

## SULTAN CITY COUNCIL

### AGENDA ITEM COVER SHEET

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**ITEM NUMBER:** Action A-5  
Resolution 07-17 Open Space Dedication

**DATE:** August 9, 2007

**SUBJECT:**  
Adoption of Resolution Number 07-17 accepting an Open Space Dedication from Sultan 144, LLC and Charles and Delores Green.

**ISSUE:**  
The issue before the City Council is the acceptance of 3.40 acre Open Space Dedication from Sultan 144, LLC and Charles and Delores Green for Open Space and Critical Areas Mitigation purposes.

**CONTACT PERSON:** Rick Cisar, Director of Community Development

**SUMMARY:**  
Sultan 144, LLC is currently processing development plans for the Greens Estates Planned Unit Development located on Sultan Basin Road and south of 132<sup>nd</sup> Street SE. In an effort to assist the City in maintaining our Open Space Level-of-Service for Parks of 42.6 acres per 1,000 population and the ability to provide wetlands mitigation sites throughout the City, Sultan 144, LLC and Charles and Delores Green have offered to donate 3.40 acres of Critical Areas to the City (Attachment 1). The subject property is shown on Attachment 2 (three maps) and is identified as PARCEL C. Access to the property will be from a trail system within the development.

**BACKGROUND:**  
Sultan 144, LLC is currently developing the Skoglund Estates Planned Unit Development located east and adjacent to the Greens Estates Development. The trail systems in both developments will be connected to provide public access to both development areas and south to the Sky Harbor Subdivision on 138<sup>th</sup> Street S.E.

**DISCUSSION:**  
The donation will assist the City in meeting our Open Space Concurrency requirements of 42.6 acres per 1,000 population and more importantly, provide a mitigation site for future commercial and industrial developments along the Wagley Creek Corridor that may require off site Critical Area Mitigation in order to develop.

**FISCAL IMPACT:**  
City Staff time in preparing and processing this request.

**REQUESTED ACTION:**

Adoption of Resolution Number 07-17 accepting the 3.40 acre Open Space Donation from Sultan 144, LLC and Charles and Delores Green for Open Space and Critical Area Mitigation purposes.

**REQUESTED MOTION:**

Motion to Adopt Resolution Number 07-17 accepting the 3.40 acre Open Space Donation from Sultan 144, LLC and Charles and Delores Green for Open Space and Critical Area Mitigation purposes.

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**COUNCIL ACTION:**

**DATE:**

Attachment 1 - Letter from Sultan 144, LLC  
Attachment 2 - Maps identifying Parcel C  
Attachment 3 – Resolution Number 07-17

**Sultan 144, LLC**  
**15 Lake Bellevue Drive, Suite 102**  
**Bellevue, WA 98005**  
**(425) 869-2020**  
**(425) 869-8433 Fax**

August 2, 2007

City of Sultan  
Attn: Mayor & City Council  
PO Box 1199  
Sultan WA 98294

Re: Greens Boundary Line Adjustment BLA07-002  
Property Dedication

Dear Mr. Mayor and City Council Members,

We are writing in regards to the Greens Boundary Line Adjustment located in the southeast quadrant of the Sultan Basin Road/132<sup>nd</sup> Street SE intersection. Sultan 144, LLC and Charles and Delores Green would like to present the City of Sultan with the opportunity to accept the dedication of the 3.40 acres of critical areas shown as Parcel C listed on the attached proposed BLA exhibit, drafted by Land Development Consultants, Inc.

The intent on donating this acreage is to assist the City of Sultan in maintaining open space Level of Service for Parks. The City will be able to utilize this site for a few different uses.

- Add to the City's open space
- Future Wetland Mitigation Site
- Protect the headwaters of a tributary to Wagley Creek

Sultan 144, LLC will be installing a trail with viewing areas within the buffer of this wetland in conjunction with the construction of the Greens Estates plat.

We appreciate your time in reviewing this dedication and look forward to working with you to aid the City in enhancing its park system and maintaining critical areas throughout the City. Let us know if you have any questions.

Sincerely,



Jeffrey E. Hamilton  
CFO of Sultan 144, LLC

Attachment 1



SCALE: 1" = 300'



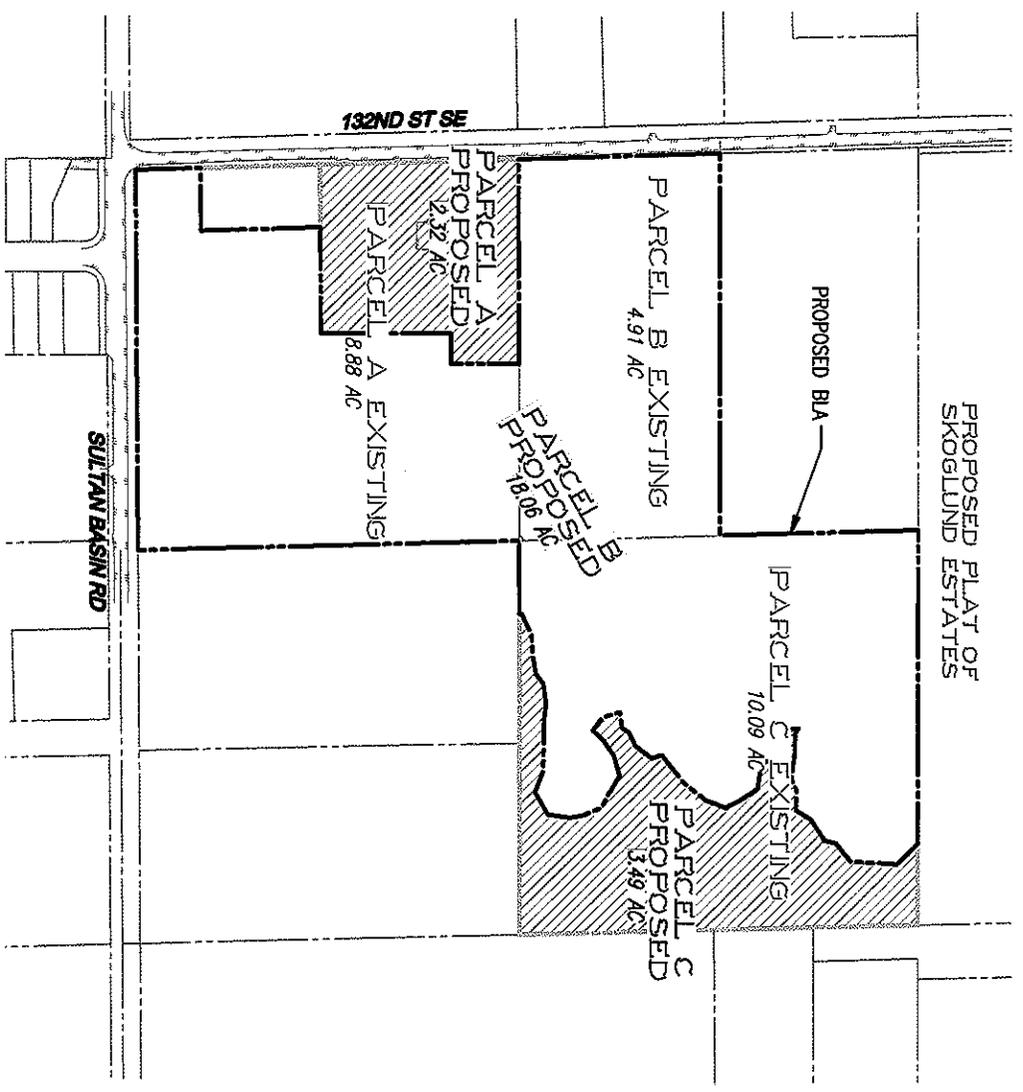
**LEGEND**

 PROPOSED BOUNDARY AREA

- NOTE**
1. PROPOSED PARCEL A TO BE REFOUNDED BY PROPERTY OWNER.
  2. PROPOSED PARCEL B TO BE DEVELOPED.
  3. PROPOSED PARCEL C TO BE DEDICATED TO THE CITY OF SULTAN.

Drawing: P:\2006\06-124 Greens Estates\Exhibits\SUL-06124E-EX04.dwg

Plotted: Aug 02, 2007 - 9:52am



**Land Development Consultants, Inc.**  
 Planning • Civil Engineering • Project Management

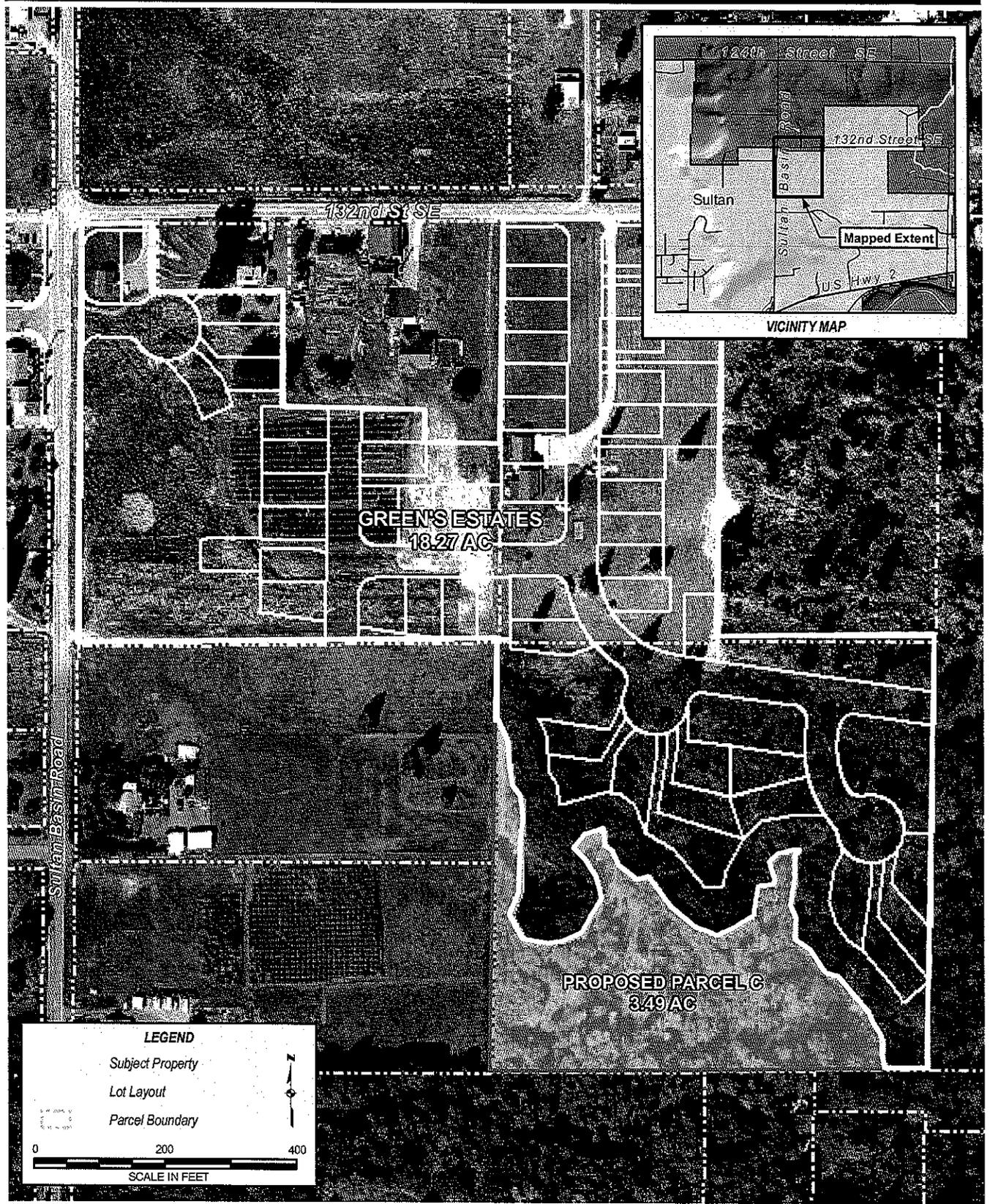
14201 NE 200th St, #100  
 Woodinville, Washington 98072  
 www.LDCcorp.com  
 Voice: 425-806-1869 Fax: 425-482-2893

SULTAN 144, LLC

**GREENS BIA**

**PROPOSED BIA EXHIBIT**

Attachment 29



SOURCE INFORMATION	
SOURCE AGENCY	DESCRIPTION
SNOHOMISH CO.	PARCEL BOUNDARY
SNOHOMISH CO.	1 FT. COLOR AERIAL PHOTOGRAPHY (2002)

**SULTAN 144, LLC.**

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**GREENS BLA  
PROPOSED BLA EXHIBIT**

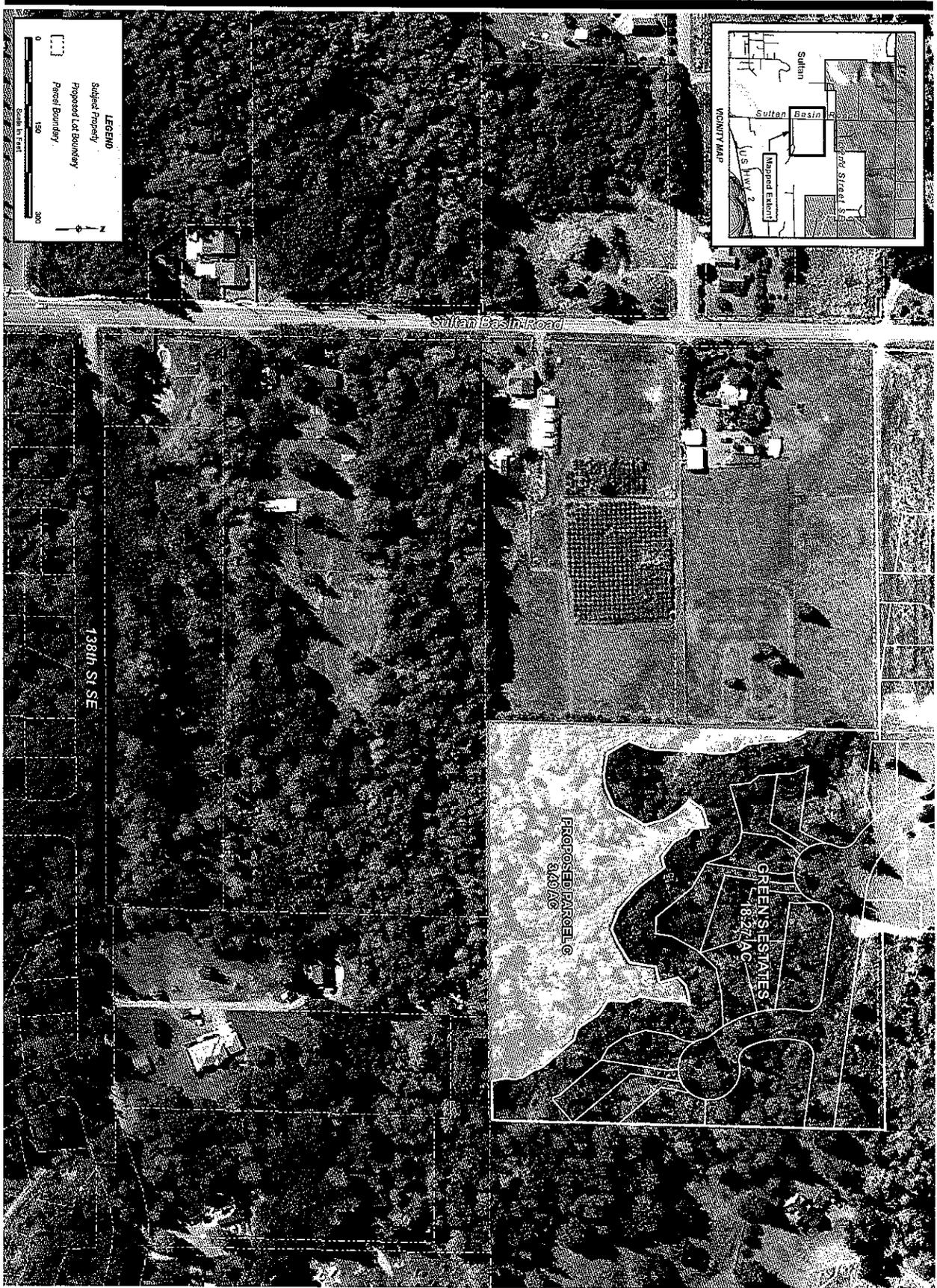
**LDC**  
**GIS SERVICES**

Planning - Civil Engineering - Project Management  
14201 NE 200th St. #100  
Woodinville, Washington 98072  
Voice: 425-806-1869 www.LDCcorp.com Fax: 425-482-2893

PROJECTION: WASHINGTON STATE PLANE, NORTH ZONE, NAD 83, FEET  
JURISDICTION: SNOHOMISH

**FIGURE:**  
**2.0**

*Attachment 2b*



PROJECTED WASHINGTON STATE PLATE NORTH ZONE  
 DATE: 07/31/07  
 SCALE: 1" = 300'  
 DRAWN BY: J. B. BROWN  
 CHECKED BY: J. B. BROWN  
 APPROVED BY: J. B. BROWN

FIGURE:  
**2.0**

**SULTAN 144, LLC.**

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**GREENS BLA**  
 PROPOSED BLA EXHIBIT

**LDC**

GIS SERVICES  
 Planning - Civil Engineering - Project Management  
 14201 NE 200th St, #100  
 Woodinville, Washington 98072  
 Voice: 425-805-1999 www.LDCcorp.com Fax: 425-402-2803

SOURCE INFORMATION	
SOURCE AGENCY	DESCRIPTION
SNOHOMISH COUNTY GIS	1 FOOT COLOR AERIAL PHOTOGRAPHY (2003)
SNOHOMISH COUNTY GIS	PARCEL BOUNDARY

*Attachment 2c*

**CITY OF SULTAN  
SULTAN WASHINGTON**

**RESOLUTION 07-17**

**A RESOLUTION OF THE CITY OF SULTAN ACCEPTING DONATIONS OF  
PROPERTY FROM SULTAN 144, LLC IN ACCORDANCE WITH SULTAN  
MUNICIPAL CODE CHAPTER 3.68 DONATIONS**

**WHEREAS**, the City Council of the City of Sultan has determined that it is in the best interests of the City of Sultan to accept a donation of property from Sultan 144, LLC for Open Space and Critical Area Mitigation purposes to benefit the City; and

**WHEREAS**, SMC 3.68 allows the receipt of donations of property and money and provides for specific Council acceptance of all items with a value over \$500.00; and

**WHEREAS**, RCW 35.21.100 authorizes the acceptance and use of donations and IRS Section 170(c)(1) recognizes governmental units for the purpose of charitable contributions.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Sultan that the donation of land by Sultan 144, LLC for Open Space and Critical Area Mitigation described on attached Exhibit A is accepted for the purpose designated:

PASSED AND ADOPTED this 9th day of August 2007.

\_\_\_\_\_  
Ben Tolson, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Koenig, City Clerk

*Attachment 3*