

Foothills Friends First Newsletter

September 12, 2005

599-9432 (msg only)
P.O. Box 1876
Maple Falls, WA 98266

Who are we?

A group of residents of Kendall and the surrounding area founded Foothills Friends in response to a proposal for a high density residential and commercial development in Kendall of 667 homes, plus an undetermined number of attached and detached accessory dwelling units, on 73 acres (plus 100 multi-family units on the additional 25 commercial acres) that would drop a ready made city into that quiet rural corner of Columbia Valley.

The Foothills Friends want to ensure that Kendall and the surrounding areas grow in a way that takes into account the needs of residents, the environment, local business owners, and visitors to our scenic recreation area. We want to ensure that the appropriate agencies evaluate each development proposal thoroughly and make decisions that reflect the needs of those who will be living with the consequences of these decisions in the years to come.

Position Statement

Attached to this newsletter is the Position Statement of Foothills Friends. This statement spells out what Foothills Friends sees as the most important of the various issues with the proposed development in Kendall. Please be sure to read the Position Statement as it gives a lot more detail than is included in this newsletter.

All positions of Foothills Friends are publicly stated. Foothills Friends does not support anonymous or unsupported statements or publications.

Why are you getting this newsletter?

You are receiving this newsletter because you have indicated an interest in the Kendal proposed development and the future of Kendall and the surrounding area. If you would rather not receive this newsletter, please let us know and we will remove you from our mailing list.

What is the purpose of this newsletter?

Foothill Friends is using this newsletter to distribute information about Foothills Friends, who we are, what we are doing, and how we can use your help.

Foothills Friends Steering Committee:

Heidi Doornenbal, Jo Anne Harrison, Amy Mower, Tom Watkins (resigned, July 21, 2006)

Newsletter and Information Distribution:

Please call Foothills Friends telephone number for further information.

Recent Activity:

Foothills Friends has filed a comment letter with Planning and Development Services, (referred to here as PDS), and has provided PDS with Foothills Friends Position Statement regarding the Kendall Development, a copy of which is attached to this newsletter. Four members of the steering committee met on September 1, 2005 with representatives of Planning and Development Services to discuss the Position Statement. The most important issue raised, which PDS is considering, is to obtain an environmental impact study. Foothills Friends will keep in constant contact with PDS regarding the review process and will keep members of Foothills Friends posted as to important developments.

Foothills Friends has started a public relations effort, by contacting the local press to obtain interviews and publish opinion pieces. We will let you know when those articles go to press.

In addition, Foothills Friends has contacted members of the County Council, to ensure that each member is aware of our concerns for the citizens of Kendall and the surrounding areas.

Last, Foothills Friends has commenced a membership drive, which will be region wide. Heidi Doornenball will chair that effort.

What can you do to help?

1. Even though there will be public meetings to attend at which to give your comments, **please do continue to write to the Whatcom County Planning and Development Services** with your comments and opinions. Even though the official comment period ended July 21, 2005, the office is still accepting comments. The address is 5280 Northwest Ave, Suite B, Attention Marilyn Bentley, Bellingham, WA 98226. All written comments should include the description of the project, which is: *Zoning Applications #LSS 2005-00007; and PUD2005-00004; and ZON2005-00003; and ZON2005-00004; AIKI Homes; Balfour Village/Kendall Village.*
2. Please be sure to **send copies of all written comments also to the Whatcom County Hearing Examiner** at 311 Grand Avenue, Suite 401, Bellingham, WA 98225. The Hearing Examiner will be one of the decision makers on the zoning issues, so he or she needs to receive the comments.
3. **Please attend the public meetings which will be held by the County.** We do not yet have dates for those meetings, but will notify you by this newsletter or by special email of the exact dates once received. The important meetings will be:
 - a. The Whatcom County Hearing Examiner will hold a public meeting regarding the zoning applications. At this hearing, the Hearing Examiner will listen to people's opinions about the developer's proposal, as well as PDS' recommendation. These inputs will be used in the decision about whether the developer's proposal will be

approved by the Hearing Examiner. The Hearing Examiner will then make a recommendation to the County Council.

- b. The Whatcom County Council will hold a public meeting to consider the Hearing Examiner's recommendations on the Zoning Applications and to make the final decision.
- c. From time to time there may be meetings held by the Whatcom County Planning Commission which may address related growth issues which would be of concern to Foothills Friends. At the moment, the developer has requested that the proposed Comprehensive Plan Amendment which would have been heard by the County Planning Commission be rescheduled for the 2006 Agenda.

For additional information regarding these meetings, please check on the Internet the following websites:

For the County Council meetings:

<http://www.co.whatcom.wa.us/council/hearingex.jsp>

For the Planning Commission generally and its schedule of meetings (which should be checked by calling the PDS office for accuracy):

<http://www.co.whatcom.wa.us/pds/planning/commission.jsp>

4. **If you can't attend the hearings and give your opinions in person, please send your opinions in writing** to the addresses indicated above.
5. **Volunteer!** Call our message number (599-9432) and let us know whether you have a specific area of interest or if you'd like to be generally available. We'll call you to coordinate. We need help in all areas, including the following:
 - a) membership drive
 - b) technical assistance (geologist; biologist; waste water engineer, traffic engineer, historian; urban planner; ecologist; construction contractors, etc.)
 - c) other areas of interest to you
6. **Donate to help cover the cost and expenses such as mailings, correspondence copies, the newsletters and legal assistance.** Checks can be sent to:

Foothills Friends
P.O. Box 1876
Maple Falls, WA 98266

Rumor versus Fact:

Fact: The person who opened the Community Meeting about Balfour Village held at the Kendall School by the developer, sponsored by the Chamber of Commerce and Economic Development Association, said, “It’s not an issue of whether the development will happen, it’s an issue of who’s going to do it.”

Fact: The development is certainly NOT a “done deal.” The developer does not have approval for its amendments and zoning changes. Studies have not yet been finished, nor the results analyzed; decisions have not yet been made on issues which have been raised by us and by PDS. The developer has many steps still to go through and many issues to resolve. During this time period Foothills Friends will continue to monitor the process with PDS and to make ongoing comments. You do have a say in the direction of future development in Kendall and the surrounding areas, and Foothill Friends is working very hard to make sure that your voice is heard, listened to and followed. We ask that you help us, and that you speak up for all that you care about.

If you have any questions or comments, please do not hesitate to give us a call.

POSITION STATEMENT
Of
Foothills Friends
(also known as Friends of Kendall and Columbia Valley)
As of September 12, 2005

AIKI Homes, Inc. is proposing to drop a ready made, high density city into the middle of Kendall, which is a quiet, rural mountain recreation area, through which passes a Scenic Highway to Mount Baker. The mere prospect of a ready-made city is appalling to many residents. It is one thing to anticipate measured growth, in response to actual current needs as they evolve over time, but it is entirely another matter when a community faces a complete and utter change, by fiat of one business entity, to the community's character. Regardless of the County's designation many years ago of this area as an Urban Growth Area, Kendall, Peaceful Valley, Paradise and the Columbia Valley remain today a quiet rural area that is not ready for this instant conversion to a full-blown city. The area does have problems with the existing residential developments, as those neighborhoods do not have the level of urban service which other areas in the County have, resulting in crime and other problems, and there are no jobs within the Columbia Valley. However, Kendall and Columbia Valley do not deserve to have those problems worsened. The area deserves protection for its inherent beauty and protection of its existing citizens, and its citizens deserve a better delivery of urban services.

Regarding the proposed development of AIKI Homes, Inc. in Kendall, Foothills Friends has the following additional comments and concerns:

1. The residential density of the developer's proposal, of 667 individual homes , plus an unknown number of attached and detached accessory units, on 73 acres, approximately 9 or 10 homes per acre, together with 100 multi-family units on a portion of 25 additional commercial acres, is too dense for the existing rural recreational community and surrounding area.
2. The developer's Traffic Study should be redone for two reasons:
 - a) the traffic counts do not take into consideration that the region is a recreational, vacation area, with increased traffic counts on weekends year round, and increased traffic counts during the summer season. The existing study was conducted primarily in December 2004, and January 2005, and does not reflect the seasonal increases.
 - b) The calculations do not follow the State of Washington Dept of Transportation requirements. Per the Department of Transportation's letter to Planning and Development dated July 20, 2005, even using the developer's own traffic counts, the daily trip count should be 14,545 trips instead of 7,193 trips daily.
3. The 25 acre commercial area proposed by the developer, including an additional 100 unit multifamily zone and a shopping mall, is neither appropriate nor necessary for the rural recreational community and surrounding area.

4. There is no need for the shopping mall proposed by the developer. Just recently, the corporate headquarters of the existing Starvin' Sam's convenience store has indicated that within the next 12 months it will convert to a hardware store, and will additionally build a 10,000 square foot grocery store at the Mt. Baker intersection with the Kendall Road. An additional grocery store and commercial area is neither appropriate nor necessary.
5. The 25 acre commercial site specific zoning request by the developer does not comply with the requirements of the Whatcom County Comprehensive Plan. The Comp Plan requires that the existing Small Town Commercial Zone of 40 acres at the Mt Baker Highway intersection with the Kendall Road be completely built before any other acreage be designated commercial within Kendall. The Small Town Commercial Zone of 40 acres has not been completely built, as required. The Comprehensive Plan also requires that a land use survey be conducted, after the 40 acres are fully developed, to identify actual need of additional commercial acreage, before a new commercial zone be designated.
6. Developer's alternative approach to the 25 acre commercial site, by filing an amendment to the Whatcom County Comprehensive Plan, is similarly inappropriate. Developer proposes deleting in its entirety the protections provided in the Comprehensive Plan for the Kendall Small Town Commercial Zone. The developer's justification for the proposed amendment is it's assertion that the Small Town Commercial Zone cannot be further built upon because there is too much traffic congestion and too little commercial access at the Mt Baker/Kendall Road intersection. However, the Washington State Department of Transportation's answer in its letter dated July 20, 2005 to the developer's assertion in its Comprehensive Plan Amendment request is that the developer's *"concerns can be mitigated satisfactorily.."* at the existing intersection. *"For example, one such measure may be to construct a roundabout on SR 547 with one leg dedicated to serving a road system designed to provide access to commercial development."*
7. The developer's 140 acre site specific zoning request to convert Long Term Growth Area status to Short Term Growth Area status has not met the Washington State concurrency requirements for available municipal services., The local water district No 13, in a letter dated June 8, 2005 to Planning and Development stated that it can handle an additional 300 water and wastewater connections but the proposed development requires an additional 667 individual home connections, an unknown number of attached and detached accessory dwellings, 100 multifamily connections plus an unknown number of commercial connections. *"Future expansion improvements to the district's treatment facilities will be required in order to serve the remaining proposed areas of the development...Aiki Homes...has agreed to cover their fair share of the costs of any future improvements."* The State of Washington Concurrency requirements require that the services be in place at the time of development, and the Whatcom County Comprehensive Plan requires a detailed list of services in place in order to qualify for Short Term Growth Area status. It does not appear that developer has met those requirements.
8. An Environmental Impact Study, per SEPA, including formal hydrogeological or engineering study of impact on local drinking water supplies, should be required for this development because of the:

- a) potential impact of contamination of ground water for the many residential wells in the area
 - b) impact on salmon and other fish and wildlife; and
 - c) alluvial fan risks of stone debris and water damage in high water storms
9. An archaeological and historical preservation study should be required for this development given the history of Native Americans and early settlers in the area of Balfour Village.
10. The solution to the existing problems of crime and lack of urban services in Columbia Valley will not be met by any new development, nor is it a new developer's responsibility. However, adding a new development will compound the existing problems. It is the County's responsibility to address the lack of funding for urban services for the existing developments that were approved by the County without necessary services in place. Simply because a mistake was made in the past of ignoring urban services does not mean imposing a new high density development is justified. Concurrency standards and obligations should have been followed then by the County, and must be followed now for any new development.

Based on all of these points, Foothills Friends believes strongly that the proposed development can and must be stopped or changed until all of these issues have been satisfactorily addressed.

If you should have any questions or comments, please telephone 360-599-9432 or mail comments to PO Box 1876, Maple Falls, WA 98266.