

**CITY OF MAPLE VALLEY, WASHINGTON
CITY COUNCIL
MINUTES OF SPECIAL MEETING
OCTOBER 29, 2007**

Rock Creek Elementary
School Gymnasium
25700 Maple Valley-Black Diamond Road SE

**Emergency Town Hall Meeting Regarding Plans
and Options Related to King County "Donut Hole"
(or "Summit Pit") Property Surrounded by the City
of Maple Valley City Boundaries**

1. Mayor's Introductory Remarks

At approximately 7:15 p.m. Mayor Laure Iddings welcomed the audience and introduced State Senator Cheryl Pflug and City Councilors present: Dave Pilgrim, Victoria Laise Jonas, Linda Johnson, and Deputy Mayor Jim Flynn.

The Mayor then acknowledged representatives from King County and the Yarrow Bay Group present at the meeting, noting they would be speaking later in the meeting.

Mayor Iddings briefly explained the current status of the property referred to as the "donut hole" by the City of Maple Valley and the "Summit Pit" property by King County, noting that the property is the only unincorporated rural island in Washington State that is completely surrounded by a city, the City of Maple Valley. She said the City believes that any development of the property, because it is surrounded by the City, should reflect the vision of the City residents, who will be most impacted by the development. Mayor Iddings said the City believes the County should defer to the City in determining appropriate land use regulations and zoning for the "donut hole." She noted that King County is negotiating with the Yarrow Bay Group for the sale of the property and is seeking to change the designation of the property from Rural to Urban, indicating that the City is seeking to annex the property but the changes being pursued by King County do not address this issue. The Mayor said that the City has proposed that the County and the City enter into a joint planning process regarding the property and is awaiting a response from the County, but in order to make sure that the City and its residents have a voice in the planning for the "donut hole," the City is beginning its own land use planning process.

The Mayor noted that many citizens have previously expressed concerns regarding potential impacts to Maple Valley if the changes sought by King County are implemented, including concerns regarding traffic and environmental impacts, and tonight's forum is to receive comments that will be taken into consideration by the City

as it begins its planning process and will also be submitted to King County as part of the public comment regarding the proposed conversion of the "donut hole" property from the current Rural designation to an Urban land designation. Mayor Iddings noted that there is a great deal of emotion surrounding the "donut hole" issue and encouraged all speakers to be respectful and to be as specific as possible about both their concerns related to the County changes proposed for the property and with respect to their vision for the future use of property.

2. King County Remarks

Harry Reinert, King County Department of Development and Environmental Services, presented an overview of the proposed King County Comprehensive Plan Update process and the proposed amendment to designate the "Summit Pit" property from Rural to Urban, change the land use from Rural Residential to an Urban Planned Development, change the zoning from R-5 to R-8 (eight residential dwelling units per acre), and change the King County Zoning Code to lower the current Urban Planned Development threshold from 200 to 100 acres. Mr. Reinert noted that public comment on the proposed changes will be accepted through December 28, 2007, the Executive will make his recommendation to the County Council by March 1, 2008 and then the King County Council will review the recommendations with additional public comment opportunity during that process.

Rod Brandon, King County Executive's Office, provided a review of the status of the property, noting that King County has been looking at the potential sale of the Summit Pit property over the past several years and is currently in negotiations with the Yarrow Bay Group, but no agreement has been reached at this time. Mr. Brandon stated that it would likely be a few months before a decision is made on the sale of the property. Mr. Brandon stated that the County wants the City involved if the County does reach an agreement for the property, but there are sale issues yet to be resolved, including relocation of the County's road maintenance operation that currently exists on the property. Mr. Brandon stated that the County is looking at how it might work with the City if the County does move forward with sale of the property. He noted that the Comprehensive Plan update is a separate process and is not run out of the Executive's Office. Mr. Brandon stated that the County and the City have been meeting over the past year regarding the property, although at some of those meetings there was not a lot of substance because details could not be discussed because a deal has not yet been reached.

3. Yarrow Bay Remarks

Colin Lund, Director of Development, Yarrow Bay Group, stated that Yarrow Bay developed Rock Creek Meadows in the City and has had interest in the "donut hole" property for a while. He also stated that negotiations are ongoing, but no decision has yet been made, and it could be two or three more months before a purchase agreement might be proposed.

4. City Manager Remarks

City Manager Anthony Hemstad reviewed several of the City's concerns regarding potential impacts to the City as a result of development of the "donut hole." Mr. Hemstad stated that because the property is currently designated Rural, the City

has not been able to plan for development of the property. He noted that under an Urban Planned Development the property could potentially have density impacts greater than the stated R-8 designation and a wide variety of uses. He noted several potential major impacts from the potential level of development, including traffic impacts, school impacts, impacts to parks and other human services, and potential impacts to the current Four Corners Subarea planning effort.

Mr. Hemstad stressed the City's efforts to work with King County and emphasized the City's desire that the County follow its own policies and ensure that the property is annexed into the City immediately if it becomes designated Urban.

Mayor Iddings then opened the floor for public comment.

5. Public Comment

Bill Woodcock, 27714 Maple Ridge Way SE, on behalf of the Maple Valley-Black Diamond Chamber of Commerce, read a statement expressing concerns regarding the proposed Comprehensive Plan amendment, noting the potential urban high density development and supporting the City of Maple Valley having direct input and control over the site if the Comprehensive Plan change occurs and that the site should be compliant with all Maple Valley design guidelines and zoning. Mr. Woodcock also noted that the tax and fee revenues derived from development of the property should be spent within the Greater Maple Valley Black Diamond area. He also noted the possible effect that commercial retail development on the site would have on the current Four Corners Subarea planning effort, and said that development of "donut hole" independent of other community planning is inconsistent and potentially disruptive of current planning efforts. Mr. Woodcock said the Chamber encourages King County to work collaboratively with the City of Maple Valley.

Steve Blankenship, 22522 SE 279th Street, asked what would affect whether or not the King County Executive or the King County Council would amend the Comprehensive Plan.

Mayor Iddings noted that Mr. Blankenship's question would be relayed to the Council since the evening format was to receive public comment.

Matt Robinson, 22506 SE 277th Place, noted that he lives on the back nine of the Elk Run Golf Course and while there has been discussion regarding what will happen to the front nine holes of the Golf Course, consideration should be given to what will happen to the back nine holes. He said he moved to Maple Valley because of the nice rural neighborhoods, the view of the Golf Course, and the nice people.

Scott Jonas, 25226 234th Avenue SE, thanked the City Council for arranging the evening meeting stating that all the residents deserve an update regarding what is going on with the 160 acres in the middle of the City. Mr. Jonas questioned why the property was allowed to remain unincorporated when the City first incorporated; he asked whose best interest it was in to keep the "donut hole" rural, and asked why King County has been exclusively negotiating with Yarrow Bay over the past two-three years to purchase the property without advising the City of Maple Valley what was going on. Mr. Jonas referenced to statements that King County believes that the City of Maple Valley should increase its affordable housing options and that affordable housing should be closed to employment centers. Mr. Jonas noted that in the last five years new residential building

has been at R-6 or higher density, the City has exceeded its Growth Management Act growth requirement in the first ten years, and Maple Valley does have affordable housing. In reference to comments that affordable housing should be by employment centers, Mr. Jonas asked King County to define "employment centers" since the City of Maple Valley is a bedroom community without a number of employment centers like large cities have. He said that the City is anxious and prepared to move forward with a joint planning process with King County and yet the County has been less than forthcoming in responding to the request. He asked why the County has not responded. Mr. Jonas noted that the citizens of Maple Valley are also residents of King County and residents have paid taxes for the subject property and as property owners' the residents' views are important. He said that he has heard that the "donut hole" would eventually be annexed into the City as was suppose to be done with Maple Woods, and it has not been annexed over the last ten years. Mr. Jonas also expressed concern with comments that Yarrow Bay would be allowed to grandfather in under the County regulations rather than the City's regulations. Mr. Jonas ended saying it will be the residents of the City that will be impacted by development of the "donut hole" yet all the necessary additional funds to pay for the impacts will go into King County's coffers and that is wrong. He then asked whether the potential impacts to traffic, infrastructure, schools, Maple Valley Fire & Life Safety, have been taken into consideration, and said Maple Valley must be included in the planning process. Mr. Jonas asked how Executive Sims would like it if the City owned 160 acres in unincorporated County and decided to independently zone it, develop it with the City's regulations, and pay no development fees to the County. Mr. Jonas said that the City's elected officials should be given the opportunity to be the community's voice in the planning process for this property.

Justin Jensen, 28143 236th Place SE, said that a 30% population increase from the "donut hole" development would likely mean a substantial impact to the schools and there needs to be a plan for the impacts to all public facilities from the people that may be coming with urbanization of the area.

Sheldon Sweeney, 21209 SE 258th Street, said he and his wife have been following this issue. He said that potential traffic impacts to Witte Road are a big concern to him because it is completely congested now when school lets out. He asked why, if there is a 20-year growth plan that the City has already met, how and why is it possible to entertain further growth. Mr. Sweeney complimented the Tahoma School District, noting the quality teachers, principals, and class sizes, and if class sizes increase that does not work out. Mr. Sweeney asked, "Can Maple Valley buy the property from King County?"

Storm McNeil, 22432 SE 281st Street, referenced information regarding Transfer of Development Rights (TDRs), and King County's statement on its website that TDRs can only be used on receiving sites (the "donut hole") in Urban unincorporated King County or Urban incorporated cities, and an interlocal agreement must be in place between King County and a City before the TDRs may be transferred to a development project within a City. He asked why the "donut hole" property isn't being designated urban before the property is sold and an interlocal agreement being developed. He said he understands that the County is not going to designate the property Urban until the sale is done, and that is how the County will keep the City out of planning for the property. Mr. McNeil asked if the City could go to court or a third party to overturn to

overturn the rule that prevents the City from planning for development of the property before it is designated Urban.

Rick Downer, 21911 290th Avenue SE, Hobart, said it seems convenient for the County; the County doesn't want to change the designation before the sale because Yarrow Bay doesn't want the property unless it can do exactly what it wants to with the property. Mr. Downer said King County can change the land use just by signing a piece of paper and allow up to 40 times as many houses on the property as is allowed there now. He said King County last year said that he could not use 65% of his land anymore, so why can the County now do this? Mr. Downer asked why can't the County work with the City? Why can't the County make it Urban now and work with the City? He said it seems like the County is just trying to sell the property to Yarrow Bay because there is an offer on the table.

Bob Castagna, 22731 244th Avenue SE, asked when will an Environmental Impact Statement be done on the property? He said the property screams out for one.

Mike Dayton, 27543 245th Ave. SE, asked what the timeline is regarding the negotiations if the Comprehensive Plan amendment doesn't go into effect until after March. He said it seems backwards. Mr. Dayton said that transit provisions and other services need to be addressed before that property is developed, and asked what the County is going to do about that.

Kelly Galloway, 25333 235th Way SE, referenced Mr. Reinert's comments concerning the proposed revision to decrease the minimum acreage for an Urban Planned Development from 200 acres to 100 acres, and asked if that has already been done, and if not, he asked what was driving that proposal, since the "donut hole" wouldn't be an issue if the minimum remained at 200 acres. Mr. Reinert noted that the change has not been done; if the Executive makes a recommendation to make that change, the change would go to the County Council in March and if it went forward it would be about a year before it would be in effect. Mr. Reinert said the proposed change is part of the overall proposal for the "donut hole." Mr. Galloway asked how many other properties in King County would be affected by the change. He also said that he is very concerned about the ability of the School District to absorb the potential impacts of the proposed development.

Peter Heidel, 22779 SE 277th Place, asked the County who, at the County level, citizens can get in contact with regarding ecology questions. He said he was in agreement with the comments made this evening, and thinks it is an outrage.

Kelly Carney, 24788 SE 276th Place, expressed concern about schools since the schools are close to capacity now, and she asked if the County will provide new schools, saying Maple Valley can't afford to build one. She said it is not fair to put all this pressure on our kids.

Layne Barnes, 22734 SE 264th Place, said the right way to handle the "Summit Pit" property would be to transfer the property to Maple Valley and earmark the land for schools, a high school, parks, retention of the golf course, and for no growth. Mr. Barnes said that at maximum there is really only about 70 acres that should be developed, and that represents 400 homes, 1200-1400 more people, 300 more people in schools, 600 more working people that won't be able to find jobs in Maple Valley

because Maple Valley doesn't have those jobs, and more traffic. He said he does not believe there should be an Urban Planned Development and expressed concern about the impacts on Witte Road.

Cheryl Castagna, 22731 244th Avenue SE, said she has been involved in the VOTE Committee for Tahoma Schools for the last twelve years, and there have been a number of levies that have failed and had to be put back on the ballot at a cost of about \$40,000 each. She said the District is already 300 kids over the expectation two years ago. She asked if something could be done like Redmond Ridge has done, building a high school and elementary schools. She asked if King County will be policing the 160 acres, or will the City be expected to do that? Ms. Castagna noted that the City does not have an employment base, and asked if the area could get an employment basis. Ms. Castagna asked why the third lane improvements to Kent Kangley Road weren't expanded to four lanes to enable transportation in and out of the area.

Mark Taylor, 22418 SE 279th Street, said he didn't realize that the sale was planned for completion prior to the change of designation completely tying the City's hands, and he asked why a piece of land in the middle of a city would be kept at a Rural designation. Regarding the golf course, Mr. Taylor suggested PRO designation with more high density zoning toward the commercial area or perhaps an R-4 zoning would be good.

Vaughn Holtz, 36922 235th Avenue SE, said he is not for the development of the "donut hole," he does not like what King County is doing and the way they are doing it, but it is part of the Growth Management Area, and the City needs to push King County and work with them to pay for the school and transportation impacts, and the revenues from the development needs to come to the City. He said that ten years ago there was a bus that went from Four Corners to Kent, and today there is no bus that goes there. He said there is no public transit in Maple Valley, Black Diamond and Enumclaw are better served by public transit than Maple Valley is. Mr. Holtz said people have to realize we are in a city now, but development of the "donut hole" has to be done right, planning has to change, and there have to be stores to accommodate the influx of people or there will be lots of traffic on the roads.

Bill Hanson, 25039 235th Way SE, said he develops and does property management and he sees a lot of things going on in the City that needs to be addressed, such as Yarrow Bay and King County telling us what we need to do with our City and our planning. He asked if Yarrow Bay and the County have addressed all the people living on the golf course, and how they will compensate those people for the loss of the values of their view property homes. Mr. Hanson said there needs to be a hospital in the area, and there needs to be a place where the elderly can go for daily care. Mr. Hanson then addressed the issue of traffic and lack of transportation to employment centers. He said that the County is in violation of the Growth Management Act and the City needs to take the action they need to do to stop this now.

Stannette Marie Rose, 22435 SE 240th Street, spoke as an advocate for children, saying the average age of people in Maple Valley is 21 years old. She said adding in the proposal of Yarrow Bay and King County, what there will be is overcrowding of our schools and a sense of anonymity, and anonymity breeds crime, contempt and addiction. She said we are the stewards of our youth and we need to plan for our youth

that they will be safe, able to walk in the town, go to school and get the education they are currently getting, and be able to work in Maple Valley.

Amber Puzey, 22423 SE 279th Street, mother of four, concurred with previously mentioned concerns regarding school impacts of the proposed development. She said her vision for the “donut hole” property would focus on family and children. She said the City needs ball parks, open spaces, parks kids can walk to. She said the golf courses are the only open areas and those are being taken away.

Rick Perez, 27623 236th Court SE, said that transportation is his specialty. He said that the County talks a lot about a transit-oriented development when talking about the “donut hole.” Mr. Perez said that the County has a proposal funded out of the 1/10 of a cent sales tax increase to restore the Kent bus route at 30-minute headways all day, and that might mean 2% of the development traffic using the bus, which leaves a significant impact to the City. Mr. Perez said that if the property is developed under County regulations, the County doesn’t have to do anything, so it is important that the City be in control of the process on a transportation level, in addition to all the other things that have already been stated. Mr. Perez said he is hopeful that the City’s proposal be accepted by the County. He said he would also want the City to arm the citizens as to how they can best support the City in opposing the County if the County continues its current course. He said he wants to see the golf course preserved, with nice homes on both sides of the fairways, and perhaps increased density away from the golf course if higher density is necessary. He said his preference would be R-4 for the entire developed property and that it should be single-family residential so as not to compete with the City’s plans for Four Corners. Mr. Perez said that the County cannot serve a site like this with transit with no additional revenue sources, and most of the jobs are on the eastside where no transit is going. Mr. Perez said that his current drive to work is about two and half hours by bus and half hour by car.

Matt McDale, 21309 SE 252nd Place, said Yarrow Bay needs to have more accountability. He said there are not many parks in the area, the park in his subdivision is crowded with people who are not residents there and suggested that Yarrow Bay should build parks that are nice enough that people will use them, and don’t cram the 160 acres; zone it down. He said keep Maple Valley the way it is, and noted it takes years for roads to be built.

Brittany Bailey, 24504 230th Court SE, said that the “donut hole” property should be used to develop some entertainment facilities for teenagers. She said teenagers go to Auburn now for entertainment. She said teenagers need some entertainment and businesses they can go to here in Maple Valley.

Maria VanZanen, 22426 262nd Avenue SE, volunteer for World Relief, said that she works with families new to the country and they would not make it in Maple Valley. Ms. VanZanen cited the example of one man who leaves his house at 4 a.m. in order to be at work by 7 a.m. and is twenty minutes late each morning because the only bus that he can take to Seattle is at Kent Kangley and 132nd and he has to walk to the transit station. Ms. VanZanen said these individuals would not survive in Maple Valley, they need jobs, they need transportation, they need social services, and they are not available in Maple Valley. She said if the “donut hole” has to be developed, don’t put individuals that need all the services in the “donut hole” because they won’t make it.

Ruby Jane Parker, 28107 236th Pl. SE, Glacier Valley Estates, said she would like to have the golf course stay there and to see some senior housing developed. Ms. Parker asked how citizens can prevent just being patronized.

Heidi Gburski, 22924 SE 241st Pl., said she would like to see a school placed away from all the homes with something for the high school kids as well, but providing privacy for the homes on the golf course. Ms. Gburski referenced the governor's goal to keep school class sizes small and suggested the community should go by the governor's lead.

Rick Magnussen, 21008 SE 257th Place, said it is difficult to get out of the Cedar Downs subdivision onto Witte now and he cannot imagine what adding 25% more cars will do. Mr. Magnussen said he disagrees with King County's statement that the City wants a different look with greater diversity and number of homes. He said it is not about what King County wants as best for the City; he said it is about greed, it is about money for the developer and money for King County. Mr. Magnussen congratulated the Mayor and City Council for standing up to King County.

There being no further public comment, Mayor Iddings indicated that staff will be compiling the information recorded this evening and forwarding to King County pertinent information relative to the King County process before their public comment period closes on December 28th, and at that point King County will be responding to that information. Mayor Iddings indicated that King County may not respond to each individual but the collective comments regarding schools, transportation, etc. will have a response from King County after the first of the year. The Mayor said the City will take the comments and the visioning and start working that into the City's own planning process regarding zoning, etc., and that will happen probably in late spring or summer.

6. Adjournment

Mayor Iddings thanked the audience for their comments, King County and Yarrow Bay for attending, and then adjourned the meeting at 8:50 p.m.

Irvalene M. Moni, CMC, PRP, City Clerk