28th & March 1st, has very recently been split into two separate hearings that would address Wood Trails and Montevallo separately instead of together as has been the case historically. Can anyone confirm whether or not this is true?

If this rumor is not true, and a single public hearing is still planned for these two days even as the city webpage (<http://www.ci.woodinville.wa.us/events/EIS.asp> - see excerpt below**) states at this very hour, then you need not read any further.

However, IF it is true, then let me tell you, as a 9 year citizen of Woodinville who has been following this matter closely, I am infuriated!

Just who exactly in the city thinks they have the authority to separate this single meeting into two, especially at such a late date in the process? I'm not a lawyer, but it would seem to me that separating them out now would nullify everything that has happened to date and return the entire process to Day 1.

From the very beginning of the EIS process, Wood Trails and Montevallo have been handled in a combined fashion. As I understand it there are good reasons for doing so. By handling each one independently of the other, it would be very easy for the developer to gloss over the two projects cumulative and codependent impacts on very important environmental matters, including traffic, drainage, erosion, emergency response, etc. In addition to the obvious process flaw, holding two separate, but nearly identical meetings on back to back weeknights seems willfully designed to depress public comment. (Don't even get me started on what the Planning Commission is doing by rescheduling their February 7th meeting to Valentine's Day).

In the many mandatory ethics classes I take as a Boeing employee, it is drilled into us over and over that the mere appearance of an impropriety is essentially as bad the impropriety itself. Let me tell you, the way the way I see this process being handled in the endgame smells rotten! As my wife stated at the recent Planning Commission hearing, you job is to work for us. We, along with many of our neighbors are doing our part and our civic duty by staying informed and by being involved in the process. I expect you to do you part and uphold a fair and impartial process. I expect better than this.

Sincerely,

Matt Jenson
19122 148th AVE NE

** Extract from city webpage appended below. Note the singular form of the subject: "The Public Hearing." Also, note the singular form of the verb: "is scheduled." Please don't try to argue that, unlike the DEIS & the EIS, the two nights were always supposed to handle Wood Trails and Montevallo separately.

UPDATE 2/1/07: Public Hearing: Preliminary Plat and Rezone Applications for the Wood Trails and Montevallo Subdivisions, February 28 and March 1, 2007. The Public Hearing on the Preliminary Plat and Re-zone applications for the Wood Trails and Montevallo Subdivisions is scheduled for Wednesday, February 28 and Thursday, March 1, 2007, 7 to 10 p.m. at the Carol Edwards Center Gymnasium, 17401-133rd Avenue NE.

EXHIBIT 42
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02/13/2007

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Susie McCann

From: Barbara_Czuba@berlex.com
Sent: Tuesday, February 13, 2007 9:58 AM
To: Cindy Baker; Susie McCann; Cathy VonWald
Subject: Concern regarding the two meetings -- Wood Trails / Montevallo

Importance: High

Dear Ms. Baker, Ms. McCann, and Mayor VonWald --

I just received in the mail two notices of Public Hearings to take place on Feb 28th and March 1st, and I have a question / concern on this.

My question deals with whether the City of Woodinville and the scheduled Public Hearings are reviewing these two developments as one per the FEIS, or are we now to consider these developments as independent of one another.

Within the FEIS document, the two proposed developments are presented as dependent on one another and thus intertwined with respect to the various traffic impact studies, the density transfer credit, the impact to neighborhood character -- etc. I am concerned that now these two developments appear to be independent of one another since there is scheduled two Public Hearing dates; one hearing per development.

Please let me know if it is still the intent to consider these applications as combined into one application for purposes of EIS review and project review, as well as the Public Hearings. This is appropriate since the two proposed developments are intertwined by their dependence on density transfer credits and their joint request for a rezone and due to the cumulative impacts of the two properties on traffic, erosion, neighborhood character, etc.

Thank you for your time -- I look forward to your answer on my question / concern.

-- Barbara Czuba

Charleine Sell

EXHIBIT 42
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From: Cindy Baker
Sent: Tuesday, February 13, 2007 12:36 AM
To: Charleine Sell
Cc: Susie McCann
Subject: FW: Comments to FEIS for Wood Trails and Montevallo

Importance: High

Attachments: BCzuba -- comments to FEIS WoodTrails and Montevallo.zip



BCzuba --
nments to FEIS Wo

Are you the keeper of the comments, who will also give them to the Hearing Examiner?

-----Original Message-----

From: Barbara_Czuba@berlex.com [mailto:Barbara_Czuba@berlex.com]
Sent: Monday, February 12, 2007 12:25 PM
To: Cindy Baker; Susie McCann
Subject: Comments to FEIS for Wood Trails and Montevallo
Importance: High

Dear Ms. McCann and Ms. Baker --

Please find attached our comments to the FEIS for the proposed Wood Trails and Montevallo developments within the Wellington area of Woodinville.

As residents of this neighborhood we would to have the City of Woodinville review and consider our comments as the decision process proceeds on how to effectively handle these new housing developments within the Wellington neighborhood.

Briefly, we would of course like to have the R-1 Zoning Alternative as detailed in the FEIS be approved by the City of Woodinville. However, we have in the attached letter also provided a compromise option that we would like the City of Woodinville to seriously consider and approve if the R-1 Zoning Alternative is not acceptable as a way to meet the GMA guidelines.

Thank you so much for your time and consideration,

Barbara Czuba and Sandra Carroll
Wellington area resident
NE 203rd Place
Woodinville, WA

(See attached file: BCzuba -- comments to FEIS WoodTrails and Montevallo.zip)

Feb.12, 2007
Barbara Czuba; Sandra Carroll
15808 NE 203rd Place
Woodinville, WA 98072

Subject: Comments to FEIS for Proposed Subdivisions of Wood Trails (File No. PPA2004-056) and Montevallo (File No. PPA2004-093)

To: Jurisdictions, Agencies, and Interested Parties

We would like to take this opportunity to comment upon the FEIS that was prepared for the proposed subdivisions of Wood Trails and Montevallo located within the West Wellington Hills Neighborhood of Woodinville. Our comments will be focused on how we as residents of the City of Woodinville can effectively resolve the increase in housing density that is proposed for the Wellington Hills Neighborhood.

We would like to say that we are not opposed to placing new housing developments within the neighborhood of West Wellington Hills, which is adjacent to where we live on NE 203rd Place. Also, we can appreciate the fact that the City of Woodinville needs to continue to provide housing options to people in support of the Growth Management Act as well as increase its tax base so that revenues can be brought in to finance the City's efforts. However, we are concerned about the level of housing density that is proposed for each of these new developments and the impact this level will have on the environment and character of our neighborhood.

Specifically, we are concerned about the Proposed Action option defined within the FEIS for the proposed subdivisions of Wood Trails and Montevallo.

As part of the Proposed Action option are listed four (4) points that are requested to be approved (refer to Section 2.1; page 2-1). These are:

1. Approval of requests to rezone both the Wood Trails and the Montevallo sites from the existing R-1 zoning designations to R-4
2. Approval of Preliminary Plat Applications to subdivide each site into 66 single-family residential lots
3. Approval of a density transfer to allow the transfer of credit for 19-dwelling units from the Wood Trails site to the Montevallo site, thus allowing a total of 66 units to be developed on the Montevallo site
4. Approval of Deviations from city standards

The Proposed Action Alternative requests that 66-units be approved for both sites. In order to achieve this 66-unit level within the Montevallo site it is requested to transfer 19-dwelling units from the Wood Trails site to the Montevallo site. This additional 19-dwelling units for the Montevallo site equates to an increase of 40% $[(19/47) \times 100 = 40\%]$ over that which is allowed for an R-4 zoned site. Under typical R-4 zoning only 47 dwelling units are allowed to be built in the proposed Montevallo site, as stated in the FEIS (reference pg 2-12). We feel that these additional 19-dwelling units being transferred to the Montevallo site are not in keeping with a R-4 zoned site and thus will only further negatively impact the environment and the character of the Wellington neighborhood if approved.

Given our concerns, we would like to recommend that the following be considered and approved as a way to meet not only the City of Woodinville's needs but also the needs of its residents, especially those located within the Wellington area of Woodinville:

- **R-1 Zoning Alternative:** Approve the R-1 Zoning Alternative as proposed in Section 2.2.1 - pg 2-27 of the FEIS document, and do not approve the R-4 rezone. This proposed alternative as overviewed on pages 2-27 and 2-28 maintains the current zoning of R-1 for each of the new developments, and as such results in developments that are similar in character and density to the existing low-density residential development on adjacent properties. As indicated within the FEIS (refer to pages 2-27 and 2-28), the resulting net-density equates to a total of 37 new single-family houses; 23-units for the Wood Trails site and 14-units for the Montevallo site.

We would like to recommend that this R-1 Zoning Alternative be approved and that the rezone to R-4 not be approved (refer to item #1 in the Proposed Action option). Under this R-1 Zoning Alternative, the 37 new single-family houses will provide the City of Woodinville additional tax revenue as well as provide the Wellington area with two housing developments that do not significantly impact the environment and character of the Wellington area neighborhood.

If the above can not be approved of outright and we must have a higher housing density in order for the City of Woodinville to meet the requirements outlined in the GMA, then we would like to present for consideration and approval an alternative, compromise option that is based on the Proposed Action Option detailed in the FEIS document:

- **Alternative Proposed Action:** Approve a rezone to R-4 for both the Wood Trails and Montevallo sites. Additionally, approve the development of 66 single-family residential lots for the Wood Trails site. However, do not approve the development of 66 single-family residential lots for the Montevallo site as well as do not approve the density transfer of 19-dwelling units from the Wood Trail site to the Montevallo site. Alternatively, approve the typical R-4 zone housing density of 47 single family residential lots at the Montevallo site. The above approvals result in the addition of 113 new single-family houses; 66-units for the Wood Trails site and 47-units for the Montevallo site.

We are recommending that the first three (3) points to the Proposed Action option be modified to read:

1. Approval of requests to rezone both the Wood Trails and the Montevallo sites from the existing R-1 zoning designations to R-4;
2. Approval of Preliminary Plat Applications to subdivide the Wood Trails site into 66 single-family residential lots;
3. Approval of Preliminary Plat Applications to subdivide the Montevallo site into 47 single-family residential lots.

Even though the addition of 113 new single-family houses will negatively impact the character of the adjacent neighborhood since this allows for a higher density than is currently within the Wellington area, we feel it does provide a compromise between opposing forces. The 'Alternative Proposed Action' we are recommending for consideration and approval provides a path forward that meets not only the City of

Woodinville's needs, but also provides for a way to maintain a controlled cap on the resulting density within the proposed new developments.

For item #4 of the Proposed Action option, we do not feel that any city standards should be deviated from since these are indeed standards that were and are agreed upon, and as such need to be upheld. As indicated in the FEIS on page 2-1: 'narrower streets could create parking difficulties' and 'the proposed smaller lots may result in a contrasting appearance, out of scale with the existing neighborhood character.'; both of which will occur if variances and deviations are allowed and/or approved.

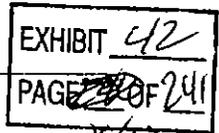
In summary, we recommend that the R-1 Zoning Alternative as defined in the FEIS be considered and approved by the City of Woodinville. We feel that this R-1 Zoning Alternative provides for the least amount of negative impact to the Wellington neighborhood.

If the above R-1 Zoning Alternative is not be approved outright, and thus we must have a higher housing density, then we would like to recommend for consideration and approval an alternative compromise option that is based on the Proposed Action Option detailed in the FEIS. The details of this alternative compromise option are: 1) Approve a rezone to R-4 for both the Wood Trails and Montevallo sites; 2) Approve the development of 66 single-family residential lots at the Wood Trails site; 3) Do not approve the development of 66 single-family residential lots at the Montevallo site; 4) Do not approve the density transfer of 19-dwelling units from the Wood Trail site to the Montevallo site; 5) Approve the typical R-4 zone housing density of 47 single family residential lots at the Montevallo site.

Thank you for this opportunity to review our comments and hopefully we can develop a path forward that meets all needs and concerns.

Sincerely,

Barbara Czuba and Sandra Carroll
15808 NE 203rd Place
Woodinville, WA 98072

Charleine Sell

From: Shani Parrott [shaniparrott@earthlink.net]
Sent: Tuesday, February 13, 2007 10:16 AM
To: Charleine Sell
Subject: wildlife in Wellington

Ms. Sell

We have seen the following animals in our yard and around our pond since we moved to Wellington in January 2004. Though the river otter and hawk sightings are less common, we see the other animals regularly.

- River otters
- Coyotes
- Raccoons
- Opossums
- Deer
- Brown bats (and their roosting sites)
- Deer mice
- Douglas squirrels (aka chickarees)
- Western grey squirrels
- Eastern cottontail rabbits
- Snowshoe hares
- Pacific treefrogs
- Bullfrogs
- Common garter snakes
- Western skinks
- Moles and voles
- Wood ducks (nesting)
- Hooded mergansers (nesting)
- Mallards (nesting)
- Northern shovelers
- Cooper's hawks
- Red-tailed hawks (nesting at the property next door)
- Western screech owls (nesting)
- Northern saw-whet owls (nesting)
- Spotted towhees
- Hairy woodpeckers
- Downy woodpeckers
- Pileated woodpeckers
- Tree swallows
- Steller jays
- Chestnut-backed chickadees
- House wrens
- Pine siskins
- House finches
- House sparrows
- Purple finches

02/13/2007

- Black-headed grosbeaks
- Northern flickers
- Morning doves
- Red-breasted nuthatches
- Black-capped chickadees
- American robins
- California quails
- Great blue herons
- Hummingbirds
- Varied thrushes
- House finches
- Yellow warblers
- Dark-eyed juncos
- American crows

EXHIBIT 42
PAGE 21 OF 23

Best regards,

Julie and Shani Parrott
16212 NE 200th Court
Woodinville, WA 98072
425.482.7992

shaniparrott@earthlink.net

CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754
NOTICE OF PUBLIC HEARING

EXHIBIT 43
PAGE 1 OF 3



The City of Woodinville Hearing Examiner will conduct a Public Hearing to consider public comment on the **Rezone & Preliminary Plat Application** described below.

"Citizens, business and local government;
a community commitment to our future."

DESCRIPTION OF APPLICATION

Project Name: Wood Trails Rezone and Preliminary Plats
(the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)

File Number: ZMA2004-053 and PPA2004-054

Applicant(s) Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98037

Contact: Loree Quade

Location: Wood Trails: directly south of the King-Snohomish County boundary; West 148th NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington.

Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 16, 17, 20, 21, and 22.

Proposal: Wood Trails: Proposed subdivision of 50.5 acres into 66 Single Family lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevallo Proposal.

Public Hearing Date: Wednesday, February 28, 2007. (The public hearing for the Montevallo proposal will be held on Thursday, March 1, 2007)

Time: 7:30 P.M.

Hearing Location: Woodinville Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Notice: February 12, 2007

Responsible Official: Cindy Baker, Director of Development Services

Signature: Cindy Baker

Date: 2/8/07

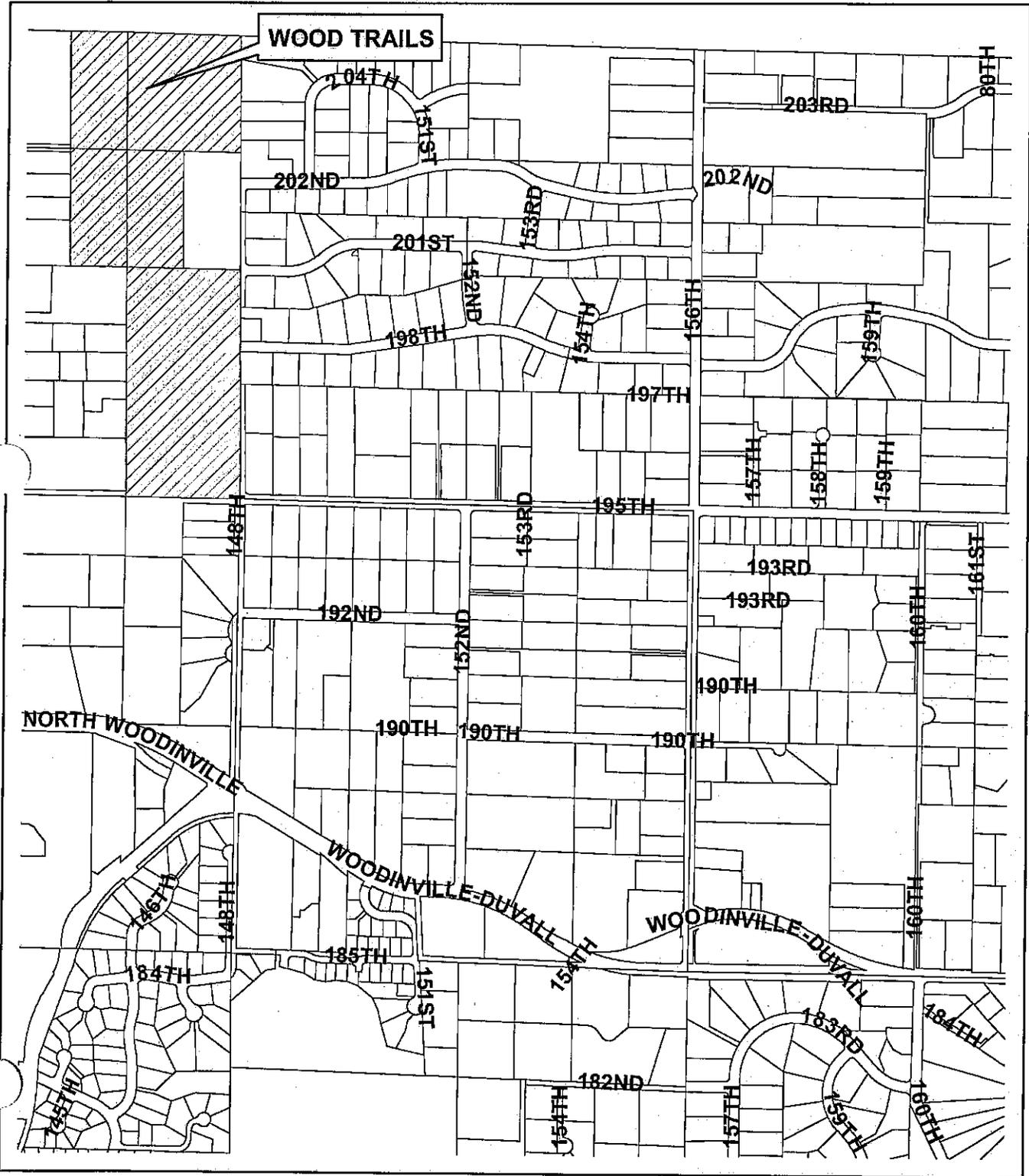
Copies of all application documents, code provisions and other relevant materials are available for review or purchase at City Hall. In addition, a copy of the staff report will be available 7 days prior to the rezone and preliminary plat hearing. All interested parties may appear and provide testimony regarding the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425)489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the OPEN RECORD HEARING. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a CLOSED RECORD APPEAL PROCEEDING), no new factual evidence or information may be submitted.

WOOD TRAILS
REZONE AND
PRELIMINARY PLAT



Parcel Numbers: 0326059044, 0326059111,
0326059045, 0326059038, 0326059032.



CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754



NOTICE OF PUBLIC HEARING

The City of Woodinville Hearing Examiner will conduct a Public Hearing to consider public comment on the **Rezone & Preliminary Plat Application** described below.

DESCRIPTION OF APPLICATION

Project Name: Wood Trails Rezone and Preliminary Plats (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)

File Number: ZMA2004-053 and PPA2004-054

Applicant(s): Phoenix Development, Inc.
16108 Ash Way, Suite 201
Lynnwood, WA 98037

Contact: Loree Quade

Location: Wood Trails: directly south of the King-Snohomish County boundary; West 148th NE from NE 195th Street to NE 202nd Street, Woodinville, King County, Washington.

Section of Code Pertinent to Hearing Procedure: The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 16, 17, 20, 21, and 22.

Proposal: Wood Trails: Proposed subdivision of 50.5 acres into 66 Single Family lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevello Proposal.

Public Hearing Date: Wednesday, February 28, 2007. (The public hearing for the Montevello proposal will be held on Thursday, March 1, 2007)

Time: 7:30 P.M.

Hearing Location: Woodinville Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Notice: February 12, 2007

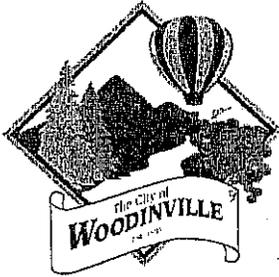
Responsible Official: Cindy Baker, Director of Development Services

Signature: _____

Date: _____

Copies of all application documents, code provisions and other relevant materials are available for review or purchase at City Hall. In addition, a copy of the staff report will be available 7 days prior to the rezone and preliminary plat hearing. All interested parties may appear and provide testimony regarding the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425)489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the OPEN RECORD HEARING. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a CLOSED RECORD APPEAL PROCEEDING), no new factual evidence or information may be submitted.



City of Woodinville
AFFIDAVIT OF POSTING
FOR
NOTICE OF PUBLIC HEARING

EXHIBIT 45
PAGE 1 OF 2

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Permit Desk Hours • Monday – Friday • 8:30am – 4:00pm • Wednesday 11:30am-4:00pm

Phoenix Development Inc
Applicant Name

PPA 2004-054
ZMA 2004-053
File Number
SCW #1
Wood TRAILS

I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

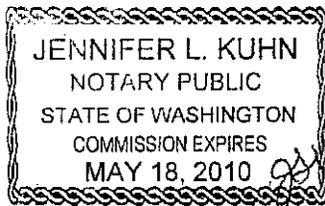
I certify that on 2/12/07 the **NOTICE OF PUBLIC HEARING SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at South of 205th / West of 156th so as to be clearly seen from each right-of-way providing vehicular access to the property.

State of Washington
County of King

Paul Bayler
Signature

Subscribed and Sworn to me this 13th day of February, 2007

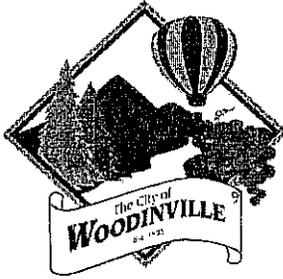
Jennifer L Kuhn
Jennifer L Kuhn



Notary Public for the
State of Washington, residing
Woodinville, Washington
My Commission expires May 18, 2006 2010

This affidavit must be properly completed upon this posting of the required **Notice of Public Hearing** and returned to the Development Services Department, not later than the 15th day preceding the Public Hearing date.

Return to:
City of Woodinville
Development Services
17301 133rd Avenue NE
Woodinville, WA 98072



City of Woodinville
AFFIDAVIT OF POSTING
FOR
NOTICE OF PUBLIC HEARING

EXHIBIT 45
PAGE 2 OF 2

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Permit Desk Hours • Monday – Friday • 8:30am – 4:00pm • Wednesday 11:30am-4:00pm

Phoenix Development Inc
Applicant Name

PPA 2004-054
ZMA 2004-053
File Number
SIGN #2
WOOD TRAILS

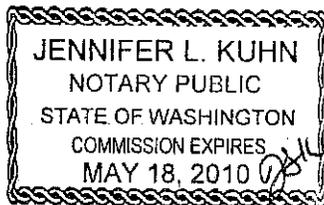
I understand that WMC 17.11.030 Application Requirements/Notice Methods of Woodinville Municipal Code of the City of Woodinville requires me to post the property at least fifteen (15) days prior to the Public Hearing.

I certify that on 2/12/07 the **NOTICE OF PUBLIC HEARING SIGN(S)** in accordance with applicable requirements and guidelines were posted on the property located at South of 205th / West of 156th so as to be clearly seen from each right-of-way providing vehicular access to the property.

State of Washington
County of King

Pat Bayler
Signature

Subscribed and Sworn to me this 13th day of February, 2007



Jennifer L Kuhn
Jennifer L Kuhn
Notary Public for the
State of Washington, residing
Woodinville, Washington
My Commission expires May 18, 2006 2010

This affidavit must be properly completed upon this posting of the required **Notice of Public Hearing** and returned to the Development Services Department, not later than the 15th day preceding the Public Hearing date.

Return to:
City of Woodinville
Development Services
17301 133rd Avenue NE
Woodinville, WA 98072

EXHIBIT 46
PAGE 1 OF 1



HEARING EXAMINER
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201
(509) 625-6010

GREG SMITH

February 20, 2007

Sent via email

G. Richard Hill, Attorney at Law
email: rich@mhseattle.com

J. Richard Aramburu, Attorney at Law
email: rick@aramburu-eustis.com

Cindy Baker, City of Woodinville
email: cindyb@ci.woodinville.wa.us

Dear Ms. Baker, Mr. Aramburu and Mr. Hill:

I have been retained by the City of Woodinville to hold hearings on the Wood Trails Rezone and Preliminary Plat and the Montevallo Rezone and Preliminary Plat. Those hearings are scheduled for the evenings of Wednesday, February 28, 2007 and Thursday, March 1, 2007, respectively. The purpose of this email is to set forth the general hearing procedures for those hearings.

After I open the hearing and briefly describe the proposal, I will ask for City staff to give a report. That will be followed by the Applicant's presentation and then I will open up public testimony. At the close of public testimony I will allow the Staff and the Applicant an opportunity to comment on the public's testimony.

Testimony will be taken under oath and I do allow questioning of experts. I don't call it cross-examination because I believe that intimidates some people, but I do allow the questioning of experts but not lay people.

The two projects were separated into two hearings at the advice of Woodinville's counsel. I have been told that some members of the public view them as a single proposal and therefore will want to testify on both proposals at the same hearing. I also understand that some people may not want to come to both hearings. Therefore, I will take testimony on either project at both hearings subject, of course to time limitations. If there are an extraordinarily large number of people who wish to testify I will have to put a time limit on the testimony. Woodinville staff has informed me that the City Council usually allows three minutes per person or five minutes if you represent a group. If a group is represented by an attorney and that attorney will be speaking for a large group, I am willing to give the attorney additional time. I will decide the time limits when I see the size of the crowd and determine how many wish to testify.

I hope this addresses the main issues on procedure and if I can answer questions for any of you, please contact me at my office in Spokane. Please let me know if you are aware of other attorneys who will be participating. Also, contact me if you desire to have a pre-hearing conference.

Sincerely,



Greg Smith
City of Spokane Hearing Examiner

MCCULLOUGH HILL, PS

EXHIBIT 47
PAGE 1 OF 1

February 15, 2007

VIA FACSIMILE

Zachary Lell
Ogden Murphy Wallace
1601 5th Avenue, Suite 2100
Seattle, WA 98101

Re: Wood Trails / Montevallo

Dear Mr. Lell:

This confirms that Phoenix Development, the applicant for two separate subdivisions and zoning map amendment applications, Wood Trails and Montevallo, requests that the matters be heard in two separate public Hearing Examiner hearings.

As is evident from the file, these two projects were applied for at different times, are located at a distance from each other, and stand on their own merits. While Phoenix agreed at the City's request to have both applications reviewed in one environmental impact statement, Phoenix never was asked to, and never agreed to, consolidate the two projects into one consolidated application. Indeed, it does not appear that the City Code would even allow for two non-contiguous properties to be considered as one consolidated subdivision.

One of the primary reasons that Phoenix believes the applications should be considered separately by the Hearing Examiner is to increase the level of clarity and to decrease the level of confusion. The two properties are separate, and each property has its own environmental and land use issues. To merge the two in one hearing will impose an inappropriate burden on the decision-maker and any future appellate reviewer to determine whether comments being made refer to Wood Trails or Montevallo, or both.

Thank you for your consideration of these views.

Sincerely,



G. Richard Hill

GRH:ldc

cc: Loree Quade
L:\Sundquale\303.011\corr\Lell02.doc

ORDINANCE NO. 419

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT AND PROCESSING OF BUILDING PERMIT AND OTHER LAND USE DEVELOPMENT APPLICATIONS WITHIN THE CITY'S R-1 ZONING DISTRICT; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SAID MORATORIUM; ENUMERATING LIMITED EXCEPTIONS; SCHEDULING A PUBLIC HEARING DATE; AUTHORIZING OFFICIAL INTERPRETATIONS BY THE CITY OF WOODINVILLE PLANNING DIRECTOR; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Woodinville is currently undertaking a comprehensive "Sustainable Development" program that will yield significant policy recommendations regarding the protection of critical areas while simultaneously accommodating appropriate future growth within the City's R-1 Zoning District; and

WHEREAS, the Woodinville City Council desires to preserve the current *status quo* by imposing a temporary moratorium upon the acceptance and processing of building and other land use permit applications until the Sustainable Development program has concluded and the resulting policy recommendations are implemented; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Woodinville City Council hereby makes the following findings in support of the moratorium imposed by this ordinance:

A. The City of Woodinville is primarily zoned for residential land use.

B. The City has recently received numerous permit applications for development activity within the City's residential neighborhoods. Continued development of the City's residentially zoned neighborhoods — particularly the R-1 (one residential dwelling unit per acre) Zoning District — at current rates will irreversibly alter the character and physical environment of these areas in a manner potentially inconsistent with various goals and polices adopted by the City and mandated by the GMA.

C. The R-1 Zoning District comprises approximately 1,291 acres, and is the largest single zone within the City of Woodinville's territorial jurisdiction.

D. The R-1 Zoning District contains coarse, permeable geologic materials that allow infiltration to mapped critical aquifer recharge areas (CARAs), many of which have been characterized as possessing a "high" or "medium" potential for ground water contamination.

E. The R-1 Zoning District contains Lake Leota, a natural water body with known water quality impacts. The shallow ground water surrounding Lake Leota is believed to be hydrologically connected to local CARAs.

F. Regions within the R-1 Zoning District hydrologically drain toward areas characterized by "high" or "medium" potential for ground water contamination. Said areas are known or suspected of being hydrologically connected to Bear Creek, a significant and biologically productive salmonid-bearing stream. Other areas within the R-1 zone drain variously toward Lake Leota, Little Bear Creek, and Woodin Creek, the latter two of which are known to contain salmonids.

G. The Bear Creek Basin drainage area encompasses a significant portion of the eastern Woodinville City limits within the R-1 Zoning District. The basin drains southeasterly into the Cold Creek Natural Area wetland system, a complex network of wetlands and groundwater springs feeding the headwaters of Cold Creek and an important cold water source for the Bear Creek system. The Bear/Cottage Lake/Cold Creek system is formally rated as a Tier I sub area under the draft WRIA 8 Chinook Salmon Conservation Plan, and the action start list for the North Lake Washington Chinook population is to identify and protect headwater areas, wetlands, groundwater sources, natural hydrologic processes and temperatures that support Chinook salmon within this area.

H. The R-1 Zoning District contains numerous steep slopes and areas characterized by high "geologic hazard" potential under the City's critical area mapping resources.

I. The eastern portion of the R-1 Zoning District contains the lowest existing development intensity, the highest total level of existing pervious surface area, and the most extensive tree canopy cover within the City — the removal or reduction of which would likely create adverse impacts to local hydrological cycles, increased sedimentation, and greater pollutant migration to local streams and wetlands. As such, the R-1 Zoning District contains

both the highest potential for environmental protection and enhancement, and the highest potential for environmental impact, loss or degradation of critical habitat for endangered species.

J. The R-1 Zoning District currently lacks the level of public infrastructure necessary to adequately support urban levels of service, including but not limited to sewer utility mains and transportation facilities. The City does not serve as the purveyor of sewer utility service within the R-1 Zoning District or elsewhere within the Woodinville community.

K. The City is required by the Growth Management Act (GMA) codified at Chapter 36.70A RCW to balance numerous competing policy interests with respect to local land use planning. Such policy interests include, *inter alia*, accommodation of appropriate urban growth, protection of critical areas, recognition of private property rights, retention of open space areas, conservation of fish and wildlife habitat, and ensuring the concurrent adequacy of public facilities and services necessary to support new development.

L. Protection of the local environment generally — and critical areas specifically — expressly underlies several goals, policies, programs and efforts adopted, funded and/or otherwise undertaken by the City. A partial, nonexclusive list of such goals, policies, programs and efforts is attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full.

M. The City has recently initiated a comprehensive “Sustainable Development” program in an attempt to ensure the compliance of future development within the City — specifically and particularly including the current R-1 Zoning District — with applicable GMA policies, goals and directives. The Sustainable Development program involves a thorough, detailed inventory of local environmental resources, projection of future development demand, and analysis of public infrastructure availability. The Sustainable Development program will ultimately yield recommendations for a multi-faceted regulatory approach to balance the competing policies of the GMA within the R-1 Zoning District — including but not limited to the protection of critical areas, the preservation and enhancement of anadromous fisheries, and the accommodation of appropriate residential growth.

N. The City is presently participating in a joint ground water study with King County and the City of Redmond. Results of the study are expected to provide more detailed information regarding local environmental resources, especially as they relate to local CARAs and hydrological connections to productive salmonid-bearing streams.

O. A significant probability exists that the City will amend several components of its Comprehensive Plan and development regulations upon completion of the Sustainable Development program — specifically and particularly including development regulations governing the current R-1 Zoning District.

P. The City Council desires to preserve the *status quo* within the R-1 Zoning District during the pendency of the City’s consideration, preparation and adoption of such amended development regulations.

Q. The acceptance and processing of building and other land use permit applications within the R-1 Zoning District prior to the City's implementation of such amendments would jeopardize the public interest by vesting development rights inconsistent with the City's amended regulations.

R. The City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to adopt development moratoria for the purpose of preserving the *status quo* while new development standards are considered, prepared and enacted.

S. Imposing a temporary moratorium upon the receipt and processing of building and other land use permit applications specific to the R-1 Zoning District is consistent with the goals and policies enumerated in Exhibit A, and will serve the public interest.

T. The moratorium imposed herein is necessary for the protection of public health, property, safety and welfare. A public emergency exists requiring that the City's moratorium become effective immediately upon adoption.

U. The probable impact of the exceptions contained in Section 3 of this ordinance is *de minimus*, and will not materially detract from or otherwise subvert the purposes and desired effect of the moratorium imposed hereunder.

Section 2. Moratorium Imposed. The City hereby imposes a moratorium upon the receipt and processing of building permit applications, land use applications, and any other permit application for the development, rezoning or improvement of real property within the R-1 Zoning District as defined by Chapter 21.04 WMC and further delineated by the City's Official Zoning Map.

Section 3. Exceptions. The moratorium imposed under Section 2 of this ordinance shall not apply to (1) permit applications for the remodeling, expansion, restoration or refurbishment of existing single-family and multi-family residential structures, or (2) permit applications for publicly-owned structures and facilities.

Section 4. Effect upon Vested Rights. The moratorium imposed under Section 2 of this ordinance shall apply prospectively only, and shall operate to prevent the acceptance and processing of any permit application submitted after the effective date hereof.

Nothing in this ordinance shall be construed to extinguish, limit or otherwise infringe upon any permit applicant's vested development rights — as defined by state law and City of Woodinville regulations — with respect to any complete permit application submitted before the effective date hereof.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court, board or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing on the moratorium imposed under Section 2 of this ordinance is hereby scheduled for May 1, 2006 at 7:30 p.m. in the City Council Chambers of Woodinville City Hall, 17301 133rd Avenue NE. The City Clerk is authorized and directed to provide public notice of said hearing in accordance with applicable City standards. The City Council may in its discretion adopt additional findings of fact at the conclusion of said hearing.

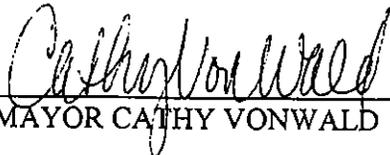
Section 7. Interpretative Authority. The City of Woodinville Planning Director is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 8. Declaration of Emergency; Effective Date; Duration. Based upon the findings enumerated in Section 1 of this ordinance, the City Council declares a public emergency necessitating an immediate effective date of the moratorium imposed hereunder. Said moratorium shall take effect immediately, and shall remain effective for six months unless terminated earlier by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew said moratorium for one or more six month periods in accordance with

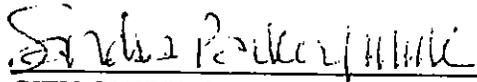
state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council of the City of Woodinville this 20th day of March, 2006.

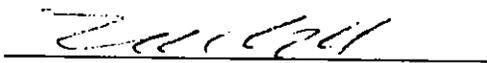
APPROVED:


MAYOR CATHY VONWALD

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA PARKER, MMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 3-10-2006
PASSED BY THE CITY COUNCIL: 3-20-2006
PUBLISHED: 3-27-2006
EFFECTIVE DATE: 3-20-2006
ORDINANCE NO. 419

Exhibit A

A(1). The Woodinville City Council's adopted Environment Goal provides as follows:

Create a community that reduces the waste stream, promotes energy conservation, preserves and enhances aquatic and wildlife habitat, protects and improves water quality, and protects the public from natural hazards.

A. Remain an active partner in the WRIA Region 8 effort to develop, fund and implement early action strategies.

B. Work collaboratively through WRIA 8 with NMFS, State, tri-county and other public and private partners to develop a recovery plan for Puget Sound Chinook salmon.

A(2). The City has been actively involved in the WRIA recovery activities since the late 1990's.

A(3). In 1999, the Woodinville City Council approved Resolution No. 167, adopting key preliminary actions for the development of a species recovery plan in response to the listing of Puget Sound Chinook Salmon as threatened under the federal Endangered Species Act.

A(4). In 2001, the Woodinville City Council approved Resolution No. 194, adopting an "Early Action Program and Other On-going Investments for Species Protection" to establish the City's policy goals and strategies for conservation of salmonid stocks.

A(5). In 2002, the Woodinville City Council approved Resolution No. 222, adopting the "Regional Road Maintenance ESA Program Guidelines".

A(6). In 2002, the Woodinville City Council updated its Comprehensive Plan to expressly include an Environmental Element.

A(7). In 2004, the City updated its Critical Areas Ordinance to include "Best Available Science" in an effort to further protect critical areas during land use development.

A(8). In 2005, the Woodinville City Council approved Resolution No. 301, ratifying the Water Resource Inventory Area 8 Chinook Salmon Conservation Plan" dated February 25, 2005.

A(9). In 2006, the City initiated the update of its Shoreline Master Program pursuant to new guidelines promulgated by the Department of Ecology.

A(10). The City has acquired various parcels of real property in an effort to protect critical areas, and has expended significant resources to preserve, restore and enhance habitat located thereupon.

A(11). The City has commissioned habitat assessment studies of Little Bear and Woodin Creeks.

A(12). The City has initiated various fish habitat enhancement projects on Little Bear and Woodin Creeks.

A(13). The City currently sponsors or participates in numerous public programs that support environmental objectives, including but not limited to Salmon Watchers, Sammamish Re-Leaf, Arbor Day, chipping and recycling events, and sales of rain-barrels.

A(14). The City has initiated a storm water utility and implemented the Department of Ecology NPDES program to more effectively manage the impacts of storm water.

A(15). City staff routinely monitor environmental restoration projects in order to assure their success.

A(16). The City has implemented an Urban Forestry program to encourage retention and replacement of landscaping, especially trees.

A(17). The City's "Parks, Recreation and Open Space Plan" expressly identifies the need to protect open spaces and habitat pursuant to a comprehensive approach to natural resource management.

A(18). The Environmental Element of the City's Comprehensive Plan expressly includes the following policies:

GOAL ENV-3: To preserve and enhance aquatic and wildlife habitat.

Policies

- ENV-3.1 Encourage preservation of the urban forest.
- ENV-3.2 Identify and ensure the protection of sensitive habitat areas, including wetlands, streams and shorelines.
- ENV-3.3 Maintain a standard of no net loss in the functions and values of sensitive habitat features, including wetlands, streams, lakes and shoreline areas.
- ENV-3.4 Maintain connectivity between sensitive areas, including the Sammamish River and related streams, to provide safe travel routes for wildlife and fish and improve the biological integrity of sensitive habitat areas.
- ENV -3.5 Support watershed-based salmon recovery efforts and compliance with the requirements of the Endangered Species Act (ESA).

- ENV-3.6 Periodically review and update the Shoreline Master Program and sensitive areas regulations to ensure consistency with the policies of this Comprehensive Plan, the Shoreline Management Act and the Department of Ecology shoreline regulations.
- ENV-3.7 Encourage the use of native plants in residential and commercial landscapes.
- ENV-3.8 Consider and incorporate the best available science, consistent with the GMA and applicable rules, in developing regulations for fish and wildlife habitat areas, wetlands, and other critical areas.
- ENV-3.9 Employ adaptive management for natural habitat. Adaptive management allows the City to monitor and make adjustments to its regulations as appropriate in response to changing conditions or new information.
- ENV-3.10 Encourage acquisition of sites that protect habitat, stream corridors and provide aquatic habitat.
- ENV-3.11 Encourage the restoration of ecological functions and the natural environment in environmentally damaged areas.
- ENV-3.12 Participate in efforts to minimize drawdowns and warming of the Sammamish River.

GOAL ENV-4: To protect the public from floods, landslides, erosion and other natural hazards resulting from disturbance of the environment.

Policies

- ENV-4.1 Protect public safety in potential seismic, flood hazard and slide hazard areas.
- ENV-4.2 Minimize the adverse effects of development on topographic, geologic and hydrologic features, and native vegetation.
- ENV-4.3 Control the quantity and velocity of surface water runoff.

GOAL ENV-5: To protect and improve water quality.

Policies

- ENV-5.1 Preserve aquifer-recharge areas.
- ENV-5.2 Include enhancement of shorelines and waterways with adjacent development activities.
- ENV-5.3 Minimize impervious surfaces.
- ENV-5.4 *Minimize impacts of recreational uses on water quality.*
- ENV-5.5 Protect the quality and quantity of water in waterways, wetlands, floodplains and watersheds from degradation.

ORDINANCE NO. 424

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING ORDINANCE NO. 419; INCORPORATING SUPPLEMENTAL FINDINGS OF FACT IN SUPPORT OF THE CITY'S TEMPORARY LAND USE MORATORIUM WITHIN THE R-1 ZONING DISTRICT; REVISING AND CLARIFYING THE EXEMPTIONS FOR SPECIFIED PERMIT APPROVALS UNDER THE MORATORIUM; REQUIRING CITY COUNCIL NOTIFICATION PRIOR TO ISSUANCE OF FORMAL INTERPRETATIONS UNDER THE MORATORIUM; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Woodinville City Council adopted Ordinance No. 419 on March 20, 2006 for the purpose of imposing a temporary moratorium upon the receipt and processing of new building, land use and other development permits within the City's R-1 Zoning District; and

WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on May 1, 2006, for the purpose of receiving and considering public testimony regarding Ordinance No. 419; and

WHEREAS, at the conclusion of the May 1, 2006, public hearing, the City Council formally adopted numerous supplemental findings in support of Ordinance No. 419; and

WHEREAS, based upon public comments received during the public hearing and subsequent Council deliberations, the City Council desires to amend Ordinance No. 419 for the purpose of formally incorporating the Council's supplemental findings, revising and clarifying the moratorium exemptions specified in the ordinance,

and requiring City Council notification before issuance of any official interpretations of the ordinance by the City's Planning Director;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Amendment of Section 1 of Ordinance No. 419. Section 1 of Ordinance No. 419 is hereby amended by the addition of a new subsection 1(V) to provide in its entirety as follows:

Findings. The Woodinville City Council hereby makes the following findings in support of the moratorium imposed by this ordinance:

V. The City has formally considered the GMA planning goals enumerated at RCW 36.70A.020 as evidenced by, *inter alia*, the Supplemental Findings attached hereto as Exhibit B and incorporated herein by this reference as if set forth in full.

Section 2. Addition of Exhibit B to Ordinance No. 419. Ordinance No. 419 is hereby amended by the addition of Exhibit B hereto, which shall be attached to Ordinance No. 419 and incorporated therein as if set forth in full.

Section 3. Amendment of Section 3 of Ordinance No. 419. Section 3 of Ordinance No. 419 is hereby amended to provide in its entirety as follows:

Exceptions. The moratorium imposed under Section 2 of this ordinance shall not apply to the following:

A. Permit applications for the remodeling, repair, expansion, restoration, refurbishment, enhancement or replacement of an existing structure;

B. Permit applications for the construction of structures and facilities directly related to, located on the same building site as, and incidental to an existing structure;

C. Permit applications related to a publicly owned structure or facility;

D. Permit applications to construct an accessory living quarters;

E. Building and other permits necessary to complete the construction of vested development projects, complete applications for which were received by the City prior to the effective date of this ordinance; and

Section 4. Amendment of Section 7 of Ordinance No. 419. Section 7 of

Ordinance No. 419 is hereby amended to provide in its entirety as follows:

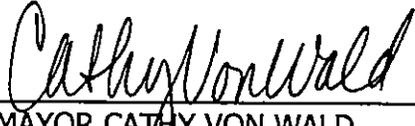
Interpretive Authority. The City of Woodinville Planning Director is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance. Prior to issuance of any such official interpretation, the Planning Director shall formally notify the City Council of both the interpretation and any relevant background information.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

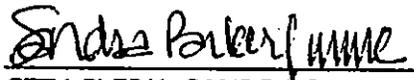
Section 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication.

PASSED by the City Council of the City of Woodinville this tenth day of July 2006.

APPROVED:


MAYOR CATHY VON WALD

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA PARKER, MMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

PASSED BY THE CITY COUNCIL: 7-10-2006
PUBLISHED: 7-17-2006
EFFECTIVE DATE: 7-22-2006
ORDINANCE NO. 424

Exhibit B

SUPPLEMENTAL FINDINGS IN SUPPORT OF DEVELOPMENT MORATORIUM

The Woodinville City Council reaffirms the findings contained in Ordinance No. 419. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council additionally enters the supplemental findings below in support of the temporary development moratorium imposed under that ordinance. The City has duly considered the Growth Management Act (GMA) planning goals enumerated in RCW 36.70A.020. The moratorium imposed under Ordinance No. 419 will assist the City in reviewing and amending its Comprehensive Plan and development regulations in a manner that appropriately balances these policy interests for the Woodinville community and physical environment. Specifically, the City has considered the following GMA goals:

1. Urban Growth - *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. (RCW 36.70A.020(1)).*

The City is committed to accommodating and encouraging appropriate levels of urban development in accordance with applicable GMA directives. The comprehensive Sustainable Development study that will be conducted during the moratorium period will help the City to identify which public facilities and services are needed in order to accommodate such future growth within the R-1 zoning district, an area that is — and historically has been — under-served with respect to utility service and other public facilities.

Moreover, the Sustainable Development study will help determine the appropriate phasing and installation timeframe regarding public facilities within the R-1 zone. This in turn will assist the City's capital planning and budgeting efforts. Other plans and studies, including but not limited to the Downtown/Little Bear Creek Corridor Master Plan (DT/LBC) and the Economic Development Study, are currently being reviewed by the City Council and will likewise assist the City in influencing the location and timing of urban development where adequate public facilities and services are provided.

2. Reduce Sprawl - *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. (RCW 36.70A.020(2)).*

The Sustainable Development study conducted during the moratorium period will help determine the measures necessary to encourage the conversion of undeveloped land at appropriate levels of urban density. The study is intended in part to help the City balance the need to accommodate growth while simultaneously ensuring appropriate protection of the local environment and natural resources. Innovative land use management techniques aimed at reducing sprawl and protecting the environment will

be evaluated as part of this process. It is anticipated that the City's development regulations may be amended at the conclusion of the Sustainable Development study process to specifically encourage and provide incentives for the use of such innovative techniques.

3. Transportation – *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans. (RCW 36.70A.020(3)).*

During the Sustainable Development study period, the City will examine the City's transportation infrastructure needs and the opportunity to accommodate multi-modal forms of transportation within the R-1 zoning district. The City intends to review the findings and recommendations from this study in conjunction with the transportation concurrency program separately being considered by the City. This analysis is needed in order to determine how appropriate growth — particularly within the R-1 zoning district — may be accommodated concurrently with necessary transportation facilities and services consistent with local and regional transportation plans.

4. Housing - *Encourage the availability of affordable housing to all economic segments of the population of this State, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. (RCW 36.70A.020(4)).*

As the largest contiguous residential area in the City, the R-1 zone contains a substantial percentage of the City's existing housing stock. Although single family homes are predominant in the R-1 zone, the development pattern in this zoning district has traditionally provided for a variety in age, style and size of houses. The Sustainable Development study conducted during the moratorium will help to determine appropriate development techniques — potentially including, but not limited to, low impact development standards — to protect the environment and natural resources while simultaneously accommodating growth and preserving existing housing stock.

5. Economic Development - *Encourage economic development throughout the State that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and disadvantaged persons, promote the retention and expansion of existing business and recruitment of new business, experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities. (RCW 36.70A.020(5)).*

A critical goal of the City's long-range planning efforts is to enhance the economic vitality of the Woodinville community. However, this policy must be carefully balanced and viewed holistically with the City's other planning goals to ensure an appropriate balance of economic development, housing, and environmental protection. The results and recommendations of the City's Sustainable Development study will be considered

together with the City's economic development efforts to foster a complementary and coherent pattern of housing and business growth.

Furthermore, the State's fisheries are recognized as a significant element of the Pacific Northwest economy. Different portions of the City's R-1 zone drain into the headwaters of Bear Creek, and towards Little Bear Creek and Woodin Creek, all known to contain salmonids — including Chinook salmon. The Sustainable Development study will likely recommend methods of protecting this valuable economic resource through the adoption and implementation of careful and well-balanced land use planning and zoning measures. The City's Economic Study also identifies the livability of the City's residential neighborhoods and the protection of the natural environment as keys to the local economy's vitality. The Sustainable Development and Concurrency studies will serve to identify the need for public facilities and services which support economic development.

6. Property Rights - *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions. (RCW 36.70A.020(6)).*

The moratorium process is a legally-sanctioned development control mechanism, and the City has enacted its R-1 moratorium ordinance in conformance with applicable state law. By its terms, the moratorium is of a limited, temporary duration, and will not be construed to violate any previous permit applicant's vested development rights as defined by state and local regulations. Moreover, the limited exceptions contained in Section 3 of Ordinance No. 419 authorize modification, remodeling and expansion of existing structures notwithstanding the moratorium, ensuring that landowners may continue to alter their existing residences during the pendency of the City's Sustainable Development study.

7. Permits - *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability. (RCW 36.70A.020(7)).*

The receipt and processing of new land use permits under the moratorium will be suspended only for the limited time necessary to conduct the Sustainable Development study. Upon the expiration of the moratorium, the City will process development applications involving the R-1 zoning district in a fair and timely manner consistent with applicable state and local regulations.

The separate Development Services study initiated earlier this year is intended to make the City's permit process more efficient. The recommendations resulting from this study are expected to be implemented over the next few months. The Sustainable Development study will address current uncertainties regarding the R-1 zone. Having these questions answered, particularly with regard to appropriate environmental protections, will enhance the certainty of the City's permit application and approval

process. Individual property owners will know in advance what mitigation, construction techniques, and infrastructure is required for the proposed development of their property. This in turn will provide for more timely permit processing and the need for fewer individual environmental studies by permit applicants. The Development Services study will thus serve as a valuable resource for both the City and development applicants, and will increase the predictability of the development process within the R-1 zone.

8. Natural Resources - *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.* (RCW 36.70A.020(8)).

The Bear Creek Basin drainage area encompasses a significant portion of the eastern Woodinville City limits within the R-1 Zoning District. The basin drains southeasterly into the Cold Creek Natural Area wetland system, a complex network of wetlands and groundwater springs feeding the headwaters of Cold Creek and an important cold water source for the Bear Creek system. The Bear/Cottage Lake/Cold Creek system is formally rated as a Tier I subarea under the draft WRIA 8 Chinook Salmon Conservation Plan, and the action start list for the North Lake Washington Chinook population is to identify and protect headwater areas, wetlands, groundwater sources, natural hydrologic processes and temperatures that support Chinook salmon within this area. The Sustainable Development study conducted during the moratorium period will provide policy recommendations concerning the protection of these valuable resources.

9. Open Space and Recreation - *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.* (RCW 36.70A.020(9)).

The Sustainable Development studies will assist in identifying potential park and recreation (i.e., trail) opportunities in concert with habitat conservation areas.

10. Environment - *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.* (RCW 36.70A.020(10)).

A primary purpose of the Sustainable Development study is to address the protection of the environment, quality of life, air and water quality, and the availability of water resources. The City's R-1 zoning district contains coarse, permeable geologic materials that allow infiltration to mapped critical aquifer recharge areas (CARAs), many of which have been characterized as possessing a "high" or "medium" potential for ground water contamination. The R-1 Zoning District also contains Lake Leota, a natural water body, with known water quality impacts. The shallow ground water surrounding Lake Leota is believed to be hydrologically connected to local CARAs.

Regions within the R-1 Zoning District hydrologically drain toward areas characterized by "high" or "medium" potential for ground water contamination. Said areas are known or suspected of being hydrologically connected to Bear Creek, a significant and biologically productive salmonid-bearing stream. Other areas within the R-1 zone drain variously toward Lake Leota, Little Bear Creek, and Woodin Creek, the latter two of which are known to contain salmonids.

11. Citizen Participation and Coordination - *Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.* (RCW 36.70A.020(11)).

The City is committed to providing opportunities for citizen involvement in the public process. The City Council's adoption of Ordinance No. 419 occurred at a public meeting on March 20, 2006, and substantial public comment was received at that meeting. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council also held a public hearing on May 1, 2006 to receive and consider public testimony regarding the R-1 moratorium.

The City Council has also proposed the formation of a Citizen Advisory Panel to assist the Sustainable Development study consultants and the Planning Commission in reviewing information and the promulgation of land use management policies and tools to address environmental protection and development issues within the R-1 zone. Any amendments to the City's Comprehensive Plan and/or development regulations recommended by the Sustainable Development study will undergo significant public scrutiny and commentary before both the Planning Commission and the City Council. It is contemplated and encouraged that residents, property owners, businesses and all other interested parties will participate in this process. Because the R-1 zone area is adjacent to unincorporated areas of both King County and Snohomish County, these counties will also be asked to participate in the review of the studies and potential outcomes.

12. Public Facilities and Services - *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.* (RCW 36.70A.020(12)).

As explained with respect to subsection 3 above, the Sustainable Development study will examine the City's transportation infrastructure needs and the opportunity to accommodate multi-modal forms of transportation within the R-1 zoning district. The City intends to review the findings and recommendations from this study in conjunction with the transportation concurrency program separately being considered by the City. This analysis is needed in order to determine how appropriate growth — particularly within the R-1 zoning district — may be accommodated concurrently with necessary

transportation facilities and services and consistent with local and regional transportation plans.

13. Historic Preservation - *Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.* (RCW 36.70A.020(13)).

At this time, there are no lands, sites, or structures within the R-1 zone area known to have historical or archaeological significance.

ORDINANCE NO. 427

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING ORDINANCE NO. 419; RENEWING FOR AN ADDITIONAL SIX MONTH PERIOD THE TEMPORARY R-1 ZONING DISTRICT LAND USE PERMITTING MORATORIUM CURRENTLY SCHEDULED TO EXPIRE ON SEPTEMBER 20, 2006; ADOPTING FINDINGS IN SUPPORT OF SAID RENEWAL; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, through the adoption of Ordinance No. 419 on March 20, 2006, the Woodinville City Council imposed a six-month moratorium upon the receipt and processing of new land use permit applications within the City's R-1 Zoning District; and

WHEREAS, Ordinance No. 419 was amended by Ordinance No. 424 on July 10, 2006, which adopted additional supportive findings and clarified the scope of specified exemptions to the moratorium; and

WHEREAS, the chief purpose of the moratorium is to preserve the *status quo* while the City's Sustainable Development study is completed and new development standards are considered and duly enacted; and

WHEREAS, the Sustainable Development study is proceeding steadily, but will not be fully completed prior to the September 20, 2006 expiration date of the moratorium; and

WHEREAS, it is necessary to renew the moratorium imposed under Ordinance No. 419 in order to prevent land use permit applicants from obtaining vested development rights inconsistent with the anticipated code amendments that will likely result from the Sustainable Development study;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The recitals above are hereby adopted as findings in support of the moratorium renewal effected by this ordinance. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the City Council further makes and enters the additional findings contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Renewal of Moratorium. The moratorium imposed under Ordinance No. 419, as amended by Ordinance No. 424, is hereby renewed for an

additional six month period commencing upon September 20, 2006. Section 8 of Ordinance No. 419 is accordingly amended to provide in its entirety as follows:

Based upon the findings enumerated in Section 1 of this ordinance and any subsequent enactment relevant hereto, the City Council declares a public emergency necessitating an immediate effective date of the moratorium imposed hereunder. Said moratorium shall take effect immediately, and shall remain effective for one year unless terminated earlier by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew said moratorium for one or more six month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

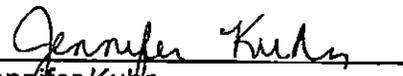
Section 3. Declaration of Emergency; Statement of Urgency; Effective Date. Based upon the findings set forth in Section 1 hereof and Exhibit A hereto, the City Council declares a public emergency necessitating an immediate effective date in order to protect public health, safety, property, peace, welfare and the local environment. This ordinance shall accordingly take effect immediately upon adoption.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 11TH DAY OF SEPTEMBER 2006.


Cathy VonWald, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn
City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



J. Zachary Lell
City Attorney

PASSED BY THE CITY COUNCIL: 9-11-2006
PUBLISHED: 9-18-2006
EFFECTIVE DATE: 9-20-2006
ORDINANCE NO. 427

EXHIBIT A

FINDINGS IN SUPPORT OF MORATORIUM RENEWAL

The Woodinville City Council hereby reaffirms and incorporates by reference the findings contained in Ordinance Nos. 419 and 424. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council additionally enters the findings below in support of the moratorium renewal effected by this ordinance. Specifically, the City Council has considered the planning goals set forth at Chapter 36.70A RCW, and acknowledges the following circumstances concerning the Sustainable Development study currently underway to resolve outstanding planning and development issues within the R-1 Zoning District:

1. RCW 36.70A.390 and RCW 35A.63.220 expressly authorize renewal of moratoria for one or more six month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.
2. The current moratorium was imposed on March 20, 2006. The City subsequently approved a contract with Steward & Associates to perform a comprehensive Sustainable Development study during the moratorium period. The study's purpose is to assist the City in determining the appropriate levels of urban density and development within the City's R-1 Zoning District, protecting the local environment, and ensuring compliance with applicable GMA planning goals. It is anticipated that the City's Comprehensive Plan, Critical Areas Ordinance and development regulations may be amended at the conclusion of the Sustainable Development study process, which is currently expected to be completed in late September or early October, 2006.
3. In July 2006, the City approved a contract with EKW Law to provide legal counsel regarding issues associated with GMA compliance and other legal matters relevant to the Sustainable Development program.
4. On June 7, 2006 the City Planning Commission appointed an 11 member Citizen Advisory Panel (CAP) to provide public input to and oversee study activities associated with the Sustainable Development program and make appropriate recommendations to the Planning Commission and City Council. The CAP has had three meetings to date with the City consultants and staff involved in the Sustainable Development program.
5. Various factors, including but not limited to the unforeseen complexity of necessary environmental studies and delays in compiling relevant data, have postponed the originally anticipated completion date for the Sustainable Development study.
6. Additional time is necessary in order to complete the Sustainable Development study, appropriately process and respond to any recommendations arising out of the study, and enact necessary amendments to the City's Comprehensive Plan and development regulations.
7. The City Council received a status report from its Sustainable Development consultants at the August 7, 2006 Council meeting indicating that the study would not be completed until after the current expiration date of the moratorium.
8. The earliest available City Council meeting for which to publicly notice, schedule and conduct the public hearing necessary to renew the current moratorium is September 11, 2006.
9. Pursuant to RCW 35A.13.190, an ordinance generally does not take effect until five days after the date of its publication. The earliest available publication date following the September 11, 2006 City Council meeting is September 18, 2006.
10. Delaying the effective date of the moratorium renewal until five days after the anticipated September 18, 2006 publication date would allow the current moratorium to expire for a period of at least three days, which in turn could allow land use permit applicants to obtain vested development rights inconsistent with the Comprehensive Plan and development code amendments that will result from the Sustainable Development program.

11. Allowing land use development within the City's R-1 Zoning District inconsistent with the above-referenced amendments would jeopardize and pose an imminent threat to public health, peace, welfare, property and the local environment.

12. In order to prevent the accrual of vested development rights prior to the completion of the Sustainable Development study and adoption of appropriate Comprehensive Plan and development code amendments, it is necessary and urgent for the moratorium renewal enacted by this ordinance to take effect immediately upon the expiration of the current moratorium, and for this ordinance to take effect immediately upon adoption. The immediate necessity of this action prevents the City's compliance with otherwise-applicable adoption procedures and processes.

13. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the City Council held a public hearing on September 11, 2006 regarding the moratorium renewal effected by this ordinance.

14. The City is working diligently and in good faith to complete the Sustainable Development study and will take appropriate action, pursuant to applicable procedures and standards, to expeditiously process the Comprehensive Plan and development regulation amendments recommended by the study.

Wood Trails/Montevallo – Agency Distribution List

Federal Agencies

US Environment Protection Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

US Fish and Wildlife Service
911 NE 11th Avenue
Portland, Oregon 97232-4181

Native American Tribes

Muckleshoot Indian Tribe
Environmental Division
Fisheries Department
39015 - 172nd SE
Auburn, WA 98002

State Agencies

Washington Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue WA 98008-5452

SEPA/GMA Coordinator
Department of Ecology
PO Box 47600
Olympia WA 98504-7600

SEPA Registrar
Department of Ecology
Environmental Review Section
PO BOX 47703
Olympia WA 98504

Rebecca Barney
Department of Corrections
PO Box 41112
Olympia WA 98504-1112

Lorinda Anderson
Interagency Committee on Outdoor Recreation
PO Box 40917
Olympia WA 98504-0917

Steve Penland
Department of Fish and Wildlife
PO Box 43155
Olympia WA 98504-3155

Bill Koss
Parks and Recreation Commission
PO Box 42650
Olympia WA 98504-2650

Anne Sharar
Department of Natural Resources
PO Box 47001
Olympia WA 89504-7001

<p>Elizabeth McNagny Dept. of Social and Health Services PO Box 45848 Olympia WA 98504-5848</p>
<p>Harriet Beale Puget Sound Water Quality Action Team PO Box 40900 Olympia WA 98504-0900</p>
<p>Bill Wiebe Washington Department of Transportation PO Box 47300 Olympia WA 98504-7370</p>
<p>Washington CTED Growth Management Services PO Box 42525 Olympia WA 98504-2525</p>
<p>John Aden Department of Health Division of Drinking Water PO Box 47822 Olympia WA 98504-7822</p>
<p>State of Washington Capital Projects Department of Transportation Attn: Ramin Pazooki PO Box 330310/MS 240 Seattle WA 98133-9710</p>
<p>WSDOT Northwest Region K. C. Area Developer Services P. O. Box 330310 / MS 240 Seattle WA 98133-9710</p>
<p>Ginger Holser Dept. of Fish and Wildlife 16018 Mill Creek Blvd. Mill Creek WA 98012</p>
<p>Washington State Office of Archaeology and Historic Preservation PO Box 48343 Olympia, WA 98504-8343</p>
<p>Washington State Patrol 2803 156th Ave SE Bellevue, WA 98007</p>
<p>Local Jurisdictions</p>
<p>Snohomish County Department of Planning & Development Services 3000 Rockefeller Everett, WA 98201</p>
<p>City of Bothell Wasim Khan, PE</p>

9654 NE 182 nd ST Bothell WA 98011
King County Department of Development and Environmental Services Attn: Barbara Heavey 900 Oaksdale Avenue SW Renton, WA 98055
City of Bothell Responsible SEPA Official 18305 101 st Avenue NE Bothell, WA 98011
Ms. Shirley Marroquin Envir Planning Supervisor King County Wastewater Treatment 201 S. Jackson Street MS KSC-NR-0505 Seattle, WA 98104-3855
Steve Foley, Senior Engineer King County Water and Lands Resource Division 201 South Jackson Street, Suite 600 Seattle, Wa 98104-3855

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

J. RICHARD ARAMBURU
ATTORNEY AT LAW
SUITE 209, COLLEGE CLUB BUILDING
505 MADISON STREET
SEATTLE, WASHINGTON 98104
(206) 628-2515 • FAX (206) 682-1376

Exhibit 50
Page 1 of 31

November 28, 2006

Cindy Baker
Interim Director
Department of Community Development
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: REQUEST FOR INTERPRETATION

Dear Ms. Baker:

This office represents the Concerned Citizens of Wellington (CNW) a local neighborhood organization. CNW has been actively involved with the review of the Wood Trails and Montevallo rezoning and plat applications (collectively referenced as "WT/M").

The WT/M applicant has asked for a rezone from R-1 to R-4 and has also applied for preliminary plats for the two properties. Application ZMA 2004-053 is the zoning map amendment for Wood Trails and application ZMA 2004-094 is the zoning map amendment for the Montevallo proposal. The plat proposals are assigned different application numbers, PPA2004-0054 and PPA 2004-093 respectively. Significantly, neither of the plat proposals is consistent with R-1 zoning.

A question has arisen as to how these proposals should be considered by the city during its review process. Accordingly, CNW requests a formal interpretation by the planning director as to how the rezone and plat proposals will be considered during the review process. See WMC 17.07.080.

In particular, we believe that the correct interpretation of the applicable state laws and city ordinances is as follows.

1. The terms of state law and City of Woodinville codes do not permit the consideration of a preliminary plat application until, and unless, it is consistent with adopted zoning and land use ordinances. As applied to the WT/M

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proposals, the preliminary plats cannot be considered, or be the subject of public hearings, unless the respective properties are rezoned to a zone that would allow the densities proposed.

2. The WT/M plat proposals are not vested against zoning or other land use changes because they are not consistent with the applicable R-1 zoning of those properties.

3. The WT/M plat proposal should be suspended, dismissed or cancelled without prejudice to being refiled if the zoning on the properties changes to allow the densities proposed.

We ask that you issue a formal interpretation concurring with the foregoing. The basis for our interpretation is as follows.

Under Washington law, a subdivision must be consistent with local zoning. RCW 58.17.195. The subdivision statute further has a very specific provision relating to vesting to zoning codes in RCW 58.17.033, which states:

(1) A proposed division of land, as defined in RCW 58.17.020, shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the appropriate county, city, or town official.

(Emphasis supplied.) This vesting rule is specific and requires that a plat be "considered" only under zoning in effect at the time the complete application for the plat is filed. In the case of the WT/M proposals that zoning was - and is - R-1.

Washington caselaw confirms the plain meaning of the statute:

" '[V]esting' refers generally to the notion that a land use application, under the proper conditions, will be considered only under the land use statutes and ordinances in effect at the time of the application's submission." *Noble Manor Co. v. Pierce County*, 133 Wash.2d 269, 275, 943 P.2d 1378 (1997).

Westside Business Park, LLC v. Pierce County, 100 Wash.App. 599, 603, 5 P.3d 713 (2000).

In the present case, the zoning for the property is R-1 and the WT/M plat proposals show a density of development that is inconsistent with that zoning. The rule for these circumstances is very clear and long established:

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Page 3

Therefore, since any approval or modification by the reviewers of a preliminary plat is binding where infirmities appear that would preclude any possible approval (such as clear zoning violations), it is incumbent upon the planning body to reject the plat.

Loveless v. Yantis, 82 Wash.2d 754, 761, 513 P.2d 1023 (1973). Indeed, the original letters from the city accepting the applications plainly stated the rule:

A complete application results in two actions. First, it vests that application against future land use amendments; that is the land use regulations in effect as of the date of vesting are those that are used to review your application, unless otherwise stated. Any future change in regulations should not impact your application.

(Emphasis supplied). See Letters of July 8, 2004 and November 23, 2004 to Loree Quade. Based on these rules, the WT/M plat proposals must be rejected, without prejudice to refiling if the zoning is changed to allow the densities proposed.

In addition, for preliminary plats, the Hearing Examiner makes final decisions, subject to appeal. See WMC 17.07.030. However, on a rezone application, the Hearing Examiner only makes a recommendation to the City Council, which must adopt the zoning map amendment by ordinance. See 21.04.190 ("Changes in the boundaries of the zones shall be made by ordinance adopting or amending the zoning map.") Accordingly, when the Hearing Examiner makes his final decision on the plat, the property will still be zoned R-1 and will remain so until the Council acts. Thus, because of different methods of review, the preliminary plat cannot be considered until rezone proceedings are complete.

Caselaw is also clear that the vesting rule applies even if a more favorable ordinance to the developer/applicant is passed. The caselaw does not permit an applicant to "cherry-pick" new more favorable regulations:

East also argues that it is entitled to have its application evaluated under the 1994 SWMP regulations because it could have withdrawn its application and resubmitted it after the favorable amendments. Then it would have been subject to the 1994 regulations. East is correct. It could have resubmitted its application, but it did not. If it had, East's proposal would have received a new application date and been subject to all laws and regulations in effect on that date. East's selective waiver allowed it to comply with favorable 1994 regulations while enforcing the 1991 regulations in effect on the application date when they worked to East's advantage. Stated differently, East would "cherry pick" which regulations it wished to have its application evaluated under, East does not cite

authority supporting its claim that a developer has a right to "opt out" of the regulations in place at the time its application "vested" and we are not persuaded by its argument.

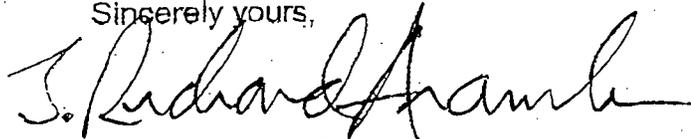
East County Reclamation Co. v. Bjornsen, 125 Wash.App. 432, 439, 105 P.3d 94 (2005) (Emphasis supplied). See also *Buechel v. State Dept. of Ecology*, 125 Wash.2d 196, 207, 884 P.2d 910 (1994) (Footnote 35).

The rules above make common sense. Interested parties appearing at a public hearing need to know the fundamental rules to be applied to a project under consideration, not to assume that zoning might, or might not, change. A staff report will also be prepared and that report should be based on the current standards and rules, not on possible future modifications. Thus, speculation about what zoning applies to the property is not appropriate in this context. It also creates significant prejudice to CNW and other interested parties who will not know the underlying zoning to be applied at the required open record public hearing, which will be their only opportunity to make a record for subsequent proceedings. This includes significant expense in preparing for a preliminary plat hearing which might be entirely unnecessary if the rezone is disapproved.

Nothing in the Local Project Review statute, RCW ch. 36.70B changes or modifies the rule that a preliminary plat must be "considered" under the rules that were in effect at the time of filing. Any provisions for consolidated hearing procedures, which apply generally, must defer to the specific vesting rules for preliminary plats, especially RCW 58.17.033.

Thank you for your attention to this request. CNW would appreciate a prompt response. If there are processing fees applicable to this request, kindly advise this office and we will promptly pay any required filing fees.

Sincerely yours,



J. Richard Aramburu

JRA:cc

cc: Clients
Zach Leil

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

Attorneys at Law
505 Madison Street, Suite 209
Seattle, Washington 98104
(206) 625-9515
Fax: (206) 682-1376

RECEIVED
DEC 19 2006

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

cc to CB Dir

FAX COVER SHEET

To: CINDY BAKER
City of Woodinville
425/489-2756

J. ZACHARY ZELL
Ogden Murphy Wallace
206/447-0215

From: J. Richard Aramburu
Client/Matter: Wood Trails/Montevallo
Date: December 19, 2006

DOCUMENTS	NUMBER OF PAGES*
Letter and attachment	6

COMMENTS: Copies to follow by mail.

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J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

Exhibit 50
Page 6 of 31

Attorneys at Law
505 Madison Street, Suite 209
Seattle, Washington 98104
(206) 625-9515 Fax: (206) 682-1376

December 19, 2006

Ms. Cindy Baker
Interim Director
Department of Community Development
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Request for Interpretation Concerning Application of
City of Woodinville Codes.

Dear Ms. Baker:

On November 28, 2006, I faxed, e-mailed and mailed you a Request for Interpretation on behalf of my client Concerned Neighbors of Wellington (CNW). My letter requested a code interpretation concerning the correct hearing procedures for a combined rezone and plat application with emphasis on the Wood Trail and Montevallo ("WT/M") proposals. A copy of my letter is attached. This was a second request for interpretation on the WT/M matter; an Official Planning Director Interpretation regarding procedures for appeal of the adequacy of final environment impact statements was issued on November 1, 2006.

Three weeks have now passed and we have not received a response to our request. In the interim, the FEIS for the WT/M proposals was issued on December 13. Just yesterday, a notice was sent from your office which set public hearing dates on this matter for February 28 and March 1, 2007.

CNW requests that the City issue an interpretation decision on our request as soon as possible. This interpretation is critical to guide preparation of comments and presentations at the public hearing and review by the City Council. In addition, if the interpretation is

December 19, 2006
Page 2

Exhibit 50
Page 7 of 31

appealed pursuant to the City of Woodinville codes, such an appeal should be expedited to assure a decision before the hearing.

Thank you for your prompt attention to our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Aramburu". The signature is fluid and cursive, with the first name "Richard" being more prominent than the last name "Aramburu".

J. Richard Aramburu

JRA/py

cc:

Zach Lell, City Attorney

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

Attorneys at Law

505 Madison Street, Suite 209
Seattle, Washington 98104
(206) 625-9515 Fax: (206) 682-1376

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JAN 19 2007

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

January 18, 2007

Ms. Cindy Baker
Interim Director
Department of Community Development
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Request for Interpretation Concerning Application
of City of Woodinville Codes: Wood Trail and
Montevallo proposals.

Dear Ms. Baker:

This is the third letter I have written to the City concerning my request for interpretation filed on behalf of my clients, Concerned Neighbors of Wellington (CNW). By way of background, on November 28, 2006 I faxed, e-mailed and mailed by you a Request for Interpretation on behalf of CNW. On December 19, 2006 I wrote you another letter concerning this matter requesting immediate action on our interpretation request.

Our request for interpretation concerns procedures for review of proposals for rezone and preliminary plat approval under City of Woodinville codes. Our request on November 28 was made so that an interpretation could be issued by the City, and possibly appealed, in advance of the then unscheduled hearings on the Wood Trail and Montevallo proposals.

As noted in my December 19, 2006 letter the FEIS for the Wood Trails/Montevallo proposals was issued on December 13, and on December 18, a notice was sent that sent February 28 and March 1, 2007 as the dates for hearings on these matters.

January 18, 2007
Page 2

I fail to understand why the City is refusing to issue an interpretation, or to even acknowledge my request for one. As I have explained before, the outcome of the interpretation is critical to the nature and content of public comment and involvement at the February 28 and March 1, 2007 hearings. Indeed, one of the purposes of the interpretation process as mandated by the Growth Management Act is to resolve the meaning of local ordinances in advance of public hearings or critical processing.

If the decision of the City is to simply ignore our request, or to refuse to issue an interpretation on this subject, we would appreciate being informed of such decision as soon as possible. Regrettably, the City's refusal to act on our interpretation has put into jeopardy both orderly procedure at the hearing and the substantive result that may flow therefrom.

We would appreciate a response to this letter at your earliest convenience.

Sincerely,

J. Richard Aramburu

JRA/py

cc: Zach Lell, City Attorney
Woodinville City Council Members
Concerned Neighbors of Wellington

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JAN 19 2007

**CITY OF WOODINVILLE
DEVELOPMENT SERVICES**

Copies: Cindi
Steve
Ray
Bob
Charlene
Connie



City of Woodinville

J. Zachary Lell

January 30, 2007

VIA FACSIMILE AND U.S. MAIL

J. Richard Aramburu, Attorney at Law
Suite 209, College Club Building
505 Madison Street
Seattle, WA 98104

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FEB 01 2007

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Re: Wood Trails/Montevallo Rezone and Plat Applications
Request for Administrative Interpretation

Dear Mr. Aramburu:

Please accept the following as the City of Woodinville's response to your letters dated November 28, 2006, December 19, 2006 and January 18, 2007, regarding the plat and rezone applications currently pending for the Wood Trails and Montevallo development projects. Cindy Baker, the City's Development Services Director, has spent much of the past six weeks out of state dealing with the unexpected passing of her father. I would ask that you and your clients remain respectful of Ms. Baker's loss in future communications with her. I would also ask that you consider the practical impact of the recent storms, power outages, holiday season and other circumstances upon the City's priorities and resources.

You have requested an administrative interpretation regarding the procedure the City intends to utilize in processing the above-referenced development applications. The staff report that will be prepared and distributed prior to the February 28 - March 1, 2007 public hearing on this matter will include the Director's analysis of all relevant procedural requirements. Summarized, applicable City regulations designate both preliminary plat applications and site-specific rezone requests as Type III project permits subject to review and a public hearing before the hearing examiner. See WMC 17.07.030. The examiner makes a recommendation to the City Council regarding rezone requests and renders a final decision on preliminary plat applications. See WMC 17.07.030; WMC 21.42.110(2). Where — as in the Wood Trails/Montevallo matter — a project proponent requests consolidation of two or more permit applications for the same development, both City regulations (Chapter 17.07 WMC) and state law (Chapter 36.70B RCW) allow the permits to be processed simultaneously in a single open-record hearing.

Your November 28, 2006 letter correctly notes that both the Wood Trails and Montevallo subdivision proposals contemplate residential densities obtainable only through a rezone. Both plats thus depend upon the applicant's concurrent zone reclassification requests, which if

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J. Richard Arumburu, Attorney at Law
January 30, 2007
Page 2

approved by the City Council would elevate the subject parcels to an R-4 density level. The crux of your November 28 letter contends that the City must postpone its hearing regarding the Wood Trails/Montevallo subdivision applications unless and until the Woodinville City Council has approved the applicant's requested rezones.

The City respectfully disagrees with your position. Chapter 36.70B RCW provides for optional consolidation of multiple project permits that are related to the same underlying development proposal, and requires a single, consolidated open-record hearing in such circumstances. *See* RCW 36.70B.120. The statute expressly defines "project permit" to include both subdivisions and site-specific rezones that do not require a comprehensive plan amendment. *See* RCW 36.70B.020(4). Under your suggested approach, the plat applications and rezone requests for the Wood Trails/Montevallo developments would be subject to *separate* sequential hearings — a result facially inconsistent with the consolidation mandate of Chapter 36.70B RCW.

With specific respect to the Wood Trails/Montevallo proposals, any hearing examiner approval of the applicant's proposed plats (at the requested R-4 density level) would necessarily remain contingent upon the Woodinville City Council's approval of the developer's rezone requests. As explained above, this approach comports with both state law and local regulations. To the extent that your clients ultimately disagree with the City's procedures, they may note their objection for the public hearing record and file an appeal on this basis. As the City construes its development procedures, the hearing examiner's decision regarding a preliminary plat is subject to a closed-record appeal before the Woodinville City Council, while the Council's decision on the applicant's rezone request is appealable to the King County Superior Court via the Land Use Petition Act.

I hope the above clarifies the City's position regarding the decisional process for the Wood Trails/Montevallo proposals. With respect to a related matter, the Woodinville City Council was listed as a courtesy copy addressee of your January 18, 2006 letter. As you are aware, the Wood Trails/Montevallo rezone requests are currently pending in a quasi-judicial proceeding that will ultimately involve the Council's determination. Please refrain from further contacting the City Council concerning this matter without my express prior authorization. Thank you in advance for your full cooperation in this regard.

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.



J. Zachary Lell

JZL:

cc: Cindy Baker
Rich Hill

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

Attorneys at Law
505 Madison Street, Suite 209
Seattle, Washington 98104
(206) 625-9515
Fax: (206) 682-1376

FAX/E-MAIL COVER SHEET

To: **Cindy Baker**
Interim Director
Department of Community Development
City of Woodinville

From: J. Richard Aramburu

Client/Matter: Appeal of Interpretation/Concerned Neighbors of
Wellington

Date: February 1, 2007

FAX NO. 425-489-2756

E-MAIL ADDRESS: cindyb@ci.woodinville.wa.us

DOCUMENTS	NUMBER OF PAGES
Letter of Appeal	4

COMMENTS: Original to follow by mail.

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CITY OF WOODINVILLE
DEVELOPMENT SERVICES

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

Attorneys at Law
505 Madison Street, Suite 209
Seattle, Washington 98104
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Exhibit 50
Page 13 of 31

February 1, 2007

City of Woodinville Hearing Examiner
Attn: Cindy Baker
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Appeal of Interpretation dated January 30, 2007 to City of Woodinville Hearing Examiner and Request for Expedited Review or Continuation of Public Hearings.

Dear Hearing Examiner:

This office represents Concerned Neighbors of Wellington (CNW), a Washington non-profit corporation consisting of residents and property owners concerned with the Wood Trails and Montevallo rezone and plat application. On November 28, 2006, CNW filed a request for interpretation (attached hereto as Attachment A) relating to the interpretation of city ordinances regarding the processing of rezone and subdivision applications. On January 30, 2007, the City issued an interpretation concerning the CNW request which generally rejected the position taken by CNW. See Attachment B.

This letter is CNW's appeal to the City Hearing Examiner of the interpretation decision of January 30, 2007. Appeal of interpretation decisions, as Type II decisions, are allowed to the Hearing Examiner by WMC 17.07.030.¹ CNW has standing to appeal the January 30, 2007

¹The City confirmed that administrative interpretations are appealable in its November 1, 2006 interpretation regarding FEIS appeal procedures under "VI. APPEAL:"

This interpretation is issued as a Type II project permit pursuant to WMC 17.07.030, and is subject to appeal before the City of Woodinville Hearing Examiner. Any notice of appeal must be filed within 14 days of November 6, 2006."

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CITY OF WOODINVILLE
DEVELOPMENT SERVICES

February 1, 2007
Page 2

decision because it was the applicant for the interpretation request. In addition, as the interpretation decision concerns the rezone and plat decisions described above, CNW has standing as the representative of its members who are residents near the proposed rezones and plats, who will be adversely impacted by these decisions and who intend to participate in public hearings required by City of Woodinville ordinances.

The grounds for appeal are those found in Attachment A hereto and the legal authorities are cited therein. Generally, the codes of the City and pertinent state laws should be interpreted to require a decision on the rezone applications requested prior to any review of the subject plat proposals. This is critical because if the decision is to deny the rezone, then the plats would be inconsistent on their face with the existing zoning and must be dismissed. The January 30, 2007 decision incorrectly interprets the applicable laws by providing for a hearing on the plat proposals before it is known whether they can even be considered.

In addition, the letter of January 30, 2007 in its penultimate paragraph states that:

As the City construes its development procedures, the hearing examiner's decision regarding a preliminary plat is subject to a closed-record appeal before the Woodinville City Council, while the Council's decision on the on the applicant's rezone request is appealable to the King County Superior Court via the Land Use Petition Act.

It is not clear from this sentence whether the City construes its ordinances to permit only an appeal of the rezone to Superior Court and not the plat decision. Appellant CNW seeks clarification of the meaning of these provisions of the Woodinville Municipal Code regarding these codes and procedures.

**REQUEST FOR EXPEDITED CONSIDERATION OR CONTINUATION
OF THE SCHEDULED PUBLIC HEARINGS.**

As described above, CNW made its request for interpretation more than two months ago. In that letter, CNW requested a "prompt response" because of the City was about to complete its EIS process and issue a final EIS. CNW sent a second letter on December 18, 2006 (Attachment C), after the FEIS was issued, also requesting prompt action so that "if the interpretation is appealed pursuant to City of Woodinville codes, such an appeal should be expedited to assure a decision before the hearing [on the rezone and plat proposals]."

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CITY OF WOODINVILLE
DEVELOPMENT SERVICES

February 1, 2007
Page 3

The hearings for the Wood Trails and Montavallo proposals are now set for February 28 and March 1, 2007. Obviously, the nature and scope of these hearings will be determined by the outcome of this appeal. Interested citizens, including CNW and its members, will need to know the subject matter of the hearings, in particular whether they will deal only with the rezone matters as CNW believes the codes should be construed, or whether the hearings must be consolidated.

Based on the foregoing, CNW requests that the Hearing Examiner expedite consideration of this appeal such that a decision will be made before the public hearings scheduled for February 28 and March 1. Expedited treatment is certainly feasible given that the issues are almost entirely legal and that all parties have had more than two months to consider them. If expedited treatment will not allow a decision to be made before the dates currently set for the public hearings, CNW requests that the hearings be postponed for a limited period to allow for the consideration and decision on this appeal sufficiently in advance of the public hearings so that the public may understand the nature and scope of the subject matter.

In conclusion, CNW requests that the Hearing Examiner reverse the January 30, 2007 interpretation. The Examiner should order that the public hearings on the rezone request only be held, with a decision on the rezone by the City of Woodinville City Council. If the rezone is granted, then public hearings would be held and a decision made on that proposal. CNW further requests that the Hearing Examiner either expedite the consideration and decision on this appeal or continue the hearings now scheduled to allow for a decision sufficiently in advance of the hearings to allow to public to know the scope of the hearings to be held.

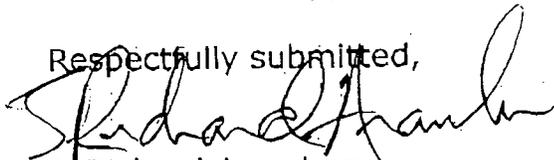
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FEB 02 2007

February 1, 2007
Page 4

I am sending copies of this appeal letter to Mr. Richard Hill the attorney for the applicant so that he will be aware of this appeal.

Respectfully submitted,



J. Richard Aramburu

JRA/py

cc: Concerned Neighbors of Wellington
Zach Lell
Cindy Baker
G. Richard Hill

P.S. We understand the filing fee for this appeal to be \$180 per the City's current fee schedule. This fee will be delivered to the City under separate cover.

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CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Charlene

**Exhibit 50
Page 17 of 31**

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

J. RICHARD ARAMBURU
ATTORNEY AT LAW
SUITE 209, COLLEGE CLUB BUILDING
505 MADISON STREET
SEATTLE, WASHINGTON 98104
(206) 625-9515 · FAX (206) 682-1376

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FEB 15 2007

City of Woodinville

February 13, 2007

Ms. Cindy Baker
Interim Director
Department of Community Development
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Public Hearings on the Wood Trails and Montevallo
Rezoning and Plats

Dear Ms. Baker:

As you know, this office represents Concerned Neighbors of Wellington (CNW), a local neighborhood organization concerned with the Wood Trail and Montevallo rezoning and plat proposals (collectively known as "WT/M"). CNW also has pending an appeal of an interpretation made by the City concerning the procedures for the hearing.

Yesterday, this office received two notices of hearing for the WT/M proposals, stating that the public hearings for these proposals would be separated, with the Wood Trails proposal being heard on Wednesday, February 28 and the Montevallo proposal being heard on Thursday, March 1. We strenuously object to bifurcating these proceedings and request that hearings on these two proposals be combined for the reasons set forth below. (Please note this position does not reflect an abandonment of the interpretation appeal we

PREVIOUSLY
TRANSMITTED

February 13, 2007
Page 2

have filed that demonstrates that there can be no consideration of the preliminary plats for either Wood Trails or Montevallo until the rezone applications to R-4 are approved.)

First, the recent notices are entirely contrary to substantially every communication with the public and the CNW concerning these hearings. The community has been told for a long period of time that the hearings will be consolidated, with the staff and applicant presentations to be heard on Wednesday, February 28 with full opportunity for public presentations on March 1. Steve Munson explained to CNW members as late as last week that this procedure would be followed. In fact, in a conversation in December, you told me the same thing. Indeed, the City has prepared a consolidated draft and final EIS on the two proposals. Specifically, the FEIS stated in the introductory letter signed by you:

The City will forward the applications, the Final EIS, a staff report and applicable codes to the Hearing Examiner. A public hearing will be scheduled before the Hearing Examiner, who will receive public comments, deliberate and make a decision on the preliminary plat applications.

Based on the verbal and written representations, CNW members have been preparing presentations based on a combined hearing on both proposals. This eleventh hour change in procedures is entirely unjustified. CNW demands that you rescind the recent notices and issue notices for a combined hearing as the local citizens have been told for months.

Second, these two proposals are sufficiently interconnected that separate hearings are not legally permissible. As is apparent, the two proposals are owned by the same owners and present a common development scheme. The Wood Trails proposal calls for approval of R-4 zoning on a 38.7 acre parcel. However, the applicant proposes to construct 66 homes on that site, and to

February 13, 2007
Page 3

transfer 19 units to the Montevallo project. On the other hand, the Montevallo project also requires a rezone to R-4. Even if R-4 zoning is achieved, the Montevallo property is only 16.48 acres which would yield only 47 units. The Montevallo plat proposal for 66 units specifically contingent on not only the Wood Trials rezone to R-4, but the approval of the density transfer. In short, the proposals are dependent upon one another and cannot be separated for public hearing or deliberation purposes by either the city staff or the Hearing Examiner. This is made clear by Chapter 21.36 of the City of Woodinville Municipal Code.

The interconnected nature of these two proposals is also evident from the combined EIS that was prepared. Further, separate review in two hearings and two decisions ignores the fact that these are essentially one proposal. Washington law has repeatedly rejected piecemeal decision making in the manner contemplated here. Thus, in *Merkel v. Port of Brownsville*, 8 Wn. App. 844, 851, 509 P.2d 390, 395 (1973) our Court of Appeals noted "the frustrating effect of such piecemeal administrative approvals upon the vitality of law intended for environmental protection."

With two separate hearings, it is clear that there would be insufficient time to allow for public input. By the time staff and the applicant, bearing the burden of proof on both the rezone and plat portions of the hearing, make their presentations (with cross examination by interested parties), it is likely to be late in the evening before the public will have the opportunity to make presentations. There is substantial public interest in this project, indeed there were 900 individual comments on the draft EIS from 116 sources identifying 77 individual issues. If anywhere near this number of persons attend these hearings, the hearing could last virtually all night. This is not only patently unfair, it appears intended to stifle and limit public comment. Of course, with the City's late decision to have separate hearings, members of the public will have to attend two hearings instead of one. There will of course be substantial difficulty in testifying concerning the several

February 13, 2007
Page 4

cumulative impacts of the proposals, including such matters as traffic impacts.

In addition, because the approval of the TDRs from the Wood Trails site is dependent on rezone, preliminary plat and TDR approvals, no hearings on the Montevallo proposal - dependent on the transfer of development rights - can proceed until the Wood Trail proposal is decided by the Hearing Examiner and City Council. Holding hearings on the Montevallo proposal, obviously inconsistent with not only the current R-1 zoning, but even the proposed R-4 zoning if no TDRs are approved, is a ridiculous and illegal proposition. See *Loveless v. Yantis*, 82 Wn. 2d 754, 760-61, 513 P.2d 1023 (1973) (preliminary plat must be rejected if it contains clear zoning violations). See also *Friends of the Law v. King County*, 123 Wn. 2d 518, 528, 869 P.2d 1056 (1994).

In addition, CNW is concerned that the city staff is attempting to make decisions that belong to the Hearing Examiner, as a quasi-judicial official. For example, CNW has filed, and paid the filing fee for, an appeal of an interpretation decision made by the City. However, as far as we know, the City is sitting on this application and it has not been placed in the hands of the Hearing Examiner to begin the appeal process. This has been a pattern of City staff who refused to issue an interpretation on the procedural issues for months.

Further, the notice for the separate public hearings stated that:

The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the City Council's approval of the rezone.

The ultimate decision on these legal matters is not up to the City staff, but to the Hearing Examiner, unless there has been some direction given to the Hearing Examiner by the staff which has not

February 13, 2007
Page 5

been made public. Further, you now seem to be directing a result that resolves the issue of our interpretation appeal in the City's and applicant's favor.

Indeed, in recent messages that you have sent to members of the public concerning these issues, you have stated:

Because the preliminary plats are separate proposals the hearing examiner will make separate decisions. However, he will assess all impacts during his deliberations, including cumulative impacts from both projects. He will not miss items because they are separated. I will talk with the hearing examiner about this issue-- there are a number of ways he can overcome the dilemma.

(Emphasis supplied.) This apparent attitude that the city staff can have ex parte communications with the Hearing Examiner is an obvious violation of the appearance of fairness doctrine and due process requirements.

In summary, the procedures for the hearing as set forth in recent notices and procedures followed by the city staff are contrary to law and to the responsibility owned by the City to provide fair hearings for its citizens. The manner in which these proposals are being handled by the City now appears to violate due process and appearance of fairness standards. Accordingly we demand that city staff take the following actions:

- a) rescind the public notices recently issued and reissue notices that call for consolidated hearings on the WT/M proposals;
- b) provide sufficient hearing time, with sufficient notice to the public, to accommodate staff, applicant and public presentations during reasonable hours (not into the middle of the night);

February 13, 2007
Page 6

- c) that the city staff cease making decisions on procedure and substance that are properly within the jurisdiction and authority of the Hearing Examiner;
- d) that the city staff immediately engage the Hearing Examiner to address the previously filed interpretation request and other procedural issues concerning the hearing;
- e) that if the staff does not rescind its notices for separate hearing, the hearings now scheduled be continued to a future date allow sufficient time for presentation; and
- f) that if the staff does not rescind its notices for separate hearings, the hearing for the Montevallo proposal be continued to determine if the rezone, plat and TDR proposals for Wood Trails are approved, and if not, to cancel such hearings and plat review.

Thank you in advance for your prompt attention to these important issues.

Sincerely,



J. Richard Aramburu

JRA/py

cc: Zach Lell, City Attorney
Concerned Neighbors of Wellington

Traci Herman

From: Cindy Baker
Sent: Tuesday, February 13, 2007 6:43 PM
To: Traci Herman
Subject: FW: Two Hearings

Help me keep track of these so I can respond later. Remind me please

From: Julia Poole [mailto:japoole1@earthlink.net]
Sent: Tuesday, February 13, 2007 4:12 PM
To: Cindy Baker
Subject: RE: Two Hearings

Dear Ms. Baker,

Thank you for your reply. Please reply again after you have spoken with the hearing examiner about this issue. We need time to prepare our statements and clarification of the process before the hearing. Having him explain his approach at the hearing will be too late for the citizens of Woodinville to prepare their statements.

Thank you again for your efforts.

Sincerely,
Julia Poole

----- Original Message -----

From: Cindy Baker
To: japoole1@earthlink.net
Sent: 2/13/2007 12:34:12 AM
Subject: Two Hearings

Hello Ms. Poole, because the preliminary plats are separate proposals the hearing examiner will make separate decisions. However, he will assess all impacts during his deliberations, including cumulative impacts from both projects. He will not miss items because they are separated. I will talk with the hearing examiner about this issue-- there are a number of ways he can overcome the dilemma. He can explain his approach at the hearing. The hearing examiner also has within his purview to continue the hearing. I am sure he will if he believes there is a need. I want to assure you that staff is working very hard to cover all items and to make it fair and open process. I hope this explanation helps. Please let me know if I can be of further assistance

Cindy Baker
Interim Director
Development Services
City of Woodinville

R

FEB 16 2007
City of Woodinville

MEMORANDUM

DATE: February 15, 2007

TO: Cindy Baker, Development Services Director
City of Woodinville

CC: Susie McCann
Connie Fessler

FROM: Zach Lell, Office of the City Attorney 

RE: Wood Trails / Montevallo Projects - Public Hearing Configuration Issue

Enclosed please find the February 15, 2007 letter from Phoenix Development attorney Richard Hill in support of the City's decision to hold separate public hearings for the Wood Trails and Montevallo development proposals. Mr. Hill's comments essentially mirror my own rationale in advising the City against conducting a single, consolidated hearing for these projects. Please include Mr. Hill's letter in the administrative record for both proposals, which should further bolster the City's procedural approach against potential challenges.

JZL:
Enclosure

MCCULLOUGH HILL, PS

February 15, 2007

VIA FACSIMILE

Zachary Lell
Ogden Murphy Wallace
1601 5th Avenue, Suite 2100
Seattle, WA 98101

Re: Wood Trails / Montevallo

Dear Mr. Lell:

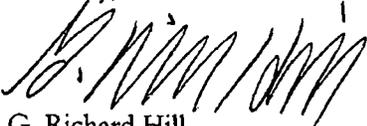
This confirms that Phoenix Development, the applicant for two separate subdivisions and zoning map amendment applications, Wood Trails and Montevallo, requests that the matters be heard in two separate public Hearing Examiner hearings.

As is evident from the file, these two projects were applied for at different times, are located at a distance from each other, and stand on their own merits. While Phoenix agreed at the City's request to have both applications reviewed in one environmental impact statement, Phoenix never was asked to, and never agreed to, consolidate the two projects into one consolidated application. Indeed, it does not appear that the City Code would even allow for two non-contiguous properties to be considered as one consolidated subdivision.

One of the primary reasons that Phoenix believes the applications should be considered separately by the Hearing Examiner is to increase the level of clarity and to decrease the level of confusion. The two properties are separate, and each property has its own environmental and land use issues. To merge the two in one hearing will impose an inappropriate burden on the decision-maker and any future appellate reviewer to determine whether comments being made refer to Wood Trails or Montevallo, or both.

Thank you for your consideration of these views.

Sincerely,



G. Richard Hill

GRH:ldc

cc: Loree Quade
L:\Sundquist\303.011\corr\Lell02.dot



FOSTER PEPPER PLLC

RECEIVED

FEB 20 2007

CITY OF WOODINVILLE

Direct Phone (206) 447-6407
Direct Facsimile (206) 749-1935
E-Mail brogj@foster.com

February 16, 2007

VIA U.S. MAIL

Mr. Les Rubstello, Chair
City of Woodinville Planning Commission
17301 133rd Ave NE
Woodinville, WA 98072

RECEIVED

FEB 20 2007

CITY OF WOODINVILLE
DEVELOPMENT

Re: City of Woodinville Sustainable Development Draft Report, Comprehensive Plan,
and Zoning Code & Map Amendments

Dear Mr. Rubstello:

I have been retained to advise City of Woodinville ("City") residents Peter Rothschild and Lynne Flaherty, Janice Culpepper and Steven Paulsen, and Randall and Patricia Baird (hereinafter referred to as the "Property Owners") on land use matters related to the City's Sustainable Development Study and related Comprehensive Plan and zoning amendments. My clients and I recently testified before the Planning Commission on zoning matters related to their properties along 156th Avenue NE. I am writing simply as a courtesy to further emphasize my clients' views with respect to future zoning on their properties and to invite you to visit the neighborhood.

The Property Owners all own property within the R-1 Zone. As outlined in our testimony, we believe certain contiguous properties along the 156th Avenue NE corridor are uniquely suited to accommodate increased density at some point in the City's future. The findings of the Draft Sustainable Development Study support increased density on these particular parcels based on the proximity of urban services, including sanitary sewer, their location along a City arterial, and the lack of environmentally critical areas features identified on the properties.

The Property Owners would welcome the opportunity to meet with you and other Planning Commission members to further discuss the options the City is currently considering for their properties. My clients would be willing to host a brief meeting with one or more Commission members at one of their homes so you may view the 156th Avenue properties first hand. For your reference and convenience, I have attached a copy of our original letter to the City.

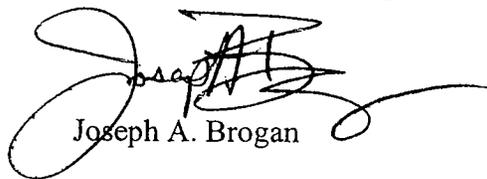
Mr. Les Rubstello
February 16, 2007
Page 2

Exhibit 50
Page 27 of 31

Please contact me at (206) 447-6407 if you have any questions regarding our invitation or this submission.

Sincerely,

FOSTER PEPPER PLLC



Joseph A. Brogan

Enclosure

cc: Cindy Baker, Interim Planning Director ✓
Peter Rothschild & Lynne Flaherty
Janice Culpepper & Steve Paulsen
Patricia & Randall Baird



"Citizens, business and local government;
a community commitment to our future."

February 21, 2007

J. Richard Aramburu, Attorney At Law
Suite 209, College Club Building
505 Madison Street
Seattle, WA 98104

Re: Response to Purported "Appeal" Regarding Wood Trails / Montevallo Proposals

Dear Mr. Aramburu:

This letter responds to your February 1, 2007 correspondence regarding the rezone and preliminary plat applications currently pending for the proposed Wood Trails and Montevallo development projects. Your February 1, 2007 letter purports to "appeal" the City Attorney's January 30, 2007 response to your previous request for an administrative interpretation concerning the decisional process that will be utilized for the above-referenced development proposals.

By both its plain terms and the surrounding context, the City Attorney's January 30, 2007 letter was not an appealable determination. Pursuant to WMC 17.07.080 and WMC 21.02.090, the Planning Director — *not* the City Attorney — is vested with the exclusive authority to issue official interpretations of the City's development regulations. As the City Attorney's letter clearly explained, the staff reports created for the Wood Trails/Montevallo proposals will contain the Planning Director's construction of the hearing and decisional procedures applicable to these projects. The City declines to issue a formal interpretation of these procedures separate and independent from the Wood Trails and Montevallo staff reports.

Please find enclosed the appeal fee that was included with your February 1, 2007 letter, which the City is hereby returning to you in full.

This letter is not an appealable decision.

Sincerely,

Susie McCann, Development Services Manager
City of Woodinville

cc: Zach Lell, City Attorney
Rich Hill
Hearing Examiner
Wood Trails Record
Montevallo Record

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:
*J. Richard Aramburu
 Attorney at Law
 Suite 209, College Club Bldg
 505 Madison Street
 Seattle WA 98104*

Article Number (transfer from service label): 7003 3110 0005 0512 7465
 Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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B. Received by (Printed Name) _____ C. Date of Delivery _____

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Send to: *Richard Aramburu Attorney at Law
 Suite 209, College Club Building
 505 Madison Street
 Seattle, WA 98104*

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*J. Richard Aramburu, Attorney, At Law
 Suite 209, College Club Building
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 Seattle, WA 98104*

MCCULLOUGH HILL, PS

701 Fifth Ave., Suite 7220
Seattle WA 98104-7042
206-812-3388
206-812-3389 fax
www.mhseattle.com

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FEB 23 2007

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

FAX COVER SHEET

February 21, 2007

TO:	COMPANY:	FAX NO.:
Cindy Baker	City of Woodinville	425-489-2756
Zachary Lell	Ogden Murphy Wallace	206-447-0215
Loree Quade	Phoenix Development, Inc.	425-742-8469
Greg Smith	Office of the Hearing Examiner City of Spokane	509-625-6059
Rick Aramburu	Attorney at Law	206-682-1376

FROM: Rich Hill

CLIENT NO.: 303.011

NUMBER OF PAGES INCLUDING COVER SHEET: 2

COMMENTS:

PLEASE CALL IF YOU DO NOT RECEIVE ALL PAGES
THE INFORMATION CONTAINED IN THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE
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812-3388.

MCCULLOUGH HILL, PS

February 21, 2007

VIA E-MAIL AND U.S. MAIL

Cindy Baker, Interim Director
Community Development
City of Woodinville
17301 – 133rd Ave NE
Woodinville, WA 98072

Re: Wood Trails & Montevallo

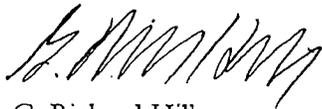
Dear Ms. Baker:

This is on behalf of Phoenix Development ("Phoenix"). On February 28, 2007, the City will be holding a public hearing on the Wood Trails proposal. On March 1, 2007, the City will be holding a public hearing on the Montevallo proposal. It is understood that members of the community have asked for the opportunity to comment on both proposals at one public hearing, so that it will not be necessary to attend both evenings.

Phoenix prefers that the hearings be fully separate, as the proposals are for two separate projects, not contiguous, and applied for at separate times. Phoenix is concerned that the record may become a source of confusion if comments are made about both proposals at the same hearing. It is understood, however, that the Hearing Examiner will direct witnesses to be clear as to which project they are addressing in their testimony, and that the Hearing Examiner will make separate reports and separate findings of fact and decisions with respect to the two proposals.

In that light, Phoenix consents to the City's desire to accommodate the neighbors' request. Thank you for your consideration of this matter.

Sincerely,



G. Richard Hill

GRH:lde

cc: Loree Quade
Zachary Lell
Greg Smith
Rick Aramburu

L:\Sundquist\303.011\corr\baker02.doc

CITY OF WOODINVILLE
17301 NE 133rd Avenue NE
WOODINVILLE, WA 98072
(425) 489-2754

NOTICE OF CONTINUATION OF PUBLIC HEARING

The Public Hearing before the City Woodinville Hearing Examiner to consider public comment on the **Rezone & Preliminary Plat Application** described below will be continued to **March 14, 2007**.

PLEASE NOTE THAT THE HEARING EXAMINER'S ONLY ACTION ON FEBRUARY 28, 2007 WILL BE TO FORMALLY OPEN THE PROCEEDING AND CONTINUE THE HEARING UNTIL MARCH 14, 2007. PRESENTATION OF THE STAFF REPORT AND SUBMISSION OF ALL RELEVANT SUBSTANTIVE TESTIMONY REGARDING THE WOOD TRAILS PROPOSAL WILL OCCUR ON MARCH 14 and 15, 2007. **THE HEARING EXAMINER WILL NOT ACCEPT ORAL TESTIMONY REGARDING THIS PROPOSAL ON FEBRUARY 28, 2007.**

DESCRIPTION OF APPLICATION	
Project Name:	Wood Trails Rezone and Preliminary Plat (the rezone and preliminary plat will be considered concurrently, but with separate criteria and decisions)
File Number:	ZMA2004-053 and PPA2004-054
Applicant(s)	Phoenix Development, Inc. 16108 Ash Way, Suite 201 Lynnwood, WA 98037
Contact:	Loree Quade
Location:	<u>Wood Trails</u> : directly south of the King-Snohomish County boundary; West 148 th NE from NE 195 th Street to NE 202 nd Street, Woodinville, King County, Washington. ¼ Sec NE, Sec 03, Twn 26, Range 05
Section of Code Pertinent to Hearing Procedure:	The public hearing will be governed by the procedures set forth in Chapter 17.15 WMC and Chapter 2.27 WMC. Other applicable provisions of the WMC include but are not limited to, Titles 12, 13, 14, 15, 17, 20, 21, and 22.
Proposal:	<u>Wood Trails</u> : Proposed subdivision of 50.5 acres into 66 single-family residential lots concurrent with a proposed zoning map amendment redesignating the project site from R1 to R4, with density transfer to the Montevallo Proposal.

Public Hearing Date: The public hearing will be initially opened on Wednesday, February 28, 2007, but no oral testimony will be accepted on that date. **The hearing will be continued to March 14, 2007** (The public hearing for the Montevello proposal will be held on Thursday, March 1, 2007)

Time: The initial hearing will be commence at 7:30 P.M. on February 28, 2007. **The hearing will be continued and will reconvene at 7:00 P.M. on March 14, 2007.**

Hearing Location: Carol Edwards Community Center Gym
17401 133rd Avenue NE
Woodinville, WA 98072

Date of Continuation Notice: February 26, 2007

Responsible Official: Cindy Baker, Interim Director of Development Services

Signature: Cindy Baker

Date: 2/26/07

Copies of all application documents, code provisions, evidence and other relevant materials are available for review (at no cost) or purchase (at the City's cost) at City Hall. In addition, a copy of the staff report will be available to review at no cost 7 days prior to the Hearing Examiner's acceptance of any testimony at the rezone and preliminary plat hearing; copies of the staff report will be provided at the City's cost. All interested parties may appear and provide testimony regarding the above proposal at the continued March 14, 2007 Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Written comments should be addressed to the Development Services Department at the address shown above. If you have questions, please call Susie McCann at (425)489-2754 ext. 2272.

NOTE: The rezone and preliminary plat hearing, subject to this notice, is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the recommendation and/or decision(s) arising from this hearing must present oral or written testimony for the record at the OPEN RECORD HEARING. **Rezone Recommendation:** The hearing examiner will make a recommendation to the city council for its decision on the rezone. An appeal of the rezone is a judicial appeal to superior court. **Preliminary Plat Decision:** The hearing examiner will make a final decision on the preliminary plat, and any approval of the preliminary plat will be expressly conditioned and contingent upon the city council's approval of the rezone. The preliminary plat decision can be administratively appealed to the city council and is limited to the existing record (a CLOSED RECORD APPEAL PROCEEDING), no new factual evidence or information may be submitted.

WOOD TRAILS
REZONE AND
PRELIMINARY PLAT

EXHIBIT 51
PAGE 3 OF 19

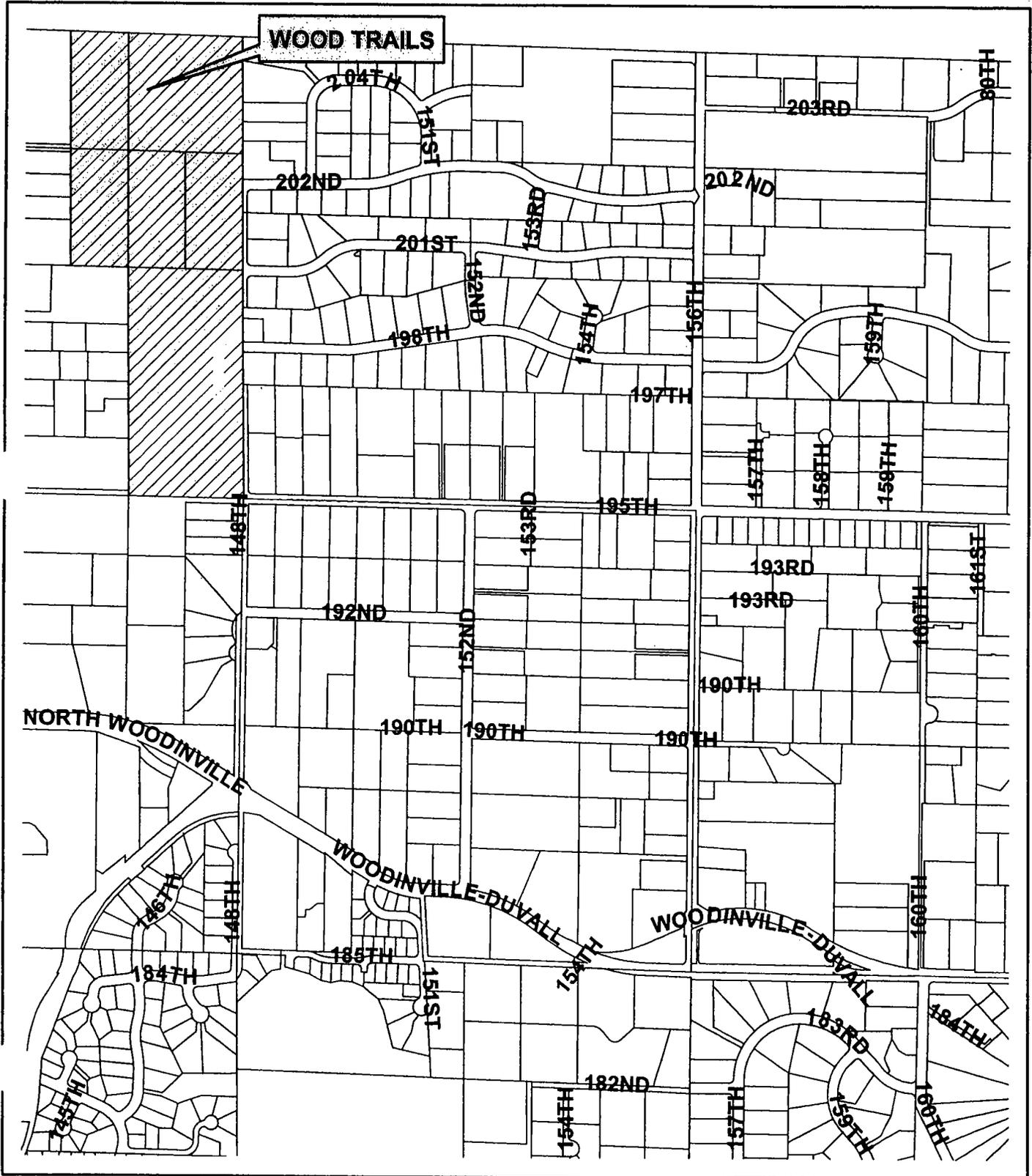




EXHIBIT 51
PAGE 4 OF 9

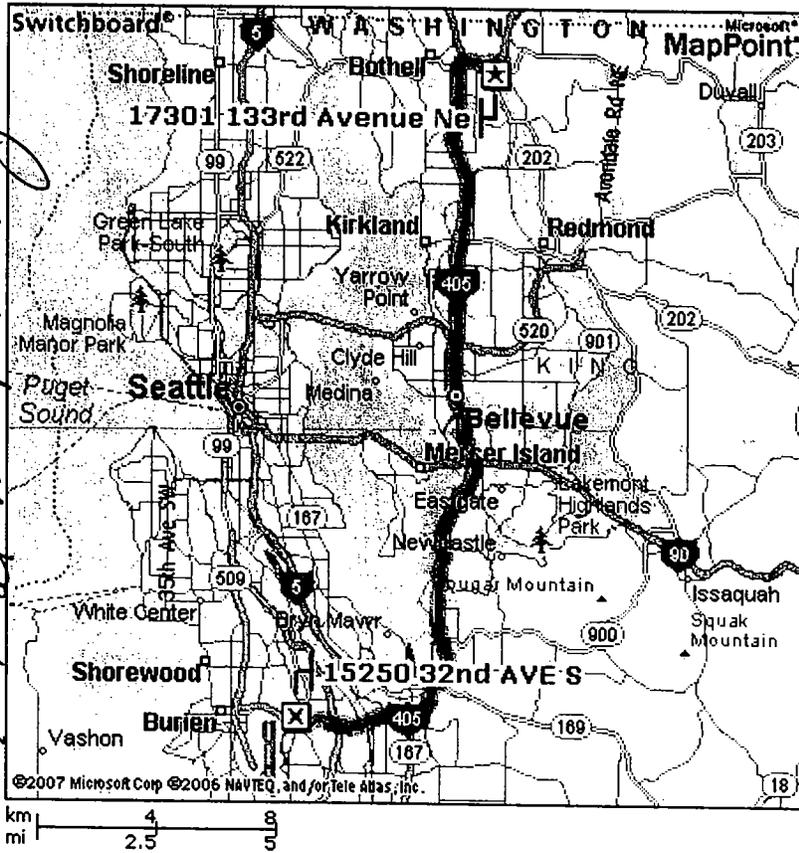
Route Summary

- ✘ Start: 17301 133rd Avenue Ne, Woodinville, wa
- ✘ End: Post Office - Riverton Heights, 15250 32nd AVE S, Tukwila, WA 98188 (206) 241-7061

Total Time: 30 Minutes
Total Distance: 26.8 Miles

Return to Route

(2) Mailed notice of continuation for public hearing for DM on Intervall 19/18 for wood tracks on 2/26/07 at 11:30 pm Sandy G.



Turn by Turn Directions

Directions		Miles
Start	Depart Start on 133rd Ave NE (North)	0.1
1	Turn LEFT (West) onto NE 175th St	0.2
2	Turn RIGHT (North) onto SR-202 [131st Ave NE]	0.3
3	Take Ramp (LEFT) onto SR-522 towards Wa-522 / I-405 / Bothell	0.5
4	Take Ramp (RIGHT) onto I-405 towards I-405 / Bellevue	24.2
5	Road name changes to SR-518	1.0
6	Turn RIGHT onto Ramp towards Wa-99 / Sea-Tac Airport	0.3
7	Keep RIGHT to stay on Ramp towards Wa-99 / Wa-99 N	0.1
8	Keep LEFT to stay on Ramp towards Wa-99 N	0.1
9	Turn LEFT (West) onto S 154th St, then immediately turn RIGHT (North) onto 32nd Ave S	0.1
End	Arrive End	0.0
Total:		26.8

Use this map or these directions at your own risk. No representation or warranty is made as to their accuracy, completeness or drivability. Infospace and Switchboard will not be responsible for any damages, losses or delays which result from using these directions. Obey all traffic regulations.

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MT / KC 73-9238500480

UNIVERSITY OF WASHINGTON
1326 5TH AVE STE 418
SEATTLE, WA 98101
MT /SNO 1&6
27053500300400 / 27053500301100
Updated 11/06

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PAGE 5 OF 19
MT /SNO 2 - 27053500300700

BELANGER, MARK D
24218 75TH AVE SE WOODINVILLE, WA
98072-9752
MT /SNO 4 - 27053500300900

RUBEN & DONNA LOPEZ
24310 7 SE AVE
WOODINVILLE WA 98072
MT /SNO 3 -27053500300800

MT /SNO 5 - 2705350030100
UPDATED 11/06

DAVID PLETER
14937 NE 204TH ST
WOODINVILLE WA 98072
MT / KC 72 -9238500470

RICHARD D HANIK
24320 75TH AVE SE WOODINVILLE, WA
98072-9750
MT /SNO 7 - 27053500301200

THOMAS WALGAMOTT
24302 75TH AVE SE WOODINVILLE, WA
98072-9750
MT /SNO 8 -27053500301500

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SNO 11 - 27053500401900

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24215 75TH AVE SE --- WOODINVILLE,
WA 98072-9752
MT /SNO 12 -27053500402000

PATRICK J & KRISTEN E PERKINS
24209 75TH AVE SE WOODINVILLE, WA
98072-9752
MT /SNO 14 - 27053500403500

RAY BARNES
20210 156TH AVE NE
WOODINVILLE WA 98072
MT / KC 1 -0226059026
UPDATED 11/06

ROGER HAINING
20102 156TH AVE NE
WOODINVILLE WA 98072 7033
MT / KC 2-02260509052
UPDATED 11/06

SHAO LIANG LU
20338 156TH AVE NE
WOODINVILLE WA 98072
MT / KC 3-0226059058

WOODINVILLE WATER DISTRICT
P O BOX 1390
WOODINVILLE WA 98072
MT / KC 4-0226059059

HAROLD KENT
20200 156TH AVE NE
WOODINVILLE WA 98072
MT / KC 5 & 12 - 0226059063 /
0226059127

WM L GUSTAFSON
15376 NE 201ST ST
WOODINVILLE WA 98072
MT / KC 6-0226059077

JARRETT RENSHAW
20230 149TH PL NE
WOODINVILLE WA 98072
MT / KC 69-9238500440

ALAN SRTAND
20102 156TH AVE NE
WOODINVILLE WA 98072
MT / KC 8-0226059080
UPDATED 11/06

PETER ROTHSCHILD
20002 156TH AVE NE
WOODINVILLE WA 98072
MT / KC 9-0226059082

SHARON ERDMAN
15206 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 10-0226059083
UPDATED 11/06

STEWART & CHERYL KIRCHMEIER
15220 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 11-0226059092
MT / KC 38- 9238500112

LUCILLE BAIRD
15638 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 13-0226059128

2/26/07
2-7-07 Notice Mailing

RODNEY WILLIA
15344 NE 201ST
WOODINVILLE WA 98072
MT / KC 16-3276700020

UPDATED 11/06

JANICE CULPEPPER
1564 NE 202ND ST
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MT / KC 14-0226059129

BRADLEY NIEMEYER
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JONATHAN HAUCK
15330 NE 201ST ST
WOODINVILLE WA 98072
MT / KC 17-3276700030

MARY JANE BAILEY
15316 NE 201ST ST
WOODINVILLE WA 98072
MT / KC 18-3276700040

ROBERT TRENNER
15304 NE 201ST ST
WOODINVILLE WA 98072
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HAROLD LARSEN
20105 153RD ST
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MT / KC 20-3276700060

ROBERT JACOBS
20220 149TH PL NE
WOODINVILLE WA 98072
WT/MT / KC 68-9238500430

JAMES AVERY
14906 NE 202ND ST
WOODINVILLE WA 98072
WT/MT / KC 67-9238500420

WILKINS LLC
15714 NE 203RD PL
WOODINVILLE WA 98072
MT / KC 23-9238430020

DONALD MARSHALL
15720 NE 203RD PL
WOODINVILLE WA 98072
MT / KC 24-9238430030

KENNETH MORIYAMA
15120 NE 201ST ST
WOODINVILLE WA 98072
MT / KC 25-9238480010

JAMES MORRISSEY
15307 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 26-09238500010

KEVIN SHIMASAKI
15323 NE 202 ND ST
WOODINVILLE WA 98072
MT / KC 27- 923850 0020

MARION MAYS
15335 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 28 -0923850003

JAMES POTTEBAUM
15351 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 29-09238500040

MALCOM & LINDA JENKINS
19338 NE 200TH ST
WOODINVILLE WA 98072
MT / KC 30-9238500050

MILTON & FRANCES WARMAN
15374 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 31 -9238500060

MT / KC 32 -9238500070

JOHN WALTNER
15350 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 33-09238500080

G A BALDWIN
15338 NE 202ND ST
WOODINVILLE WA 98072
MT /KC 34-92385000090

JEFFEREY BOSELY
15324 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 35-9238500100

BARBARA POOLE
P O BOX 4237
SOUTH COLBY WA 98384
MT / KC 36 - 9238500110

CRAIG COLLINS
14926 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 66-9238500410

ANTHONY PIERE
14936 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 65-9238500400

LEONARD CLEMESON
15103 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 63-9238500380

TERRI DERR
15122 NE 204TH ST
WOODINVILLE WA 98072
MT / KC 41-9238500160

MATTHEW PHILIP
15110 NE 204TH ST
WOODINVILLE WA 98072
MT / KC 9238500170

SCOTT KOVACEVICH
15100 NE 204TH ST
WOODINVILLE WA 98072
MT / KN 43-9238500180
UPDATED 11/06

ROBERT ORMISTON
14937 NE 202ND ST
WOODINVILLE WA 98
MT / KC 60-9238500350

DONALD PAHL
14940 NE 204TH ST
WOODINVILLE WA 98072
MT / KC 45 -9238500200

PAUL DEVER
14930 NE 204TH ST
WOODINVILLE WA 98072
MT / KC 46-9238500210
UPDATED 11/06

ALEXANDER COYNE
14925 NE 202ND ST
WOODINVILLE WA 98072
MT / KC 59-9238500340
UPDATED 11/06

ROBERT STEVENSON
14835 NE 202ND ST
WOODINVILLE WA 98072
WT/MT / KC 57 -9238500320
UPDATED 11/06

MT / KC 71 -9238500460

CW BOWER
20249 149TH PL NE
WOODINVILLE WA 98072
WT/MT / KC 50-9238500250

ERIC LIPPKE
14805 NE 202ND ST
WOODINVILLE WA 98072
WT/MT / KC 55 - 9238500300

ALLAN T SWANSON
20227 149TH PL NE
WOODINVILLE WA 98072
WT/MT / KC 52- 9238500270

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MARK & ANGELIQUE TATHAM
MT / KC 51-9238500260

POR
MURIEL ORR-RYAN
MT / KC 56-9238500310

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DEPT\Current Planning\Wood
Trails\Labels\CURRENT 11-21__POR-WdTr-
Montevallo.doc

POR
WILLIAMS F BARNES
MT / KC 54- 9238500290

POR
LEROY W KUEBLER
MT / KC 49-9238500240

POR
KATE FRALEY, ZOE FRALEY
& MIKE KNAPP
MT / KC 58 -9238500330

POR
MICHAEL O'GRADY
MT / KC 48 - 9238500230

POR
NANCY BACON
MT / KC 47-9238500220

POR
R HARMON
MT / KC 61-9238500360

POR
RONALD OLSEN
MT / KC 62-9238500370

POR
ROBERTO CASTRO
MT / KC 44 -9238500190

POR
JACK RIGGS
MT / KC 64-9238500390

POR
BRAD & SHERRY STOLL
MT / KC 40-9238500140

POR
PATRICK MORIARTY
MT / KC 39-9238500130

POR
THE HASSE FAMILY
MT / KC 37-9238500120

POR
DONNA FRISK
MT / KC 22-9238430010

POR
THOMAS MERTZ
MT / KC 21 - 3276700070

POR
REINY FALKENBER
MT / KC 70-09238501

POR
MICHAEL & GAIL ODENIUS
MT / KC 7-0226059079

MT / KC 57-9238500320
JAMES BRESSANI
RETURNED 11/06
NO FORWARDING ADDRESS

MT / SNO 4 -27053500300900
WALLACE HOLSTAD
RETURNED 11/06
NO FORWARDING ADDRESS

MT /SNO 2 - 27053500300700
TODD AND SUSAN HUSO
RETURNED 11/06
NO FORWARDING ADDRESS

MT /SNO 1 & 6
27053500300400 / 27053500301100
KARLA MILLER
Returned 11/06
No forwarding address

WALLACE HOLSTAD
MT /SNO 5 - 2705350030100
Returned 12/06
No Forwarding Address
UPDATED 11/06

DARRAN S LITTLEFIELD
MT /SNO 13 - 27053500402100
Returned 12/06
No forwarding Address

TODD R & SUSAN E HUSO
MT /SNO 2 - 27053500300700
Returned 12/06
No Forwarding Address

SEAHORN CONSTRUCTION CO
11320 NE 88TH ST
KIRKLAND WA 98033
WT/MT / KC 53-9238500280
Returned 12/06
No Forwarding Address

MICHELLE ROISSIER
14927 NE 24TH ST
WOODINVILLE WA 98072
MT / KC 71 -9238500460
Returned 12/06
No forwarding Address

ROBERT & SUSAN SLOCUM
19818 10TH DR SE
BOTHELL WA 98012
MT / KC 32 -9238500070
Returned 12/06
No Forwarding Address

Adam & Alicia Gold
19628 148th Ave
Woodinville, WA 98072
JR WT /KC 6-0226059152

Ann & Ted Rupley
16324 NE 203rd Place
Woodinville, WA 98072
WT/MT-POR

Anne Hermes
23615 - 71st Drive SE
Woodinville, WA 98072
WT/MT-POR

Austin T. Winant
15908 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Aviv and Sara Shahar
15363 NE 201st Street
Woodinville, WA 98072
WT/MT-POR

Barbara Czuba
15808 NE 203rd Place
Woodinville, WA 98072
WT/MT-POR

Bill Trippett
15525 NE 195th Street
Woodinville, WA 98072
WT/MT-POR

Brad Stoll
20222 151st NE
Woodinville, WA 98072
WT/MT-POR

Brian and Cheryl Fountain
14823 NE 198th ST
Woodinville, WA 98072
POR WT/KC79-9238510140

Brian Walsh
14824 NE 195th Street
Woodinville, WA 98072
POR WT / KN 2-0226059132

Cifello August
2206 NE 168th CT
WOODINVILLE WA 98072
WT/MT-POR

Cindi & Dave Stinson
15009 NE 195th St
Woodinville, WA 98072
WT/MT-POR

Cliff & Sheri Griffin
14907 NE 198th St
Woodinville, WA 98072
OR WT/KC81-9238510160

CONCERNED NEIGHBORS OF
WELLINGTON
FRED GREEN, PRES.
20624 86TH AVE SE
SNOHOMISH WA 98296
WT/MT-POR

Craig and Marsha Tupper
15419 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Daryl Heinzerling
19190 162nd Ave NE
Woodinville, WA 98072
WT/MT-POR

Dave & Nancy Henry
PO Box 776
Woodinville, WA 98072
WT/MT-POR

David and Nancy Courtney
19410 148th Ave NE
Woodinville, WA 98072
POR WT/KC-50-3244500064

David Shepherd
17615 148th Ave NE
Woodinville, WA 98072
WT/MT-POR

Don & April Fountain
15523 NE 198th Street
Woodinville, WA 98072
WT/MT-POR

Donna L. Frisk
20340 156th Ave NE
Woodinville, WA 98072
POR MT / KC 22-9238430010

Frank Coppa
19423 153rd Ave NE
Woodinville, WA 98072
WT/MT-POR

Fred Green
15218 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Gary J. Hasse
15116 NE 202nd Street
Woodinville, WA 98072
POR-MT /KC 37-9238500120

George and Sandra White
14818 NE 195th St
Woodinville, WA 98072
POR WT / KC 5-0226059149

Greg, Hokulani and Kailani Orton
15908 NE 193 PL
Woodinville, WA 98072
WT/MT-POR

Guy A. Mahan
PMB 181
14241 Woodinville-Duvall Rd
Woodinville, WA 98072
WT/MT-POR

Helen Gottschalk
14918 NE 198th St
Woodinville, WA 98072

WT/MT-POR

Ivan and Helen Fry
15317 NE 201 Street
Woodinville, WA 98072

WT/MT-POR

J Latlas
14808 NE 195th Stre
Woodinville, WA 98072

WT/MT-POR

Jack and Clarice Riggs
14952 NE 202nd Street
Woodinville, WA 98072
POR MT /KC 64-9238500390

Jaclyn Schwarz
20122 148th Ave NE
Woodinville, WA 98072
-POR WT/KC 54-9238480060

James & Martha Snell
15009 NE 198th Street
Woodinville, WA 98072
WT/MT-POR

James Hartman
14908 NE 201st
Woodinville, WA 98072
POR WT/KC52-09238480040

McCullough Hill, PS
Rich Hill
701 Fifth Ave, Suite 7220
Seattle, WA 98104-7041
WT/MT-POR

Janet Patrick
15252 NE 195th
Woodinville, WA 98072
WT/MT-POR

Jeff Glickman
19405 148th Avenue NE
Woodinville, WA 98072
POR WT / KC 26-0326059123

Jennifer Hallman
Derek Luhn
19160 160th Ave NE
Woodinville, WA 98072
WT/MT-POR

Phoenix Development, Inc.
Lorree Quade, Project Manager
16108 Ash Way, Suite 201
Lynnwood, WA 98087
WT/MT-POR

Joan & Greg Stoneking
14808 NE 195th St
Woodinville, WA 98072
OR WT / KC 1-0226059008

Joel Calvert
15375 NE 202nd Street
Woodinville, WA 98072
WT/MT-POR

John Tatarsky
15112 NE 198 St
Woodinville, WA 98072
WT/MT-POR

Jonathan Yang
15127 NE 198th Street
Woodinville, WA 98072
WT/MT-POR

Joseph & Linda Petrin
14919 NE 198th Street
Woodinville, WA 98072
WT/MT-POR

Julia Poole
15306 NE 202nd St
Woodinville, WA 98072
WT/MT-POR

Kate and Zoe Fraley, Mike Knapp
14909 NE 202 St
Woodinville, WA 98072
POR/WT/MT/KC 58 -9238500330

Katie Angelikis
1800 One Convention Place
Seattle, WA 98101
WT/MT-POR

Kellie Tollifson
23621 71st Dr SE
Woodinville, WA 98072
WT/MT-POR

Kelly & John Huff
15107 NE 201st PL
Woodinville, WA 98072
WT/MT-POR

Kerri & Kirk Scarbrough
15124 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Kristy & Jeff Howell
14817 NE 192nd Street
Woodinville, WA 98072-8447
WT/MT-POR

L. Ann Crandall
15635 NE 195th Street
Woodinville, WA 98072
WT/MT-POR

Len & Sharon Clemeson
15103 NE 202nd Street
Woodinville, WA 98072
WT/MT-POR

LeRoy & Kay Kuebler
20155 149th PL NE
Woodinville, WA 98072
POR WT/MT / KC 49-9238500240

72007

Linda Larsen-King
17344 167th Avenue NE
Woodinville, WA 98072
WT/MT-POR

Lisa Rhodes
15725 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Marc Kramer
23514 82nd Ave SE
Woodinville, WA 98072
WT/MT-POR

Mark & Angelique Tatham
20237 149th Place NE
Woodinville, WA 98072
POR/WT/MT/KC 51-9238500260

Mark & Mary Day
20219 151st Ave NE
Woodinville, WA 98072
WT/MT-POR

Mark and Suzanne Johnston
19131 148th Ave NE
Woodinville, WA 98072
WT/MT-POR

Matt & Lisa Schultz
16206 NE 200th CT
Woodinville, WA 98072-7041
WT/MT-POR

Maxine Pollock
19504 156th Ave. NE
Woodinville, WA 98072
WT/MT-POR

Michael & Charlotte Ochoa
15403 - NE 198th Street
Woodinville, WA 98072-7055
WT/MT-POR

Michael Mays
15335 NE 202nd St
Woodinville, WA 98072
WT/MT-POR

Michael T. Bell
16116 NE 203rd PL
Woodinville, WA 98072
WT/MT-POR

Mike & Gail Odenius
15132 NE 204th
Woodinville, WA 98072
OR - MT / KC 7-0226059079

Mike & Michelle O'Grady
14906 NE 202nd Street
Woodinville, WA 98072
POR MT / KC 48 - 9238500230

Mr. Reiny Falkenberg
20246 149th Place NE
Woodinville, WA 98072
POR-WT/MT/ KC 70-09238500450

Muriel Ryan
14921 NE 202nd Street
Woodinville, WA 98072
POR WT/M /KC 56-9238500310

Nadine Jones
14903 NE 201st
Woodinville, WA 98072
POR WT /KC 58-9238480100

Nancy Bacon
14918 NE 204th Street
Woodinville, WA 98072
POR MT / KC 47-9238500220

Otto Paris
Sue Swan
14906 NE 198th St
Woodinville, WA 98072
POR WT/KC75-9238510100

Patrick M. Moriarty
15104 NE 202nd St
Woodinville, WA 98072
POR MT / KC 39-9238500130

Paul and Kathie Forman
19831 156th Ave NE
Woodinville, WA 98072
WT/MT-POR

Paul Chrysler
PO Box 2403
Lynnwood, WA 98036
WT/MT-POR

Paul Sharp
15009 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Pete G. Symington
15410 NE 198th St
Woodinville, WA 98072
WT/MT-POR

Peter G Bova
19832 156th Ave NE
Woodinville, WA 98072
WT/MT-POR

Randall & Patricia Baird
15638 NE 202nd Street
Woodinville, WA 98072
POR-MT / KC 13-0226059128

Robert & Lori Harman
14949 NE 202nd Street
Woodinville, WA 98072
POR MT / KC 61-9238500360

Robert Casto
14950 NE 204th St
Woodinville, WA 98072
WT / KC 44 -9238500190

Roger & Jui Mason
15023 NE 195th St
Woodinville, WA 98072
WT/MT-POR

Ken & Olga Rhu
19025 163rd Ct N.
Woodinville, WA 98072
WT/MT-POR

Ron & Chris Olsen
14959 NE 202nd St
Woodinville, WA 98072
POR MT / KC 62-9238500370

Roy & Sharon Ghazimorad
15121 NE 201st Street
Woodinville, WA 98072
WT/MT-POR

Kristen A. Howell
Jeffrey E. Howell
14817 NE 192nd Street
Woodinville, WA 98072
WT/MT-POR

Ryan Olson
20121 164th Ave NE
Woodinville, WA 98072
WT/MT-POR

Shani Parrott
16212 NE 200th Court
Woodinville, WA 98072
WT/MT-POR

Sharon Peterson
15206 NE 202nd Street
Woodinville, WA 98072
WT/MT-POR

Shere and Jeff Hawk
19420 160th Ave NE
Woodinville, WA 98072
WT/MT-POR

William von Schneidau
15002 NW 201st
Woodinville, WA 98072
POR WT/KC 51-9238480030

Steve Maloney
PO Box 1602
Woodinville, WA 98072
PO WT/KC 53-9238480050R

Tony Sexson
14821 NE 201st Street
Woodinville, WA 98072
R WT/KC57-9238480090

William Barnes
14816 NE 202nd Street
Woodinville, WA 98072
POR/WT/MT/KC 54- 9238500290

Tom Merz & Family
15208 NE 201st ST
WOODINVILLE WA 98072
POR -MT / KC 21 - 3276700070

Michael Banfield
P O Box 13
Woodinville WA 98072
3244500085

Jeff Boselly
15324 NE 202nd St
Woodinville WA 98072

**Do not use after this point
For records management only**

WT/MT-POR
Roger Mason
Duplicate

WT/MT-POR
Sue Swan
**Returned 11/06
No Forwarding**

WT/MT-POR
Susan and Todd Huso
**Returned 11/06
No Forwarding**

WT/MT-POR
Jim and Thelma Bressani
No longer at this address

WT/MT-POR
Janet Littlefield
**Returned 11/06
No Forwarding**

WT/MT-POR
Russell and Deborah King
**Returned 11/06
No Forwarding**

WT/MT-POR
Steve Gooding
**Returned 11/06
No Forwarding**

Margo Miltenberger
**Returned 12/06
No Forwarding**

S & S SUNDQUIST THIRD FAMILY LIMITED
3030 NE 181ST ST
SEATTLE WA 98155
WT / KC 33-0326059134

MINCH LAND HOLDINGS LLC
20150 144TH AVE NE
WOODINVILLE WA 98072
WT/KC 31-0326059130

DAVID & JANIE MUDR
14844 NE 195TH ST
WOODINVILLE WA 98072
WT / KC 3-0226059133

MICHAEL & MARCIA HOLMDAHL
14862 NE 195TH ST
WOODINVILLE WA 98072
WT/ KC 4-0226059134

VIEWRIDGE DEVELOPMENT
P O BOX 1650
WOODINVILLE WA 98072
WT / KC 29, 30, 32
0326059128 & 29 & 31

VLS REAL ESTATE
14326 BEAR CREEK RD NE
WOODINVILLE WA 98077
WT/KC 34-0326059138

UNIVERSAL & LAND CONSTRUCTION
P O BOX 329
WOODINVILLE WA 98072
WT / KC 7&12 03260590010326059048

ALFRED PASION
19417 148TH AVE NE
WOODINVILLE WA 98072
WT / KC 8-326059021

HERLIN GREGORY
31414 NE 141ST
DUVALL WA 98019
WT / KC 9-0326059033

CHRISTINA & SANDY ENTERPRISES LL
19600 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 10&16
326059035/0326059091

FRANK & LINDA STULL III
14390 NE 200TH ST
WOODINVILLE WA 98072
WT/ KC 11-0326059040

PARK 144 LLC
19400 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 13&14
0326059071/0326059086

HENRY II LLC
CHRIS LANGER
10500 NE 8TH ST #900
BELLEVUE WA 98004
WT KC 15&23
0326059087/0326059110

OLD 31 LLC
14914 NE 177TH DR
WOODINVILL WA 98072
WT / KC 17-0326059100

COLLINS INVESTMENTS LLC
19900 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 18-0326059101

WDNVL WAREHOUSE ASSOC. LL\ROSEN
PROPERTIES
P O BOX 5003
BELLEVUE WA 98009
WT / KC 19-0326059102

DPGP INVESTMENTS LLC
P O BOX 1845
BOTHELL WA 98041
WT / KC 20-0326059103

CYRUS WAY BUSINESS PARK
321 HIGHLAND DR
SEATTLE WA 98109
WT / KC 21-0326059104

MECHANICAL JOHANSEN
P O BOX 1768
WOODINVILLE WA 98072
WT / KC 22-0326059108

ROME PROPERTIES LLC
19628 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 24-0326059117

STANELY FAMILY LIMITED PARTNERSHIP
19710 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 25-0326059118

AVALON PARTNERS LLC
P O BOX 1603
WOODINVILLE WA 98072
WT/KC 35-0326059142

COOPERS FOUNDATION LOCATION
1642 NE 122ND CT
REDMOND WA 98052
WT / KC 36-0326059143

RIDGEWOOD LLC
14680 NE WOODINVILLE WAY #120
WOODINVILLE WA 98072
WT / KC 0326059125

EMERALD DEVELOPMENT
P O BOX 1543
WOODINVILLE WA 98072
WT / KC 37-0326059144

S & S PARTNERSHIP
C/O PACIFIC PLUMBING SUPPLY
7115 W MARGINAL WY SW
SEATTLE WA 98106
WT / KC 38-0326059145

19230 BUILDING LLC
P O BOX 1130
WOODINVILLE WA 98072
WT / KC 39-0326059147

STEVE & SUSAN STUSSER
10515 NE 170TH ST
BOTHELL WA 98014
WT/KC83-6190400010

NORTHSHORE SHEET METAL
19612 144TH AVE NE
WOODINVILLE WA 98072
WT/KC84-6190400020

KING COUNTY
500 4TH AVE
SEATTLE WA 98104
WT/KC82-9238510250

BARKER REAL ESTATE LLC
PO BOX 646
WOODINVILLE, WA 98072
WT/SNO85-27053400401500

MRS RICHARD BLOCK
19199 148TH AVE NE
WOODINVILLE WA 98072
WT/KC 42-2474700020

ARCV WASHINGTON LLC
9375 SW COMMERCE CIR #7
WILSONVILLE OR 97070
WT / KC 43-3244500058

BOUDREAU FAMILY LLC
20485 144TH AVE NE
WOODINVILLE WA 98072
WT / KC 93-0326059149

WT / KC 40-326059154

JONATHAN & MONICA ZIER
19203 148TH AVE NE
WOODINVILLE WA 98072
WT/KC-41-2474700010

DANIEL MCMILLAN
14869 NE 195TH ST
WOODINVILLE WA 98072
WT / KC 45-3244500057

GLEN & MICHELLE HOOGERWERF
14826 NE 192ND ST
WOODINVILLE WA 98072
WT / KC 46-3244500058

PREMIER PACIFIC HOMES
15535 148TH AVE NE
WOODINVILLE WA 98072
WT/ KC-47-3244500060

UNIVERSITY OF WASHINGTON
1326 5TH AVE #418
SEATTLE WA 98107
/T/SNO 91-270535003005

TRENDSET LLC
6430 240 ST SE
WOODINVILLE, WA 98072
WT/SNO86-27053400401800

JOHN VANGEMERT
PO BOX 366
WOODINVILLE, WA 98072
WT/SNO-87 & 89
27053400402000/27053400402400

AHMED MAKHDOOM
14849 NE 195TH ST
WOODINVILLE WA 98072
WT/KC 49-03244500063

PALMER & HUNTER SATHER
PO BOX 419
WOODINVILLE, WA 98072
WT/SNO88-27053400402300

ROBERT ORDAL
1000 2ND AVE #1750
SEATTLE WA 98104
WT / KC 92-6641100100

ALLEN HICKS & LW KATHLEEN
14808 NE 201ST ST
WOODINVILLE WA 98072
WT/KC 55-9238480070

MARC & SHIRLEY BLANKENSHIP
14807 NE 201ST ST
WOODINVILLE WA 98072
WT/KC 56-9238480080

KENNETH SMITH
14917 NE 201ST ST
WOODINVILLE WA 98072
WT / KC 59-9238480100

STEVEN & PATRICIA STIVALA
14816 NE 192ND ST
WOODINVILLE WA 98072
WT/KC48-3244500062

JARRETT & ERIN RENSHAW
20230 149TH PL NE
WOODINVILLE WA 98072
WT/KC73-9238500440

DOUGLAS & SUSAN GIBSON
14830 NE 198TH ST
WOODINVILLE WA 98072
WT/KC76-9238510110

GEOFFREY KNUTZEN
14818 NE 198TH ST
WOODINVILLE WA 98072
WT/KC77-9238510120

WILLIAM BRADFORD
14811 NE 198TH AT
WOODINVILLE WA98072
WT/KC78-9238510130

RICHARD LYONS
14835 NE 198TH ST
WOODINVILLE WA 98072
WT/KC80-9238510150

Do not use after this point.
Records management only all of
are listed on the party of records
labels or Montevallo labels

MT
JAMES & WENDY AVERY
WT/KC 71-9238500420

MT
CW BOWER
WT / KC 62-9238500250

MT
ROBERT STEVENSON
WT/KC68-9238500310

MT
ALLAN SWANSON
WT/KC64-9238500270

MT
CECIL HORN
SEA HORN CONSTRUCTION
WT/KC65-9238500280

MT
ERIC & MARDY LIPPKE
WT/KC67-9238500300

MT
ROBERT & SARA JACOBS
WT/KC72-9238500430

POR
NADINE JONES
WT / KC 58-9238480100

POR
MICHAEL & MICHELLE OGRADY
WT/KC 60-9238500230

POR
L W KUEBLER
WT/KC61-9238500240

POR
DAVID & NANCY COURTNEY
WT/KC-50-3244500064

POR
WILLIAM VONSCHNEIDAU
WT/KC 51-9238480030

POR
JAMES HARTMAN
WT/KC52-09238480040

POR
STEPHEN MALONEY
WT/KC 53-9238480050

POR
MARTIN & JACLYN SCHWARZ
WT/KC 54-9238480060

POR
VICKY DELOFF & ANTHONY SEXSON
WT/KC57-9238480090

POR
ADAM & ALICIA GOLD
WT / KC 6-0226059152

POR
GREGORY STONEKING & JOAN ATLAS
WT / KC 1-0226059008

POR
BRIAN & JILL ANN WALSH
WT / KN 2-0226059132

POR
GREGORY & SANDRA WHITE
WT / KC 5-0226059149

POR
JEFF AND LAURA GLICKMAN
WT / KC 26-0326059123

POR
JEFF & MARGO MILTENBERGER
WT / KC 44-3244500056

POR
W F BARNES
WT/KC66-9238500290

POR
MARK & ANGELIQUE TATHAM
WT/KC 63-9238500260

POR
MURIEL ORR-RYAN
WT/KC68-9238500310

POR
KATE FRALEY
WT/KC70-9238500330

POR
REINY FALKENBERG
WT/KC74-9238500450

POR
OTTO PARIS & SUSAN SWAN
WT/KC75-9238510100

POR
BRIAN & CHERYL FOUNTAIN
WT/KC79-9238510140

POR
CLIFFORD & SHERI ANN GRIFFIN
WT/KC81-9238510160

US GLOVE CO INC
C/O JSH PROPERTIES INC
555 S RENTON VILLAGE PL #100
12/06 Returned NO forwarding address

**DISTRIBUTION LIST
ORGANIZATIONS
COMMENTS**

CITY OF BOTHELL
Wasim Khan, P.E.
Transportation Engineer
9654 NE 182ND ST
BOTHELL WA 98011

MUCKLESHOOT INDIAN TRIBE
KAREN WALTER
ENVIRONMENTAL DIVISION
FISHERIES DEPARTMENT
39015 172ND SE
AUBURN WA 98002

**STATE OF WASHINGTON CAPITOL
PROJECTS**
DEPARTMENT OF TRANSPORTATION
ATTEN:RAMIN PAZOOKI
P O BOX 330310 / MS 240
SEATTLE WA 98133-9710

CONCERNED NEIGHBORS OF WELLINGTON
FRED GREEN, PRES.
20624 86TH AVE SE
SNOHOMISH WA 98296

UPDATED 01/07

**LITTLE BEAR CREEK PROTECTIVE
ASSOCIATION**
GREG STEVPHENS, PRES.
21926 SR 9 SE
WOODINVILLE WA 98072

DEPARTMENT OF FISH & WILDLIFE
GINGER HOLSER
16018 MILL CREEK BLVD
MILL CREEK WA 98012

**KING CO WATER AND LANDS
RESOURCE DIVISION**
STEVE FOLEY, SENIOR ENGINEER
201 S JACKSON ST #600
SEATTLE WA 98104

WSDOT NORTHWEST REGION
KC AREA DEVELOPER SERVICES
P O BOX 330310 / MS 240
SEATTLE WA 98133

WASHINGTON DEPARTMENT OF ECOLOGY
NORTHWEST REGIONAL OFFICE
3190 160TH AVE SE
BELLEVUE WA 98008

KC WATERWASTE TREATMENT
MS SHIRLEY MARROQUIN,
ENV. PLANNING SUPERVISOR
201 S JACKSON ST
MS KSC-0505
SEATTLE WA 98104-3855

WOODINVILLE LIBRARY
17105 AVONDALE ROAD NE
WOODINVILLE WA 98072

PRESTON, GATES AND ELLIS
DENISE STIFFARM
925 4TH AVE #2900
SEATTLE WA 98104

KING COUNTY LIBRARY
KINGSGATE BRANCH
12315 NE 143RD ST
KIRKLAND WA 98034

DEPARTMENT OF CORRECTIONS
REBECCA BARNEY
P O BOX 41112
OLYMPIA WA 98504

NORTHSHORE SCHOOL DISTRICT
CAPITAL PROJECTS
22105 23RD RD SE
BOTHELL WA 98021

DEPARTMENT OF ECOLOGY
SEPA/GMA COORDINATOR
P O BOX 47600
OLYMPIA WA 98504

**INTERAGNECY COMMITTEE
ON OUTDOOR RECREATION**
LORINDA ANDERSON
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