

Sarah Fox

**From:** Robert Maul  
**Sent:** Friday, December 29, 2017 3:40 PM  
**To:** Sarah Fox  
**Subject:** FW: Dawson Subdivision

We can discuss a response on Tuesday.

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**From:** Steve C. Morasch [mailto:stevem@landerholm.com]  
**Sent:** Friday, December 29, 2017 3:37 PM  
**To:** Robert Maul  
**Subject:** Dawson Subdivision

Robert,

Thanks for talking with me this morning about resolving outstanding issues. Based on our conversation, I understand that the City would be agreeable to the following:

1. Given the specific circumstances of this application and without creating a precedent for geohazard areas to be placed in easements under other circumstances: City agrees that the geotechnical hazard setback on lots 8,9 and 31-34 will have a recorded easement restricting use to fencing, landscape and patios. Any future change in the language of the easement will require city approval based on additional geotechnical reports that support other uses. The easement will be enforced by the Dawson's Ridge HOA. Temporary warning signs will be put up on each affected lot along the setback. This should resolve the issue relating to geohazard areas.
2. At the December 18th meeting with yourself, Pete Capell and David Lugliani. It was determined that there was not a suitable viewpoint on the Dawson's Ridge subdivision site. The picture in your December 27 response was taken off site from tax lot 127174000. At the meeting David Lugliani offered to sell the property to the city under threat of condemnation.

Therefore: In lieu of the City's requested condition relating to a view analysis at the bottom of page 2 of the staff response dated December 27, 2017, there would be a new condition added requiring the applicant to sell 2.5 acres of tax lot 127174000 for an off site viewpoint (SU-11) and construct the viewpoint. The sale will be under threat of condemnation. The viewpoint will be accessed from McIntosh Rd via the existing driveway which will connect with trail T11. The existing gate will be removed and bollard installed. City shall issue PIF credits in lieu of cash at fair market value for land and improvements. The applicant will also remove the large fir tree in picture obscuring view. The City will design the viewpoint and submit under separate approval from this application. The applicant will commence construction of the viewpoint within 180 days of such approval weather dependent. This obviates the need for a view analysis and satisfies the issue relating to the viewpoint (SU11). There shall be no delay in engineering review or approval with regard to SU11 as suggested in staff response.

3. I understand the city is willing to support 40% lot coverage. We would still request equal treatment to Parklands with the same size lots and 50% coverage to promote ADU and ADA uses. The additional lot coverage will support the City's goals of facilitating ADA and ADU lots.
4. Finally, the city has made it a condition to build T11 in the open space tract bordering the creek and wetland along McIntosh as shown in attached exhibit. Kevin Grosz with the resource company states "It is my opinion that the 10-foot wide asphalt trail which provides multiple human activities (walking, biking, horseback riding) will functionally isolate the buffer." We can submit this additional statement from Kevin Grosz for the record.

Therefore we request that lot 39 remain as proposed since there is no buffer impact. Because the trail borders lots and the underground storm facility the same argument applies to city required fencing.

Please confirm that I have correctly summarized our conversation and whether City agrees to any or all of the above four items the above to resolve these issues.

Thanks,

Steve

Steve C. Morasch | Attorney at Law



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