

1 to address these issues and to record administrative findings of fact and
2 conclusions of law that address the rationale for their departure from these
3 requirements. Although it is true that I also find the recent surprises
4 unacceptable, adding to the abuses already present, and while Washington law
5 provisions might be rendered useless by the zoning and development agreement
6 that is purported to be entered into under all of the above violations, I
7 know that the agreement by all rights should be void, but even that has not
8 stopped them, nor does it have any consequence other than more grounds for
9 remand. I have to say that I find that all of these facts and procedures that
10 have been violated, violate in some way or another all of the criteria that
11 is outlined in the RMC hearing examiner section, and that the Hearing
12 Examiner should agree. I cannot speak for you, but I find all of these
13 actions, taken together, to be deplorable, and find the motion to limit
14 disclosure of the above to be willful and unreasonable;
15 And while in reality, Council and officials influencing these decisions have
16 likely already decided that it would be a foregone conclusion before the
17 proposal was ever initiated.
18 Therefore, since these questions, as stated within the context of this and
19 previous pleas, is in accord to existing Washington case law, environmental
20 and growth management objectives, and our Constitution, while we can hardly
21 include any such conjecture as to the future within the remote and
22 speculative alternatives and options in question;

23
24
25

1 For these answers and requirement we would, thus, at this time simply refer
2 to this brief, my other letters of record, and all other provisions that are
3 inadequate, in order that the issues may be identified and addressed,
4 and I trust the foregoing will be of some assistance to us all to clarify the
5 main issues that I have, (in order to rule upon this motion and complete the
6 impact statement in an efficient manner), which I believe I have hereby
7 provided with a good deal of clarity, like I believe has been requested and
8 that I truly believe is necessary to effectuate our fundamental objectives
9 and purposes of Citizens of Renton.

10 One evidence exhibit attached, not previously reasonably available.

11 (King County Journal clipping about Boeing)

12

13 Dated this 28th day of December, 2003

14

Very truly yours and most sincerely,

15

16

Brad Nicholson

17

18

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21

22

23

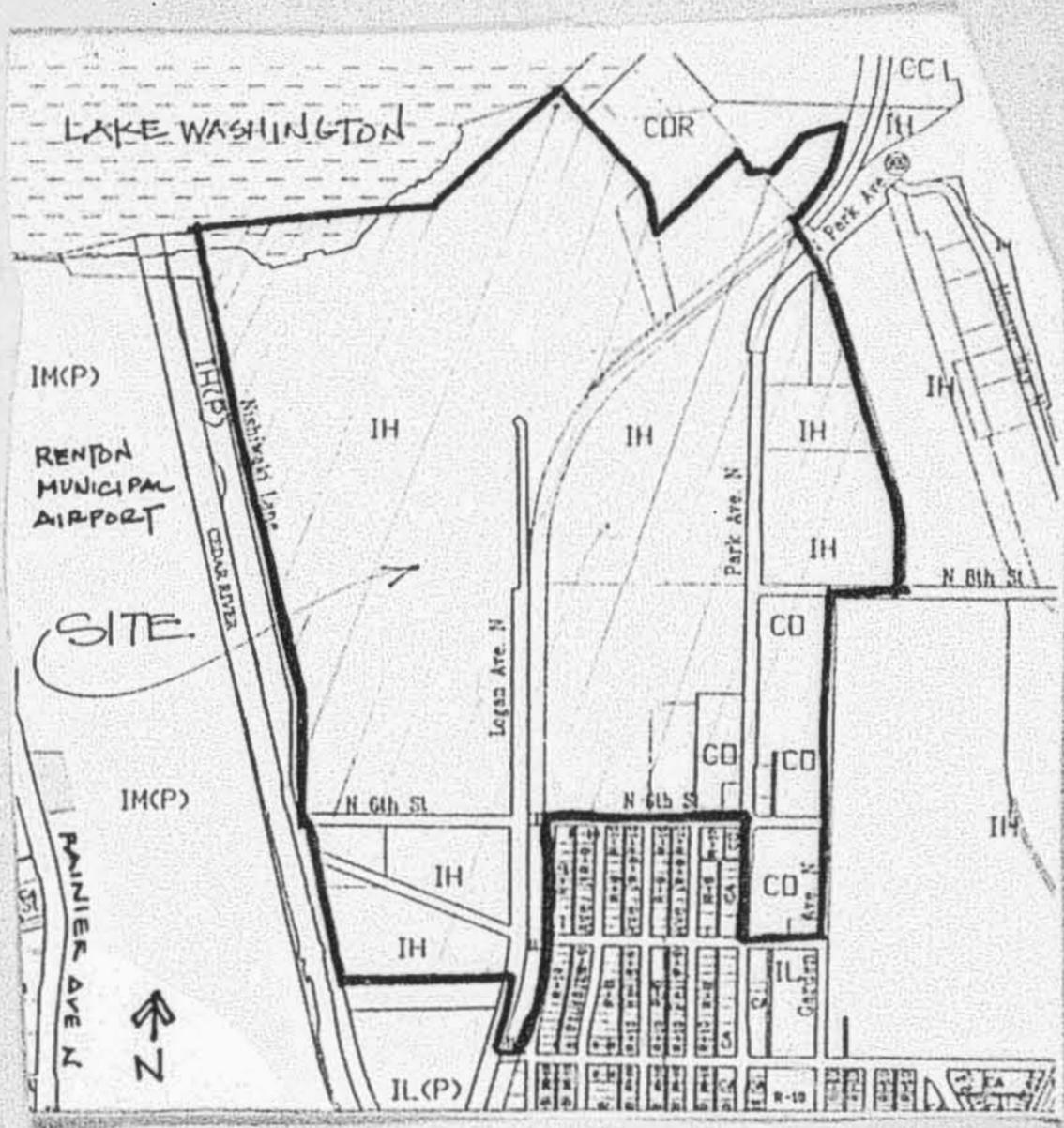
24

25

Brad Nicholson
2300 N.E. 28th Street
Renton, Washington
98056
(425) 445-0658

File 1 of 2

LUA-02-141, CPA Boeing Comp. Plan
The Boeing Co. Amendment: 2003



Boeing EIS Party of Record List

First	Last	Title	Company	Address	City	State	Zip	Date
Jack	Alhadef		JDA Group	95 South Tobin, #201	Renton	WA	98055	4/2/2003
Jim	Amandus		Highlands Community Church	3031 NE 10th	Renton	WA	98056	3/21/2003
Jennifer	Anderson			447 Wells Ave N	Renton	WA	98055	3/25/2003
Tami	Anderson			26008 191st Pl SE	Covington	WA	98042	3/14/2003
Richard	Arensberg			12150 SE 16th Place	Bellevue	WA	98005	3/31/2003
Paul	Armitstead			419 McGraw Street	Seattle	WA	98109	3/31/2003
Lesley	Austin	President	Issaquah School Board	565 NW Holly St	Issaquah	WA	98027	3/21/2003
Mark	Babcock			37214 204th Ave SE	Auburn	WA	98092	3/31/2003
AJ	Banholzer		Aviation	PO Box 2174	Renton	WA	98056	4/2/2003
Trent & Ch	Barry			209 Williams Ave N	Renton	WA	98055	3/14/2003
Bjorn	Bayley		IKEA	600 SW 43rd St	Renton	WA	98055	3/21/2003
Paula	Bean			334 Morris Ave S	Renton	WA	98055	3/25/2003
Anders	Berglund		IKEA	600 SW 43rd St	Renton	WA	98055	3/21/2003
Bill	Billet			14409 141st Ave SE	Renton	WA	98055	3/25/2003
Al	Blake		Cedar River Hangars	12541 200 Avenue SE	Issaquah	WA	98027	
Bob	Blayden		Blayden Design/Build	9933 143rd Ave SE	Renton	WA	98059	3/21/2003
Harry	Blencoe		Renton First Savings	POB 360	Renton	WA	98057	3/21/2003
Doug	Bolgiano			10908 Renton-Issaquat	Issaquah	WA	98027	3/31/2003
Don	Bressler		Renton Technical College	3000 NE 4th St	Renton	WA	98056-4195	3/21/2003
Bryan	Broska			451 Williams Ave N	Renton	WA	98055	3/21/2003
Scott & Da	Brown			420 Wells Ave N	Renton	WA	98055	3/21/2003
Kim	Browne		Kennydale Neighborhood Association	1003 N 28th Pl	Renton	WA	98057	3/21/2003
Tricia	Brush			514 Williams Ave. N	Renton	WA	98055	3/21/2003
Eugene	Burwell			10302 SE 186th	Renton	WA	98055	3/25/2003
Gene	Burwell	President	Greater Renton Chamber of Commerce	300 Rainier Ave N	Renton	WA	98055	3/21/2003
Maria	Cantwell	Senator	US Senate	915 2nd Ave #3206	Seattle	WA	98174-1019	3/21/2003
Gary	Cartisano			23914 115th Place W	Woodway	WA	98020	
Angela W	Cheng			229 SW 193rd Pl	Normandy Park	WA	98166	3/14/2003
Michael	Christ		SECO Development, Inc.	1084 J NE 8th Street, S	Bellevue	WA	98004	3/25/2003
Nina	Chung			1341 West First Street	Los Angeles	CA	90026	3/14/2003
Judy	Cibborn	Represent:	Washington State Legislature	POB 40600	Olympia	WA	98504-0600	3/21/2003
Karen	Codiga			812 Monroe Ave NE	Renton	WA	98056	3/25/2003
John	Collins	Government:	Aircraft Owners & Pilots Assoc	421 Aviation Way	Frederick	MD	21701-4798	3/31/2003
Suzette	Cooke	CEO	Greater Renton Chamber of Commerce	300 Rainier Ave N	Renton	WA	98055	3/21/2003
Suzette	Cooke		Renton Chamber of Commerce	300 Rainier Ave N	Renton	WA	98055	3/25/2003

Stephen Costanti		1055 S Grady Way, 5th	Renton	WA	98055 3/25/2003
Chris Colton		323 Williams Ave N	Renton	WA	98055 3/25/2003
Steven Curran		5910 231st Ave E	Buckley	WA	98321 3/25/2003
Larry Cutting		16919 150th Ave SE	Renton	WA	98058 3/25/2003
Jeff Davis		10012 64th Ave S	Seattle	WA	98178 3/25/2003
Sandel DeMastus	Highlands Community Association	1137 Harrington Avenue	Renton	WA	98056
Denny & B Dochnahl		13020 Lk Kathleen Rd	Renton	WA	98059 3/21/2003
Jennifer Dunn	Represent: US House of Representatives	2737 78th Ave SE #202	Mercer Island	WA	98040 3/21/2003
Deb Eddy	Executive Suburban Cities Association	6300 Southcenter Blvd	Tukwila	WA	98188 3/21/2003
Gary Faul	Attorney	321 Burnett Ave S #401	Renton	WA	98055 3/21/2003
Ann Marie Fracaro		350 Wells Ave N	Renton	WA	98055 3/14/2003
Greg Garner	Washington Mutual	1100 2nd Avenue	Seattle	WA	98101 4/1/2003
Anna & Jol Gass		318 Wells Ave N	Renton	WA	98055 3/25/2003
Dolores Gibbons	Superinten Renton School District	300 SW 7th	Renton	WA	98055 3/21/2003
Nic Gill		601 108th Ave SE, Suite	Bellevue	WA	98004
Dick Goyt		1632 Jones Dr. SE	Renton	WA	98055 3/25/2003
Jim Hambuechen		1083 Lake Washington	Renton	WA	98055 3/31/2003
J. Steve Harer		11326 Rainier Ave S	Seattle	WA	98178 3/21/2003
Mike/Traci Harwood/O'Brien		10510 NE 135th Lane	Kirkland	WA	98034 3/14/2003
Scott Hitchings		3110 Douglas Ct SW	Issaquah	WA	98027 3/21/2003
Jim Horn	Senator Washington State Legislature	POB 40441	Olympia	WA	98504-0641 3/21/2003
Steve Huang		401 Park Ave N.	Renton	WA	98055 3/21/2003
Steve Huang		15513 SE 53rd Place	Bellevue	WA	98006 4/7/2003
Zack Hudgins	Represent: Washington State Legislature	POB 40600	Olympia	WA	98504-0600 3/21/2003
Randy Hynes	Puget Sound Energy	1101 Lake Washington	Renton	WA	98056 4/7/2003
Michael Irish		13859 177th Ave SE	Renton	WA	98059 3/14/2003
Gerrie Jackson		1730 Pierce Avenue SE	Renton	WA	98058 3/25/2003
Don Jacobson		3741 Park Ave N	Renton	WA	98056 3/21/2003
Joe Jainga	Puget Sound Energy	PO Box 90868 XRD-01	Bellevue	WA	98009-0868 3/25/2003
Fred Jarrett	Represent: Washington State Legislature	POB 40600	Olympia	WA	98504-0600 3/21/2003
Brian Johnson		14509 SE 167th St	Renton	WA	98058 3/14/2003
Mark Johnson		316 Renton Ave S	Renton	WA	98055 3/14/2003
Marlo Jones		22616 102nd Place	Kent	WA	98031 3/25/2003
Victor Karplak	Renton First Savings	POB 360	Renton	WA	98057 3/21/2003
Gina Kavesh	Renton Western Wear	714 S 3rd	Renton	WA	98055 3/21/2003
Dan Kellogg	Attorney	15 S Grady Wy #249	Renton	WA	98055 3/21/2003
Julie Kessler		14302 148th Pl SE	Renton	WA	98059 3/21/2003

Adam	Kline	Senator	Washington State Legislature	POB 40437	Olympia	WA	98504-0637	3/21/2003
Gary	Kmieciak			10029 20th Ave SW	Seattle	WA	98146	3/14/2003
Linda	Knowle			2902 Kennewick PI NE	Renton	WA	98056	3/14/2003
Gary	Kohlwes	Boardmem	Valley Medical Center	400 S 43rd St	Renton	WA	98055	3/21/2003
Joe	Korbecki			15225 150th Lane SE	Renton	WA	98058	3/25/2003
David	Kotker		AOPA	4339 134th Place SE	Bellevue	WA	98006	4/2/2003
Wendie	LaBarge		North Renton Neighborhood Association	POB 684	Renton	WA	98057	3/21/2003
Denis	Law	Editor	Renton Reporter	POB 130	Kent	WA	98035-0130	3/21/2003
David	Lawrence			13306 SE 196th	Renton	WA	98058	3/25/2003
Paul	Leland		<u>Paul.Leland@METROK.COV</u>					3/31/2003
Barbara	Ley			10271 148th Ave SE	Renton	WA	98059	3/14/2003
Gary	Locke	Governor	State of Washington	POB 40002	Olympia	WA	98504-0002	3/21/2003
Laura	Lohman		Heartland	524 2nd Avenue #200	Seattle	WA	98104	
Mike	Lowry			1900 S Puget Dr	Renton	WA	98055	3/21/2003
Mike	Lowry			3326 Park Ave N	Renton	WA	98055	3/25/2003
Gerry	Marsh			437 Williams Ave N #1C	Renton	WA	98055	3/21/2003
Pepper	Martin			15325 SW 6th St, #18	Burien	WA	98168	3/14/2003
Christina	Martinez		WSDOT/Urban Corridors Office	401 Second Ave. S, Suite	Seattle	WA	98104	
Campbell	Mathewson		CenturyPacific, L.P.	1501 Fourth Ave. Suite	Seattle	WA	98101	4/8/2003
Marcie	Maxwell		Windermere	3800 NE 4th St	Renton	WA	98056	3/21/2003
Marcie	Maxwell			PO Box 2048	Renton	WA	98056	3/25/2003
Marty	McComb		Highlands Community Association	3412 NE Sunset Blvd	Renton	WA	98056	3/21/2003
Rob	McKenna	Councilme	Metropolitan King County Council	516 3rd Ave	Seattle	WA	98104-3272	3/21/2003
William	McLees			21730 176th Ave. SE	Kent	WA	98042-7210	
Robert	Mead			432 Burnett Ave N	Renton	WA	98055	3/14/2003
Sandra	Meyer			603 S 29th Place	Renton	WA	98055	3/25/2003
Bob	Moran		South Renton	425 Wells Avenue S	Renton	WA	98055	4/2/2003
Don	Moreland			809 N. 6th St, #3	Renton	WA	98055	3/14/2003
Cayla	Morgan	Envionme	U.S. Dept. of Transportation, Federal Aviz	1601 Lind Avenue, S.W	Renton	WA	98055-4056	3/31/2003
Michael	Muma			37030 204th Ave SE	Auburn	WA	98092	3/31/2003
Marleen	Mundt		Kennydale	1408 N. 26th Street	Renton	WA	98056	4/2/2003
Patty	Murray	Senator	US Senate	912 2nd Ave #2988	Seattle	WA	98174-1003	3/21/2003
Pat	Newbury		McDonald's	1800 NE 44th #240	Renton	WA	98056	3/21/2003
Betty	Nokes		Renton Community Foundation	2331 Olympia NE	Renton	WA	98056	3/21/2003
Mike	O'Halloran		Highlands	4420 SE 4th Street	Renton	WA	98059	4/2/2003
Carrie	Olson			402 Williams Ave N	Renton	WA	98055	3/14/2003
Chris	Oppfelt			3119 Mountain View Av	Renton	WA	98056	3/14/2003

Marcio Palmer		Kennydale	2507 Park Pl. N	Renton	WA	98056	4/2/2003
Armondo Pavone		Armondo's	913 S 3rd St	Renton	WA	98055	3/21/2003
Dwight Pelz	Councilman	Metropolitan King County Council	516 3rd Ave	Seattle	WA	98104-3272	3/21/2003
Eric Pattigrew	Representative	Washington State Legislature	POB 40600	Olympia	WA	98504-0600	3/21/2003
Diane Pahlke		Airport Representative	243 W. Perimeter Rd	Renton	WA	98055	4/2/2003
Margarita Prentice	Senator	Washington State Legislature	POB 40411	Olympia	WA	98504-0611	3/21/2003
Richard Putnam			4565 137th Ave SE	Bellevue	WA	98006	4/1/2003
Jeff Raker			1011 Western Ave, Suite	Seattle	WA	98104	3/25/2003
Marge Richter			300 Meadow Ave N	Renton	WA	98055	3/21/2003
Miko Rice		Aerodyne/Tenant	300 Airport Way	Renton	WA	98055	4/2/2003
Shelly Risk			15205 52nd Ave S	Seattle	WA	98188	3/25/2003
Ted Rodriguez		Torero's	431 Rainier Ave S	Renton	WA	98055	3/21/2003
Peter & Lin Rogojin			7634 S. Lake Ridge Dr	Seattle	WA	98178	3/21/2003
Rich Roodman	CEO	Valley Medical Center	400 S 43rd St	Renton	WA	98055	3/21/2003
Rick Ross		Renton Assembly	POB 1830	Renton	WA	98058	3/21/2003
David Saller			2214 So. 118th St	Seattle	WA	98168	3/14/2003
Joe Schafer			15227 SE 183rd Dr	Renton	WA	98058	3/14/2003
Kathy Schmidt			16328 SE Old Petrovits	Renton	WA	98058	3/14/2003
Mike Schultz		Monterey Terrace	150 Monterey Dr. NE	Renton	WA	98056	4/2/2003
Tim & Kimi Searing		Melrose Grill	POB 4035	Renton	WA	98057-4035	3/21/2003
Arlene Seathree			9716 Mercerwood Dr	Mercer Island	WA	98040	3/25/2003
Michael Settles			231 Burnett Ave N	Renton	WA	98055	3/31/2003
John Shambaug	Senior Plar	WA State Dept. of Transportation, Aviation	PO Box 3367	Arlington	WA	98223-3367	3/31/2003
Adam Smith	Representative	US House of Representatives	1717 Pacific Ave #2135	Tacoma	WA	98402-3234	3/21/2003
Karen Stremmer		AOPA/BEFA	P.O. Box 3365	Renton	WA	98055	
Ron Stroben	President	Greater Renton Chamber of Commerce	300 Rainier Ave N	Renton	WA	98055	3/21/2003
Nancy Swanson			1100 17th Ave	Seattle	WA	98122	3/25/2003
Deb Symmonds	Deputy City	City of Mercer Island	9611 SE 36th Street	Mercer Island	WA	98040	3/31/2003
Al Talley	President	Renton School Board	879 Rainier Ave N #A1	Renton	WA	98055-1378	3/21/2003
J Talley	President	Renton School Board	300 SW 7th	Renton	WA	98055	3/21/2003
Ken Taylor			14920 SE 139th Pl	Renton	WA	98059	3/21/2003
Tim & Nan Terry			338 Pelly Ave N	Renton	WA	98055	3/25/2003
Suzanne Thompson		McLendon's	710 S 2nd St	Renton	WA	98055	3/21/2003
John Tillon			313 Williams Ave N. Ap	Renton	WA	98055	3/25/2003
Sharon Tomiko Sa	Representative	Washington State Legislature	POB 40600	Olympia	WA	98504-0600	3/21/2003
Kirby Untl		St. Matthew's	1700 Edmonds NE	Renton	WA	98055	3/21/2003
Veloria Velma	Representative	Washington State Legislature	POB 40600	Olympia	WA	98504-0600	

Rich Wagner
 Rich Wagner
 Jeanette Walker
 Karen Walter
 Melinda Webb
 Paul & Mel Webb
 Debbie Wicks
 Howard Wolvington
 Woody Woodall
 Terry Zanga

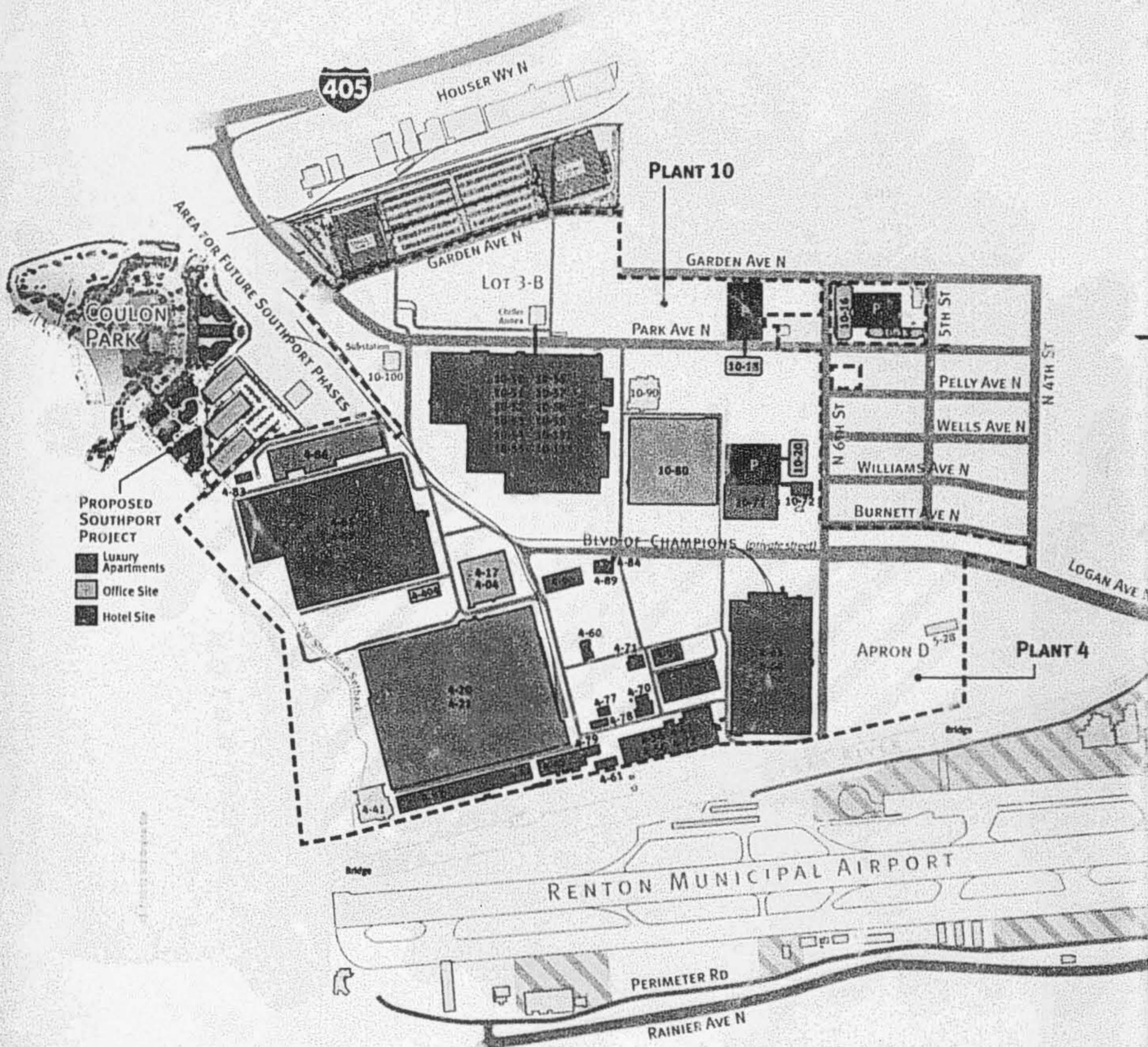
Baylis Brand Wagner Architects

Muckleshoot Tribal Office, Fisheries Div.

Falton West
 BEFA
 Kenny's Auto

10891 Main St Bellevue
 2411 Garden Ct. N Renton
 243 Williams N Renton
 39015 172nd Avenue S Auburn
 541 Wells Avenue N Renton
 541 Wells Ave N Renton
 321 S 2nd St Renton
 560 Mt. Olympus Dr SW Issaquah
 618 Park Ave N Renton
 1609 Talbot Rd S Renton

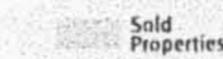
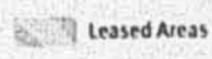
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 WA 98055 3/25/2003



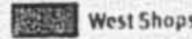
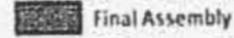
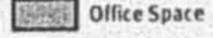
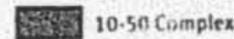
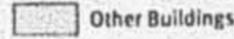
BOEING RENTON PRODUCTION PLANT Site Map

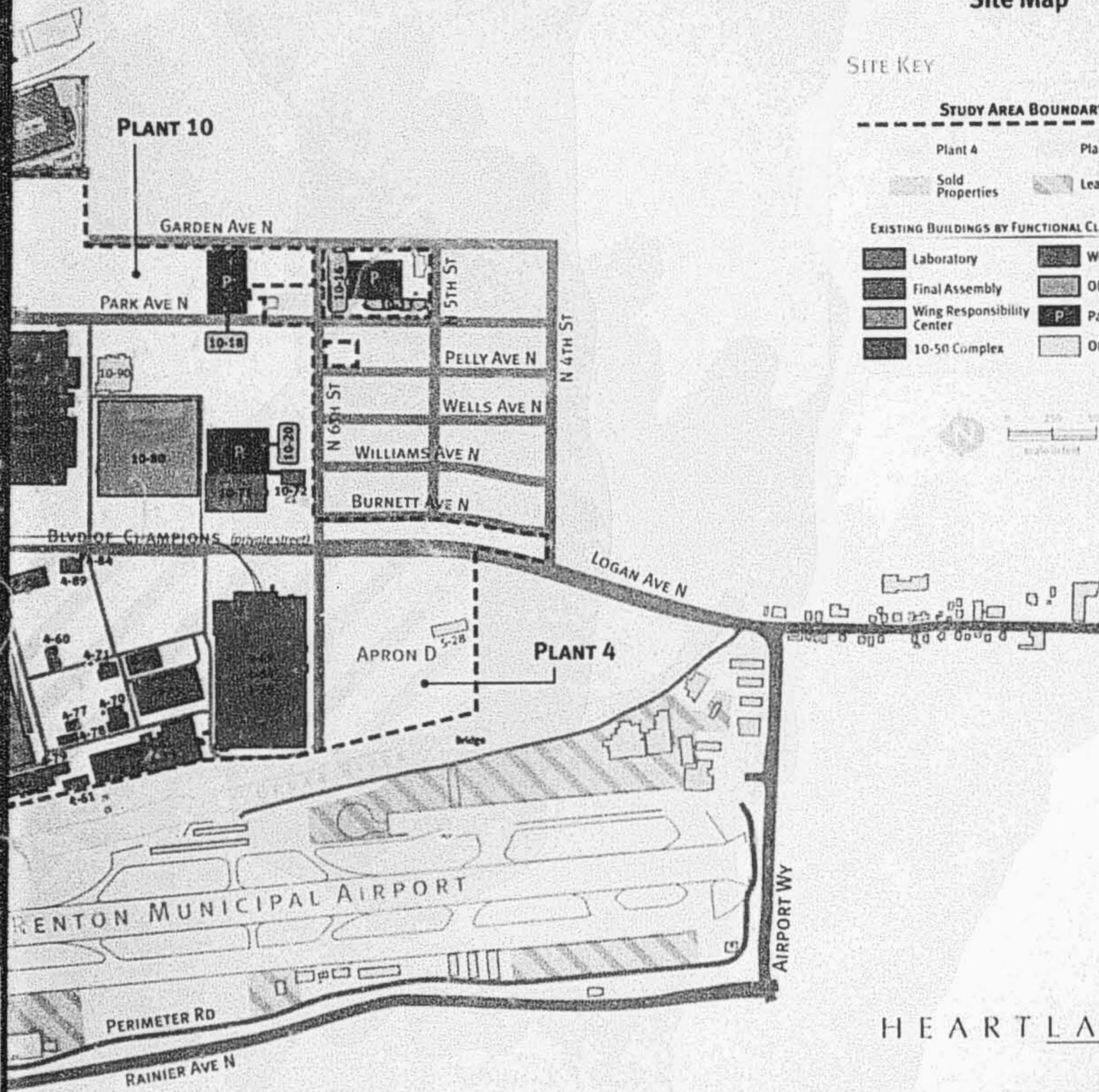
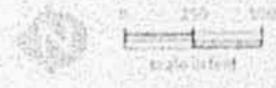
SITE KEY

STUDY AREA BOUNDARY

- | | |
|---|--|
|  Plant A |  Plant 10 |
|  Sold Properties |  Leased Areas |

EXISTING BUILDINGS BY FUNCTIONAL CLASSIFICATION

- | | |
|--|---|
|  Laboratory |  West Shops |
|  Final Assembly |  Office Space |
|  Wing Responsibility Center |  Parking Garages |
|  10-50 Complex |  Other Buildings |



HEARTLAND

STATE OF WASHINGTON, COUNTY OF KING)
AFFIDAVIT OF PUBLICATION

PUBLIC NOTICE

Lily Nguyen, being first duly sworn on oath that she is a Legal Advertising Representative of the

King County Journal

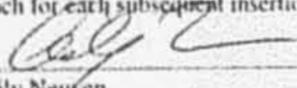
a daily newspaper, which newspaper is a legal newspaper of general circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in King County, Washington. The King County Journal has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King County.

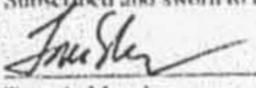
The notice in the exact form annexed was published in regular issues of the King County Journal (and not in supplement form) which was regularly distributed to its subscribers during the below stated period. The annexed notice, is

Notice of Appeal Hearing

was published on Monday, 2/9/04

The full amount of the fee charged for said foregoing publication is the sum of \$64.13 at the rate of \$15.50 per inch for the first publication and N/A per inch for each subsequent insertion.


Lily Nguyen
Legal Advertising Representative, King County Journal
Subscribed and sworn to me this 9th day of February, 2004.


Tom A. Meagher
Notary Public for the State of Washington, Residing in Redmond, Washington
Ad Number: 845903 P.O. Number:
Cost of publishing this notice includes an affidavit surcharge.



**NOTICE OF APPEAL HEARING
RENTON HEARING EXAMINER
RENTON, WASHINGTON**

A Public Hearing will be held by the Renton Hearing Examiner in the Council Chambers on the seventh floor of Renton City Hall, 1055 South Grady Way, Renton, Washington, on February 24, 2004 at 9:00 AM to consider the following petition:

**BOEING FEIS APPEAL
LAUSG2-02-CPA**

Applicant appeals the adequacy of the Final Environmental Impact Statement. Location: The properties are bounded by Lake Washington, the Southport mixed use development and the existing Puget Sound Energy substation, property on the north; Renton Memorial High School Stadium and N 6th Street on the south; the Cedar River waterway and trail on the west; and Garden Avenue N on the east.

All interested persons are invited to be present at the Public Hearing. Questions should be directed to the Hearing Examiner at 425-420-6315. Published in the King County Journal February 9, 2004. #845903

NOTICE OF APPEAL HEARING
RENTON HEARING EXAMINER
RENTON, WASHINGTON

A Public Hearing will be held by the Renton Hearing Examiner in the Council Chambers on the seventh floor of Renton City Hall, 1055 South Grady Way, Renton, Washington, on February 24, 2004 at 9:00 AM to consider the following petition:

BOEING FEIS APPEAL
LAU02-141, CPA

Applicant appeals the adequacy of the Final Environmental Impact Statement. Location: The properties are bounded by Lake Washington, the Southport mixed use development and the existing Puget Sound Energy substation property on the north; Renton Memorial High School Stadium and N 6th Street on the south; the Cedar River waterway and trail on the west; and Garden Avenue N on the east.

All interested persons are invited to be present at the Public Hearing. Questions should be directed to the Hearing Examiner at 425-430-6515.

Publication Date: February 9, 2004

Account No. 51067

BRAD NICHOLSON

2300 N.E. 28th Street
Renton, Washington 98056
Brad827@hotmail.com
(425)445-0658

CITY OF RENTON

DEC 15 2003

RECEIVED
CITY CLERK'S OFFICE

1:25 pm
dx

December 15, 2003

Mr. Fred Kaufman
Hearing Examiner City of Renton
1055 South Grady Way
Renton, WA 98055

RE: 2003 City of Renton Comprehensive Plan and Development Regulation amendments and Boeing rezone - LUA-02-141, CPA, R, EIS.

RE: APPEAL

Dear Mr. Hearing Examiner,

I participated in the purported City of Renton planning pursuant to 36.70A.280(2)(b) RCW. I have done so because of my concern for the City of Renton; I composed a letter and submitted it according to the instructions that were provided to me in the notices. The Planning Commission held public hearings on the matters. I was letter number 13 in the EIS and presented myself to them at their hearings.

I must say that I resent the apparent aversion to law that I have witnessed, and the arbitrary and unlimited governmental power claimed by the officials involved in this action as well. And because it is very natural for me to be very jealous for the rights and liberties enjoyed by Renton citizens and state my purpose and the very essence of this letter being want of expression of a common purpose and direction, consistency, as well as implementation of legitimate plans and codes.

I also submitted a correspondence letter to the City Council for their "work session" and inclusion into the record; however, that letter was not incorporated into the minutes or read into the record or used in the proceedings because the Council and their Attorney determined the letter to be "Political" and therefore and according to their logic, unreviewable. I think that we may construe that logic as a determination that the factual material contained in that letter is incontrovertible. That was again and with particularity, unilateral, arbitrary, capricious and unfortunate. A conforming copy of both of the letters are attached and re-alleged herewith. That letter should have been subject to review and findings of fact and conclusions of law, but it was not.

I am very disappointed in the adequacy of the responses. I was very surprised to discover that the Planning Agency did not make any specific factual findings in reference to the issues that I raised before them, while in my view it was essential to a conclusion that a reasonable and thorough discussion had occurred. In fact, there have yet to be any official factual findings relating to the adequacy of the EIS and the environmental issues that I raised. Instead, what has occurred is the City Council has made hasty legislative findings of their own and only regarding the zoning, and without any reference to the issues that I raised. I hereby assign error to all of those findings and reiterate the elements of my letters. The Council factual findings are unsupported by substantial evidence, a ground acceptable to reversal of their recent legislation. My letters should have been given paramount consideration and because I was one of the handful of citizens that took the time to participate, and I might add, it was in a very thoughtful and professional manner.

What are the facts that make all this an "emergency" like has been declared by the ordinances?

Like I have previously stated, The State provided Boeing with 3.2 Billion dollars in tax value to build the 7E7 and keep valuable manufacturing jobs in the region. I have recognized and concluded that the gesture is a true expression of the inner convictions of the people of the State of Washington.

I expressed that the aspirations of the many citizens of Renton had not significantly changed their convictions since 911 in the least in my letter. (see impact statement letter 13) I stated that was "incontrovertible". No response was provided determinative of factual material indicating a contrary finding, leading us to observe that exactly the same thing that occurred in The Douglas Company Inc, et al, v. The Department of Revenue, Appellant. 92 Wn. App. 413 stating, that when reviewing an administrative decision, a court may consider and rule upon uncontroverted evidence in the administrative record not reflected in the agency's findings of fact.

I would have thought that the Proponent would attempt to place material fact into the record that would have demonstrated exculpatory evidence or testimony that my accusation that the proponent pledges their loyalty only to Wall Street would have been rebutted with contrary evidence? No matter, I accept the uncontroverted fact that Boeing does not care about the citizens of Renton. That is because those are the true facts.

To reiterate, the public beliefs and needs must prevail.

We recognized those facts and did it with our wallets. The company is exerting their power and influence, and while pushing Renton citizens around and ignoring me, and so that they can make more money by eliminating process and procedure and unsupported by the required factual determination. They do not really care about us; it is up to the citizens to speak up. It is that simple. I will not succumb to unethical and unlawful procedure, along with facts unsupported by substantial evidence.

The Proponent and Staff and Council are obviously not on the same page. Proponent states that it will continue its operations for the foreseeable future; Council finds that conditions have changed to a degree requiring Boeing consolidated operations to be rezoned into a large scale shopping center.

I contended that there is no reason to rezone district 2. Uncoordinated planning and findings like this pose a threat to the environment, a finding already articulated by the legislature in our statutes as legitimate. Further disclosure and discussion is required.

The leading authority, setting forth the historical antecedent by applicable rule, outlines the legal requirements:

The burden of proof to demonstrate acceptability rests with the proponent. See, Parkridge, et al, Respondents, v. The City of Seattle, et al, Appellants. 89 Wn.2d 454, 573 P.2d 359 "A rezoning action taken without the support of required substantial evidence is arbitrary and capricious". "There is no presumption of validity in the action of rezoning".

And without which it is a ground acceptable to Hearing Examiner recommendation for invalidation pursuant to RMC 4-8-110 (7) (b) (i thru vi.)

The main inquiry should be whether the zoning action furthers public interest, and is justified in the light of changed public circumstances, and bears a substantial relationship to the safety, health, general welfare and morals of the affected community. Parkridge.

Such unlawful zoning is not a differential regulation affecting adjacent land, but rather it is a "vice" because it merely accommodates private interest and bears no rational relationship to promoting legitimate public interest. A directive, see, Citizens v. Mount Vernon 133 Wn.2d 861, 947 P.2d 1208 citing,

R. Settle, Washington Land use and Environmental Law and Practice § 2.11(c) (1983)

The record shows that Boeing has no plans to discontinue its consolidated operations in district 2 for the foreseeable future, and testified to it on the record. I have attached copies of some of the minutes of

the Council and Planning Commission correspondence and some exhibits from the record herewith.

The proponent has yet to make such a lawful demonstration necessary to proceed. There has been no change. It is still an airplane factory with productive and profitable output right next to Renton Municipal Airport, abutting other industries and Kenworth and Paccar. I just noticed that Boeing parking lot east of Park ave. is well used during the day east of Park. As I originally contended, "the felt necessities of the public, the ethical and moral demands of social and economic institutions, and even the prejudices that we might share have a good deal more to do with it when we adapt to a changing time in our history" It all makes me wonder how our industrial center was justified as framed and as an urban center in the first place. To reiterate, I want a discussion of those factors.

Renton is not Bellevue or Kirkland, it is a town of hard working Americans, a good section of their zoning has, and still should be used for productive industrial and manufacturing purposes.

I watched their work session, and observed that a City goal articulated was to increase the revenue the City generates from the sales taxes that would be collected by big box, retail, and the like, with an eye toward the Council. I would be concerned with that environment and planning, and because after reviewing all of the more than dozen objectives of the GMA and SEPA, I could not find that to be legitimate governmental objective anywhere in the statutes. Perhaps someone could direct me to it.

After the public comment portion of the public hearing before the Planning Commission was closed, Staff unveiled the actual and real proposal and it was for the purpose of a "Hybrid Plan" for a large scale retail shopping center that had not been previously envisioned in the four alternatives that were up for consideration. The probable significant impacts upon the Renton transportation network have not been adequately discussed because it had never been known what the true nature of the proposal was. That "hybrid" would cause a lot more gridlock than the options and alternatives previously analyzed. I would bet that all that any of Renton citizens thought at the previous time was just like what they were told, and that was that the City was only considering the "potential" of the site and they did not understand the ramifications involved in the doctrine of finality. Everyone that I know just thinks that there is nothing that can be done about it. I possibly will be the one to prove them wrong.

The same would prove to be true for storm water pollution. I am left with the undesired impression that they knew all of this all the way along. There is a much greater impact from the true proposal than what has been discussed. Parking lots and roads from redevelopment cause large amounts of phosphorus, nitrogen, and other pollutants and increase in temperature that should be properly mitigated with scientific and practical measures to protect the environment and the waters adjacent to the property that belongs to the public. Am I not correct?

Can the City proceed and when the impact statement indicates that the 2001 ecology manual or its equivalent would be used and without any indication that there is a regulation or revision of any kind to our code or comprehensive plans or a demonstration that the current code is equivalent to the 2001 ecology manual?

Why has there not been any legislation with regard to protecting the Chinook salmon, native Steelhead, Coho Salmon, Bull Trout and other salmonid species that inhabit and rear in the water that is immediately adjacent to the subject site and when it is such a very important resource to Renton?

I would be prone to state at first that the concurrency model used to study transportation was fake, because I believe that it is based upon unreasonable presumptions, but that would not be totally complete. It is way too complicated to be conducive to public participation as is required by GMA and SEPA. Who understands it? There had not been and there still is not a reasonable disclosure of the transportation impacts through any kind of open discussion or open analysis, and because the true nature of the proposal had never been disclosed to the public in the first instance.

I am shocked at that revelation, because it seems very clear that what will ensue without some legitimate capacity presumptions and thoughtful disclosure will result in an unmitigated transportation nightmare for Renton Citizenry.

Under the purported plans, people now working in the area would be displaced and would need to commute to other areas of our region to find a family wage job, (taxes for an average house are up to \$4000.00 a year) and while the big box stores and major shopping center would attract a huge amount of traffic to Renton from other areas.

I am presuming that the shopping center is planned for success. This type of planning is what causes the gridlock that people are so disappointed with because it has such a big effect upon the quality of our environment. The trip presumptions are obviously skewed in favor of the development scenarios already. Staff contended that Boeing would receive "credits".

Can they give credits for converting Renton's manufacturing industrially zoned land into a shopping center?

If there ever were more high intensity development such as more condo's, that would add even more. It is very clear to any rational person that a large retail shopping center in that area would result in unmitigatable gridlock like has never before been seen in our City and it should have been disclosed and analyzed in an honest manner according to GMA and SEPA requirements in the first place. They cannot engineer a legitimate traffic plan because of all of the legal issues involved would make it costly. I am left with the conviction that the reason for this application to be processed in this way in the first place is because it would result in higher property value for the proponent to sell. That is how they do business. I do not believe that it is ethical and moral when there are so many specific directives ignored, and the apparent desire to exclude the public has been indicated. We know from our traffic experiences what a shopping center would be like, and we can visualize it from the perspective of what it would be like if south center traffic were proceeding up Sunset and down Logan Ave. And I do not think that we should ignore some very real safety and social and economic consequences that would result from the proposal. That is clearly erroneous.

A large shopping center in that area would likely result in at least ten times the amount of traffic on the various transportation connections and have wide ranging impacts.

How many customers per square foot per day park in each parking stall at Fry's? At Boeing? How would it be for traffic on the various City streets with a large-scale shopping center during peak shopping season?

Without a realistic traffic study based upon the true plan, the safety of our system would be at issue.

What if there is an accident or somebody has to get to the hospital or there is a fire or civil emergency? How about a discussion of response time for that with regard to the true proposal?

In the work session held on the matters, a need for a "tunnel" beneath 405 to relieve the major congestion upon some of the our roads was identified, followed by no articulation within the capital facilities element. 39.04 RCW and GMA requires such an identified need to be properly planned.

How can the capacity of our street system accommodate such a huge increase and without inclusion of additional improvements that could be made and when there has been no analysis of the actual proposal or presentation and amendment of the Capital facilities element?

How can legal requirements for a contract or agreement be satisfied and without a definition of that subject matter and a demonstration of compliance with the subdivision regulations?

How can the City plan to subdivide land to create a large-scale shopping center in a combination of a industrial heavy zone, and an urban center overlay without the actions being subject to the provisions of 58.17 RCW and the public scrutiny?

That is not a minor or insignificant change at all. I thought that there would be a pedestrian friendly and attractive and responsible design incorporated into the plans at first, but now I realize that there was never any need for such provisions because it was never the real plan in the first place. That is why pedestrian and esthetic standards have been overlooked.

A capital facilities plan element consisting of an inventory of existing capital facilities showing the locations and capacities of the capital facilities and a forecast of the future needs for new capital facilities and the locations and capacities of expanded or new capital facilities should be in order and according to the real proposal. And at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifying sources of public money for such purposes would be necessary and a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. All of which are mandatory elements of the comprehensive plan as defined by the GMA. Again, mandatory elements of the development agreements and comprehensive plan and development regulations are absent. They never were worried about it because nobody would want to walk around there anyway. They have not considered where the water and sewers might go, let alone how would our roads look and perform. I feel betrayed. That is not how they impose upon me.

Do the Renton amendments fail to comply with requirements of GMA and SEPA because it does not include an analysis of funding capability or a discussion of the true improvements that would be required as a result of the direct impact of the proposal? I think they do.

And all the more reason to observe, like I have previously requested, that the plain and unambiguous language and specific directives of the GMA and impact fee statutes 82.02 RCW be observed by adopting a code that is in conformity with it. It is for the purpose of the environment and essential considerations of State policy. Otherwise, our environment is threatened. That is incontrovertible.

I wonder if I am understood when I make the assertion that our impact fee ordinances require credits and provisions in accordance with our nexus and proportionality limits and that there is no fee, tax, or charge permitted and that only a voluntary agreement that has been reasonably imposed to mitigate the direct impact of the proposal is permitted by law?

When there is no special benefit conferred that is not required by the public at large, and there has been no articulation of the identity of the specific improvement that must be made, such a fee is unconstitutional and outside the comprehension of article 11 § 11. I want a discussion of these requirements and incorporation of them into our code as is required by statute and required because this is not a project; it is a time and opportunity to review and amend our present plans and codes. I would contend and direct all these concerns pursuant to 82.02 RCW. That is what I have said before. I have already cited a host of authorities supporting this in the previous actions with which I have referred. I understand that you are familiar with them.

The City Fire department purports to exact a "universal contribution" while our resolutions state that our impact fees should readopted under the GMA. That has yet to be performed.

As is articulated under the GMA, such unplanned growth poses a threat to the environment, and that is only in addition to the previous substantive and procedural issues that I have already argued in my letters. I make these assertions only upon a "what if" and I want to be clear. There has not been substantive justification that the proposal is necessary, that our development regulations implement the comprehensive plan, or the legal requirements for a rezone have been satisfied in either of the two districts. The action of rezoning is unfavorable to law.

How can the City proceed without development regulations that implement the comprehensive plan and a comprehensive plan justified by public interest and the internal consistency requirements being unsatisfied?

Apparent disregard of procedure and fairness issues were very much evident through these proceedings. I was shocked to hear that members of the Council were in constant contact with the proponent throughout, no public participation in those discussions. A Boeing management employee participated in those and voted upon the adoption of these ordinances and is a Councilman, and even more surprised when a member of the Planning Commission mingled in the audience at the proceedings and pronounced that the inclusion of the Ecology Best Management Practices in the

process of developing policies and regulations would "cost too much money". And that was after a most repugnant response to my accusation that pollution should not be reduced by an alleged slight degree by outdated measures, but rather, that the GMA and SEPA requires the best available science to be used to reduce pollution discharges to the maximum extent practicable.

The basis for the decision has not been articulated to resolve the environmental issues and it must be; "Administrative findings of fact must relate how issues involving disputed evidence were resolved so that the parties and an appellate court are informed of the bases for the decision. The existence or nonexistence of determinative factual matters must be the subject of a finding of fact. The findings are inadequate if they state general conclusions after summarizing the parties' positions and the evidence presented". William Weyerhaeuser, et al, Respondents, v. Pierce County, et al, Appellants, 124 Wn.2d 26.

All that is happening is that they were trying to help the proponent take some shortcuts, and they are willing to be free of requirements and loyalty. There are many listed species in that area and they should be protected with special consideration and measures. Our salmon resource is very valuable. 36.70A.172 RCW.

"The evil sought to be remedied is not only actual bias, improper influence, or favoritism, but also the curbing of conditions which tend to create suspicion and misinterpretation, and cast a pall of partiality, impropriety, conflict of interest or prejudice over the proceedings". see, J. T. Chrobuck et al, Respondents, v. Snohomish County et al, Appellants, 78 Wn.2d 858.

Why doesn't the City just adopt the best manual and when they have indicated that we want to try to build a Science City?

How could a "Science City" be scientific without it?

There has been no legitimate reason articulated justifying continued use of the 1990 KC manual or demonstration that it is equivalent to SWMWW, promulgated by Ecology, a recent and modern standard design manual. Compliance with best management practices from that manual indicates compliance with water quality standards.

How can the City explain to a high technology developer and Renton citizenry that our huge shopping area and its pollution has contributed to causing salmon to become extinct or endangered?

The Lake Washington/Sammamish Kokanee has recently become extinct.

I find much of the process flawed; I am left with the impression that there has been an attempt to deceive. I am very sorry to make this statement, and I derive absolutely no pleasure from it. We as Renton citizens do not need to be presented with another ethical dilemma, but we are now presented facially with a breach and some serious procedural errors affecting our environment and plans. In combination, I find these developments to be very disturbing.

It should be understood that the initial imposition of zoning regulations compels the highest degree of public trust upon the governmental processes bringing about such an action. Again see, J. T. Chrobuck et al, Respondents, v. Snohomish County et al, Appellants, 78 Wn.2d 858.

It does not appear that has occurred. Most all of the requests that I made during the proceedings are specific directives of the GMA and SEPA and should not be subject to debate in this type of proceeding.

I find it difficult to properly appeal, and because the Staff amended notification issued December 4, 2003 allows me only (because I received on December 9, 2003) around six days to do so. I never received mailing of a substantive determination including factual findings or conclusion on the matters. No one made a finding of adequacy. I had to look into the Council minutes for findings as to the rezoning. Does the code permit that type of notification and period for placing an appeal to this office?

I had to obtain the public findings by requesting them through the City Clerk. The Planning Commission, made up of citizens actually did make some findings. They found that the statement was in need of further consideration and analysis, made motions in order to clarify the convictions that they held, and expressed their disappointment in the fact that they had been surprised in the process. It is in reality much more than a coincidence that those findings correspond so closely with my original contentions, and that is because they are also good Renton citizens recognizing the values and beliefs of our citizenry. Citizenry believes that big box should be confined to the area east of Park avenue; a mixed pedestrian friendly environment in the remaining area that does not include Boeing consolidated operations. All of those values are accorded great weight in an action such as this. How could anyone proceed and without deference to that weight?

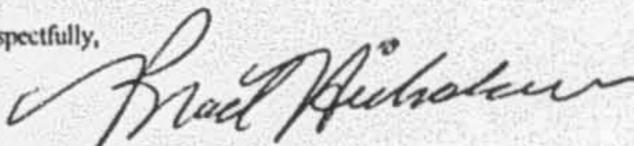
If industry or our City is to succeed, it needs a uniform and just and quick sound process in order to be able to compete in world markets and execute our strategies, morals, and health and welfare and requirements for safety. That result would be within the bounds of public morals and conviction. I sincerely hope that it is not like me, where a shared driveway serving two residential homes within the optimal area of the textural triangle and hundreds of feet to the groundwater below the surface of the land, and within the City's zoning designed with best management practices takes over fifteen months after submittal and it still has yet to clear the engineering hurdle. I think that you are familiar with that because I appealed it to your office, like I indicated in the EIS letter. It has not been very enjoyable. Any normal company would go bust tolerating that. It is abuse. They are now milking out my job as retaliation for my lawful contentions. The City appears avaricious, only proceeding with regard to individual interest, and that is not what the system is all about.

It would be my request that you reverse the findings of the Council, and suggest that a remand occur to gather additional information and make amendments necessary to proceed according to legal requirements, and with and while proceeding in accord with our inner convictions, needs, values and beliefs, and according function, value, and safety the highest degree of deference. With regard to many of my contentions, they are plain and unambiguous requirements of State legislative enactments, and necessary to legitimate planning inclusive of common goals of public policy.

Accordingly, I hereby appeal to your office according to 4-8-110 RMC. I recommend that you consider a remand even prior to holding a hearing, for purpose of resolving some of these issues in advance of your final review and findings. The alternates and appeals and hearings that are simmering do not seem to be a very desirable alternative to anyone. However, that is exactly what I am requesting with this letter. I am preparing to hold the City planning accountable with a petition for review.

I hereby appeal.

Respectfully,



Brad Nicholson

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August 8, 2003

Ms. Elizabeth Higgins
Senior Planner, City of Renton

Renton City Hall - 6th Floor
1055 South Grady Way
Renton, Washington 98056

Re: In the Comment on the Boeing Environmental Impact Statement and proposed Comprehensive Plan Amendments and Regulations for the City of Renton.

Re. LUA - 02 - 1-11, CPA, R, EIS

Dear Ms. Higgins,

Thank you for returning my telephone call after I called to speak with you and to request to become a party of record for the above mentioned Boeing comprehensive plan amendment proposal and actions that will be the subject of review. I am writing this letter to provide my written preliminary comments on the environmental impact statement. I have attempted to review all the documents within the allowable time frame. It is an issue that I am very concerned about.

We have already become acquainted while I was working on a project near my home and the short subdivision that I am doing, but I would still like to express a little bit more about myself and this is for the purpose of the factual record:

I was born in the City of Renton. I have lived here all of my life. I attended Renton schools. I am very concerned about the actions that are proposed and how they will affect me and how they will affect Renton. I consider myself to be a very thoughtful neighbor, and hereby present the following comments for your consideration:

The conservation and wise use of this land is paramount to the common regulatory goals of Renton citizenry, and while a major and abrupt change of direction in the City plans will have a great impact upon everyone in Renton. The Boeing Renton plant is defined by statute as a Major Industrial Development and it is near my home, and has been there as long as I can remember. It has been a property very important to Renton's for a long time.

I don't know about you, but I can remember when the Record Chronicle would arrive at my door each morning with the words "Renton' Jet Capital of the World" across the header. This has not been the case lately. My memories are complete with the spectacular views of shining aluminum aircraft rolling out before Lake Washington with the the Seattle skyline in the backdrop. Our local and regional comprehensive plans must have included Boeing and their heavy industries in them ever since the incorporation of Renton.

I, like the majority of Renton Citizens am very sorry to discover that Boeing intends to leave. It has been my life work and I have worked at Boeing for going on 27 years. I think that we have believed that the ideas were only under consideration and that none of the proposals were preferred or specific. That is what the public as well as the companies doing the impact studies were told. Now they want a rezone. It is very disappointing. I like many Renton citizens, am wondering why Renton has not done more to accomodate the rationale for the very valuable industry to remain, and how it should have reasonably performed its duties, and while not understanding fully why they would want to leave in the first instance. I must immediately contend that it is the responsibility of our city and our region to be responsible for designating a change in the zoning or planning for this major industrial development, and that the City may not plan or otherwise proceed when it is contrary to our objectives.

And that is only in addition to the material, evidentiary, and parallel failure of the procedural processes and requisites required under the Shorelines Management Act to occur. (90.58 R/W)

It all leaves me wondering why Boeing would want to leave and when their corporate vision is to leverage its strengths into new products and services at every phase? It must raise many questions. This is undoubtedly prime real estate, critical, sensitive, vital, and the most valuable piece of property in Renton. All at the same time. It is on flat ground, loaded with infrastructure and available transportation, road and rail, and even with its own ramp to the Renton Municipal Airport. Most of all of our current planning has evolved around it. It should be used wisely, and for manufacturing and industry. But, it looks like it might cost too much to stay in Renton.

It does not appear from the proposal that development in Renton is one of its strong points. It should be. And because we have all enjoyed a great deal of success here. That property has been a big part of all of our lives. Can anyone argue that we should not encourage and labor to develop and sustain this type of high quality business and industry in our City? I don't think they could.

And at the same time and without a doubt, it is true that Boeing is the most important business that the City of Renton and its citizens have ever known. It produces what probably is the major export product in the United States. I could probably not recall all the times this City has been inconsistent and changed its mind with me. All of the bureaucracy and appeals. It is heartbreaking. And the most recent disappointment is because I wanted to utilize State Best Management Practices determined by the State and Federal governments to be "appropriate and reasonable", but yet to be incorporated specifically into Renton's code. That is why I have taken the time to write this letter, because I am also feeling very disappointed in our City and the negative impression that has been created.

I do not know if I could blame Boeing for being frustrated and feeling like they are wanting to leave. I sometimes feel the same way.

I could go on and on, and bring up a host of injustices that have occurred to further and prove my points, but I do not want to. All that I want is to request that you and the City Administration make sure something positive is done about it. The people want our government to protect and serve. And surely I am not to understand that this is an extravagant requisition.

But of course that is not the only issue. What we do next if Boeing now decides to pack is the main issue. And this is also actually the real reason why I am writing this letter. I intend to stay here. The environment that we know may never be quite the same, and will be threatened without new coordinated efforts as well as planned legislation, while together expressing the common goals of all of the Citizens of our City, County, and State, and I want to do what I can to help see to it that adverse impacts are held to a minimum. I have previously enjoyed and prospered in Renton, in the same way that I suspect that many Renton citizens and also citizens of Washington have. It must be evident to all concerned that comprehensive land use planning performed with observation of the Environmental, Clean Water, Growth Management, Endangered Species, Shoreline, Subdivision, and for that matter all of the applicable laws and regulations of the State of Washington is required. And while we attend to and observe our State Judicial requirements. That is the very essence of what we should expect.

We should alternatively know what public policy requires and what it wants as well.

Good judgement, conformity, objectivity, and fairness must prevail at all levels and from all interests in order that success may occur. It must not only be fair in law and fact, but it must appear to be fair in every way. The fortiori and nexus here is fairness and stability and health, value, and sustained high quality economic development as our requisite for a high quality future. I am also writing this letter addressed to you because I trust that you would agree.

We must construe this objective in the light of the intent of the code as meaning that efforts to effectuate our goals must be permanent and perpetual, sustaining economic growth, keeping our environment prosperous, stable. This would only add success and profit to all concerned. Our money and security is definitely an elementary element of our environment, and it is the same for all citizens, owners, and proponents in Renton. It is clear that our economic health, paramount to our health and welfare, are all essential elements of our environment as defined under SEPA. That is what the statutes require.

It does not need nor want for a financial mess and economic trouble, pollution, or degradation, economic or otherwise, and administrative construction to the contrary is obviously contrary to law. Our laws, articulated in SEPA and GMA, are basically superior to all other doctrines.

Boeing is not performing the environmental impact statement and making their proposal for the purpose of enhancing and improving the effect to the environment and to benefit you and I, they are proposing the things the way they are to save and make money for their stakeholders. It is the fundamental stated objective of the company. And could they then sell their property for a quick full range of uses, primarily condo's, strip malls, and offices? That would not be right or fair either, that property is presently zoned for manufacturing.

This whole thing is about quick money. Wall Street does not care about the Citizens of Renton. The Street only cares about their profits. Boeing lean activities whether arguably right or wrong, have cost the area and region many jobs. We need to intervene and require and propose redevelopment of industry. It does not matter what type of high quality business it is, so long as it is the best for Renton. It should be a good deal more than small time services and home grown entrepreneurs and construction trades.

And alot of our citizens right to be able to make a living and their social and economic future and health and welfare is at stake here.

We should not have to pay taxes or suffer at all to cover the costs of a planning reversal. I thought that they were planning to expand, a few years ago.

According to legislative enactments, we should encourage economic development that is consistent with adopted comprehensive plans, while promoting economic opportunity for all citizens of this State. These are the core competencies and values of Washington Citizens. The Growth Management Act requires that the comprehensive plan of Renton be consistent and according to adopted planning policies so that the required consistency will be achieved. And they require the policies to be consistent with facilities and strategies as well. *43.21 RCW*, *36.70 RCW*, and a lot more. And such requirements should be construed and acted upon accordingly. It is my presumption that all of the above governmental enactments and thier attachments, plans etc., plus any not mentioned that are applicable here are already included into the record and are undebatable.

The proposal is inconsistent with a great number of designations for example *FW*, and *LU-51 thru LU-60* among others, and has neglected to observe the intent and purpose of the plan that specifically discourages uses in major industrial developments that are not compatible with manufacturing, industrial, and advanced technology uses and while limiting the size of offices and retail unless they are implemented as a limited accessory use.

All jurisdictions in King County were to support policy to promote industrial and manufacturing activity. This would not occur under the alternate plans. Policy *LU-58* of the plan requires that each jurisdiction shall establish strategies that support the movement of goods and manufacturing and industrial operations and would attract and support the type of Businesses that would ensure economic growth and stability.

It appears abundantly clear that the abrupt change of direction in its current form that has been proposed has failed this test, or will fail this test miserably without changes and careful contemplation and mitigation and prohibition of adverse effects. The key words here are ensuring sustainability, stability, and prosperity. It is our requirement. How can ordinary citizens accustomed to aerospace manufacturing make a sustainable living with condo's and offices?

High intensity use and office and condo use could easily be phased into the highlands area to provide additional housing choices and benefit Renton. That is WWII duplexes and what might very well be underutilized property. Abandoned schools, capacity for infill, and a new fire station is what citizens percieve. And that area already should be capable from the relevant standpoint, of attracting a good deal more retail and commercial business just like that which is proposed here. It would be an excellent choice for redevelopment and right now there are no takers. How could we believe that what is now proposed here is anything more than speculation?

I write this letter upon the proposition and contention that changes and prohibitions must be made, in order to ensure that mitigation measures that are proposed further and meet the tests of scrutiny. This is a major action, and a demonstration that the rezone and development regulations that are proposed will in fact mitigate the developments and impacts must be forthcoming. They must clarify not only what kind of economic development will be available during implementation, but also after the buildout. It is necessary to further our objectives.

This assertion is based upon evidentiary material that does not appear in the impact statement and also the present deficiencies in the Renton code and development regulations and which are presently inadequate for purpose of serving the public use and interest, a fundamental prerequisite in actions of this type.

In just the same way that the developers will be required to effectively mitigate the direct impact of the proposals, the City departments have the responsibility to our citizenry and to public policy and scrutiny to require that such effects are caused and mitigated to the extent and nature required by our stated objectives. The burden of proof is upon the City to make a showing that the mitigation imposed effectively is caused by the project and serves the public use and interest.

However, I also want you to know that I share much of the optimism expressed at the public hearing. Notwithstanding the procedural and substantive deficiencies I outline herewith, the realities and present conditions situate here naturally demand consistent and considerate analysis as well. This is why I have carefully reviewed alternative number two. Even though it may not be lawful to a tee, it may be the way to make the calculated risk that would benefit all concerned. Also, it seems that maybe none of the alternatives should be rejected outright, we just should not approve of all of them at this time. I think that the City should act very effectively upon what is known to be needed right away, while keeping open as many options as possible, all the while promoting and encouraging and requiring high quality business and opportunity. That would place everyone in a position to benefit. Condominiums and office space appear to be suitable for use on that land only as a last resort.

I have observed a good deal of deficiency in our codes and development regulations in the City, and I am also writing this letter to outline those deficiencies and to request that they be updated. Renton citizens should not become the worse if the changes that are made do not further their objectives.

A comprehensive interdisciplinary and coordinated effort is critical to these very critical areas and critical decisions significantly affecting Renton's future and is in order and must be forthcoming.

My contention is that regulations that justifiably conform to requirements are a necessary precedent to the power to proceed.

The Best Available Science also must be used when developing policies and regulations that serve and protect critical areas. This is definitely a critical area essential to the environment and future economy.

We must see our leading open space and recreation continue to be the norm in Renton, in fact the goal here must be to improve upon past successes. All the while improving and conserving fish and wildlife habitat and improving access to lands and water that are vital to our future. That is a major salmonid habitat abutting the lines delineating the area of the proposal.

They must perform all practical improvements to enhance the availability of our air and water. It will make the proponent property worth more money. I believe, and with a good deal of contemplation, that the proponent would be able to identify with that. More accurate consideration and contemplation is likely needed with regard to our water and salmon habitat.

Whatever the outcome, conditions should be made in consideration of and in furtherance of new policies that will in fact result in productive and enjoyable harmony between Renton citizens and their environment, preventing or eliminating damage to our earth, water, biosphere, and social and economic conditions, and thereby stimulating the health and welfare of all concerned. And also to further Renton goals to be a regional leader in environmental and economic development. Best Management Practices are necessary to achieve that result.

We will need some controls in place so that we all will know that all our social and economic status and future is ensured. Future amendments must require high quality jobs and environment. Costco's, Starbucks and McDonald's and along with the asphalt and high intensity development and offices alone will not cut it. It must have a good deal of language indicating that high quality jobs and manufacturing production capable of export and thoughtful and esthetic engineering would be required in order to be consistent with our present plans. The value and result is the same. In this, and as in all actions of this nature, there must be a distinction.

That property subject to review produces one of the highest quality and highest value export products in the world and symbolizing, and encompassing, and upon very important land paramount to our requirement for environmental health. That water and environmental quality that results should also symbolize our commitment to environmental objectives.

The documents that I have reviewed are extensive, and from any perspective they might raise about as many questions as they answer. And this means that in order for fair and lawful review of the comprehensive plan amendments to occur, procedures that are also fair and lawful must be first in place. In the recent and previous actions and written appeals that I have been involved in, I have contended that the impact mitigation codes and drainage codes are outdated and resulted in iniquity. Those contentions still stand, along with the proposition that nexus and proportionality must be read into the outcome. They are also applicable here. They must be corrected before they can proceed. The codes should symbolize our commitment to our national principles as well. There is no reason they would not.

Throughout the documents that I have carefully reviewed, I see the articulation that Boeing and Renton are interested in studying all of the potential uses and benefits the site could be used for, including multiple proposals.

It is not very fair to Renton Citizens because they have to comment simultaneously upon four voluminous proposals at once and completely, while the complexities and magnitude of it may not be thoroughly understood. An interdisciplinary process, requiring that all issues be resolved prior to implementation of any amendment should be in order. And all the while and according to public policy, and in order for nexus and proportionality requirements to be met, we must require a site specific individualized determination for each alternative and this requires that the conditions that be imposed should be related in both extent and nature to their impacts that further our objectives for the proposal itself.

And because this can not yet be performed, and because it has not yet been stated with particularity how the necessary impositions could legally and consistently be imposed without the rules in place that would require such conditions in a uniform manner.

In order for a condition to be imposed, it first requires an articulation of the identity of the specific and legal proposal and subsequent improvement that must be made. That must be done systematically and with proper procedure. That is what would lead the way to the future. And special benefits should not be conferred while the cause of condition is ignored.

Enacting amendments and regulations and without considerations and conclusions that further the public interest is, like we should know from our past experience, the systemic cause of problematic areas of the City. That should also prove to be a cause for caution for the proposals that are before us.

Enactments to the contrary could adversely affect people, which in turn and because people and how they live in harmony with their environment is a primary and paramount element of the environment as defined by SEPA.

And again, I have shown, the questions that are posed by these actions result in a material and factual trilemma, that tends only to prove that elementary material elements of the proposed development agreements are absent.

The City must require adherence to the appropriate and mandatory objectives and cannot choose instead to enter into agreements that in turn would result in the ability to avoid agreements with terms and conditions that would further the goal of proper planning and that could allow the developer or proponent to avoid the appropriate impositions, and because the ordinances also instituted at its behest allows them to subdivide the industrial and manufacturing lands for the purpose of sale and while the actions not being subject to the public scrutiny and the controls that should be required by significant divisions of property. It appears that the parties believe that now is the only time that these issues may be raised.

Elementary legal requirements for the formation of a contract or agreement cannot be satisfied when the consideration is outside the scope of the City's regulatory authority to act. This combination of improper constructions could result in the impression that the proponent intends to consider their own subdivisions, like they want to be able to subdivide and develop at their own will and jurisdiction and while the taxpayers might carry the burden. I do not think that the people want us to do things that way. It does not appear to observe procedural requirements. I do not think that is what the proponent would want.

This is exactly what has occurred in other very recent developments that have occurred near to my home and which you must be familiar. And the City or the developer also may not borrow from elsewhere, it does not possess such power according to legislative provisions and because the general purpose of these requirements indicates that our goal is to inculcate sound business and legal principles and practices and give the members of the public an understanding of the actual fiscal effects and otherwise regulated effects that the amendment would have upon the environment. We must also construe SEPA and the GMA and this proposal and other relevant enactments so as to include economics as an essential element of the environment.

To reiterate, taxes should be used in the interest of the public, and the constitutional and *essential nexus* and *proportionality* limits should be requisite to the power to proceed. That is what the people mean when they require that these actions serve the public use and interest. I can only conclude that it is the true substance of the appearance of fairness doctrine (*42.36 RCW*)

There is, additionally, no authority available in these foregoing or present actions, annotations, facts, or texts that permit proceeding where the proposal furnished and determination made is not within the scope of its authority to approve of such acts. What would result from approval of the actions without the requisite lawful and Constitutional impact mitigation fee statutes and other procedural zoning requirements being first in place would again be manifestly arbitrary or capricious and because there are no safeguards to insure that the public interest would be successfully mitigated, and that upon review of these fundamental objectives a reasonable mind could only conclude that the impositions would fall into the latter unjust category described above and must be required.

The City may impose no fee, tax, or charge on the subdivision or development of land in order to generate revenue.

But it is just as sure that a voluntary agreement reasonably imposed to mitigate the direct impact of the proposal is in order and required by public policy. It appears that it would be a very simple and logical and reasoning task to procure and ordain reasonable model impact fee ordinances for transportation, fire, and services that are otherwise the result of the direct impact of the proposal. How else will the proponent mitigate the otherwise mitigatable impacts? From automatically imposed charges resulting from a residential formula? If commercial aircraft or manufacturing were no longer part of our City and moved elsewhere, it seems that provisions should be made to reconfigure our educational institutions and transportation to the changing needs. A good deal of public funds have been utilized to create the opportunities that are geared towards the plans and codes as they currently exist.

A school or retraining fee could possibly be a requisite. And any other impacts that might be caused by a specific proposal. The amendment should include a requirement that observance and mitigation of such impacts should be made. All of the impacts that may occur as a result of the proposal should be included.

In precisely the same way that a condition imposed without the requisite *essential nexus* indeed is likely the result of out and out extortion, the corollary to the rule and possibly applicable here is indeed that when a *essential nexus* exists and the requisite condition is not imposed the result is the contemplation that a fertile field lays in wait for an unjustifiable abundance of unfairness and red ink to flourish. It is a big deal because once we give the proponent the green light for the broad range of use, it may never be undone, and that could possibly be a huge amount of damage to the environment.

Insofar as it goes, the most difficult labor will be, to understand how the proposed amendments will combine into new opportunity for the City and its people at every phase, including after full buildout. How much income will come in, how much will go out, and can we stay prosperous once we are built out? Do we have a sustainable future after such a proposed amendment? An answer demonstrating facts in the affirmative is the only acceptable answer.

A large percentage of the City's workforce is made up of Engineers, Managers, Machinists, Mechanics, and special jobs supporting the commercial aircraft assembly and manufacturing plant, that have historically designed and built commercial aircraft that identifies them with our success. An impact to their careers and the City jobs will occur if these certain policy changes are implemented. In order to insure our continuous prosperity, accommodation should be made in the arrangements so that we can be sure that world class manufacturing is still a major element of our plans and mechanisms are in place to ensure their success. And because it is the way we can contribute to the sustainable economic future that we all we agree is mandatory, and because in large part our present workforce may presently be depressed and disillusioned, and while still very impressive for because in the relevant part 911 has not significantly changed the circumstances surrounding any of their aspirations in the least. That is incontrovertable.

As I have shown, it is the responsibility of all of us to ensure our future and the requisite elements to combine into a plan containing conditions that mitigate and require the developer or proponents of the future legislation to observe the extent and nature of their impacts, while they make voluntary concessions for impositions that are made in furtherance of objectives and purposes that are the same as those that would be advanced as justification for prohibiting the changes. No mathematical calculation should be required.

It should only require a determination that the extent of the adverse impacts will be mitigated by the proponent, and it needs to be a part of the plan. Foremost, I find that it is necessary for me to state that the deficiency is the failure of the statement to proffer material that is beyond the speculative, and failure of the proposal thus far to proffer materials indicating what will occur if the only developments that do in fact occur benefit only the proponent and do not further the required governmental objectives. It is clear that an elementary requirement of an agreement and change of this magnitude requires a demonstration that the change will in fact further such objectives. There must be written language indicating that the new rules would be created for the purpose of sustainable and high quality economic future. A specific proposal subject to review should be requisite to presentation to the public.

The GMA requires balancing of more than a dozen goals and specific directives in implementing these goals, and therefore a decision finding facts and conclusions of law, accompanied by legislation, that accurately describes and identifies measures that are necessary to mitigate and will in fact mitigate the environmental effects of new development according to the nexus and proportionality limits the United States Supreme Court has placed on governmental authority to make such decisions are mandatory. Based on the entire record, it appears clear that provisions could and must be made to weigh the balance toward people and their environment. That is also what we intended when we enacted the sequences of legislation. And while our earth, air, water, and health and social and economic conditions are protected to the maximum extent practicable pursuant to State and Federal Standards.

If the proposal fails to incorporate, or otherwise ignores these objectives and purposes, its policies and regulations serve as the basis for rules and regulations that are Constitutionally prohibited.

As I have noted herein, mitigation measures and conditions of approval must be applied that are justified by a demonstration that the impacts would be substantially eliminated through consistent and adequate measures to protect the public interest.

My contention rests upon the conclusion that justification for such a major change to the zoning and planning of the subject property must be supported by substantive evidence that it serves the public use and interest, and without which legal ground would exist for reversal. It is clear from the record, that it is most important and necessary.

It must be axiomatic the plans, schemes, or devices that thwart or circumvent the wholesome objects and purposes of our codes, when they exist are invalid and must be reversed. Without such a foundation, unfairness would prevail.

The environmental impact statement for this proposed action must include further discussion of those future social and economic consequences which are neither remote nor speculative, and while significant impacts, those involving the context and intensity of the impacts that are proposed, must be thoughtfully, thoroughly, and perpetually mitigated.

The City of Renton Drainage code is outdated and inadequate. The Clean Water Act requires that the City include a requirement to effectively prohibit pollution discharges into our waters. Utilizing best management practices to reduce pollution discharges and runoff to the maximum extent practicable is the ultimate objective that must be furthered. And this will be mandatory because our courts have ruled that the Best Available Science must be used when developing policies and regulations and in order to observe the nexus and proportionality requirements of the United States Constitution.

Besides, and again, it will save and make more money over the long term for everyone including the proponent. In by far what is the most detailed, the most comprehensive, and thorough manual is the Stormwater Management Manual for Western Washington promulgated by the Department of Ecology. The proponent is correct.

Under SEPA, Ecology has the sole authority to determine and administer water quality measures. And this would allow solutions to the drainage problems that will be encountered that further the CWA. Vegetated treatment areas, eliminating impervious surfaces, parking with vegetated rooflops and effectively without asphalt, all reduce the need for vaults and polluted runoff and increase value and improve water quality for our City environment and the Proponent.

Just because a new plan might result in less polluted runoff from impervious surfaces than from what has been the past and inappropriate conversions of a natural critical areas does not justify proceeding without measures that reduce pollution discharges to the maximum extent practicable.

And besides, there is no evidentiary material that would suggest that residential and office development would result in less pollution being introduced into the environment. I would contend that without the practices fewer pollutants would result from Boeing present operations. They have been required to take, and have taken the environment very seriously.

Asphalt paving, vehicles, and their runoff is a major cause of environmental and aquatic degradation. More property would be available for development or sale with a multi story vegetative rooftop parking plan. And storm waters conveyed to vegetation. Pervious Surfaces and Best Management Practices cost less money when viewed from the light of overall net profit. There appears to be no reason why vesting would be desired, or why such practices should not be required. It is for purpose of the environment and its value to the proponent and public.

We should not ignore the most comprehensive and scientific drainage manual of our time. It is what is best for all concerned. We could require them to do more with it thereby, with more valuable property to develop or sell. Again, it will increase the value of the proponents property and add to the tax base of the City and serve the public use and interest. It is in all of our interests. The City Staff should immediately recommend that the Ecology manual be ordained as the manual for the City of Renton and institute a policy to work with Ecology to implement all future improvements to the manual. That is the leadership that we should expect.

It is not at all total and absolute logic, it is our experiences. The felt necessities of the public, ethical and moral demands of social and economic institutions, and even the prejudices that we might share, that should have a good deal more to do with it when we adapt to the changing time in our history.

The changes that we adopt, should embody the story of our successful and prosperous development through time, and we can not deal with it as though it contains only a one sided or partial or subjective conclusion. We should in the alternate consult our existing zoning and our best science, and while perservering to combine the two into the public use and interest at every turn.

The substance of this should be what we understand to be convenient, but the extent that we are able to acheive our goals and objectives depend very much upon on our observance and construction of public policy.

Considering the broad frame of reference and the broad impact of the proposal upon the City along with its complex code implications, we cannot allow redevelopment to occur within the context of such a broad range of uses. I believe that any one citizen standing alone, would also like to be allowed to develop their land with such broad terms, while enjoying a broad and discretionary freedom. But that can not occur, because procedural compliance with our laws is mandatory.

It is for these reasons that I must contend that the proponents is not unlike other properties, in our City and region and under identical circumstances. This is the very essence of this letter, and I believe that the adopted standards should apply because the nature of the proposal indicates only that an unjustifiable extension of privilege would be furthered by the options and alternatives in question.

I do not want to see that property developed contrary to public policy while including offices, high intensity multi-story residential uses, condo's, unrestricted asphalt paving, polluted runoff, degradation, increased taxes, and along with more gridlock.

Renton can do better than that.

My idea would be, to have them do it a little bit more and proceed carefully so that it does not get too carried away. Whittle away at it. Sustainable growth. Get the new commitments from new companies or developers so as to avoid speculation. It would be environmental trouble to try to do the whole thing at one time anyway. Let us not rezone the whole thing into new uses yet and right now. Best Management Practices could free up more land with the right regulations in place.

The much publicized idea of earth and life sciences might possibly have the chance to get a foothold in the areas surrounding operations that are presently unneeded by Boeing. Alternative 2 might be acceptable if approached carefully with a commitment to avoid speculation.

The proponent might change its mind depending on its future, and additionally, does not appear to want to move out immediately anyway. 737 business is excellent considering world markets. Market conditions and other conditions will most certainly change and just the same, maybe they would also change their mind. Or, if it does not, the property is still plenty valuable and could be sold for a very profitable result. Having legal measures and ordinances in place such that as real opportunities arise, they could consider them efficiently and effectively, and Renton could reasonably and justifiably approve them expeditiously, would best serve the procedures that protect the public use and interest. There is no doubt about that.

Manufacturing and High quality environment and employment should be preserved and enhanced. The City's regulatory powers should be properly exercised to thwart any effort to the contrary. Should circumstances arise surrounding these proceeding which through their appearance, tend to undermine our goals and objectives, even if they are innocent in actuality, they still must be reversed. All should work to stop them. Our environmental standards mandate it.

It is all of our responsibility to present and future generations of Washington.

Most Sincerely,

Brad Nicholson

BRAD NICHOLSON

2300 N.E. 28th Street
Renton, Washington 98056
Brad527@hotmail.com
(425) 445-0658

August 25, 2003

Mr. Jesse Tanner, Mayor

Ms. Kathy Keolker-Wheeler, Council President
Mr. Randy Corman, Council Member
Mr. King Parker, Member Planning and Development Committee
Mr. Dan Clawson, Vice Chair Planning and Development Committee
Ms. Terri Briere, Chair Planning and Development Committee
Ms. Toni Nelson, Council President Pro-Tem
Mr. Don Persson, Council Member

2003 Renton City Council Members
Renton City Hall - 7th Floor
1055 South Grady Way
Renton, Washington 98056

Ladies and Gentlemen,

I have just put down the article, it almost took my breath away. Three point two billion dollars in State tax value as bait to keep the jobs and company here. (the b is really not supposed to be an m) Even on the brink of a fiscal mega-crisis. If it goes anyway, maybe they should have just given the billions to the people?

Can you please tell me that you are working toward a sustainable and prosperous economic future opportunity consistent with our present plans?

At this moment, I do not believe that you are.

Is it not true that you will attempt to bestow the alternates as a boon upon the unfortunate Citizens of Renton that have not much more than taxes and their homes and their pride and their jobs in Renton?

These are those that you should be here to represent in my view. You may search to find some flaw in them, but not today. Because today your true loyalties will be known to them and they voted for you.....

If it is true, may shame and disgrace go upon you..... If it is not so, I extend my sincerest apology. I sincerely hope that I am wrong.

They are all living here as good Americans. It is here that they have buried their children and their husbands, or their loved ones, that have fought for your cause, some of them may be alone and with only their pride, whose family members died defending our Flag and the very codes that you make. You are evidently confused as to whom it is that you should collaborate with.

They are your true constituents. They are not those that you appear to be aligned with. They might not even know you. But they are industrious, honest, hearty, and a kind and persevering type. "They" are the good people of Renton that elected you to work for them. None of them are rich. But they have their lives here and their principles. I do not think that they would admit to know you well if what I say is true.

I have been among them. And I know their situation and who they are. It is not necessary for to you to delineate it for me. And I have worked beside them. I have been honored to accept the confidence when they have had in it me, and my labor, while I have been among them.....

And grossly disgraceful and ungrateful and disrespectful would I be indeed, if I would cease to remember or if I would ignore them.

I will not do so. And if what is left of their aspirations is stripped from them, for purpose of shareholder value and City speculation, outside of their values, thru mismanagement or your contempt or corrupt and misguided reasons.

If your swindling machine is tooled and actuated herewith to capture or exploit their livelihoods and security, with all that they have left from their honest labor and that fairness have left to them; and with commercial aircraft manufacturing replaced by a zone for condominiums;

Then I am now alone upon a higher pedestal and for today on their behalf.....

Because I am unlike your kind of politics and character, and it is precisely because it shall never be said of me that on this day that I sat here in silence,

while consenting or agreeing with you people at all, or while refusing in any way, however irreverent, to advocate their cause.

If these truths will be, then it may be said that I do not agree with any of you in any way in this concern. Do not try to say that I agree with you or the policy you portend, or do not even try to convince me that I have.

I will not be charged with betrayal for your acts. I must live with myself and with my neighbors, and I still wish to be able to keep my own good conscience.

If these facts are true, I will be a good deal better than you and your plans on this day, and I will feel good about it. You will be those that should be cursed.

If what I say appears is not true, then I am truly sorry for speaking anything at all. Please accept my sincerest apology for my mistrust.

Most Sincerely,

Brad Nicholson

Amendments to the Capital Facilities Element of the Comprehensive Plan are anticipated to reflect public and private investment in infrastructure, including the arterial street network.

New COR zoning designation(s) would also be created. The proposed zoning designations, which may provide for phased application over time, would allow flexible use combinations which encourage redevelopment to a broader range of uses than is currently allowed under the existing zoning. Specific provisions would be proposed for development standards such as lot coverage, density, height, landscaping, street widths, and parking.

DESCRIPTION OF ALTERNATIVES TO BE EVALUATED IN THE EIS

The EIS will address the probable significant impacts of the Proposed Action(s) and the No-Action Alternative. At this stage of the process, there is no preferred plan for potential sale or redevelopment of the Boeing properties, given ongoing Boeing operations and uncertainty related to specific surplus decisions that may be made in the future. In addition, subsequent to any decisions by Boeing to surplus properties and/or buildings for sale or redevelopment, it is likely that multiple purchasers would seek to reuse or redevelop portions of the site independently over time. Proposed amendments to the Comprehensive Plan and zoning regulations would allow a range and mix of lower density and higher density redevelopment options.

For purposes of environmental review, four redevelopment scenarios have been proposed that represent a full range of land use intensities and densities that the site could accommodate, given existing and proposed Comprehensive Plan and zoning designations. The scenarios represent an overall envelope of potential redevelopment for analysis in the EIS; none should be considered a possible definitive plan for the Boeing properties or other contiguous property. They function to provide representative levels and types of redevelopment that could be achieved over time and that can be evaluated in the context of the EIS process. As part of the decision making process, relative to land use planning and zoning provisions, the City may choose to select different land uses within the range of alternative redevelopment scenarios. Future redevelopment of the site is assumed to occur by the year 2030.

Alternatives 1, 2, 3, and 4 are shown on Figures 3 through 6. Following is a summary description of the proposed alternatives.

Alternative 1 - No-Action (Existing Zoning)

Under the No-Action Alternative, existing City of Renton Comprehensive Plan and zoning designations would govern future redevelopment of the site. Current land use designations that apply to the site include Employment Area-Industrial (EA-I), Employment Area-Transition (EA-T) and Employment Area-Office (EA-O). Current zoning on the site is Heavy Industrial (IH) and Commercial Office (CO). Figure 3 depicts

BOEING RENTON-COMPREHENSIVE PLAN AMENDMENT

INTRODUCTION

The Boeing Company is currently evaluating consolidation options for its commercial airplane operations on the west portion of the Renton Plant site. The consolidation process is part of a company wide effort to achieve cost and production related efficiencies for its commercial airplane operations in Renton, Washington. Consolidation of Boeing operations may create opportunities for Boeing to reoccupy or surplus its non-essential properties and buildings. Boeing and the City of Renton are interested in studying potential redevelopment opportunities for certain Renton Plant properties that may be made available for sale or redevelopment in the future. The City is also interested in studying potential redevelopment opportunities for several properties adjacent to the Renton Plant properties.

LOCATION OF THE PROPOSAL

The site subject to the proposal includes approximately 280 acres of Boeing property and approximately 15 acres of contiguous property. The site lies within the City's Urban Center designation, and is located adjacent to the south shore of Lake Washington between the Renton Municipal Airport and Gene Coulon Memorial Beach Park landmarks. Figure 1 is a vicinity map.

The site is bounded by Lake Washington and the Southport mixed use development on the north; Renton Memorial High School Stadium and N 5th and 6th Streets on the south; the Cedar River waterway and trail on the west; and Garden Avenue N on the east. The site includes the existing Boeing Renton Plant properties located west of Logan Avenue N and between Logan Avenue N and Park Avenue N; additional Boeing and privately owned properties located between Park Avenue N and Garden Avenue N; and the existing Puget Sound Energy (PSE) substation property located north of the intersection of Logan Avenue N and Park Avenue N. Figure 2 is a site map showing Boeing, PSE and other ownership boundaries.

DESCRIPTION OF THE PROPOSAL

As described above, Boeing and the City of Renton are interested in studying potential redevelopment opportunities for certain properties that may be made available for sale or redevelopment in the future. Consideration of a broader range of land uses than is currently allowed by existing comprehensive plan and zoning designations is proposed for these properties (refer to Figure 2). In order to achieve this potential for a broader range of uses, changes in regulatory controls will be required. This EIS will evaluate alternative redevelopment scenarios that encompass a full range of land use intensities and densities that the site could potentially accommodate in the future. A description of the alternatives identified for evaluation in the EIS follows the description of the Proposed Action(s) below.

Citizen Comment: Lewis
(PACCAR) - Boeing Renton
Site EIS

Dan Lewis, Construction Manager, PACCAR, 777 106th Ave. NE, Bellevue, 98004, thanked Council for allowing them to pass the hurdle of the moratorium on development earlier in the year, and reported that their research and development project has started construction. He explained that PACCAR owns about 96 acres in north Renton, down from 120 acres in 1907. The Kenworth Truck plant, he explained, is roughly half of the property content with the other part being the world headquarters for their information technology department, the world headquarters for the PACCAR parts department, and a distribution center for PACCAR parts.

Continuing, Mr. Lewis detailed PACCAR's concerns regarding the proposed redevelopment as follows: 1) Traffic infrastructure would need to be built ahead of that development so they could still get in and out, and 2) As development shifts to more mixed use, PACCAR would become an island creating isolation. He stated that PACCAR is a good neighbor and hopes that their neighbors feel the same about PACCAR. Mr. Lewis indicated that PACCAR has no intention of changing the nature of its operation and wants to continue on that campus. Additionally, PACCAR has about 40 acres of property that is undeveloped, and would like to keep its options open for the remainder of that property as an accessory to its primary business, which is PACCAR parts.

Citizen Comment: Corvi
(Boeing) - Boeing Renton Site
EIS

Carolyn Corvi, Vice President-General Manager, 737/757 Airplane Programs, Boeing Commercial Airplane Group, P.O. Box 3707, MC 74-26, Seattle, 98124, stated that Boeing and the City have been working together for more than half a century, and gave examples of various accomplishments. She explained that a 45-year development agreement with the City solidifies Boeing's partnership and investment in the consolidation plan, known inside of Boeing as the "Move to the Lake." Ms. Corvi stressed that Boeing is seeking the highest and best use for its underutilized property, which will be an asset to the community and to the Boeing employees, while providing value to their shareholders. She concluded by stating that their objectives are compatible with the City's: flexibility, jobs, quality design and long-term planning.

Citizen Comment: Temmink
(Boeing Realty) - Boeing
Renton EIS

Collette Temmink, Vice President of Development, Boeing Realty Corporation, P.O. Box 3707, MC 1F-58, Seattle, 98124, stated that overall, Boeing shares the same view as the City as it relates to the 280 acres and surrounding area. Their vision, she explained, includes Logan Avenue N becoming a landscaped boulevard connecting to I-405, Park Avenue N transitioning into a pedestrian-orientated street, and preservation of N. 8th and 10th Streets for future development if and when additional surplus becomes available. Ms. Temmink stressed that the development agreement is important for both the City and Boeing because it will lay the road map for accomplishment of the shared vision. She stated that they believe part of the proposed mixed use component should include retail, and that will provide additional uses for a successful launch to the urban center.

Continuing, Ms. Temmink stated that Boeing's plans for the 280 acres are for long-term development, and to preserve their facility so long as it is deemed in the benefit of their company. She explained that their objective in working with the City is to complete the EIS and development agreement and to take a look at the site holistically, understand the issues the site has, and protect the full redevelopment of the site. Additionally, Ms. Temmink stated that Boeing will review the need to preserve any rights-of-way.

Correspondence 11-24-2003

From: "Eric Cameron" <ecameron70@yahoo.com>
To: <council@ci.renton.wa.us>, <jtanner@ci.renton.wa.us>
Date: Wed, Nov 19, 2003 10:03 PM
Subject: Re: Boeing Rezone

Now I'll try a version with Spell Check, sorry about that.

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

From: Eric Cameron
To: council@ci.renton.wa.us ; jtanner@ci.renton.wa.us
Cc: Ray Giometti
Sent: Wednesday, November 19, 2003 9:52 PM
Subject: Boeing Rezone

Dear City of Renton Mayor and Councilmember's,

I sending this email in regards to two motions that were approved tonight by the Renton Planning Commission regarding the rezone of the Boeing property. The first motion was to add language restricting 'big-box' development south of N 8th street in District One. Many of us on the Planning Commission were under the impression that this policy was included within the current documentation, however, upon further discussion tonight we were informed that all of District One allowed 'big-box' type development. We were a bit surprised by this revelation since we had never seen this type of development in that area within prior diagrams. A majority of prior discussions were in regard to limiting 'big-box' to the east side of Park and did not mention the merits of the area closer to the North Renton single family neighborhood, thus we believe it may have been an oversight to not include this policy detail within District One. I would greatly appreciate your consideration and inclusion of this motion into the final rezone documents in order to limit the impact of District One development on the North Renton neighborhood.

The second motion is one that I also personally support and view as a very important 'compromise', although I could not cast my vote in support of the motion since I was running the meeting. In the definition section of the rezone documentation the city has created separate definitions for Retail Big-Box and Retail Sales, with the only major difference being the need for a minimum of two stories in the Retail Sales category. I whole heartily believe that incorporating the Planning Commission's approved motion to incorporate only the Retail Sales category west of Park and North of N 8th Street in District One would create a more viable development concentration in that area through the look and feel of mixed-use. By incorporating this language the city would still allow the ability of 'big-box' retailers in that area, however the actual look and feel of the development would lead to a higher quality Urban/Pedestrian oriented environment. Once again, I would greatly appreciate your consideration and inclusion of this motion into the final rezone documents.

We were also informed tonight that the current standards for this rezone include very little definition and standards around signage, 'pedestrian oriented' standards, building materials and landscaping. I strongly believe this process would greatly benefit from additional analysis and needs further consideration, however I do understand the need to have development standards in place by the end of the year in order to prevent additional development under current zoning standards. With that said, I would like to commend the City of Renton and especially the Renton Planning staff on their tireless efforts in trying to create the best possible guidelines under a very constrained timeline.

If you would like to discuss any of these items in greater detail I can be reached at 425-277-0112. Thank you for your consideration.

Eric Cameron
Vice Chair- Renton Planning Commission

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CC: "Ray Giometti" <raygiometti@hotmail.com>

and length of construction under Alternative 4 when compared to Alternative 1, the risk of construction impacts would be expected to be slightly higher, but would not result in significant adverse effects.

The long-term change in land use allowed under Alternative 4 would result in improvements to water quality leaving the site and a significant amount of new open space on the site. This is expected to have a net beneficial effect on regional wildlife and fish habitat when compared to existing/baseline conditions and Alternative 1.

4.0 MITIGATION MEASURES

No significant adverse impacts to fish or wildlife habitat would be expected to result from any of the redevelopment alternatives. However a few measures could be implemented to help avoid or further reduce the potential for minor impacts and help to ensure future habitat values of the site area are enhanced.

All Alternatives

- Landscaping replaced during redevelopment could incorporate native trees and shrubs. This could be especially valuable for those areas nearest Lake Washington and John's Creek. Native species such as sallow (*Gaultheria shallon*), Oregon grape (*Berberis nervosa*), snowberry (*Symphoricarpos albus*), salmonberry (*Rubus spectabilis*), elderberry (*Sambucus* sp.), willow (*Salix* sp.) and western red cedar would provide some additional benefit to fish and wildlife.
- Prior to major construction activities, the WDFW could be contacted to identify any new presence of sensitive species near proposed pile-driving areas. If necessary, BMPs designed to limit the effect of pile driving on any sensitive fish and wildlife species found in the area could be applied. These measures might include timing restrictions and noise reduction methods.
- To avoid construction impacts, TESC measures equivalent to those in Volume II of Ecology's Stormwater Management Manual for Western Washington would be employed for each project proposed in the site area.
- Stormwater from all redeveloped areas under each Alternative would be managed by water quality treatment equivalent to the Ecology Manual (Ecology 2001).

Alternatives 3 and 4

- Directional lighting and shading provisions could be implemented for all new light standards along the Lake Washington shoreline.
- Stormwater runoff from areas of recently poured concrete that had elevated pH could be separated from the rest of the stormwater on the site, and either disposed in the sanitary sewer under approval from the City of Renton and the King County Industrial Waste Program, or neutralized with dry ice and discharged with stormwater after pH testing.

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CITY OF RENTON

Economic Development, Neighborhoods and Strategic Planning
Alex Pietsch, Administrator

December 4, 2003

AMENDED NOTIFICATION

SUBJECT: City of Renton Comprehensive Plan Amendment
Final Environmental Impact Statement

Dear Interested Party:

This letter withdraws the letter of November 25, 2003, and in its stead makes the following notification.

This letter is notification that the Environmental Review Committee (ERC), designated as the State Environmental Policy Act (SEPA) responsible official for the City of Renton, issued the Final Environmental Impact statement (FEIS) for the Boeing Comprehensive Plan Amendment application on October 21, 2003.

The FEIS augments the Draft EIS by providing additional research and findings, publishing and answering letters received commenting on the Draft, providing additional mitigation, and incorporating by reference a number of documents. This document may be viewed at the Renton Main Library, located at 100 Mill Avenue S. (425-277-5560) and the Highlands Branch Library, located at 2902 NE 12th Street (425-277-5556) and from 8 am to 5 pm, Monday through Friday, at the Development Services Division, Renton City Hall, 6th floor, 1055 South Grady Way, Renton, WA 98055.

The Final EIS may be purchased at the City of Renton Finance office on the first floor of Renton City Hall. The document costs \$25.00, plus tax.

On November 24, 2003, the Renton City Council adopted ordinances amending the Comprehensive Plan, creating new zoning categories, adopting and amending development standards, enacting area-wide rezones, and adopting a resolution approving a development agreement with the Boeing Company. These official actions initiate a twenty (20) day appeal period, during which the FEIS may be appealed. Any appeal must be based on the adequacy of the Draft and Final EIS. Under City of Renton Code 4-8-110.E.4.a.iii, an appeal of the FEIS must be made to the Hearing Examiner of the City of Renton. The appeal period will end on December 15, 2003, at 5:00 pm.

Any comments or questions regarding this matter may be directed to my attention at the address above, by calling 425-430-6576, or by email (ehiggins@ci.renton.wa.us).

Thank you for your continued interest in the City of Renton.

Sincerely,

Elizabeth Higgins, AICP
Project Manager

1055 South Grady Way - Renton, Washington 98055

This paper contains 50% recycled material, 30% post consumer

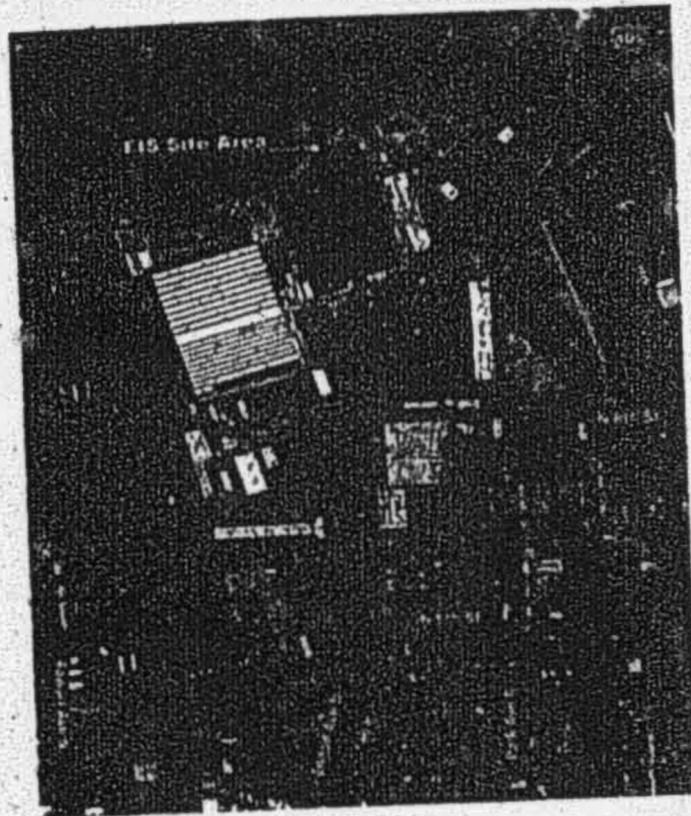
RENTON
AHEAD OF THE CURVE

LUA-02-141

(entire document filed in 2003 Comp Plan File)

**BOEING RENTON COMPREHENSIVE
PLAN AMENDMENT EIS**

Final Environmental Impact Statement



City of Renton, Washington
October 21, 2003



Jesse Tanner, Mayor

CITY OF RENTON

Planning/Building/Public Works Department
Gregg Zimmerman P.E., Administrator

October 21, 2003

Dear Reader:

Attached is a copy of the Final Environmental Impact Statement (FEIS) for The Boeing Company's application for text and map amendments to the City of Renton Comprehensive Plan.

In December 2002, The Boeing Company submitted a Land Use Master Application (LUA02-141) requesting Comprehensive Plan and Zoning Text and Map amendments, and implementing development standard amendments. The City of Renton Environmental Review Committee issued a Determination of Significance on March 4, 2003. The City of Renton, in accordance with the State Environmental Policy Act (SEPA) process, issued a Scoping Notice and Scoping Document on March 10, 2003. On March 25, 2003, a public scoping meeting was held to receive written and oral comments on the proposed scope of study. A Draft Environmental Impact Statement (DEIS) was issued by the City of Renton Environmental Review Committee on July 9, 2003. A public hearing was held on July 30, 2003. A thirty day comment period closed on August 8, 2003.

The issues identified through the scoping process and addressed in the DEIS included: earth, water resources, fish and wildlife habitat, hazardous materials, land use patterns, relationship to plans and policies, population, employment, and housing, parks and recreation, aesthetics/light and glare, transportation, noise, public services, and utilities.

The FEIS provides responses to comments and corrections on the DEIS. Based on comments received on the Draft EIS, the issue of land use compatibility within the site area with aviation operations associated with the Renton Municipal Airport is discussed further in this Final EIS. Based on the FEIS, a Development Agreement is being negotiated between The Boeing Company and the City of Renton.

Pursuant to SEPA Rules (197-11), following the issuance of this FEIS, a seven day waiting period will be established (October 22 through October 28, 2003) during which the City of Renton will take no action on the proposed Comprehensive Plan and Zoning Text and Map amendments and the associated development standard amendments and development agreement. Following the public review period, the City may take action based on this FEIS.

The proposed Comprehensive Plan and Zoning Text and Map amendments will be the subject of a Planning Commission public hearing scheduled for November 12, 2003, at 6 pm, at Conferencing Center, 7th floor Renton City Hall, 1055 South Grady Way, Renton, WA.

The proposed Comprehensive Plan and Zoning Text and Map amendments, development agreement, and development standard amendments will be the subject of a City Council public hearing on November 17, 2003, at 7:30 pm, at City Council Chambers, 7th floor Renton City Hall, 1055 South Grady Way, Renton, WA.

Upon adoption of the Comprehensive Plan and Zoning Text and Map amendments, development standard amendments, and development agreement there will be a 20 day appeal period during which the FEIS may be appealed, pursuant to SEPA Rules (WAC 197-11) and the City of Renton's Environmental Review Ordinance (RMC 4-8-110. E.4). Actions taken based on the FEIS (i.e., the Comprehensive Plan and Zoning Text and Map amendments development standard amendments, and development agreement) may also be appealed pursuant to applicable provisions of the Renton Code and state law.

Boeing FEIS Reader
October 21, 2003

2

If you have any questions or require clarification of the above, please contact Elizabeth Higgins,
Project Manager, at 425-430-6576.

The City of Renton appreciates your interest and thanks you for your participation.

For the Environmental Review Committee



Gregg Zimmerman
Administrator
Planning/Building/Public Works

LUA-02-141

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5039

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN THE CITY OF RENTON FROM HEAVY INDUSTRIAL ZONING TO URBAN CENTER-NORTH 2 ZONING, AND DECLARING AN EMERGENCY. FILE NO. LUA-02-141 (P.S.E.).

WHEREAS, under Section 4-2-020 of Chapter 2, Zoning Districts – Uses and Standards, of Title IV (Development Regulations) of Ordinance No. 4260 known as the “Code of General Ordinances of the City of Renton, Washington” as amended, and the maps and reports adopted in conjunction therewith, the property hereinbelow described has previously been zoned as Heavy Industrial; and

WHEREAS, the City of Renton initiated a proceeding for change of zone classification of said property; and

WHEREAS, this matter was duly referred to the Planning Commission for investigation, study, and public hearing, and a public hearing having been held thereon on or about November 12, 2003, and said matter having been duly considered by the Planning Commission, and said zoning request being in conformity with the City's Comprehensive Plan, as amended, and the City Council having duly considered all matters relevant thereto, and all parties having been heard appearing in support thereof or in opposition thereto;

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

SECTION I. The following described property in the City of Renton is hereby rezoned to Urban Center-North 2 (UC-N 2), as hereinbelow specified. The Economic Development, Neighborhoods, and Strategic Planning Department is hereby authorized and

ORDINANCE NO. 5039

directed to change the maps of the Zoning Ordinance, as amended, to evidence said rezoning, to-wit:

See Exhibits 'A' and 'B' attached hereto and made a part hereof as if fully set forth herein. (Property consisting of approximately 10.09 acres located abutting Lake Washington Boulevard North.)

SECTION II. There is hereby declared an emergency and this ordinance shall take effect December 1, 2003.

PASSED BY THE CITY COUNCIL this 24th day of November, 2003.

Bonnie I. Walton
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 24th day of November, 2003.

Jesse Fanner
Jesse Fanner, Mayor

Approved as to form:

Lawrence J. Warren
Lawrence J. Warren, City Attorney

Date of Publication: 11/28/2003 (summary)

ORD.1080:11/13/03:ma

EXHIBIT A

LEGAL DESCRIPTION:

Lots A and C of City of Renton Lot Line Adjustment No. LUA-98-176-LLA, as recorded under King County Recording No. 9902019014, Records of King County, Washington;

TOGETHER WITH that portion of Government Lot 2 described as follows:

Beginning at an intersection of the southeasterly right-of-way margin of said Burlington Northern Railroad Company and the northwesterly margin of vacated Mill Street (Park Ave N.) per City of Renton Ordinance 2513;

Thence southwesterly along said southeasterly margin of the railroad right-of-way, a distance of 60 feet;

Thence southeasterly, at right angles to said railroad right-of-way, a distance of 10 feet, more or less, to a point on the northwesterly right-of-way margin of said vacated Mill Street (Park Ave N.);

Thence northeasterly along said Mill Street to the Point of Beginning;

TOGETHER WITH that portion of vacated Lake Washington Boulevard adjoining.

All situate in the Northwest Quarter of Section 8, Township 23 North, Range 5 East, W.M., in the City of Renton, King County, Washington.

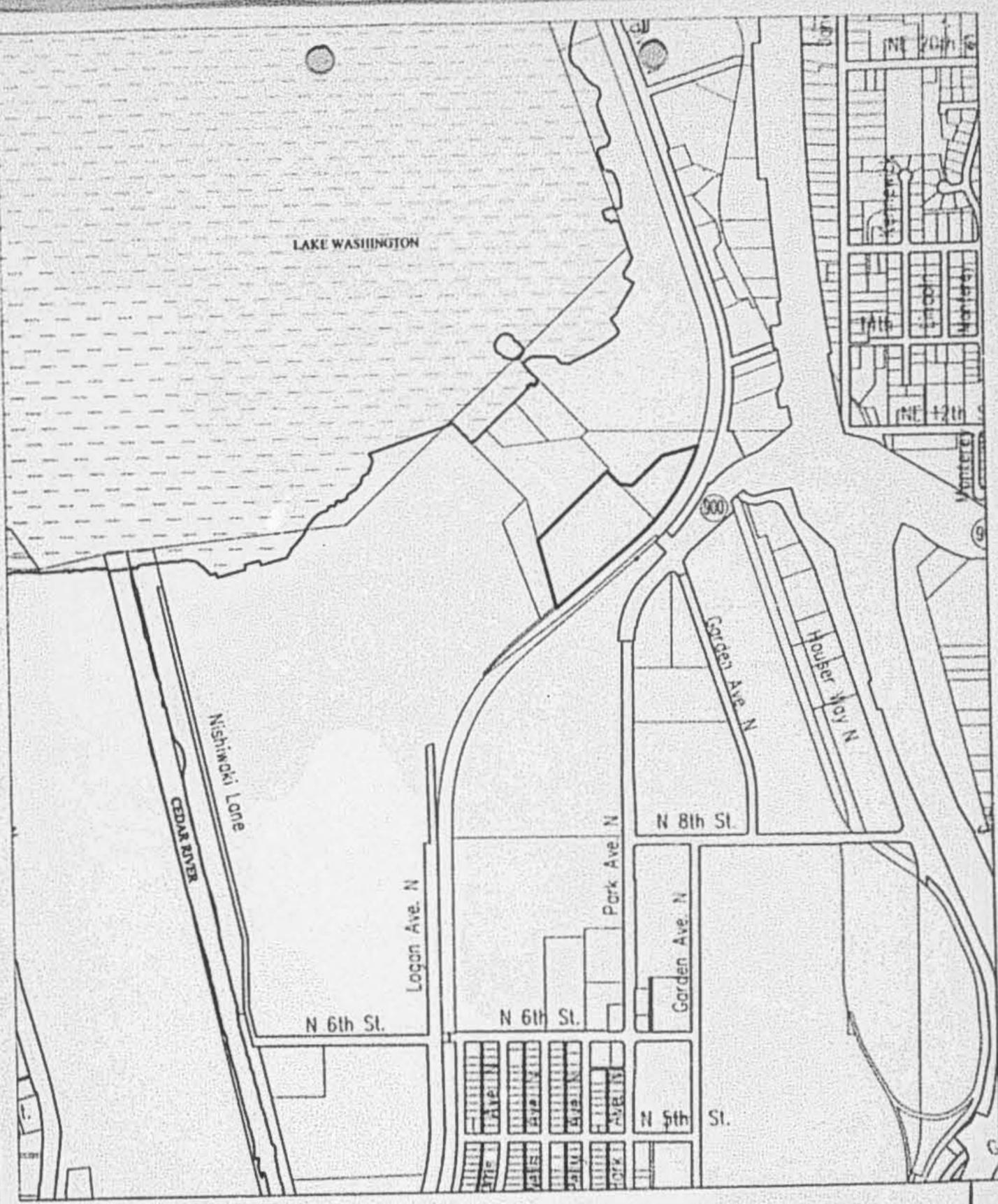
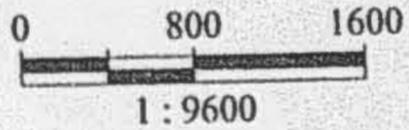


Exhibit B ORDINANCE NO. 5039



Economic Development, Neighborhoods & Strategic Planning
 Alex Pevack, Administrator
 G. Del Rosario
 7 November 2001



LUA-02-141

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5038

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN THE CITY OF RENTON FROM HEAVY INDUSTRIAL ZONING TO URBAN CENTER-NORTH 2 ZONING, AND DECLARING AN EMERGENCY. FILE NO. LUA-02-141 (BURLINGTON NORTHERN).

WHEREAS, under Section 4-2-020 of Chapter 2, Zoning Districts – Uses and Standards, of Title IV (Development Regulations) of Ordinance No. 4260 known as the “Code of General Ordinances of the City of Renton, Washington” as amended, and the maps and reports adopted in conjunction therewith, the property hereinbelow described has previously been zoned as Heavy Industrial; and

WHEREAS, the City of Renton initiated a proceeding for change of zone classification of said property; and

WHEREAS, this matter was duly referred to the Planning Commission for investigation, study, and public hearing, and a public hearing having been held thereon on or about November 12, 2003, and said matter having been duly considered by the Planning Commission, and said zoning request being in conformity with the City’s Comprehensive Plan, as amended, and the City Council having duly considered all matters relevant thereto, and all parties having been heard appearing in support thereof or in opposition thereto;

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

SECTION I. The following described property in the City of Renton is hereby rezoned to Urban Center-North 2 (UC-N 2), as hereinbelow specified. The Economic Development, Neighborhoods, and Strategic Planning Department is hereby authorized and

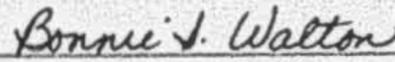
ORDINANCE NO. 5038

directed to change the maps of the Zoning Ordinance, as amended, to evidence said rezoning, to-wit:

See Exhibits 'A' and 'B' attached hereto and made a part hereof as if fully set forth herein. (Property consisting of approximately 3.91 acres located at Lake Washington Boulevard North.)

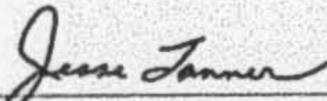
SECTION II. There is hereby declared an emergency and this ordinance shall take effect December 1, 2003.

PASSED BY THE CITY COUNCIL this 24th day of November, 2003.



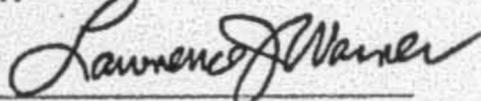
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 24th day of November, 2003.



Jesse Tanner, Mayor

Approved as to form:



Lawrence J. Warren, City Attorney

Date of Publication: 11/28/2003 (summary)

ORD.1078:11/13/03:ma

EXHIBIT A

LEGAL DESCRIPTION:

That portion of the Burlington Northern Railroad Company right-of-way, formerly the Northern Pacific Railway Company right-of-way, including adjoining Spur Track to the northwest of the mainline;

LESS that portion lying southwesterly of a line extended southeasterly and radially to the centerline of track from survey station 1068+00 and lying southeasterly of the line beginning at a point on the above line, a distance of 25 feet southeasterly from said station;

Thence straight southwesterly to a point 25 feet northwesterly as measured from the southeasterly right-of-way line at survey station 1074+00;

Thence southwesterly to a point on the northwesterly right-of-way line and southeasterly of Spur Track at station 8+85.5 and terminus of said line

Situate in the west half of Section 8, Township 23 North, Range 5 East, W.M., in the City of Renton, King County, Washington.

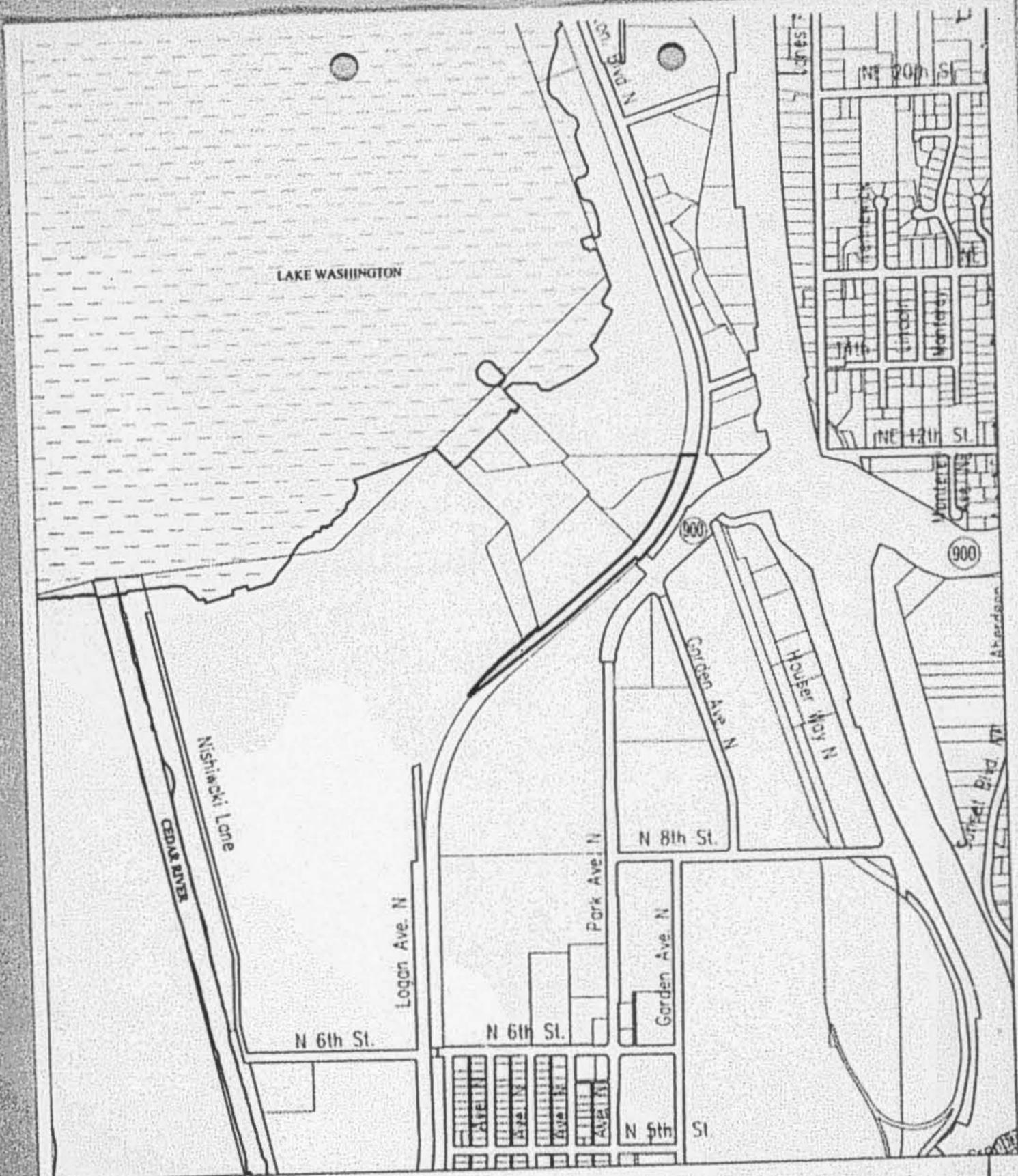
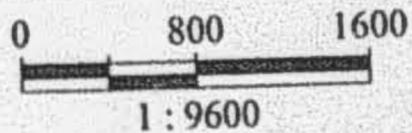


Exhibit B ORDINANCE NO. 5038



Economic Development, Neighborhoods & Strategic Planning
 Aleks Patsch, Administrator
 Cl. Del Rosario
 7 November 2003



LUA-02-141

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5036

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN THE CITY OF RENTON FROM COMMERCIAL OFFICE TO URBAN CENTER-NORTH 1 ZONING, AND DECLARING AN EMERGENCY. FILE NO. LUA-02-141 (WIEMEYER).

WHEREAS, under Section 4-2-020 of Chapter 2, Zoning Districts – Uses and Standards, of Title IV (Development Regulations) of Ordinance No. 4260 known as the “Code of General Ordinances of the City of Renton, Washington” as amended, and the maps and reports adopted in conjunction therewith, the property hereinbelow described has previously been zoned as Commercial Office; and

WHEREAS, the City of Renton initiated a proceeding for change of zone classification of said property; and

WHEREAS, this matter was duly referred to the Planning Commission for investigation, study, and public hearing, and a public hearing having been held thereon on or about November 12, 2003, and said matter having been duly considered by the Planning Commission, and said zoning request being in conformity with the City’s Comprehensive Plan, as amended, and the City Council having duly considered all matters relevant thereto, and all parties having been heard appearing in support thereof or in opposition thereto;

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

SECTION 1. The following described property in the City of Renton is hereby rezoned to Urban Center-North 1 (UC-N 1), as hereinbelow specified. The Economic Development, Neighborhoods, and Strategic Planning Department is hereby authorized and

ORDINANCE NO. 5036

directed to change the maps of the Zoning Ordinance, as amended, to evidence said rezoning, to-wit:

See Exhibits 'A' and 'B' attached hereto and made a part hereof as if fully set forth herein. (Property consisting of approximately 0.40 acre located at North 5th Street, and Garden Avenue North.)

SECTION II. There is hereby declared an emergency and this ordinance shall take effect December 1, 2003.

PASSED BY THE CITY COUNCIL this 24th day of November, 2003.

Bonnie I. Walton
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 24th day of November, 2003.

Jesse Tanner
Jesse Tanner, Mayor

Approved as to form:

Lawrence J. Warren
Lawrence J. Warren, City Attorney

Date of Publication: 11/28/2003 (summary)

ORD.1075:11/13/03:ma

FINANCE NO. 5036

EXHIBIT A

LEGAL DESCRIPTION:

Lot 3 of City of Renton Lot Short Plat No. 282-79, as recorded under King County Recording No. 7907109002, Records of King County, Washington.

Situate in the Southwest Quarter of Section 8, Township 23 North, Range 5 East, W.M., in the City of Renton, King County, Washington.

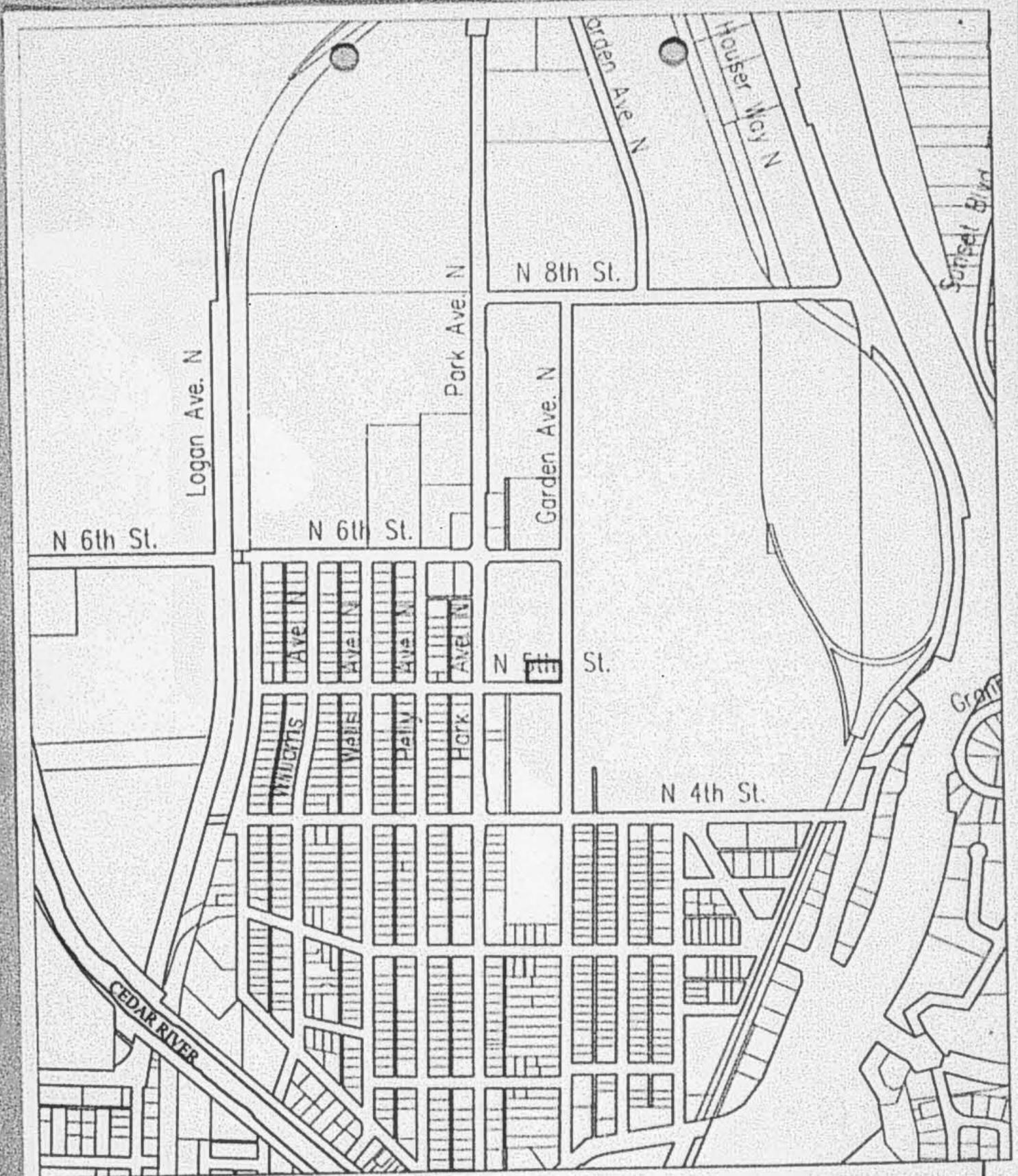


Exhibit B ORDINANCE NO. 5036



Economic Development, Neighborhoods & Strategic Planning
 Alex Pritsch, Administrator
 G. Del Rosario
 7 November 2003

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5035

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN THE CITY OF RENTON FROM COMMERCIAL OFFICE TO URBAN CENTER-NORTH 1 ZONING, AND DECLARING AN EMERGENCY. FILE NO. LUA-02-141 (WENDELL).

WHEREAS, under Section 4-2-020 of Chapter 2, Zoning Districts – Uses and Standards, of Title IV (Development Regulations) of Ordinance No. 4260 known as the “Code of General Ordinances of the City of Renton,” as amended, and the maps and reports adopted in conjunction therewith, the property hereinbelow described has previously been zoned as Commercial Office; and

WHEREAS, the City of Renton initiated a proceeding for change of zone classification of said property; and

WHEREAS, this matter was duly referred to the Planning Commission for investigation, study, and public hearing, and a public hearing having been held thereon on or about November 12, 2003, and said matter having been duly considered by the Planning Commission, and said zoning request being in conformity with the City’s Comprehensive Plan, as amended, and the City Council having duly considered all matters relevant thereto, and all parties having been heard appearing in support thereof or in opposition thereto;

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

SECTION 1. The following described property in the City of Renton is hereby rezoned to Urban Center-North 1 (UC-N 1), as hereinbelow specified. The Economic Development, Neighborhoods, and Strategic Planning Department is hereby authorized and

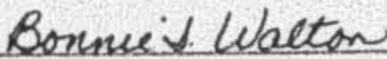
ORDINANCE NO. 5035

directed to change the maps of the Zoning Ordinance, as amended, to evidence said rezoning, to-wit:

See Exhibits 'A' and 'B' attached hereto and made a part hereof as if fully set forth herein. (Property consisting of approximately 0.57 acre located at Park Avenue North, and North 6th Street.)

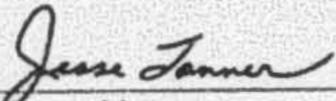
SECTION II. There is hereby declared an emergency and this ordinance shall take effect December 1, 2003.

PASSED BY THE CITY COUNCIL this 24th day of November, 2003.



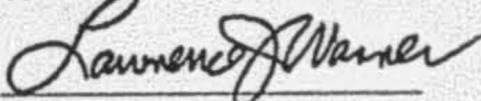
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 24th day of November, 2003.



Jesse Tanner, Mayor

Approved as to form:



Lawrence J. Warren, City Attorney

Date of Publication: 11/28/2003 (summary)

ORD.1074:11/13/03:ma

EXHIBIT A

LEGAL DESCRIPTION:

The south 315 feet of the Northwest Quarter of the Southwest Quarter of Section 8, Township 23 North, Range 5 East, W.M., lying northeasterly of the northerly right-of-way margin of North 6th Street and the easterly right-of-way margin of Park Ave North.

Situate in the City of Renton, King County, Washington.

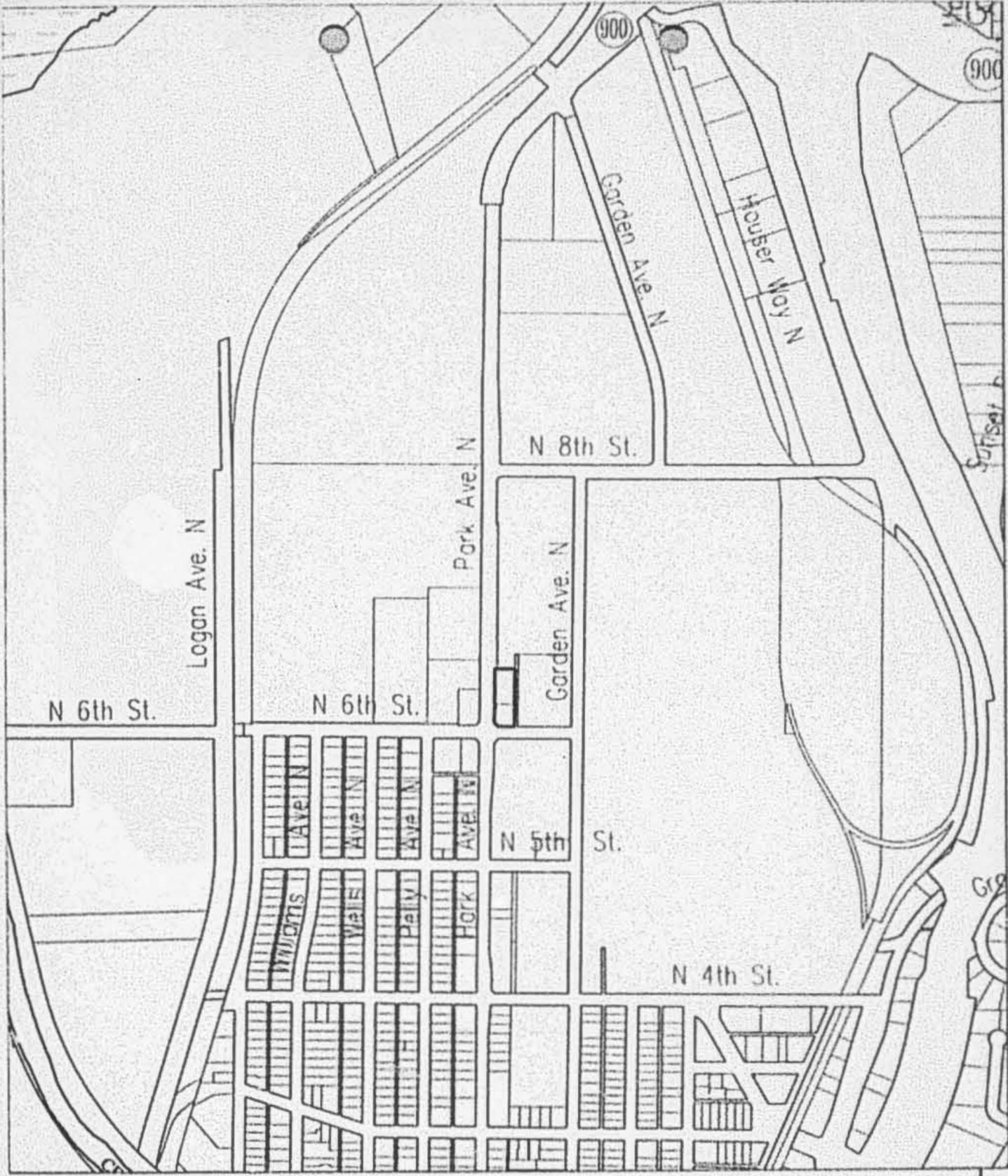
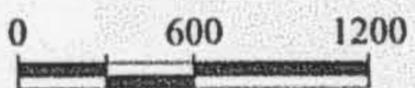


Exhibit B

ORDINANCE NO. 5035



1 : 7200



Economic Development, Neighborhoods & Strategic Planning
 Alex Pitsch, Administrator
 G. Del Rosario
 7 November 2003

LUA-02-141

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5021

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN THE CITY OF RENTON FROM LIGHT INDUSTRIAL TO URBAN CENTER-NORTH 1 ZONING, AND DECLARING AN EMERGENCY. FILE NO. LUA-02-141 (BURLINGTON NORTHERN).

WHEREAS, under Section 4-2-020 of Chapter 2, Zoning Districts – Uses and Standards, of Title IV (Development Regulations) of Ordinance No. 4260 known as the “Code of General Ordinances of the City of Renton, Washington” as amended, and the maps and reports adopted in conjunction therewith, the property hereinbelow described has previously been zoned as Light Industrial; and

WHEREAS, the City of Renton initiated a proceeding for change of zone classification of said property; and

WHEREAS, this matter was duly referred to the Planning Commission for investigation, study, and public hearing, and a public hearing having been held thereon on or about November 12, 2003, and said matter having been duly considered by the Planning Commission, and said zoning request being in conformity with the City’s Comprehensive Plan, as amended, and the City Council having duly considered all matters relevant thereto, and all parties having been heard appearing in support thereof or in opposition thereto;

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

SECTION 1. The following described property in the City of Renton is hereby rezoned to Urban Center-North 1 (UC-N 1), as hereinbelow specified. The Economic Development, Neighborhoods, and Strategic Planning Department is hereby authorized and

ORDINANCE NO. 5031

directed to change the maps of the Zoning Ordinance, as amended, to evidence said rezoning, to-wit:

See Exhibits 'A' and 'B' attached hereto and made a part hereof as if fully set forth herein. (Property consisting of approximately 2.78 acres located at Logan Avenue North, and North 6th Street.)

SECTION II. There is hereby declared an emergency and this ordinance shall take effect December 1, 2003.

PASSED BY THE CITY COUNCIL this 24th day of November, 2003.

Bonnie I. Walton
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 24th day of November, 2003.

Jesse Fanner
Jesse Fanner, Mayor

Approved as to form:

Lawrence J. Warren
Lawrence J. Warren, City Attorney

Date of Publication: 11/28/2003 (summary)

ORD.1081:11/13/03:ma