

AGENDA

SPECIAL MEETING/STUDY SESSION

Call to Order (6:30 pm)

Public Comment

Approval of Agenda

Public Hearing (Continued from April 15)

1. Ordinance Second Reading: Amending The City Of Sammamish Comprehensive Plan Land Use Element, Figure III-2, For The Purpose Of Changing The Land Use Designations Associated With The Kaschko Property
2. Ordinance Second Reading: Amending The City Of Sammamish Zoning Map For The Purpose Of Rezoning 30.46 Acres Associated With The Kaschko Docketed Comprehensive Plan Amendment
3. Ordinance Second Reading: Amending The City Comprehensive Plan Land Use Element Including: Revising Land Use Policies And Figures III-2 And III-2a For The Designating Purpose Of Additional Potential Annexation Areas And Designating Contingent Land Uses Associated With Such Potential Annexation Areas
4. Ordinance Second Reading: Amending The City Zoning Map To Designate Contingent PAA Zoning

New Business

5. Contract: Public Works/Parks Maintenance Facility Design/TCF Architecture *(10 minutes)*

Adjourn Special Meeting

OPEN STUDY SESSION

- ◆ Evans Creek Preserve Preliminary Study Results *(10 minutes)*
- ◆ Report: City Insurance Services *(10 minutes)*
- ◆ Town Center Natural Systems and Parks, Recreation and Open Space Chapter *(60 minutes)*

CLOSE STUDY SESSION

Public Comments

Provides an opportunity for citizens to address the Council regarding any issue. Comments are limited to three minutes.

Consent Agenda

Agenda Bills and items listed below have been distributed to Council Members in advance for study and will be enacted by one motion.

If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Council Member.

Regular Agenda

Council may add or take action on other items not listed on this agenda.

Accommodations

The meeting room is wheelchair accessible American Disabilities Act (ADA) accommodations are available upon request. Please phone 425-836-7904 at least two (2) business days in advance.

Television Rebroadcasts

Daily at: 7:00 p.m.
1:00 a.m.
7:00 a.m.
1:00 p.m.

Meeting Materials

Council Meeting Agenda Packets are available on the City's website at: www.ci.sammamish.wa.us

Guidelines for Public Participation

PUBLIC COMMENTS

Purpose:

- Allow the public to address the City Council on subjects that are not scheduled for a Public Hearing at that particular meeting.
- This is not a question/answer session.

Procedures for Participation:

- When recognized, use the podium.
- State your:
 1. Name
 2. Address
 3. Relationship to city (e.g. resident, property owner, business owner, etc.
- Limit comments to three (3) minutes.
- Submit written comments to the City Clerk.

PUBLIC HEARINGS

Purpose:

- Allow the public to provide input/testimony to the City Council on a particular subject scheduled for public hearing.
- This is not a question/answer session.
- The Council will consider all testimony **AFTER** the public hearing is closed.

Procedures for Participation:

- When recognized, use the podium.
- State your:
 1. Name
 2. Address
 3. Relationship to city (e.g. resident, property owner, business owner, etc.
- Limit comments to three (3) minutes.
- Submit written comments to the City Clerk.



CITY COUNCIL AGENDA BILL

Subject: 2008 Comprehensive Plan Amendments
(PAA and Docket Components)

Meeting Date: April 21, 2008

Date Submitted: April 18, 2008

Originating Department: Community Development

Clearances:

Action Required: 2st Reading and Continued Public Hearing

City Manager

Police

Public Works

Fire

Building/Planning

Attorney

Exhibits:

Revised Ordinances,

Tab 1. Kaschko Land Use Ordinance and map

Tab 2. Kaschko Zoning Map Ordinance and map

Tab3. Option A: PAA Use Land Use Ordinance and land use map, proposed 3 PAA maps

Option B: PAA Land Use Ordinance and land use map, proposed 4 PAA maps (incl. Duthie Hill)

Tab 4. Option A: PAA Zoning Ordinance and map

Option B: PAA Zoning Ordinance and map (incl. Duthie Hill)

Tab 4. SEPA determination, DNS

Tab 4. Memorandum-Kaschko

Tab 4. Memorandum-council comment response

Tab 4. Public comments-property maps

Budgeted Amount: n/a

Summary Statement:

The following components of the proposed 2008 Comprehensive Plan amendments recommended by the Planning Commission as deliberated at their March 6th 2008 meeting are as follows:

- 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as “Mystic Lake”, “Camden Park Estates” and “Soaring Eagle Park” of which are contingent upon a King County Comprehensive Plan amendment to move the UGB, “Ravenhill” subdivision and “Rosemont at Timberline” subdivision and the area known as “The Outlook”;
- 2.) Establish comprehensive plan land use designations for existing and proposed PAA’s;
- 3.) Change comprehensive plan land use designations and zoning from R-1 to R-4 for 30.47 acres including parcels, 3425069012, 3425069060, 3425069075, 3425069076, 3425069080, 3425069079 associated with the Kaschko applicant generated docket request, and;
- 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city’s Comprehensive Plan depicting PAA’s and study areas.
- 5.) The Commission recommends that no action be taken at this time to designate Duthie Hill study area as a PAA.

New information for April 21st:

The council held the first reading and opened the public hearing on April 15, 2008. The ordinances have been revised to address a delayed effective date to coincide with the Town Center subarea plan adoption. Additionally, a second option (Option B) is being provided for each PAA-related ordinance to include the Duthie Hill “Notch”, and a staff recommended revision has been provided for the Kaschko docket request for council consideration. Staff comments are contained in two memoranda. Also included are property maps previously submitted through public comment.

Background:

Consistent with SMC 24.25.070, the Community Development Department solicited suggestions from the general public and city departments for potential amendments to the Sammamish Comprehensive Plan for the 2008 amendment cycle. The submittal window for 2008 comments ran from September 1 thru September 30, 2008. The submittal opportunity was advertised on the city webpage and in the citywide newsletter. The city received its first citizen proposed comprehensive plan amendments. Other amendments are in relation to the city’s annexation strategy study completed in November 2007.

Note: Sammamish’s 2008 Comprehensive Plan amendment also will include action on the Town Center sub-area plan. The public hearing for that is scheduled for May 20th, 2008.

Financial Impact: None.

Recommended Motion: 2st reading and continued public hearing.

DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2008 - ____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY OF SAMMAMISH COMPREHENSIVE PLAN LAND USE ELEMENT, FIGURE III-2, FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATIONS ASSOCIATED WITH THE KASCHKO PROPERTY

WHEREAS, the City Council adopted the City's Comprehensive Plan on September 16, 2003; and

WHEREAS, the Growth Management Act, RCW Chapter 36.70A, authorizes amendments or revisions of a comprehensive plan to be made annually; and

WHEREAS, the City Municipal Code, Chapter 24.25, allows site-specific land use map amendments to be initiated by a property owner for consideration in the annual Comprehensive Plan review cycle; and

WHEREAS, the City received a request from John Kaschko, in September 2006, that 30.46 acres of his property and other supportive property owners be considered for re-designation from R-1 to R-4 during the next Comprehensive Plan review cycle, and said request was docketed for consideration; and

WHEREAS, the subject property is located adjacent to the boundary of the City's Town Center sub-area plan, and the City Council directed that the requested comprehensive plan amendment be processed simultaneously with the Town Center plan schedule; and

WHEREAS, City staff analyzed the Kaschko docketed amendment and recommended approval of the requested re-designation in a staff report dated February 13, 2007; and

WHEREAS, amendments the Comprehensive Plan have been developed to implement the Kaschko request; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including a mailing to affected property owners on February 7, 2008 notifying them of a public hearing and the SEPA open public comment period; and

WHEREAS, the Planning Commission also considered the proposed amendments to the Sammamish Comprehensive Plan at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008 and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearing and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments to Sammamish Comprehensive Plan; and

WHEREAS, the City Council desires to re-designate the 30.46 acres identified in the Kaschko docketed comment from R-1 to R-4 and to adopt contingent land use designations for that area; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed Comprehensive Plan amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and,

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center subarea plan meeting in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Sammamish Comprehensive Plan Adopted. The revisions to the Sammamish Comprehensive Plan Land Use Element, Chapter III, Figure III-2, as set forth in Attachment "A" (maps) to this ordinance are hereby adopted.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center..

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____ 2008.

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

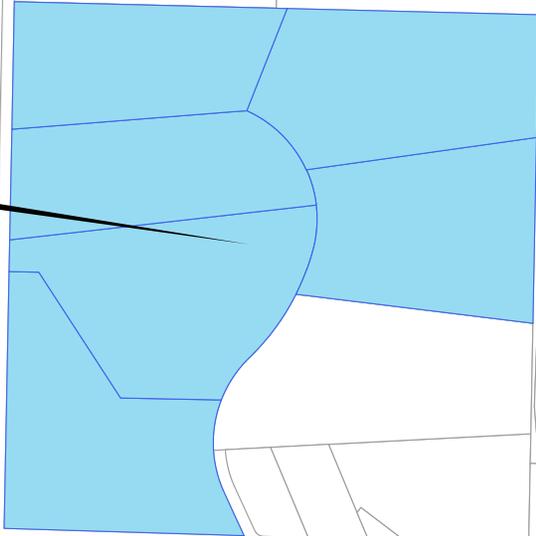
Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Public Hearing:
First Reading:
Passed by the City Council:
Date of Publication:
Effective Date:

Exhibit 2

John Kaschko, R-1 to R-4



Legend 2008 Comprehensive Plan Amendment

 John Kaschko Docket Request



CITY COUNCIL AGENDA BILL

Subject: 2008 Comprehensive Plan Amendments
(PAA and Docket Components)

Meeting Date: April 21, 2008

Date Submitted: April 18, 2008

Originating Department: Community Development

Clearances:

Action Required: 2st Reading and Continued Public Hearing

City Manager

Police

Public Works

Fire

Building/Planning

Attorney

Exhibits:

Revised Ordinances,

Tab 1. Kaschko Land Use Ordinance and map

Tab 2. Kaschko Zoning Map Ordinance and map

Tab3. Option A: PAA Use Land Use Ordinance and land use map, proposed 3 PAA maps

Option B: PAA Land Use Ordinance and land use map, proposed 4 PAA maps (incl. Duthie Hill)

Tab 4. Option A: PAA Zoning Ordinance and map

Option B: PAA Zoning Ordinance and map (incl. Duthie Hill)

Tab 4. SEPA determination, DNS

Tab 4. Memorandum-Kaschko

Tab 4. Memorandum-council comment response

Tab 4. Public comments-property maps

Budgeted Amount: n/a

Summary Statement:

The following components of the proposed 2008 Comprehensive Plan amendments recommended by the Planning Commission as deliberated at their March 6th 2008 meeting are as follows:

- 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as “Mystic Lake”, “Camden Park Estates” and “Soaring Eagle Park” of which are contingent upon a King County Comprehensive Plan amendment to move the UGB, “Ravenhill” subdivision and “Rosemont at Timberline” subdivision and the area known as “The Outlook”;
- 2.) Establish comprehensive plan land use designations for existing and proposed PAA’s;
- 3.) Change comprehensive plan land use designations and zoning from R-1 to R-4 for 30.47 acres including parcels, 3425069012, 3425069060, 3425069075, 3425069076, 3425069080, 3425069079 associated with the Kaschko applicant generated docket request, and;
- 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city’s Comprehensive Plan depicting PAA’s and study areas.
- 5.) The Commission recommends that no action be taken at this time to designate Duthie Hill study area as a PAA.

New information for April 21st:

The council held the first reading and opened the public hearing on April 15, 2008. The ordinances have been revised to address a delayed effective date to coincide with the Town Center subarea plan adoption. Additionally, a second option (Option B) is being provided for each PAA-related ordinance to include the Duthie Hill “Notch”, and a staff recommended revision has been provided for the Kaschko docket request for council consideration. Staff comments are contained in two memoranda. Also included are property maps previously submitted through public comment.

Background:

Consistent with SMC 24.25.070, the Community Development Department solicited suggestions from the general public and city departments for potential amendments to the Sammamish Comprehensive Plan for the 2008 amendment cycle. The submittal window for 2008 comments ran from September 1 thru September 30, 2008. The submittal opportunity was advertised on the city webpage and in the citywide newsletter. The city received its first citizen proposed comprehensive plan amendments. Other amendments are in relation to the city’s annexation strategy study completed in November 2007.

Note: Sammamish’s 2008 Comprehensive Plan amendment also will include action on the Town Center sub-area plan. The public hearing for that is scheduled for May 20th, 2008.

Financial Impact: None.

Recommended Motion: 2st reading and continued public hearing.

DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2008 - ____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON AMENDING THE CITY OF SAMMAMISH ZONING MAP FOR THE PURPOSE OF REZONING 30.46 ACRES ASSOCIATED WITH THE KASCHKO DOCKETED COMPREHENSIVE PLAN AMENDMENT

WHEREAS, the City Council adopted the City Zoning Map on December 2, 2003; and

WHEREAS, consistent with Chapter 24.25 and Chapter 20.05 of the Sammamish Municipal Code, an application for a site-specific land use map amendment may be accompanied by an application for a zone reclassification to implement the proposed amendment; and

WHEREAS, the City received a request from John Kaschko, in September 2006, that 30.46 acres of his property and other supportive property owners be considered for re-designation from R-1 to R-4 during the next Comprehensive Plan review cycle, and said request was docketed for consideration; and

WHEREAS, the subject property is located adjacent to the boundary of the City's Town Center sub-area plan, and the City Council has directed that the requested reclassification be processed simultaneously with the Town Center plan schedule; and

WHEREAS, City staff analyzed the Kaschko reclassification request and recommended approval in a staff report dated February 13, 2007; and

WHEREAS, the proposed zoning would implement and support the goals of the Comprehensive Plan and were found to be compatible with the adjacent existing and permitted land uses and the surrounding development pattern; and

WHEREAS, a revised zoning map has been developed to implement the comprehensive plan revisions; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed amendments was been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a

SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including a mailing to affected property owners on February 7, 2008 notifying them of a public hearing and the SEPA open public comment period; and

WHEREAS, the Planning Commission considered the proposed amendments at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008 and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearings and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments; and

WHEREAS, the City Council desires to reclassify the 30.46 acres identified in the Kaschko application from R-1 to R-4; and

WHEREAS, the City of Sammamish Comprehensive Plan GOAL TG-3: states, "Improve local circulation and emergency access throughout the community while addressing the importance of neighborhood quality and safety," and T)-3.1: states, "Circulation. To the greatest extent possible, a cohesive traffic circulation system should be established throughout the City."

WHEREAS, the reclassification shall be conditioned upon improvement and extension of 234th Avenue SE. and development consistent with the proposed rezone area shall include a through roadway from SE 8th to 232nd NE across parcel # 342506-9076 or as approved by the City Engineer. The specific location and design of the roadway will be subject to review and input from the City Engineer during site development application process, and be constructed as part of site development.

WHEREAS, the subject property contains wetlands, stream and a wildlife corridor which will need to be accommodated at a future development stage. Review of boundaries, impacts, and mitigation will be done as part of the development review process. City development regulations require accommodation of the wildlife corridor, including specific design requirements, which are located in SMC 21A.50.327. These include a 300-foot width where possible, with a 150-foot minimum width and a required management plan. The city has also adopted an updated critical areas code, providing for adequate wetland/stream buffers. A net density ordinance is also in effect within the city, that calculates the unit yield on a net area, subtracting critical areas, buffers, and streets; and,

WHEREAS, a master plan process for the proposal area as recommended by the Planning Commission does not appear necessary given requirements and procedures already in city code; and

WHEREAS, the City Council has considered the goals of the GMA as set forth in RCW 36.70A.020 and determined that the proposed zoning map amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and,

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center subarea plan meeting in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Zoning Map. The amendments to the City zoning map set forth in Attachment “A” (map) to this ordinance are hereby adopted.

Section 2. Conditions. The reclassification of properties identified in Section 1 (above) shall be conditioned upon improvement and extension of 234th Avenue SE. and development consistent with the proposed rezone area shall include a through roadway from SE 8th to 232nd NE across parcel # 342506-9076 or as approved by the City Engineer. The specific location and design of the roadway will be subject to review and input from the City Engineer during site development application process, and be constructed as part of site development.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center Plan.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____ 2008.

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

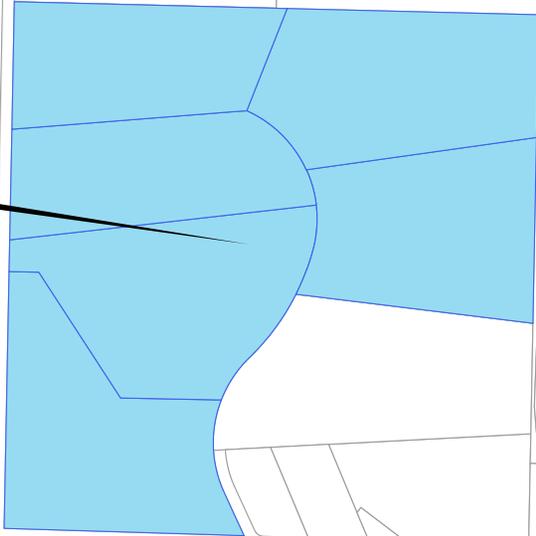
Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Public Hearing:
First Reading:
Public Hearing:
Passed by the City Council:
Date of Publication:
Effective Date:

John Kaschko, R-1 to R-4



Legend

2008 Zoning Map
Amendment

 John Kaschko Docket Request



CITY COUNCIL AGENDA BILL

Subject: 2008 Comprehensive Plan Amendments
(PAA and Docket Components)

Meeting Date: April 21, 2008

Date Submitted: April 18, 2008

Originating Department: Community Development

Clearances:

Action Required: 2st Reading and Continued Public Hearing

City Manager

Police

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Exhibits:

Revised Ordinances,

Tab 1. Kaschko Land Use Ordinance and map

Tab 2. Kaschko Zoning Map Ordinance and map

Tab3. Option A: PAA Use Land Use Ordinance and land use map, proposed 3 PAA maps

Option B: PAA Land Use Ordinance and land use map, proposed 4 PAA maps (incl. Duthie Hill)

Tab 4. Option A: PAA Zoning Ordinance and map

Option B: PAA Zoning Ordinance and map (incl. Duthie Hill)

Tab 4. SEPA determination, DNS

Tab 4. Memorandum-Kaschko

Tab 4. Memorandum-council comment response

Tab 4. Public comments-property maps

Budgeted Amount: n/a

Summary Statement:

The following components of the proposed 2008 Comprehensive Plan amendments recommended by the Planning Commission as deliberated at their March 6th 2008 meeting are as follows:

- 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as “Mystic Lake”, “Camden Park Estates” and “Soaring Eagle Park” of which are contingent upon a King County Comprehensive Plan amendment to move the UGB, “Ravenhill” subdivision and “Rosemont at Timberline” subdivision and the area known as “The Outlook”;
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- 3.) Change comprehensive plan land use designations and zoning from R-1 to R-4 for 30.47 acres including parcels, 3425069012, 3425069060, 3425069075, 3425069076, 3425069080, 3425069079 associated with the Kaschko applicant generated docket request, and;
- 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city’s Comprehensive Plan depicting PAA’s and study areas.
- 5.) The Commission recommends that no action be taken at this time to designate Duthie Hill study area as a PAA.

New information for April 21st:

The council held the first reading and opened the public hearing on April 15, 2008. The ordinances have been revised to address a delayed effective date to coincide with the Town Center subarea plan adoption. Additionally, a second option (Option B) is being provided for each PAA-related ordinance to include the Duthie Hill “Notch”, and a staff recommended revision has been provided for the Kaschko docket request for council consideration. Staff comments are contained in two memoranda. Also included are property maps previously submitted through public comment.

Background:

Consistent with SMC 24.25.070, the Community Development Department solicited suggestions from the general public and city departments for potential amendments to the Sammamish Comprehensive Plan for the 2008 amendment cycle. The submittal window for 2008 comments ran from September 1 thru September 30, 2008. The submittal opportunity was advertised on the city webpage and in the citywide newsletter. The city received its first citizen proposed comprehensive plan amendments. Other amendments are in relation to the city’s annexation strategy study completed in November 2007.

Note: Sammamish’s 2008 Comprehensive Plan amendment also will include action on the Town Center sub-area plan. The public hearing for that is scheduled for May 20th, 2008.

Financial Impact: None.

Recommended Motion: 2st reading and continued public hearing.

OPTION A

DRAFT CITY OF SAMMAMISH WASHINGTON

ORDINANCE NO. O2008 - ____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY COMPREHENSIVE PLAN LAND USE ELEMENT INCLUDING: REVISING LAND USE POLICIES AND FIGURES III-2 AND III-2A FOR THE PURPOSE OF DESIGNATING ADDITIONAL POTENTIAL ANNEXATION AREAS AND DESIGNATING CONTINGENT LAND USES ASSOCIATED WITH SUCH POTENTIAL ANNEXATION AREAS

WHEREAS, the City Council adopted the City's Comprehensive Plan on September 16, 2003; and

WHEREAS, the Growth Management Act (GMA), RCW Chapter 36.70A, authorizes amendments or revisions of a comprehensive plan to be made annually; and

WHEREAS, the City is required to plan under the Growth Management Act, goals set forth in RCW 36.70A.020 in order to guide the development of the Comprehensive Plan and the adoption of development regulations; and

WHEREAS, the Comprehensive Plan, Land Use Policy 16.7, states that the City should evaluate annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, and

WHEREAS, the City completed an Annexation Strategy Study in November 2007 that included recommendations for including certain land use designations; and

WHEREAS, amendments to the Comprehensive Plan have been developed to implement Annexation Strategy Study; and

WHEREAS, in the event that the proposed amendments are adopted, appropriate land use designations will have been prepared; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

OPTION A

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including affected property owners from the following areas: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007, Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007, Duthie Hill Road Study Area, August 6, 2007, 244th North and 244th South PAA, September 10, 2007; and the public process included presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; and

WHEREAS, the Planning Commission considered the proposed amendments at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008; and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearings and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments; and

WHEREAS, the City Council desires to designate all areas within the City's Urban Growth Boundary, as amended as potential annexation areas, and to adopt contingent land use designations for those areas; and

WHEREAS, the land use designations shall be contingent upon and take effect upon annexation to the City; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed Comprehensive Plan amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and

WHEREAS, the King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center sub-area plan in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

OPTION A

Section 1. Amendments to the Comprehensive Plan Adopted. The Sammamish Comprehensive Plan Land Use Element, Chapter III, is hereby amended as set forth in Attachment “A” (text and maps) to this ordinance. The land use designations shown in the map amendments shall be contingent upon and take effect upon annexation of the property the amendments affect to the City.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force after five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center Plan.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE ____ DAY OF _____ 2008.**

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

OPTION A

Filed with the City Clerk:

Public Hearing:

First Reading:

Public Hearing:

Passed by the City Council:

Date of Publication:

Effective Date:

OPTION A

~~LUP-16.7 The City should evaluate the annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, including but not limited to the following areas in unincorporated King County:~~

- ~~a. Property owned by the City of Sammamish abutting the current City limits, including, but not limited to, the Evans Creek Preserve,~~
- ~~b. Parcels between the UGB, north of Duthie Hill Road and just west of SE 25th Place, i.e., "the notch".~~
- ~~c. Property fronting NE 14th Street and 244th Avenue NE and surrounded by the city on three sides,~~
- ~~d. Property North of East Main Drive, accessed off NE 4th Place, with in Ravenhill Subdivision,~~
- ~~e. Two technical correction areas within the UGB located adjacent to NE 44th Street and Sahalee Way NE,~~
- ~~f. The Sammamish Plateau and/or the NE Sammamish Sewer and Water District service areas within the existing or expanded UGB. (Ord. 02006-199)~~

~~LUP-16.11 All unincorporated areas within the urban growth boundary of the City of Sammamish The Aldarra Farms and neighboring properties within the UGB or as amended are is designated as potential annexation areas. (Ord. 02006-199), (Ord. 02008-XXX)~~

~~LUP-16.12 The properties with the UGB east of 244th Avenue NE, between NE 80th Place and 245th Place NE are designated as a potential annexation area. (Ord. 02006-199)~~

Rosemont at Timberline, R-4-P to R-4

Outlook, R-4 to R-4

Trails at Camden Park, R-4-P to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

Mystic Lake, RA-10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

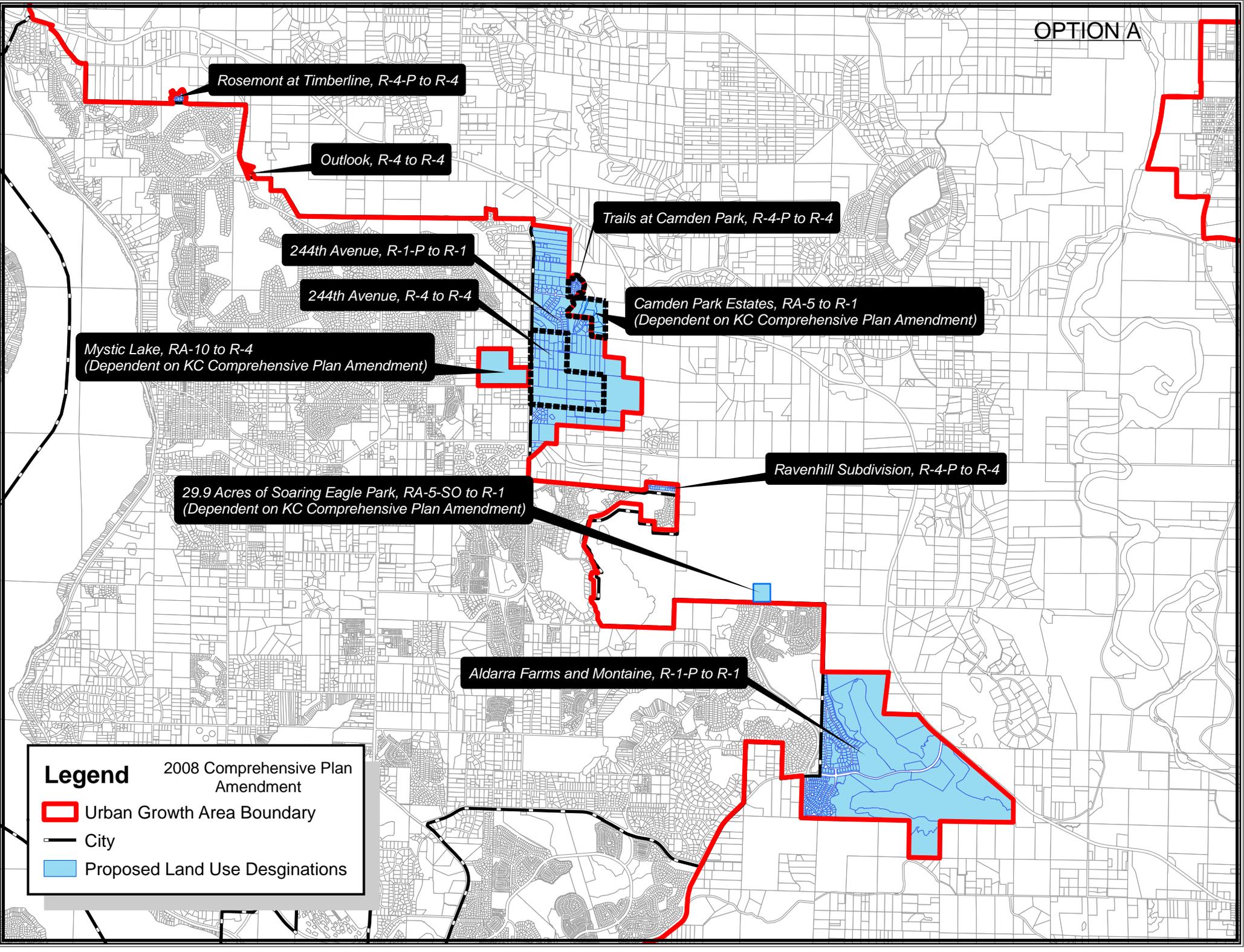
29.9 Acres of Soaring Eagle Park, RA-5-SO to R-1
(Dependent on KC Comprehensive Plan Amendment)

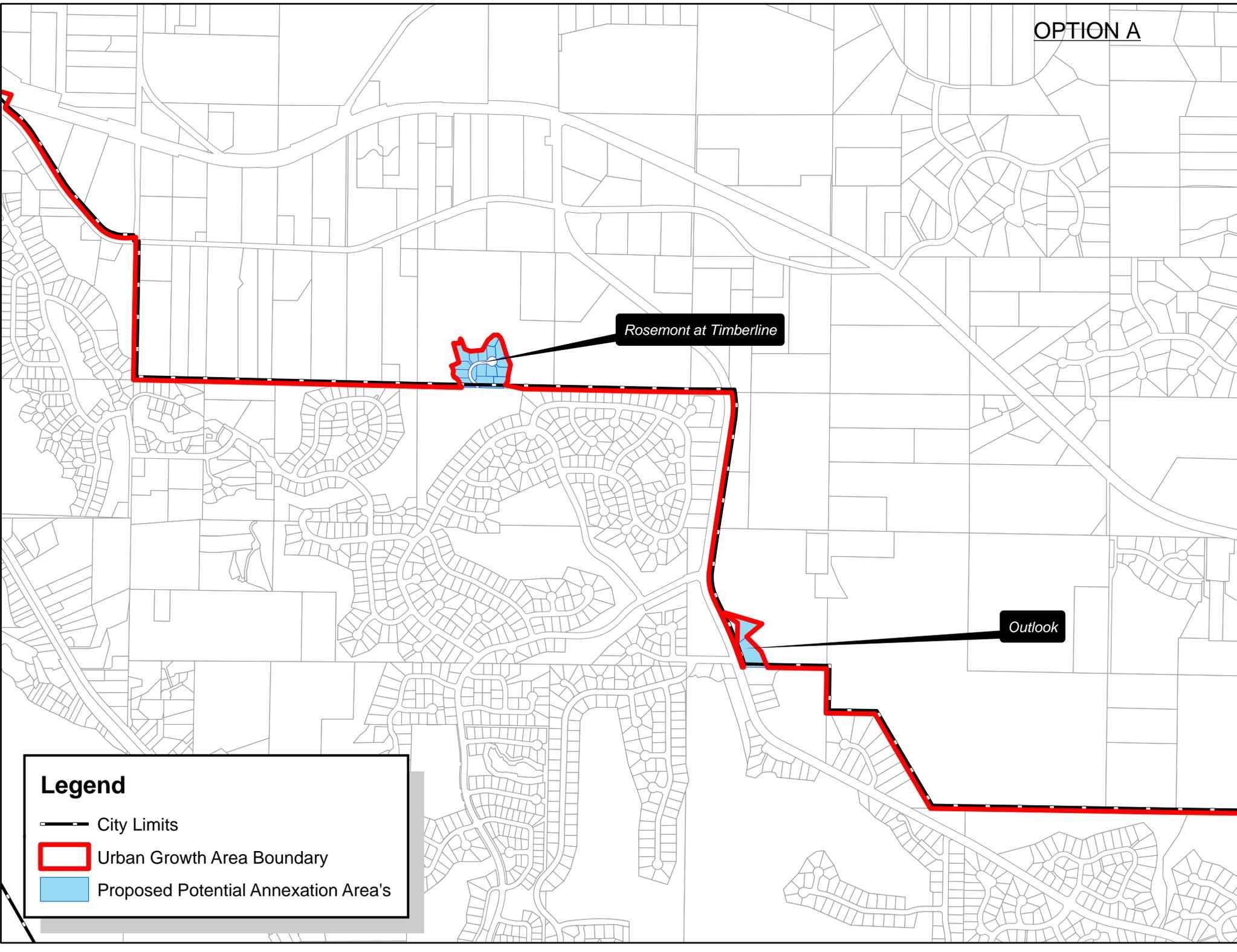
Ravenhill Subdivision, R-4-P to R-4

Aldarra Farms and Montaine, R-1-P to R-1

Legend 2008 Comprehensive Plan Amendment

- Urban Growth Area Boundary
- City
- Proposed Land Use Designations





Rosemont at Timberline

Outlook

Legend

- City Limits
- Urban Growth Area Boundary
- Proposed Potential Annexation Area's

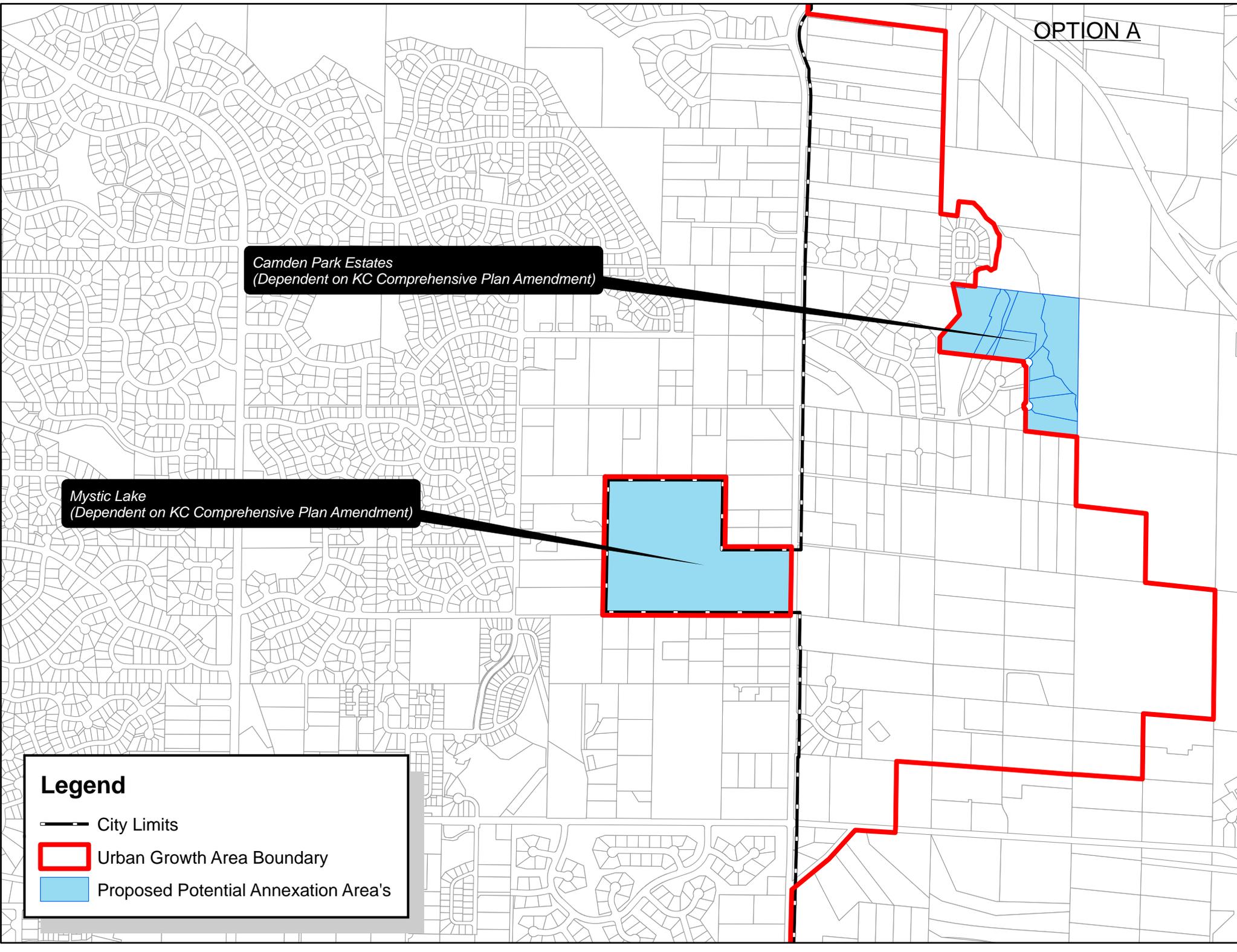
OPTION A

*Camden Park Estates
(Dependent on KC Comprehensive Plan Amendment)*

*Mystic Lake
(Dependent on KC Comprehensive Plan Amendment)*

Legend

-  City Limits
-  Urban Growth Area Boundary
-  Proposed Potential Annexation Area's

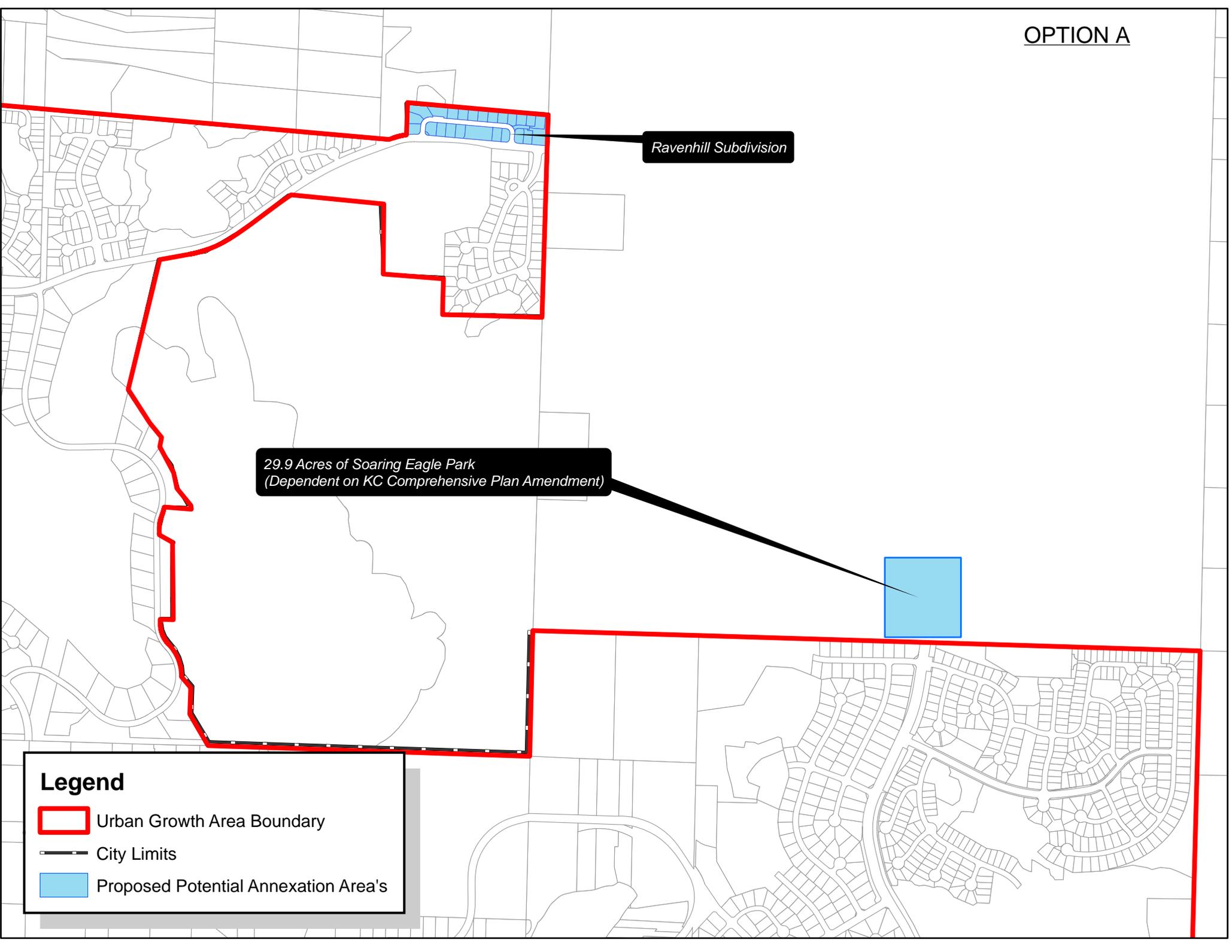


Ravenhill Subdivision

29.9 Acres of Soaring Eagle Park
(Dependent on KC Comprehensive Plan Amendment)

Legend

-  Urban Growth Area Boundary
-  City Limits
-  Proposed Potential Annexation Area's



OPTION B

DRAFT CITY OF SAMMAMISH WASHINGTON

ORDINANCE NO. O2008 - ____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY COMPREHENSIVE PLAN LAND USE ELEMENT INCLUDING: REVISING LAND USE POLICIES AND FIGURES III-2 AND III-2A FOR THE PURPOSE OF DESIGNATING ADDITIONAL POTENTIAL ANNEXATION AREAS AND DESIGNATING CONTINGENT LAND USES ASSOCIATED WITH SUCH POTENTIAL ANNEXATION AREAS

WHEREAS, the City Council adopted the City's Comprehensive Plan on September 16, 2003; and

WHEREAS, the Growth Management Act (GMA), RCW Chapter 36.70A, authorizes amendments or revisions of a comprehensive plan to be made annually; and

WHEREAS, the City is required to plan under the Growth Management Act, goals set forth in RCW 36.70A.020 in order to guide the development of the Comprehensive Plan and the adoption of development regulations; and

WHEREAS, the Comprehensive Plan, Land Use Policy 16.7, states that the City should evaluate annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, and

WHEREAS, the City completed an Annexation Strategy Study in November 2007 that included recommendations for including certain land use designations; and

WHEREAS, amendments to the Comprehensive Plan have been developed to implement Annexation Strategy Study; and

WHEREAS, in the event that the proposed amendments are adopted, appropriate land use designations will have been prepared; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

OPTION B

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including affected property owners from the following areas: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007, Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007, Duthie Hill Road Study Area, August 6, 2007, 244th North and 244th South PAA, September 10, 2007; and the public process included presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; and

WHEREAS, the Planning Commission considered the proposed amendments at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008; and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearings and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments; and

WHEREAS, the Duthie Hill "Notch" is surrounded on three sides by the city of Sammamish and on the fourth by Duthie Hill Road, an arterial serving urban areas, and urban services such as water, sewer, and emergency services are available; and

WHEREAS, the City Council desires to designate all areas within the City's Urban Growth Boundary, as amended as potential annexation areas, and to adopt contingent land use designations for those areas; and

WHEREAS, the land use designations shall be contingent upon and take effect upon annexation to the City; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed Comprehensive Plan amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and

WHEREAS, the King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center sub-area plan in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments; and

OPTION B

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Comprehensive Plan Adopted. The Sammamish Comprehensive Plan Land Use Element, Chapter III, is hereby amended as set forth in Attachment "A" (text and maps) to this ordinance. The land use designations shown in the map amendments shall be contingent upon and take effect upon annexation of the property the amendments affect to the City.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force after five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center Plan.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____ 2008.

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

OPTION B

Bruce L. Disend, City Attorney

Filed with the City Clerk:

Public Hearing:

First Reading:

Public Hearing:

Passed by the City Council:

Date of Publication:

Effective Date:

OPTION B

~~LUP-16.7 The City should evaluate the annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, including but not limited to the following areas in unincorporated King County:~~

- ~~a. Property owned by the City of Sammamish abutting the current City limits, including, but not limited to, the Evans Creek Preserve,~~
- ~~b. Parcels between the UGB, north of Duthie Hill Road and just west of SE 25th Place, i.e., "the notch".~~
- ~~c. Property fronting NE 14th Street and 244th Avenue NE and surrounded by the city on three sides,~~
- ~~d. Property North of East Main Drive, accessed off NE 4th Place, with in Ravenhill Subdivision,~~
- ~~e. Two technical correction areas within the UGB located adjacent to NE 44th Street and Sahalee Way NE,~~
- ~~f. The Sammamish Plateau and/or the NE Sammamish Sewer and Water District service areas within the existing or expanded UGB. (Ord. 02006-199)~~

~~LUP-16.11 All unincorporated areas within the urban growth boundary of the City of Sammamish The Aldarra Farms and neighboring properties within the UGB or as amended are is designated as potential annexation areas. (Ord. 02006-199), (Ord. 02008-XXX)~~

~~LUP-16.12 The properties with the UGB east of 244th Avenue NE, between NE 80th Place and 245th Place NE are designated as a potential annexation area. (Ord. 02006-199)~~

Rosemont at Timberline, R-4-P to R-4

Outlook, R-4 to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Mystic Lake, RA10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Trails at Camden Park, R-4-P to R-4
(Dependent on KC Comprehensive Plan Amendment)

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

29.9 Acres of Soaring Eagle Park, RA-5-SO to R-1
(Dependent on KC Comprehensive Plan Amendment)

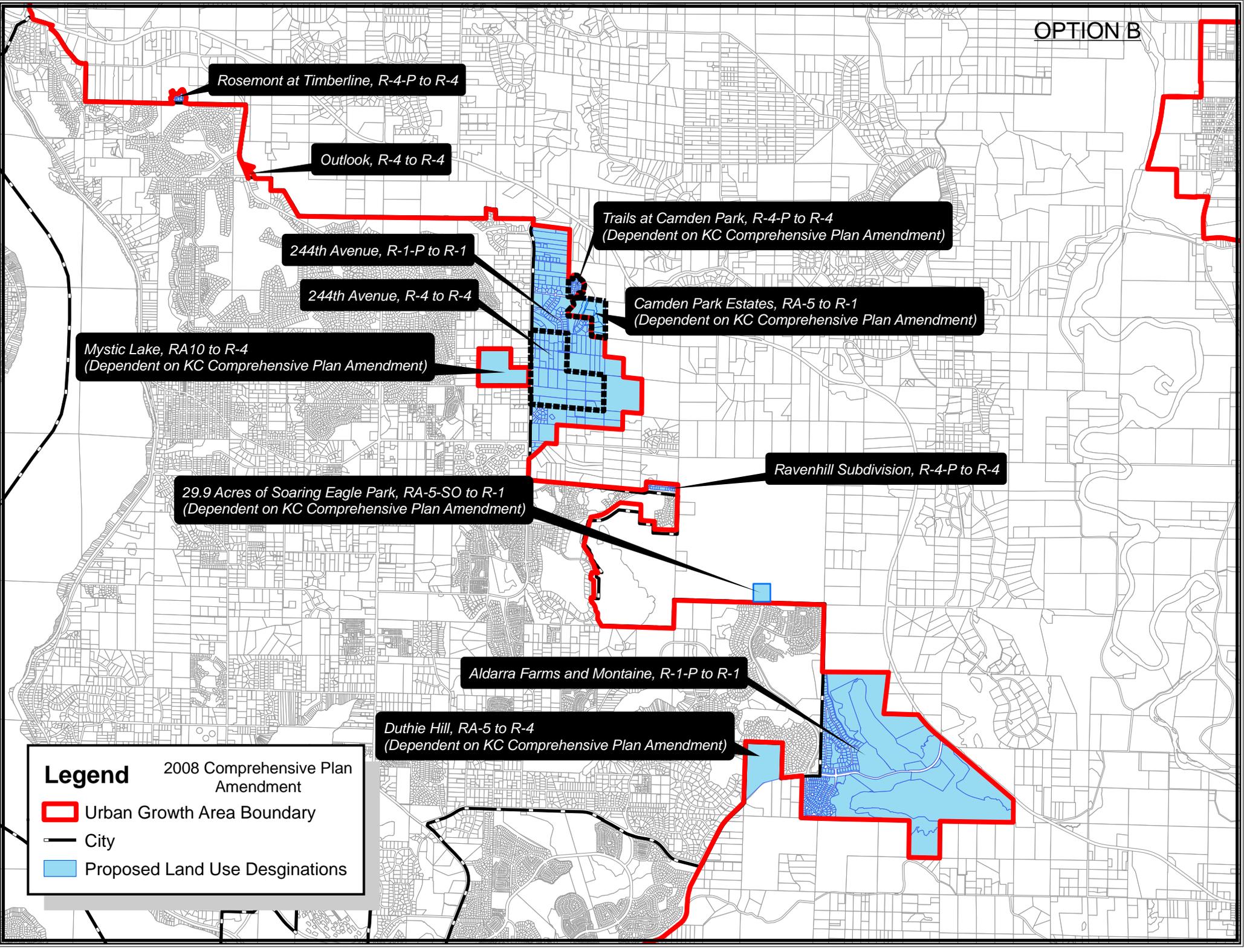
Ravenhill Subdivision, R-4-P to R-4

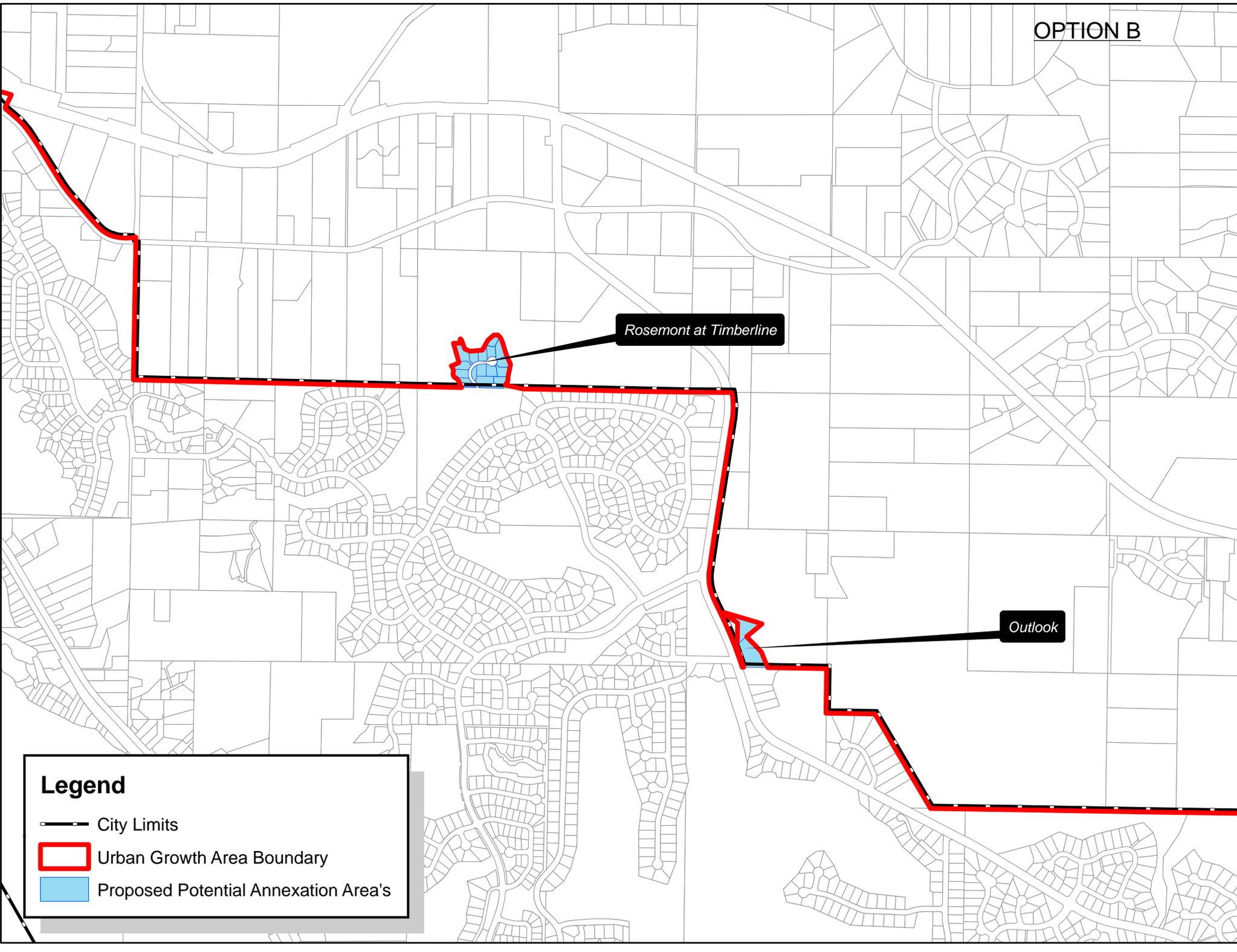
Aldarra Farms and Montaine, R-1-P to R-1

Duthie Hill, RA-5 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Legend 2008 Comprehensive Plan Amendment

- Urban Growth Area Boundary
- City
- Proposed Land Use Designations





Rosemont at Timberline

Outlook

Legend

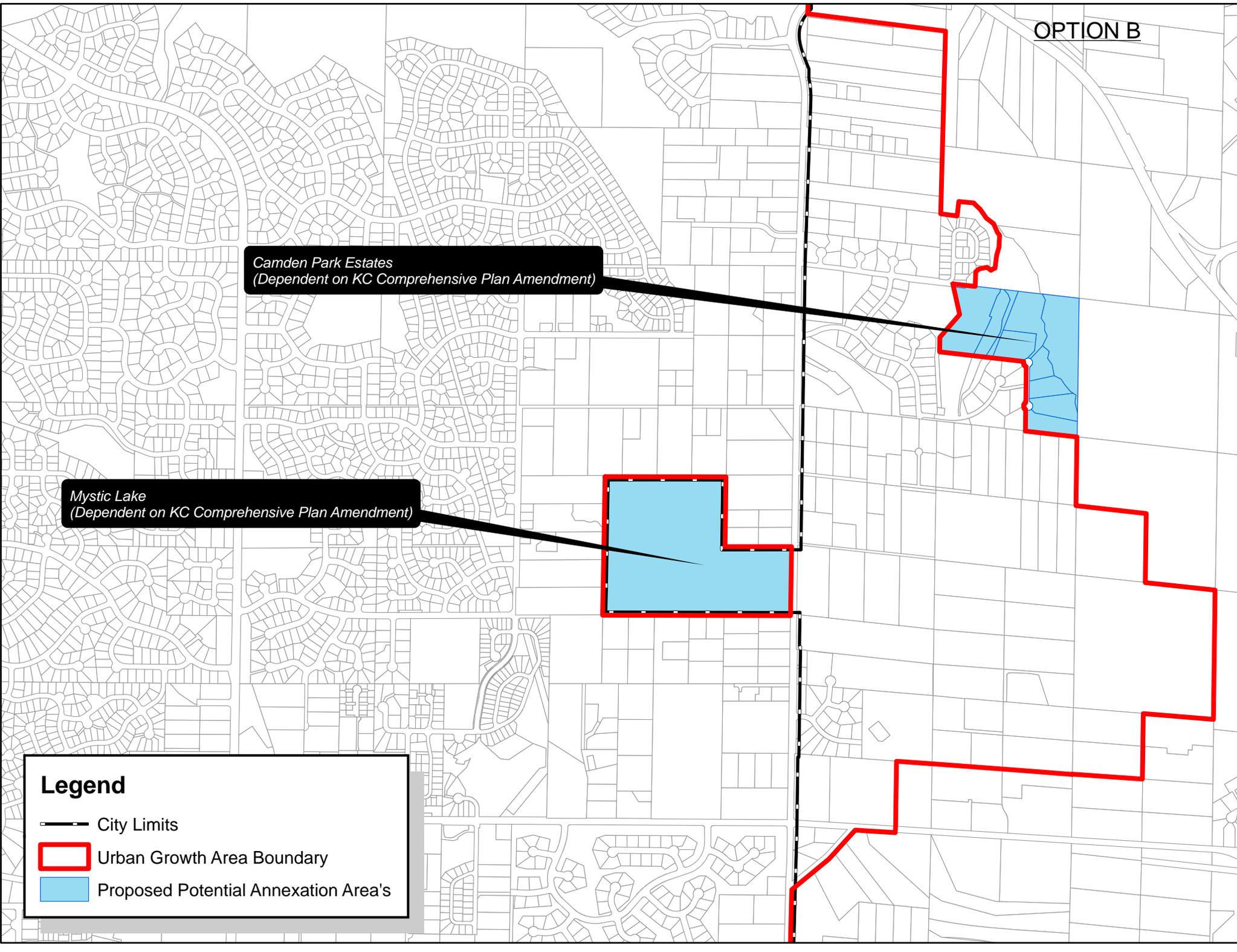
- City Limits
- Urban Growth Area Boundary
- Proposed Potential Annexation Area's

*Camden Park Estates
(Dependent on KC Comprehensive Plan Amendment)*

*Mystic Lake
(Dependent on KC Comprehensive Plan Amendment)*

Legend

- City Limits
- Urban Growth Area Boundary
- Proposed Potential Annexation Area's

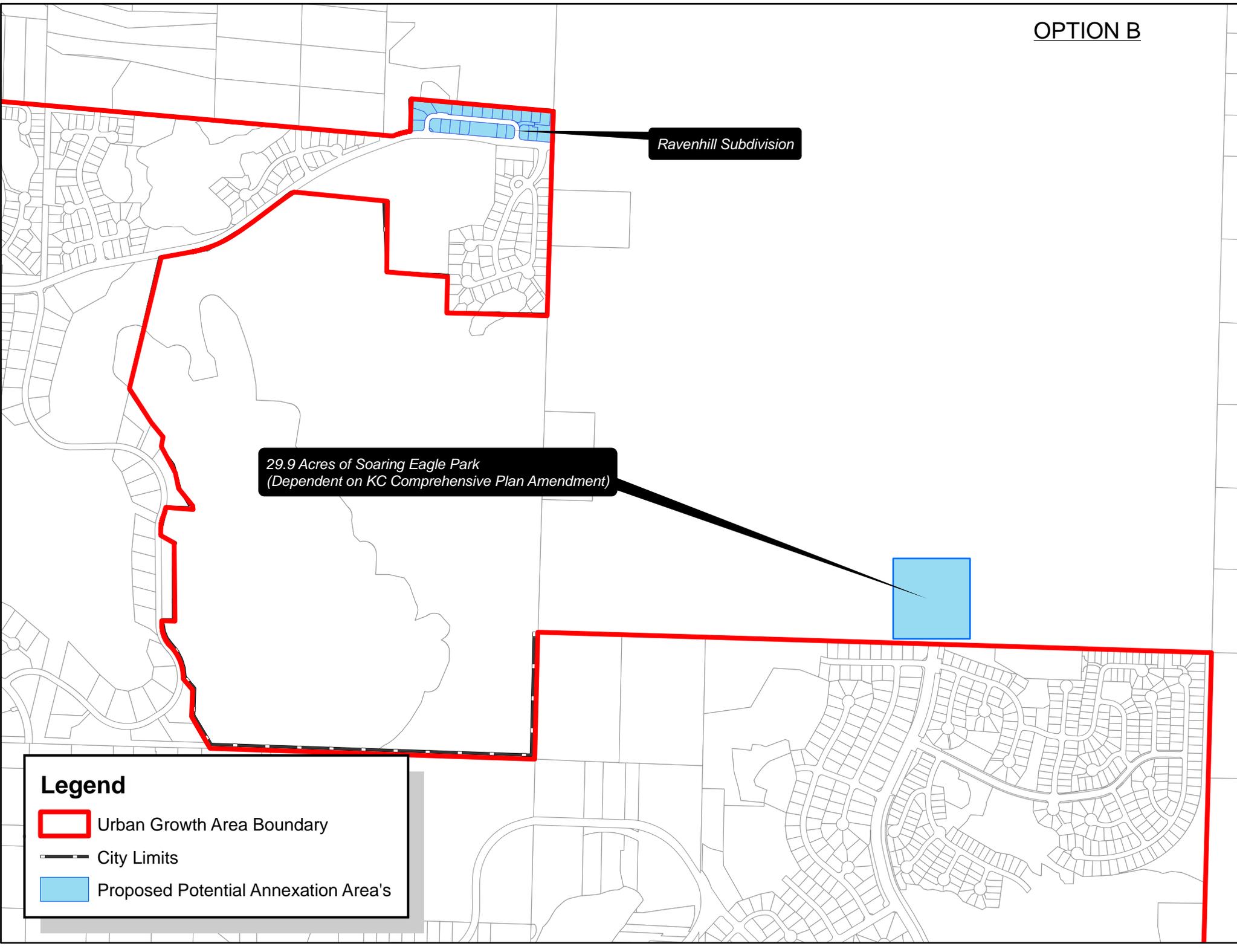


Ravenhill Subdivision

29.9 Acres of Soaring Eagle Park
(Dependent on KC Comprehensive Plan Amendment)

Legend

-  Urban Growth Area Boundary
-  City Limits
-  Proposed Potential Annexation Area's

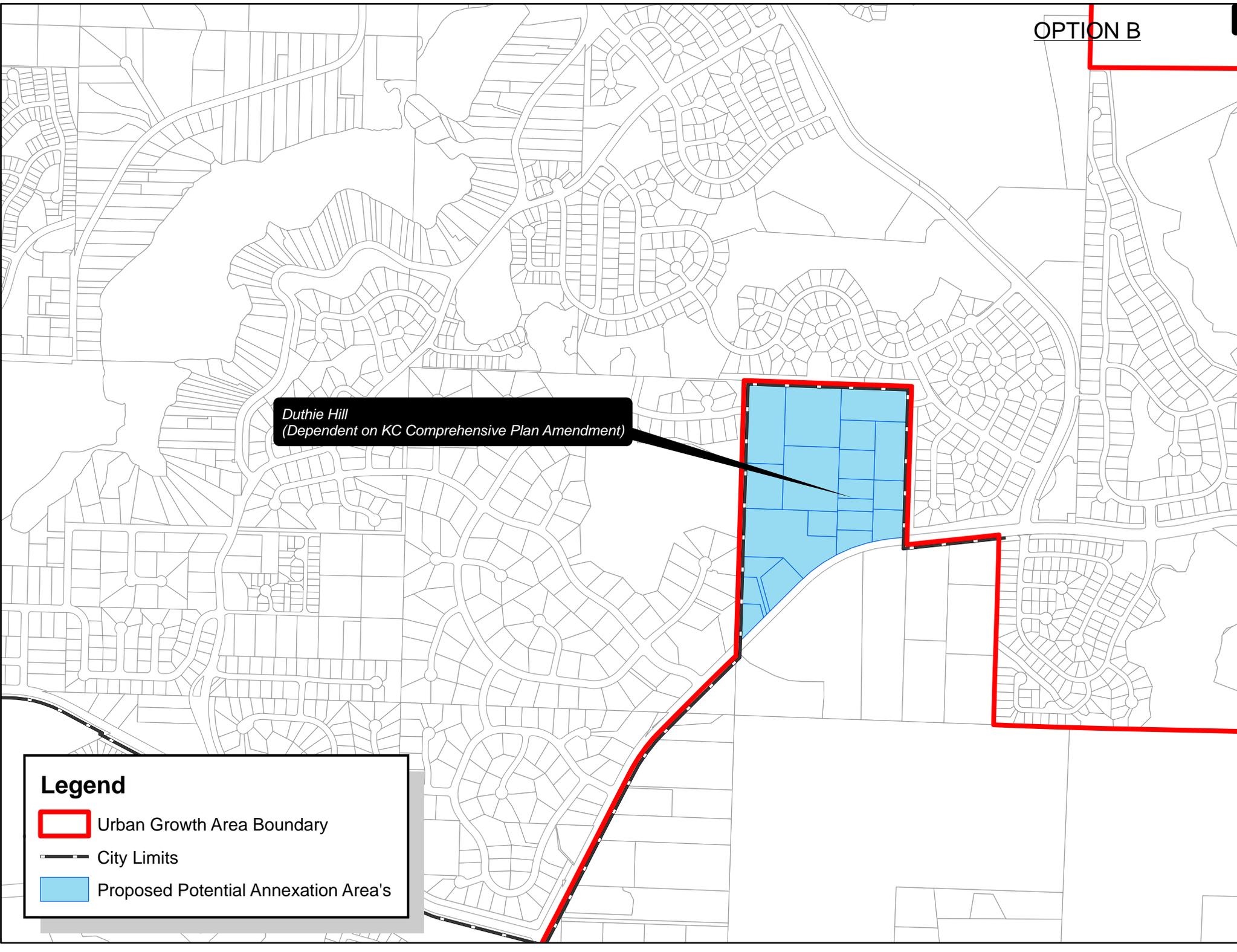


OPTION B

*Duthie Hill
(Dependent on KC Comprehensive Plan Amendment)*

Legend

-  Urban Growth Area Boundary
-  City Limits
-  Proposed Potential Annexation Area's





CITY COUNCIL AGENDA BILL

Subject: 2008 Comprehensive Plan Amendments
(PAA and Docket Components)

Meeting Date: April 21, 2008

Date Submitted: April 18, 2008

Originating Department: Community Development

Clearances:

Action Required: 2st Reading and Continued Public Hearing

<input checked="" type="checkbox"/> City Manager	<input type="checkbox"/> Police
<input type="checkbox"/> Public Works	<input type="checkbox"/> Fire
<input checked="" type="checkbox"/> Building/Planning	<input checked="" type="checkbox"/> Attorney

Exhibits:

Revised Ordinances,

Tab 1. Kaschko Land Use Ordinance and map

Tab 2. Kaschko Zoning Map Ordinance and map

Tab3. Option A: PAA Use Land Use Ordinance and land use map, proposed 3 PAA maps

Option B: PAA Land Use Ordinance and land use map, proposed 4 PAA maps (incl. Duthie Hill)

Tab 4. Option A: PAA Zoning Ordinance and map

Option B: PAA Zoning Ordinance and map (incl. Duthie Hill)

Tab 4. SEPA determination, DNS

Tab 4. Memorandum-Kaschko

Tab 4. Memorandum-council comment response

Tab 4. Public comments-property maps

Budgeted Amount: n/a

Summary Statement:

The following components of the proposed 2008 Comprehensive Plan amendments recommended by the Planning Commission as deliberated at their March 6th 2008 meeting are as follows:

- 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as “Mystic Lake”, “Camden Park Estates” and “Soaring Eagle Park” of which are contingent upon a King County Comprehensive Plan amendment to move the UGB, “Ravenhill” subdivision and “Rosemont at Timberline” subdivision and the area known as “The Outlook”;
- 2.) Establish comprehensive plan land use designations for existing and proposed PAA’s;
- 3.) Change comprehensive plan land use designations and zoning from R-1 to R-4 for 30.47 acres including parcels, 3425069012, 3425069060, 3425069075, 3425069076, 3425069080, 3425069079 associated with the Kaschko applicant generated docket request, and;
- 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city’s Comprehensive Plan depicting PAA’s and study areas.
- 5.) The Commission recommends that no action be taken at this time to designate Duthie Hill study area as a PAA.

New information for April 21st:

The council held the first reading and opened the public hearing on April 15, 2008. The ordinances have been revised to address a delayed effective date to coincide with the Town Center subarea plan adoption. Additionally, a second option (Option B) is being provided for each PAA-related ordinance to include the Duthie Hill “Notch”, and a staff recommended revision has been provided for the Kaschko docket request for council consideration. Staff comments are contained in two memoranda. Also included are property maps previously submitted through public comment.

Background:

Consistent with SMC 24.25.070, the Community Development Department solicited suggestions from the general public and city departments for potential amendments to the Sammamish Comprehensive Plan for the 2008 amendment cycle. The submittal window for 2008 comments ran from September 1 thru September 30, 2008. The submittal opportunity was advertised on the city webpage and in the citywide newsletter. The city received its first citizen proposed comprehensive plan amendments. Other amendments are in relation to the city’s annexation strategy study completed in November 2007.

Note: Sammamish’s 2008 Comprehensive Plan amendment also will include action on the Town Center sub-area plan. The public hearing for that is scheduled for May 20th, 2008.

Financial Impact: None.

Recommended Motion: 2st reading and continued public hearing.

OPTION A

DRAFT CITY OF SAMMAMISH WASHINGTON

ORDINANCE NO. O2008 - ____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY ZONING MAP TO DESIGNATE CONTINGENT PAA ZONING

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003; and

WHEREAS, the Sammamish Municipal Code authorizes amendments or revisions associated with a city comprehensive plan amendment; and

WHEREAS, City Comprehensive Plan Land Use Policy 16.10 states that the City should ensure that newly annexed lands are zoned in accordance with the Sammamish Comprehensive Plan Land Use Map and policies; and

WHEREAS, the City completed a feasibility study entitled the “Annexation Strategy Study” as of November 2007 which included specific recommendations for amendments to the City’s Comprehensive Plan and zoning map; and

WHEREAS, the City has adopted comprehensive plan land use designations for all the areas studied; and

WHEREAS, the zoning that has been proposed would implement and support the goals of the City’s Comprehensive Plan, and the City Council has found the zoning to be compatible with adjacent, existing and permitted land uses and the surrounding development pattern; and

WHEREAS, a revised zoning map has been developed to implement the Comprehensive Plan revisions; and

WHEREAS, in the event that the City Council adopts the revised zoning map and subsequently approves an annexation request, appropriate zoning will be in place; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments was conducted in accordance with the requirements of the State Environmental Policy Act

OPTION A

(SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including affected property owners from the following areas and on the following dates: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007; Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007; Duthie Hill Road Study Area, August 6, 2007; 244th North and 244th South PAA, September 10, 2007; and presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; and

WHEREAS, the Planning Commission considered the proposed amendments at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008 and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearings and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments; and

WHEREAS, the City Council desires to designate zoning for all the potential annexation areas within the City's Urban Growth Boundary, as amended; and

WHEREAS, the proposed zoning changes, if adopted, shall be contingent upon and take effect upon annexation to the City; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and

WHEREAS, the King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center sub-area plan in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments; and

OPTION A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Zoning Map. The zoning map amendments set forth in Attachment "A" (map) to this ordinance are hereby adopted. The map amendments shall be contingent upon and take effect upon annexation of the property affected by the amendments to the City.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force after five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center Plan.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ___ DAY OF _____ 2008.

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

OPTION A

Filed with the City Clerk:
Public Hearing:
First Reading:
Public Hearing:
Passed by the City Council:
Date of Publication:
Effective Date:

Rosemont at Timberline, R-4-P to R-4

Outlook, R-4 to R-4

Trails at Camden Park, R-4-P to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

Mystic Lake, RA-10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

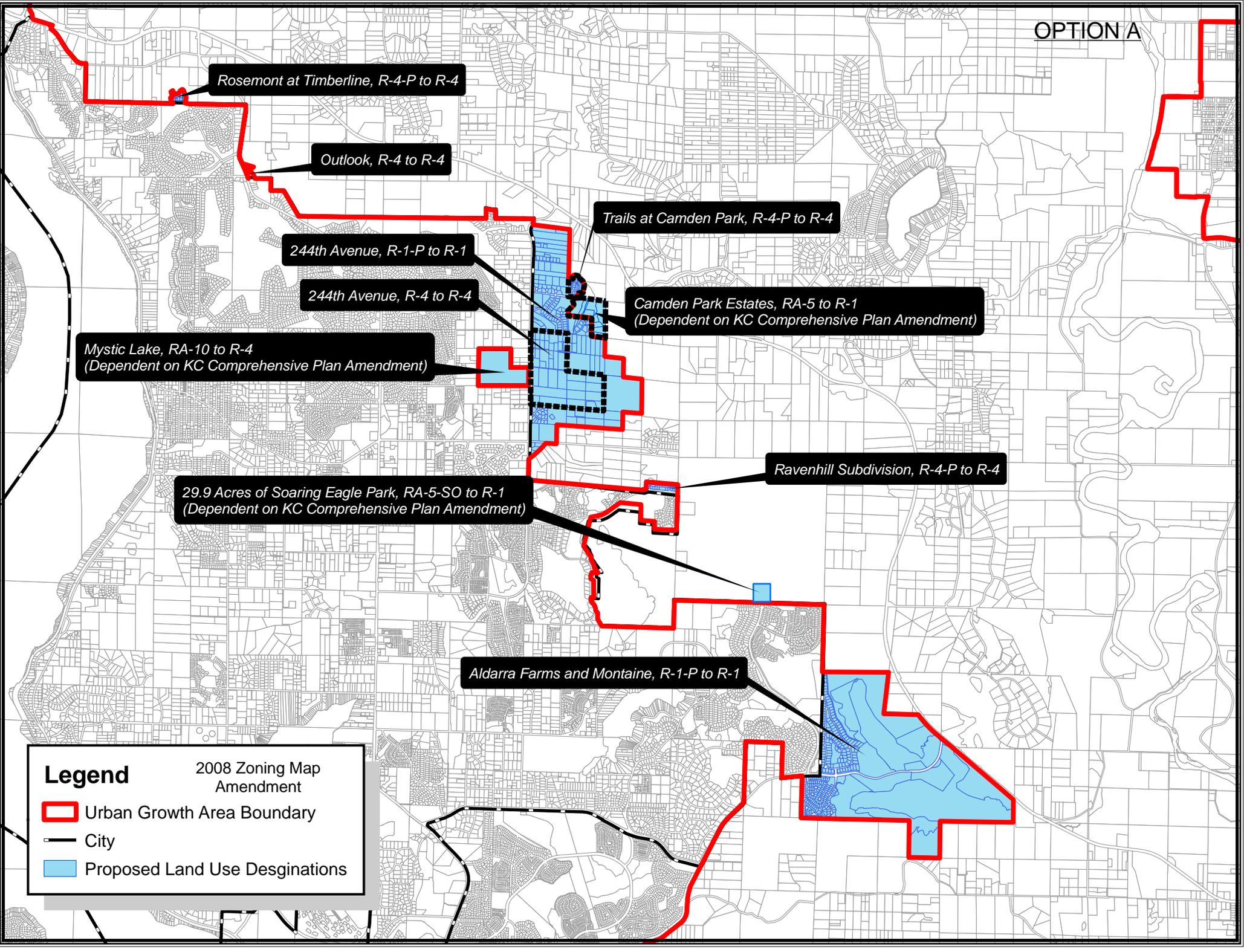
29.9 Acres of Soaring Eagle Park, RA-5-SO to R-1
(Dependent on KC Comprehensive Plan Amendment)

Ravenhill Subdivision, R-4-P to R-4

Aldarra Farms and Montaine, R-1-P to R-1

Legend 2008 Zoning Map Amendment

- Urban Growth Area Boundary
- City
- Proposed Land Use Designations



OPTION B

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. 02008 - ____**

**AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING
THE CITY ZONING MAP TO DESIGNATE CONTINGENT PAA ZONING**

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003; and

WHEREAS, the Sammamish Municipal Code authorizes amendments or revisions associated with a city comprehensive plan amendment; and

WHEREAS, City Comprehensive Plan Land Use Policy 16.10 states that the City should ensure that newly annexed lands are zoned in accordance with the Sammamish Comprehensive Plan Land Use Map and policies; and

WHEREAS, the City completed a feasibility study entitled the “Annexation Strategy Study” as of November 2007 which included specific recommendations for amendments to the City’s Comprehensive Plan and zoning map; and

WHEREAS, the City has adopted comprehensive plan land use designations for all the areas studied; and

WHEREAS, the zoning that has been proposed would implement and support the goals of the City’s Comprehensive Plan, and the City Council has found the zoning to be compatible with adjacent, existing and permitted land uses and the surrounding development pattern; and

WHEREAS, a revised zoning map has been developed to implement the Comprehensive Plan revisions; and

WHEREAS, in the event that the City Council adopts the revised zoning map and subsequently approves an annexation request, appropriate zoning will be in place; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments was conducted in accordance with the requirements of the State Environmental Policy Act

OPTION B

(SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including affected property owners from the following areas and on the following dates: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007; Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007; Duthie Hill Road Study Area, August 6, 2007; 244th North and 244th South PAA, September 10, 2007; and presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; and

WHEREAS, the Planning Commission considered the proposed amendments at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008 and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearings and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommended amendments; and

WHEREAS, the City Council desires to designate zoning for all the potential annexation areas within the City's Urban Growth Boundary, as amended; and

WHEREAS, the proposed zoning changes, if adopted, shall be contingent upon and take effect upon annexation to the City; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and

WHEREAS, the King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center sub-area plan in order to be consistent with the requirements of RCW 36.70.A.130 for consideration of cumulative impacts related to comprehensive plan amendments; and

OPTION B

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Zoning Map. The zoning map amendments set forth in Attachment "A" (map) to this ordinance are hereby adopted. The map amendments shall be contingent upon and take effect upon annexation of the property affected by the amendments to the City.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force after five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center Plan.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ___ DAY OF _____ 2008.

CITY OF SAMMAMISH

Mayor Lee Felling

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

OPTION B

Filed with the City Clerk:
Public Hearing:
First Reading:
Public Hearing:
Passed by the City Council:
Date of Publication:
Effective Date:

Rosemont at Timberline, R-4-P to R-4

Outlook, R-4 to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Mystic Lake, RA10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Trails at Camden Park, R-4-P to R-4
(Dependent on KC Comprehensive Plan Amendment)

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

29.9 Acres of Soaring Eagle Park, RA-5-SO to R-1
(Dependent on KC Comprehensive Plan Amendment)

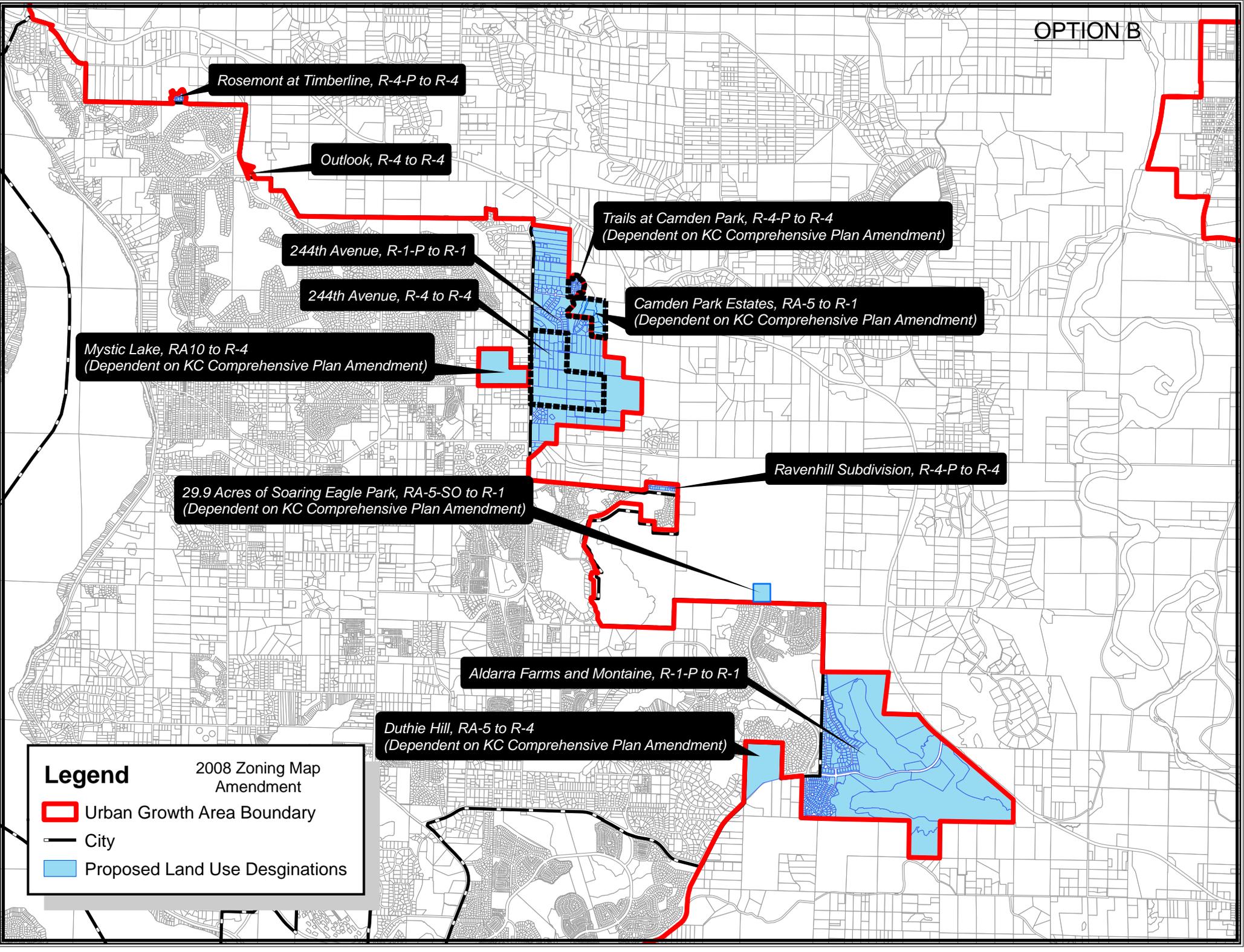
Ravenhill Subdivision, R-4-P to R-4

Aldarra Farms and Montaine, R-1-P to R-1

Duthie Hill, RA-5 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Legend 2008 Zoning Map Amendment

- Urban Growth Area Boundary
- City
- Proposed Land Use Designations





Determination of Non-Significance (DNS) and Adoption of Existing Environmental Documents

Description of proposal: Adoption of 2008 Comprehensive Plan Amendments

The city's Comprehensive Plan, is proposed to be amended as follows 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as "Mystic Lake", "Camden Park Estates", "Duthie Hill" and "Soaring Eagle Park" all of which are dependent on a King County Comprehensive Plan Amendment, and for the existing subdivisions, "Ravenhill" and "Rosemont at Timberline" and the area known as "The Outlook" all of which are within the urban growth area boundary 2.) Establish comprehensive plan land use designations for the PAA's established by the city in 2006 and for the above described proposed PAA's, 3). Change comprehensive plan land use designations and zoning from R-1 to R-4 for 40 acres, including the parcels, i.e., (3425069076, 3425069075, 3425069060, 3425069012, 3425069080, 3425069079, 3425069078, 3425069077, 3425069104, 3425069103 3425069102) associated with the Kaschko applicant generated docket request, and; 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city's Comprehensive Plan depicting PAA's and study areas.

Proponent: City of Sammamish, Community Development Department

Location of proposal: The city limits of Sammamish

Lead agency: City of Sammamish, Community Development Department

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.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 21 days from the date below. Comments must be submitted in writing and received by the deadline described below.

Titles, Agency, Adoption Dates and Descriptions of documents being adopted:

Documents: Draft and Final Supplemental Environmental Impact Statements for the City of Sammamish Comprehensive Plan. The City of Draft and Final Sammamish Final Environmental Impact Statements Town Center Sub-Area Plan. **Lead Agency:** City of Sammamish Community Development Department. **Publication Dates:** February 18, 2003 and September 5, 2003 and October 2, 2007. **Descriptions:** These documents describe, on a programmatic level, the natural and built environmental features, functions, and values located in the City of Sammamish, and the impacts associated with the adoption of the Sammamish Comprehensive Plan and the Town Center Plan, including those impacts on the natural and built environment.

If the documents being adopted have been challenged (WAC 197-11-630), please describe:

N/A

The documents are available to be read at:

City of Sammamish, Community Development Department
801-228th Ave SE
Sammamish, WA 98075
425-295-0500
website: <http://www.ci.sammamish.wa.us/ComprehensivePlan>

We have identified and adopted these documents as being appropriate for this proposal after independent review. In addition to the information in the SEPA environmental checklists including the supplemental sheet for non-project actions; the documents listed above will help meet the environmental review needs for the current proposal and will accompany the proposal to the decision maker.

Agency adopting the documents: Community Development Department

Date of issuance: February 7, 2008

Responsible official:
Kamuron Gurol, Director
801-228th Ave SE
Sammamish, WA 98075
425-295-0520

Contact person:
Emily Arteche, Senior Planner
801-228th Ave SE
Sammamish, WA 98075
425-295-0522

2/6/08

Date

Signature

You may comment on this determination. Send comments to:

SEPA Responsible Official
City of Sammamish, Community Development Department
801-228th Ave SE, Sammamish, WA 98074

Deadline: Comments must be received at the address above by February 27, 2008 at 5pm per SMC 20.15.070. This is a programmatic SEPA decision therefore no administrative appeal is provided.



Memorandum

Date: April 17, 2008
To: City Council
From: Kamuron Gurol, Community Development Director
Michael Matthias, Town Center Project Manager
Re: Kaschko Docket Request – Comp Plan Amendment

Summary

This memo addresses consideration of the Kaschko Docket Item during Planning Commission review. Attached is a draft ordinance based on recommendations by staff.

Analysis

The Planning Commission, upon review of the Kaschko Docket Request recommended approval of this rezone from R-1 to R-4 subject to two conditions. The first condition was also recommended by staff and is incorporated into the draft ordinance. This condition states:

The reclassification shall be conditioned upon improvement and extension of 234th Avenue SE. and development consistent with the proposed rezone area shall include a through roadway from SE 8th to 232nd NE across parcel # 342506-9076 or as approved by the City Engineer. The specific location and design of the roadway will be subject to review and input from the City Engineer during site development application process, and be constructed as part of site development.

Another issue that was discussed had to do with the existence of a wildlife corridor that traverses the eastern portion of the subject property. The Planning Commission, expressing concern for the impact of development upon this wildlife corridor also recommended a condition be placed upon the rezone that would require a master plan development. That condition was stated as:

The rezoned area must be developed through a master plan process.

Staff believes that there are certain problems associated with this condition and proposes alternative protections as described below. First, and as Mr. Kaschko has pointed out in a letter submitted to the City during the April 15, 2008 Public Hearing [Exhibit #1], the City does not have a definition in the Development Code for a “master plan process.” Although it has been included in the Town Center Plan that “master planning” would be a development requirement, that development requirement would only be applied to mixed-use development involving

commercial and residential in the mixed-use areas (with possibly some limited application to the “B” zones that are designated as multi-family residential, when integrated into an “A” zone, mixed-use project)

Additionally, the City does not require “master planning” for other R-4 zoned areas and development within those zones.

The intent of the Planning Commission, to protect and insure the integrity of the wildlife corridor is certainly an important concern that needs to be addressed. In a March 3, 2008 communication to the Planning Commission on this issue, Susan Cezar, Deputy Director, Community Development provided the following information:

This area is currently within the city, and is zoned R-1. Previous zoning under King County included a “P” condition, ES-P20 described above. The Kaschko property contains wetlands, stream and a wildlife corridor which will need to be accommodated at a future development stage. Review of boundaries, impacts, and mitigation will be done as part of the development review process.

The conditions contained in ES-P20 are similar to provisions in the city code. City development regulations require accommodation of the wildlife corridor, including specific design requirements, which are located in SMC 21A.50.327. These include a 300-foot width where possible, with a 150-foot minimum width and a required management plan. The city has also adopted an updated critical areas code, providing for adequate wetland/stream buffers. A net density ordinance is also in effect within the city, that calculates the unit yield on a net area, subtracting critical areas, buffers, and streets.

Staff believes that sufficient protections already exist regarding wildlife corridors. At some point, it is planned to provide a comprehensive review of City wildlife corridors. Staff also has concerns about imposing a condition that is without a definition in the Development Code and the complications that could arise from that.

Sammamish City Council
Public Hearing
April 15, 2008

John Kaschko
629 234th Ave SE
Sammamish, WA

In my comments related to our zoning request last week, I referenced the neighboring areas, the City staff recommendation, the benefits of the road connection as shown in the Town Center Plan, the master plan condition recommended by the Planning Commission, the pragmatic problems of that condition, the lack of any detail about master plans in the City Code, and the questionable legality of that condition. I also asked you to note the topography of our area on your field trip of last Friday.

I did neglect to make one additional point last week in regards to the Planning Commission review. During discussion, chair Erica Taliacos stated "We are requiring master plans throughout the Town Center so I don't think it's a big deal to require a master plan for this particular area....." Other Commission members seemed to agree. To state the obvious, our area is not located in the Town Center area. We will not benefit from land use policies within Town Center, such as the 800 DU available for incentives, nor can policies for Town Center be arbitrarily chosen and applied to our area. Our area is administered by the Sammamish Municipal Code.

Tonight I want to show you why a master plan requirement does not fit the topography, is a barrier and just plain doesn't make sense. This diagram represents the 40 acres in our area. Red outlines the properties in the application, the fat black line is the road you drove down and the green areas approximate the wetlands and buffers in the area. On the left is wetland 1511 which is also part of Town Center, and on the right is the Georgia Davis creek wetland which extends north into the Eastside Catholic property. The wetland and buffers divide this 40 acres into 3 distinct areas, represented by A-B-C.

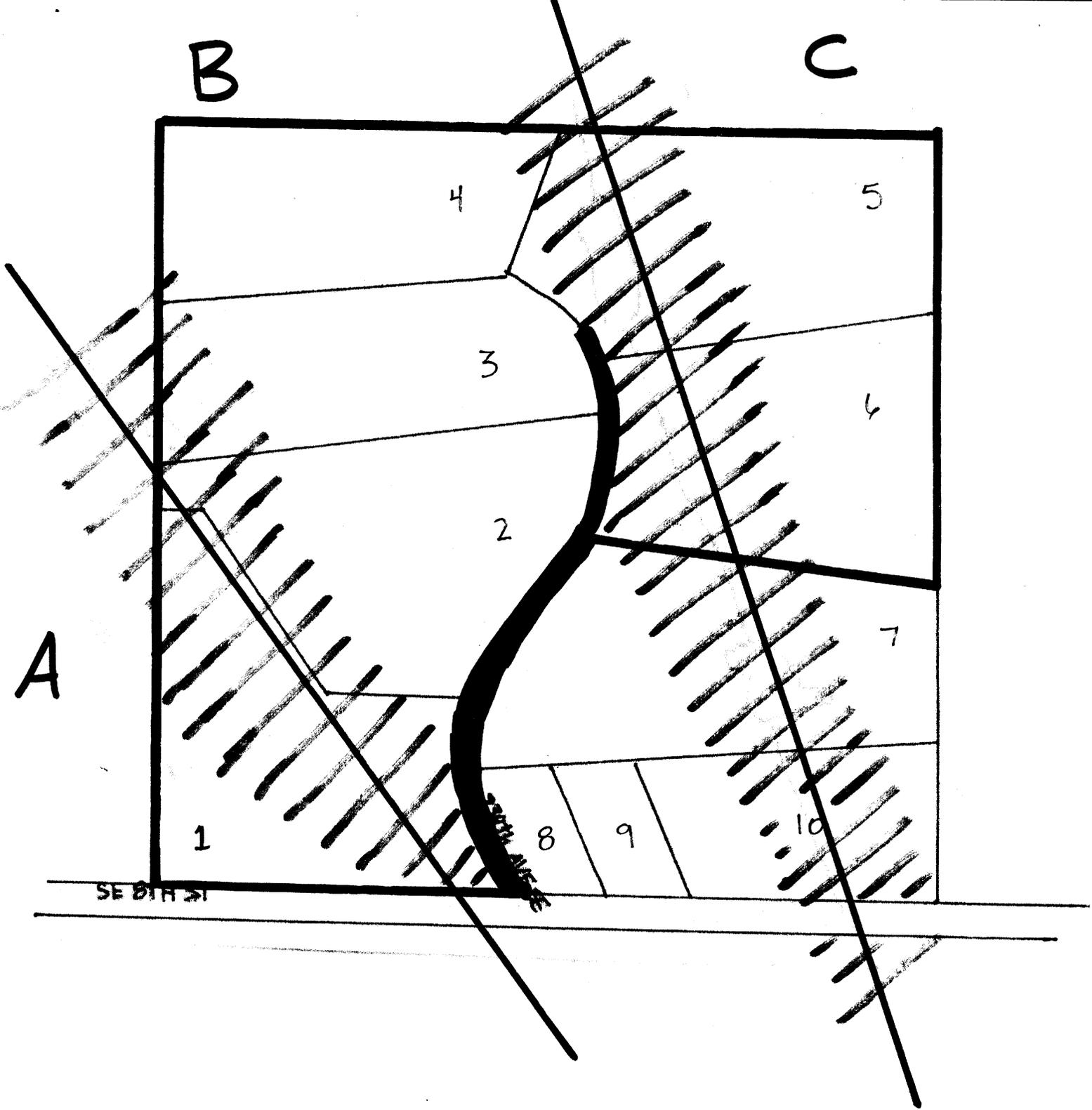
You will notice that area A is part of lot 1 only. This is the Kim property and the vast majority of usable land is in the SW corner adjacent to Town Center. Area B contains the Kaschko/Forg parcels plus areas not included in the zoning application. Area C is the Fivash properties and some of lot 7.

For area A, with the usable land next to Town Center and the new 232nd, it makes sense for that area to be planned and coordinated with the properties to the west, within Town Center, not with areas B and C. With area C, the usable land is across Georgia Davis Creek and the wildlife corridor and is quite separate and distinct from the other areas. Consequently, access to this area is a significant challenge and, because it is distinct, there is no advantage to requiring this area be master planned with area A or B. Based on what I am aware of, development rights in this area would be best utilized through a Transfer of Development Rights process. For area B, another distinct area, requiring a master plan that would include areas A and C presents an onerous challenge without any

significant benefit. With the stipulation of a road completion, economics already dictate that properties 2-3-4 be developed together.

One final thought for your consideration, I'm going to use an analogy for this. "Good news Mr. Gullible! We've approved your mortgage loan. Now, there is a condition that you'll need to make payments at some point and at some interest rate, but we don't have any details on that. There will be an official legal document recorded about this, but don't worry about it, it's not a big deal." The Planning Commission is asking you to be the mortgage lender in this analogy and put a legally binding condition on our properties with no details on that condition. Would you say OK to that? We are requesting you consider all this information and choose differently.

Thank you and I would be happy to answer any questions you might have.





PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

Declaration

We, the undersigned, being the owners, and/or registered voters residing in the area lying contiguous to the City of Sammamish, Washington known as the Duthie Hill Road Study Area Annexation do hereby petition that such territory be annexed to and made a part of the City of Sammamish. Attached to this petition is a diagram which outlines the boundaries of the proposed annexation.

NAME (Print): PAUL L. BRENA

SIGNATURE: [Handwritten Signature]

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2443 270th Ave SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT): SAME

TELEPHONE NUMBER: 425-392-7881

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069053

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): Julie D. Brenna

SIGNATURE: [Handwritten Signature]

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2443 270th Ave SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT): SAME

TELEPHONE NUMBER: (425) 392 7881

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069053

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): Aysel K. Sanderson

SIGNATURE: [Handwritten Signature]

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2427 271st Ave SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT):

TELEPHONE NUMBER: (425) 466-7942

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069036

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): Sindus Kurda

SIGNATURE: [Handwritten Signature] Aysel K. Sanderson, daughter, power of attorney

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2427 271st Ave SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT):

TELEPHONE NUMBER: (425) 557-6603

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069036

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES [X] NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:



PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

Declaration

We, the undersigned, being the owners, and/or registered voters residing in the area lying contiguous to the City of Sammamish, Washington known as the Duthie Hill Road Study Area Annexation do hereby petition that such territory be annexed to and made a part of the City of Sammamish. Attached to this petition is a diagram which outlines the boundaries of the proposed annexation.

NAME (Print): TOM PARKER
SIGNATURE: [Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2501 270th Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): 1501 270th Pl SE
TELEPHONE NUMBER: 206 790 6435
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069037
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES (X) NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: (X) YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES (X) NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:



PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

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NAME (Print): HOKKAN HUI

SIGNATURE: [Handwritten Signature]

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2815 268TH PL SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT): 13508 SE 47TH PL BELLEVUE WA 98006

TELEPHONE NUMBER: 425-373-9595

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069051

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES (X) NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: (X) YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES (X) NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): POU I LEI

SIGNATURE: [Handwritten Signature]

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2815 268TH PL SE Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT): 13508 SE 47TH PL. BELLEVUE WA 98006

TELEPHONE NUMBER: 425-373-9595

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069051

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES (X) NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: (X) YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES (X) NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):

SIGNATURE:

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT):

TELEPHONE NUMBER:

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):

SIGNATURE:

DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029

RESIDENCE ADDRESS (IF DIFFERENT):

TELEPHONE NUMBER:

DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:

ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO

DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO

DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO

IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

Declaration

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NAME (Print): PAVEL MIHAUC
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2925 271st AVE SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER: 425-641-1187
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: ID # 122406-9048-07
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES (X) NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: (X) YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES (X) NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): MAGDALINA MIHAUC
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2925 271st AVE SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER: 425-641-1187
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: ID. # 122406-9048-07
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES (X) NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: (X) YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES (X) NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO



PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

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NAME (Print): Aron Chaussee
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2445 270th Ave SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER: 253-261-4029
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 122406-4054-08
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): Kimberley Chaussee
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2445 270th Ave SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER: 206-795-3356
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 122406-4054-08
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:



PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

Declaration

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NAME (Print): Norma Hernandez
SIGNATURE: [Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 26848 SE Duthie Hill Rd Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): Same as above
TELEPHONE NUMBER: (425) 837-9096
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069046
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? [X] YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): Daniel Hernandez
SIGNATURE: [Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 26848 SE Duthie Hill Rd. Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): Same as above
TELEPHONE NUMBER: (425) 837-9096
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069046
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:



PETITION FORM FOR PROPERTY OWNERS

Annexation Name: Duthie Hill Road Study Area

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NAME (Print): ALAN D KAUFER
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2441 270th Ave SE, Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): SAME
TELEPHONE NUMBER: 425-391-5001
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069052
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print): BARBARA L. SCARB-KAUFER
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2441 270th Ave SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): SAME
TELEPHONE NUMBER: 425-391-5001
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069052
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

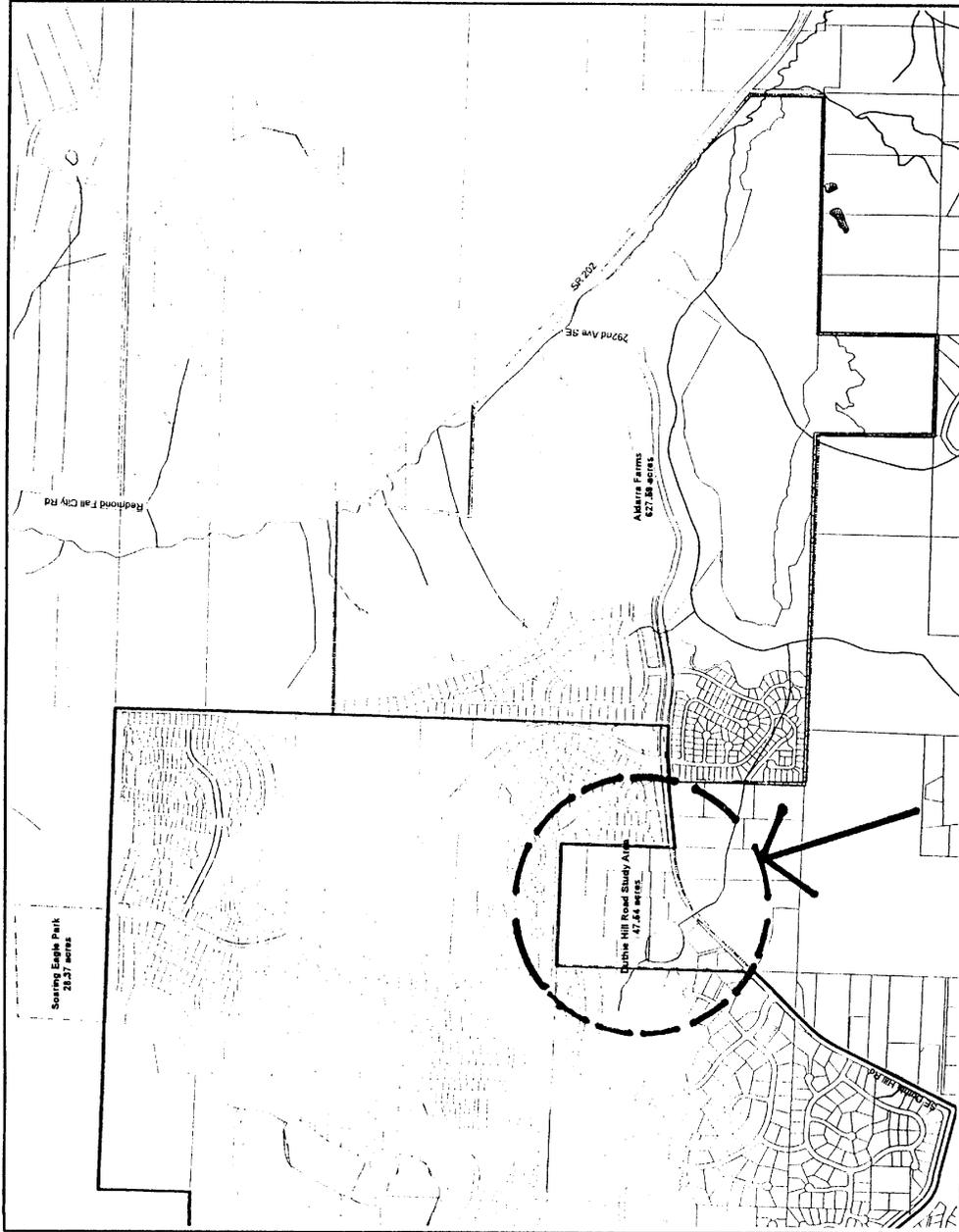
NAME (Print): DOUGLAS M. SCARB
SIGNATURE: [Handwritten Signature]
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: 2441 270th Ave SE Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT): SAME
TELEPHONE NUMBER: 425-391-5001
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER: 1224069052
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: [X] YES () NO
DO YOU OWN THE PROPERTY AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES [X] NO
DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES [X] NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:

NAME (Print):
SIGNATURE:
DUTHIE HILL ROAD AREA PROPERTY ADDRESS: Issaquah, WA 98029
RESIDENCE ADDRESS (IF DIFFERENT):
TELEPHONE NUMBER:
DUTHIE HILL ROAD AREA PROPERTY TAX LOT NUMBER:
ARE YOU A REGISTERED VOTER AT THE DUTHIE HILL ROAD AREA ADDRESS?: () YES () NO
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DO YOU OWN OTHER PROPERTY WITHIN THIS PROPOSED ANNEXATION AREA? () YES () NO
IF SO, PLEASE PROVIDE TAX NUMBER(S) FOR THAT PROPERTY:



Southeast Areas
Acreage

City of Sammamish 2007
Available GIS information shown may
not be current. Locations shown may
not have been verified.
Data from other cities is not included.



Legend

- Annexation Study Sites
- City Limits
- Urban Growth Boundary

Scale: 0 500 1000 Feet

MAP DATE: APRIL 2007

The map is a geographic representation based on information available. It does not represent survey data. No warranty is made by the City of Sammamish as to the accuracy or completeness of any information on the map.



The "Duthie Hill Notch"

Presentation to the
City of Sammamish Council members
April 15, 2008

The Presenters

- Our group consists of the **owners of 8 properties in the “Notch”**
- We **fully support annexation** into the City of Sammamish
- All of our **statements have been jointly written and approved** by each member in our group
- We represent **57% of the total acreage** in this area

Our Purpose

- To give you a cohesive, point by point look at all of the reasons for supporting our **desire to become a part of the City of Sammamish**
- To have the City of Sammamish join us in convincing the King County Council members to **re-classify** this “notch’s” land use designation from Rural to Urban **by reconfiguring the Urban Growth Boundary**

What will be presented

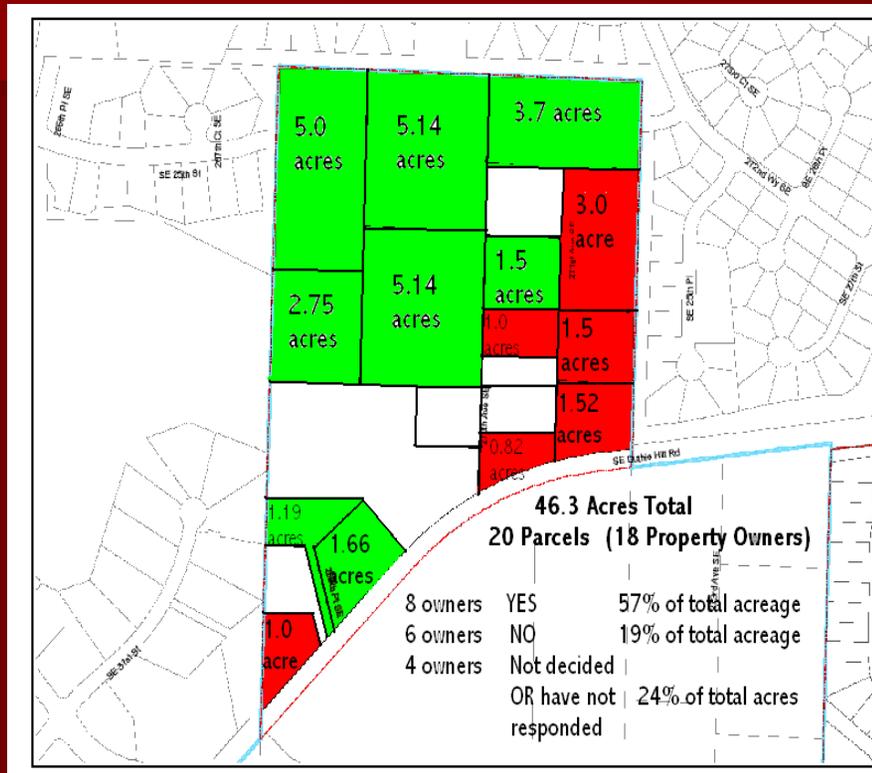
- **Background** information
- Our **personal comments** on the benefits to us when the UGB is changed and we are annexed into the City of Sammamish
- **Rebuttals** on the issues that have been brought up by the opposing neighbors
- Comments on the **inconsistencies** we have identified in King County Staff reports, as well as, the City of Sammamish Planning Commissioners Recommendations

With that background,
let us **get started!**

The “Duthie Hill Notch”

- An area of **only 46 acres**
- **20 parcels** ranging from 0.6 to 6.3 acres
- Currently zoned Rural at **1 dwelling per 5 acres**
- 20 parcels total
 - 4 are **5 acres or greater**
 - 4 are **between 1.6 and 3.7 acres**
 - 12 are **equal to or less than 1.5 acres**
- Thus **only 4 out of 20 parcels conform to the current zoning** by being 5 acres or greater

Property Owner Survey



Green Yes

Red No

White Undecided or have not responded

- 6 property owners have stated a definite **NO** to UGB change and annexation
- They represent **only 19%** of the total acreage in the "Notch"

History

- Prior to the last UGB change in this general area on the Plateau, approximately 14 years ago, 3 sides of the "Notch" were considered Rural under the Growth Management Act



The "Notch"

History

- Most of us have been on our properties for 15-30 years.
- Approximately 14 years ago, a big chunk of land was taken out of the Rural Area and re-zoned for Urban Development.
- Immediately after this reconfiguration, the Urban designated area was developed into Trossachs.
- Subsequently, Trossachs and High Country residents have annexed into the City of Sammamish

“Notch” is Surrounded by Sammamish on the North, East and West Urban Arterial on South



We remain an **ISLAND** outside of the **UGA** and the City of Sammamish

Annexation and UGA change go hand in hand

- **Annexation** into the City of Sammamish can **only** occur if **King County reconfigures the Urban Growth Boundary** with its resultant re-zoning
- Thus, our **reasons** for wanting change **relate to both annexation AND the reclassification** from Rural to Urban

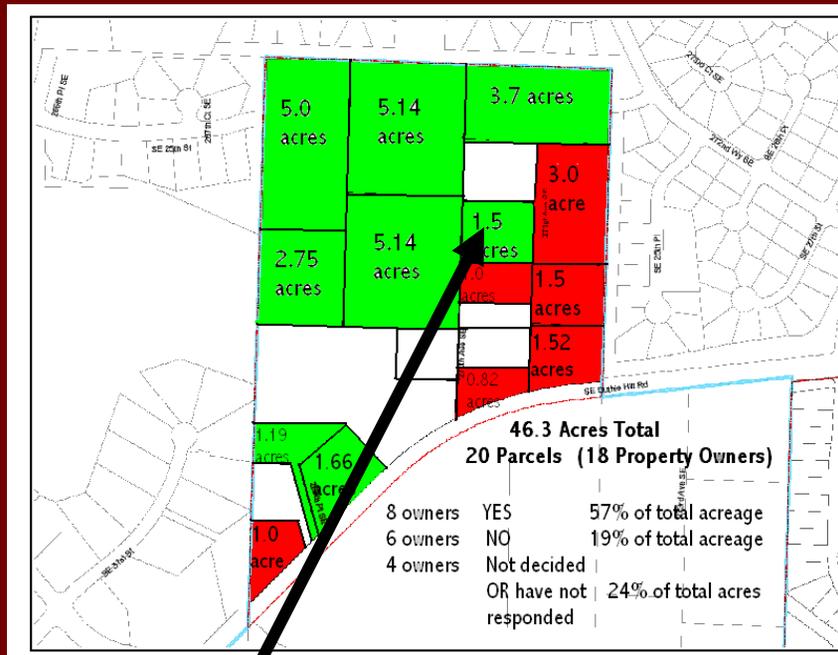
Personal Reasons for Wanting Change

- Our kids attend local schools (Issaquah)
- We participate in Sammamish Community Events
- We are surrounded by City of Sammamish Residents

YET.....

- Our local government is headquartered in downtown Seattle, many miles from us
- We are not a part of our surrounding community
- We do not get to vote for any Sammamish officials
- We do not have a say in the local regulations and policies, while these are the policies that impact us on a day to day basis because of proximity
- We pay taxes to King County while we utilize Sammamish resources

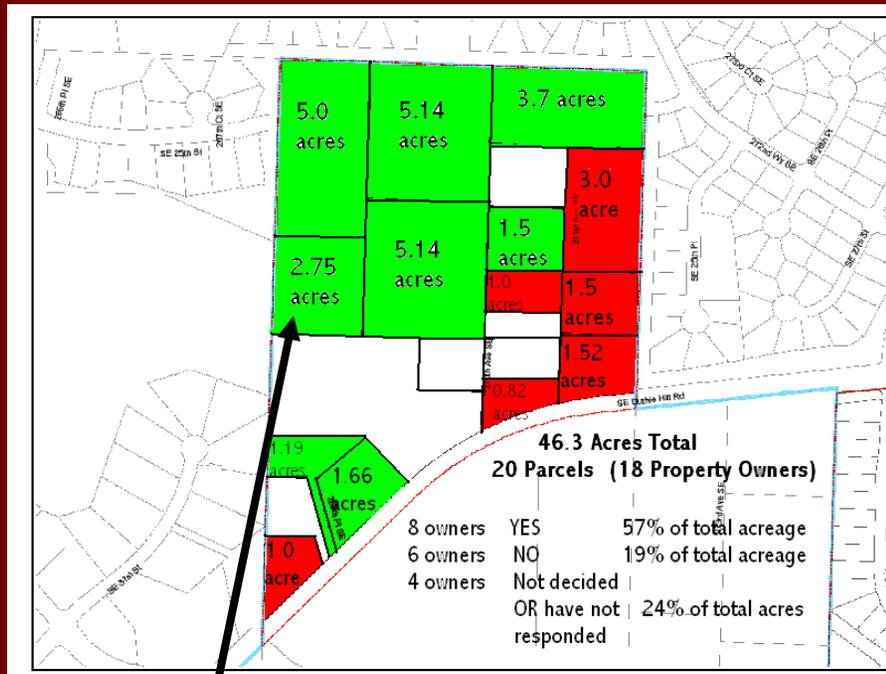
Personal Reasons for Wanting Change



Pavel and Magdalena Mihaiuc

- The Mihaiucs have a **non-conforming 1.5 acre parcel** which they would like to **add a second dwelling** on, for their daughter and son-in-law
- **THEY CANNOT UNLESS THE UGB IS CHANGED**

Personal Reasons for Wanting Change

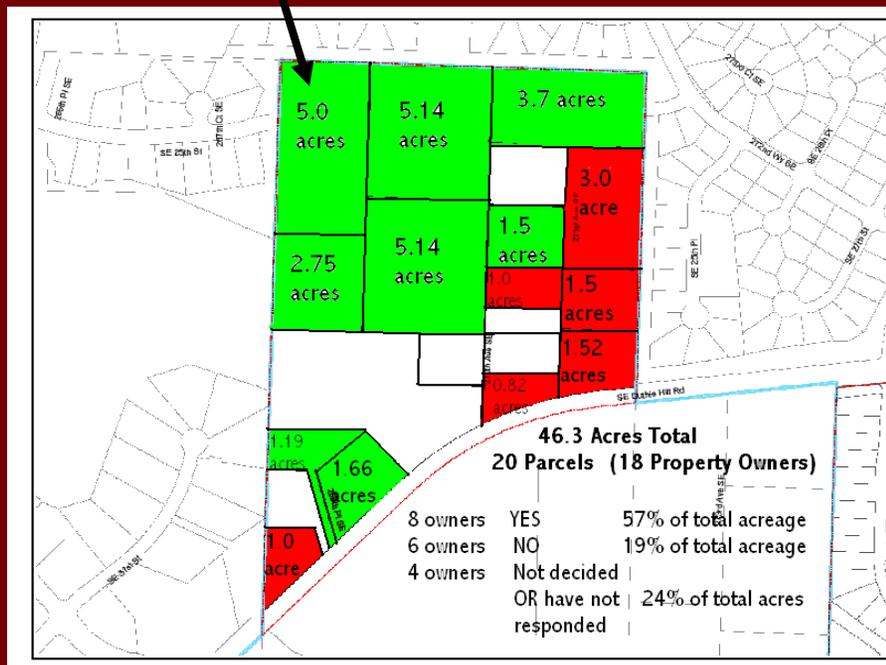


Aaron and Kim Chaussee

- The Chaussees have a **non-conforming 2.75 acre parcel** with a small 1 bedroom home built in the 70's. They would like to **tear down this home and build a larger home further away from the existing wetland**
- **THEY CANNOT UNLESS THE UGB IS CHANGED**

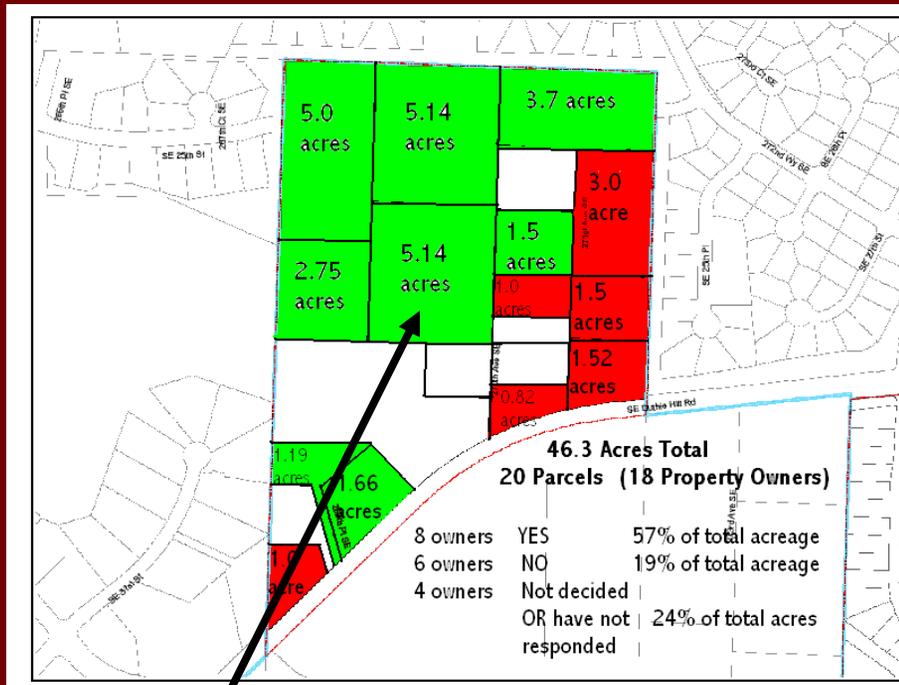
Personal Reasons for Wanting Change

Paul and Julie Brenna



- The Brennans have a **conforming parcel of 5 acres** and have been living on their property for **30 years**. They are getting **ready to retire** and would like to recoup some of their investment for their retirement by **downsizing the land surrounding their home**.
- **THEY CANNOT UNLESS THE UGB IS CHANGED**
- Without the UGB change they will be **forced to move out** of the house they love and have been living in for 30 years, because they won't be able to afford the taxes on all of the unused property

Personal Reasons for Wanting Change

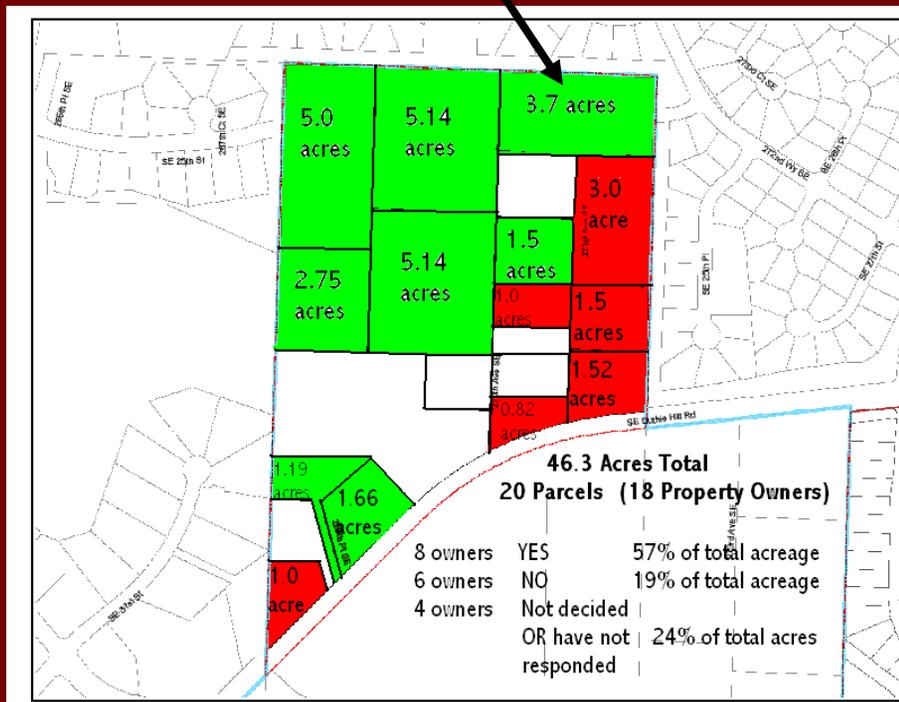


Tom Parker

- The Parkers bought this conforming 5.14 acre property intending to build several homes for their extended family.
- **THEY CANNOT UNLESS THE UGB IS CHANGED**

Personal Reasons for Wanting Change

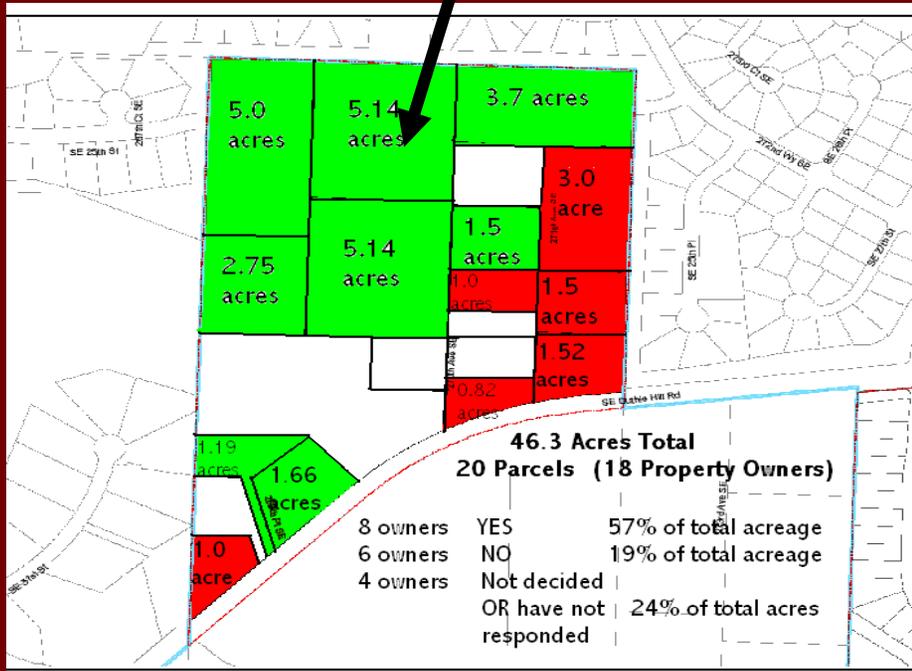
Aysel Sanderson



- I have a **non-conforming 3.7 acre parcel** of which one half used to be horse property. The horses went away when the development came 14 years ago. I **would like to subdivide the unused portion of my property** which used to be horse pasture **which I have no use for, and still have to pay taxes on.**
- I CANNOT UNLESS THE UGB IS CHANGED**

Personal Reasons for Wanting Change

Alan and Barbara Kaufer



- The Kaufers have lived on their conforming 5.14 acre parcel for 15 years. They planned to build a home to replace the existing mobile home which they live in. This plan was derailed by Barb's illness resulting in her disability and loss of income. They still have the same dream, but need to subdivide a portion of their property so that they can afford to build their home.

- THEY CANNOT UNLESS THE UGB IS CHANGED

Personal Reasons Conclusion

- **THUS OUR PERSONAL REASONS ARE NOT FOR MONEY, OR SELLING IMMEDIATELY TO DEVELOPERS!**
- Most of us have been a part of this “Notch” community for many, many years.
- Throughout those years, we have seen enormous change all around us. A whole new City now surrounds us!
- We have remained a “Notch” outside of our surroundings.
- We want to become a part of our surrounding community.
- We want to be able to make some very needed and reasonable changes to our properties
- We cannot do these things without the reconfiguration of the Urban Growth Line and Annexation into the City of Sammamish.

Thank you for your time
and consideration!

Rebuttals for Opposing Neighbors' concerns

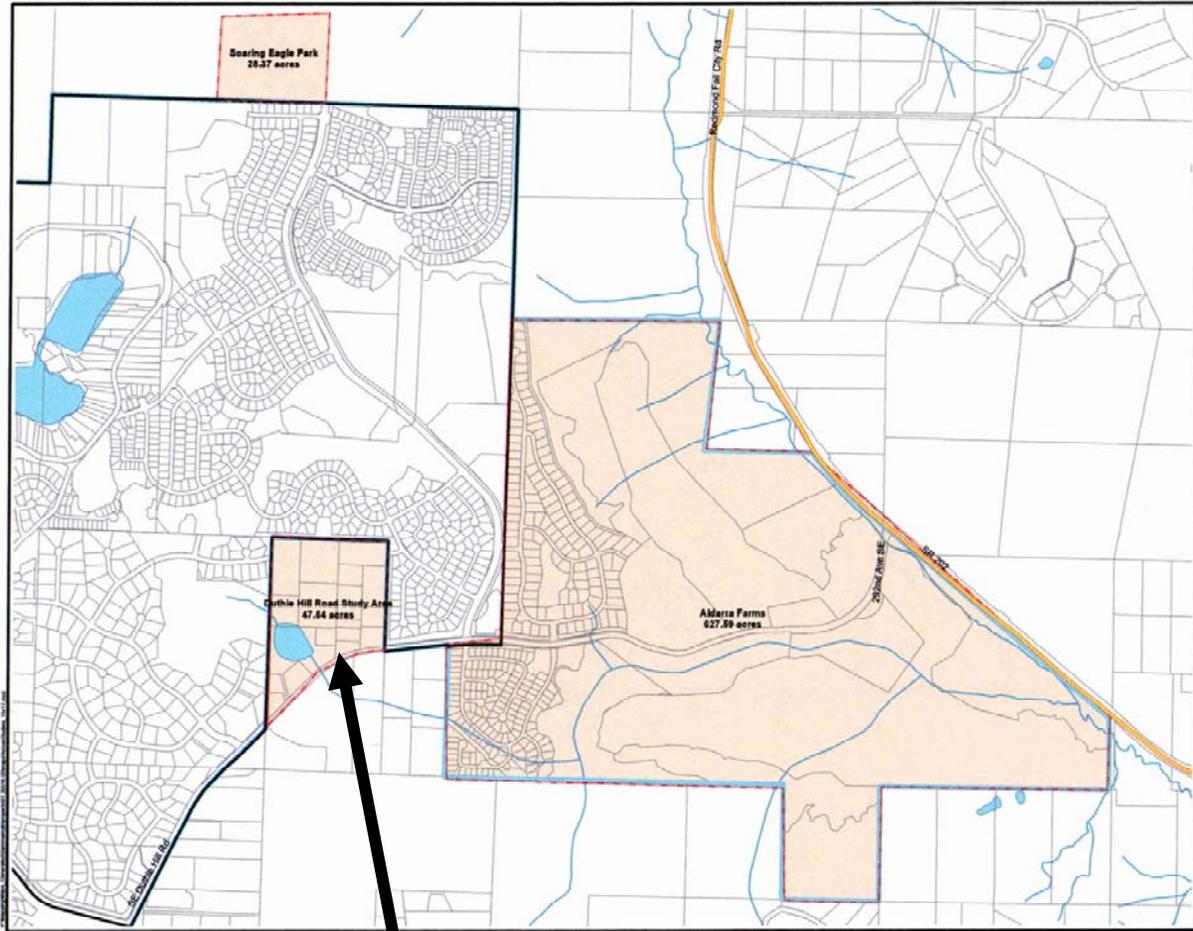
Areas of Concern

Part 1

- Existing "Rural Look"
- Roads and Access

The “Rural Look”

- “Rural Look” **vs.** “Rural Standards”
- “Rural Look” **vs.** Surrounding Properties / Developments
- “Rural Use” **vs.** Estate Sized Properties



City of Sammamish
WASHINGTON



Annexation Strategy
Study
DRAFT
Southeast Areas
Acreage

City of Sammamish 2007
Available GIS information shown may
not include all critical areas and
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Legend

- Annexation Study Sites
 - City Limits
 - Urban Growth Boundary
- 0 500 1,000 Feet
-

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MAP DATE: APRIL 2007

BHC CONSULTANTS
100 First Avenue, Suite 1000
Seattle, Washington 98101-1000
Tel: (206) 365-6400
Fax: (206) 365-0000
www.bhcconsultants.com

The "Duthie Hill Notch"

The "Rural Look"



Looking North from

2443 270th Ave SE

Homes are part of Trossachs and
High Country

The "Rural Look"



Looking West from
2443 270th Ave SE

Homes are part of High
Country



Looking North from
2443 270th Ave SE

Homes are part of High
Country

The "Rural Look"



View from backyard deck of
2427 271st Ave SE
Homes are part of Trossachs



House is on Duthie
Hill "Notch" parcel

The "Rural Look"

View from Master
Bedroom Deck of
2427 271st Ave SE

Houses are part of
Trossachs



The "Rural Look"



Pasture at
2443 270th Ave SE

The "Rural Look"



Pasture at
2443 270th Ave SE

Roads and Access

- Existing Access to the Area
- Future Access – Existing “Stub” Roads
- Duthie Hill Road – Public Benefit of Eliminating the “Road Notch”

Existing Stub Roads



Stub Road from High Country



Stub Road from Trossachs



The "Notch"

Thank you for your time
and consideration!

Area of Concern Part 2

- The Wetland

The Wetland

- Our opposing neighbors have voiced concerns regarding the destruction of the sensitive wetland on our "Notch", if the land use designation is changed from rural to urban.
- I live on this "lake of concern".

The Wetland



- This lake is very small and man-made.
- It is already designated as a wetland.
- It cannot even be seen by most, if not all of those opposing neighbors.

The Wetland

- Many environmental protection rules and regulations protect wetlands and sensitive areas if there is to be any building around them.
- These are scientifically determined.
- IN FACT, these protection regulations are even more stringent in the City of Sammamish compared to King County.
- THUS, the lake, if anything, will be more protected as part of the City of Sammamish compared to the present.

The Wetland



- My house on my property, which is on the wetland portion of the “Notch”, is old, only has 1 bedroom, and is on a septic system.
- Both the house and the septic system need to be relocated further away from the lake, but I can’t do this unless the UGB is reconfigured and our zoning changes, because I live on a non-conforming lot.
- The current situation is not conducive to the protection of the wetland.

Thank you for your time
and consideration!

Our Area of Concern

- Discrepancies and Inconsistencies

King County Policy Discrepancies

- There are discrepancies in the application of the King County policies between the recommended denial to include the **Duthie Hill "Notch"** into the UGA and the recommended acceptance of **Mystic Lake** into the UGA
 - **KCCP policy U-102(d)** is taken out of context as applied to Duthie Hill, used as intended for Mystic Lake where the same environmental constraints exist
 - **KCCP policy U-134** is applied to Mystic Lake but not to the Duthie Hill study area

The Wetlands at Duthie Hill and Mystic Lake



Wetland

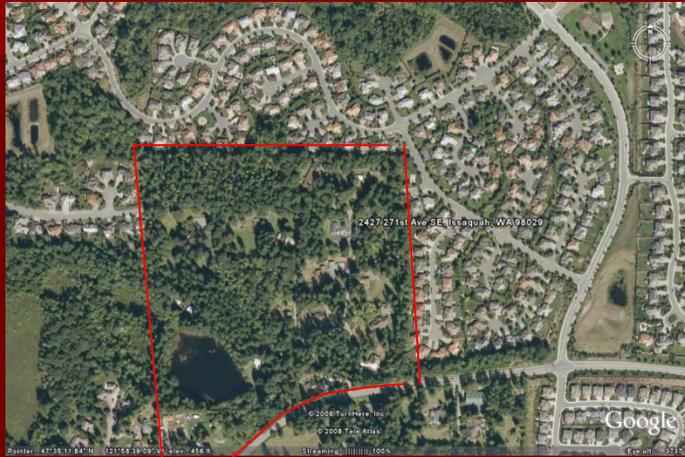
Duthie Hill "Notch" PAA
(46 Acres)



Wetland

Mystic Lake PAA
(44 Acres)

Duthie Hill and Mystic Lake share common characteristics



Duthie Hill "Notch"



Mystic Lake

- Both are of approximately the same size
 - Duthie Hill – 46 acres
 - Mystic Lake – 44 acres
- Inside the areas, both have rural look and feel – a direct result of existing rural zoning
- Outside the areas, both are surrounded by urban residential development
- Both contain wetlands, Mystic Lake's larger in size

Thank you for your time
and consideration!

Conclusion

- We have characterized our “Notch” with our words and exhibits
- We have given all of our personal reasons for our group to desire the change in the Urban Growth Line and inclusion as a Potential Annexation Area for the City of Sammamish
- We have shown discrepancies and inconsistencies in the application of King County policies in the Executive Report and the City of Sammamish Planning Commissions’ Recommendations that try to justify why our Duthie Hill “Notch” should remain outside of the UGA and PAA
- We truly do not understand why we are being excluded. It does not make any sense to us no matter how we look at it!

Conclusion

- OUR PERSONAL REASONS ARE NOT FOR MONEY, OR SELLING IMMEDIATELY TO DEVELOPERS!
- Most of us have been a part of this "Notch" community for many, many years.

Conclusion

- Throughout those years, we have seen enormous change all around us. A whole new City now surrounds us!
- We have adjusted by giving up our horses, and getting to know all of our nice new neighbors, BUT
 - We have remained a “Notch” outside of our surroundings
 - We have gotten older along with our homes, some of us beginning to think about retirement
 - Taxes for our properties have continued to increase
 - We are sitting on our larger properties with our desires to
 - downsize for financial reasons
 - build for our extended families or
 - build a new home to replace an existing one which no longer meets our needs

Conclusion

- If we remain a “Notch”, our hands are tied to make some very needed and reasonable personal changes to our own properties and lifestyles.
- WE DON'T WANT TO MOVE OUT!
- We only want
 - to become a part of our surrounding community
 - AND to be able to make some changes in our properties that will allow us to stay

Conclusion

- We hope that you will take all of this into consideration in making the **fair and reasonable decision** to

- **include us as a potential annexation area** **and**
- **help us convince the King County Council**

that it is time **to reconfigure the Urban Growth Boundary** so that we can make the much needed changes to our own properties and start the process of becoming Sammamish residents instead of “Notch Dwellers”

We ALL thank you for your
time, attention and
consideration!



2008 Comprehensive Plan Amendment Public Hearing Comment Form

Describe the comment or change you propose to the City's 2008 Comprehensive Plan Amendment (Potential Annexation Areas, Study Areas and Docket Requests). Please include any alternative language or changes to the policy, text or maps; attach pages as needed to ensure we understand your comment.

Councilmember: Nancy Whitten

Date: 04/15/08

Comments:

Consider Pros + Cons of
~~zone~~ Mystic Lake + D.H. Notch zoning
 at R-1 v. R-4

Consider zoning in North portion of
 D.H. Notch ~~at~~ served by stub roads at R-4,
 + balance of D.H. Notch at ~~R-1~~ R-1.

Exhibit # 4
 Staff Use only

April 17, 2008

Dear Mayor Felling and Sammamish City Council Members,

Thank you for this opportunity to share with you some of my concerns regarding the possible annexation of the Duthie Hill Notch.

The neighbors at the north end of The Notch seem to think the majority of property owners are concerned only with the "rural atmosphere" that now exists here. They accuse us of holding them hostage to an antiquated quality of life thus preventing them from "downsizing" and profiting from more development on their larger acreages. For me, there are other concerns of equal or greater concern than a rural atmosphere, and I'd like to share them with you.

1. A gentleman from Aldarra pointed out to the planning commission during public testimony it would appear we would not save on taxes this year by being city residents, but rather we'd be paying more to the city than we do the county. Why didn't the city staffers provide a tax table to everyone so we could calculate our taxes due to the city in 2008, 2009, and 2010 rather than the estimated table from 2006? Surely the city staffers know at this point what the tax base is for their city for the next 3 years if not longer. For all I know this gentleman's calculations were inaccurate, and I'd appreciate being able to determine this for myself based upon presently known factors.

2. If The Notch is annexed and zoned at R-4, will those of us who don't choose to use our property to the "best use" – i.e. development, find our taxes raised because we have more land than those who do develop?

3. Roads. Is Sammamish going to take on the responsibility of upgrading Duthie Hill Road at The Notch? If we are annexed, the city gets that responsibility. This part of Duthie Hill Road is very dangerous due to several factors. Every year during stormy weather there is at least one accident right in front of our home which fronts Duthie Hill Road. My husband, as well as other neighbors, has been rear ended by tired, speeding drivers who come around the curve too fast and fail to stop in time when they see break lights and a left turn signal blinking. Any profit the city may receive from the development fees will most likely be depleted in road improvement between 268th and the Aldarra golf course (another very dangerous part of Duthie Hill Road).

3a. Although those in favor of annexation say they won't put more than one house on their properties, what is to prevent someone else from doing so should they move? If annexed, some people may decide to sell their property to a developer who will want to maximize the number of homes to be placed upon that property. Unlike what the northern neighbors say, there is no way to control future development decisions, and therefore no way to hold them to "only one house more". Furthermore, there are those of us against annexation that don't trust them to keep their word based upon what we've known of them as so called "good" neighbors over many years of experience. At one point, Paul Brenna showed me a possible development layout of roads to service the northern part of The Notch. That layout included cul de sac type roads which would indicate at least some of them want more than one house to be built on their property. Aysel Sanderson told

several of the neighbors at a meeting held in one of our homes just after the city's initial introductory meeting that she wanted to be able to afford to live on her property another five years so her son could graduate from high school with his friends. Despite what she has testified to the planning committee and the city council, that doesn't sound like long term commitment to The Notch neighborhood.

3b. How will the Trossach's and High Country neighbors feel if the trunk roads are connected? Will they be happy with "X" number of car trips going through their neighborhoods? For that matter, what assurance other than "their word" is there that those trunks will be connected? Do they have any idea of just how much it will cost them to build the road to city standards? Do they fully understand that Sammamish doesn't build roads to serve developments? **Does the city have in place a contingency requirement that all roads, water source, and sewers to proposed developments or new single houses be in place before any building can begin?** If not, these developments will be running heavy equipment over our existing private roads. These roads are just gravel, and don't tolerate heavy use. If they don't tie into city water, will those on community wells be expected to share their water with the new houses?

3c. Our private roads, 270 and 271: At this time there is no guarantee that these two roads will not be used by those who develop. Some of those properties would benefit by not having to connect the trunk roads as they are in the middle of The Notch. Would the rest of us be held responsible for allowing more car trips on these now private roads? One of those properties is already a rental property. The owner has never lived in the house. Now he says he wants to build another house there for relatives to live in, but is that reality or a good story? Maintaining the condition of the gravel roads is difficult enough at present as there is no written agreement among the neighbors to have to pay to maintain them. It is primarily the generosity of one neighbor who owns a grader and periodically brings in gravel that keeps them relatively rut and hole free (he is not in favor of annexation). Would the city eventually feel these roads would need to be condemned then built to city standards? If that happened, the properties between 270 and 271 would lose 10 feet or more from two sides of their properties. Two of those properties have community well houses approximately 10 feet from the existing road. Would those neighbors have to pay to move the well houses or tie into city water?

3d. The Director of Public Works talked to me after the April 15 meeting. He told me my concerns regarding the roads – all of the roads and proposed road – are very valid. **At this point there can be no guarantees one way or the other despite what our northern neighbors have stated.**

3e. In June of 2007 we received a package from the city informing us of the proposed annexation, and inviting us to the information meeting. Many of our neighbors never did get this information package, but word of mouth brought many of those who could take time off work to that meeting. I believe city staffers were rather surprised to hear so many of us were opposed to any consideration of being annexed. **The part we most objected to was the zoning of R-4.** The thought of up to 200 more homes in The Notch is more than we can bear. 200 homes is the high number given to us by the Sammamish Community Development Director, Kamuron Gurol, for total build out. Even the Mayor of Issaquah, Ava Frisinger, sent a letter to King County Chairman, Ron Sims, advising

him of Issaquah's objection to Sammamish's proposal of annexation of the Duthie Hill Notch. A cc was sent to Ben Yacizi, Sammamish City Manager.

For your convenience, here is a direct quote from that letter. "The Duthie Hill / Issaquah-Fall City Road within King County is a failing facility in need of improvement even without further development. In a recent annexation study, the City of Sammamish has indicated it would not support annexation until the road is improved. An urban rezone of this area to R-4 would introduce the potential of roughly 200 additional housing units. This level of development in close proximity to Issaquah would also create potential traffic impacts on I-90 access routes in Issaquah."

Do you still support that study? Will Duthie Hill Road be improved before you seek annexation of The Notch or for that matter Aldarra and Montaine which are bisected by the road? My concern for the road is very valid.

I think you can see there are a lot more monetary questions regarding taxes and roads that need answers from both the city standpoint and citizen standpoint than have ever been answered. It is all well and good for those in the northern part to say the rest of the neighbors are being selfish and self serving by not wanting annexation. However, I believe the very same could be said of them. They appear to me to be short sighted in what they think should/could be done versus what in reality may/will be done. They said it isn't about money, but everything is about money whether it is in ones pocket or coming out of ones pocket be it a city or a citizen. Indeed one of their stated arguments for annexation is what they think will be saving property tax money.

I know at the last public hearing before the planning commission, the community director and planning commissioners received a list of signatures and the properties on which they live stating they do not want to be annexed. I personally handed this list to the commission secretary as directed to do by the commission chairperson. This list included a site map that represented **12 parcels owned by 11 parties not in favor of annexation**, 2 undecided properties, and 6 in favor of annexation. When I mentioned this to the assistant city manager and a council member after the meeting on April 15, they were unaware of its existence. I pointed out that one name included in the list of those in favor of annexation was also on the definitely not in favor list. It is quite possible others on the "annexation desired" survey list have also changed their minds since our list is more current than that survey – they may be undecided or they may be in opposition to annexation as this is a fluid situation. The Assistant City Manager said he'd have to ask his staff about the existence of this list. Hmmm...

Please forgive me if I question who "knows best" what is good for Sammamish and The Notch in this regard. I understand the importance of any employer to trust in their employees' judgment and motives. Usually that trust is justified. However, in this case I'm truly puzzled by what appears to me to be undue favoritism towards one party's interests in this situation.

The Community Development Director seems to overtly support the position of the City Manager who excused himself from the April 15 public hearing on this issue because of his “close friendship” with “one neighbor” in favor of annexation. (The neighbors in The Notch are well aware of this “close relationship”, and I’d bet most of City Hall is too.) When working closely with one another a “fraternity style” relationship can’t help but develop. A “you guard my back and I’ll guard yours so to speak” ... This has lead many of us to distrust both department’s neutrality in regard to The Notch. We appreciated the Planning Commissioners many public testimony hearings, and that they listened carefully to our concerns. I seriously doubt their sole consideration was based upon a perceived “inaccurate filing”, as testified by those in favor of annexation.

Those few of us who did get notice of the April 15 meeting were lead to believe by the wording therein, that The Notch was not under consideration at this time. I’ve included a copy of that notice, and I ask you to tell me how the average citizen would know that The Notch was part of the discussion to be held. Other properties are mentioned by name, but not The Notch. Therefore, we didn't feel any necessity to notify other neighbors to attend the meeting or be prepared to testify to the city council members. Indeed, even one of the planning commissioners during conversation with my husband at a King County public hearing said it probably wasn't necessary, but he'd advise attendance just to be aware of what was happening! I’m glad I went as I found it very interesting that those who want annexation were the only ones who were there and fully prepared – I guess either they aren’t “average citizens” or they had inside knowledge of the full agenda.

I don’t envy you the decision you are going to have to make as I know it won’t be easy given the divisiveness of the situation.

Do you listen to your Community Development Director and City Manager? Or
Do you listen to your Planning Commissioners, the City of Issaquah Mayor, and majority of citizens living in The Notch?

.... and I haven't even mentioned our fire/emergency and police services which have been very good the 22 years we've lived here. How long will it take Sammamish services to get here without direct access from the north and using the above mentioned overly crowded, dangerous Duthie Hill Road?

Respectfully,

Peggy Braeutigam
2640 271 Ave SE
Issaquah WA 98029
(425) 391 - 0777

PS

I'm sorry to make this so long, but I just thought of a couple other concerns. It is hard to remember all of them in a short time frame...

There are some small home businesses in The Notch. Here are my questions for you concerning them.

1. Will they be allowed to continue in business under the same guidelines that now exist?
2. If they are legally allowed by King County standards, but may not be allowed by Sammamish standards, will these people lose their livelihood?
3. Will those that have signage still be allowed to have their signs designating their businesses?
4. Will there be a problem with cars that may park on roadways or driveways that lead to the business? Of course that means those cars that don't block traffic otherwise.
5. Do these small businesses need to apply for a business license with the city of Sammamish?

We are currently allowed to have livestock on our property. The number depends upon the amount of acreage we have. At least one property owner has goats and horses. Will changing the zoning to urban R-4 require that family to lose their animals?

Thank you again for your patience, and allowing us to give testimony. I did receive the latest notice of the meeting on Monday April 21, and appreciate the clarity with which it is written. Would that the first notice had been as well written, and you wouldn't have had to continue this process. I will make certain all of my neighbors are notified of the meeting so there will be no excuses from anyone about "not knowing".

Respectfully,

Peggy Braeutigam
2640 271 Ave Se
Issaquah WA 98029
(425) 391-0777

EXHIBIT NO. 7**Melonie Anderson**

From: Susan Cezar
Sent: Monday, April 21, 2008 3:42 PM
To: Melonie Anderson
Cc: Kamuron Gurol
Subject: FW: Comprehensive Plan comments

fyi

From: Emily Arteche
Sent: Monday, April 21, 2008 9:09 AM
To: 'David Dallaire'
Cc: Michael Matthias; Susan Cezar
Subject: RE: Comprehensive Plan comments

Hi David,

Thank you for your email. The documents related to the comprehensive plan amendments are housed under the community development, comprehensive plan webpage. The correct link which describes the comprehensive plan amendments and related documents can be found at,

<http://www.ci.sammamish.wa.us/ComprehensivePlan.aspx>

Alternatively, you may also click on the packet material on the city's webpage calendar to view the documents before the city council. The areas being considered as potential annexation areas are within the urban growth boundary line, and are thus already urban. Areas outside the urban growth boundary line are rural and would not be considered urban until the county moves the urban growth boundary line. There are two rural areas that the county has indicated a preference to make urban, a split subdivision in Camden Park and an island of rural land surrounded by urban land, "Mystic Lake". There is no actual zone change associated with any areas proposed as potential annexation areas. The city has proposed contingent zoning which essentially matches that of current county zoning. In general, the city has the same urban zoning as that of the county, less the suffixes. The city contingent zoning would not go into effect until an actual annexation occurred. None of the comprehensive plan amendments equate to an annexation.

I hope this information is helpful. I have asked Michael Matthias, the project manager for the citizen initiated rezone from R-1 to R-4 adjacent to the town center boundary to answer your question #3.

Emily Arteche

City of Sammamish
801 228th Avenue SE
Sammamish, WA 98075-9509

Direct Phone: 425-295-0522

-----Original Message-----

From: David Dallaire [mailto:dallaire@gol.com]
Sent: Saturday, April 19, 2008 7:23 AM
To: Emily Arteche

4/21/2008

Subject: Comprehensive Plan comments

Hi:

I have a few concerns about the Comprehensive Plan amendments:

1. The link provided on the Public Notice we recently received prior to the hearing has nothing on the page about the Plan. Has anyone checked this lately?
2. I don't think there is a "Comprehensive Plan" for the 244th Corridor. There are a number of random projects each of which has a life of its own, and from a resident's point of view, there is no acknowledgement from the City about the impact all of these little projects have on the residents in this area. To name a few – 244th Extension, new Cell Phone towers, new School, etc....none of these are being thought through in any kind of comprehensive manner.
3. What is the need to rezone the area in question from R1 to R4? Other than creating more opportunities for developers, what are the real benefits of doing this at all? That is not clear. It seems the only thing your web site notes is the "suitability" for developers ("About 400 acres of this second PAA are considered suitable for development."). What is the suitability for existing residents?
4. Does the City feel it not necessary to preserve some of the more rural areas, or is there no option than to make everything a "City"?
5. One comment – support for Annexation would likely be stronger from many residents here if zoning were left alone or if any changes left the density as low as possible. R4 may make sense in some areas, but not the entire area. We would like to see as much of it as possible remain as R1.

Thanks,

David Dallaire
1119 245th Ave NE
Redmond, WA 98074

EXHIBIT NO. 8

FAX COVER SHEET

C: Artetche
Cesar
Butkus
Curoi

DATE: April 18, 2008

FROM: Elke B. Lewis
2618 ~ 271 Avenue S.E.
Issaquah, WA
(425) 392-0213

RE: "The Notch"
Duthie Hill Road
Property Owners Against Annexation

ATTN: Emily Arteche

TO: Mayor Felling and City of Sammamish Councilmembers

For your convenience and immediate review, I am faxing these letters and signature list regarding the above referenced location. The originals will be hand delivered to the meeting Monday evening, 04/21/08.

Respectfully,
Elke Lewis

P.S. If there is a transmission error, please call me at the above number.

STAY REAL "RA-5"

DUBLIE HILL STUDY AREA "THE NOTCH"

PAGE 011 001

36 EXEMPTED

[Handwritten signatures]
 1224069038 ELKE LEWIS
 1224069038 ALEX SANDER SCOFFER
 1224069038 ALEXANDER ROBERTSON

36 EXEMPTED

Willy Muller 1224069038 WILLY MULLER
 1224069035 ROBERT C BRANTIGAM
 1224069035 PEGGY BRANTIGAM
 1224069035 ROBERT M BRANTIGAM
 1224069035 MELODY M BRANTIGAM
 1224069044 MARIBEL LEARNARD
 1224069044 VINCE LEARNARD
 1224069047 ELMERIE JOHNSON
 1224069002 MONTY LINDSLEY
 1224069075 MONIQUE L CHASTAIN
 1224069075 MARK LINDSLEY
 1224069073 PAMELA D STROUSE
 1224069033 SUSAN SPAULDING

46 EXEMPTED

Sue Brantley 1224069034
 Jean Hehr 1224069034
 Monica Miller 1224069057
 Kurt Johnson 1224069047

Copyright © 1998 by Dublie Hill "The Notch" Property Owners and Residents of
 Legal Age - 08/2008

Sharon Milton 1224069057
 Phil Davis 1224069049
 ANTHONY PATTERSON 1224069076
 JOHN LAUFEMAN 1224069034
 Lucille Layer 1224069034

April 17, 2008

Re: Duthie Hill Road "The Notch"

Dear Mayor Felling and Sammamish City Councilmembers:

I wish to thank you for all your hard work for the community and for your consideration of my concerns regarding "The Notch".

There are several matters which trouble me. Let's start with the roads. I believe it is unconscionable to even consider annexation and property development at this time due to the failing roads that are currently in place. Changing our zoning and opening up "The Notch" to development to potentially 200 additional homes makes no sense whatsoever without improvement of Duthie Hill Road and Issaquah-Fall City Road being completed first. Trossachs is continuing to build new homes, which just adds up to more traffic congestion, not to mention the traffic congestion from the heavy equipment bringing materials to the sites, etc. It would be very poor judgment to increase traffic flow from The Notch at this time. Also, no clarity is being given to the status of our roads, 270th and 271st. Would our roads have to be upgraded and widened to city standards causing our neighbors in the "middle" to lose property on both sides? And, who pays for the road upgrades? Also, if annexed before road improvements, does the City take on the responsibility and expense of improving Duthie Hill Road?

Let's discuss environment. I have not heard of any provisions being made for protection of the pond on 270th. It is a sensitive area and, yes, it was man made but it was made from existing underground springs. No one from the City of Sammamish is appropriately addressing this environmental constraint. What about run off and pollution from potential development near the pond? We also have a major wildlife corridor in "The Notch" which is not being addressed. This appears as the City of Sammamish does not exercise stewardship of eco systems and ignores the importance of the protection of wildlife habitat.

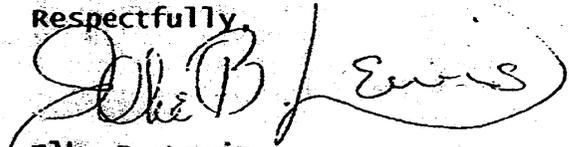
Let's talk zoning. An R-4 zone in our area just does not make sense in respect to the sensitivity of the Class One wetland area and the wildlife corridor. In my opinion, an acceptable compromise would be R-1, only after the major road improvements have been made.

Services are another factor. Fire, ambulance, K.C. Sheriff services, etc., have all met our needs efficiently and promptly. I had my 88 year old mother and 94 year old mother-in-law living with me for several years. I still have my 86 year old father living with me. In the 18 years that I've lived here, there have been numerous 911 that had to be made and all were answered rapidly and professionally.

We are a self-sufficient community. We maintain our roads our own wells and septic systems. We are not in need of any services from the City of Sammamish.

Many thanks for your consideration on this important matter.

Respectfully,

A handwritten signature in cursive script that reads "Elke B. Lewis". The signature is enclosed in a hand-drawn oval.

Elke B. Lewis
2618 ~ 271 Avenue S.E.
Issaquah, WA 98029

Parcel No. 1224069038

Untitled

April 15, 2008

Attn: City of Sammamish Council Members and Officials

Re: The Nitch of Tall trees and natural wildlife

I am very tired of the blue skies and fresh air of unincorporated King County.

I miss the grey skies of and Carbon Monoxide of overdeveloped Bellevue I used to enjoy ten years ago.

A simple accident on Duthie Hill road can provide hours of enjoyment watching people struggle to get home.

If there was a fire, no one would be able to feel the safety of easy exiting.

Sammamish clear cutting creates wonderful views.

The school bus drivers have counted as many as eight dead deer in one morning laying by the road.

These dead animals wait for days to be picked up by animal control, since there are so many crossing heavily traffic areas.

Has anyone asked the people living in Sammamish if they want to fight more traffic every morning and evening?

Has anyone measured the traffic already on Duthie Hill Road?

I'm certain countless varieties of wildlife, some people enjoy, depend on the pockets and corridors our area provides for there existance.

Has anyone studied the impact of continuing to "develop" these pristine areas, or has this just become so profitable that the integrity of natural environments have no value?

Thanks for reading my note, but I'm certain the majority of people in this area who do NOT want to be annexed will be ignored for the financial benefit of the few.

PROPERTY OWNER

Sue Brantley
26810 SE Duthie Hill Road
Issaquah, WA 98029

PROPERTY OWNER

Jean L. Helm
Same address

Dee [Signature]
Same address

Sue Brantley

Lucille Laverman
26810 SE Duthie Hill Road
Issaquah WA 98029

John M. Laverman
Same address

Dear Council Members and Officials

I represent the Lindsey Family and the Gray Ghost Land Trust. We own the largest parcel in the Notch. Ours covers $\frac{7}{8}$ of the Lake (bordering High Country to 270th Ave SE and Dutchie Hill Road). We are enclosing a letter sent to King County Council and Jay Rodney. This was sent after the King County meeting at the Snoqualmie Middle School (March 20). We absolutely do not want annexation into the City of Sammamish. We would be happy to meet with you and show you our Family's land.

Thank you
Sincerely
Monte Lindsey
1224069075
1224069002
2711 270 AVE. S.E.
ISSAQUAH 98029

April 17, 2008

Attn: City of Sammamish Council Members and Officials

Re: "The Notch"
Duthie Hill Road

We do not wish to be annexed to the City of Sammamish for many reasons.

To mention a few, there are no definite answers to what may happen to our roads, environmental issues that are not addressed and no clarity on calculating the tax base.

We like our lifestyle as it currently exists in unincorporated King County.

Respectfully,

Monte Lindsley (Gray Ghost Land Trust)
and Lindsley Family
Monique Lindsley Chester
Gray Ghost Land Trust

1224069075

1224069002

2711 - 270 AVE. S.E.

ISSAQUAH 98029

March 20, 2008

Members of the King County Council and Rep. Jay Rodney,

After attending the Urban Growth Management Boundary Review council meeting tonight I have renewed hope that again King County will help protect our family's land from being further damaged by mismanaged development. Our family's property is very unique because of the valuable eco-system for which it provides for diverse wildlife. On a consistent basis we see great blue heron, osprey, eagle, bats, commarant, otter, deer, bobcat, bear, coyote, Douglas squirrel, wood duck and so many other valuable members of our diminishing earth's society. Our family has lived here in rural King County since 1960 and on this property in the "notch" just as long. We have seen the changes.

Keeping our rural stative is imperative for the protection of the many migratory birds which use our land and water for their nesting sites and a safe place to raise their young. This greenbelt King County has protected is refuge for so many animals which no longer have the necessary habitat due to the massive growth which has occurred in Sammamish. Our property is across from the Duthie Hill Park and we strongly believe changing the boundary would break up this natural greenbelt which seems to be perfectly matched together and creates natural habitat and a wildlife corridor.

To remove our properties from the UGBA would absolutely destroy this corridor and certainly further detriment on wildlife and the environment. King County residents need this greenbelt. One of our family's possible long term goals would be to see our beautiful piece of land for which my parents struggled to buy so many years ago, incorporated into King County's park system to provide people with a place to inspire, have a connection with nature and preserve a part of the history of this once vast, pristine place. As a parent of a 7 year old child, I want these places preserved so she and other children may run through the woods, hear frogs sing at night, find an ant hill and watch in wonder, and feel what is real and not just experience a paved over, non indigenous landscaped reality. There is and once was much more!

A small group of property owners in our "Notch" have presented themselves eloquently and are very interested in developing there properties, this has been a long time goal for a few and recently they were able to encourage a few new property owners to join up and pursue zone changes. What is interesting is one of these property owners fought so hard to keep our "notch" within the UGBA back in 1992. I realize the incredible need for money... but at what price is it morally right to destroy what you once fought feverishly to protect and why did you buy here to begin with? I invite these very few property owners in our "notch" to move somewhere urban and let someone else enjoy what is around them, because so many people would love to have the rural life which is vanishing all around us.

King County has done an excellent job in managing our services; nothing should be changed in regards to our stative within the UGBA. The majority of property owners in the "notch" have signed a petition

stating their complete satisfaction with the current standing in the UGBA protection. Please here our voices and protect what you originally set out to preserve. Thank you.

Respectfully,

Monique and Monte Lindsley

2711 270th Ave SE

Issaquah, WA. 98024

425-392-5767

122-406-9075
122-406-9002

2649 271st Ave. SE
Issaquah, WA. 98029

April 18, 2008

City of Sammamish Council Members and Officials
801 228th Avenue SE
Sammamish, WA. 98075-9509

RE: "The Notch"
Duthie Hill Road

Dear Council Members and Officials,

We wish to remain in King County. We do not want to be annexed into the City of Sammamish.

We are deeply concerned about the effects of additional development near our home. King County has done a fine job of protecting the wetlands.

Thank you for your consideration of our position in this important environmental matter.

Sincerely,

Vince and Martha Learnard
Vince and Martha Learnard
Property Owners

1224069044

APRIL 10, 2000

CITY OF SAMMAMISH COUNCIL MEMBERS

RE: "THE NOTCH" DUTTIE HILL ROAD

TO WHOM IT MAY CONCERN:

AT THIS TIME, DUE TO MANY UNANSWERED QUESTIONS, WE DO NOT WANT TO BE ANNEXED TO THE CITY OF SAMMAMISH.

WE HAVE CONCERNS ABOUT TAXES, DEVELOPMENT EFFECTS ON ROADWAYS, EFFECTS ON THE ENVIRONMENT & PERMIT ISSUES.

WE ENJOY THE DEER & OTHER WILDLIFE THAT USE OUR PROPERTY.

SINCERELY;

 Susan Spaulding

HARRY D. STROUSE

SUSAN M. SPAULDING

2831 268TH PLACE SE.

1224069033

April 18, 2008

Attn: City of Sammamish Council Members and Officials

RE: "The Notch"
Duthie Hill Road

We do not wish to be annexed to the City of Sammamish for many reasons.

We purchased our property because of the rural nature of the area and wish it to remain so. Why do people move to an area knowing what the zoning is, and then want to destroy the area for their own personal gain? The area we live in needs to be protected from development and destruction, with so many homes being built on the Plateau we ask why would you want to destroy the privacy that we have now, just to add more traffic from both construction vehicles and the new residences that want to divide their property.

Also, we are very fortunate to have very good services here (fire, ambulance, etc.). We had a house fire in November, 2004 in which the Fall City Fire Department responded to which saved most of our home and the contents inside. So we do not feel that being part of the City of Sammamish would better our services in anyway. We appreciate the services of King County as they now exist.

We do not support changing the zoning, and we do not support annexation to the City of Sammamish. We don't want to live like the masses in environmental pollution, and noise pollution, with no privacy and watch the destruction of our rural environment and our quality of life. There are many urban choices for people who want to live in that type of environment elsewhere.

There are just too many unanswered questions that no one seems to fully disclose, i.e. what may happen to our roads, environmental issues and no clarity on calculating the tax base. We just see no reason to destroy the way of life for the majority of the residents who purchased properties here because we value the beauty of nature, and the rural lifestyle, just to accommodate a few home owners that feel the need to sell off there property so they can benefit for there own personal gain. If they do not like the way of living in the privacy that we currently have, with all do respect, there are plenty of new construction and development happening on the Plateau, then move.

We like our lifestyle as it currently exists in unincorporated King County.

Respectfully,



Shawn and Monica Milton
2617 271st Ave. SE
Issaquah, WA 98029

1224069057

1224069047

2530 271 Ave. S.E.
ISSAQUAH, 98029

Elmerita Johnson "The Mother"

It is bad enough what we've been through
to keep our way of life

So keep our area from being destroyed.

You should be thinking, what is best for the
environment.

Not conveniently, lose records and be influenced
by liars who would have this area destroyed
for their own gain.

Now get this. We won this battle. The
liars are outnumbered.

4-18-08

ATT: CITY SAMMAMISH COUNCIL MEMBERS

I AM ONE OF PEOPLE LIVING IN THE NOTCH. OR THE DUTHIE HILL ROAD.

I AS ONE OF THE GROUP I DO NOT WISHED TO BE ANNEXED.

IN DOING SO RAISE'S MORE QUESTIONS THAN ANSWERS

① OUR ROAD IS DEEDED FOR THOSE LIVING ON THE ROAD AS IS A PRIVATE ROAD.

② OUR WATER SYSTEM WHICH IS REGISTERED, (HOLZTNER WATER DISTRICT)

③ THE WILD LIFE, WE STILL HAVE BEAR IN OUR AREA, THE BEAR WHICH USED TO WORSHIP THRU OUR YARDS, HAVE NOT BEEN DOING SO FOR SOME TIME.

④ I HOPE MY LIFE STYLE, MY NEIGHBORS HOUSE EYES ARE NOT 10' FEET FROM MINE AS IN MOST OF THE NEW DEVELOPMENTS.

I HAVE LIVED AT MY ADDRESS
SINCE 1967, AND HAVE WITNESSED
A DETERIORATION OF THE PLATEAU.

IF THE CITY WOULD LIKE TO
BUY MY PROPERTY FOR A MILLION
DOLLARS. I WOULD BE HAPPY TO
BE ANNEXED.

Bill Conroy Sr.
2509 271 Ave SE
ISSAQUAH 98029

1224069049

April 17, 2008

Attn: City of Sammamish Council Members and Officials

Re: "The Notch"
Duthie Hill Road

I do not wish to be annexed to the City of Sammamish for many reasons.

To mention a few, there are no definite answers to what may happen to our roads,
environmental issues that are not addressed and no clarity on calculating the tax base.

I like our lifestyle as it currently exists in unincorporated King County.

Respectfully,

Tom Patterson, 2641 271 Ave. SE.
ISSAQUAH 98291
1224069050
1224069076



Legend

- Annexation Study Areas
- Urban Growth Boundary
- City of Sammamish
- Sammamish Plateau WSD Water
- Sammamish Plateau WSD Sewer



0 250 500 Feet

This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.
 MAP DATE: APRIL 2007

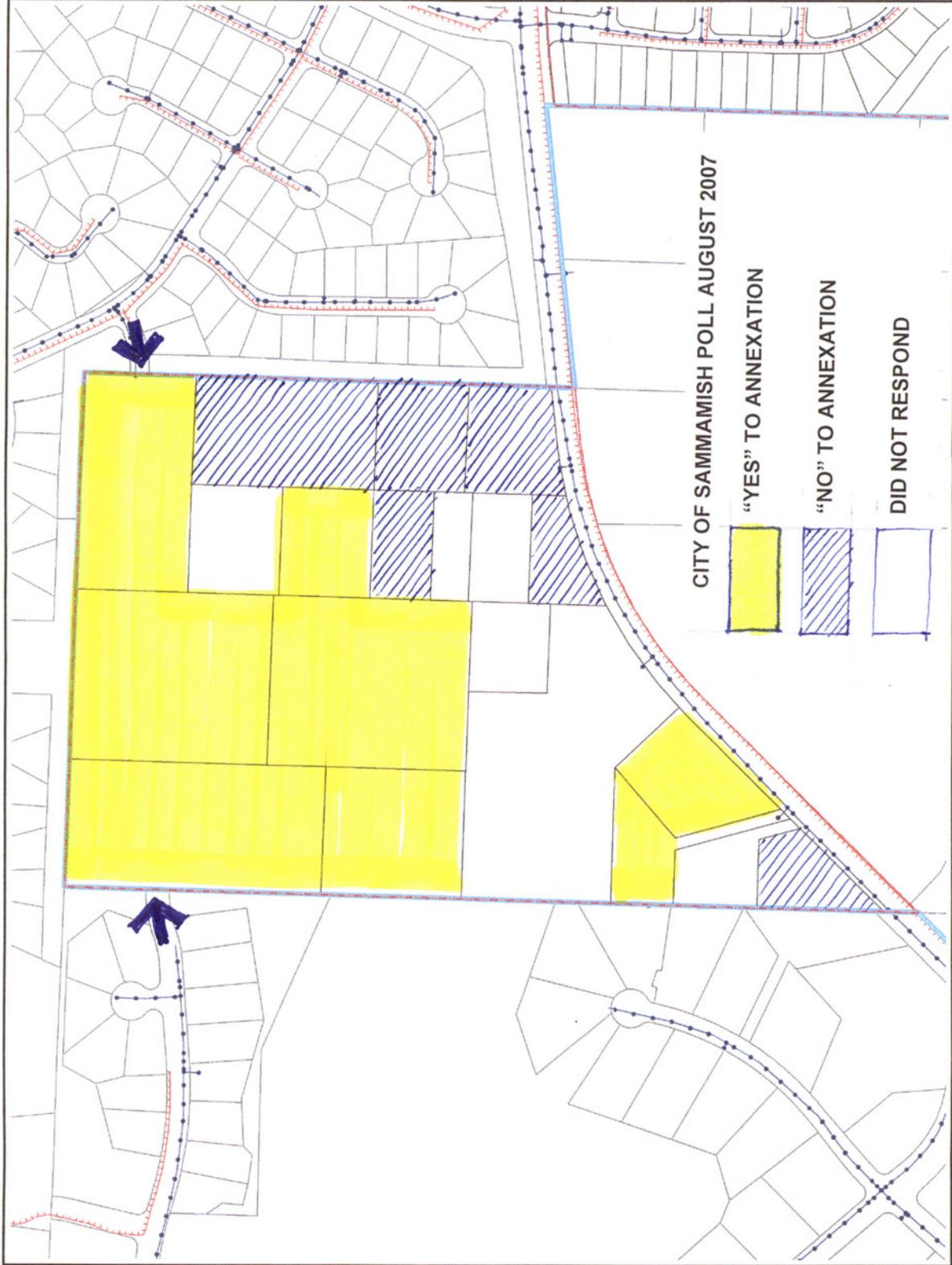


FIGURE 9E

BRENNA
1224069053

KAUFER
1224069052

SANDERSON
1224069036

ANRIG
1224069049

JOHNSON
1224069047

PARKER
1224069037

MIHAJUC
1224069048

CHAUSSEE
1224069054

MILTON
1224069057

LEWIS
1224069038

PATTERSON
1224069076

LINDSLEY
1224069002

PATTERSON
1224069050

BRAEUTIGAM
1224069035

LEARNARD
1224069044

LINDSLEY
1224069075

HOKKAN
1224069051

HERNANDEZ
1224069046

STROUSE
1224069033

BRANTLEY
HEHE
1224069034

20 PARCELS

PINK = NO ANNEXATION

YELLOW = FOR ANNEXATION

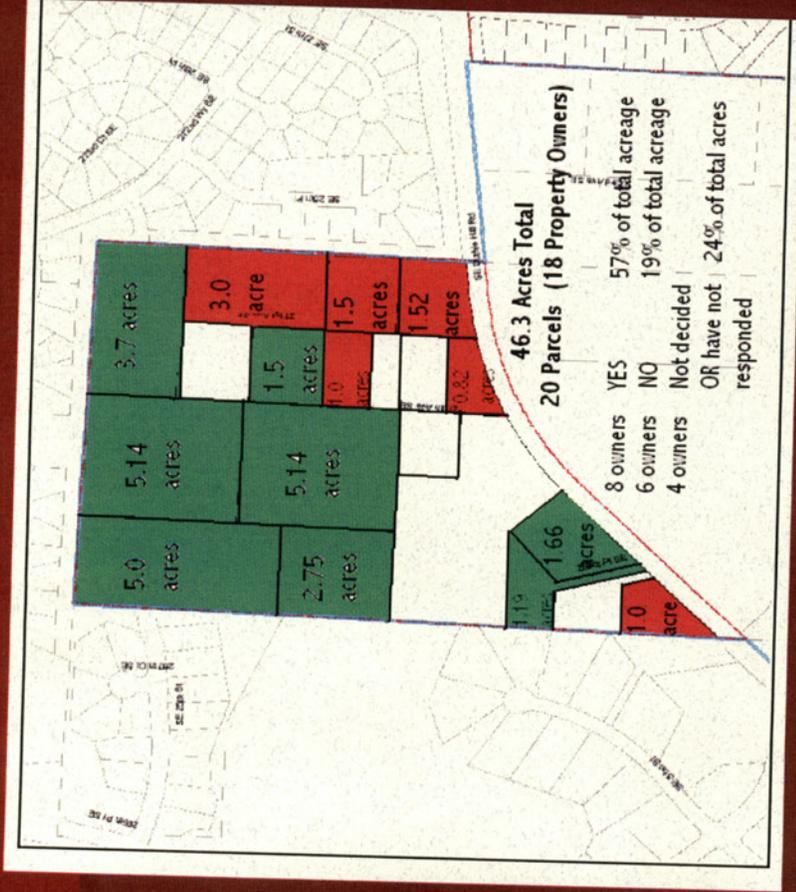
BLANK = UNCOMMITTED

25TH ST

20TH PL SE

20TH PL SE

Property Owner Survey



- 6 property owners have stated a definite **NO** to UGB change and annexation
- They represent only **19%** of the total acreage in the "Notch"

Green Yes
 Red No
 White Undecided or have not responded

CITIZENS AGAINST CITY OF SAMMAMISH ANNEXATION

- 1. ~~Debra Lewis~~ 122-406-9038 24. ~~Willy Moller~~ 122-406-9038
- 2. ~~Elmerita Johnson~~ 122-406-9047 25. ~~Helencha Jordan~~ 122-406-9038
- 3. ~~Monica Miller~~ 122-406-9057 26. ~~Alex Rodriguez~~ 122-406-9038
- 4. ~~Shawn Miltz~~ 122-406-9057
- 5. ~~Phil Anrig~~ 122-406-9049
- 6. ~~Dail Anrig~~ 122-406-9049
- 7. ~~Anthony Patterson~~ 122-406-9076
122-406-9050 Anthony Patterson
- 8. ~~Monty Lindsley~~ 122-406-9002
- 9. ~~Monty Lindsley~~ 122-406-9002 Monty Lindsley
- 10. ~~Monty Lindsley~~ 122-406-9002 Monty Lindsley
- 11. ~~Peggy Braeutigam~~ 122-406-9035 Peggy Braeutigam
- 12. ~~Robert E. Braeutigam~~ 122-406-9035 Robert E. Braeutigam
- 13. ~~Robert M. Braeutigam~~ 122-406-9035 Robert M. Braeutigam
- 14. ~~Sue Brantley~~ 122-406-9034
- 15. ~~Joan L. Hehr~~ 122-406-9034 Hehr
- 16. ~~Lucile & John Lauerman~~ 122-406-9034 Lucile & John Lauerman
- 17. ~~John M. Lauerman~~ 122-406-9034
- 18. ~~Vincent Learnard~~ 122-406-9044 Vincent Learnard
- 19. ~~Martha Learnard~~ 122-406-9044
- 20. ~~Harry Strause~~ 122-406-9033
2831 268 PL SE
- 21. ~~Harry Strause~~ 122-406-9033 Harry Strause
- 22. ~~Kurt Johnson~~ 122-406-9047 Kurt Johnson
- 23. ~~Melody Braeutigam~~ 122-406-9035 Melody Braeutigam

~~2.21.08~~
3.06.08

Respectfully submitted
Residents of 'The Notch' (Duthie Hill Road)



Memorandum

Date: April 17, 2008
To: Ben Yazici, City Manager
From: Kamuron Gurol, Community Development Director
Re: Mystic Lake and Duthie Hill Notch study areas

This memo answers questions/comments received from Councilmember Whitten at the April 14, 2008 City Council public hearing related to proposed comprehensive plan amendments for Potential Annexation Areas.

The first question relates to the pros and cons of designating potential land use and zoning of R-1 rather than the staff-recommended R-4 for the Mystic Lake study area. The recommendation of R-4 is based on several factors. The applicant has requested R-4 potential zoning through the city comprehensive plan process. A docket request has also been filed by the property owner through King County requesting the UGA amendment and R-4 zoning. This docket request is supported by the County Executive in the county comprehensive plan amendment process. If the docket request is approved, the property could be developed in King County at R-4 zoning.

If developed in the City, the City's updated critical areas ordinance will provide adequate buffers and protection of critical areas. The City also has adopted a net density ordinance that will limit the allowed unit calculation based on the developable area of the site. There does not appear to be an environmental benefit to R-1 designation over R-4 since the development standards applied would be the same in either case.

The second question relates to the Duthie Hill Notch and whether either R-1 or a combination of R-4 and R-1 land use and zoning would be appropriate rather than the staff-recommended R-4. R-4 land use and zoning is a logical extension of the R-4 zoning that surrounds the area on three sides. The fourth side is bounded by Duthie Hill Road, and rural King County land use and zoning would remain on the south side of Duthie Hill Road. Similar to the response above related to Mystic Lake, the same environmental standards would apply to development applications in either zone. Environmental standards would be applied, including the City's updated critical areas regulations, tree retention, traffic and drainage requirements. Net density calculations would take into consideration the limitations of wetlands, buffers and streets.

Split designations for the area could be problematic from the standpoint of determining what the criteria would be for R-1 vs. R-4 for individual properties in the area.



CITY COUNCIL AGENDA BILL

Subject:

Consultant Contract Approval: City of Sammamish
Public Works and Parks Maintenance and Operations
Facility Predesign Phase 1.

Meeting Date: April 21, 2008

Date Submitted: April 18, 2008

Originating Department: Public Works

Clearances:

- | | |
|---|---|
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> Public Works | <input type="checkbox"/> Fire |
| <input type="checkbox"/> Building/Planning | <input checked="" type="checkbox"/> Attorney |

Action Required:

Authorize the City Manager to execute a contract with TCF Architects for completion of Predesign Phase I work for the city's Public Works and Parks Maintenance and Operations Facility

Exhibits:

1. Contract executed by TCF Architects, including scope of work and cost proposal for completing the scope of work for the Design Phase I of the project.

Budgeted Amount: The adapted 2007/08 budget contains a total of \$3,126,600 remaining for the new Parks and Public Works Operations and Maintenance Facility. This money is contained in the streets (101), Parks Capital (302), and surface Water Capital (439) funds. A total of \$ 1,358,600 of this total appropriated in the adapted 2008 budget and \$1,768,00 is unexpended 2007 appropriations to be carried forward to 2008.

Summary Statement:

This contract authorizes the consulting architectural firm of TCF Architecture to provide assistance to the city in completing Predesign Phase I work on our Public Works and Parks Maintenance and Operations Facility project. The work to be completed by the consultant in this Phase of the Project includes:

- Updating previously prepared Needs Assessment Report.
- Organize and update the Programming and Design Criteria information.
- Develop conceptual Building footprints to be used in the development of the site alternatives.
- Explore and recommend possible sustainable design strategies for the project; i.e. L.E.E.D and L.I.D.

- Assist the City with Public open house in communicating with local residents as to the anticipated facility development, layout and design appearance.
- Prepare a summary of the applicable building codes and zoning ordinance governing the project.
- Prepare sketch level building elevation appearance alternatives for consideration by the City Council and Public.
- Preparing documentation for the Conditional Use Permit (C.U.P.) application and SEPA check list.
- Prepare budgetary cost estimates.
- Develop Predesign Report Documentation.

The cost for the consultant to complete this work is not to exceed \$75,510.

Background:

- The City's current Maintenance and Operation facility is split between two locations, one located at Beaver Lake Maintenance Shop and the other in the Lamb house located on 228th north of the Discovery Elementary School.
- In the past years, numerous sites have been considered as to location for the new O&M facility. Beaver Lake Park, LWSD on SR 202, future YMCA Site on 228th Avenue, Kellman house site, SPWSD site (a joint venture with the district) were just some of the sites studied.
- Previously two Needs Assessments were prepared for the O&M Facility. One of the studies was for a joint facility with S.P.W.S.D. The second study prepared in 2004 was for a none site specific City use only facility. This study was prepared to provide probable cost estimate and validate the space needs program for the city. The 2004 needs assessment was developed with out any actual known site; as such they were generic in nature.
- In March of 2007, the City has purchased the Noelke site a 4.86 acre parcel located at 1801 244th Ave. N.E., for the future O& M Facility location.
- On February 19, the City Council approved a resolution designating the Noelke site as the preferred location for the city's new Parks and Public Works Operations and Maintenance Facility.
- In February 2008 the city has issued a request for Statements Intent and Qualifications and received proposals from four architectural firms. TCF Architecture was selected as the best firm to design the new O&M facility. TCF Architecture has designed O&M facilities for other jurisdictions including Sea-Tac, East Pierce County, City of Tacoma, and University Place and will bring that experience to completion of our project.

Financial Impact:

This contract is for a not to exceed amount of \$ 75,510.00. Staff is recommending that this work be funded through the use of a small portion of the funding contained in the adapted

2008 budget and requested carry forward of unexpended 2007 budget into 2008. This amount totals \$3,126,600 available for the new O&M facility. Approval of this contract with TCF Architecture will leave \$3,051,090 in the budget to be used for design and construction of the Public Works and Parks Maintenance and Operations Facility.

Recommended Motion:

Move to authorize the City Manager to execute a consultant services agreement with TCF Architects in an amount not to exceed \$75,510.00 for completion of Phase 1 Predesign including; Programmatic Design Criteria, Conceptual Site and Building Elevation Development, Code/ Zoning/Early site Permitting, Budgetary Cost Estimating and Scheduling.

**CITY OF SAMMAMISH
AGREEMENT FOR SERVICES**

Consultant: _____ TCF ARCHITECTURE, PLLC _____

This Agreement is entered into by and between the City of Sammamish, Washington, a municipal corporation, hereinafter referred to as the "City," and TCF ARCHITECTURE, PLLC _____, hereinafter referred to as the "Consultant."

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties hereto agree as follows:

1. **Scope of Services to be Performed by Consultant.** The Consultant shall perform those services described in Exhibit "A" of this agreement. In performing such services, the Consultant shall comply with all federal, state, and local laws and regulations applicable to the performance of such services. The Consultant shall perform services diligently and completely and in accordance with professional standards of conduct and performance. The initial services defined in Exhibit A are intended to provide the "Predesign" phase programming and planning components of the project. Subsequent phases for design, construction documents, bidding and construction phase services may be added under future amendments to this agreement.

2. **Compensation and Method of Payment.** The Consultant shall submit invoices for work performed using the form set forth in Exhibit "B".

The City shall pay Consultant: \$75,510.00

[Check applicable method of payment]

___ According to the rates set forth in Exhibit " ___ "

X A sum not to exceed

___ Other (describe): _____

The Consultant shall complete and return to the City Exhibit "C," Taxpayer Identification Number, prior to or along with the first invoice submittal. The City shall pay the Consultant for services rendered within ten days after City Council approval.

3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing upon execution and ending December 31, 2010, unless sooner terminated under the provisions of the Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. **Ownership and Use of Documents.** Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not. In the event this agreement is terminated prior to completion, yet the City proceeds with the construction of a facility designed by the Consultant, the City agrees to hold the Consultant harmless from any and all claims and damages arising out of the project following such termination except for claims and damages arising out of or resulting from the negligent acts, errors or omissions of the Consultant in performance of this Agreement.

4A Instruments of Service. The City acknowledges that all documents prepared for this project by the Consultant and the Consultant's Sub-Consultants are "Instruments of Service" for use solely with respect to this project.

5. Independent Contractor. The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will solely be responsible for its acts and for the acts of its agents, employees, subconsultants, or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto.

6. Indemnification. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits, ~~including attorney fees~~, arising out of or resulting from the negligent acts, errors or omissions of the Consultant, in performance of this Agreement, except for injuries and damage caused by the negligence of the City.

7. Insurance.

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

Minimum Scope of Insurance

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance shall not be cancelled by either party except after thirty (30) days prior written notice has been given to the City

Verification of Coverage

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with RCW Chapter 40.14 and by the City.

9. **Audits and Inspections.** The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by the City during the performance of this Agreement.

10. Termination.

A. This City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be cancelled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen days written notice, or in the event that outstanding invoices are not paid within sixty days.

E. This provision shall not prevent the City or the Consultant from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

11. **Discrimination Prohibited.** The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

12. **Assignment and Subcontract.** The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

13. **Conflict of Interest.** The City insists on the highest level of professional ethics from its consultants. Consultant warrants that it has performed a due diligence conflicts check, and that there are no professional conflicts with the City. Consultant warrants that none of its officers, agents or employees is now working on a project for any entity engaged in litigation with the City. Consultant warrants that for 2 years following termination of this contract, no officer, agent or employee of Consultant will enter into any contract or agreement with any entity that is currently engaged in litigation with the City or which is in the future engaged in or has threatened litigation with the City. It

is the Consultant's duty and obligation to constantly update its due diligence with respect to conflicts, and not the City's obligation to inquire as to potential conflicts. This provision shall survive termination of this Agreement.

13A. Standard of Care. The City acknowledges that the “standard of care” applied to the performance of professional design services shall be defined as “a duty to exercise the degree of skill ordinarily possessed by a design professional practicing in the same or similar locality and under similar circumstances on similar project types”.

14. Confidentiality. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination, unless withholding such information would violate the law or create the risk of significant harm to the public.

15. Non-appropriation of funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant in a timely manner, and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. The Consultant shall be entitled to payment for all services rendered as part of the authorized scope of work, prior to the date of insufficient fund notification. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. Entire Agreement. This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. Notices. Notices to the City of Sammamish shall be sent to the following address:

City of Sammamish
801 228th Avenue SE
Sammamish, WA 98075
Phone number: (425) 295-0500

Notices to the Consultant shall be sent to the following address:

Company Name TCF ARCHITECTURE
Contact Name Randy Cook
Street Address 902 North Second Street
City, State Zip Tacoma, WA 98403
Phone Number 253-572-3993
Email randy@tcfarchitecture.com

18. Applicable Law; Venue; Attorneys' Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee, shall be included in the judgment.

19. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: __ Ben Yazici

By: __ Randy Cook, AIA, LEED AP, Principal



Title: __ City Manager _____

Title: __ Managing Principal

Date: _____

Date: _____

Attest/Authenticated:

Approved As To Form:

City Clerk

City Attorney

Note: The Consultant signature above is electronic and is provided for the purpose of completing the agreement for inclusion in the City Council packet for contract authorization. Hard copy original agreements with signatures will be used for the final agreement.

TASK NO.	PROJECT WORK TASKS AND DELIVERABLES	TEAM MEMBER FEE BUDGETS							TOTALS
		TCF (Architecture and Project Mgmt)	AHBL (Structural Engineering)	BCE (M&E Engineering)	AHBL (Civil Engineering)	Berger Partnership (Landscape Architecture)	Hennessey Fleet (Equipment)	Maison Carlson (Cost Estimating)	

GENERAL OVERVIEW OF PREDESIGN PHASE 1: PROGRAMMING / SITE PLANNING / COST BUDGETING / PRELIM SITE PERMITTING

OVERVIEW - PREDESIGN SCOPE

TCF will provide hourly services (Hourly Not-to-Exceed within the maximum fee budget indicated) to develop the Pre-design Phase work described below. The TCF Team will develop Programmatic Design Criteria (Re-visiting and confirming previously-developed program information), conceptual site development alternatives, assist with public involvement workshops, summarize permitting requirements, assist with the Conditional Use Permit application, and assist the City in determining an overall project budget and implementation schedule.

TASK 1 - GENERAL PROJECT MANAGEMENT AND PROJECT START-UP

1.1	Project Management. Throughout the duration of the Pre-design Phase of the work, this task category provides for TCF's day-to-day management of the work process including project scoping and contract administration, consultant management & coordination, schedule development and management, planning and review meetings between TCF and the City, (in addition to task meetings below) status updates to City, and other general project management tasks not specifically identified in tasks below.	\$3,780										
1.2	Document Collection & Research. The Design Team will collect and review existing drawings, reports, and other available documentation from the City and King County relevant to the site and project.	\$1,405										
1.3	Contingency Services (Management Reserve Fund). The fee budget indicated for this task exists for the purpose of including other unforeseen tasks and unexpected meetings as requested by the City, or as recommended by the Design Team.	\$2,950										
Deliverables: General documents associated with Project Management tasks such as meeting minutes, correspondence, and the executed Professional Services Agreement.												
TOTAL TASK 1		\$8,135.00	\$0.00	\$8,135.00								

TASK 2 - PROGRAMMATIC DESIGN CRITERIA

2.1	Survey Questionnaires. Develop and administer a survey questionnaire to all maintenance staff. The purpose of the questionnaire is to provide staff an opportunity to formally give planning and space needs input to update and re-confirm previous program information. Compile information and summarize as part of the final Design Criteria and Programming Document.	\$990										
2.2	Facility Tours. Two representatives of TCF will accompany the City's Core Group on a tour of the following maintenance facilities: City of SeaTac, Pierce County Central Maintenance Facility, City of Edmonds, the Alderwood Water District and the City of Issaquah.	\$2,580										

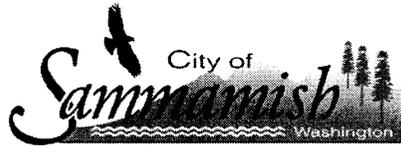
TASK NO.	PROJECT WORK TASKS AND DELIVERABLES	TEAM MEMBER FEE BUDGETS							TOTALS
		TCF (Architecture and Project Mgmt)	AHBL (Structural Engineering)	BCE (M&E Engineering)	AHBL (Civil Engineering)	Beger Partnership (Landscape Architecture)	Hennessey Fleet (Equipment)	Mason Carlson (Cost Estimating)	
2.3	Programming Workshop 1 (Confirm Previous Program for use in Site-specific application): TCF will coordinate a program confirmation workshop, including, interview sessions with Parks and Public Works staff. TCF will re-visit and confirm the program areas need developed under the previous planning study for each operational space, including special diagrams of each space or operational area. Preliminary Functional and systems Design Criteria will be developed for each space or operational area including general requirements for architectural, structural, mechanical, electrical, plumbing, communications, and security systems. Preliminary building organizational plan diagrams and adjacency diagrams will also be developed.	\$1,990							
2.4	Sustainable Strategies: TCF will lead a discussion as part of the programming workshop to explore possible sustainable design strategies for the project. The LEED 2.1 rating system will be used as the basic framework for discussions for both building and site strategies. However, at this time, there is no particular commitment to pursuing a LEED rating.	\$2,720		\$1,200		\$1,200			
2.5	Equipment Inventory List: TCF will confirm and update the equipment inventory for all existing City-owned shop equipment (Non-Rolling Stock). The City will provide an updated list of all existing equipment. TCF will develop an expanded matrix to identify equipment type, year, model, make, power requirements, and footprint size. This list will be expanded to show anticipated new equipment anticipated to be included in the facility.	\$440					\$1,200		
2.6	Vehicle Inventory & Parking Analysis: TCF will prepare a comprehensive Vehicle Inventory Matrix, re-confirming from the previous study, all existing City-owned vehicles to be domiciled at the site including year, make, size, fuel type, and parking requirements (size, covered, heated). The City will provide TCF with an electronic spreadsheet inventory of all City-owned vehicles and equipment. The City will also provide information regarding anticipated vehicle and equipment purchases for the next 5-10 year periods.	\$660						\$1,200	
2.7	Draft Design Criteria and Programming Document: Organize the Programming and Design Criteria information into a draft document for review by the City. The document will be organized in a 3-ring binder with the following basic elements: Executive Summary, General Project Information, Space Program, Program adjacency and flow diagrams, Program Space diagrams & Functional Criteria, Equipment Inventory & proposed Equipment List, Vehicle Inventory and Parking Analysis.	\$2,745							
	Deliverables: 3-ring binder copies will be printed and assembled, quantity to be determined by the City. Printing will be invoiced separately as a reimbursable expense.								
	TOTAL TASK 2	\$12,125.00	\$0.00	\$0.00	\$1,200.00	\$1,200.00	\$2,400.00	\$0.00	\$16,925.00

TASK NO.	PROJECT WORK TASKS AND DELIVERABLES	TEAM MEMBER FEE BUDGETS							TOTALS	
		TCF (Architecture and Project Mgmt)	AHBL (Structural Engineering)	BCE (M&E Engineering)	AHBL (Civil Engineering)	Berger Partnership (Landscape Architecture)	Hennessey Fleet (Equipment)	Matson Carlson (Cost Estimating)		
TASK 3 - CONCEPTUAL SITE AND BUILDING DEVELOPMENT										
3.1	<p>Workshop No. 2A - Conceptual Site Development Alternatives: TCF will prepare several alternative site development concepts on the selected site using the programmatic design information from Task 2. The concepts will be presented to the committee, and additional concepts developed as needed with the committee. The committee will rank the concepts in order of preference, selecting a preferred alternative. If additional research is needed, a follow-up review and preferred alternative selection meeting will be scheduled.</p> <p>Note: The City will provide a topographic and boundary survey of the entire property showing all property boundaries & corners, contours at 1 foot intervals, significant trees (8" dia and larger), easements, rights-of-way, utilities, and other pertinent site features. The City will also provide wetlands delineation and other environmental information, along with traffic engineering criteria.</p>	\$5,220.00			\$1,200	\$1,200				
3.2	<p>Workshop 2B - Preferred Alternative Confirmation: TCF will follow-up Workshop 2A by further developing the preferred site development alternative. The extent of work to be accomplished under this task will be dependent upon the results of the workshop. The intent is that a preferred site is selected at the conclusion of the workshop. A maximum of two (2) conceptual design alternatives may be further developed and refined. A follow-up meeting will be conducted to finalize selection of a preferred concept.</p>	\$3,010.00			\$1,200	\$1,200				
3.3	<p>Conceptual Building Configurations: TCF will develop conceptual building footprints to be used in the development of the site alternatives. Massing diagrams will also be generated to explore potential options for combining program functions, proportions (long & narrow VS large box approach), one and two story concepts, etc. General evaluation criteria including total envelope area and overall complexity will be used to assess the benefits and liabilities of each.</p>	\$3,890.00								
3.4	<p>Public Open House: TCF will attend a single public open house to assist the City in communicating with local residents as to the anticipated facility development. The City will take the lead role in this public process. TCF will provide graphics and other project information as appropriate for presenting to the public.</p>	\$3,110.00								
Deliverables: Written summary of workshops documenting major discussions. Conceptual drawings of alternative site plan building layouts, attendance at Public Open House.										
TOTAL 3		\$15,230.00	\$0.00	\$0.00	\$2,400.00	\$2,400.00	\$0.00	\$0.00	\$20,030.00	

TASK NO.	PROJECT WORK TASKS AND DELIVERABLES	TEAM MEMBER FEE BUDGETS							TOTALS	
		TCF (Architecture and Project Mgmt)	AHBL (Structural Engineering)	BCE (M&E Engineering)	AHBL (Civil Engineering)	Berger Partnership (Landscape Architecture)	Hennessey Fleet (Equipment)	Matson Carlson (Cost Estimating)		
TASK 4 - CODE / ZONING / EARLY SITE PERMITTING										
4.1	Code, Zoning & Permitting Summary: TCF will prepare a summary of the applicable building codes and zoning ordinances governing the project. TCF will facilitate a pre-application meeting with the City Planning & Building Dept. to identify permitting requirements and departmental personnel who will be responsible for providing input and reviews. TCF and the other Design Team Members will prepare a summary of the anticipated development permits for the project.	\$2,740.00				\$1,200				
4.2	Conditional Use Permit Assistance: TCF and our consultants (AHBL, Berger Partnership (TBP)), will assist the City in preparing documentation for a Conditional Use Permit (C.U.P.) application. The City will have primary responsibility as the Lead Agency for activities associated with the CUP process. TCF, AHBL, and TBP will provide appropriate input for the SEPA checklist, and graphic documentation as necessary to convey site development intent. The City will complete and submit the CUP application, along with any required fees.	\$4,910.00				\$2,400		\$1,200		
	Deliverables: Written Code / Zoning and Permitting Analysis to be included as a separate section in the final Pre-design Report or as part of the Design Criteria. CUP documentation including SEPA checklist and site development graphics.									
TOTAL TASK 4		\$7,650.00	\$0.00	\$0.00	\$0.00	\$3,600.00	\$0.00	\$2,400.00	\$0.00	\$0.00
TASK 5 - BUDEGTARY COST ESTIMATING AND SCHEDULING										
5.1	Budgetary Cost Model: Prepare a Pre-design level, budgetary cost model for the Programmatic Criteria using historical cost/SF data, with appropriate escalation factors. Prepare preliminary cost model for site development using the preferred site development concept. The budgetary estimate will include possible alternative approaches to site development as determined under task 3. The cost model will also identify preliminary estimates for Soft Costs, FF&E, budgets, and contingencies. TCF will also assist the City in the preparation of a preliminary Project schedule for design, permitting, bidding, construction and occupancy.	\$850.00				\$400				\$1,600
5.2	Concept Level Estimate: Prepare a final conceptual level cost estimate for the preferred site development alternative using the Uniformat system. This estimate will be expanded to include anticipated "Soft Costs" including projected A/FI fees, sales tax, permit fees, furnishings, special inspections and testing costs, construction contingencies and other costs as determined with the City.	\$1,220.00				\$600				\$2,400
TOTAL TASK 5		\$2,070.00	\$0.00	\$0.00	\$0.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00
TOTALS		\$7,650.00	\$0.00	\$0.00	\$0.00	\$3,600.00	\$0.00	\$2,400.00	\$0.00	\$13,650.00

TASK NO.	PROJECT WORK TASKS AND DELIVERABLES	TEAM MEMBER FEE BUDGETS								TOTALS	
		TCF (Architecture and Project Mgmt)	AHBL (Structural Engineering)	BCE (M&E Engineering)	AHBL (Civil Engineering)	Berger Partnership (Landscape Architecture)	Hennessy Fleet (Equipment)	Mason Carlson (Cost Estimating)			
TASK 6 - PREDESIGN REPORT											
6.1	<p>DRAFT REPORT: TCF will develop a Draft Pre-design Report consolidating all work products into a single 3-Ring binder format to include the following:</p> <ol style="list-style-type: none"> Executive Summary: To include written overview of programming needs, Public Involvement process, overview of selected design concept, zoning / permitting issues, cost summary and project schedule. Acknowledgements / Team Member Directory General Project Information Space Program Matrix Programmatic Space Design Criteria Pre-design Cost Estimate Information Zoning & Code Summary and Permitting Matrix Conceptual Design drawings: 11x17 reduced drawings of conceptual site plan and other drawings as determined by TCF. Summary of sustainable "Green" design strategies. (LEED Scorecard Matrix) <p>Appendices: As determined</p>	\$2,760.00									
6.2	<p>FINAL REPORT: TCF will prepare the final Pre-design Report Document incorporating review comments and other information as determined with the City.</p>	\$2,150.00									
TOTAL TASK 6		\$4,910.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,910.00
SUBTOTAL PER TEAM MEMBER		\$50,120.00	\$0.00	\$0.00	\$8,200.00	\$6,000.00	\$2,400.00	\$4,000.00	\$70,720.00		
TCF MARK UP ON CONSULTANT SERVICES (15%)		\$0.00	\$0.00	\$0.00	\$1,230.00	\$900.00	\$360.00	\$600.00	\$3,090.00		
SUBTOTAL A&E PROJECT FEE BUDGET (Hourly Not To Exceed)		\$73,810.00									
ESTIMATED REIMBURSABLE EXPENSE BUDGET (Actual expenses will be invoiced in addition to hourly rates per TCF Rate Schedule.		\$1,000	\$0	\$0	\$250	\$250	\$100	\$100	\$1,700		
TOTAL A&E PROJECT FEE BUDGET (Including Reimbursable Expenses)		\$51,120.00	\$0.00	\$0.00	\$9,680.00	\$7,150.00	\$2,860.00	\$4,700.00	\$75,510.00		

EXHIBIT B



REQUEST FOR CONSULTANT PAYMENT

To: City of Sammamish
 801 228th Avenue SE
 Sammamish, WA 98075
 Phone: (425) 295-0500
 FAX: (425) 295-0600

Invoice Number: _____ Date of Invoice: _____

Consultant: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Contract Period: _____ Reporting Period: _____

Amount requested this invoice: \$ _____

Specific Program: _____

 Authorized signature

ATTACH ITEMIZED DESCRIPTION OF SERVICES PROVIDED

For Department Use Only

Total contract amount	
Previous payments	
Current request	
Balance remaining	

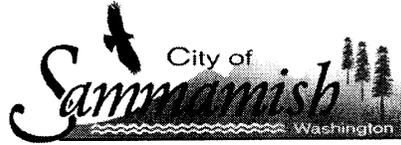
Authorization to Consultant: \$
Account Number:
Date:

Approved for Payment by: _____ Date: _____

Finance Dept.

Check # _____ Check Date: _____

EXHIBIT C



TAX IDENTIFICATION NUMBER

In order for you to receive payment from the City of Sammamish, you must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Sammamish prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

- | | | |
|--|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Partnership | <input type="checkbox"/> Government Consultant |
| <input type="checkbox"/> Individual/Proprietor | <input type="checkbox"/> Other (explain) | |

TIN No.: _____

Social Security No.: _____

Print Name: _____

Title: _____

Business Name: _____

Business Address: _____

Business Phone: _____

Date

Authorized Signature (Required)