

Date: August 17, 2016

To: King County Executive Dow Constantine, Lauren Smith, and Karen Wolf,
Sammamish Valley Area Winery Study Committee

From: Barbara Kelson
Apple Farm Village
14525 148th Ave NE
Woodinville, WA 98072

Re: Sammamish Valley Area Winery Study

I'm a 48 year resident of Woodinville and business owner in the Sammamish Valley.

Some officials at the City and King County have conspired to create an ongoing crisis in the tourist district of Woodinville and King County that has contributed to an atmosphere of animosity and hostility, pitting neighbor against neighbor.

Almost 20 years ago, King County (Louise Miller) wrote a letter to the mayor of Woodinville asking the City not to approve any development on our site, directly across the street (148th Ave NE) from the Hollywood Schoolhouse, even though we met all of the requirements for zoning and other development criteria. In fact, the plans that we had for the property were exactly what the city said was in the tourist district plans and what they wanted to see.

Then, several years ago, one or two property owners in the vicinity (unincorporated King County) leased their residentially zoned properties to wine tasting rooms. When King County failed to enforce their own codes, more tasting rooms joined them. Two of them were our tenants prior to their moving to the unincorporated area.

My property was zoned Neighborhood Business (Tourist District overlay) at the time of purchase in 1994. It was in the City's Tourist District Master Plan that the incorporated area on 4 corners of the existing central roundabout would be *encouraged* to develop as tourist business and that master plan has not changed. Our plans in 1994 were to develop our site with specialty retail shops, an inn and restaurants to support the growing wine tourism in the area. Though the market for retail tenants has changed, more and more wine tasting rooms have moved into the neighborhood and there is strong demand for even more of them, along with more restaurants and lodging.

In fact, there has been so much interest from wine tasting rooms that there is not enough leasable space in the area to satisfy the demand. Many of them have moved to the fringes of the tourist district, along 148th Ave and Woodinville Redmond Rd. Some of those tasting rooms were leasing space from us before they decided to move to what they said was "cheaper space". Another of the tasting rooms wanted to lease space here but said that Woodinville's regulations were too difficult to meet.

The reason why the tasting rooms are moving into residentially zoned properties outside the city is:

1. Available space for them in the Hollywood Tourist District has been artificially restricted. This is not a coincidence, but has been purposely manipulated.
2. King County has allowed businesses to locate outside the UGB on residentially zoned land.

We could not compete with those property owners in the unincorporated area by lowering our rent because city regulations require that we meet all of the current land regulation and building codes, as well as paying mitigation fees, building permit fees, etc. Those outside the City also pay far less in property taxes. Even those next door to us have seemingly no restrictions on what they can do. With far fewer expenses and little to no regulation, those businesses compete directly with their neighbors, inside the City. With fewer expenses, they can afford to buy fancy advertising, hire bands that play live music, and then be more profitable. Paying no attention to previous area requirements (due to lack of code enforcement by the county) they can use all or most of the (what was previously lawn) area for patios, decks and parking.

The Growth Management Act works both ways (or should)! When someone purchases residential or ag zoned property outside the UGB, they should not expect to be able to utilize that land for commercial or industrial uses. Conversely, if someone purchases land inside the UGB that *is* properly zoned for the commercial uses that they intended to do and furthermore, the City has initially encouraged them to do just that, it is entirely reasonable that the purchaser would be able to utilize that land for the legal uses under which it is zoned.

During the more than 20 years that I've been paying commercial property taxes for this land, our plans have been continually sabotaged. What I've learned is that when it comes to land development you don't get ahead by playing by the rules, hard work and honesty. You get there through deception, intimidation, being a bully, and by abuse of power and corruption. Regulations apply only to some but not to others.

The decisions made by King County and Woodinville to arbitrarily delay and then refuse to allow us to utilize our property in a way that would have allowed us to even pay the property taxes for many years is inexcusable. While other businesses that are *not* properly zoned and not paying the high (commercial rates) for property taxes, not paying the permit and mitigation fees, sewer connection fees and ongoing bills and don't have to provide the landscaping, parking, signage and meet other regulations, we have been deprived of the use of our land, but expected to continue paying the taxes on that land, as well as contributing to the road and other infrastructure costs.

The frustration, heartache, worry, anxiety, financial pressure and deprivation, emotional and physical stress induced illnesses that have occurred from not being able to develop our property while other properties surrounding us, including even properties that are not properly zoned have been allowed to derive income that we have systematically been denied from doing is indefensible.

It seems to me that Senator McAuliffe abused her power as a State official and employee when she asked King County (Louise Miller) to write a letter to Woodinville asking the City not to allow us to

develop our land in order to improve the value of her own property. But, King County didn't have to do as Senator McAuliffe wanted and the City didn't either. The choice they made was to sacrifice our land for their own profits.

With our property taxes, we help pay for the King County Parks, including the one next door, yet we have been precluded from using the land that we ourselves pay taxes on...taxes that help support the King County land next door

We and our property have become the sacrificial lamb for the unlawful and unethical antics of a few rogue tasting room operators and some out of control city and county staff and officials.

It is extremely unfair and insulting to all the property owners and businesses who have played by the rules, paid for the proper permits, fees and the commercial property taxes on their land in order to open their businesses in the tourist district of Woodinville while some....who have not followed the rules are allowed to continue to flaunt those rules and then to take advantage of the infrastructure that has been paid for by the law abiding businesses and property owners.

It is not fair and not right that others who have not paid the fees, the permits or followed the rules and have now taken advantage of the lack of King County code enforcement in the area and they are now being rewarded by King County.

It is even more insulting to **us**, given that King County has turned a blind eye to the unlawful operations of the few outside the city while interfering with....asking the City of Woodinville not to allow our (legal and conforming) development to proceed.

There is much, much more to this story, but in the interests of keeping this letter short, I've decided to continue this in another format.

Please feel free to contact me.

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