

From: Kevin Hughes [mailto:HughesK@co.thurston.wa.us]
Sent: Monday, June 18, 2018 7:04 AM
To: Heather Burgess <hburgess@phillipsburgesslaw.com>; Scott Davis <davissa@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>
Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>
Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

#2 – There are currently 43 trips left at \$15,000/trip and 82 trips left at \$30,000/trip.

Kevin Hughes

Development Review

Thurston County Public Works

(360) 867-2042

From: Heather Burgess [mailto:hburgess@phillipsburgesslaw.com]
Sent: Friday, June 15, 2018 1:19 PM
To: Scott Davis <davissa@co.thurston.wa.us>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>
Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>
Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Scott,

Thank you for the update. I will consult with my client and let Kevin know how he wishes to proceed with his project. Two very brief follow up questions to help that:

#1, is the 19th/Union Mills improvement funded for completion within the concurrency timeframe?

#2, how many “reserve capacity” trips remain under the white paper program, and at what price?

Best,

Heather

Heather Burgess

Attorney

hburgess@phillipsburgesslaw.com | [website](#) | [v-card](#)

724 Columbia St. NW, Suite 320, Olympia, WA 98501 | 360.742.3500

505 Broadway, Suite 408, Tacoma, WA 98402 | 253.292.6640

From: Scott Davis [<mailto:davissa@co.thurston.wa.us>]

Sent: Friday, June 15, 2018 12:50 PM

To: Heather Burgess <hburgess@phillipsburgesslaw.com>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>

Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Hi Heather

Thurston County has not resolved the concurrency issue yet. But below is an update

Marvin Rd @ Mullen

- Final Design as begun
- Right of Way acquisition is underway
- Environmental permitting is underway

The plan is to hand off the design to OTP when it is completed (e.g., design, right of way and permitting). This improvement will be secured once OTP proceeds with construction.

Marvin Rd @ 19th/Union Mills

- Corridor evaluation is complete (19th Ave to SR510)
- Interim (Concurrency improvements only) sketch is complete with preliminary cost estimate
- Preliminary design for corridor and concurrency improvements will start later this year and right of way acquisition will likely start in 2020.

Thurston County Public Works is evaluating the ability to finance the concurrency improvements as part of the development of the 2019/2020 budget.

Scott Davis, PE

Traffic Engineering & Operations Manager

Thurston County Public Works

360-867-2345 davissa@co.thurston.wa.us

<http://www.co.thurston.wa.us/publicworks/default.html>

From: Heather Burgess <hburgess@phillipsburgesslaw.com>

Sent: Friday, April 06, 2018 12:01 PM

To: Scott Davis <davissa@co.thurston.wa.us>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>

Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Importance: High

Hi Scott,

Have you had the opportunity to get your team back together so that we can get an updated response? I don't believe I've seen anything, and I know my client would like to get this to hearing, and Tony has confirmed that there is nothing else needed for review comments to issue SEPA besides these.

Thank you,

Heather

Heather Burgess

Attorney

hburgess@phillipsburgesslaw.com | [website](#) | [v-card](#)

724 Columbia St. NW, Suite 320, Olympia, WA 98501 | 360.742.3500

505 Broadway, Suite 408, Tacoma, WA 98402 | 253.292.6640

From: Scott Davis [<mailto:davissa@co.thurston.wa.us>]

Sent: Friday, February 16, 2018 4:52 PM

To: Heather Burgess <hburgess@phillipsburgesslaw.com>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>

Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Hi Heather

Yes we can provide updates. We will need to get our team back together and then we can get something back to you all.

Have a good weekend

Scott Davis, PE

Traffic Engineering & Operations Manager

Thurston County Public Works

360-867-2345 davissa@co.thurston.wa.us

<http://www.co.thurston.wa.us/publicworks/default.html>

From: Heather Burgess [<mailto:hburgess@phillipsburgesslaw.com>]

Sent: Friday, February 16, 2018 4:08 PM

To: Scott Davis <davissa@co.thurston.wa.us>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <joshua.cummings@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>

Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Good afternoon Scott,

Back in October, you sent the attached memorandum that included a number of potential County solutions to the concurrency issue on Marvin Road that were not yet in place or finalized at that time, and which if implemented, would appear to avoid the need for us to potentially litigate concurrency as it pertained to the Oak Springs project. My client would like to move forwards, so I'd appreciate it if you could provide us with a brief update regarding the status of the items identified in your memo and the impact, if any, on the previously identified concurrency situation for Mark's project.

Thanks in advance for your assistance.

Best,

Heather

Heather Burgess

Attorney

hburgess@phillipsburgesslaw.com | [website](#) | [v-card](#)

724 Columbia St. NW, Suite 320, Olympia, WA 98501 | 360.742.3500

505 Broadway, Suite 408, Tacoma, WA 98402 | 253.292.6640

From: Scott Davis [<mailto:davissa@co.thurston.wa.us>]

Sent: Thursday, October 26, 2017 9:47 AM

To: Heather Burgess <hburgess@phillipsburgesslaw.com>; Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>; Joshua Cummings <cumminj@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>

Subject: RE: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Heather/Mark

Attached is a memo in response to our meeting and an update on our progress with the Marvin Road improvements.

If you have any questions or would like to meet please work directly with Mr. Hughes.

Sincerely,

Scott Davis, PE

Acting County Engineer

Thurston County Public Works

360-867-2329 davissa@co.thurston.wa.us

From: Heather Burgess [<mailto:hburgess@phillipsburgesslaw.com>]

Sent: Thursday, September 14, 2017 4:55 PM

To: Kevin Hughes <HughesK@co.thurston.wa.us>; Travis Burns <burnst@co.thurston.wa.us>; Scott Lindblom <LindblS@co.thurston.wa.us>; Scott Davis <davissa@co.thurston.wa.us>

Cc: Mark Conwell <user772574@aol.com>; Carl Springer | DKS <cds@dksassociates.com>

Subject: Oak Tree Preserve/Reduction in Traffic Due to 55+ Age Restriction

Dear Travis, Kevin, Scott, and Scott –

I heard (after sending the email yesterday) that Oak Tree Preserve was now being developed as a 55+ community, rather than as a standard subdivision. That appears accurate based on my quick perusal of the internet (see links below), at least as to 814 of the lots (see the Taylor link). I did not see this as a proposed restriction in the preliminary plat. I just took a quick look at the TENW traffic report and it looks to me as though all of OTP was analyzed as a standard residential subdivision. However, I understand from our traffic engineer that 55+ community traffic is about half of what a standard subdivision is. If that's the case, then it would seem that the 55+ restriction (even if it was only going to apply to 814 of the approved lots) would free up sufficient reserve capacity to avoid present concurrency issues if the approved traffic were re-analyzed with the age restriction. I'm going to assume that OTP didn't do any post-plat approval analysis. Is there a way the County could confirm this with OTP, and if confirmed, could our traffic engineer do the necessary analysis to show increased capacity to advance the Conwell project now without having to deal with any of the alternatives that I've proposed? Finding more existing capacity in the system certainly seems like the best (and fastest) possible way to resolve the matter for all concerned.

<https://www.55places.com/washington/communities/ovation-at-oak-tree>

<http://taylordev.com/oak-tree-preserve/>

Best,

Heather

Heather Burgess

Attorney

hburgess@phillipsburgesslaw.com | [website](#) | [v-card](#)

724 Columbia St. NW, Suite 320, Olympia, WA 98501 | 360.742.3500

505 Broadway, Suite 408, Tacoma, WA 98402 | 253.292.6640

REAL ESTATE | LAND USE | ENVIRONMENTAL LAW

IMPORTANT/CONFIDENTIAL: This e-mail message (and any attachments accompanying it) may contain confidential information, including information protected by attorney-client privilege. The information is intended only for the use of the intended recipient(s). Delivery of this message to anyone other than the

intended recipient(s) is not intended to waive any privilege or otherwise detract from the confidentiality of the message. If you are not the intended recipient, or if this message has been addressed to you in error, do not read, disclose, reproduce, distribute, disseminate or otherwise use this transmission, rather, please promptly notify the sender by reply e-mail, and then destroy all copies of the message and its attachments, if any.

--

Carl D. Springer, PE, Principal

503.243.3500 Main | 503.972.1215 Desk | 503.753.8991 Cell | [Want to meet?](#)



720 SW Washington St, Suite 500
Portland, Oregon 97205
www.dksassociates.com



This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, distribute or disclose to anyone this message or any information contained in or attached to this message. If you have received this message in error, please advise the sender and delete this message along with any attachments or links from your system.