Emily Coler

From: shepherdlass@hotmail.com
Sent: Sunday, July 31, 2022 11:58 AM
To: Emily Coler
Subject: 215 proposed subdivision

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

I am concerned about the large subdivision proposed abutting 7th Avenue in Sequim. Developments like this change the character of an area and stress infrastructure. Most concerning is that Sequim has not done to my knowledge an in depth accounting of it's water resources. I'm acquainted with property owners in the Carlsborg area with problems regarding inadequate well water supply. The city has an obligation to provide water for all of it's existing citizens before committing to large new demands. The scale of this new development would put a substantial stress on it's water supply.

I live in Port Townsend but own residential property in Sequim.

Thank you.

Eileen Deutsch

Emily Coler

From: Deborah Borgen <debborgen15@gmail.com>
Sent: Monday, August 1, 2022 12:42 PM
To: Emily Coler
Subject: Proposed Rolling Hills Development

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

To whom it may concern,

I am a resident of Sequim and live on Eunice Street of Third Ave and above Norman Street where proposed development will be going.

My biggest concern is the traffic impact from the Rolling Hills Development and the development slated to be off 7th above Rolling Hills.

Third Avenue is a regular route for many people walking and biking to access town, the schools, and the ODT. In fact, I bought my home here specifically because it was in walking distance from town. Already there are too many cars/trucks speeding up and down 3rd Ave hill daily!

A development of 215 homes, means potentially 400 + more cars. And then add on the cars that will be taking Reservoir and 7th, also a very popular walking route. You will have a diminished quality of life for many Sequim residents! Exercise is essential for everyone's mental health and well being.

Motor vehicles are noisy! I can hear the freeway from my house. Cars/trucks speed, putting our children and seniors at risk daily!

As a supporter of walking/biking friendly roads and neighborhoods, I would like to see more integrated non-motorized pathways connecting these new developments with town, sidewalks, bike lanes and lower speed limits.

I believe cramming so many homes into these small lots (4 per acre) is going to increase noise pollution, increase traffic congestion, decrease natural open space and increase urban sprawl.

Thank You,

Deborah Borgen
304 Eunice Street
(360)207-9712

Sent from my iPhone

Emily Coler

From: Deborah Borgen <debnborg@gmail.com>
Sent: Tuesday, August 2, 2022 10:37 AM
To: Emily Coler
Subject: SUB-22-002 ROLLING HILLS DEV

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

To the City of Sequim,

I am writing with major concerns to the proposed "Rolling Hills High Density 215 Homes Development" and the impacts this will have on surrounding neighborhoods.

The "Traffic Impact Study" that was conducted October 2021 from 4-6 PM, which concluded 3rd Ave was not a heavy pedestrian traveled route, and predicts 2000 + trips to town daily from the proposed new development site is erroneous. This on top of the proposed "Legacy Ridge Development" which will add more traffic to already poorly developed roads is an example of poor planning.

1. Third Ave is a major route for walkers and bikers to reach town, schools and the ODT. Many residents walk in the mornings and afternoons. During the school year, I have noted older children walking up the hill after school. While a posted speed limit of 25 mph is in place until south of Reservoir Street, the majority of vehicles traveling up and down Third Ave do not follow posted speed limits. (I myself have trouble crossing Third Ave at times due to speeding vehicles). There are limited sidewalks, no bike lanes and no enforcement of speed limits by City Police.

2. Critical Space and Nature. Both the proposed Legacy Ridge and Rolling Hills sites are natural habitats to many smaller creatures. I have personally witnessed deer, coyotes, bunnies, birds and bear scat nearby. There are wetlands, large mature trees and natural paths. These cannot be replaced by "planned developed open space".

3. Housing Crisis. Who are these homes being built for? Who's making money on these homes? The people who are truly in need of homes, most likely will not be able to afford the homes in these two proposed developments. So instead of solving a crisis, the City of Sequim and the County will just increase their tax base.

In Conclusion, I am not against increased housing, if well planned and forward thinking. Smaller homes, unmotorized pathways to increase multi-modal transportation (climate crisis, remember), bike pathways, side walks, enforced speed limits. We all love Sequim due to the natural beauty, closeness to the mountains and sound, but building a bunch of large housing developments sprawled all over town will only decrease it's character and charm. We need nature. We need to walk. We need quiet spaces. Promoting walking increases community.

Regards,

Deborah B.

Emily Coler

From: Sandy and Bert Aronsen <nesika@live.com>
Sent: Tuesday, August 2, 2022 11:22 AM
To: Emily Coler
Subject: Rolling Hills

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

I just sent you the following letter and it just came to mind that I forgot to sign it, so I"ve signed this one.

We are residents of Maple Ridge Estates. We were not able to get to the meeting the other day but have read what was said there. We are quite concerned regarding this development and some of what they are going to do and are saying that they are going to change things that shouldn't be. Case in point is the flowing spring on the east side of the development. They say they are going to tile it (or part of it) but as far as we can find out this flows all year round, and comes from actual springs above the reservoir. This by law should not be changed. It floods occasionally because no one has kept the pathway by Sea Breeze and behind Avamere clear so the water can run free as it did when we moved here 14 years ago. This is water for wildlife of which that parcel cares for many.

Another concern is the set back from our property line. One place says 10 feet another 5 feet. Which is it and we think that it has to be at least 10 feet by law.

Another concern is the fact that you are stating that our easement road out of Maple Ridge Estates will basically be shut down during construction and only open at night. It's an easement road and we feel you have no right to shut it down at any time (possibly for a short ...emphasis on short... period of time. This leaves us with just one way out and is not satisfactory. A way to leave it open needs to be found out.

Another big concern is the traffic this will cause on all the roads around the area from Sequim Ave. to River Road and Washington but especially the roads around the development itself. The roads can't handle this traffic safely and correctly as they are now, but nothings was said about making the roads close to the development safer for vehicles, walkers, bikers, etc.

OK, one more and we're done (I think). The city can't take care of the roads now it seems ie. Seventh Ave north of Washington which has been in need of repair for several years now. Also talking with city workers we know that the infrastructure (water, sewer, etc.) can hardly handle what we have now, how will it handle this development?

We would love answers to these concerns and an acknowledgement that you did get them and read them and shared them.

Bert and Sandra Aronsen
3428 Sycamore St.
360-504-1971

Emily Coler

From: Gail Clark <kayakgbc@gmail.com>
Sent: Tuesday, August 2, 2022 5:06 PM
To: Emily Coler; Travis Simmons
Cc: City Clerks; Tom Ferrell; Kathy Downer; Vicki Lowe; Rachel Anderson; Brandon Janisse; Lowell Rathbun; William Armacost
Subject: SUB-22-002 ROLLING HILLS MAJOR SUBDIVISION PLANNED RESIDENTIAL DEVELOPMENT

Follow Up Flag: Follow up
Flag Status: Completed

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We need housing but growth needs to be neighborhood appropriate, considering long term livability as well as the safety of those impacted by growth.

The plan to clear cut and bulldoze 100 foot trees and riparian areas on 44 acres off 7th Avenue in Sequim to make room for a high density development of 215 houses with very little green space should be rejected.

Routing the significant increase in traffic (projected at 2100 auto trips per day) includes punching Norman ave through from 3rd to 7th avenues and directly through quiet residential neighborhoods. Contrary to the inaccuracies in the proposal's traffic report, noting the absence of non-motorized traffic on 3rd and Norman, 3rd is actually heavily used by area residents and students walking, riding bikes and accessing Gerhardt Park.

Traffic headed to and from 101 would travel from S. 3rd to S. Sequim ave via the already clogged, narrow, and winding Brownfield Road. Increased traffic at Brownfield and S. Sequim has the potential to cause significant concerns at the 101 off ramp.

The School district's bus barn is also on 3rd. School buses move slowly onto 3rd and often onto Brownfield, clogging the already overloaded streets several times a day.

I am a frequent user of 3rd and Brownfield so am aware of the traffic, vehicles, trucks, school buses, and pedestrians. Now, walking my little dog on S 3rd to Gerhardt Park and along Norman feels relatively safe. Yet, more traffic would unfortunately make our walks far less safe.

When considering proposals to alleviate housing needs, addressing the significant safety and livability impact high density development presents is paramount. Rolling HIlls development proposal should be rejected as presented.

Gail Clark
PO Box 938
Sequim, WA 98382
509-531-3296

Emily Coler

From: Patt McCleary <pattmccleary@outlook.com>
Sent: Wednesday, August 3, 2022 7:56 AM
To: Emily Coler
Subject: Rolling Hills Subdivision
Attachments: Rolling Hills Sub ltr of concerns.pdf

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Ms. Coler,
Please find my 2 page letter of questions and comments regarding the above development after the July 28th meeting.

Thank you in advance for listening and responding to my concerns.

Regards,

Patricia McCleary, CRTP
484 Big Leaf Loop
Sequim, WA 98382
Tel: (360) 504-3010
Cell: (559) 679-5536

Notice: This email may be confidential and legally priviledged. If you are not the intended recipient, do not read, copy or distribute this message. Please contact the sender by reply email and destroy all copies of the original message and any attachments. Thank you.

Patricia Y. McCleary
484 Big Leaf Loop
Sequim, WA 98382
360-504-3010/559-679-5536

City of Sequim
Re: Rolling Hills Subdivision
Attn: Emily Coler

August 3, 2022

Dear Ms. Coler;

I was not present at the meeting on July 28th but was presented with a very detailed summary by our MRE secretary Linda Strohm. It seems to me that several of my questions either were not discussed or pushed off with no explanation. I would like answers to the following questions:

A) I know the developer has stated there will be dust control during the development phase of the project. My concern is what is their plan for dust control during the time(s) when there is no development or building being done? There are continuous winds, especially in the evenings that blow east from the proposed development area to surrounding residential areas. As we have all seen in the past building projects begin and then stop due to economic downturns, lack of buyers, etc. By clearing the entire area of all vegetation will allow dust from the bare ground to blow into not only MRE but other housing areas. I know I have respiratory problems as do many other residents of the neighboring homes. Please explain their plans to mitigate this dust problem beyond the active development phases.

B) The trees that are on the joining perimeter of MRE and the new development not only provide habitat for many birds and mammals, but also provide a wind break for the previously mentioned easterly winds. That vegetation is also a source of the aesthetic of living in Sequim, rather than a large urban area.

C) The "abandoned" irrigation ditch/streambed issue did not seem to be resolved or the questions of those present at the meeting were not answered. This water flow also provides water for the aforementioned birds and mammals and the trees and vegetation along the property line between MRE and the development. It seems that the wording of "abandoned" for the ditch/streambed gives the impression that it is unnecessary for the area, which makes it OK to destroy it for development.

D) There seems to be several studies that need to be completed that we (concerned neighbors) will have no input or knowledge of results. The WA Department of Fish and Wildlife on site visit of the drainage ditch, a Cultural Resource Study by the City of

Sequim and other important items were still pending at the time of the meeting. Have these items been completed and if so, what are the results?

I think this project has not been given the attention to the full scope of health and well being of neighboring residence that it requires and has been pushed ahead with only the economic benefit to the city in mind. I am requesting answers to my questions and others that I know will be sent to you at this time.

Regards,

Patricia McCleary

Patricia Y. McCleary
MRE resident

Emily Coler

From: Sarah Whelchel <firstlight2@yahoo.com>
Sent: Wednesday, August 3, 2022 12:06 PM
To: Emily Coler
Subject: Rolling Hills

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Ms Coler, I attended the July 28, 2022 hearing concerning the Rolling Hills proposal. I would like to contest the statement that "no one walks down Third Ave. S".
A glance in midday at Third Ave south of Rt 101 might look empty, but it does get steady use by pedestrians, dog walkers, bicycles, and motorcycles as well as many vehicles.
I ride my electric scooter to Walgreen, Safeway and Chase bank from Dominion Terrace on average once a week. More in summer and less in winter, but always twice a month.
I often see strangers walking from up the hill. I see neighbors with the leashed dog. There are four Dominion Terrace residents with bicycles, 2 with electric scooters, and at least one motorcycle. The day of the hearing, I was passed by a pickup going down hill at 50 mph +. We do not need hundreds more vehicles whizzing up and down Third Ave S.

Yours truly, Sarah Whelchel. 1301 Third Ave. S., #16 D, Sequim, WA, 98382.

Emily Coler

From: bob bevins <hyraxeat@yahoo.com>
Sent: Wednesday, August 3, 2022 1:25 PM
To: Emily Coler
Subject: Fw: Rolling Hills Subdivision

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Sorry.I had the wrong email address. Bob Bevins

----- Forwarded Message -----
From: bob bevins <hyraxeat@yahoo.com>
To: ecoler@sequimlaw.gov <ecoler@sequimlaw.gov>; tsimmons@sequimwa.gov <tsimmons@sequimwa.gov>; kdowner@sequimwa.gov <kdowner@sequimwa.gov>; vlowe@sequimwa.gov <vlowe@sequimwa.gov>; randerson@sequimwa.gov <randerson@sequimwa.gov>; lrathbun@sequimwa.gov <lrathbun@sequimwa.gov>; tferrell@sequimwa.gov <tferrell@sequimwa.gov>
Sent: Wednesday, August 3, 2022, 01:18:57 PM PDT
Subject: Rolling Hills Subdivision

Sequim is going to grow so let's do it right. The proposed Rolling Hills subdivision does the city of Sequim no favors in promoting the Sequim lifestyle and beauty. Three of the many problem areas in the proposed subdivision are:

1). This is an area for high -density housing. Really? To the west are open fields. To the south are single family neighborhoods. To the east is Dominion Terrace, a 55+ condominium community of residential owners of 1 and 2 bedroom one story units that
have been in place since the early 1970s.

2). The Dungeoness River flood plain channels have been protected by the State of Washington for many years as waterways that assist two species of salmon and one specie of steelhead to migrate and/or live in. The channel known to the State of
Washington on the proposed subdivision land has mysteriously disappeared or "dried up". One wanders why.

3). South third avenue is the only viable roadway to the Happy Valley area and traffic loads, especially in the mornings and
evenings, are very heavy. The proposed subdivision will add even more. Besides completing 7nth Avenue through to Washington Street it may be time to install the 5th Avenue overpass which provides a straight access to South Sequim for Fire and hospital services on 5th Avenue.

Thanks.. Robert Bevins. 541-499-9038.

Emily Coler

From: Janet H <humphrey@musician.org>

Sent: Wednesday, August 3, 2022 5:05 PM
To: Emily Coler
Cc: Travis Simmons; City Clerks; Tom Ferrell; Kathy Downer; Vicki Lowe; Rachel Anderson; Brandon Janisse; Lowell Rathbun; William Armacost
Subject: Rolling Hills Subdivision - public comment

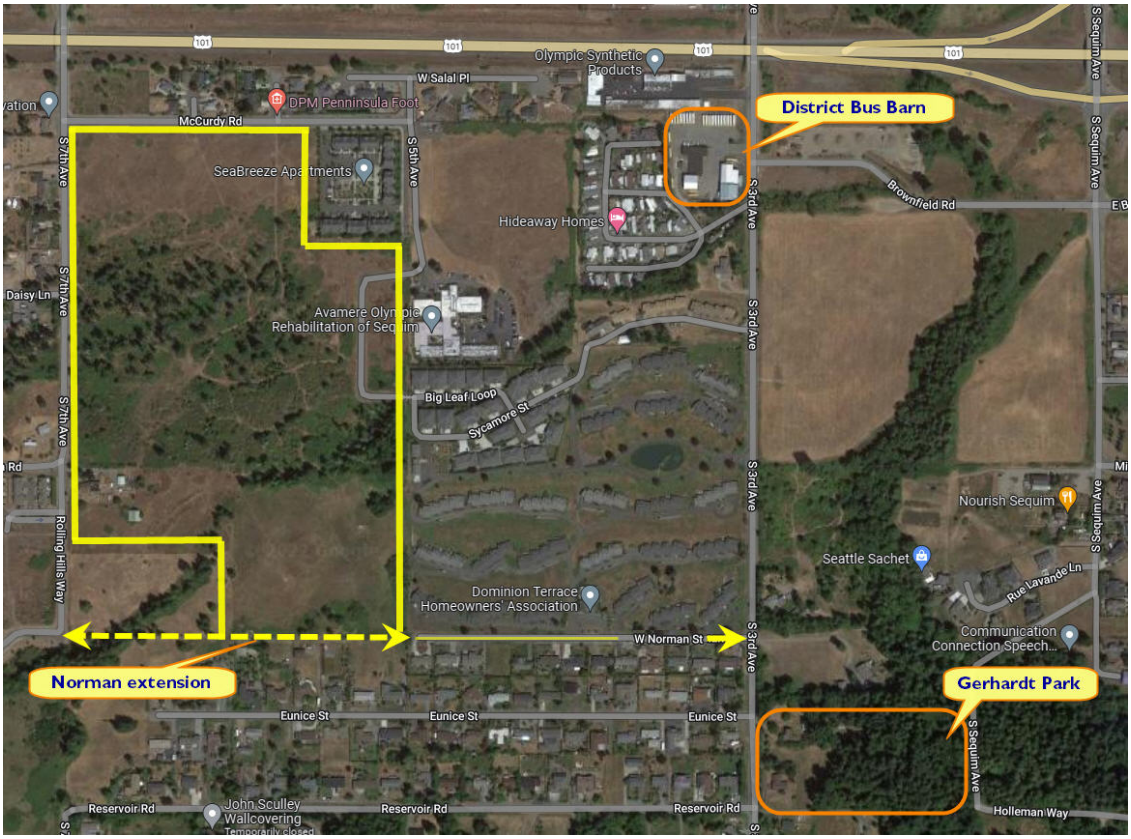
EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Thank you for extending public comment another week so that interested Sequim residents had time to further review this proposal.

I live on 3rd avenue and have substantial concern about this proposal. The included traffic survey fails to recognise the presence of non-motorised traffic on 3rd ave, walkers on Norman and some other congestion considerations.

- The proposal includes extending Norman ave through from 3rd to 7th ave - through quiet residential neighborhoods where pedestrians, seniors, cyclists and kids are daily fare. The traffic report notes no non-motorised traffic but i**n fact, 3rd is in heavy use by area residents** and is the access for Gerhardt Park which draws families, kids and daily walkers.
- Norman is a quiet dead-end street used by Seniors at Dominion Terrace and local residents who walk in the street. It currently carries almost no traffic and has no sidewalks.
- The traffic report anticipates 2100 extra auto trips daily, routing traffic down 3rd and 7th avenues which are already overloaded, narrow; without sidewalks and poorly lit.
- The School district's bus barn is on 3rd and slow moving buses lumber into oncoming traffic several times each day.
- Traffic headed to and from 101 would be carried on from S 3rd to S. Sequim ave via W. Brownfield Road which is narrow and winding. Traffic would further impact already clogged S Sequim ave and is of special concern at the 101 off ramp.

Please see the attached map noting the location of both the school district Bus Barn and Gerhardt Park.



The City should undertake its own traffic survey rather than relying on a survey from a developer with a vested interest in the project.

Of further concern is clear cut and bulldozing of 100 foot trees and riparian areas. A similar proposal was rejected several years ago on this same parcel for this reason noting the presence of a spring-fed stream. While it's possible that an interested party may have undertaken to subvert the stream or it's possible that this is a seasonal stream; this discrepancy should be investigated.

We need housing but growth needs to be neighborhood appropriate, considering long term livability as well as the safety and livability of those impacted by growth. Reducing the density of proposed housing, carefully working to preserve natural areas and refactoring the traffic plan are all good possibilities but this development as proposed would negatively affect many long-time Sequim residents, contributing to a declining property values and area safety.

I urge you to reject this proposal.

Janet Humphrey
1504 S. 3rd ave
Sequim, WA

Emily Coler

From: Steve Lachnicht
Sent: Thursday, August 4, 2022 9:22 AM
To: Emily Coler
Subject: FW: Rolling Hills issues

Include this email in the Rolling Hills comments for the Hearing Examiner.

From: Terri Smeltzer <smeltzerterri@gmail.com>
Sent: Wednesday, August 3, 2022 12:35 PM
To: Steve Lachnicht <slachnicht@sequimwa.gov>; Darryll <darryllnestor@gmail.com>; JOHN@jwjgroup.com
Subject: Re: Rolling Hills issues

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Please make note of this email as a public comment, and direct it toward hearing examiner Reeves, as well as the applicant JWJ Group LLC. I'm afraid I do not have the contact for Mr. Reeves (hearing examiner).

On Wed, Aug 3, 2022 at 9:57 AM Terri Smeltzer <smeltzerterri@gmail.com> wrote:

> Hello Steve,
>
> I'm a resident of Maple Ridge Estates, immediately adjacent to the proposed subdivision. I've lived here for eight years, and am dismayed at some of the proposed development plans. Specifically, clear cutting the entire area. This parcel of land has been a beautifully treed area longer than I have lived here. Many of the trees are mature and act as a windbreak for us here at Maple Ridge Estates. I'm not sure if you have been here on site, where we live. I'm inviting you to come to our gated area, where we've had a row of trees protecting us from the prevailing winds from the west. And the wind does blow quite strongly at times. If this barrier disappears, we will be subjected to unfettered wind, bringing with it the dust resulting from your clearing of the Rolling Hills parcel.
> I'm hoping to see some compromise on this situation. I'm not sure you can fully understand the dire situation unless you can see it and experience it on a windy day (which is often). I understand that this issue has been brought up before, by concerned neighbors, but I have not heard of a solution addressing it. Five years of dust and debris is a long time for neighbors to live with this situation. Addressing this issue now rather than later seems to be prudent, whereby changes can be made. Looking forward to your visit.
>
> Thanks for your time,
>
> Terri Smeltzer
> 488 Sycamore St
> Sequim WA 98382
> 2062762177

Joan Cotta
Dominion Terrace
1301 S 3rd Ave Unit 9D
Sequim WA 98382
jcotta@ymail.com

Aug 2, 2022

Planning Commission, City of Sequim
Via email: ccoler@sequim.wa.gov
Cc: TSimmons@sequimwa.gov
Members, City Council, City of Sequim
RE: Rolling Hills Subdivision Additional Comments

I am a Sequim resident and President of the Dominion Terrace Homeowner's Association. We have 97 owned units, about 150 residents, a clubhouse, pool, spa, workshop and resident's garden. I attended the pre-approval at City Hall hearing July 28. I spoke at that meeting and am submitting additional comments as the deadline for those was extended to Aug 4, 2022, 4 PM per Hearing Examiner Andrew Reeves.

My additional questions and comments:

A prior development proposed on the site by the same owner was dropped 2-3 years ago due to environmental concerns.

REQESTED ACTION: Determine what those concerns were, and do they still exist?

A linear wetland is listed on the county maps for this development.

The developer and city planning rep at the meeting seemed to think this was a mapping error. Not the case per long-time residents.

REQUESTED ACTION; Re-explore the stream and determine if it was disturbed.

Norman Street

Norman runs along the south side of Dominion Terrace and is a lightly travelled rural street with no sidewalks. Our 150+ residents, ages 55 -90+ walk this street for exercise. Some use walkers and canes, and many walk their dogs here daily. Norman is planned to extend through to 7th Ave. The developer says this is a city

request. They have no plans to upgrade the Norman, adding sidewalks for neighborhood walkers only within their own development.

REQUESTED ACTION:

1) Do not extend Norman St
2) If Norman is extended it must be upgraded before development is completed.

3rd Avenue and Brownfield Road

If Norman is extended, 3rd Ave will be the logical route to Hwy 101 and downtown Sequim. This is a steep road going south to Happy Valley. Most who travel speed far above the 30 mph limit. Additionally, the Sequim Schools bus barn is located on 3rd across from W Brownfield Road with multiple lumbering busses entering and exiting the grounds several times a day. Bike riders, students and neighbors walk along upper 3rd Ave daily . The intersection of W. Brownfield and 3rd is dangerous, as the road is very narrow, with high curbs and a big blind spot. I heard at the hearing that both were in the city's 2022-2027 plan to improve roadways.

Norman Ave improvement cost per the Heath and Associate Traffic study is $1,000.000. W Brownfield Rd improvement costs per the Heath and Associate Traffic study is $1,469,000 (1)

REQUESTED ACTION: Determine who will pay to upgrade both 3rd Avenue and Brownfield Road. Improvements must be in place before the development is completed. [1]

Thank you

Joan Cotta

[1] Heath and Associates, Inc Rolling Hills Traffic Impact Analysis Updated March 2020, pg.9

8/4/2022

As a second-generation Dominion Terrace resident the proposed Rolling Hills Development is an ill fit for our established neighborhood, and Sequim as a whole. Concerns below:

1.Fifth Street overpass should be completed before ANY construction starts. (see map below).

- Starting at Simdars Rd,moving West, every major road crosses Hwy 101 except 5th Ave.

  Simdars Ave. -Underpass
  Sequim Ave. – Overpass
  3rd Ave. – Overpass
  5th Ave. - ** N/A**
  7th Ave. – Overpass
  River Rd. – Overpass

- 5th Ave overpass is the common sense, long-term solution to the traffic issue.
- Norman St. to Third Ave. to Brownfield Rd is not a solution, but a poorly executed bandaid forcing and additional 2000 daily car trips through a neighborhood not designed for this level of traffic.
- Emergency concerns are addressed with 7th and 5th Street grid access.
- 5th Ave is almost twice as wide as 3rd Ave. No improvements necessary.
- Stop light already exists on 5th and Washington.
- Use common sense and install the 5th St. overpass. Wait and do it correctly.

2. Norman Street should not be extended.

- Currently a quiet, safe, and established neighborhood.
- It is the responsibility of the City to protect existing neighborhoods from new and ill-conceived projects.
- The solution offered by the developer is short sighted, dangerous, and creates traffic issues where none currently exist.
- Dominion Terrace is an Over 55 community with most residents in their mid seventies, to over 90. Peace, quiet, and safety are primary to a sustained quality of life.

3. Density should be reduced for this Plat.

- Density of Rolling Hills does not fit with the overall rural nature of Sequim.
- Aerial comparison of Dominion Terrace and the proposed Plat drawing submitted by the Developer clearly shows a discrepancy between a successful established neighborhood, and a development attempting to squeeze in the highest number of homes into a set number of acres. More green space is required both on the boundaries and field.

3. Public Notice:

- Public notice of this project was minimalist at best,
- Instead of a notice of affidavit, the website should list all addresses contacted
- While a one week extension on public comment is appreciated, is does not make up for the months this project was known before we were alerted of its existence.
- Put Dominion Terrace on your list for all notifications in all forms regarding this issue.

Dominion Terrace has been providing housing to residents for over 50 years, is an asset to the City of Sequim, and has earned the right of being protected by our city government.

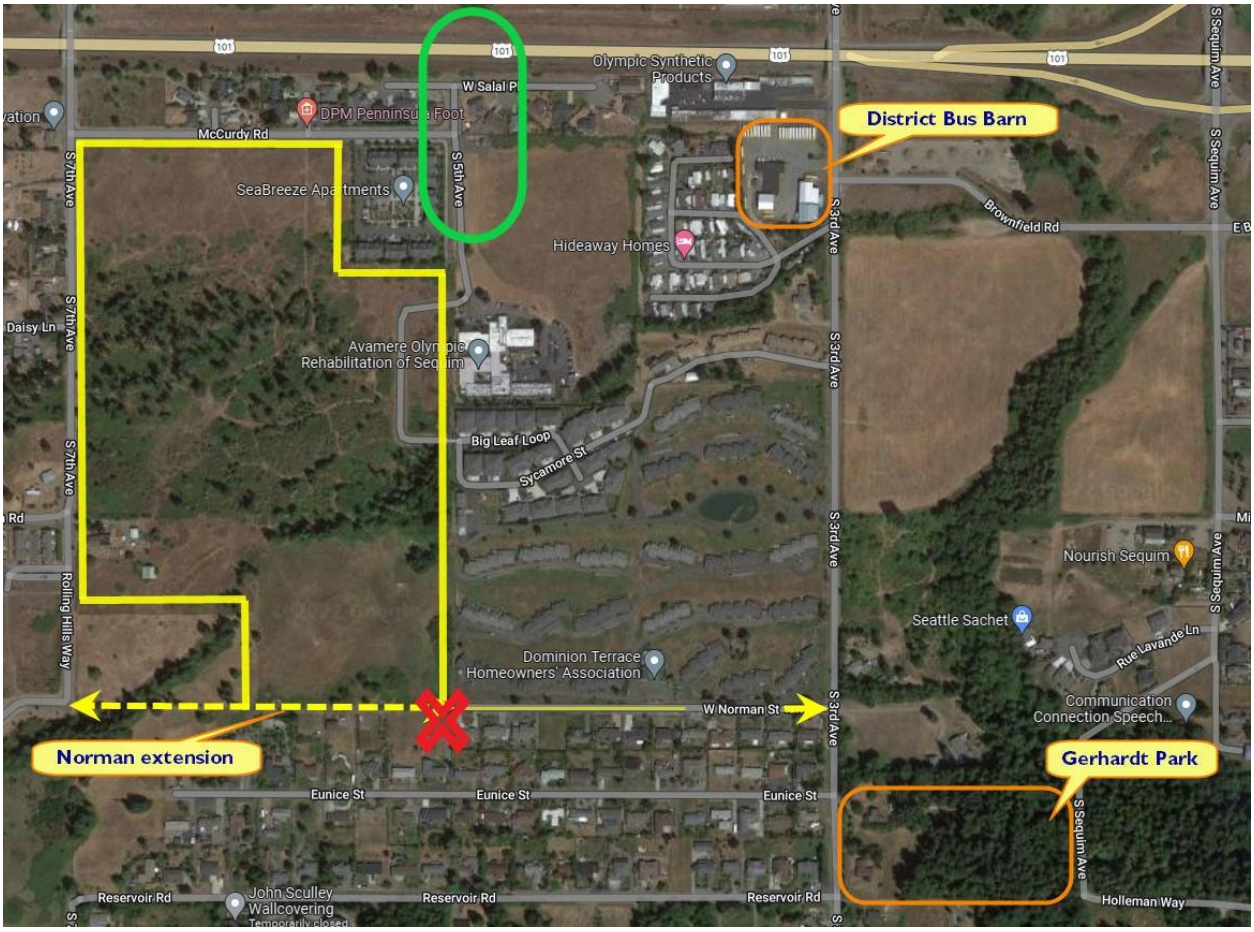
I urge the City of Sequim to reject this proposal.

Chris Clark
1301 S. 3rd Ave. Unit 2A
Sequim WA 98382

Map:
Completion of the 5th Street overpass will negate any perceived need to

Red "X" = Maintain dead end status for Norman St.

Green Loop = Location of 5th Street Overpass.



460 Big Leaf Loop
Sequim, Washington 98382-3912
Phone: 360-670-8653

August 4, 2022

Emily Coler
Travis Simmons
City of Sequim
Department of Community Development
152 W. Cedar St.
Sequim, WA 98382

Re: Rolling Hills Subdivision PRD
File No. SUB-22-002

Dear Ms. Coler and Mr. Simmons:

Per the decision of Hearing Examiner Andrew Reeves at the July 28 public hearing on this matter, this letter is to offer supplemental comments on the application for the Rolling Hills Major Subdivision PRD, and assumes that these comments will be forwarded to Mr. Reeves. I was able to attend the July 28 hearing on Zoom, but was unable to contribute due to technical issues with my computer.[1] I ask that this letter be submitted into the record concerning this application.

The July 28 hearing revealed several serious procedural errors and shortcomings in the proponent's application:

A. FAILURE OF LEGAL NOTICE TO ALL INTERESTED PARTIES

It became apparent during the hearing that a large number of interested Sequim residents had received no notice of this proposed major subdivision prior to the hearing. Some living within 300 feet of the southern and eastern edges of the PRD may not yet have heard of it. There appeared to be little discussion at the July 28 hearing about what to do about this major deficiency.

The provisions of the Sequim Municipal Code (SMC) concerning proposed subdivisions were made in part to protect "the public health, safety, and general welfare." (SMC 17.04.010(B)) Except in a few (here inapplicable) situations, compliance with the proposed subdivision requirements (including notice) is

1 I also attempted to attend by phone by calling the number given on the Notice of Public Hearing. An automated voice told me that I could listen but not participate.

mandatory:

> "C. The provisions of this title shall be administered to ensure orderly growth and development and shall implement the goals, policies and provisions of the Sequim comprehensive plan, SMC Title 18," (SMC 17.04.010(C); emphasis added)

Most major permit applications for land use and development in the City of Sequim require that, not less than 10 days prior to the hearing, notice be given in mailed, written form to "All adjacent property owners within 300 feet of any portion of the subject property."[2] (SMC 20.1.190(A)(2)(b)) This requirement is also mandatory under the SMC regarding subdivisions: "When required, the department of community development shall provide notice of a public hearing consistent with the requirements of SMC Title 20, Land Use and Development." (SMC 17.12.050; emph. added)

What happens if this is not done? Any property owner who never received notice of this proposed development could file a lawsuit to stop the development at any time that he or she noticed that activities (such as grading and site clearing) were going on. Such a legal procedure could take many months to be resolved in court; could involve significant legal costs to the city and the developer; could involve extensive legal discovery of written and electronic communications; and could involve a preliminary injunction to prevent any activities on the site while such a lawsuit was pending.

The failure to give notice to all interested parties is thus a critical error. The only way to ensure that such a legal action could not happen would be to have the developer and DCD restart the notice procedure, send additional letters notifying all legally proximate property owners, post additional notice boards where appropriate, and schedule a second public hearing as required by city code.[3]

Moreover, because this is a proposed major subdivision, affecting the entire city, any attempt to excuse or gloss over such a failure at this point would put the heretofore uninformed citizens of Sequim on notice that their town is not being

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2 In addition, a public "notice board" street posting is required at least 30 days prior to the hearing, and the Director of Community Development (DCD) has discretion as to how many of these are required. (SMC 20.01.140(C)) It became apparent at the July 28 hearing that the DCD failed to require such additional notice boards as needed to properly inform all adjacent property owners.

3 Alternatively, a second schedule might be set with deadlines and a hearing just for those who previously got no notice.

run by its own taxpayers, but by real estate developers from far away. For all of these reasons, the hearing examiner may wish to remand this matter back to the DCD to correct these deficiencies. (See SMC 20.01.222)

B. THERE ARE NUMEROUS ERRORS IN THE APPLICATION REQUIRING ITS DENIAL OR EXTENSIVE MODIFICATION

1. What happened to the trees?

Please see my letter to the DCD of June 6 regarding the many second growth evergreen trees on the subject property and how the developer has ignored these in his application. In the SEPA checklist, however, the developer did state that "vegetation will be retained pursuant to the applicable Code requirements." (SEPA Checklist, p. 13, question 4.b.) But all of these large trees are decidedly missing from the submitted plans and the exhibits shown at the July 28 hearing.

This is not correct under any reading of the city's design standards and rules for subdivisions (which, as stated above, are mandatory). Under General Design Standards, in a subsection specifically entitled "Trees," the SMC requires that "every reasonable effort shall be made to preserve existing trees." (SMC 17.28.030(A); emph. added) In addition, the city has the discretion to "impose tree cutting restrictions on trees eight inches in diameter or larger." (SMC 17.28.030(B)) Under the city's Design Review Application process, the developer is to provide "a plan showing the species, size and location of all existing indigenous and native trees eight inches in diameter or larger, and other significant shrubs, groundcovers, and ornamental grasses within the property subject to the application."[4] (SMC 18.24.032(C)(2); emph. added)

To my knowledge none of these things have been done, and they are specifically grounds for denial of the application under the SMC's Criteria for Approval. One such requirement for approval is that "The site is physically suited for the type and intensity of land use(s) being proposed." (SMC 18.35.140(E)) Given the city's design standard requirement to maintain existing large trees, it is not. Another requirement is that

> "G. The proposal would preserve natural features and critical areas and would preserve and incorporate existing significant stands of

4 A box is checked on the SEPA Application indicating that such a plan was submitted to the DCD (SEPA App., p. 7, item 27), but it was not distributed to the public, leaving us in the dark (and again without notice) about this critical matter.

> trees (SMC 18.24.032(C)(2)) within the project design as much as possible."
> (SMC 18.35.140(G))

All that the developer has done is to mislead the city that "the site is vacant" (SEPA Application, p. 16) and that "selective alteration or removal of vegetation will occur" (SEPA Application, p. 13), when in fact all or virtually all of the large trees currently present will be destroyed.

Will the developer make the necessary modifications to the plans to make this proposed development less environmentally destructive in its later phases, and thus acceptable under the mandatory provisions of the SMC? If not, this major subdivision application should be denied.

2. <u>The developer failed to notice a year-round stream.</u>

I do not wish to criticize the developer for failure to find the year-round stream flowing along the southeast portion of the property. A specialist (Ecological Land Services) was hired to review the property, and that specialist did not find this stream. (March 8, 2022 Critical Areas Reconnaissance) But now that it has been found, how and to what extent should the developer amend his development plans?

As a result of this failure of review, the developer incorrectly filled out the foundational "Application for a Major Subdivision (5 Lots or More)" by stating that there was no critical area or wetland or stream present on the property.[5] The developer then incorrectly filled out the SEPA checklist, stating that there are no critical areas on the site, and that "there are no waters on site" and that "there are no surface waters or wetlands on site." (SEPA Checklist, pp. 11-12, Question 3.a.)

It was not until the July 28 hearing, during which a city engineer erroneously stated that there was no critical area present on the site, that the hearing examiner was informed by a local resident of what many local residents have known for years: This year-round stream is not an irrigation ditch, and it flows even in summer at a rate of approximately 120 cubic feet/second. (Severne Johnson testimony at 7/28 hearing)

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5 The developer also apparently stated incorrectly on that form that there was no slope greater than 15% on the property, when the developer's own SEPA checklist states that there is a 35% slope near the southwest corner. (SEPA Checklist, p. 10, Question B(b))

According to other testimony at that hearing, the Washington State Department of Fish and Wildlife was expected to complete an on-site visit before August 4. (Joanne Bartlett testimony at 7/28 hearing) It remains to be seen (or shown by the developer) how the flow of water will necessitate changes in the overall design.

Based on all available information received to date, the city should require the developer to correct the fundamental errors cited above on its Application for a Major Development and its SEPA Checklist. The proper procedure for doing this appears to be to require the applicant to submit a "changed or clarified proposal" per SMC 16.04.100(E), or at minimum for the DCD to attach such conditions to the proposal to allow a mitigated DNS.

Those corrections and conditions raise the same question as do the large evergreen trees on site: Will the developer make the necessary modifications to the plans to make this proposed development less environmentally destructive (in its later phases) and thus acceptable under the mandatory provisions of the SMC? If not, this major subdivision application should be denied.

C. THE DEVELOPER'S TRAFFIC ANALYSIS IS ADMITTEDLY FLAWED

Local residential property owners who did not receive legal notice of the July 28 hearing testified at that hearing of an "immediate crisis" concerning the developer's plan to use Norman Street as an eastern connector to the PRD. Norman Street is currently a dead-end street with no sidewalks and no posted speed limit. These residents stated that Norman Street is currently used as a walking path for seniors (some with disabilities), implying that the character of their neighborhood would be radically changed by adding sidewalks and allowing increased traffic, and which cumulatively would be a "safety threat" to their elder neighbors in their senior-only community.

Although there is currently a planned project by the city to extend Norman Street to 7th Avenue, it appears that the local residents currently living on or near Norman Street would vehemently oppose it. And this is the issue: should a development be allowed just because changes to traffic patterns are expected (new roads and new traffic lights)? Should the needs and desires of local citizens and property owners be ignored? As I indicated in my June 6th letter (at p.3), local citizens know from personal experience that the major intersections in Sequim are already overcrowded.

And this points to another reason why the developer's Traffic Impact

Analysis, suggesting only minor delays at such intersections after construction of the subdivision, is fatally flawed. Local residents already know to avoid these intersections at peak times. The peak traffic flows counted on major intersections in Sequim by the Traffic Impact Analysis are unrepresentative for this reason.[6] People are simply staying home at peak hours, and thus aren't being counted. If they were counted, and the projected 2,122 additional weekday trips of the projected new residents were added, major delays at major intersections could reasonably be foreseen.

As stated above, one of the design "Criteria for Approval" in the SMC is that "the site is physically suited for the type and intensity of land use(s) being proposed." (SMC 18.35.140(E)) If the proposal is for 215 lots, 860 parking spaces, and thousands of new residents adding thousands of new vehicle trips to our little two-lane streets, then the site is <u>not</u> physically suited for this land use.

Put another way, it simply doesn't suit Sequim. Unlike the cities where the developer (based in Silverdale) and project lead (based in Bothell) are from, Sequim <u>has no 4-lane arterials</u>. Sequim is not even really a city by some definitions (despite its name). Sequim is really only a small town of 7 or 8,000 people on the north Olympic Peninsula with a two-lane street going through the main part of its downtown (Washington St.), and the main intersection on that street (Sequim Avenue) is also just two lanes.

Will the developer make the necessary modifications to the later phase plans to make this proposed development less dense and of less impact on Sequim's already overcrowded streets? Will the future of Sequim be determined by its current citizens, whose taxes presumably help pay for the DCD, or by out-of-town real estate developers?

Respectfully submitted,

Steven Brown

Steven Brown

cc: Severne Johnson, Maple Ridge Estates HOA
Dominion Terrace HOA

6 The idea of relying on "peak-hour" traffic counts in a place like Sequim, where over 50% of the residents are over 55 years old (and over 35% are over 65), borders on the absurd.

Stephanie Nead
1301 S. 3rd Ave., Unit 6A
Sequim, WA 98382
sknead@gmail.com

August 4, 2022

Andrew Reeves, Hearing Examiner, Sound Law
Steve Lachnicht, Director Sequim DCD
Travis Simmons, Sequim DCD
City of Sequim Council
via email of Emily Coler: ecoler@sequimwa.gov

re: Proposed Rolling Hills subdivision

Dear Mr. Reeves,

Thank you for allowing this week for additional comments by concerned citizens affected by this proposed development. I have done my best to reference official studies and laws as best I am able on short notice (& not being a lawyer).

I urge you to deny Rolling Hills Development application based on the following:

1. The now-dry stream that ran diagonally across the mid-section of the larger square on the property:

- Per the Critical Area Reconnaissance report, page 2, on the *WA Dept of Fish & Wildlife (WDFW) Table 1: WDFW Priority Habitats and Species*, was an "occurrence and migration stream" that held 3 types of protected fish: Coho salmon, Pink salmon and Winter Steelhead. It was also habitat for two types of protected wetland. As such, it was clearly a year-round stream.How did it disappear so suddenly? A migration route stream, and its surrounding wetland, does not evolve quickly, nor disappear so conveniently. Given its protected status, this is a legal issue that needs investigation by state (& Federal?) agencies, as well as the Jamestown S'Klallam tribe.
- WDFW has submitted dates to the city (I spoke with Danielle Zitomer, WFWD Habitat Biologist for this area, on Tuesday, August 2nd) to come out for a new site visit to investigate this stream on the property. She will also investigate the stream on the eastern boundary of the property that the developer wishes to label a ditch and cover over. She had not heard back from the city as of August 2nd.
- This land was denied development three years ago, on environmental reasons. What has changed? There needs to be an investigation and the tribe needs time and opportunity to be involved.
- The Tribe has requested a "Cultural Review." The developer stated in the July 28th meeting that they do not want to do this. It needs to be required for both the

protected stream and the "Dungeoness Flood Plain channels" identified in section 4.1 of the Geophysical Technical Report, but which the developer and city denied in its SEPA checklist. The tribe is expressly granted rights by the Federal government to protect the water and floodplain channels of their traditional water food sources.

- Per a July 27, 2022 Sequim Gazette article (page 1), the Federal EPA announced on July 19th that PNW tribes, including the Jamestown S'Klallam, are to receive monies "for shellfish and salmon habitat restoration" to protect their tradition lands and waterways, especially those that have been a food source. The disappeared stream and the Dungeoness River flood plain channels qualify as both.

2. I have placed a public disclosure request with the City for copies of the maps and final decision on the development that was denied three years ago, likely named Whiskey Meadows. I have not yet received those documents.

3. According to the Critical Area Reconnaissance report (pg. 2), this land is designated by WDFW as habitat for Roosevelt Elk and Northern Spotted Owl. Yet, Joanne Bartlett, inspector, chose to conclude that this need not be considered. Is it under the legal purview of a developer-hired, out-of-area contractor to unilaterally reclassify the status of protected habitat and species? Ms. Bartlett claims no Roosevelt Elk would come down this far, yet Dominion Terrace residents have seen them on this land not infrequently. Northern Spotted Owl is extremely hard to spot, as they are so tiny, unless one is expressly looking for them. We cannot say they *are* on this land, nor can we say that they are *not*. To do so would require research by state and Federal agencies. We can say (& I can say) there are owls who live and hunt on this land. We hear them often.

4. Traffic: The developer wishes to leave all traffic issues to the City's 6-year plan. This does nothing to address and rectify existing traffic issues that today are designated "critical" and "deficient" by the city. In its traffic report, the developer states that they estimate Rolling Hills will generate around 2100 new car trips per day, exacerbating an already dangerous situation. There are pre-existing dangerous traffic issues at:

Brownfield road: curvy, bumpy, hilly, unlit, and primary route to 101 off S. 3rd Ave. Busy school bus barn directly across 3rd.

3rd Ave.: no shoulders, unregulated traffic, speeding, almost blind turns, road too narrow; significant pedestrian and bicycle use year-round.

3rd & Norman: intersection of many close calls already due to lack of speed regulation on 3rd.

Norman from 3rd to dead end: no sidewalks, no shoulder.

101 entrance & off-ramp: clogged traffic that snarls overpass & Sequim Ave.

5th Ave.: An overpass is needed in advance of building any new development on this hill — for emergency vehicles and traffic regulation into and

through Sequim. Sequim Avenue and 7th Ave. are already challenged with traffic.

This development would lead to accidents, disability, deaths, as well as a general snarling of congestion along all roadways between Sequim Avenue and 7th Street on this entire hillside. This would not only be unsafe, but a major disruption to the existing quality of life and everyone's ability to evacuate in an emergency.

5. Adequate and legal notice to all neighbors was not given by the developer and city.

- Line of sight signage was completely lacking on 3rd Ave. and exists off 7th Ave. only if one drives beyond the paved portion of 7th and onto the proposed building site, which is a dead end unused by drivers.
- Letters were *not* sent with notice of hearings and timelines. Dominion Terrace found out about the June 2nd meeting on June 3rd, when a neighbor on Norman came to our office wondering why no one from DT had been at the meeting. In this case, the city failed to send notice even to Dominion Terrace's office. Dominion Terrace was built between 1970-'72 and fully switched to owner-occupied condos by 1979. The city has never changed its mailing practices. This is a failure of due diligence on the City's part.

6. City negligence and lack of due diligence:

- On the City website it states that any new document posted has a 21 day review period, yet the SEPA response letter, dated June 30th but not posted until days later, stated it allowed only until July 15th for comment.
- The city cut off comments to the Hearing Examiner as of June 9th at 4pm, yet no one was aware of this deadline until a small article appeared in the Sequim Gazette on July 8th. This cannot count as a legal notice and comment period.
- When asked in the July 28 meeting, whether "*all*, including the most recent documents" pertaining to the development were available on the City's website, Steve Lachnaight's response was "I'll have to check what's on there, what we *prefer* (italics mine) to have on the website." about Rolling Hills development. As someone who has logged into the website repeatedly, I can tell you that documents have not been posted in a timely manner, often not without questions being raised by the public. Then the length of time to comment is foreshortened by the city.
- And again I refer to the City's failure to notify by mail all residents within 300' of the proposed development due to its 40-year long lack of due diligence in updating its mailing records.

7. The City is accountable, in its efforts to foster development, to maintain the quiet, peace and physical safety of existing neighborhoods.

- This development would upend the peace, quiet and safety of the neighborhood off and on Norman street and 3rd Ave. for reasons already stated.
- In addition, destruction through grading (flattening an area named "rolling hills") of many very old, mature trees, plus riparian areas, filled with wildlife and community walking trails — in short, what makes Sequim and the PNW itself and attracts people here — in the name of "progress" is faulty thinking and irresponsible land management.
- There are any number of areas within the already flat and developed parts of Sequim proper that are appropriate for in-fill as residential housing. This proposed development is NOT in-fill. It violates the very purpose of in-fill, which is protect marginal and wild areas with a city. "Infill development" refers to building within "existing development patterns." The existing homes adjacent to this proposal have been there for over 50 years with no recent building. The areas around them are wilderness & wildlife habitat and pathways. To build here is to further narrow the habitat for protected species knowingly and deliberately, which is conflict with the intention set to protect them by State and Federal government.
- According to the City's own survey (cited in a citizen Steven Brown's letter on the website under Rolling Hills "Public Comments"), the greatest need seen by Sequim residents is for more nature parks, particularly south of 101. Yet the City proposes to destroy a landscape that would be perfect for such a nature park and instead build high-density housing up into wildlife lands. These lands are home to a great deal of wildlife. They already contain walking trails. They protect the peace, quiet and beauty of the surrounding areas and wildlife habitats.

8. Density:

- The Apts at the north end of the proposed development off 7th need a nature park for kids and adults.
- The Phase 3 area is not currently "high-density," as the developer claims. We are a residential (low density) neighborhood with one short street of high-density condos called Maple Ridge. Otherwise, this area is residential with large yard areas.
- The density of any new development needs to meet the needs of the existing community in part by matching its density pattern. The development as proposed at 5.67 units/acre matches. This is the density pattern of a mobile home court (@ 5-10 units/acre), which bears no relation to any existing neighborhood in the surrounding area.
- This proposal was initially marketed to the community as "affordable housing." That designation was never defined or quantified. More recently, in its SEPA documents, this proposed development was relabeled for "middle income." This also was not defined or quantified. The density requested was originally based on this being "affordable housing." This seems to be no longer the case.
- Dominion Terrace, directly adjacent to the east for this property, is built largely on clay. We have a drainage problem already. The land of this proposed development serves as a

major storm and water mitigation drainage area for this entire hillside. With, by the developer's estimation, 60% of this land made impermeable through construction, drainage problems will increase. This is untenable and irresponsible of the City planners.

9. Punching through Norman St. to 7th disrupts wildlife habitat and pathways, as well as flood plain and water drainage channels. It would cut off the rehabilitation of the protected stream.

Questions:

1. Would Rolling Hills Development expect to tap into the Highland irrigation district? Another development directly to the east across 3rd from Dominion Terrace was blocked about two years ago, in part b/c the acquirer on this hillside is at it's max. It cannot sustain any further development that calls upon its water. It was determined that a new development cannot access water that will cause existing neighbors to lose their water supply.
2. At the July 28 meeting, the developer showed am image of "something like" the type of housing they propose to build. Given that their plans call, not for "homes" but for "housing units," a definition of what legally constitutes a "housing unit" is needed. It has not been answered.
3. The catchment pond for run off that the developer proposes for this complex: How large is it exactly? How have they factored in the increasing rainfall that has begun due to climate change? Is it actually big enough?
4. I do not recall if the question was ever directly answered whether this hillside is an acquirer recharge area? If so, it is protected. This must be addressed.
5. How will SEPA requirements, from agencies, be tracked, accessed and enforced? By whom? What citizen oversight will there be? What system for reporting and follow through on violators will the City implement?

<u>Mitigation Requests if proposed development is project is ok'd</u>:

1. The year-round stream running along the eastern boundary of the proposed development. (Danielle Zitomer from WDFW will be reexamining this as well.)

- In speaking with multiple people from WA Dept of Ecology, I understand that under state law, (and as I read it, in several areas of the Municipal Code 2017-05 18.80) a stream remains a stream despite its having been narrowed or altered in its course, forced under a culvert, or forced underground. It is now illegal to alter a stream any further, and covering over a stream is strictly illegal. The boundaries of any stream are protected with, as I understand it, a 69' set back. Assuming DFWD concurs with our assessment that this is in fact a stream, the developer must make the necessary adjustments and leave this boundary undisturbed during construction.

- The state recognizes that many municipalities altered stream and changed their designation to "irrigation ditch" as farming took over these rich lands in the last 175 years. Yet, streams they remain in light of today's law, though the city of Sequim, by its own admission, has made no attempt to update its records. Nor has the Highland Irrigation District.
- The City engineer acknowledged in the July 28th meeting that no effort was made to identify a source for this stream. It was simply assumed to be a ditch. Due diligence is called for here.

Request:

- The stream on the eastern boundary be allowed to remain open and protected. All existing trees and plant growth on the western side of the stream back to a 69' set back be left untouched and as is. It serves to protect and sustain the stream, as well as the many creatures, birds & ducks who use it.
- The development be required honor the set back to the legal limit of 69", *including* any back yards required for housing are outside this limit. The builder be required to leave the protected boundary area undisturbed during the construction process.

2. If WDFW determines the stream on the property's eastern edge may continue to be labeled a ditch, the developer needs to grant the same buffer between Dominion Terrace land and the land of every other bordering property. In the July 28th meeting, the developer stated they would be leaving at least a 10' buffer between their homes and neighboring property lines. Yet it is clear on their maps & design diagrams that this is not the case for Phase Three in its southwestern line along Dominion Terrace's boundary. At the least, we would like the developer to allow the same consideration and buffer to our property line as for everyone else.

3. To ensure safety to existing residents, in particular the elderly of Dominion Terrace (which has been here for 52 years), the developer & city must, before construction begins, widen Norman Street, and build sidewalks along Norman St. between 3rd Street and the start of the new development. The people who live here cannot, and should not be expected to, stop walking or be unsafe in their own neighborhood to convenience the developer. So far the developer has only guaranteed sidewalks along "all streets that boundary our property. This would not include Norman from 3rd to the eastern edge of the new development. Not good enough.

4. The City be required to adjust the density of this development to match that of the majority its surrounding area. For Phase 3 this would mean matching the residential density of Norman, Euclid, and Dominion Terrace, with amply and abundant yards and green space.

5. The City be required to utilize HUD guidelines defining affordable housing and generate compliance guidelines, oversight and consequences, including citizen involvement. Contractually agreed upon pricing for the finished units between the City, owners and developers, with a high and a low-end price designated, with no option of increase permitted and legally enforceable consequences to the developer and seller should this be violated.

6. Require the developer to include walking paths with trees, play parks for children, and skate parks for teenagers within the boundary of their development to ensure that kids are not coming into Dominion Terrace with bikes, roller blades and other dangerous-to-elders equipment that people using walkers, canes and riding wheelchairs do not have the reflexes or speed to avoid. This is a huge liability to the City, the owners, and the developer if they are allowed to move forward with this development.

It seems to this reader/researcher that there are several potential legal issues for the City and developer if this proposal proceeds.

Thank you for the opportunity to offer these comments and questions.
Sincerely,
Stephanie Nead

JULY 27, 2022

SUBJECT - ROLLING HILLS SUBDIVISION - FILE SUB 22-002

DEAR MR. SIMMONS,

I RESIDE ON NORMAN STREET AND WALK THE STREET OFTEN. DURING THESE WALKS I HAVE OBSERVED THE POOR STRUCTUAL CONDITION OF THE ASPHALT PAVEMENT. MANY YEARS AGO CRACK SEAL WAS APPLIED TO MAJOR CRACKS ON THE STREET. SINCE THEN, NUMEROUS AREAS HAVE FURTHER DETERIORATED TO THE EXTENT THERE IS FINE ALLIGATOR CRACKING IN MANY LOCATIONS. THE ROLLING HILLS SUBDIVISION WILL GREATLY INCREASE THE TRAFFIC VOLUME ON NORMAN STREET.

I SUGGEST THAT THE CITY OF SEQUIM SERIOUSLY CONSIDER INCLUDE IN THE CONDITIONS OF APPROVAL THAT THE DEVLOPER PERFORM MAJOR ASPHALT REPAIR ON NORMAN ST.

THANK YOU FOR YOUR CONSIDERATION REGARDING THIS MATTER.

SINCERELY,

BILL F. PAGE
305 NORMAN ST.
SEQUIM.
(360) 582-3828

From: Greg Madsen <gregmadsen@olypen.com>
Sent: Thursday, August 4, 2022 4:56 PM
To: Emily Coler; Travis Simmons; City Clerks; Tom Ferrell; Kathy Downer; Vicki Lowe; Rachel Anderson; Brandon Janisse; Lowell Rathbun; William Armacost
Subject: Prooposed Rolling Hills Subdivision

Follow Up Flag: Follow up
Flag Status: Completed

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

To Those Feigning Concern:

Your devastation of green space—and then your ironic promise of “landscaping”—is a preposterous violation of why people choose to make Sequim as a home.

Placing 215 homes on a devastated landscape--with zero lot lines!—proposes a blight on the land, a newly built slum.

Clearly, the City of Sequim has decided that Rolling Hills must be built and has skewed DCD studies to falsely endorse the value of the project. For example, your traffic studies on Third and Norman streets do not remotely reflect the actual use of these streets. During the day, this area is filled with kids and elders on bikes, exercise walkers and people walking their dogs.

The increased traffic through Dominion Terrace will adversely affect homeowners’ tranquility.

In fact, all that the City envisions are increased tax returns with literally no concern for the Sequim citizens’ quality of life.

Following the obscene example of Lavender Meadows, are Sequim’s leaders now dedicated to “filling up the empty spaces” with no regard to the visual pollution and confining population density their hasty approvals create?

The Rolling Hills development should be rejected.

However, as we used to say in Chicago, it is painfully evident that “the fix is in."

Stephanie Nead
1301 S. 3rd Ave., Unit 6A
Sequim, WA 98382
sknead@gmail.com

August 4, 2022

Andrew Reeves, Hearing Examiner, Sound Law
Steve Lachnicht, Director Sequim DCD
Travis Simmons, Sequim DCD
City of Sequim Council
via email of Emily Coler: ecoler@sequimwa.gov

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5. Adequate and legal notice to all neighbors was not given by the developer and city.

- Line of sight signage was completely lacking on 3rd Ave. and exists off 7th Ave. only if one drives beyond the paved portion of 7th and onto the proposed building site, which is a dead end unused by drivers.
- Letters were *not* sent with notice of hearings and timelines. Dominion Terrace found out about the June 2nd meeting on June 3rd, when a neighbor on Norman came to our office wondering why no one from DT had been at the meeting. In this case, the city failed to send notice even to Dominion Terrace's office. Dominion Terrace was built between 1970-'72 and fully switched to owner-occupied condos by 1979. The city has never changed its mailing practices. This is a failure of due diligence on the City's part.

6. City negligence and lack of due diligence:

- On the City website it states that any new document posted has a 21 day review period, yet the SEPA response letter, dated June 30th but not posted until days later, stated it allowed only until July 15th for comment.
- The city cut off comments to the Hearing Examiner as of June 9th at 4pm, yet no one was aware of this deadline until a small article appeared in the Sequim Gazette on July 8th. This cannot count as a legal notice and comment period.
- When asked in the July 28 meeting, whether "*all*, including the most recent documents" pertaining to the development were available on the City's website, Steve Lachnaight's response was "I'll have to check what's on there, what we *prefer* (italics mine) to have on the website." about Rolling Hills development. As someone who has logged into the website repeatedly, I can tell you that documents have not been posted in a timely manner, often not without questions being raised by the public. Then the length of time to comment is foreshortened by the city.
- And again I refer to the City's failure to notify by mail all residents within 300' of the proposed development due to its 40-year long lack of due diligence in updating its mailing records.

7. The City is accountable, in its efforts to foster development, to maintain the quiet, peace and physical safety of existing neighborhoods.

- This development would upend the peace, quiet and safety of the neighborhood off and on Norman street and 3rd Ave. for reasons already stated.
- In addition, destruction through grading (flattening an area named "rolling hills") of many very old, mature trees, plus riparian areas, filled with wildlife and community walking trails — in short, what makes Sequim and the PNW itself and attracts people here — in the name of "progress" is faulty thinking and irresponsible land management.
- There are any number of areas within the already flat and developed parts of Sequim proper that are appropriate for in-fill as residential housing. This proposed development is NOT in-fill. It violates the very purpose of in-fill, which is protect marginal and wild areas with a city. "Infill development" refers to building within "existing development patterns." The existing homes adjacent to this proposal have been there for over 50 years with no recent building. The areas around them are wilderness & wildlife habitat and pathways. To build here is to further narrow the habitat for protected species knowingly and deliberately, which is conflict with the intention set to protect them by State and Federal government.
- According to the City's own survey (cited in a citizen Steven Brown's letter on the website under Rolling Hills "Public Comments"), the greatest need seen by Sequim residents is for more nature parks, particularly south of 101. Yet the City proposes to destroy a landscape that would be perfect for such a nature park and instead build high-density housing up into wildlife lands. These lands are home to a great deal of wildlife. They already contain walking trails. They protect the peace, quiet and beauty of the surrounding areas and wildlife habitats.

8. Density:

- The Apts at the north end of the proposed development off 7th need a nature park for kids and adults.
- The Phase 3 area is not currently "high-density," as the developer claims. We are a residential (low density) neighborhood with one short street of high-density condos called Maple Ridge. Otherwise, this area is residential with large yard areas.
- The density of any new development needs to meet the needs of the existing community in part by matching its density pattern. The development as proposed at 5.67 units/acre matches. This is the density pattern of a mobile home court (@ 5-10 units/acre), which bears no relation to any existing neighborhood in the surrounding area.
- This proposal was initially marketed to the community as "affordable housing." That designation was never defined or quantified. More recently, in its SEPA documents, this proposed development was relabeled for "middle income." This also was not defined or quantified. The density requested was originally based on this being "affordable housing." This seems to be no longer the case.
- Dominion Terrace, directly adjacent to the east for this property, is built largely on clay. We have a drainage problem already. The land of this proposed development serves as a

major storm and water mitigation drainage area for this entire hillside. With, by the developer's estimation, 60% of this land made impermeable through construction, drainage problems will increase. This is untenable and irresponsible of the City planners.

9. Punching through Norman St. to 7th disrupts wildlife habitat and pathways, as well as flood plain and water drainage channels. It would cut off the rehabilitation of the protected stream.

Questions:

1. Would Rolling Hills Development expect to tap into the Highland irrigation district? Another development directly to the east across 3rd from Dominion Terrace was blocked about two years ago, in part b/c the acquirer on this hillside is at it's max. It cannot sustain any further development that calls upon its water. It was determined that a new development cannot access water that will cause existing neighbors to lose their water supply.
2. At the July 28 meeting, the developer showed am image of "something like" the type of housing they propose to build. Given that their plans call, not for "homes" but for "housing units," a definition of what legally constitutes a "housing unit" is needed. It has not been answered.
3. The catchment pond for run off that the developer proposes for this complex: How large is it exactly? How have they factored in the increasing rainfall that has begun due to climate change? Is it actually big enough?
4. I do not recall if the question was ever directly answered whether this hillside is an acquirer recharge area? If so, it is protected. This must be addressed.
5. How will SEPA requirements, from agencies, be tracked, accessed and enforced? By whom? What citizen oversight will there be? What system for reporting and follow through on violators will the City implement?

<u>Mitigation Requests if proposed development is project is ok'd</u>:

1. The year-round stream running along the eastern boundary of the proposed development. (Danielle Zitomer from WDFW will be reexamining this as well.)

- In speaking with multiple people from WA Dept of Ecology, I understand that under state law, (and as I read it, in several areas of the Municipal Code 2017-05 18.80) a stream remains a stream despite its having been narrowed or altered in its course, forced under a culvert, or forced underground. It is now illegal to alter a stream any further, and covering over a stream is strictly illegal. The boundaries of any stream are protected with, as I understand it, a 69' set back. Assuming DFWD concurs with our assessment that this is in fact a stream, the developer must make the necessary adjustments and leave this boundary undisturbed during construction.

- The state recognizes that many municipalities altered stream and changed their designation to "irrigation ditch" as farming took over these rich lands in the last 175 years. Yet, streams they remain in light of today's law, though the city of Sequim, by its own admission, has made no attempt to update its records. Nor has the Highland Irrigation District.
- The City engineer acknowledged in the July 28th meeting that no effort was made to identify a source for this stream. It was simply assumed to be a ditch. Due diligence is called for here.

Request:

- The stream on the eastern boundary be allowed to remain open and protected. All existing trees and plant growth on the western side of the stream back to a 69' set back be left untouched and as is. It serves to protect and sustain the stream, as well as the many creatures, birds & ducks who use it.
- The development be required honor the set back to the legal limit of 69", *including* any back yards required for housing are outside this limit. The builder be required to leave the protected boundary area undisturbed during the construction process.

2. If WDFW determines the stream on the property's eastern edge may continue to be labeled a ditch, the developer needs to grant the same buffer between Dominion Terrace land and the land of every other bordering property. In the July 28th meeting, the developer stated they would be leaving at least a 10' buffer between their homes and neighboring property lines. Yet it is clear on their maps & design diagrams that this is not the case for Phase Three in its southwestern line along Dominion Terrace's boundary. At the least, we would like the developer to allow the same consideration and buffer to our property line as for everyone else.

3. To ensure safety to existing residents, in particular the elderly of Dominion Terrace (which has been here for 52 years), the developer & city must, before construction begins, widen Norman Street, and build sidewalks along Norman St. between 3rd Street and the start of the new development. The people who live here cannot, and should not be expected to, stop walking or be unsafe in their own neighborhood to convenience the developer. So far the developer has only guaranteed sidewalks along "all streets that boundary our property. This would not include Norman from 3rd to the eastern edge of the new development. Not good enough.

4. The City be required to adjust the density of this development to match that of the majority its surrounding area. For Phase 3 this would mean matching the residential density of Norman, Euclid, and Dominion Terrace, with amply and abundant yards and green space.

5. The City be required to utilize HUD guidelines defining affordable housing and generate compliance guidelines, oversight and consequences, including citizen involvement. Contractually agreed upon pricing for the finished units between the City, owners and developers, with a high and a low-end price designated, with no option of increase permitted and legally enforceable consequences to the developer and seller should this be violated.

6. Require the developer to include walking paths with trees, play parks for children, and skate parks for teenagers within the boundary of their development to ensure that kids are not coming into Dominion Terrace with bikes, roller blades and other dangerous-to-elders equipment that people using walkers, canes and riding wheelchairs do not have the reflexes or speed to avoid. This is a huge liability to the City, the owners, and the developer if they are allowed to move forward with this development.

It seems to this reader/researcher that there are several potential legal issues for the City and developer if this proposal proceeds.

Thank you for the opportunity to offer these comments and questions.
Sincerely,
Stephanie Nead

From: Zitomer, Danielle R (DFW)
Sent: Monday, August 15, 2022 6:59 PM
To: Tim Woolett; Shawn Hines; Hilton Turnbull; Travis Simmons; Shawnie Peters; Lori DeLorm
Cc: John Johnson; Levi Holmes; Debra Purcell; Crystal Conner; Joanne Bartlett
Subject: RE: Rolling Hills Planned Residential Development; JWJ Group
Attachments: RE Rolling Hills Shawn.txt; RE Rolling Hills.txt; RE SEPA MDNS - SUB-22-002_Rolling Hills.txt; Rolling Hills cultural review.txt

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EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Good afternoon,

Thank you for your email, Tim, and for following up with Ben Smith. The information you provided below is extremely helpful. Also, thank you to Debra for her email on Thursday (attached here). As most of the folks on this email are aware, I have been on annual leave the past week and was unavailable for correspondence.

In an effort to try to close the loop on various email threads pertaining to this project, I have also attached a few other email chains here and am including the following individuals from those chains:
Shawn Hines, Jamestown S'Klallam Tribe
Hilton Turnbull, Jamestown S'Klallam Tribe
Lori DeLorm, Jamestown S'Klallam Tribe
Shawnie Peters, City of Sequim
Travis Simmons, City of Sequim

Mapped Watercourse, Diagonally Bisecting Property

During the site visit that I performed on Friday, Aug 5th, Tim, Joanna, Debra, and I walked the property and looked for indications of the presence of the watercourse identified in the mapping resources, which runs diagonally across the proposed project area. We were able to identify a watercourse-like depressional area that aligned approximately with the watercourse identified. After much bushwhacking and effort, I was able to determine that the bed of this channel feature was vegetated by woody perennial plants and herbaceous plants at a density and species composition analogous to the surrounding area. It appears therefore that this feature would not represent a regulatory watercourse, as there is no defined bed and bank. Whatever flow may run through this feature (either historically or during exceptional storm events), happens infrequently enough that woody perennial vegetation, soil, and herbaceous vegetation are unaffected. As Joanne reported in her investigation, the derelict culvert features do not seem to connect to this feature, either. There did not appear to be connectivity between this feature and any upstream regulatory watercourse.

My determination is, unsurprisingly, that this mapped feature is not a regulatory watercourse of the state. I will report this finding to the WDFW staff responsible for updating our watercourse maps.

Abandoned Irrigation Ditch and Connected Upstream Watercourse and Wetland, North East Property Corner

The second portion of the site visit on Friday, Aug 5th, was to examine the point of origin for the watercourse identified as an abandoned irrigation ditch on the north east portion of the property. We traced this back to watercourse running east of the reservoir tank on reservoir road. This

watercourse was flowing with water, was not obviously constructed, and followed a seam in the topography where a natural watercourse would reasonably be located. We continued tracing this until we found a large wetland area at the top of an old road grade with derelict infrastructure and debris, where the watercourse became indistinct. While it seemed entirely possible that this water was essentially "leak" from the Highland Irrigation District located directly upstream, it was also possible that it was a natural watercourse drainage that just intersected with Highland. This was not something that I could determine decisively without follow-up information from the irrigation district or further investigation of the upper elevational area.

Based on the information that Tim received from Ben Smith and Pete Tjemsland, it sounds like the water and wetland area we observed are, in fact, leak water from the location of the valve in Highland Irrigation Districts east to west running irrigation ditch. In an ideal situation, I would like to see this (or pictures) east to west ditch and leaking valve situation. However, given the indications that I did see, the information provided by Ben Smith and Pete Tjemsland, and the fact that there are also no mapped regulatory watercourses here, I am comfortable with the reasonable assumption that this is also not a regulatory watercourse.

Since this was not a mapped or indicated watercourse, I don't believe that technically my assessment would be a 'watercourse determination' for this feature. There is also nothing to update as far as mapping or online resources for this feature, as far as I know. Lastly, this watercourse/ditch feature was not a concern that I had commented on during the proposal review, so I do not believe that there is any additional documentation that would be needed from me for this feature. However, given that this feature was a major point of concern for a number of citizens, it was good due diligence to do the field review and subsequent sleuthing. Thanks again to Tim, Ben, and Pete for their follow up!

<u>Priority Habitat and Species Elk Habitat</u>
The property does appear to be suitable habitat for elk, and a portion of the property is mapped in WDFW's PHS mapping as Critical Winter Habitat for Elk, as I have previously commented on and documented. The property met any reasonable standard for high quality habitat of this type. There was substantial wildlife sign on the property, but, given that the site visit occurred in August, no obvious elk sign. My professional recommendation is that the habitat management recommendations for the mapped PHS habitat area be followed. Lori DeLorm with Jamestown S'Klallam Tribe might be able to provide a greater level of detail and expertise on this habitat type.

<u>Northern Spotted Owl Habitat</u>
I did not observe suitable Northern Spotted Owl Habitat at this site. I do not have Northern Spotted Owl concerns for this proposed project.

<u>Cultural Resources and Environmental and Habitat Review</u>
Shawn Hines with Jamestown S'Klallam Tribe has reached out to me regarding this project, and the Tribe's request for Cultural Resources Review and Environmental and Habitat evaluations. I did not have much to share at the time, since I had not yet been onsite, but I wanted to include Shawn, Hilton, and Lori on this email in case this is helpful information for their review process.

Thank you all for the time and attention given to this process. Please let me know if there is any additional technical or regulatory assistance that I can provide.

Appreciatively,

Danielle Zitomer
Pronouns: she/her/hers
Habitat Biologist
WDFW Habitat Program

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From: Tim Woolett <tswoolett@outlook.com>
Sent: Thursday, August 11, 2022 10:21 AM
To: Zitomer, Danielle R (DFW) <Danielle.Zitomer@dfw.wa.gov>
Cc: John Johnson <john@jwjgroup.com>; Levi Holmes <levi@jwjgroup.com>; Debra Purcell <debra.p@jwjgroup.com>; Crystal Conner <crystal.c@jwjgroup.com>
Subject: Rolling Hills Planned Residential Development; JWJ Group

External Email

Danielle,

Thank you for visiting the site with us on Friday. As a follow up, I contacted Ben Smith of the Highland Irrigation District and followed up with another site visit at Ben's suggestion to verify the presence of Highland Irrigation District's ditches as we discussed. I also spoke with Pete Tjemsland, Utilities Manager for the City of Sequim who confirmed that the ditch in question does connect to the upland west to east running ditch and that there is what he believed to be a 4' valve at that point. Pete also shared that the ditches are open this time of year and that particular ditch flowing downhill across the city property, crosses Reservoir Road, flows through some residential development, and then along the east boundary of JWJ Groups' project site.

In my conversation with Ben, he said that the watercourse, as I described it, was a Highland ditch and the water would be coming from the upland west to east running main ditch. He asked that I go look at it and send him some photos to confirm, which I have since done. Additionally, I pulled the Clallam Conservation District's Highland Irrigation District Map from their website. Attached is the CCD's map with the key points pointed out with comment boxes. You may need to zoom into the map to see it clearly.

At our site visit today (August 10, 2022) we can see that there is a facility at the junction and the outflow to the north flowing water appears to be undergrounded. It emerges further down the hill in an overgrown area just outside the city's east fence line. Below are some of today's photos of the valve location on the main ditch line.



Outlet from Main Ditch Looking West


Outlet from Main Ditch Looking East

In closing, I hope this addresses your concerns and provides you with the information necessary to demonstrate that the water course is an abandoned Highland Irrigation District ditch that continues to convey irrigation water as it has done since the days it provided irrigation water to the lower farmland areas.

Thanks again Danielle for your time and consideration.

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Sent from Mail for Windows