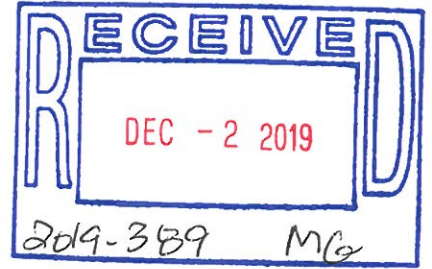


C-11 Appeal Documents -
Emerson letter

ALLEN R. & LINDA EMERSON
1226 McGarigle Street
Sedro Woolley, WA. 98284
(360) 856-2618
CELL: 360-421-1867
Email: allen.emerson@comcast.net



December 2, 2019

City of Sedro Woolley
Planning Department
325 Metcalf Street
Sedro Woolley, WA 98284

Dear Planning Department

This letter is supplemental to my letter dated November 26th, 2019, which was sent via USPS. I've been informed that mail is running late today, so I have included with this supplemental letter the documents I mailed to the planning department on 11/30/19.

Please find attached to this letter two photographs. Both photographs were taken by my wife, Linda Emerson, who retired this year from the Sedro Wooley School District. Linda worked as an SLPA with children who had speech difficulties and her work brought her to several schools including Evergreen Elementary and Cascade Middle School. So Linda is very familiar with the ingress and egress of traffic from those two schools and has first-hand experience regarding what the peak commuter travel times are on Carter, McGarigle, Highway 9 and John Liner roads.

The photograph I have marked as Exhibit #1 was taken from Linda's car on November 1 at 3:30 PM. The time can be proven because it is date stamped on her cell phone. Linda's parents live on John Liner and she was heading to our home on McGarigle Road. She pulled over to the side of the road on John Liner to asses the traffic situation and took the camera shot from that location. You will see from Exhibit #1 that the cars heading east on McGarigle towards Evergreen and Cascade Schools are backed up to Highway 9. For traffic heading westbound on McGarigle you will see a truck that is stopped on McGarigle waiting for the opportunity to enter Highway 9.

Photograph marked exhibit #2 was taken by Linda while her car was stopped in traffic on Highway 9. She realized that it was impossible to go forward onto McGarigle Road from her position on John Liner Road, so she turned right on Highway 9 and found traffic at a complete standstill as depicted in exhibit #2. Again this is the same day, November 1, 2019 and the time is 3:32 PM. The time is also dated stamped on Linda's cell phone. The truck you see in front of her car was part of a line of vehicles that were backed up on Highway 9 from the stoplight on Highway 20. The truck in front of Linda's car was parallel to the AA building, which is adjacent to Cascade Middle School. Linda estimates that the truck you see on exhibit 2 was only five car lengths from where John Liner & McGarigle intersects with Highway 9.

On page 1 of GTC's report it says and I quote: "Intersections were analyzed during the 4-6 PM typical afternoon commuter peak period". The report does not state the day of the week that the study was taken. Was the study made while school was in session? It lists the peak time period for commuter traffic between 4 to 6 PM. *This is not the peak time for commuter traffic.* The peak time for commuter traffic on Carter, McGarigle, Highway 9 and John Liner Road has two separate time periods *each day.* In the morning the peak commuter traffic on those intersecting roads is between 7:30 AM and 9:30 AM when buses and parents are bringing their children to Evergreen and Cascade Schools. The peak time period for commuter traffic on McGarigle, Carter, John Liner Roads and Highway 9 in the afternoon is between 2:30 PM and 4:00 PM. Cascade Middle schools lets out a 2:30 PM and Evergreen lets out at 3:30 PM.

My wife and I along with our fellow neighbors find the GRC report to be inaccurate in it's assessment when it depicted the peak commuter period as existing between 4 – 6 PM and would request that another study be done on a school day during the peak computer times listed in the previous paragraph. We would respectfully request the hearing examiner to order another traffic study by someone other than GTC. An accurate study is extremely important given the other potential future traffic issues that I cited in my November 26th letter to the City of SW Planning Department. BYK has set a time in February of 2020 to break ground on that 12.7 acre parcel. We would urge the hearing examiner to order a delay in the start of construction for the reasons stated in this letter and in my November 26, 2019 letter.

Thank you for your time.

Sincerely,

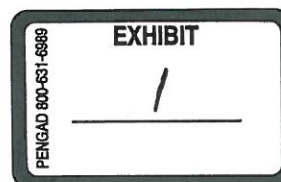
Allen Emerson

Linda Emerson

Allen & Linda Emerson

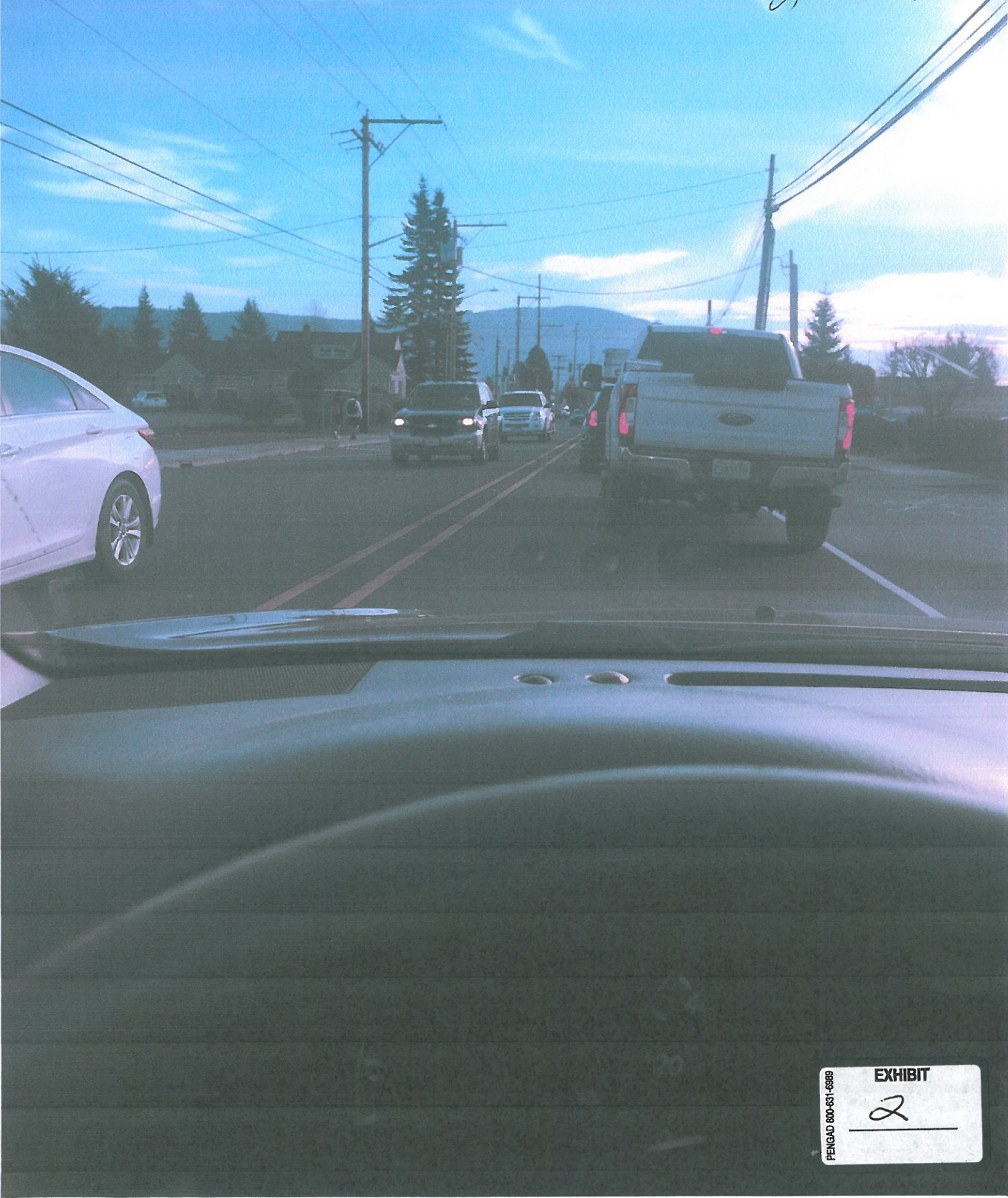
November 1, 2014
3:31 PM

John Limer / M^S GARIGLE / Hwy 9
Could not cross intersecting to
get home on M^S GARIGLE
Traffic was backed up on Hwy 9 - North
trying to turn Right onto M^S GARIGLE Rd
Danda Emmons



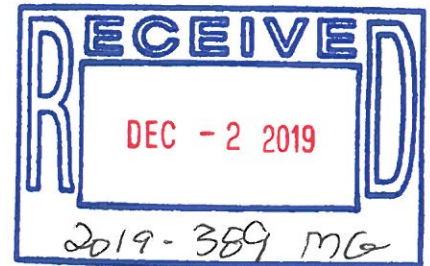
November 1, 2019
3:32 PM.

Heading south on Hwy 9
on left is Admin. Annex for SWSD
Traffic backed up to light at Hwy 28
Janda Emmons



PENGAD 800-631-6986
EXHIBIT
2

ALLEN R. & LINDA EMERSON
1226 McGarigle Street
Sedro Woolley, WA. 98284
Cell: 360-421-1867
Email: allen.emerson@comcast.net



November 26, 2019

City of Sedro Woolley
Planning Department
325 Metcalf Street
Sedro Woolley, WA 98284

Dear Planning Department

Please accept our appreciation for the hard work that your office performs day in and day out regarding our rapidly growing community. It cannot be an easy task.

In accordance with the timeliness to respond to the notice of application for SEPA commentary, my wife and I will attempt to outline our concerns for BYK's proposed 85 home construction project on the 12.7 acres that borders McGarigle Road. We disagree with the feasibility study that was performed regarding the impact that increased vehicular traffic from this development would have on McGarigle and Carter Roads. We therefore object to the proposed 85 home development for the following reasons:

1 The impact that a steady flow of traffic from 85 homes would have on McGarigle Road during parent pickup. Traffic from parent pickup at Evergreen School is constantly backed up on McGarigle and in some cases the parent pickup traffic is backed up to Highway 9 from Evergreen School and the Boys and Girls Club.

2 We feel the proposed roundabout linking John Liner Road, Highway 9 and McGarigle Road will not adequately alleviate future increases in traffic flow. We do not object to the construction of a roundabout at this location. However we have a concern that the large 18 wheel commercial trucks emanating from Canada and Whatcom County will in fact create additional problems as they enter the roundabout when school is dismissing from Evergreen and Cascade Schools. This concern regarding larger commercial trucks entering the roundabout is directed not only towards passenger car traffic emanating from Cascade and Evergreen Schools towards the roundabout but also the school bus traffic that will be merging into the roundabout. I believe a public disclosure request through WSDOT can be made because they may have cameras placed at certain locations on Highway 9. This would provide the necessary information needed regarding the number of large commercial trucks travel south on Highway 9. You could also do a PDC to Skagit Co. District Court for the number of citations issued for the overweight commercial vehicles traveling on Highway 9.

3 The residents on Carter Road are very concerned that egress from the newly constructed homes on the 12.7 acres will result in vehicles turning left onto McGarigle and then left onto Carter Road going towards Highway 20. Ingress to the housing development on the 12.7 acre property would probably emanate from Highway 20 onto Carter or else from Highway 9 onto McGarigle heading towards the 12.7 acre property. Carter Road already has an ever increasing flow of traffic from cars emanating from Evergreen and Cascade Schools including current residential traffic.

4 A further reason for concern in reference to the 85 home development has to do with Janicki's proposed tech center at the North Cascades Gateway Center Property for which I have appended an article from the Skagit Valley Herald. The development of the Omniprocessor is an exciting economic development for the City of Sedro Woolley and my wife and I support that development one hundred percent. One of the articles from the Skagit Valley Herald entitled *Janicki proposes tech center at Northern State* is dated February 14, 2015 and it states on page two, paragraph three and I quote: "If the project moves forward unhindered, Janicki said he intends to break ground on the site by the end of 2015 and plans to support 1,000 living-wage jobs there within five years", end quote. I do not know the status of construction for this project but five years from 2015 is 2020.

I addressed the neighborhood's concerns with a City of Sedro Woolley employee regarding the proposed 85 home development and part of that discussion with the city included the future increase in traffic from the North Cascade Gateway Center and, specifically, the Janicki Tech Center. The City offered no specific solutions regarding the ingress and egress for the increase in traffic from the Janicki Tech Center other than to say it was their hope that the vehicular traffic would stay on Fruitdale and proceed forward to the traffic light on Highway 20. Of course some of the traffic leaving the Janicki Tech Center would turn right on Fruitdale heading north depending on their place of residence. I believe it is entirely possible that some of the North Cascade Gateway Center traffic will divert onto McGarigle Road and either stay on McGarigle towards Highway 9 or turn onto Carter Road to link up with Highway 20. For morning commuters on their way to work at the Janicki Tech Center, we can only assume that many of those employees who are traveling to work in the morning hours would use the same route, thus encountering school traffic including passenger vehicles and school buses.

5 A fifth and final point regarding our concerns and objections to 85 homes being built on the 12.7 acre property off McGarigle Road is in reference to another possible future development bordering McGarigle and Fruitdale Roads. I have appended to this letter another article from the Skagit Valley Herald dated 2008 entitled *"Sedro-Woolley to consider leasing golf course for one more year"*. This is an eleven year-old article. I was told within the past month by a City of Sedro Woolley employee that there is a potential sale of the Sauk Mountain Golf Course to a real estate developer and that there was a possibility this developer would be building on the property known as the Sauk Mountain Golf Course. If there will be future housing on the site of the Sauk Mountain Golf course it seems likely that McGarigle and Fruitdale Roads would receive all of the ingress and egress emanating from that site thereby compounding current and future traffic issues when considering the fact that there will be 1,000 living-wage job earners traveling on these same roads.

Let me direct your attention back to this 2008 article, the 6th paragraph down. A gentleman by the name of Ruby says, quote: *"Under current zoning Ruby said he could cover the project with 70 houses"*. Then if you drop down to the last paragraph, Ruby states, quote: *"details are still up in the air. But cities sometimes allow developers to build at an increased density – by decreasing lot sizes or allowing apartments, duplexes or condos rather than single-family homes – if the developer agrees to preserve open space"*, end quote. That is exactly what the city has allowed for in reference to BYK's development; increased density (85 homes) because the developer has preserved an open space.

Of interest to me from reading this article is whether the zoning for the property known as the Sauk Mountain Golf course has changed. If it has then the question I have is whether the City of Sedro Woolley will allow a developer of the golf course property to build at an increased density. This certainly would add to our concern regarding future potential congestion caused by vehicles entering McGarigle Road from BYK's 12.7 acre property. The potential for congestion under these hypothetical circumstances would affect not only McGarigle and Carter Roads but also Fruitdale Road, Highway 20 and Highway 9.

What solutions do we have for future traffic issues affecting our neighborhood. This is a serious issue facing not only the residents on Carter, McGarigle and Independence Roads but also Evergreen and Cascade Schools who only have McGarigle Road for vehicular access. It is my understanding from doing title research that directly south of and abutting the 12.7 acre property owned by BYK there is an undeveloped five acre parcel which has as it's southerly border the commercial property including the storage facility. The undeveloped five acre parcel is owned by Campbell LLC. Apparently this undeveloped five acre parcel serves as an impediment for allowing an easement from the 12.7 acres to Highway 20. Lawrence Campbell owns the commercial property and I do not know whether he would be willing to join in allowing the granting of an easement from the undeveloped five acre parcel through his commercial property. If you travel on Highway 20 you will see that there is the start of a road off of Highway 20 onto the easterly end of the commercial development and I'm presuming this is for the commercial development only. There is no doubt in my mind that if an easement were to be allowed from the 12.7 acres onto Highway 20 that it would provide a proper and justifiable solution to the traffic issues facing the residents in this small community.

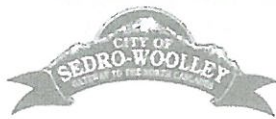
A second possible solution has to do with reducing the density of homes now depicted on the plat map. From looking at BYK's plat map it is obvious that the proposed 85 homes are compactly situated on that plat map. Apparently the city has allowed this density on the 12.7 acre property because a small open space has been preserved. I would, therefore, respectfully ask the hearing examiner to give due and proper consideration regarding a reduction of the number of homes that can be allowed for construction on this 12.7 acre property. I think that is an entirely reasonable request when you take into consideration all of the potential future traffic issues facing our small neighborhood. At the very least I believe a substantial delay in construction is warranted so that the hearing examiner can have more time to weigh all of the factors regarding potential vehicular traffic occurring within a very small radius. For a certainty the safety of the students exiting Evergreen and Cascade Schools whether on foot, on buses or in passenger vehicles is of prime importance.

Thank you for your kind consideration regarding the possible impacts that BYK's property development and other future property developments could have on our neighborhood and our community for years to come. We would like to have this letter presented to the hearing examiner.

Sincerely,



Allen & Linda Emerson



**NOTICE OF
APPLICATION AND
SEPA COMMENT
PERIOD
CITY OF
SEDRO-WOOLLEY
PLANNING
DEPARTMENT**

1. Hours of construction shall be limited to 7:00 a.m. to 9:00 p.m. weekdays and 8:00 a.m. to 9:00 p.m. weekends as required in SWMC 9.46.020;
2. Comply with Northwest Clean Air Agency Regulations during construction activities;
3. Any water discharged to the City stormwater system as a result of this project must be approved by and comply with conditions of the Public Works Department;
4. Provide a temporary erosion and sedimentation control plan for approval by the city engineer;
5. Lighting from the site shall be directed and/or shielded so as to not shine at the neighboring residential properties;
6. All construction traffic shall use temporary construction access as approved by the Public Works Department;
7. Obtain and comply with conditions of a NPDES stormwater general permit from the Department of Ecology;
8. Contribute police mitigation fees of \$505.76 per unit as per the residential unit fee calculation in the Capital Facilities Element of the City of Sedro-Woolley Comprehensive Plan; and
9. Construction shall comply with all local, state and federal regulations, including Sedro-Woolley Municipal Code Title

Description of proposal/application: The city has received an application for a proposed 85-unit Planned Residential Development (PRD) on a vacant 12.7 acre property on McGarigle Road. The proposed PRD will be age-restricted to 55 years and older. The property is zoned Residential 7 and allows for a variety of lot sizes under the PRD provisions in the Sedro-Woolley Municipal Code (SWMC). The proposed lots range from 3,675 to 14,090 square feet in size. The project includes construction of a new public road with sidewalks, a 55,532 square foot community open space, and stormwater infrastructure. File #LP-2019-389.

Proponent:

BYK Construction Inc.
ATTN: Tim Woodmansee
PO Box 619
Sedro-Woolley, WA 98284

Location of project, including street address if any: Skagit County Assessor's parcel #39374 located on the south side of McGarigle Road roughly across from the east end of Independence Boulevard, Sedro-Woolley, WA 98284.

Environmental Review:

The optional DNS process in WAC 197-11-355 is being used. Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. The City of Sedro-Woolley has reviewed the proposed project for probable adverse environmental impacts and expects to issue a mitigated determination of non-significance (MDNS) for this project. The MDNS will likely include the following conditions and any other conditions that may be necessary to address concerns raised during this comment period:

13.36 Stormwater Management Standards; Title 13.40 Stormwater Facilities Maintenance; Title 15.40 Public Works Construction Standards; Title 17 Zoning; Sedro-Woolley Public Works Design Standards and the Sedro-Woolley Comprehensive Plan.

Documents are available for review at: The City of Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, WA 98284, Monday through Friday, 8:00 AM to 5:00 PM. Environmental documents available include a SEPA checklist, stormwater report, stormwater infiltration feasibility assessment, traffic impact analysis and critical areas assessment. For more information, contact Katherine Weir at the Sedro-Woolley Planning Department at (360) 855-3206 or by email: kweir@ci.sedro-woolley.wa.us.

Public Comment Period:

The lead agency for this proposal has NOT yet made a threshold determination of whether or not the proposed project has a probable significant adverse impact on the environment. Interested persons may comment on the application and/or the anticipated SEPA determination, receive notice, participate in any hearings and request a copy of the decision. **Public comments must be received by 4:30 p.m. December 2, 2019 and should be submitted to the City of Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, WA 98284. Comments may be mailed or personally delivered and should be as specific as possible. This may be your only opportunity to comment on the environmental impacts of the proposed project.**

Katherine Weir,
Assistant Planner
City of Sedro-Woolley
Planning Department

**Published
November 18, 2019
SVH-1967030**



Sedro-Woolley to consider leasing golf course for one more year

- Elliott Wilson
- Oct 6, 2008

SEDRO-WOOLLEY — Last week's repeal of a years-long sewer moratorium was welcomed by developers. But for Sedro-Woolley golfers, it could mean losing their home greens.

Sauk Mountain Golf Course, which is run and maintained by the city of Sedro-Woolley, sits on 50 acres of residential property on Fruitdale Road.

Bob Ruby's company, Granite Holdings LLC, owns the land and has leased it to the city since 2006 for \$1 a year. Ruby bought the property in 2005 and has waited since then to develop it.

"From the beginning it was made clear to the city that this arrangement would end when the moratorium was lifted," stated a memo from City Supervisor and Attorney Eron Berg to the City Council.

The City Council will consider Wednesday authorizing the Parks and Recreation Department to operate the golf course for one additional year. Ruby estimates it will take that long to get the needed approvals to build a residential development.

Under current zoning, Ruby said he could cover the property with 70 houses. But development does not have to mean the course disappears, he stressed Monday.

The Mount Vernon developer and investor said a portion of the course or a driving range may be preserved and the homes situated around it.

Ruby said details are still up in the air. But cities sometimes allow developers to build at an increased density — by decreasing lot sizes or allowing apartments, duplexes or condos rather than single-family homes — if the developer agrees to preserve open space.

In 2006, councilmen Ted Meamber and Tony Splane — both still on the council — opposed the initial \$1-a-year lease with Ruby. The councilmen said they were concerned a golf course was not the best use of city money.

The city has not quite broken even on the course, Berg said. And it is unclear whether the council foresees the city as a long-term golf-course operator, he said.

Up to this point, Berg said council members were just voting for a short-term lease. Their views on owning a golf course may be different, he said.

“I think they would only be interested in doing it if it could essentially fund itself,” Berg said. “Whether a smaller course would be economically viable or not I think would be one of the council’s chief concerns in looking at a proposal.”

Elliott Wilson can be reached at 360-416-2147 or at ewilson@skagitvalleyherald.com.

...

top story

Janicki proposes tech center at Northern State

1 of 2

. Brandy Shreve / Skagit Valley Herald

SEDRO-WOOLLEY — Janicki Bioenergy founders Peter and Susan Janicki have a bold proposal for the Northern State Hospital campus in Sedro-Woolley: Use it as the global headquarters for their new company and the innovative Omniprocessor.

Officials at the Port of Skagit, Skagit County and the city of Sedro-Woolley announced in a news release Friday they are in early discussions with the company founders to turn the 227-acre former hospital campus into a high-tech research and development center.

The three local government entities formed an interlocal agreement early in 2014 to assess the possibilities for increased economic opportunities at the site though redevelopment while maintaining its historic character.

If the project moves forward unhindered, Janicki said he intends to break ground on the site by the end of 2015 and plans to support 1,000 living-wage jobs there within five years.

“I think it’s a gigantic opportunity for me and the community to work on such really technical stuff that also can make such a profound impact around the world,” Janicki said. “It’s a great opportunity for every single person who works on it. It taxes their brain, stretches their creativity and imagination. In the end you’re doing something great for the world, as well. It’s pretty awesome.”

Janicki said he needs a site for continued research, development, testing, sales and manufacturing of the Omniprocessor, a machine designed to turn sewage into clean drinking water and electricity — and do it profitably.

Janicki’s vision for the Northern State site is to turn it into an open campus where government officials and dignitaries from other countries could come to experience the machine firsthand.

Maintenance and fire protection upgrades for the older buildings cost the state around \$1 million per year.

The interlocal partners recently recommended the state allow a 16-bed short-term mental health facility open next year, with the potential to stay through July 2018.

Surrounding the campus portion of the site is a 726-acre recreation area owned by Skagit County, which will not be altered by the proposal, according to a news release from the port.

Senate Bill 5887 has been introduced to the Legislature by Sens. Kirk Pearson, R-Monroe, and Kevin Ranker, D-Orcas Island, to grant the Department of Enterprise Services authority to pursue a possible 60-year lease agreement with the Port of Skagit.

The bill is scheduled for public hearing in the Senate Committee on Government Operations & Security at 10 a.m. Monday in Olympia.

“The Port of Skagit, the City of Sedro-Woolley and Skagit County have made great progress in their joint effort to accommodate the community’s interests and goals for the future use of the Northern State Hospital campus,” Department of Enterprise Services Director Chris Liu said in the release.

“We look forward to evaluating the proposal in a timely manner on behalf of the state of Washington.”

Port Commissioner Kevin Ware said the port originally intended to acquire ownership of the property over the course of a few legislative sessions, but Janicki’s accelerated timetable necessitated a quicker process.

Ware said the port is seeking to either lease the site from the state and then sublet it to Janicki, or to manage the site for the state.

Although Ware said the port is working in tandem with the two other partners of the interlocal agreement, he said the decision to sign leases would ultimately fall to the port if it ends up managing the site.

Ware said current tenants of the site wouldn’t be displaced initially.

“They’ve got all kinds of buildings that are completely empty, key buildings are not being utilized,” Ware said. “There’s plenty of room. There’s no need for anybody to be displaced immediately. Over time, in the end, it would all be a biotechnology center.”