

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Friday, February 3, 2017 4:18 PM
To: 'Daniel Rowe'
Subject: RE: 1705 E Lake Sammamish Pl Se Trail

Dear Daniel,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt
Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

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

From: Daniel Rowe [mailto:drowe@evergreenford.com]
Sent: Friday, January 27, 2017 3:45 PM
To: Lindsey Ozbolt <LOzbolt@sammamish.us>; Rowe Dan <colorado300@comcast.net>
Subject: 1705 E Lake Sammamish Pl Se Trail

Hello Lindsey,

I am sure you are very busy with the trail. I also would like to have the city address some possible concerns we have with our property. I won't bore you to much with to many things other than some bullet points I would like to have addressed. Yes as you know the County at the "drop in's" have told me you were the contact. If not please advise me who at the city would be?

I'll also say that we are in many ways happy with the trail and it's new look. So I am not a hater of progress however need to make sure everyone is aware of the homeowners. So here we go.

Our place

1705 E Lake Sammamish PL Se
Sammamish Wa 98075
Reference number in the 60% plans would be we are # 352 of Segment B
The trail runs through our property as many have.

Our Neighbor to the north that I will reference is #353 of Segment B

You should have attachments showing our permits for the lake house and the stairs coming down to access that was given by the city.. If not please ask me if you would like to see them.

Lake House permit number is BLD2008--00572

Exhibit 29
SSDP2016-00415
002547

Stairs permit number is BLD 2009-00246

Ok here we go...

Access.

The 60% plans for show our stairs coming down from the house where the new construction is and going to be. Simply we want to make sure that when they do take a couple feet from that area that the landing is put back so we still have access to our lake house. The 60% plan shows the stairs but no real detail yet of the the landing as per the permit.

Access from trail.

You'll see the walkway that was built from the trail to the lake house. This can be seen as part of the lake house permit as well. We would request that our access stays the same as with our permit. The 60% plan shows that our neighbor to the south and us will share a new access. I'm sure it's to save money however our permits show the access as it is now. We would respect that this does not change. The permit shows where we had to rebuild the existing pathway from the trail to the lake house.

Access during construction.

I do not see where we are shown to have access to cross the construction to our lake house and and property. I would expect that since the stairs is our only access that a gate would be put in the fence for our access. Please note that for the build.

Utilities

I do not see on the 60% plans where it show's my utilities crossing the trail. Please see on the lake house permit where the utilities cross the trail from the upper lot to the lake house. We are notify the city of these utility lines. Please be sure they do not cut these lines etc. Our lake house has full power and water and sewer with permits.

The current

My neighbor to the north has just built a house down there. He is the Roberts to the north and #353 of Segment B. I see where his property line is and want to be sure that no permits or special permits for him to block our access on the trail easement from his property to our NE corner. The 60% plans do not show any that he does. Our permit does show the gravel access for our car and we have a gate that has been there for many years. The 60% plans do not affect our access as we have it now. Just want the city to note that there are 4 homes that access this gravel road for access to there house.

I will send pictures of stairs as well with permits.

Thank you and I look forward to working with the city to protect our valued homes on the lake.

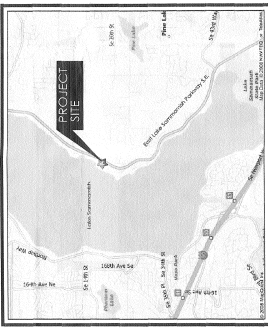
Daniel Rowe

Cell # 425-681-4845

Exhibit 29
SSDP2016-00415
002548

BUILDING EXPANSION WITHIN WETLAND BUFFER OR SETBACK
 EXISTING BUILDING STRUCTURE WITHIN WETLAND BUFFER AND SETBACK: 324 S.F.
 PROPOSED BUILDING AREA WITHIN WETLAND BUFFER OR SETBACK: 968 S.F.
 NET INCREASE OF STRUCTURE WITHIN WETLAND BUFFER OR SETBACK: 644 S.F.
 LESS THAN 1,000 SF PER 51C 214.50(4)(1)(e)

VICINITY MAP



SITE PLAN NOTES:

- THE CITY SHALL INSPECT THE INSTALLATION OF ALL WATER, SEWER, STORM AND FOOTING DRAINS PRIOR TO CONTRACTOR BACKFILLING THEREAFTER.
- STORM DRAIN SYSTEM UNLESS OTHERWISE ALLOWED IN ACCORDANCE WITH THE PLAT CONDITIONS AND THE KING COUNTY SURFACE WATER DESIGN MANUAL.
- ALL ROCKERY OR RETAINING WALL DRAINS SHALL BE CONNECTED TO THE EXISTING DRAINAGE SYSTEM.
- ANY CHANGES TO THE APPROVED PLANS MUST BE APPROVED BY THE CITY IN WRITING.
- NOTE: ANY HALL OVER 4 FEET IN HEIGHT, OR WITH A SURCHARGED LATERAL LOAD, MUST BE ACCOMPANIED BY AN ENGINEER'S STAMP. WALLS SHALL NOT BE CONSTRUCTED WITHOUT DRAINAGE OR SINKHOLE UNLESS ACCOMPANIED BY AN ENGINEER'S STAMP.
- CONSTRUCTION HOURS ARE 7:00 AM TO 4:00 PM ON WEDNESDAYS AND 4:00 AM TO 7:00 PM ON THURSDAYS THROUGH SUNDAYS.
- NO MATERIALS OR EQUIPMENT SHALL BE PLACED OR STORED ON PUBLIC STREETS AT ANY TIME WITHIN THE PUBLIC RIGHT-OF-WAY UNTIL A RIGHT-OF-WAY PERMIT HAS BEEN ISSUED AND THE CITY HAS BEEN NOTIFIED AT LEAST 24 HOURS IN ADVANCE OF STARTING WORK WITHIN THE RIGHT-OF-WAY.
- ALL PROJECTS ARE REQUIRED TO SUBMIT REQUESTS FOR VARIANCES TO THE CITY ENGINEER AND CITY CLERK (IN WRITING) PRIOR TO CONSTRUCTION. VARIANCES SHALL BE GRANTED ONLY IF NECESSARY, PROTECT DURING CONSTRUCTION.
- ALL EXCAVATED MATERIALS SHALL BE IMMEDIATELY STOCKPILED ON SITE TO AN APPROVED DUMP SITE.
- SEE GENERAL NOTES DRAWINGS A0.0 & A0.1 FOR ADDITIONAL NOTES.

- LOWEST FLOOR ELEVATION: 63.95'
- MAIN FLOOR ELEVATION: 74.00'
- HIGHEST RIDGE ELEVATION: 74.00' + 22.66' = 96.66'
- ALLOWABLE BUILDING HEIGHT FROM AVERAGE 8.00' ELEV.: 66.66' + 33.00' = 99.66'
- 101.82' IS GREATER THAN 96.66' OK

BLDG. HEIGHT TABULATION

POINT	EXIST. GRADE	SEGMENT NUMBER
A	73.20	1
B	73.00	2
C	73.00	3
D	71.20	4
E	72.00	5
F	72.00	6
G	72.00	7
H	65.60	8
I	70.80	9
J	71.50	10
K	70.10	11
L	67.00	12
M	67.80	13
N	65.60	14
O	63.00	15
P	63.00	16
Q	63.00	17
R	62.70	18
S	62.60	19
T	62.30	20
U	62.00	21
V	63.00	22
W	64.00	23
X	64.00	24
Y	64.00	25
Z	64.00	26
AA	65.90	27
BB	65.90	28
TOTALS	1871.00	28
		66.82

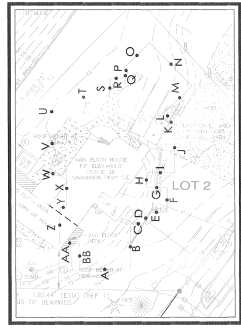
DRAINAGE NOTES:

- CONNECT ALL FOOTING DRAINS AND TIGHTLINE DIRECT TO OUTFALL AT WATERS EDGE. OUTFALL INVERT IS TO BE ABOVE THE ORDINARY HIGH WATER ELEVATION.
- CONNECT ALL ROOF DRAINS (SEPTIC ROOF DRAINS AND TIGHTLINE DIRECT TO DETENTION TRENCH AS SHOWN).
- CONNECT ALL CATCH BASINS IN THE DRIVEWAY AREAS AND TIGHTLINE THROUGH THE OIL/WATER SEPARATOR.
- DETENTION TRENCH SHALL BE CONSTRUCTED PER CITY OF SAMMAMISH STANDARDS.
- TIGHT LINE OUTFALL TO LAKE SHALL PASS UNDER TRAIL IN EXISTING CULTIVATED PIPE.

BOATHOUSE/CABANA:

- THE EXISTING BOATHOUSE/CABANA IS BEING REBUILT AND RE-BUILT ON THE EXISTING FOOTPRINT. THERE WILL BE NO NET CHANGE TO EXISTING IMPERVIOUS.
- THE WORK OF THIS PROJECT HAS BEEN SUBMITTED TO ROBERT NANINKAMP WITH THE KING COUNTY TRAILS FOR THEIR REVIEW AND APPROVAL. RECENT E-MAIL COMMUNICATION WITH MR. NANINKAMP INDICATES THAT APPROVAL IS FORTHCOMING. (SEE ATTACHED)

BLDG. HEIGHT KEY PLAN



LOT ZONING:

- LOT ZONING: R-4
- LOT SIZE: 1/4 AC. 83 SF
- SUBMERGED LANDS: 0.8 F
- USABLE LOT AREA: 1/4 AC. 83 SF
- OVERALL LOT SLOPE: 4.0% (100.00'-00"/2464.00' L.F.)
- ALLOWABLE IMPERVIOUS COVERAGE: 55% MAX. (5,100.78 SF.)
- MAXIMUM BUILDING HEIGHT: 35 FEET ABOVE AVERAGE EXISTING GROUND LEVEL

SETBACKS:

- FRONT YARD: 0 FEET (PER 214.50(2)) 20 FEET MIN. (MAY BE REDUCED TO 5 FEET (ANTIQUE SETBACK) PERMIT TO ENC 214.50(5))
- REAR YARD: 10 FEET PERM 10 FEET PERM (WATER SIDE)
- SIDE YARDS: 7 FEET MIN. (MAY BE REDUCED TO 5 FEET (ANTIQUE SETBACK) PERMIT TO ENC 214.50(5))

IMPERVIOUS COVERAGE:

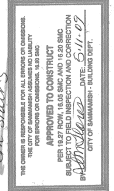
EXISTING DEVELOPMENT	USABLE LOT AREA
FOOTPRINT OF NEW RESIDENCE (PAVE LINE & IMPERVIOUS DECKS)	2,877.50 SF
BOAT HOUSE	348.35 SF
EXISTING DRIVEWAY	718.89 SF
TOTAL EXIST. IMPERVIOUS AREAS	4,944.74 SF
PROPOSED DEVELOPMENT	
FOOTPRINT OF NEW RESIDENCE (PAVE LINE & IMPERVIOUS DECKS)	4,954.34 SF
BOAT HOUSE	348.30 SF
DRIVEWAYS, PATIO & WALKS	7,645.87 SF
TOTAL IMPERVIOUS AREAS	12,248.88 SF
PROPOSED TOTAL LOT COVERAGE	17,185.57(6,541.87 SF)
	46.02% (1,583.44 OK)
NET CHANGE TO IMPERVIOUS AREAS	-2,179.76 SF

PROJECT DATA:

SITE ADDRESS: 1705 East Lake Sammamish Place S.E. Sammamish, Washington 98075
PROPERTY OWNER: Brian & Heather Leibsohn
ARCHITECT: MACHERSON CONSTRUCTION & DESIGN 2106A St. 20th Street, Sammamish WA 98075-1726
FILE NO.: 2016-00415
DATE: 05/27/2016
CONTACT: Robert H. Sorace, AIA Ph: (425) 341-3333 e-mail: rlsorace@machersonconstruction.com
ENGINEER: FILE ENGINEERING 4100 1st Avenue S.E. Kirkland, WA 98033 Ph: (425) 827-7004 Fax: (425) 827-7004 OK201604062

LEGAL DESCRIPTION:

LOT 2 OF KING COUNTY SHORT PLAT NO. PL10009-00095, UNDER RECORDING NO. 2007041000939, IN KING COUNTY, WASHINGTON.



BUILDING DATA:

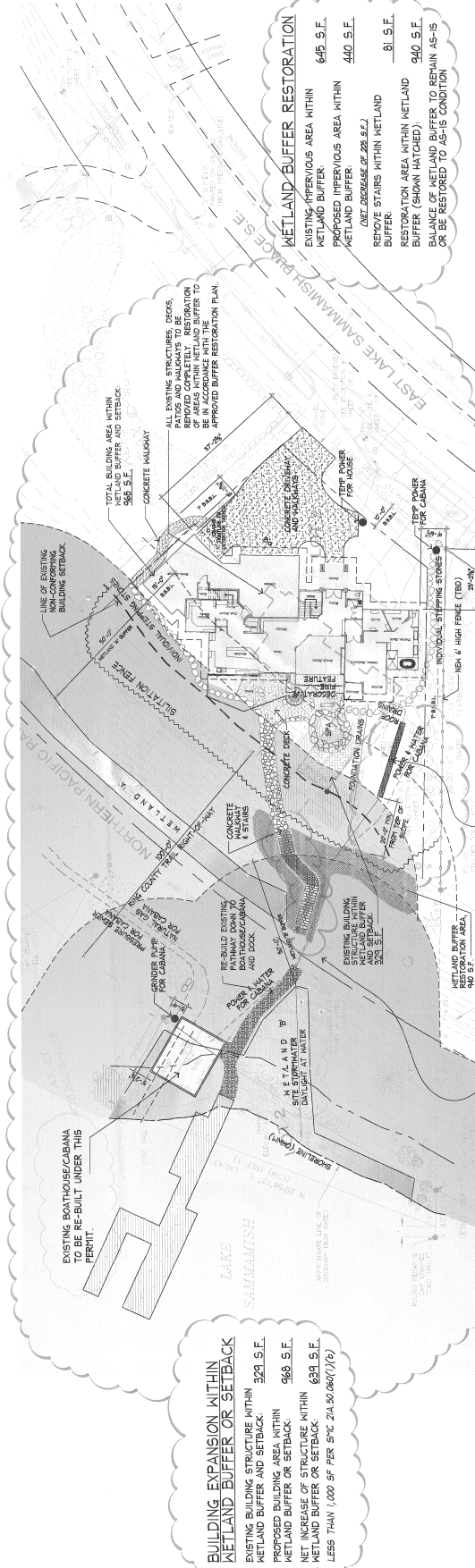
LOWER FLOOR AREA: 2,122 S.F.
 MAIN FLOOR AREA: 2,384 S.F.
 UPPER FLOOR AREA: 483 S.F.
 TOTAL HEATED BUILDING AREA: 9,194 S.F.
 GARAGE AREA: 1,181 S.F.
 TOTAL ENCLOSED BUILDING AREA: 6,390 S.F.



MAIN FLOOR ELEVATION: 74.00'
 LOWER FLOOR ELEVATION: 63.95'

SITE PLAN

SCALE: 1" = 20'-0"



DATE	DESCRIPTION
2/20/16	GEOTECHNICAL REVIEW CORRECTIONS
6/17/16	INCLUDE BOATHOUSE/CABANA WITH SUBMITTAL
6/27/16	REVISIONS TO PERMITS REVIEW CORRECTIONS
10/15/16	ADDITIONAL PLUMBING CORRECTIONS
10/28/16	PUBLIC WORKS PLAN/CHANCE REGIONS

Leibsohn Residence
 1705 East Lake Sammamish Place S.E.
 Sammamish, Washington 98075
 Parcel # 0624069062
SITE PLAN

ACHARSON CONSTRUCTION & DESIGN
 21626 SE 28th St. SAMMAMISH WA 98075-1725
 PHONE: 425.827.2841
 DRAWING NUMBER: A1.0
 OF DRAWINGS



Exhibit 29
SSDP2016-00415
002551



Exhibit 29
SSCP2016-00415
002552



Exhibit 28
SSDP2016-00415
002553



Exhibit 29
SSDP2016-00415
002554



Exhibit 29
SSDP2016-00418
002555

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Friday, February 3, 2017 4:08 PM
To: 'Christopher Large'
Subject: RE: Comments on SSDP2016-00415 Permit: From Chris & Tara Large

Dear Christopher,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Christopher Large [mailto:ChrisLarge@outlook.com]
Sent: Friday, January 27, 2017 3:33 PM
To: Lindsey Ozbolt <LOzbolt@sammamish.us>
Cc: Lyman Howard <lhoward@sammamish.us>; tarar@msn.com; Troy Romero <TRomero@romeropark.com>; Kathy Koback <kkoback@romeropark.com>; Christopher Large <chrislarge@outlook.com>
Subject: Comments on SSDP2016-00415 Permit: From Chris & Tara Large

Dear Ms. Ozbolt:

Please see the attached document for our comments on the SSDP2016-00415 Permit. Please confirm you have received this email, and the attached document.

Thank you for consideration of our comments. If you have any questions on the above, please call Chris at 425-241-4475 to discuss.

Sincerely,

Christopher and Tara Large

Exhibit 29
SSDP2016-00415
002556

Christopher and Tara Large
2811 East Lake Sammamish Parkway SE
Sammamish, WA 98075
ChrisLarge@outlook.com
TaraR@MSN.com
425-241-4475

Via Electronic Mail

January 27, 2017

Ms. Lindsey Ozbolt

Associate Planner
City of Sammamish
Department of Community Development
City of Sammamish City Hall
801 – 228th Avenue SE
Sammamish, Washington 98075
Email: lozbolt@sammamish.us

**Re: Comments on SSDP2016-00415 Permit
From Chris & Tara Large
Trail Location: 311+00 / Property 4065100016 / Page 39 of 135 of Segment B 60% Plan**

Dear Ms. Ozbolt:

I want to call your attention to the fact that you will receive a separate letter from our attorney, Troy Romero, of the firm ROMERO PARKS P.S., representing a group of affected Sammamish property owners including ourselves, that we request you incorporate as part of our commentary.

As property owners, we were shocked when King County came out and staked what they claim to be a 100 foot right of way across our property, as this area includes our entire deck and a portion of our house to the East, and a good portion of our land to the West of the current trail (i.e. West of the current fence). I wrote a letter to Kelly Donahue, the Community Engagement Representative from the King County Department of Natural resources, stating such:

Since we met, the County has come out and staked what the County is claiming is their Right of Way. Tara and I want to point out that we do not agree with the area the County is claiming to have right of way based on the stakes, as this area includes our entire deck and a portion of our house to the East, and a good portion of our land to the West of the current trail (i.e. West of the current fence).

We were even more shocked when we got the response from Ms. Donahue on January 3rd in the attached letter, and the key portion snipped below:

**Exhibit 29
SSDP2016-00415
002557**

King County Response: Thank you for your email. The boundaries for this survey have been determined based on the deeds and other property documents in the custody of the County. The County's ownership and right to exclusive control and possession of the property within the ELST Corridor have recently been affirmed by Judge Marsha Pechman in a Federal Court 2016 legal ruling. If you are in possession or control of documents that relate to ownership of property within the ELST corridor please feel free to provide us with copies of these documents. As always, the County will review and consider any new property title or survey documents made available to us as we move forward on development of the ELST.

This is extremely concerning. We were not one of the parties in the case Judge Pechman ruled on, and thus do not fall under jurisdiction of her ruling. Additionally, there are ongoing lawsuits challenging Judge Pechman's and King County's assertions, which I believe will be successful. ***King County arguably has a limited easement at best to our property and does not have title to a 100-foot stretch.***

The BNSF railroad had a "prescriptive easement" to run the railroad track across our property. The BNSF did not have an ownership interest or a defined width of the easement used on the property. Our deed and title report indicate that BNSF has an easement for railroad purposes but no width of the easement is noted on the deed. BNSF, and King County as the successor, arguably has an easement at best (NOT FEE SIMPLE OWNERSHIP) to use the footprint the railroad utilized – a width that approximates the 12-foot width of the current gravel trail, and not the 100 feet they claim.

King County approved permits to a major addition/renovation of my house back in 1998-2000, which included turning a portion of the deck into an enclosed sun room, modifications to the deck, and the stairs down to the trail. ***Now King County is claiming ownership based on their staked lines and the 100-foot ROW as described in this 60% complete plan to portions of my house addition/renovations covered in that permit [See Exhibit B]. The ROW claimed by King County cuts right through that sun room, as well as a few feet deep for the width of my house, my entire deck, and the stairs to the trail [See Exhibit A].*** Please see King County Permit #s 245526 & 247095, B98A1334, B99X3336, B00X1224 for details on the addition/renovation. ***How can King County be allowed to morally or legally do this?***

We are pursuing with our title company and our lawyer, Troy Romero, what actions we can take. As of right now, we don't think we could sell our house and property as King County claims to own a portion of the land my actual house sits on – so we are forced to continue to fight this, eating up time and money of my family, the City of Sammamish, and King County.

The City (or the County for that matter) should not issue a building permit to any resident without a valid title report confirming ownership of the subject land. King County should be held to the same reasonable standard and be required to prove its ownership interest in the ELST right of way prior to the issuance of any permit, which we are confident it will be unable to do. For reference, see the Hornish case, which seeks to clarify which party owns what as it relates to the ELST.

As we requested at the January 10th Sammamish City Council meeting, ***we request that you either rescind the 60% permit complete status, or deny the Permit Application. Additionally, we request that City of Sammamish please put pressure on King County to sit down face to face with us to negotiate a fair agreement we can both be happy with.***

**Exhibit 29
SSDP2016-00415
002558**

Issues and Requests based on 60% Plan:

This section lists out the issues we have with the current 60% plan, and our requests for King County to make to the plans before you approve the final permit. Please see Exhibit A for a visual of the points outlined below.

- 1) **Don't Impact Deck:** In the current plans, the Clearing and Grubbing line on the East side of the trail run through our deck, and based on our clarification meeting with King County (KC) – ***this means they will remove at least a good portion of the deck structure and deck.*** This deck structure and deck (& stairs) were permitted by King County back in 1970, and then the deck structure and deck (& stairs) improved upon and permitted in 1998-2000, so it is frustrating that they would remove a good portion of our deck (& stairs). Please see Permit #s 245526 & 247095, B98A1334, B99X3336, B00X1224.
 - **Request:** Please ensure there is no impact to our existing deck and deck structure. This can be accomplished easily by moving the Clearing and Grubbing line to the West so that it does not intersect with or impact our deck structure or deck. King County should have enough room to still put in the trail and wall (@ the replacement stairs below) without impacting our deck.

- 2) **Provide Access to Trail and Replace “Stairs #20”:** In the current plans, the City states that Stairs #20 in bullet 19 - “STAIRS WILL BE ELIMINATED DURING CONSTRUCTION.” This staircase on the East side of the trail is the only access we have from our deck/house to get down to the trail to cross over to our property on the West side of the trail on the lake. Additionally, the plans include putting in Wall #6 running along the entire East side of the trail through our property so we don't have access to the trail and/or our property on the West side of the trail. Wall #6 is further outlined on Sheet 108 of 135 “S3” and is a soldier pile wall, ~ 5 feet high with a ~ 3.25 feet high coated chain link fence on top of the wall – along the trail in our section (311 +00). **Net: King County is removing stairs they permitted, and building a wall and fence eliminating our access from our deck/house to get to the trail, and to get to our property on the Lake on the West side of the trail.**
 - **Request:** Please ensure that our staircase #20 is replaced so that we have access to the trail, and our property on the West side of the trail on the Lake. The plans call for building replacement staircases for our neighbors to the north (Stair #22 & Stair #23 at 312 +00, and Stair #25 and Stair #26 at 313 +00) to get access through the Wall #6 – so is only fair they provide us with similar stairs and access.

- 3) **Keep (or Replace) Privacy Fence and Gate on the West Side of Trail:** On the West side of the trail there is currently a very nice coated chain link fence with a privacy screen running the length of the trail through our property, and a very nice gate to prevent strangers from entering our property on the West side of the trail by the Lake. This fence and gate are between the clearing and the Clearing and Grubbing line in the 60% plan – so they will be removed during the construction of the trail, and there is nothing showing the fence and gate will be replaced. ***We are very concerned about the safety of our three children and their friends playing on our property by the Lake, and very concerned that someone may steal or vandalize our shed, contents stored in the shed, and our boat if people have unobstructed access with the removal of the fence and gate.***

Exhibit 29
SSDP2016-00415
002559

- **Request:** Please move the Clearing and Grubbing line to the East of the current fence and gate to ensure there is no impact to the existing fence, privacy screen, and gate. The gate and fence border on a steep slope that has vegetation to keep it stable – so I can't imagine why King County would want or need to do anything in this section of property.
- 4) **Ensure "Stair #19" is not Impacted:** It is not clear whether the Clearing and Grubbing line runs through "Stair # 19", so we are concerned that "Stair # 19" will be impacted when constructing the trail.
- **Request:** Please ensure that the plans clearly state that "Stair #19" will not be impacted by the trail construction. Additionally, please move the Clearing and Grubbing line at the Eastern side of the top of "Stair #19" a few feet to the East to ensure there is no mistake made.
- 5) **Ensure Our Deck and House Foundation are not Impacted:** The plans include putting in Wall #6 running along the entire East side of the trail through our property. Wall #6 is further outlined on Sheet 108 of 135 "S3" and is a soldier pile wall, ~ 5 feet high with a ~ 3.25 feet high coated chain link fence on top of the wall – along the trail in our section (311 +00). Given our house and deck are built up on the hill above where the trail and this wall will go in, and especially considering that this new wall will cut into the steep hill significantly - we want to ensure the trail and wall will not impact our deck and home. For example, we are worried about anything that would cause the deck or house foundation to shift, which would cause a safety hazard, significant damage, and costly repairs. We are also concerned with puddling, soil stabilization and drainage techniques.
- **Request:** Please ensure when putting in "Wall #6" that the construction crews are careful and no impact occurs to our deck and house. We also want to review a soils report and the geotechnical engineering plan to ensure King County is minimizing the risk of foundation movement and settling, and draining issues impacting our deck/house and the property surrounding the trail.
- 6) **Ensure Existing Utilities are not Impacted, and Provide Access for Future Utilities:** We are concerned that the plans do not show the different utilities (gas, water, sewer, electricity, etc.), so we are concerned these will be impacted by the construction and the trail. For example, there is a waste sub-pump serving multiple houses just to the South of our deck near the existing large tree that will be removed – that is not captured on the current plans. Additionally, we plan to build an accessory dwelling unit (i.e. dock house) in the future on the property to the West of the trail – so we would like to have utility conduits (e.g. tunnels or pipes) built under the trail so we don't have to disturb the trail in the future.
- **Request:** Ensure existing utilities are not impacted. Please build utility conduits under the trail so we don't have to disturb the trail when we build on the West side of the trail in the future.
- 7) **Concrete Treatment on Wall #6:** We did not see in the plans any indication that King County will put a concrete treatment on the soldier pile wall.
- **Request:** Please ensure the County will put a concrete treatment on the soldier pile wall, similar to what they have done in other sections.

- 8) No Special Use Permits Required:** The County representatives at our meeting also raised the issue of Special Use Permits to cross the trail to access our property. As noted above, the BNSF arguably had a prescriptive easement to cross twelve feet of our property rather than fee simple ownership. An easement is a nonpossessory interest one party has in the property of another. The underlying ownership of the property remains with the original owner of the property. It is inconceivable that a homeowner should be required to secure a SUP to utilize their own property.
- **Request:** The removal of any requirement for an SUP for any Sammamish residents should be a minimum condition of the City's approval of the ELST plan.

We encourage you and both the King County and Sammamish City Council members to walk Section 2B to see for yourselves the impact of the County's proposed plan in person. This project will have a huge impact on a significant number of homeowners and we respectfully request that the City and County do its part to protect the interest of its citizens.

Thank you for consideration of our comments. If you have any questions on the above, please call Chris at 425-241-4475 to discuss.

Sincerely,

Christopher and Tara Large

CC:

Lyman Howard, Sammamish City Manager

Troy Romero

Kathy Koback

Exhibit A

Snippet of Segment B 60% Plan covering our property; page 39

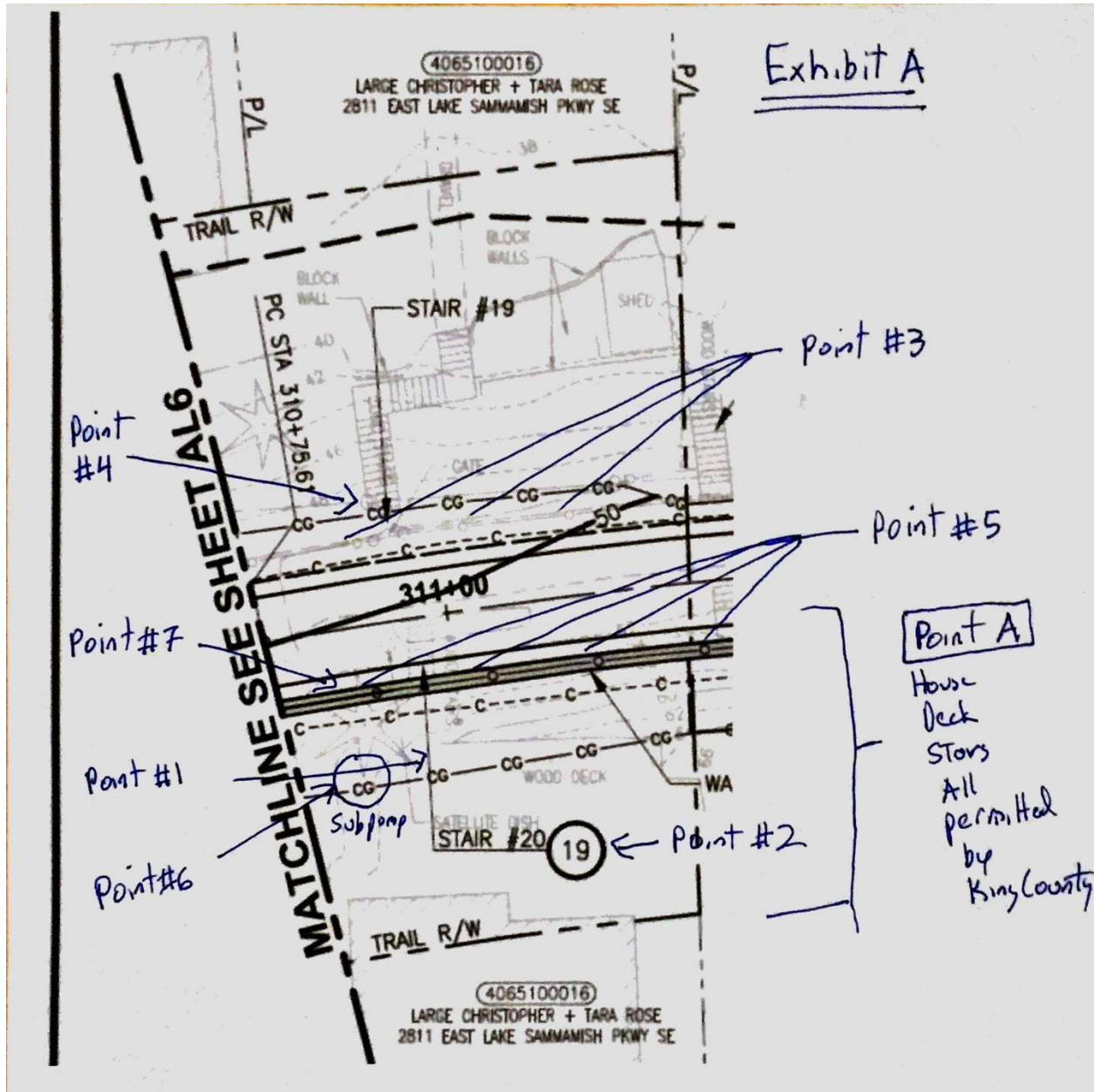


Exhibit 29
SSDP2016-00415
002562

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Friday, February 3, 2017 4:01 PM
To: 'Nick Tsilas'
Subject: RE: Tsilas - Mint Grove residents – Comments and Questions on Section 2B East Lake Sammamish Trail Segment

Dear Nick,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Nick Tsilas [mailto:ntsilas@microsoft.com]
Sent: Friday, January 27, 2017 3:33 PM
To: Lindsey Ozbolt <LOzbolt@sammamish.us>
Cc: Jane Tsilas <janetsi@microsoft.com>; Nick Tsilas <ntsilas@microsoft.com>
Subject: Tsilas - Mint Grove residents – Comments and Questions on Section 2B East Lake Sammamish Trail Segment

Hi Lindsey – attached are our updated comments on the trail. This is really a big deal for us and we really need the City and County to do the right thing. The lane servicing Mint Grove will be substantially narrowed and will make a hazardous situation (current narrow lane) even more hazardous where ambulances and firetrucks would be delayed, and services vehicles precluded (recycling trucks, delivery trucks, etc). Almost all our safety and access concerns are addressed if the plan is revised so that the center line of the trail is moved east so that East Lake Sammamish Shore Lane, SE is not narrowed in any way. Please help!

Thanks, Nick and Jane Tsilas 1429 E Lk Samm Shr Ln, SE., Sammamish WA 98075 (Mint Grove)

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Re: Tsilas - Mint Grove residents – Comments and Questions on Section 2B East Lake Sammamish Trail Segment

January 27, 2017

Sent Via E-mail

To: Lindsey Ozbolt - lozbolt@sammamish.us

Dear Ms Ozbolt – Following our meeting with Kelley Donahue of the King County Department of Natural Resources, and following the Sammamish City Council meeting on January 10th, we are amending our comments submitted on January 10th, 2017. Jane and I reside at 1429 East Lake Sammamish Shore Lane, SE, Sammamish, WA 98075 (identified as being adjacent to 362+00 in the [South Sammamish Plan B 60% Design Plan](#) 60% draft plan). We have the below comments and concerns for your and King County's consideration.

In a nutshell safety and access to our homes is our number one concern. We support the responsible and thoughtful paving of the trail so that it does not make a narrow and hazardous lane (East Lake Sammamish Shore Lane, SE) even more narrow and hazardous. **We therefore request the center line of the trail be moved to the east in the areas adjacent to Mint Grove so that the trail does not narrow the lane in any way. We ask that the SSDP approval be put on hold until the 90% plans are released and our concerns have been fully addressed and incorporated into the 90% design review. Almost all our safety and access concerns are addressed if the plan is revised so that the center line of the trail is moved east so that East Lake Sammamish Shore Lane, SE is not narrowed in any way.**

As background, we have been the owners of our home since June 23, 2011. We are parents of three children, who also reside with us. Purchasing our house was a dream come true and reflects years of planning and savings, and significant sacrifices made by both Jane and I who are employed full-time. Our family enjoys the Sammamish trail and are regular users. We walk our dog, go for family walks, and ride our bikes on the trail. We are not surveyors or architects and while we have reviewed the 60% Design Plan, we do not fully understand all the drawings, including ones that reference our home. Based on our review of the 60% Design Plan we have some concerns and questions and so this opportunity to engage with the Sammamish City Council and King County is very valuable.

Mint Grove is a small, residential neighborhood with a lane that does not support simultaneous bi-directional traffic, and which dead-ends both at the north and south ends. The lane is so narrow that larger vehicles such as moving trucks and recycling trucks cannot navigate the lane. Because of this, certain curbside services such as recycling and yard waste are not provided to Mint Grove residents, and access by other services such as delivery, construction, and emergency vehicles is extremely challenging. Access to and from our homes is also especially challenging because turns and parking are very tight, and angles are sharp.

Our home is the second to last house on Mint Grove, where the lane narrows relative to the trail border. As such ingress and egress to our house is already challenging, especially: (1) for larger vehicles, including ambulances, fire trucks, delivery trucks, tow trucks, utility trucks (e.g. electricity, water, cable), garbage trucks (note that the Waste Management recycling cannot and does not come down our narrow lane), and moving trucks; (2) when there is a car coming in the opposite direction; and (3) when

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residents have guests over. In addition, because of the narrowness of the lane, parking is currently extremely limited. Accompanying the cars of visiting guests and friends and family is very challenging.

We support the paving of the trail in a thoughtful, compliant, safe manner that considers and prioritizes our safety, that of Mint Grove residents and Sammamish citizens, the environment, and the quality of life of impacted homeowners. Below are our questions and concerns that we would like addressed in the 90% plan.

1. We have significant concerns regarding the safety for residents of our home, Mint Grove, and the City of Sammamish. The proposed plan creates more dangerous living environment. The 60% draft plan unnecessarily moves the center line west at Mint Grove (see pics below) considerably narrowing the lane and creating a dangerous and untenable situation for our home and other Mint Grove residents. **Almost all our safety and access concerns are addressed if the plan is revised so that the center line of the trail is moved east so that East Lake Sammamish Shore Lane, SE is not narrowed in any way. Doing this may be the difference between life and death in an emergency** and will allow residents to continue to receive the services they currently receive. Doing this will also save numerous trees. If this is not possible, we have the following questions:
 - a. **Will the proposed design enable emergency vehicles to access our home and egress our home in an expedited manner should an emergency occur?** This question specifically applies to ambulances and fire trucks and their ability to come to our house, maneuver at the dead end of Mint Grove (basically in front of our house), and egress.
 - b. Please note, as is, the lane is especially challenging to navigate for emergency vehicles. Turning around requires several K-turns for many of these vehicles. For other vehicles, including larger ambulances and fire trucks, it requires them to slowly reverse out the length of the lane. Something that is dangerous in and of itself, and that could in a life-threatening situation where minutes are critical prove fatal.
 - c. Regarding location of the center line – a few feet make a big difference in terms of safety for Sammamish Citizens and our family if there is a fire or medical emergency in our home, and vehicles are delayed in entering and exiting, or are not able to access our homes in a timely manner. These few feet could be the difference between life or death in an emergency. **Why is the center line of the trail not moved to the east to not create a more dangerous living environment for our family and other Mint Grove residents?** We know that moving the center line to the east is possible both from an environmental aspect as well as land availability. In fact, just immediately north of Mint Grove (at 375+00 through 377+00) – the center line was moved approximately 6 feet to the east, towards the same type of landscape we have adjacent to the trail at Mint Grove (ditch and shrubs). There is plenty of land in the easement and there will be no adverse impact in moving the center line of the trail to the east (currently shrubbery and ditch). Note that the same ditch (alleged “wetland”) in the 375+00through 377+00 area where the center line is moved to the east is the same as the ditch adjacent to the trail by Mint Grove.
 - d. At a minimum we ask that the trail does not impede more to the west that it currently does as it will narrow the lane and create situations that are more dangerous than the current one by further limiting the ability for emergency vehicles to access our home in a timely manner.

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- e. We hope that the City and County put the safety of Mint Grove residents and Sammamish and King County citizens first and that a reasonable and responsible approach is taken.
 - f. **Will the City and County conduct an emergency simulation/test and have an ambulance and fire truck access our house with the proposed 60% draft plan conditions to confirm no potential adverse impact?**
 - g. **What is the responsibility of the City, City Council and King County to keep the Citizens of Sammamish safe, and at a minimum to not create more dangerous situations than currently exist?**
 - h. **Related to above what is the potential liability to the City of Sammamish and King County if decisions taken by the City (or inaction) and County lead to increased hazardous circumstances, and consequently accidents and/or loss of property or life result?**
 - i. **Does the City have codes related to public welfare and safety that addresses access, ingress and egress by emergency vehicles to homes for emergency purposes? If not should we have such codes?**
 - j. We are parents of a young child who often plays outside with other neighborhood children and friends who visit from other neighborhoods in Sammamish. A child running onto the trail could potentially be hit by a bicycle. **Does the current proposed plan include plants or structures that would promote thoughtful ingress and egress to the trail by children to avoid getting hit by bicycles or fast moving individuals?**
2. Access to properties for necessities, commerce and maintenance could potentially be significantly impeded.
- a. **The current proposed plan makes access to our home by large vehicles such as delivery trucks, moving trucks, utility trucks and construction trucks much more difficult because it moves the center line of the trail towards the lane.**
 - b. Please note that as is, many larger trucks cannot access our neighborhood and directly access our home. As an example, the Waste Management recycling and yard waste trucks do not come down the Mint Grove or stop outside our house. Moreover, when we moved in special arrangements had to be made because moving trucks could not access our home.
 - c. Larger trucks such as delivery vehicles have trouble navigating the lane and turning around in Mint Grove, including in front of our house. In fact, during our occupancy there have been two accidents caused by vehicles turning outside our home – (1) a delivery truck turning around to egress crashed into our neighbor’s house to the north, and (2) a tow truck turning around crashed into our garage.
 - d. **How does the current draft plan consider the need for safe and reasonable ingress and egress to conduct commerce and maintenance – utility trucks, UPS and FedEx trucks, water delivery trucks, construction vehicles, etc.?**
3. Location of the current trail works and if the current trail was paved, and expanded to the east there would be no adverse impact on safety, quality of life, and the environment.
- a. Many of the above concerns could be avoided if the current trail was paved in its existing location and the lane that services Mint Grove was not further narrowed. However, it appears that the proposed draft moves the center line west, thereby narrowing the already narrow lane that provides access to our home.

- b. **If the County cannot move the center line east to not impact the lane servicing Mint Grove, can you please share the decision process, parameters, and reasons?**
 - c. Please note that by ensuring that the trail does not impede more to the west for the section adjacent to Mint Grove, environmental impact will be minimal since none of the existing trees will be cut.
 - d. The proposed draft plan indicates some land to the east of the trail as wet lands. However, this land is not wetlands as defined by federal statutes and to the extent it is “wet” it is so because there is a man-made trench that is dug every year (including this year) by King County. The trench created by King County not only captures water, but creates flooding for Mint Grove and our homes. **Why is the land to the east of the trail marked as “wet lands”? and what is the significance of that indication?**
 - e. **Related to the above question re alleged “wetlands”, why is the trail center line moved towards and over the “ditch” for sections 375+00 through 377+00, but not for sections adjacent to Mint Grove (361+00, 362+00, 363+00, 364+00, 365+00, 366+00, 367+00, 368+00, 369+00, 370+00, 371+00, 372+00, 373+00 on sheets 49-51)?**
4. **Will the current draft plan address flooding and dangerous situations caused by ice?**
- a. **Does the current draft design address water run-off and potential flooding? Please explain what solutions will improve the situation from today.**
 - b. The reason we ask the above is that we have invested over \$15k to address drainage issues on our property due to the current trail. We have invested in a new retaining wall, underground drainage, and paving to stop the overflow of water and icing of that water during winter. The icing of the water caused particularly hazardous conditions in the winter resulting in several individuals slipping and falling on the ice.
 - c. **If our improvements are destroyed by the new plans, will the County or City reimburse us the \$15k in infrastructure investments we have made to address flooding?**
5. **Will parking and access to our homes by our own vehicles be impeded?**
- a. The Mint Grove lane is narrow and turning into our garages from the lane is relatively tight and challenging. **Will the current draft plan make more difficult or impede access to our homes by our vehicles?**
 - b. Because the lane is so narrow, a few feet make a big difference to our ability to negotiate turns into and out of our homes.
 - c. **Will parking in front of our own homes be adversely impacted by the proposed plan? How do you suggest we handle this if yes? (also a safety concern)**
 - d. **If parking is adversely impacted, where will Mint Grove residents park?** My family has 4 drivers and as many cars. Not sure where we will be parking.
6. **Duration of Construction and access during construction**
- a. During our meetings with Kelley Donahue of the King County Department of Natural Resources, we were told that the current schedule for the construction of South Segment B is for 2 years. This will result in C&G fencing being in place and disrupting access to residents and placing increase risk to residents in an emergency. If the center line is moved to the west as indicated in the 60% draft plan access to our homes will be severely impacted and in some cases residents may not have access at all. This is one more reason to address

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our concerns and move the center line east so that the lane is not impacted in any way. Assuming our concerns regarding the center line are addressed, we also want to confirm that access to our homes will not be unduly impacted. **We request South Segment B be broken into two phases which will significantly reduce the time frame residents are impacted by the construction, and that in any case that the impact to Mint Grove residents is reduced to an industry acceptable time frame of a few months.**

7. Private driveway entrance into Mint Grove – grading and quality of materials need to be addressed.
 - a. The current plans show a design which modifies our neighborhood entrance which changes the grade/slope of the entrance both prior to and after meeting the trail surface. It appears from the plans that the entrance surface to the east of the trail will be re-graded and re-surfaced. At much expense to the residences of Mint Grove this surface area was updated in 2002 with very thick concrete including rebar to support various vehicle types, including delivery, garbage, and construction trucks, and the concrete surface has a heavy brushed surface to improve traction. The current ELST plans do not show the re-grading of area being re-surfaced with same level of materials as will be disturbed by King County. At one of the meetings with the King County representative for a half hour informational review we were advised the replacement materials will be concrete on the trail surface, but asphalt in all other areas. The use of asphalt on these inclines presents a dangerous situation. The existing slope of the entrance to Mint Grove is at 22.8 degrees and will be increased to 26.18 degrees. The residents of Mint Grove currently pull their 96-gallon recycling bins and 96-gallon yard waste bins up and down this already steep incline to the Lake Sammamish Parkway collection spot. By increasing the slope and laying asphalt this will cause the slope to be slippery and could result in injuries to residents. **For safety reasons, we request that the slope is not increased and that the same level of materials currently in place by used by King County.**
 - b. In addition to the safety issue noted above, we feel it is the county's responsibility to repair any damage caused by the trail construction and restore the entrance to its original condition, including materials and workmanship. The entrance to Mint Grove is a private driveway owned by the Mint Grove residents and it is currently labeled on the 60% plans as a construction access. King County has not requested approval from the residents of Mint Grove to use this private lane. **The plans should be revised to reflect the entrance to Mint Grove as a private driveway, and the private driveway entrance into the lane should be restored to its original condition.**
 - c. There is a 50+ year old tree just north of the driveway leading into the lane at Mint Grove. It would be a shame and environmental loss to have this tree cut down. Please save it.

We would like to invite City of Sammamish Council Members, our Mayor and King County Officials to visit our neighborhood, drive down our lane and walk the trail with us. We would also like the City and County to ask emergency services such as fire and medical to assess access and impact of the 60% Draft Plan to Mint Grove homes, including ours. This is big project in terms of financial expenditure and potential risk to public safety and property impact, and we need all stakeholders and decision makers to be properly informed. Looking at plans on paper is not enough to understand the scope of the project and the potential issues and solutions.

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We kindly ask that the City of Sammamish take these comments and questions into consideration. More specifically we hope that the City and County put the safety of its citizens first, minimize the impact on Mint Grove residents, and reduce the impact on the environment and the existing trees. This can be easily and reasonably accomplished by moving the center line of the trail a few feet to the east in the areas adjacent to Mint Grove and especially those east of our house where the East Lake Sammamish Shore Lane, SE lane narrows (362+00, sheet 49). Given the availability of land to the east, there is no reason to do anything that would narrow the lane servicing Mint Grove and our home and put our safety at risk. This is critical for us given the trail curves to the west and our lane narrows as you get to our home.

We request the center line of the trail be moved to the east in the areas adjacent to our home and Mint Grove so that the trail does not narrow the lane in any way. We ask that the SSDP approval be put on hold until the 90% plans are released and our concerns have been fully addressed and incorporated into the 90% design review. Almost all our safety and access concerns are addressed if the plan is revised so that the center line of the trail is moved east so that East Lake Sammamish Shore Lane, SE is not narrowed in any way.

Sincerely

Nick, Jane and Loucas Tsilas

1429 East Lake Sammamish Shore Lane SE
Sammamish, WA 98075
425-765-3343

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