



Staff Report to Hearing Examiner

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
 Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

PROJECT NAME: Agoge CrossFit Woodinville

FILE NUMBER: SEP12029/ CUP12001

PROJECT DESCRIPTION: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy Building 6 Suite A (5,170 sq ft) within Building 6 (12,763 sq ft) of the Park 144 Development. The scope of work is converting warehouse into cross training (Cross Fit) center. Included will be 450 sq ft of retail, 738 sq ft of instruction/educational area and an open exercise area of 3,750 sq ft.

DATE OF REPORT: January 14, 2013

DATE OF HEARING: January 23, 2013

APPLICANT: Mike Connolly on behalf of Agoge CrossFit
 4003 238th Place SE, Apt 60C
 Bothell, WA 98021
Connolly1981@gmail.com

CONTACT: Larry Thronndensen
 LOT Design Group
 22630 88th Avenue West
 Edmonds, WA 98025-8232

PROPERTY OWNER: Park 144 LLC
 PO Box 53290
 Bellevue, WA 98015

LOCATION OF PROPOSAL: 19450 144th Ave NE

ASSESSOR'S PARCEL NUMBER(S): 0326059086

CURRENT USE: The Park 144 complex is a multi tenant property which includes one other gymnasium use in this complex but not in Building 6. There are industrial uses currently in Building 6 which include car repair, wine production, and pet food products manufacturing

PROPERTY SIZE: 4.96 acres

CURRENT ZONING: Industrial

COMPREHENSIVE PLAN DESIGNATION: Industrial

SHORELINE DESIGNATION: N/A

FIRE SERVICE: Woodinville Fire and Rescue

WATER SERVICE: Woodinville Water District

SEWER SERVICE: Woodinville Water District

SCHOOL DISTRICT: Northshore

STAFF RECOMMENDATION: STAFF RECOMMENDS THAT THE HEARING EXAMINER APPROVE THE PROPOSED AGOGE CROSSFIT CONDITONAL USE PERMIT

STAFF CONTACT: Sarah Ruether
Project Planner
(425) 877-2293
sarahr@ci.woodinville.wa.us

PROJECT DESCRIPTION:

LOCATION: Legal Description: N 340 FT OF W ½ OF NE ¼ of SE ¼ LESS CO RD, Woodinville, WA;

PARCEL SIZE: 4.96 acres

SITE AREA/DESCRIPTION: This property has a complex of industrial buildings; three buildings total, building 6, building 7, and building 8. There are a range of uses from manufacturing/warehouse with accessory retail to some gym and recreational related activities. The space that would be vacated for the proposed gym was previously used as a warehouse use.

UTILITIES: Available utilities include:

Water: Woodinville Water District
Sewer: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy

ACCESS/STREET IMPROVEMENTS: This property is accessed from 144th Ave NE which is off of Woodinville Way. No street improvements are proposed as part of this project.

SURROUNDING LAND USES/ZONING
North: Industrial Uses/ Industrial Zone
South: Industrial Uses/Industrial Zone

West: Industrial Uses/Industrial Zone
 East: Industrial Uses and Residential 1 Unit per Acre/Industrial Zone
 and Low Density Residential Zone

BACKGROUND:

The development was constructed in 1982 under King County Codes, prior to incorporation of the City of Woodinville in 1993. The development includes three (3) buildings on one parcel. The property has been owned by Park 144 LLC since 1999.

On October 8, 2012, Larry Thronsen, on behalf of Mike Connolly of Agoge CrossFit, submitted a Conditional Use Permit and SEPA application to operate a sports club in Building 6 Suite A. A complete letter of application was sent on October 25, 2012. A notice of application was issued on November 12, 2012. A Determination of Nonsignificance was issued Monday December 24, 2012 and a Notice of Public Hearing was issued on January 7, 2013.

This project requires a conditional use permit and will require a building permit once the conditional use permit is issued for minor tenant improvements. These permits will be reviewed under the Woodinville Municipal Code (WMC) regulations and standards, the Woodinville Comprehensive Plan, International Building Code and any applicable State and Federal regulations.

COMPREHENSIVE PLAN:

The Agoge CrossFit proposal, with conditions, complies with the following applicable Comprehensive Plan Goals and Policies. The following goals are stated with the appropriate policies that apply to this development.

Land Use Goal LU-11: To provide an active and diverse industrial area that promotes economic growth

Land Use Policy LU11.1: Limit non-industrial use of industrial lands to uses which are complementary to industrial activities, and do not create potential land use conflicts with industrial activities

Staff Comment: The site is designed to provide industrial, manufacturing and warehousing space. The proposed use is a conditional use, principally because a sports club is a different type of use than industrial or warehousing. While it tends to draw non-industrial traffic into an industrial area, the use, by its nature attracts fewer people than does some other uses that are allowed as permitted or accessory uses in the Industrial zone, such as automotive repair shops, veterinary clinics, park and ride lots. Additionally, gymnastics currently occurs in this complex without any problems. Similar to this use, gymnastics is a specialized recreational instruction that requires large spaces with high ceilings which is more likely to be available in Industrial property. This is a specialized gym and is meant for specific strength training which requires high ceilings, it is not your typical gym for the general population. The proposed use will create traffic, but the majority of traffic use of the site will occur during the evenings and weekends, which are non-peak hours for adjacent industrial uses.

Land Use Goal LU-11.2: Protect Industrial lands from encroachment by other land uses, which would reduce the economic viability of industrial lands

Staff Comment: The industrial complex where this conditional use is proposed contains a majority of industrial and manufacturing businesses. There is another non-industrial use in the Industrial Complex, Northshore Gymnastics Center; however a majority of the uses are industrial. The proposed use of a sports club will not overtake this complex and the complex will remain as having primarily industrial uses. The use of a sports club

will be a minority use in this district and will not encroach on the other industrial, manufacturing and warehousing uses in the vicinity.

ZONING CODE:

In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies. The subject property is located in the Industrial Zone and the following standards apply:

Regulation	Requirement	Submitted
Land Use:	WMC 21.08.040(A) requires a conditional use permit for sports club	<p>Agoge Fitness is a specialized sports club offering specialized strength training. This use would be permitted by this CUP.</p> <p>A CUP is the subject of this hearing.</p>
Parking off-street:	<p>Ratio: There is no specific ratio in the code for a recreational use.</p> <p>The general services and office parking ratio is 1 space per 300 square feet.</p> <p>The manufacturing and storage space ratio is 0.9 per 1,000 square feet</p> <p>Minimum total spaces: The entire building requires 33 spaces</p>	<ul style="list-style-type: none"> • The building is 21,000 square feet. • Agoge Crossfit tenant space is 5,170 square feet. • Staff applied the general services/office rate to this use, requiring 11 parking spaces for this use. The other spaces have a minimum required 17 parking spaces required. (See Exhibit 4 Shared Parking Information Building 6) • The entire building requires 33 spaces. • The building has a total of forty five (45) parking spaces.
Fire:	Meet the Fire Code requirements.	<p>This is an existing facility.</p> <p>At the time of building permit application the proposed improvements and change of use to the building will be reviewed for fire code requirements.</p>
Traffic Impacts:	This will be assessed at time of building permit issuance.	There is no proposed traffic impact fee from a review by Public Works on 11/27/12 which determined that because no additional parking was required for this use and there was no additional square feet added as part of this project no traffic impact fee would be required. (Exhibit 3 Traffic Impact Fee Worksheet)

Conditional Use Permit Requirements (WMC 21.44.050). A conditional use permit shall be granted by the City, only if the applicant demonstrates that:

Requirement	Staff Comment
(1) The conditional use is designed in a manner, which is compatible with the character and appearance of the existing or proposed development in the vicinity of the subject property.	<ul style="list-style-type: none"> • Parking is close to the building entrance, reducing potential pedestrian conflicts with other industrial users. • No exterior modifications, additions or other alterations are proposed that would provide a conflict with other uses. • The hours of operation for this use are off-peak from other surrounding users.
(2) The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties.	<ul style="list-style-type: none"> • No modifications are proposed. The building will continue to appear as an industrial/warehouse space. • Impacts to neighboring use, either other on-site uses, or properties to the north, west and south, are expected to be minimal to none. The proposed use of this complex most likely will produce less noise to adjacent properties than other uses, as it does not have heavy machinery or require industrial processes. Adjacent residential neighborhoods have had problems with noise from industrial properties in the past. • This project is not expected to interfere with the future use of neighboring properties.
(3) The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property.	<ul style="list-style-type: none"> • Sports clubs, and other similar uses, require the type of space usually found in industrial parks: large floor plans with high ceilings. • Parking for the space will be located adjacent to the building where the sports club is located, which is the closest possible spot for its parking.
(4) Requested modifications to standards are limited to those, which will mitigate impacts in a manner equal to or greater than the standards of this title.	<ul style="list-style-type: none"> • No modification from the standards are proposed or recommended for this project.
(5) The conditional use is not in conflict with the health and safety of the community.	<ul style="list-style-type: none"> • The applicant is asking for the minimum necessary to operate a sports club business in this space. • With application of the development conditions in WMC 21.08 and as recommended by staff, potential impacts to the general health, welfare and safety are minimized.
(6) The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.	<ul style="list-style-type: none"> • The Public Works Director determined that the increase in PM Peak Hour trips for this site did not require a traffic analysis to evaluate potential level of service issues on the public street system. • The Planning Director determined that the parking proposed on-site was sufficient under the City's code, and did not require a parking analysis. • The hours of operation for the sports club, primarily in the evenings and weekends, are off-peak from the other industrial users, which operate during the day.
(7) The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.	<ul style="list-style-type: none"> • No additional water or sewer services over what is already in place will be needed to accommodate the sports club. • No agency or public comments have been submitted

AGENCY REVIEW:

Environmental Review: As the lead agency the City of Woodinville issued a Determination of Nonsignificance under Washington Administrative Code 197-11-340(2) on December 24, 2012. No appeals were filed and the Determination stands as issued.

Notice: Notice of this application has been provided in accordance with the provisions of WMC Title 17. This project was circulated for review and comment on November 12, 2012, by publishing the Notice of Application in the newspaper of record; mailing a copy of the Notice to property owners within 500 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices.

A Notice of Public Hearing was advertised in the same manner as the Notice of Application on January 7, 2013.

Agency Comments Agencies with no comments:

- Army Corps of Engineers
- DAHP, Local Agency Archaeologist
- Washington State Department of Ecology
- Washington Department of Fish and Wildlife
- WSDOT

No agencies submitted any comments

Public Comments: No public comments were received regarding this project.

DETERMINATION OF CONSISTENCY:

Revised Code of Washington 36.70B.040 – Determination of Consistency and WMC 17.13.100 requires that a proposed project shall be reviewed for consistency with a local government's development regulations during project review by consideration of:

1. Type of land use;
2. Level of development, such as units per acre or other measures of density;
3. Infrastructure, including public facilities and services needed to serve the development; and
4. The characteristics of the development, such as development standards.

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Agoge CrossFit has met the requirements of the City of Woodinville Infrastructure Standards, Comprehensive Plan, and Woodinville Municipal Code.

STAFF RECOMMENDATION:

The proposed project was found to be consistent with and meets the intent of the Woodinville Comprehensive Plan and applicable development regulations; therefore, staff recommends **APPROVAL** of the Agoge CrossFit Conditional Use Permit (CUP12001/SEP12029), subject to the following conditions:

- 1) This conditional use permit allow for the operation of a sports club/sports and recreation instruction business in an existing tenant space that is 5,170 square feet. Any expansion of this use into additional tenant spaces will require a major modification of the conditional use permit.
- 2) All interior work shall require a building permit. For the minor modifications requested to the building (the addition of new restrooms and showers) building, mechanical and plumbing permits are required. No occupancy shall be permitted until a final inspection and certificate of occupancy has been issued by the City of Woodinville.
- 3) All conditions of approval are required to be met at all times in order for the conditional use permit to be valid. Any change in operations that violates any condition of approval requires a major modification of the conditional use permit, to be submitted by the applicant.
- 4) Class sizes are limited by the occupancy that is listed on the currently posted certificate of occupancy for Suite A, unless the occupancy changes as part of the building permit application.

EXHIBIT LIST:

- | | |
|-----------|--|
| Exhibit 1 | Staff Report |
| Exhibit 2 | Application forms received October 8, 2012 |
| Exhibit 3 | Traffic Impact Fee Worksheet Dated 11/27/12 |
| Exhibit 4 | Shared Parking Information for Building 6 |
| Exhibit 5 | Plans received October 8, 2012 prepared by LOT Design Group |
| Exhibit 6 | Application Submittal Notification for Complete Application Issued on October 25, 2012 |
| Exhibit 7 | Notice of Application and Request for Agency Comments issued November 12, 2012 |
| Exhibit 8 | SEPA Determination of Nonsignificance issued December 24, 2012 |
| Exhibit 9 | Notice of Public Hearing Issued January 7, 2013 |



Owner Authorization Form

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday - Thursday 7:30am - 5:00pm • Friday 7:30am - 4:00pm

PROJECT NAME:	Agore CrossFit Woodinville
SCOPE OF WORK:	Tenant Improvement
PROJECT LOCATION:	19400 144 th Ave NE, Building 6 Suite A
PROPERTY OWNER INFORMATION	
NAME:	Park 144, LLC
MAILING ADDRESS:	P.O. Box 53290 Bellevue, WA 98015-3290
PHONE NUMBER:	(425) 643-8400
EMAIL ADDRESS:	pweaver@mpha.com
TENANT INFORMATION	
NAME:	MIKE CONNOLLY
MAILING ADDRESS:	4003 - 238 Pl. SE, Apt 60 C - Bothell, WA 98021
PHONE NUMBER:	425-765-3199
EMAIL ADDRESS:	connolly1981@gmail.com
AUTHORIZED APPLICANT INFORMATION	
NAME:	LARRY THRONDSEN
MAILING ADDRESS:	22630- 88 Ave W, Edmonds, WA 98026
PHONE NUMBER:	425-478-4814
EMAIL ADDRESS:	LTHRONDSEN@MSN.COM

The first statement must be checked. The other statements may be checked at the property owner's option.

<input checked="" type="checkbox"/>	I acknowledge that I own the property listed above. I further acknowledge and accept all permit and project conditions associated with the issuance of this permit.
<input checked="" type="checkbox"/>	If you want to give someone else authority to apply for the permit on your behalf, I hereby authorize the above person to act as my agent to apply for, sign and file the documents necessary, to obtain necessary permits for my project, and to receive all notices, decisions, and other correspondence from the City with respect to the project. I understand that I am jointly and severally responsible for their actions by this authorization.
<input type="checkbox"/>	If you plan to do the work yourself and not hire a contractor, I acknowledge that I will be constructing, altering, improving or repairing a building on property that I own without the intent to sell or lease for a minimum of twelve (12) months. I acknowledge that any contractors I hire must be licensed in accordance with the State of Washington laws under Chapter 18.27 RCW.
<input type="checkbox"/>	If you plan to allow your tenant to do the work themselves and not hire a contractor, I hereby authorize that the above listed tenant may act as their own contractor to construct, alter, improve or repair a building on a property that I own without the intent to sell or lease for a minimum of twelve (12) months. I acknowledge that any contractors I or the tenant hire must be licensed in accordance with the State of Washington laws under Chapter 18.27 RCW. I understand that I am jointly and severally responsible for their actions by this authorization.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Paul M. Weaver Signed at Office of Morris Pina R.E.
 PROPERTY OWNER - Must sign in ink (place)
Paul Weaver - Property Manager & Authorized Agent For Park 144, LLC on 9-27-2012
 (date)

NOTE: If property owner is a corporation, then Articles of Incorporation, LLC Agreement, or other legal document establishing signatory as having authority to sign legal documents must also be submitted.

RECEIVED

OCT 08 2012

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

EXHIBIT 2
PAGE 9 OF 34



Building / Mechanical / Plumbing Permit Application

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday - Thursday 7:30am - 5:00pm • Friday 7:30am - 4:00pm

Project Name:
Agoge CrossFit Woodinville
Proposed use of the building/tenant space:
Cross-Fit training center

Please list all the square footage for the building or space that is part of this application, for the previous tenant and the proposed tenant.

Table with 3 columns: Use Type, Previous Square Footage, Proposed Square Footage. Rows include Retail Area (450), Office Area, Warehouse Area (4990), Manufacturing Area, Restaurant Dining Area, Tasting Area, and Other Types of Uses (list each): 1. Exercise area (3750), 2. Educational area (738).

Traffic Impact Fee Information

Please answer all questions.

- Will the project create new buildings or structures? (No)
Does the project add to the footprint of the existing building? (No)
Does the project add floor area within the existing building (such as a mezzanine)? (No)
Does the project add new dwelling units? (No)

RECEIVED

OCT 24 2012

CITY OF WOODINVILLE DEVELOPMENT SERVICES EXHIBIT 2 PAGE 10 OF 37



TRANSPORTATION IMPACT FEE CALCULATION WORKSHEET

City of Woodinville

Internal Form

Pursuant to Transportation Impact Fee Ordinance # 527
Effective from September 24, 2012 to December 31, 2013

EXHIBIT 3
PAGE 1 OF 2

Development Name:	Agoge Crossfit
Permit Number:	CUP12001/SEP12029
Street Location:	19400 144th Ave NE

A.) Is a Traffic Impact Fee Required

(A Traffic Impact Fee shall be required if the answer to any of the following questions is yes. WMC 3.39.050 TIF Exemptions)

- | | Y | N |
|---|--------------------------|-------------------------------------|
| 1.) Will the project create any new buildings and/or structures? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.) Does the project add to the footprint of the existing building? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.) Does the project add floor area to an existing building? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.) Does the project require additional parking spaces to meet City code?
(WMC 21.18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.) Does the project improvements create anything but internal alterations,
tenant improvements, remodel, or expansion of a single family house? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Planner Initials SR Date 12/4/12

If the answer to all 5 questions above is "No" then no Traffic Impact Fee is required. If the answer is "Yes" to any of the above questions, proceed to part B. (Signature at bottom is required.)

Public Works Initials _____ Date _____

B.) Determination of TIF Amount

ADT x Dev. Size x (1 - Bypass %) x (1 - Diverted Link %) x \$290

EXISTING USE						PROPOSED USE					
Land Use Description (ITE Land Use Code)	ITE ADT Trip Gen. Rate (a.)	Development Size Area (1,000 SF) / # of Dwelling Units (b.)	Bypass Rate (%) (c.)	Diverted Link (%) (d.)	Traffic Impact Fee (a. x b. x (1-c.) x (1-d.) x \$290)	Land Use Description (ITE Land Use Code)	ITE Trip Gen. Rate (a.)	Development Size Area (1,000 SF) / # of Dwelling Units (b.)	Bypass Rate (%) (c.)	Diverted Link (%) (d.)	Traffic Impact Fee (a. x b. x (1-c.) x (1-d.) x \$290)
					\$ -						\$ -
					\$ -						\$ -
					\$ -						\$ -
Total Existing					\$ -	Total Proposed					\$ -

Total Traffic Impact Fee = \$ 0

(Total TIF Proposed Use - Total TIF Existing Use)

Reviewer _____ Date _____



 Public Works Director Date 11/27/12

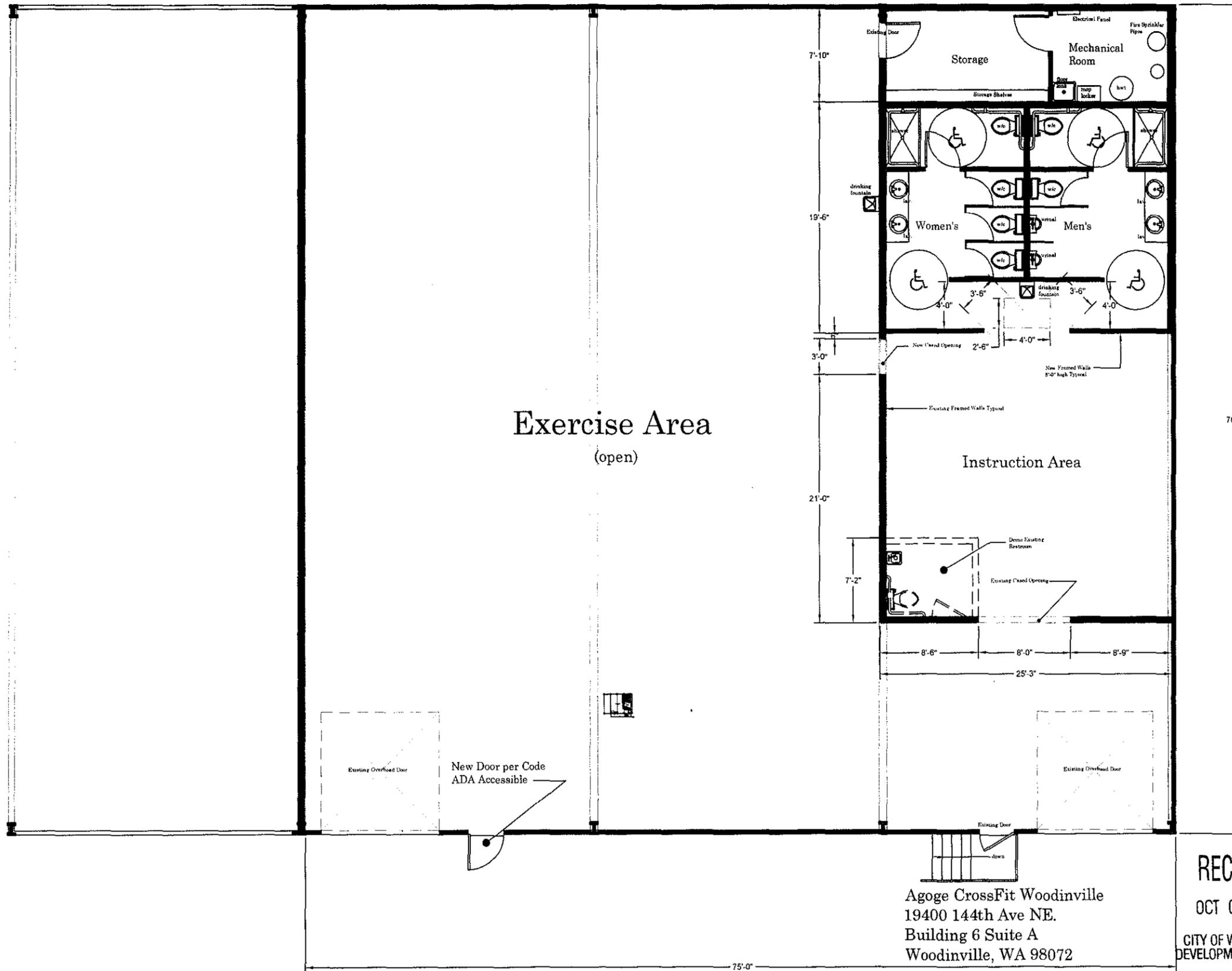
Shared Parking Information for Building 3 - for Agoge CrossFit

Exhibit 2

Building 6 - 19400 144th Ave NE

	General Services	Req Parking	Storage	Req. Parking	Office	Req. Parking
Agoge CrossFit	5170	17.23333333				
Cartel Wine Group			1750	1.575		
RPM Sales			3400	3.06	100	0.3333333333
Power Shifts			4650	4.185	100	0.3333333333
Pet Pros/Lucky Dog			2963	2.6667	1000	3.3333333333
				11.4867		4
Manual Rounding		17		12		4
Total Required Parking				33		
Parking Provided				45		
Total Square Feet		12,763				

EXHIBIT 4
PAGE 12 OF 27



Exercise Area
(open)

Instruction Area

Agoge CrossFit Woodinville
19400 144th Ave NE.
Building 6 Suite A
Woodinville, WA 98072

RECEIVED
OCT 08 2012

CITY OF WOODINVILLE
DEVELOPMENT SERVICES

Proposed Floor Plan

Scale 1/8" = 1'-0"

LOT Design Group
Custom Design Service
LARRY O. THROSEN
22630-88th Avenue West
Edmonds, WA 98026-8232
Phone 425.478.4814 FAX 425.673.1741



Proposed New CrossFit Center:
Agoge CrossFit Woodinville
Mike Connolly
4003 238th Pl. SE, Apt 60C
Bothell, WA 98021

Training Facility @
19400 144th Ave NE.
Building 6 Suite A
Woodinville, WA 98072

CONTENTS
Proposed Floor Plan

DATE
9/26/2012

EXHIBIT 5
Drawn By
PAGE 13 OF 33
Job No. SDA

Drawing No.

A-1



APPLICATION SUBMITTAL NOTIFICATION
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Permit Number(s): SEP12029 and CUP12001 Date: October 25, 2012

Contact Name/Number: Mike Connolly/425-765-3199

Contact Address: 4003 238th Place SE, Apt 60C Bothell, WA 98021

Site Address: 19400 144th Ave NE

Project Name/Description: SEPA and Conditional Use Permit for Sports Club

Thank you for your application submittal. This letter is your official notice that your application submitted on 10/8/12, is considered:

- Complete On: 10/24/12
- Incomplete - The following information must be submitted for a complete application:

Other Permits Required: The following additional permits will be required for this project. This project is not vested to the requirements of these permits until a separate complete application is submitted: Building, Plumbing and Mechanical Permits.

Complete Applications. Processing and review of a permit application may begin when it is deemed complete. A COMPLETE APPLICATION IS NOT AN APPROVED APPLICATION. A permit application is complete when it meets the submission requirements outlined in the submittal checklist. The City's determination of completeness does not preclude the City from requesting revisions, additional information or studies if new information is required, corrections are needed, or where there are substantial changes in the proposed action.

Incomplete Applications. An incomplete application will not be processed. The Applicant has 90 calendar days to submit all the required information to receive a notice of complete application. If the required information is not submitted within the 90 calendar day period, the application will be considered lapsed for failure to submit the necessary information in a timely manner and the file will be closed.

If you have questions regarding the City's permit review process, please do not hesitate to call the City at (425) 489-2754. Our office hours are 7:30 a.m. – 5:00 p.m., Monday through Thursday and 7:30 a.m. – 4:00 p.m. on Fridays.

Sincerely,

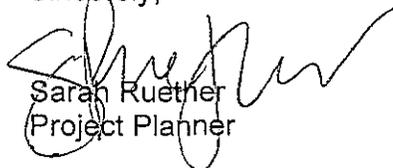

Sarah Ruether
Project Planner

EXHIBIT 6
PAGE 14 OF 37



APPLICATION SUBMITTAL NOTIFICATION
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Use proposed: Sports Club

NAICS/WMC listing: 71394/WMC21.08.040

Is use permitted: Yes No

Is this permit impacted by nonconforming use? Yes No

cc: Original to Applicant
File copy
Correspondence copy

EXHIBIT 6
PAGE 15 OF 37



**NOTICE OF APPLICATION
City of Woodinville**

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Project Name: Agoge Crossfit Conditional Use Permit

Application: On October 8, 2012, Mike Connolly, on behalf of Agoge CrossFit Woodinville, submitted an application for a Conditional Use Permit to the City of Woodinville for property(s) located at 19400 144th Ave NE. The application was deemed complete on October 25, 2012. This application and all supporting documents are available at City Hall for public viewing under File Number CUP12001/SEP12029.

Project Description: Conditional use permit to operate a sports club in the Industrial zone. The sports club will occupy Suite A in building 6. SEPA is required for a conditional use permit.

Project Location: 19400 144th Ave NE; Legally described as: N 340 FT OF W 1/2 OF NE 1/4 LESS CO RD; Woodinville, WA

Environmental Documents prepared, available, or requested under RCW 36.70B.070 for the Project: Environmental Checklist

Permits included in the application: Conditional Use Permit, SEPA Application

Other required permits not included in the application to the extent known by the City of Woodinville: Building Permit, Mechanical and Plumbing Permits, and other State and Federal permits, if applicable

Applicable Policies and Requirements: The project will be reviewed for consistency with the following policies, standards, and regulations:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Woodinville Comprehensive Plan | <input type="checkbox"/> Multi-Family Design Guidelines |
| <input checked="" type="checkbox"/> Woodinville Municipal Code | <input type="checkbox"/> Industrial Design Guidelines |
| <input type="checkbox"/> Community Urban Forestry Plan | <input type="checkbox"/> Transportation Improvement Plan |
| <input checked="" type="checkbox"/> International Building Code | <input type="checkbox"/> Transportation Infrastructure Standards and Specifications |
| <input type="checkbox"/> Shoreline Master Program | <input checked="" type="checkbox"/> Applicable State and Federal regulations |

Comment Period: The application, supporting documents, and studies are available for review at the City of Woodinville, 17301 133rd Avenue NE, Woodinville, WA 98072. Contact: Sarah Ruether, Project Manager, at (425) 877-2293. The public is invited to comment on the project by submitting written comments to the Development Services Department at the above address or by emailing the Project Manager at sarahr@ci.woodinville.wa.us by 4:00 p.m. on the 'End of Comment Period' date noted below.

Date of Application: October 8, 2012

Date of Notice of Complete Application: October 25, 2012

Date Notice of Application Issued: November 12, 2012

End of Comment Period: November 27, 2012

EXHIBIT <u>7</u>
PAGE <u>16</u> OF <u>37</u>

**NOTICE OF APPLICATION
City of Woodinville**

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Public Hearing: The Woodinville Hearing Examiner will hold a public hearing, where he will either approve, approve with conditions, or deny the proposal. The date of the hearing has not yet been determined. You have the right to request notice of and to participate in the public hearing, including providing comments, and request a copy of the decision once made. If you want to receive notice of the hearing, you may make a written request to the Project Manager listed below.

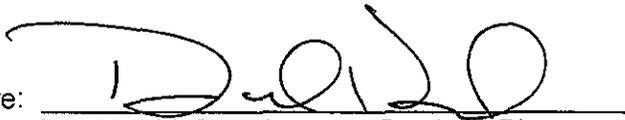
Appeals: The final decision on this project is appealable to the Woodinville City Council. An appeal must be filed within 14 days after the final decision on the project is issued. Appellants must be a party of record. To receive additional information on appeals for this application, please contact the Project Manager listed below.

Contact Person: Sarah Ruether, Project Manager

Phone Number: (425) 877-2293

Email address: sarahr@ci.woodinville.wa.us

Signature: _____



David Kuhl, Development Services Director

Date: November 12, 2012

Methods of Notice:

Published

Posted: 1) In-House, 2) Post Office & 3) Website

Post Site

Mailed: Applicant, Property Owners within 500', Parties of Record

EXHIBIT 7
PAGE 17 OF 37

NOTICE OF APPLICATION City of Woodinville

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Project Name: Agoge Crossfit Conditional Use Permit
File Numbers: CUP12001/SEP12029

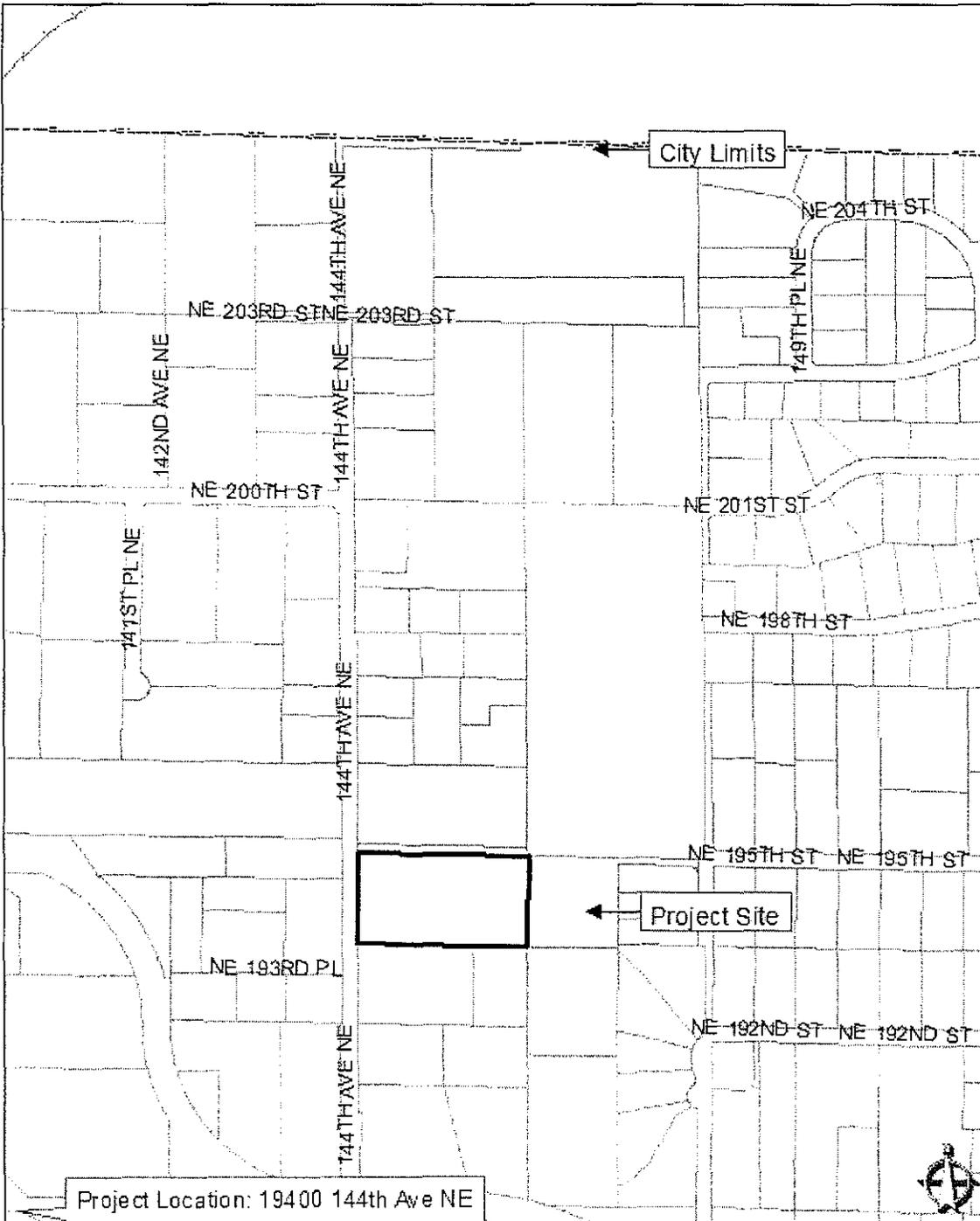


EXHIBIT 7
PAGE 18 OF 37



Request for Agency Comments City of Woodinville

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

DATE: November 5, 2012

CITY OF WOODINVILLE:		COUNTIES:	
X	City of Woodinville (Building)		King County Assessors Office
X	City of Woodinville (Planning)	X	King County DDES, Land Use Services Division
X	City of Woodinville (Fire Marshall - WFR)		King Co. Depart of Transp. Road Services Div.
X	City of Woodinville (Public Works)		King County Metro Transit
X	City of Woodinville (Police)		King County Natural Resources and Parks
	City of Woodinville (Administration)		King County Historic Preservation Officer
	City of Woodinville (Parks and Recreation)		King County Water and Lands Resource Division
	City of Woodinville (Executive)		Public Health – Seattle & King County
	Ogden, Murphy, Wallace (Greg Rubstello)		Snohomish County PDS
STATE/FEDERAL AGENCIES:		OTHERS:	
X	Army Corps of Engineers (Seattle Dist.)		Comcast of Washington
X	DAHP, Local Agency Archaeologist	X	Frontier
	Washington State Department of Commerce	X	Olympic Pipeline
X	Washington State Depart. of Ecology DOE		Puget Sound Energy
X	Washington Dept of Fish & Wildlife (WDFW)	X	Puget Sound Regional Council
	Washington State DNR		
X	WSDOT		
	United States Postal Service		CONSULTANTS:
			Makers
			Otak/EagleEye
SPECIAL DISTRICTS:		TRIBES:	
	Alderwood Water & Wastewater District		
	Lake Washington School District		
	Northshore School District		
	Preston, Gates & Ellis (NSSD)	X	Muckleshoot Tribe (Tribe Preservation Program & Tribe Fisheries Division)
	Northshore Utility District	X	Sauk-Suiattle Tribe
X	Port of Seattle	X	Snoqualmie Tribe
	Puget Sound Clean Air Agency	X	Snohomish Tribe
X	Woodinville Water District	X	Stillaguamish Tribe
	Sound Transit Authority	X	Tulalip Tribes
	Community Transit		
CITIES:		NOTICE OF APPLICATION ONLY:	
		X	Applicant/Contact Person (Notice Only)
	City of Bothell (Planning Director)		Parties of Record (Notice Only)
	City of Kirkland (Planning Director)		Adjacent Property Owners (Notice Only)
	City of Kenmore (Planning Director)	X	Property Owners within 500' (Notice Only)
	City of Redmond (Planning Director)	X	Woodinville Weekly (Notice Only)

EXHIBIT 7
PAGE 19 **OF** 37

FILE NO.: CUP12001/SEP12029
CrossFit Woodinville

PROPONENT: Mike Connolly, on behalf of Agoge

PROJECT NAME: Agoge Crossfit Conditional Use Permit

PROJECT ADDRESS: 19400 144th Ave NE

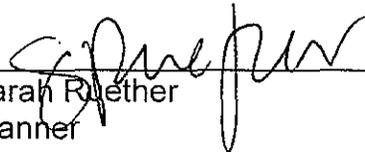
PROJECT DESCRIPTION: Conditional use permit to operate a sports club in the Industrial zone.

ATTACHED IS:

X	Notice of Application		Plat Map (Reduced)
	DNS	X	Site Plan (Reduced)
X	Environmental Checklist		Location Map
X	Application	X	Vicinity Map
	Narrative Statement(s)		Other:

NOTE: _____

Please review this project as it relates to your area of concern and return your comments with this cover sheet by November 27, 2012 to the City of Woodinville, Development Services Department, Attn: Sarah Ruether, 17301 133rd Avenue NE, Woodinville, WA 98072 or sarahr@ci.woodinville.wa.us. Call the assigned Planner at 425-877-2293 with any questions.


Sarah Ruether
Planner

11/8/12
Date

RESPONSE SECTION:

Comments Attached

No Comments

COMMENTS: _____

Signature

Date

Agency / Company

EXHIBIT 7
PAGE 20 OF 37



DECLARATION OF POSTING ON SITE
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of CrossFit Agoge

SEP12029 and CUP12001

Applicant Name

File Number

Woodinville Sign/Pvt Burghardt (Name) hereby makes the following states and declares as follows:

On the day of 11/12/12, 2012, I posted on the property located at 19400 - 144th Ave NE 98072; so as to be clearly seen from each right-of-way providing vehicular access to the property, a true and correct copy of :

Type of Notice: Notice of Application

Date Issued: : November 12, 2012

End of Comment/Appeal Period: November 27, 2012

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

11/12/12 Woodinville, WA
Date and Place of Signature

Pvt Burghardt
Signature

Pvt Burghardt
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 7
PAGE 2 OF 37



DECLARATION OF POSTING ON CITY SITES
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of CrossFit Agoge
Applicant Name

SEP12029 and CUP12001

File Number

Karin Roberts (Name) hereby makes the following statement and declares as follows:

On the day of November 9, 2012, I posted at the City of Woodinville official posting locations, including Woodinville City Hall and the Woodinville Post Office, a true and correct copy of :

Type of Notice: Notice of Application

Date Issued: November 12, 2012

End of Comment/Appeal Period: November 27, 2012

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

11/9/2012 Woodinville, WA
Date and Place of Signature

Karin Roberts
Signature

Karin Roberts
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 7
PAGE 22 OF 37



DECLARATION OF MAILING
City of Woodinville

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of CrossFit Agoge

Applicant Name

SEP12029 and CUP12001

File Number

Sarah Pfeiffer

(Name) hereby makes the following states and

declares as follows:

On the day of Nov 9, 2012, I scheduled mailing through the USPS
a true and correct copy of:

Type of Notice: Notice of Application

Date Issued: November 12, 2012

End of Comment/Appeal Period: November 27, 2012

to those whose names and addresses appear on the attached list, by first class mail.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

11/9/12 Woodinville, WA
Date and Place of Signature

S Pfeiffer
Signature

SARAH PFEIFFER
Print Name

This declaration must be properly completed upon this mailing of the required Notice and returned to the Development Services Department.

Return to:

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

EXHIBIT 7
PAGE 23 OF 37



AFFIDAVIT OF PUBLICATION

State of Washington }
 County of King }

Julie Boselly, being first duly sworn on oath deposes and says that she is the publisher of The Woodinville Weekly, a legal newspaper by order of the Superior Court of King County. That the annexed is a true copy of PN-AGOGGE APP SUMMARY as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 12 day of November, 2012 and ending on the 12 day of November, 2012

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$100.80 at the rate of \$12.60 per column inch for each insertion. The sum total for all publications is \$100.80.

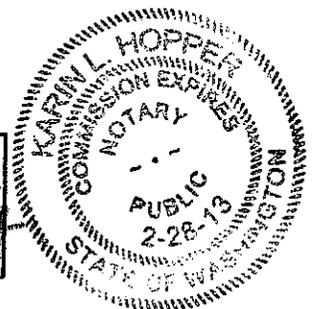
Julie Boselly
 Julie Boselly

Subscribed and sworn to before me this 13th day of November, 2012.

Karin L. Hopper
 Karin L. Hopper

Notary Public in and for the State of Washington.
 Residing at Woodinville, Washington.
 My Commission Expires: 2/28/2013

EXHIBIT 7
 PAGE 24 OF 37



City of Woodinville Notice of Application Summary

Project Name: Agoge Crossfit Conditional Use Permit
File Number(s): CUP12001/SEP12029
Applicant: Mike Connolly, on behalf of Park, 144 LLC for Agoge Crossfit
Notice of Application Date: November 12, 2012
Project Description: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy
Location: 19400 144th Ave NE
Environmental documents prepared for the proposal: SEPA Checklist

The application will be reviewed for consistency with the Woodinville Comprehensive Plan, Municipal Code, Infrastructure Standards and Building Code. Required approvals include a Conditional Use Permit and SEPA Determination. The public is invited to comment on the project by submitting written comments to the Development Services Department at the below address by 4:00 p.m. on November 27, 2012. Upon completion of project review, the City will hold a public hearing before the Hearing Examiner, who will approve, approve with conditions, or deny the proposal. You may request a copy of the final decision on the project in writing. There is no appeal of this project at this time; however appeals of project decisions shall be filed in accordance with WMC 17.07-17.17. The complete Notice of Application includes further information concerning your rights to receive notice and participate in any required hearings for the project and your appeal rights. You may review the complete Notice of Application and the project application at City Hall, at 17301 133rd Avenue NE, Woodinville, WA 98072. To obtain a complete Notice of Application or to provide comments, contact the Project Manager, Sarah Ruether at (425) 877-2293 or sarah.r@ci.woodinville.wa.us

Published November 12, 2012



**DETERMINATION OF NONSIGNIFICANCE (DNS)
City of Woodinville**

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

PROJECT NAME: Agoge CrossFit Woodinville

DESCRIPTION OF PROPOSAL: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy Building 6 Suite A at the Park 144 development 19450 144th Ave NE. The proposal is to convert 5,170 sf of Suite A into a sports club, Agoge Cross Fit, a specialized strength training fitness center.

PROPONENT: Mike Connolly on behalf of Agoge CrossFit
Address: Mike Connolly, on behalf of Agoge CrossFit Woodinville
Phone: 19400 144th Ave NE
Email: connolly1981@gmail.com

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 19400 144th Ave NE; legally described as N 340 FT of W 1/2 of NE 1/4 of SE LESS CO RD, Woodinville, WA.

LEAD AGENCY: City of Woodinville

PROJECT NUMBER: CUP12001 SEP12029

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by 4:00pm on January 7, 2013.

CHANGES TO PROPOSAL:

If there is new information or changes to the proposal after issuance of the DNS and prior to issuance of any required permit or approval indicating that the proposal will have probable significant adverse impacts, a new threshold determination will be required.

This DNS is issued on the basis of compliance of this proposal with all applicable Woodinville Municipal Code (WMC) regulations and standards, and environmental policies, as adopted by WMC 14.04.240, Subsection (4).

VOLUNTARY OFFERS AND APPLICABLE DOCUMENTS

EXHIBIT 8
PAGE 25 OF 37



**DETERMINATION OF NONSIGNIFICANCE (DNS)
City of Woodinville**

**Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm**

This threshold determination was reached on the basis of the plans, supporting documents, calculations and agreements contained in the voluntary submittals associated with the project and SEPA review, specifically:

1. SEPA Checklist prepared by Larry Thronsen for Agoge CrossFit Woodinville on October 25, 2012

The voluntary offers and applicable documents listed above were considered and evaluated as part of this threshold determination.

The City has considered whether other local, State, or Federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts.

DISCLAIMER

The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. City of Woodinville codes governing traffic control, land-use performance standards, construction and improvement of streets and roads, drainage control, environmental protection, fire protection and building practices will provide substantial mitigation of the aforementioned impacts.

The issuance of this DNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Woodinville reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary for the general health, safety and welfare of the public to do so.

APPEAL

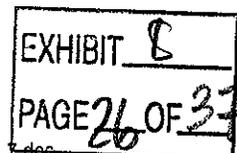
You may appeal this determination to the City of Woodinville Hearing Examiner at 17301 133rd Avenue NE, Woodinville, WA 98072 no later than 14 days from the date the DNS becomes final. Based on the issuance date of this determination, the appeal period ends at 4:00 P.M. on January 7, 2013. If you choose to appeal or comment, you should be prepared to make specific factual objections. To receive additional information on appeals for this application, please contact the Project Manager listed below.

Responsible Official: David Kuhl, Development Services Director
Contact Person: Sarah Ruether, Project Manager
Address: 17301 133rd Avenue NE, Woodinville, WA 98072
Phone Number: (425) 877-2293
Email Address: sarahr@ci.woodinville.wa.us

Signature: 
David Kuhl, Development Services Director

Date: December 24, 2012

Methods of Notice:
Published
Posted: 1) In-House, 2) Post Office & 3) Website
Post Site
Mailed: Applicant, Property Owners within 500', Parties of Record





DETERMINATION OF NONSIGNIFICANCE (DNS) City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

DETERMINATION OF NONSIGNIFICANCE

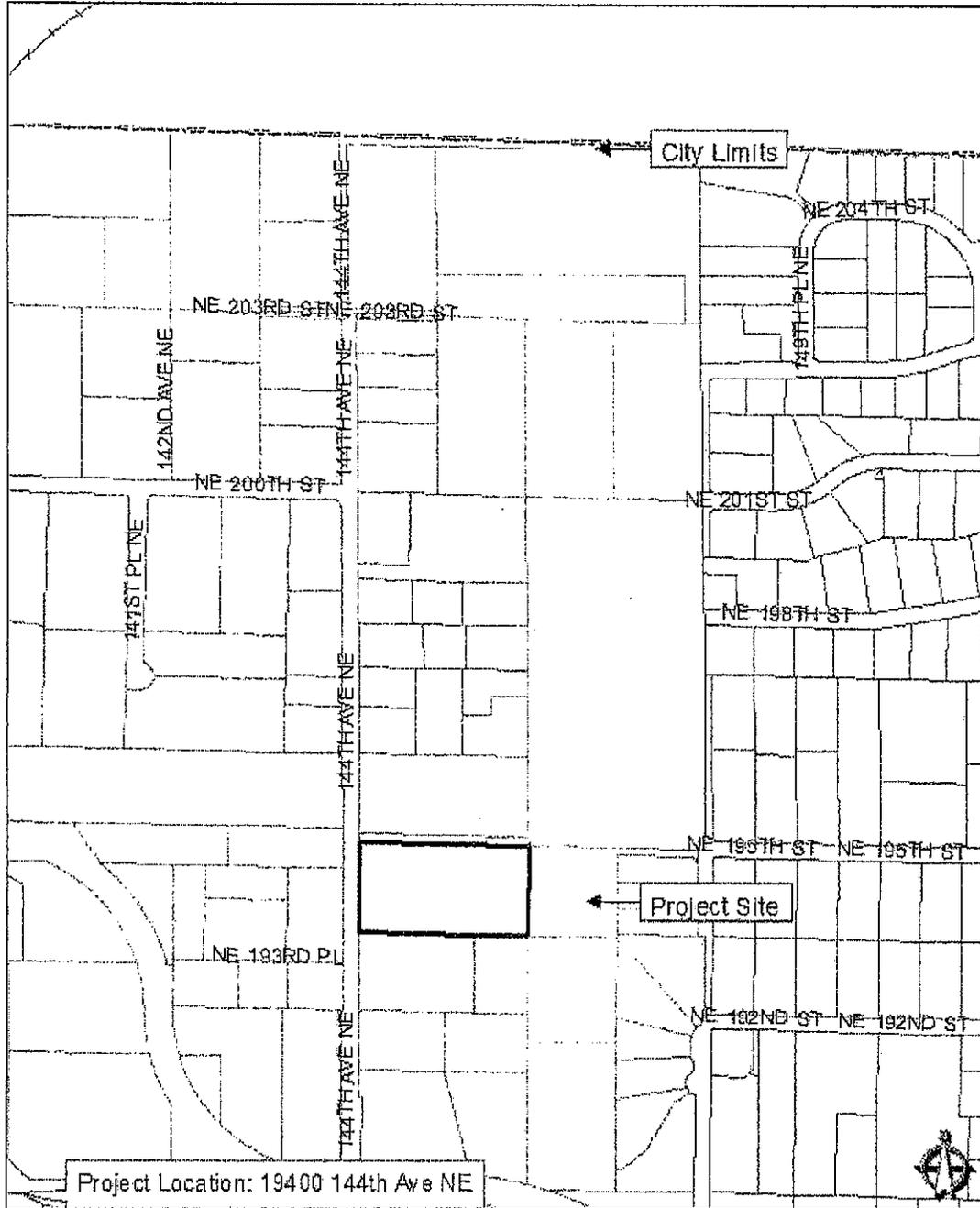


EXHIBIT 8
PAGE 27 OF 37



DECLARATION OF POSTING ON SITE
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly for Agoge CrossFit
Applicant Name

CUP12001, SEP12029
File Number

SARAH (Name) hereby makes the following states and declares as follows:

On the day of 12/24/12, 2012, I posted on the property located at 144th Ave, so as to be clearly seen from each right-of-way providing vehicular access to the property, a true and correct copy of :

Type of Notice: Determination of NonSignificance
Date Issued: December 24, 2012
End of Comment/Appeal Period: January 7, 2012

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

12/24/12 Woodinville, WA
Date and Place of Signature

S. Pfeiffer
Signature
SARAH PFEIFFER
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 8
PAGE 28 OF 37



DECLARATION OF POSTING ON CITY SITES
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly for Agoge CrossFit

CUP12001, SEP12029

Applicant Name

File Number

Nancy Brandt (Name) hereby makes the following statement and declares as follows:

On the day of December 21, 2012, I posted at the City of Woodinville official posting locations, including Woodinville City Hall and the Woodinville Post Office, a true and correct copy of :

Type of Notice: Determination of NonSignificance

Date Issued: December 24, 2012

End of Comment/Appeal Period: January 7, 2012

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dec. 21 2012 Woodinville, WA
Date and Place of Signature

Nancy Brandt
Signature

Nancy Brandt
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 8
PAGE 29 OF 37



**DECLARATION OF MAILING
City of Woodinville**

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly for Agoge CrossFit

CUP12001, SEP12029

Applicant Name

File Number

SARAH

~~Sandy Gunn~~ hereby makes the following states and declares as follows:

On the day of 12/21, 2012, I scheduled mailing through the USPS a true and correct copy of:

Type of Notice: Determination of NonSignificance

Date Issued: December 24, 2012

End of Comment/Appeal Period: January 7, 2012

to those whose names and addresses appear on the attached list, by first class mail.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

12/21/12 Woodinville, WA
Date and Place of Signature

[Handwritten Signature]
Signature
SARAH ZWETHER
Print Name

This declaration must be properly completed upon this mailing of the required Notice and returned to the Development Services Department.

Return to:

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

EXHIBIT 8
PAGE 300 OF 37



The Woodinville Weekly | The Northlake News | The Valley View
 13342 NE 175th Street | P.O. Box 587 | Woodinville, WA 98072
 p. 425.483.0606 | f. 425.486.7593
 www.nwnews.com

RECEIVED

DEC 28 2012

City of Woodinville

AFFIDAVIT OF PUBLICATION

DETERMINATION OF NONSIGNIFICANCE

PROJECT NAME: Agoge CrossFit Woodinville
DESCRIPTION OF PROPOSAL: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy Building 6, Suite A at the Park 144 development 19450 144th Ave NE. The proposal is to convert 5,170 sf of Suite A into a sports club, Agoge CrossFit, a specialized strength training center.
PROPONENT: Mike Connolly on behalf of CrossFit Woodinville
LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 19400 144th Ave NE, legally described as N 340 FT W 1/2 OF NE 1/4 OF SE 1/4 LESS CO RD, Woodinville, WA.
LEAD AGENCY: City of Woodinville
PROJECT NUMBER: CUP12002, SEP12029
 The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.
 There is no comment period for this DNS.
 This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
 This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by 4:00pm on January 7, 2013.
APPEAL:
 You may appeal this determination to the City of Woodinville Hearing Examiner at 17301 133rd Avenue NE, Woodinville, WA 98072 no later than 14 days from the date the DNS becomes final. Based on the issuance date of this determination, the appeal period ends at 4:00 P.M. on January 7, 2013. If you choose to appeal or comment, you should be prepared to make specific factual objections. To receive additional information on appeals for this application, please contact the Project Manager listed below.
Responsible Official: David Kuhl, Development Services Director
Contact Person: Sarah Ruether, Project Manager
Address: 17301 133rd Avenue NE, Woodinville, WA 98072
Phone Number: (425) 877-2293
Email Address: sarahr@ci.woodinville.wa.us

Published December 24th, 2012

State of Washington }
 County of King }

Julie Boselly, being first duly sworn on oath deposes and says that she is the publisher of The Woodinville Weekly, a legal newspaper by order of the Superior Court of King County. That the annexed is a true copy of PN-DNS AGOGE as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 24 day of December, 2012 and ending on the 24 day of December, 2012

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$132.30 at the rate of \$12.60 per column inch for each insertion. The sum total for all publications is \$132.30.

Julie Boselly
 Julie Boselly

Subscribed and sworn to before me this 28th day of December, 2012.

Karin L. Hopper
 Karin L. Hopper
 Notary Public in and for the State of Washington.
 Residing at Woodinville, Washington.
 My Commission Expires: 2/28/2013



EXHIBIT 8
 PAGE 31 OF 37

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 **PUBLIC HEARING** described below.

DESCRIPTION OF APPLICATION

Project Name: Agoge CrossFit Woodinville
File Number(s): CUP12001/SEP12029
Applicant(s) Mike Connolly on behalf of Agoge CrossFit
Contact: Sarah Ruether, Project Planner
Location: 19400 144th Ave NE
Section of Code Pertinent to Hearing Procedure: Chapter 17.15 WMC, Ordinance 487
Proposal: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy Building 6 Suite A at the Park 144 development located at 19400 144th Ave NE. The proposal is to convert 5,170 sf of Suite A into a sports club, Agoge CrossFit, a specialized strength training fitness center.

PUBLIC HEARING DATE: Wednesday January 23, 2013 **TIME:** 7:00 P.M.

HEARING LOCATION: Woodinville City Hall, Council Chambers
17301 133rd Avenue NE
Woodinville, WA 98072

DATE OF NOTICE: January 7, 2013

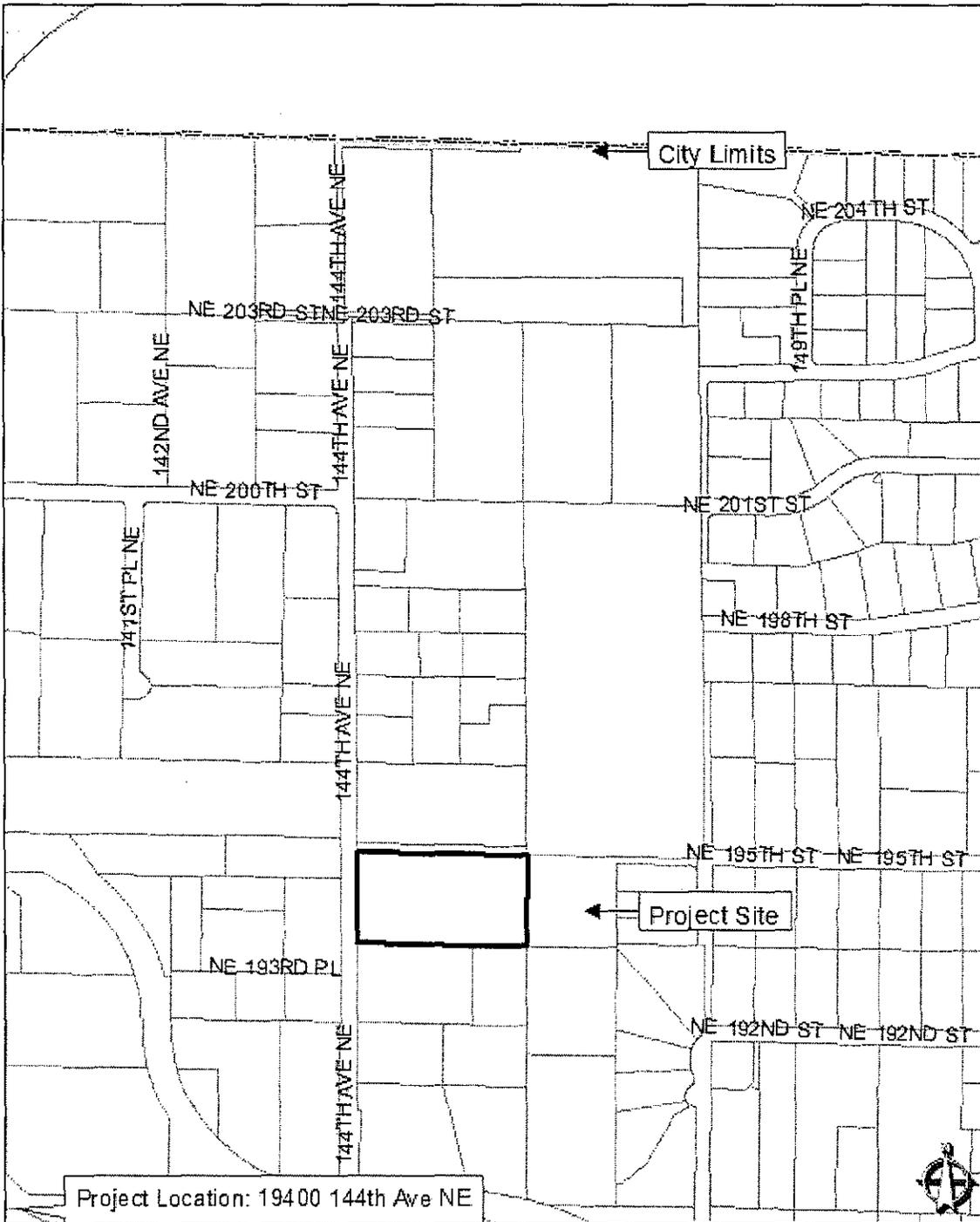
RESPONSIBLE OFFICIAL: David Kuhl, Development Services Director

Copies of all application documents 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 Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Development Services Department at the address shown above. If you have any questions, please call Project Planner Sarah Ruether at (425) 877-2293 or sarahr@ci.woodinville.wa.us.

The hearing subject to this notice is an **OPEN RECORD HEARING**. A record of this hearing will be created. Any party interested in the decision of this hearing must present spoken or written testimony for the record at the **OPEN RECORD HEARING**. Any appeal of this hearing is limited to an administrative appeal based on the existing record. In case of an appeal, the appeal will be heard as a **CLOSED RECORD APPEAL HEARING** with no new evidence or information allowed to be submitted.

EXHIBIT 9
PAGE 32 OF 37

Project Name: Agoge CrossFit Woodinville
File Numbers: CUP12001/SEP 12029



Project Location: 19400 144th Ave NE



DECLARATION OF POSTING ON SITE
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of Agoge CrossFit
Applicant Name

SEP12029, CUP12001
File Number

SARAH RUETHER (Name) hereby makes the following states and declares as follows:

On the day of January 7, 2013, I posted on the property located at _____, so as to be clearly seen from each right-of-way providing vehicular access to the property, a true and correct copy of :

Type of Notice: Notice of Public Hearing
Date Issued: January 7, 2013
End of Comment/Appeal Period: January 23, 2013

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

1/7/13 Woodinville, WA
Date and Place of Signature

S. Ruether
Signature
SARAH RUETHER
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 9
PAGE 34 OF 37



DECLARATION OF POSTING ON CITY SITES
City of Woodinville

Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of Agoge Crossfit
Applicant Name

SEP12029, CUP12001

File Number

Karin Roberts (Name) hereby makes the following statement and declares as follows:

On the day of January 4, 2013, I posted at the City of Woodinville official posting locations, including Woodinville City Hall and the Woodinville Post Office, a true and correct copy of :

Type of Notice: Notice of Public Hearing

Date Issued: January 7, 2013

End of Comment/Appeal Period: January 23, 2013

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

01/04/2012 Woodinville, WA
Date and Place of Signature

Karin Roberts
Signature

Karin Roberts
Print Name

This declaration must be properly completed upon this posting of the required Notice and returned to the Development Services Department.

Return to:
City of Woodinville, Development Services, 17301 133rd Avenue NE, Woodinville, WA 98072

EXHIBIT 9
PAGE 25 OF 37



DECLARATION OF MAILING
City of Woodinville

Development Services Department

425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Mike Connolly on behalf of Agoge CrossFit
Applicant Name

SEP12029, CUP12001
File Number

Sandy Guinn hereby makes the following states and declares as follows:

On the day of January 4, 2013, I scheduled mailing through the USPS a true and correct copy of:

Type of Notice: Notice of Public Hearing

Date Issued: January 7, 2013

End of Comment/Appeal Period: January 23, 2013

to those whose names and addresses appear on the attached list, by first class mail.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

1/4/13 Woodinville, WA
Date and Place of Signature

[Signature]
Signature
SARAH P. WETTER
Print Name

This declaration must be properly completed upon this mailing of the required Notice and returned to the Development Services Department.

Return to:

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

EXHIBIT 9
PAGE 36 OF 37



AFFIDAVIT OF PUBLICATION

CITY OF WOODINVILLE
 17301 133rd Avenue NE
 WOODINVILLE, WA 98072
 (425) 489-2700 FAX (425) 489-2705

PUBLIC HEARING NOTICE

The City of Woodinville Hearing Examiner will conduct a Public Hearing to consider public comment on the PUBLIC HEARING described below.

Project Name: Agoge CrossFit Woodinville
 File Number(s): CUP12001/SEP12029
 Applicant(s): Mike Connolly on behalf of Agoge CrossFit
 Contact: Sarah Ruether, Project Planner
 Location: 19400 144th Ave NE

Section of Code Pertinent

to Hearing Procedure: Chapter 17.15 WMC, Ordinance 487

Proposal: Conditional use permit to operate a sports club in the Industrial Zone. The sports club will occupy Building 6 Suite A at the Park 144 development located at 19400 144th Ave NE. The proposal is to convert 5,170 sf of Suite A into a sports club, Agoge CrossFit, a specialized strength training center.

PUBLIC HEARING DATE:

Wednesday January 23, 2013 TIME: 7:00 P.M.

HEARING LOCATION:

Woodinville City Hall, Council Chambers,
 17301 133rd Avenue NE, Woodinville, WA 98072

DATE OF NOTICE: January 7, 2013

RESPONSIBLE OFFICIAL: David Kuhl, Development Services Director. Copies of all application documents 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 Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Development Services Department at the address shown above. If you have any questions, please call Project Planner, Sarah Ruether at (425) 877-2293 or sarahr@ci.woodinville.wa.us

The hearing subject to this notice is an OPEN RECORD HEARING. A record of this hearing will be created. Any party interested in the decision of this hearing must present spoken or written testimony for the record at the OPEN RECORD HEARING. Any appeal of this hearing is limited to an administrative appeal based on the existing record. In case of an appeal, the appeal will be heard as a CLOSED RECORD APPEAL HEARING with no new evidence or information allowed to be submitted.

Published January 7th, 2013

State of Washington }
 County of King }

Julie Boselly, being first duly sworn on oath deposes and says that she is the publisher of The Woodinville Weekly, a legal newspaper by order of the Superior Court of King County. That the annexed is a true copy of PN-PHN Agoge as it was published in regular issues (and not in supplement form) of said newspaper once a week for 1 week(s)

beginning on the 7 day of January, 2013
 and ending on the 7 day of January, 2013

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the amount of the fee charged for each publication is \$165.60 at the rate of \$13.80 per column inch for each insertion. The sum total for all publications is \$165.60.

Julie Boselly

Julie Boselly

Subscribed and sworn to before me this 8th
 day of January, 2013.

Karin L. Hopper

Karin L. Hopper

Notary Public in and for the State of Washington.

Residing at Woodinville, Washington.

My Commission Expires: 2/28/2013

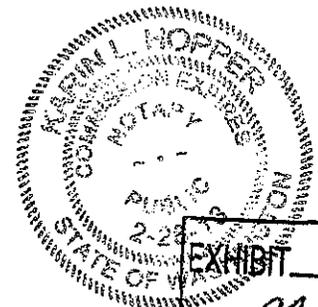


EXHIBIT 9
 PAGE 37 OF 37