

Nani Linder*Ron Linder 8811 N Nettles Lane*

From: "Aleksandr Solodyankin" <asolodyankin@comcast.net>
To: "Nani Linder" <nanilinder@comcast.net>
Sent: Tuesday, October 09, 2012 4:50 PM
Subject: Re: Reminder ~ Reply
 Ron,

I am with you on all concerns you had mentioned. I concern about run off flooding very much, sometimes I do not sleep because of that we are running out of time again this year.

We still do not have permits to finish this work yet.

All concerns are addressed, all required fees are paid.

City planner has received all comments for review for Conditional Use Permit in September. What else expect after she will review them I do not know.

If Nani could help us to obtain permits I would be extremely glad. I will use all available help in order for us to complete this ground preparation project.

Thank you,

Aleksandr

On Oct 9, 2012, at 12:38 PM, Nani Linder wrote:

Thank you Alek and you are welcome.

Just so you know we are not against your Academy. Christian Schools are an important growth development for young people. Our daughter and grandsons went to Christian Schools. You have allot of good to offer to the community and the children you educate.

These are what my direct concerns are:

I am for following the law which we all have to do; I am concerned about potential run off flooding on our land, which could impact farm land use basement flooding including neighbors behind us; or if we decide to lease our acreage for farming; the negative impact of pheasant and deer wildlife. increased traffic and MOST important liability issues which we have discussed before.

Its wise to consider that neighbors still make a living with farms around the Church and Academy projects you plan. Water tables and run offs are real issues on the Prairie.

Our road is not designed for the expanded plans you have for your church and Academy but as neighbors we can work together to problem solve, right?

I think Alek, Nani could have helped you get permits in timely manner.

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PLANNING & DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT SERVICES

To: Scott Chesney
City of Spokane Planning Department
808 W Spokane Falls Blvd.
Spokane, Wa. 99201

From: Ronald D and Nani Linder
8811 N Nettleton Lane
Spokane, Wa. 99208

Reference: Slavik Baptist Church 5 mile Prarie Nettleton Lane CU Application

April 2, 2013

We formally protest approval of the new construction of a Church and High School referenced above for the following reasons.

1. Nettleton Lane is privately owned and both the Slavic Baptist Church as well as the City of Spokane lack the jurisdiction to make improvements or changes without the owners permission.

Easement doesn't give the church the right to change, widen, dig up or improve without our permission. We do not see a traffic study for Nettleton Lane separate from Strong. It is essential to do this. Adequate study has not been completed. Our road and easement was not intended for the use of a new church or school on the city side. It seems appropriate you could authorize a new road be built in city jurisdiction. According to the Seph we just read the church plans to add almost 400 more automobiles using OUR private road more than once a day because the church has morning and night services on Sundays and during the weekend every evening. School activities, ball games, teenagers driving, special events all add increased traffic not just for our lane but for Strong road. Question: When did the zoning change to allow for a high school in an area without a major arterial or main thoroughfare and in a residential community. .

2. Nettleton Lane is solely within the borders of Spokane County and not the City of Spokane and therefore outside of the jurisdiction of the City to make any determination as to its use.

Since the city has no jurisdiction for the pond on the county side how can this be approved without city and county working together. Please refer to our letters of flooding potential issues that could ruin our acreage and potential damage to our neighbors Fred and Sandy and also Mr. Sanders 40 ac wheat farm and Franks place directly back of us. The city allowed the stream to be diverted we are the lowest point so naturally the water will run off on our property. Reference s 1. Geology report Cummings April 8, 2009 pages 4 and 7 illuminate our concerns and the Geologist concerns and 2. letter to Ms. Kris

Becker. Engineering Dept. City of Spokane October 10, 2011. From Cheryl Fong the Attorney we hired addressing these issues specifically with the city and county 3. Letter to the county Gary Nyberg County Storm water Engineer Feb 28, 2012 flooding of our property after a DNR stream authorized by the city with photos of the flooding and our concerns. Mr Nybergs response on our behalf to the city to Mr. Joe Wizner Building Dept. City of Spokane representing us to the city on this matter with recommendations NONE of which were responded to us as being addressed by the city. He also sent the photos to the city. Our response to a memo from the city Kris Becker March 21, 2012 asking for confirmation. I have other references from the church administrator indicating he also worries about flooding. These memos should be in your files but I assure you we have copies.

3. Nettleton Lane was not designed to withstand the increase traffic). In its current condition, it cannot be used for proper ingress and egress for the expanded church and school. Without a proper traffic assessment and plan, the permit cannot and should not be approved at this time.

Easement doesn't give the church the right to change, widen, dig up or improve without our permission. We do not see a traffic study for Nettleton Lane separate from Strong. It is essential to do this in our opinion. Adequate study has not been completed. Our road and easement was not intended for the use of a new church or school on the city side. It seems appropriate you could authorize a new road be built in city jurisdiction. According to the Seph we just read the church plans to add almost 400 more automobiles using OUR private road more than once a day because the church has morning and night services on Sundays and during the weekend every evening. School activities, ball games, teenagers driving, special events all add increased traffic not just for our lane but for Strong road. Question: When did the zoning change to allow for a high school in an area without a major arterial or main thoroughfare and in a residential community?

4. According to city rules, all owners within 400 feet must receive adequate notice of hearing. Failure to properly notify affected neighbors constitutes a violation of their due process of law.

Although our neighbors were sent notice of the CU application we DID NOT get one and we live right next door to the church in question and own the private Nettleton Lane road parcel indicated in the revised copy of B1004123 in city files. We were never consulted or asked about expanding our private road or placing pipes under said road. Nettleton Lane is in the Spokane County and not city. The city lacks jurisdiction to authorize changes or improvements to our Private Road. Of course they have the option to put in their own road on the city side. On Nettleton Lane they are land locked.

5. Liability is an issue for us since it is our private property that is used for a road and there are no plans for fencing of the school that we can

see in any document for safety of the children during school hours or after school activities. We have had issues with the church of parking on our property at 2 or 3 in the morning scaring Mrs. Linder when taking the dog out at night. The school administrator warned Mrs. Linder not to approach the cars. This has happened numerous times. **Liability is a huge concern.**

6. To force changes on private property is in effect a taking of property rights from an owner by a governmental agency. To do so without affording the property owner their due process rights is a violation of the owners' constitutional rights under which both the United States and Washington State have declared illegal. To further do so without adequate notice is a second constitutional violation both at the federal and state level. If the City of Spokane makes a determination without due process, it has already been litigated at the Washington State Supreme Court that the appellate process cannot be utilized to afford a citizen their due process rights. Therefore, the City of Spokane must suspend any approval of the Slavic Baptist Church's permits until the due process rights have been granted..

We are required by law to follow rules. We ask that the Church and new School be held to the same standards. We are concerned about our quiet farm life being replaced with a lot of noise and increased traffic. More than anything we are concerned about the land being flooded and the wildlife that has already been impacted by this change. We used to have hundreds of birds in 1999 when we moved here. Pheasants nested in our field and across the street in Mr. Farmers fields. Abundant Quail, hawks, owls, robins, Ravens and Crows, deer, raccoons pass through our place, coyotes howl at night,. In the fall the geese fly in to graze on Mr. Saunders place after harvest, cranes have been here for the past month. There used to be hundreds of the kildere and the impact to this lovely bird is significant since the construction and activity of children around their habitat. Many of the birds were stomped or thrown by children who didn't seem to understand that birds and their new life were not toys.. We are down to possibly 20 pairs if that who return. We feed the birds so we know. We also reported to the grounds keeper for the church of these activities and he did speak with the children. Our field has just been worked and planting will begin as soon as the ground is ready. More concrete on the Prairie means less area for planting and wildlife to run. We have fewer deer with the construction events.

Our opinions could change when our concerns are addressed and adjustments made by the church and city to problem solve with us and all our neighbors in good faith.

Sincerely,

Ronald D. and Nani Linder
8811 N Nettleton Lane
Spokane Wa 99208509-467-7714

April 2, 2013

City of Spokane
Planning and Development Department
808 West Spokane Falls Boulevard
Spokane, WA 99201-3329

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APR 03 2013

PLANNING & DEVELOPMENT SERVICES

ATTN: Marla Powers, Assistant Planner

RE: Request for public comments, Spokane Slavic Baptist Church
File #Z1200032-CUP2

My wife and I live at 2403 W. Strong Road. Our home is across Strong Road from the entrance to the Spokane Slavic Baptist Church. The church has applied for a permit to build an additional 46,000 square foot building that will be used as a church and school. The church already has approximately a 10,000 square foot building and two other buildings being used as church and school facilities.

Our main concern is not with the building of a new church, but that it is done correctly to minimize the impact on the surrounding neighbors and community in general. To that end, we have reviewed the E.I.S. that was submitted on the part of the church for this proposed project. We have several concerns both with what is said and what isn't said.

One of our concerns is with the sewer service to the new building and how that sewer service will be obtained. On the E.I.S., it is stated in at least two places that sewer will be extended from Strong Road up Nettleton Lane. There is no sewer on Strong Road at the intersection with Nettleton Lane. The closest sewer to Nettleton Lane is approximately 400 yards east at Nettleton Court. No where in the E.I.S. does it mention running the sewer down Strong Road from Nettleton Court to the intersection with Nettleton Lane. This will be an expensive and major project impacting the city and our neighborhood. It also begs many questions. Who will pay for this? Most of the neighbors are on septic systems and don't want to be connected to sewer. Will we have to pay for the sewer that will benefit the church? Will we be forced to hookup to the sewer if it is installed on Strong Road in front of our homes? If Strong Road is excavated to install sewer, will it be reconstructed to City standards with curbs and sidewalks? Again, who will pay for this? Will we neighbors and the taxpayers of our city have to pay for something to benefit this church? None of this is addressed in the E.I.S. This is a major concern for us and our neighbors and should be of concern to the City.

In the E.I.S., the church indicates they are going to improve the existing Nettleton Lane. The problem is the church does not own Nettleton Lane. It is owned by the other property owners who access their homes from Nettleton Lane. They

have told me that they will not allow the church to do anything with the lane, which is located in the County. They tell me the County will not allow the church to use the existing lane to access the new proposed building.

Church officials have told the owners of Nettleton Lane that they are going to build a new access road from Strong Road to the new church building, approximately 30 feet east of the exiting lane. There is no mention of this in the E.I.S. They have already constructed a dirt and gravel road on that location which they have used to haul fill-dirt to the new church site.

If they do construct a new road, to what standards will it have to be built? We are concerned primarily with surface water runoff, which will naturally flow south down any new road, across Strong Road and into our property. This has already happened this winter. None of this is addressed in the E.I.S.

Under Section 8, paragraph 6, the E.I.S. states that there is no agricultural use on surrounding property. However, just north of the property in question, there is a wheat field which is currently planted in winter wheat. There is also a hay field on part of the property just north of the proposed construction site, and a tree farm borders the east side of the proposed construction site.

Under Section 8, paragraph i: How many people would work in the completed project? The answer is "unknown number of people will be involved with the normal church activities." There is no mention of the school activities. This would involve teachers, administrators, and other staff. Their plan is to establish a high school in part of the new building. Surely, the high school will have to have people working in it. They already have a grade school on the existing site with approximately 50 pupils.

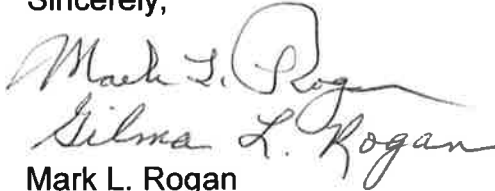
Under Section 14, Transportation, paragraphs a and d, they again say they will modify Nettleton Lane to access Strong Road. As mentioned above, this will not be possible. We are also very curious about what will be done at the intersection of Nettleton Lane and Strong Road. Something has to be done to address the way traffic backs up at this intersection every time there is a church service at the existing facility. Traffic backs up on both Nettleton Lane and Strong Road. This will only become worse with new supersized facilities which will attract more users.

Under Section 14, Transportation, paragraph f, concerning vehicular trips, they are using data from a July 2009 Traffic Distribution Letter. Who knows when the original surveys were conducted or of what quality. This is old data. Because of all the new single family residences constructed on Five Mile Prairie over the past four years, the traffic on Strong Road has increased considerably. The church and school traffic has also increased. They did not operate the school in 2009, so that traffic wasn't accounted for in the Traffic Distribution Letter. The bottom line is that a new legitimate traffic survey needs to be done. The traffic

from the church and school impacts all of the roads on the Prairie and surrounding areas. A prime example is the intersection of Country Homes Boulevard and North Cedar Road when cars are coming and going from the church.

We feel the City needs to take a really close look at the proposed project. And, because there are so many inconsistencies in the current E.I.S., we feel a new, up-to-date E.I.S. should be completed.

Sincerely,

Handwritten signatures of Mark L. Rogan and Gilma L. Rogan. The signature of Mark L. Rogan is written in cursive and is positioned above the signature of Gilma L. Rogan, which is also in cursive.

Mark L. Rogan
Gilma L. Rogan

2403 West Strong Road
Spokane, WA 99208

Mailing address:
PO Box 18559
Spokane, WA 99218

April 2, 2013

To: Marla Powers, Assistant City Planner; Scott Chesney, City Planning & Development

From: Jody Treffry, 2319 W. Strong Rd, Five Mile Prairie Neighbor

Re: File #Z1200032-CUP2

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PLANNING & DEVELOPMENT SERVICES

As a neighbor living approximately 100 yards from the entrance road (Nettleton Lane) to the Slavic Baptist Church, I have huge concerns about its expansion. When the Church first applied for permits to build its original structure, the application stated it would be an approximately 160-member church. In reality, it is more than 10 times that size (1600+ members). Due to the actual number of members in attendance (based on the number of cars entering and exiting), the result is multiple sermons during every day of the week. Every Sunday there appear to be at least 5 different sermons which have resulted in a continuous stream of traffic from approximately 10 am to 9 pm. During the week, there appear to be services from 7 pm until 10 pm nightly, with the exception of Saturdays, during which time there are special events such as weddings or funerals. There does not appear to be a clear number given in the new application as to the projected Church/school membership—only the number of additional parking stalls.

The largest impact to the streets and roads involves the area of Strong Road between Country Homes Blvd & Cedar to Five Mile Road. Strong Road is a 40+ year-old two-lane country road that has never been expanded or repaved. It has been patched over and over again, but is caving away and is akin to driving on a roller coaster. There are no sidewalks or bike paths. With the Church and school members currently walking from the site to nearby Sky Prairie Park, this creates huge pedestrian safety concerns. Strong Road has never been included on any State or Federal Grant Funding for road improvements and may never be. However, with the majority of the vehicle trips coming from the current Slavic Baptist Church, increasing the site usage could result in 3 or 4 times the traffic. Since churches are exempt from taxation, if a Bond issue were needed for Strong Road improvements, the source would come from private citizens in that district—not from the Church itself that created the need.

A current traffic study needs to be completed during peak hours of operation, i.e., Sundays and weekday evenings. A Trip Counter needs to be placed on Nettleton Road (the entrance road to the Church) near the intersection of Nettleton & Strong Road. There are times on Sundays and weeknights when I have to wait from 5 to 10 minutes to back out of my driveway due to traffic congestion in front of my house. During church peak hours, the backup of traffic at the bottom of Cedar @ Country Homes Blvd. is tremendous. Even with the increased residential population of Five Mile Prairie in general over the last 10 years, there has already been a need for a traffic signal or roundabout at that intersection. To add hundreds of vehicles per day to that would most definitely result in traffic failure at that intersection.

A major concern about this project is the need for additional public services, i.e. fire/police/emergency, transportation, etc, as stated in the 2010 SEPA. Since churches are exempt from taxation, citizens living in that jurisdiction would be responsible for paying the taxes to add these increased services. Based on the number of vehicles entering and leaving Five Mile Prairie during the Church services, it appears the majority of these members do not even reside on the Prairie. Also, the addition of City Sewer service to the church would result in surrounding neighbors along Strong Road & Nettleton (currently operating with on-site septic systems) being mandated to hook into the sewer at their own expense. In addition, to say this completed project will not have an impact on noise or increased glare is inaccurate. Currently, the neighbors not only near the intersection of Strong & Nettleton Lane, but the ones living along Nettleton Court to Sky Prairie Park are affected by the Church member vehicles' noise and headlights.

I also believe a more current SEPA should be completed—not the original one done in April 2010. Since that time, the Church property has been excavated and regraded, which appears to have compromised the on-site natural drainage way. The 2010 study states 38% percent of the site is to be covered with impervious surfaces. Based on the proposed new Church facility and school, with the additional paved parking, I would argue the percent would be closer to 70%. In that case, the proposed stormwater drainage plan would not suffice. Currently, the closest homeowner to the south of the Church is having major issues with basement flooding and site erosion. The proposed *unlined* evaporation pond will not contain the amount of stormwater created by the larger amount of impervious surfaces, since it already has failed to do so with the current Church site. To increase the amount of paved and building surfaces three-fold will result in major flooding for the neighbors to the South, including Nettleton Lane itself.

I have lived at my residence since 1993 as the original owner. During that time, I have seen my assessed property value decrease by approximately \$70,000. I have seen my quiet, “country” residence become a busy, noisy, congested “freeway”, basically due to the Church traffic. I dread the thought of trying to sell my house now—let alone once this project is complete. The Comprehensive Plan under the Growth Management Act requires services be in place before expansion or further development occurs, i.e., fire/police/emergency services, transportation, proper streets & pathways, public utilities, and so on. That process appears to have been ignored in the past. Ancient streets, no pedestrian pathways, failing or lack of emergency response, no public transportation—all have been the norm for the past 20+ years. Until recently, the Church had not paid their past-due traffic impact fees from the original development. I would hope the City would request these fees up front if this project is approved. However, I would ask this project be delayed until a current Traffic Study and SEPA can be completed, as well as an updated review of the Comprehensive Plan and the amount/use of traffic impact fees. This application is no small project. It will have a major impact on Five Mile Prairie's future and all of its residents' quality of life, and should not simply be rubber-stamped as a typical application for land use development.

Planning and Development Dept., City of Spokane
Attn: Marla Powers
808 W. Spokane Falls Blvd
Spokane, WA 99201-3329

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APR 03 2013

PLANNING & DEVELOPMENT SERVICES

Charles and Barbara Tappa
2411 W. Strong Rd.
Spokane, WA 99208

3 Apr 2013

Subject: PUBLIC COMMENT ON FILE #Z1200032-CUP2, SLAVIC BAPTIST CHURCH

Dear Ms. Powers,

We would like to voice our two primary concerns regarding the proposed expansion at the Slavic Baptist Church on Five Mile Prairie.

1. Storm Water. In June of 2011 we wrote a letter to the City (attn.: John Halsey) expressing concerns about the construction of a private drive to the church 20 yards east of Nettleton and parallel to it. The City did not reply to us and the road was built without any community discussion. Storm water now flows across Strong Road from the Church property to the south shoulder. During one storm the water erosion dug out a 10-inch deep trench and deposited all the silt and muck in our driveway.

Has the City studied the storm water issue? It is evident to me that the City did NOT study it before granting construction of the new private drive. Storm water off the roof of 46,233 square feet of roof and a large parking lot has to go somewhere. Can you assure me it won't be in my front yard and that it won't flood my basement?

A related concern: if the construction raises the water table on my property will it render my septic system unusable? If it does, who will pay to connect us to the sewer system?

2. Traffic impact. Has the City done a thorough evaluation of the traffic impact? At present, there are times of the day, primarily Wednesdays, Saturdays, and Sunday, where it is difficult to leave our driveway because of the bumper-to-bumper traffic. Additionally, I leave for work about 7:50 am Monday through Friday and the church school must start at 8. As this is not a "community" church, there is a higher than normal ratio of parent driven students. This makes it more difficult to leave my driveway every morning.

The sheer size of this new development indicates the church is planning to grow. So, logically the existing traffic problem will only get worse.

What traffic-calming initiatives will accompany this development? I strongly recommend turn lanes, sidewalks, and bicycle lanes similar to the improvements on Five Mile Road.

Ms. Powers, we thank you heartily for your willingness to meet with the neighbors of the Slavic Baptist Church to provide us with information about this proposal and listen to our concerns. Unfortunately I (Charles) will be out of town but Barbara will be in attendance. If you have any questions post-meeting please do not hesitate to call.

Sincerely,



Charles Tappa



Barbara Tappa

Home: 467-3958

Charles office: 777-4499