

**SNOHOMISH COUNTY COUNCIL
INDEX TO FILE**

FILE: Cathcart Crossing 21-107654 SPA/BSP
DATE: Closed Record Appeal Hearing - Wednesday, October 5, 2022 @ 1:30 p.m.
COUNCIL STAFF: Deb Bell
PDS STAFF: Stacey Abbott
PA: Laura Kisielius

The complete Hearing Examiner record is available upon request of the Clerk of the Council

Exhibit No.

[AA.xx](#) Pending Council Staff Report

[AA.3a](#) Motion 22-365, order summarily dismissing in part the Closed Record Appeal of Cathcart Crossing, File No. 21-107654 SPA/BSP and Minutes and Video of August 31, 2022 General Legislative Session (ECAF 2022-0870)

[AA.3b](#) Oral Motion General Legislative Session 09/28/22 (ECAF 2022-1014)

I. Appeal Letter

[AA.1](#) Appeal Letter received via e-mail August 22, 2022, @ 2:30 p.m. from J. Richard Aramburu, Attorney for the Appellants, Katrina Stewart and Deborah Wetzel

II. Examiner's Decision

[AA.2](#) Decision of the Snohomish County Hearing Examiner dated July 7, 2022

[AA.3](#) Amended Decision of the Snohomish County Hearing Examiner dated August 8, 2022

[Hearing Examiner List of Exhibits](#) (*Exhibits available upon request at contact.council@snoco.org*)

[Hearing Examiner Parties-of-Record](#)

III. Copies of Hearing Examiner exhibits cited and/or germane to the appeal

[L.1](#) Staff Recommendation

[L.2](#) Updated Staff Recommendation, June 14, 2022

[E.1](#) Determination of Nonsignificance with Environmental Checklist

[D.1](#) Ownership - Zoning Map

[D.2](#) Aerial Map

The following are additional exhibits listed in order as cited in the Appeal Letter (Exhibit AA.1)

[N.3](#) Order Granting & Denying Petitions for Reconsideration, August 8, 2022

[M.3 Ex.9](#) Transcript

[F.2](#) Affidavit of Mailing – Issued Determination of Nonsignificance

- I.11 Petition from Concerned Citizens of Clearview received July 26, 2021
- F.1 Affidavit of Mailing – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- K.2 Applicant response to public comments dated November 12, 2021
- M.15 Stewart Motion Attachment 4, Declarations of Green, Hopkins, August 14, 2022
- M.8 M. Joan Bjornson Declaration, August 10, 2022
- M.9 Ron Jeffs Declaration, August 11, 2022
- M.10 Wendy Jeffs Declaration, August 11, 2022
- M.16 Stewart Motion Attachment 5, Abbott-Arnett Emails Re Parties, June 10, 2022
- M.3 Ex. 1 Cathcart South PSA
- M.12 Stewart Motion Attachment 1, Stewart Motion For Reconsideration, July 29, 2022
- A.1 Master Permit Application filed April 21, 2022
- G.2 Applicant’s Hearing Presentation, received June 14, 2022
- B.3 Preliminary Civil Drawings, received April 15, 2022
- B.4 Binding Site Plan received April 15, 2022
- C.5 Technical Memorandum dated May 7, 2021
- C.1 Traffic Report received April 20, 2021, and Arterial Analysis received February 4, 2022
- M.3 Ex. 4 Gibson Traffic, Lincoln, Irwin Email
- M.13 Stewart Motion Attachment 2, Order Re Reconsideration, August 9, 2022

IV. Responses to Appeal

- AA.4 Written argument from Carter and Mary Lou Burns, Parties-of-Record, submitted via e-mail and received on September 11, 2022, at 8:42 p.m.
- AA.5 Written argument from Mickie Gundersen, Party-of-Record, submitted via e-mail and received on September 11, 2022, at 10:25 p.m.
- AA.6 Written argument from Debbie Wetzel on behalf of M. Joan Bjornson, Party-of-Record, submitted via e-mail and received on September 12, 2022, at 11:01 a.m.
- AA.7 Written argument from Debbie Wetzel on behalf of M. Joan Bjornson, Carter and Mary Lou Burns, and Mickie Gundersen, Parties-of-Record, submitted via e-mail and received on September 12, 2022, at 11:18 a.m.
- AA.8 Written argument from Janet Miller, Party-of-Record, submitted via e-mail and received on September 12, 2022, at 2:28 p.m.
- AA.9 Written argument from Linda Gray, Party-of-Record, submitted via e-mail and received on September 12, 2022, at 3:08 p.m.
- AA.10 Written argument from Duana T. Kolouskova, Attorney for the Applicant, submitted via e-mail and received on September 12, 2022, at 4:29 p.m.

Hearing Examiner exhibits listed in order as cited in applicant’s written argument

- A.2 Project Narrative and email clarification from Cornell, William, regarding SCC 30.41D.010

- L.2 Updated Staff Recommendation, June 14, 2022
- I.11 Petition from Concerned Citizens of Clearview received July 26, 2021
- E.1 Determination of Nonsignificance with Environmental Checklist
- F.4 Posting Verification – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- F.3 Affidavit of Notification (publication) – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- F.2 Affidavit of Mailing – Issued Determination of Nonsignificance
- F.1 Affidavit of Mailing – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- I.19 Laron Glover Email, June 14, 2022
- M.3 Ex.1 Cathcart South PSA
- M.3 Ex.2 Motion 22-259
- M.3 Ex.3 Wetzel, Dobesh Email
- M.3 Ex.4 Gibson Traffic, Lincoln, Irwin Email
- M.3 Ex.5 Wetzel, Phillips Email
- M.3 Ex.6 Wetzel, Abbott Email
- M.3 Ex.7 Cathcart Property FAQ
- M.3 Ex.8 Council Motion, Proposed Use

V. Rebuttal

- AA.11 Written Rebuttal of Applicant's Response from J. Richard Aramburu, Attorney for the Appellant, submitted via e-mail and received on September 19, 2022, at 2:15 p.m.

Hearing Examiner exhibits listed in order as cited in appellant's written rebuttal

- F.1 Affidavit of Mailing – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- I.11 Petition from Concerned Citizens of Clearview received July 26, 2021
- M.8 M. Joan Bjornson Declaration, August 10, 2022
- M.9 Ron Jeffs Declaration, August 11, 2022
- M.10 Wendy Jeffs Declaration, August 11, 2022
- F.2 Affidavit of Mailing – Issued Determination of Nonsignificance
- E.1 Determination of Nonsignificance with Environmental Checklist
- G.2 Applicant's Hearing Presentation, received June 14, 2022
- L.2 Updated Staff Recommendation, June 14, 2022
- M.3 Ex.9 Transcript
- M.12 Stewart Motion Attachment 1, Stewart Motion For Reconsideration, July 29, 2022
- M.3 Ex.1 Cathcart South PSA
- N.3 Order Granting & Denying Petitions for Reconsideration, August 8, 2022