

Exhibit E

From: [Lisa Key](#)
To: [Luke Michels](#); [Todd Whipple](#); [Kathy Cummings](#)
Cc: [Ryan Andrade](#); [Save](#); [Casey Mason](#)
Subject: RE: G241121 Legacy Ridge Phase F
Date: Monday, December 30, 2024 9:55:00 AM
Attachments: [image002.png](#)
[image004.png](#)
[image007.png](#)
[image008.png](#)
[Legacy Ridge Preliminary Plat Slope Exhibit.pdf](#)
[Minor Modification Plat Exhibit.pdf](#)

Todd-

The original preliminary plat approved by the hearing examiner did not show roads being constructed in the 30% slope area. If you review the hearing examiner's finding number 1, you will see that the finding regarding the steep slopes and erodible soils was made "as designed and conditioned" (last paragraph, page 4 of the HE Decision).

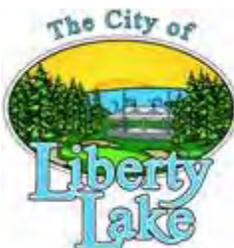
Your Minor Modification application showed roadways only having a very minor impact to the 30% slope. Budinger's Geohazard Evaluation dated 12/23/2024 is showing substantial grading --cut, fill and blasting on the 30% slope area, as well as severe erosion potential.

The change in plans and the additional information you have provided is what is triggering the requirement to do the reasonable use exception. The 30% slope areas are classified as a geologically hazardous area. You will need to show that the alterations to the 30% slope are the minimum necessary to allow reasonable use of the property.

Lisa D. Key

City of Liberty Lake

Director of Planning & Engineering



22710 E. Country Vista Drive
Liberty Lake, WA 99019
(509) 755-6708

Website: www.libertylakewa.gov

From: Luke Michels <lmichels@libertylakewa.gov>

Sent: Tuesday, December 24, 2024 1:13 PM

To: Todd Whipple <toddw@whipplece.com>; Kathy Cummings <kcummings@libertylakewa.gov>

Cc: Ryan Andrade <randrade@whipplece.com>; Save <save@whipplece.com>; Casey Mason <caseym@legacylw.com>; Lisa Key <LKey@libertylakewa.gov>
Subject: RE: G241121 Legacy Ridge Phase F

Hi Todd,

I will discuss this with Lisa next week and one of us will get back to you.

The reason I believe that the reasonable use exception is required is that the entire western portion of the proposed development (portion included in Budinger's most recent geo-hazard evaluation) was not included on the preliminary plat. I believe that portion of the development was only added this year with the lot modification.

Thanks,

Luke Michels, P.E.

City of Liberty Lake
City Engineer



22710 E. Country Vista Drive
Liberty Lake, WA 99019
Cell: (509) 280-7796
Office: (509) 755-6727

From: Todd Whipple <toddw@whipplece.com>
Sent: Tuesday, December 24, 2024 11:51 AM
To: Luke Michels <lmichels@libertylakewa.gov>; Kathy Cummings <kcummings@libertylakewa.gov>
Cc: Ryan Andrade <randrade@whipplece.com>; Save <save@whipplece.com>; Casey Mason <caseym@legacylw.com>; Lisa Key <LKey@libertylakewa.gov>
Subject: RE: G241121 Legacy Ridge Phase F

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Luke,

As an approved preliminary plat with documentation that definitely deals with

the steep slopes over 30% as they were considered by the Hearing Examiner in his decision as well as the documentation that was presented by Parametrix/Taylor and accepted by the City of Liberty Lake, we do not believe that a Reasonable Use Exception should be required.

See Findings, Conclusions and Decision item No. 13, which deals with 10-6B-5. If a reasonable use exception would have been required, Staff would have noted that in the staff report and it would have then been required by the HE. The vetting of the project site during the preliminary plat process is a process that is greater than the reasonable use exception process, therefore, it should invalidate your request.

Sincerely,
Whipple Consulting Engineers, Inc.

Todd R. Whipple, PE
President

toddw@whipplece.com

[Whipple Consulting Engineers, Inc.](#)

Phone: 509.893.2617 | Fax: 509.926.0227



From: Luke Michels <lmichels@libertylakewa.gov>

Sent: Tuesday, December 24, 2024 11:02 AM

To: Todd Whipple <toddw@whipplece.com>; Kathy Cummings <kcummings@libertylakewa.gov>

Cc: Ryan Andrade <randrade@whipplece.com>; Save <save@whipplece.com>; Casey Mason <caseym@legacylw.com>; Lisa Key <LKey@libertylakewa.gov>

Subject: RE: G241121 Legacy Ridge Phase F

Thank you Todd,

If you would like the City to consider a reasonable use exception for this development, we will also need a letter requesting the exception with a justification. Section 10-6B-2(B) of the development code goes over the reasonable use exception. There is a fee of \$125/hour for staff time to review and make the determination.

Let me know if you have any questions. Lisa will back next week, and she knows much more about this process than myself.

Hope everyone has a great Christmas!!

Luke Michels, P.E.

City of Liberty Lake

City Engineer



22710 E. Country Vista Drive

Liberty Lake, WA 99019

Cell: (509) 280-7796

Office: (509) 755-6727

From: Todd Whipple <toddw@whipplece.com>

Sent: Tuesday, December 24, 2024 8:31 AM

To: Luke Michels <lmichels@libertylakewa.gov>; Kathy Cummings <kcummings@libertylakewa.gov>

Cc: Ryan Andrade <randrade@whipplece.com>; Save <save@whipplece.com>; Casey Mason <caseym@legacylw.com>

Subject: FW: G241121 Legacy Ridge Phase F

Luke,

Greetings, here is that geohazard evaluation for Legacy F.

Please review and let us know if you have any additional questions.

Sincerely,
Whipple Consulting Engineers, Inc.

Todd R. Whipple, PE
President

toddw@whipplece.com

[Whipple Consulting Engineers, Inc.](#)

Phone: 509.893.2617 | Fax: 509.926.0227



From: Rikki Andrews <randrews@budingerinc.com>

Sent: Monday, December 23, 2024 5:07 PM

To: Casey Mason <caseym@legacylw.com>; 'sakinney@me.com' <sakinney@me.com>; Todd Whipple <toddw@whipplece.com>

Cc: Jason Pritzl <jpritzl@budingerinc.com>; John Finnegan <jfinnegan@budingerinc.com>

Subject: G241121 Legacy Ridge Phase F

Hey, Casey, Mike, and Todd.

Please find the attached report. If you have any questions, please let me know.

Thanks, all. Merry Christmas.

Rikki Andrews

Project Coordinator

Budinger & Associates, Inc.

1101 N. Fancher Rd.

Spokane Valley, WA 99212

Office: 509.535.8841 **Mobile:** 509.981.2913 **Direct:** 509.425.4961



Budinger
& Associates

Proudly Serving the Inland Northwest Since 1976

Construction Materials Testing & Special Inspection
Geotechnical Engineering
Environmental Engineering
Subsurface Exploration
Specialty Geotechnical Construction