EXHIBIT D
APPLICATIONS
EXHIBIT 1: CUP APPLICATION FORM

CITY OF MUKILTEO

11930 Cypress Way Mukilteo, WA 98275
Fax (425) 212-2906

Land Use Permit Application

| Applicant: American Tower LLC, an American Tower Corporation | Owner: Richard & Anne Marie Farley |
| Phone: | Address: 2605 Mukilteo Speedway |
| 10 Presidential Way | Mukilteo, WA 98275 |
| Key Contact Person: Sunny Ausink Glatel, Inc. | Phone: (425) 750-3108 |

| Project Address: 2605 Mukilteo Speedway, Mukilteo, WA 98275 |
| Legal Description of Property: please refer to attached site plan for full legal description |

| Project Type: | Commercial | Preliminary Subdivision* |
| Multi-Family | Final Subdivision* |
| Industrial | Preliminary Short Plat* |
| Shoreline (JARPA) | Final Short Plat* |
| Conditional Use* | Sector Plan Amendment |
| Variance* | Waterfront Development |
| Single Family Residence | Project Rezone |
| Other, Specify |

* Need to fill out supplemental application form with project.

Project Resume:

| Existing Use: Residential Property | Proposed Use: Wireless Communications Facility |
| Total Site Area: 1 acre | Water District: Not known |
| Building Foot Print Area: 366 sq feet | Sewer District: Not known |
| Lot Coverage: | # of Proposed Units: Not Applicable |
| No. of Parking Stalls Provided: N/A | Building Height: |
| Comp Plan Designation: Residential | Zoning: RD7.5 Residential |

Gross Floor Area by Uses: 

Electric Vehicle Charging Units Provided: Yes _ No _ If Yes, How Many: 

Solar Panels being installed: Yes _ No _ If Yes, How Many: 

Pre-application Meeting Held: (Y/N; date) April 7, 2014

The information given is said to be true under the penalty of perjury by the laws of the State of Washington.

Applicant/Authorized Agent Signature: [Signature] 5/21/2014

Owners Signature: [Signature] 4/25/2014
EXHIBIT 2: CUP SUPPLEMENTAL FORM

CITY OF MUKILTEO

11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000

Conditional Use Permit
Supplemental Application Form

Date: ____________________ Application Number: ____________________

Fee Received: $ ____________ ☐ Cash ☐ Check ☐ Other Receipt #: ____________________

APPLICANT/OWNER INFORMATION

Applicant: American Tower LLC, dba American Tower Corporation

Address: 10 Presidential Way

Waltham, MA 02451

Phone:(Home) ____________________

(Office) ____________________

(Fax) ____________________

Legal Property
Owner(s): Richard & Anne Marie Farley

Address: 2605 Mukilteo Speedway

Mukilteo, WA 98275

Phone:(Home) (425) 750-3108

(Office) ____________________

(Fax) ____________________

Applicant is: ☐ Owner in fee simple ☐ Contract purchaser ☑ Agent for Owner

PRIMARY CONTACT PERSON

Name: Sunny Ausink/ Glotel, Inc.

Address: 15400 SE 30th Place #101

Bellevue, WA 98007

Phone:(Home) ____________________

(Office) 206-446-0446/ sausink@glotelus.com

(Fax) ____________________

PROPERTY/LOT INFORMATION

Legal Description of property (attach): ____________________

Assessor’s Tax Account Number: 005911-00000801

Location/Street Address of Property: 2605 Mukilteo Speedway, Mukilteo, WA 98275

Zoning District: RD7.5 Residential

Comprehensive Plan Designation: Residential

Lot Area (Square Feet): 1 acre
BUILDING INFORMATION

Area of all Existing Building(s) (Square Feet):

Area of all Proposed Building(s) (Square Feet):

Area of all Proposed Additions:

CONDITIONAL USE REQUEST INFORMATION

Cite Code Section for Which Conditional Use is Being Requested: 17.16.010 et seq.

NARRATIVE EXPLANATION OF REQUEST: Please submit a written detailed explanation of the purpose of the request and discuss how the Conditional Use Permit application meets the criteria for approval and the project's relationship to current plans, policies, and regulations. Refer to the Conditional Use Permit brochure for the criteria.

REQUIRED SIGNATURES

THE INFORMATION GIVEN IS SAID TO BE TRUE UNDER THE PENALTY OF PERJURY BY THE LAWS OF THE STATE OF WASHINGTON.

Applicant/Authorized Agent

Legal Property Owner*

Legal Property Owner*

* NOTE: If legal owner is a corporation or partnership, proof of ability to sign for the corporation or partnership shall be submitted to the City of Mukilteo with this application.
Application Type - Mark all those that apply:

[ ] Clearing & Grading (Land Surface Modification)  [ ] Right-of-Way  [ ] Stormwater

**General Permit Information:**

**PROJECT NAME:** WCF at 2605 Mukilteo Speedway

**PROJECT ADDRESS:** 2605 Mukilteo Speedway Mukilteo, WA 98275

**CONTRACTOR**

[ ] Applicant

Name: TBD

Address

City/State/Zip ____________________________ FAX ____________________________

24 Hour Phone ____________________________ FAX ____________________________

State License # ____________________________

Mukilteo License # ____________________________

**PROPERTY OWNER**

[ ] Applicant

Name: Richard Kirk and Annemarie Farley

Address: 2605 Mukilteo Speedway

City/State/Zip Mukilteo, WA 98275

Phone (425) 750-3108  FAX

E-mail Address

**LEGAL DESCRIPTION**

Attached

**PROJECT DESCRIPTION**

Construction of an unmanned telecommunications facility consisting of a 125' monopine inside a new 50x50 lease area

**TOTAL SITE AREA (SQ. FEET)**

2,500

**IMPERVIOUS AREA** (See pg. 2 calculations sheet)

EXISTING 4,028.1

REMOVE none

REPLACED none

TOTAL IMPERVIOUS 4,397.6

**PARCEL NUMBER(S)**

005911-00000801

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Clearing & Grading (Land Surface Modifications):
EXHIBIT "A"
LEGAL DESCRIPTION

That portion of Tract 37, WEST AND WHEELER'S SEA VIEW 5 ACRE TRACTS, according to the plat thereof recorded in Volume 7 of Plats, Page(s) 12-13, records of Snohomish County, Washington and that portion of Tract 8, SUNNYSIDE LAND COMPANY'S FIRST PLAT OF SOUTH EVERETT, according to the plat thereof recorded in Volume 6 of Plats, Page(s) 4, records of Snohomish County, Washington and that portion of the vacated 50 foot right of way vacated by Ordinance No. 73, all in records of Snohomish County, Washington, lying Southwesterly of State Highway No. 1-1 (SR 525) described as follows:

Beginning at the intersection of the West line of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 9, Township 28 North, Range 4 East, W.M., with the Southeasterly margin of said State Highway No. 1-1;
THENCE South 52°11'32" East along said Margin for a distance of 200.3 feet to the True Point of Beginning;
THENCE continuing South 52°11'32" East along said Margin a distance of 208.54 feet;
THENCE South 51°58'06" East a distance of 39.00 feet;
THENCE leaving said Southwesterly margin South 37°48'28" West a distance of 217.16 feet;
THENCE North 57°56'47" West a distance of 268.07 feet to the center point of said Section 9 said Point being marked with a 1 ½" iron pipe;
THENCE South 89°55'43" East along the East West centerline of said Section 9 a distance of 15.00 feet;
THENCE leaving said Centerline North 00°55'12" East a distance of 21.63 feet;
THENCE North 35°22'58" East a distance of 135.58 feet;
THENCE North 54°08'28" East a distance of 85.50 feet to the Southwesterly margin of State Highway No. 1-1 and the True Point of Beginning;

(ALSO KNOWN AS Parcel B of Boundary Line Adjustment recorded under Snohomish County Recording No(s). 200107095001).

Situate in the County of Snohomish, State of Washington,
Clearing & Grading (Land Surface Modifications):

Total area of land surface modification: __2,500 sq ft___

Type & amount of vegetation to be removed:

☑️ Evergreen Trees: __3___  ☑️ Deciduous Trees: __2___
☐ Shrubs / Lawn: ___________
☐ Other: ___________

Method of land disturbance: ☐ Hand Clearing  ☑️ Machine

Amount of Cubic Yards Outside of the Building Footprint to be:

☑️ Re-Graded on Site: __115___  ☐ Exported: __0___
☐ Imported to Site: __0___  ☐ Other: ___________

Destination of Exported Material: __N/A___

Maximum Height of Fill: __2'___  Maximum Depth of Cut: __2'___

Square Footage of Area to be Covered by Impervious Surface: __3,109.5 sq ft___

Identify any stream, surface water, drainage course, or wetlands on or within 200 feet of the property:

____________________________________________________________________

Right-of-Way:

Type of work being performed in City right-of-way:

☐ Stormwater  ☐ Frontage Improvements  ☐ Driveway:
☐ Natural Gas  ☐ Sewer  ☐ Water
☐ Telephone  ☐ Power  ☐ Cable
☐ Other: ___________
Stormwater:

Complete the Stormwater Management Requirement Checklist below:

**IMPERVIOUS SURFACE CALCULATION**

Impervious surface is a hard surface area that either prevents or retards the entry of water into the soil. The footprint of structures, sidewalks, concrete, asphalt and compact gravel areas are an impervious surface.

The total square footage of impervious surface on your project site will determine the storm water management requirements and the storm water utility fees. Impervious surface calculations must include all the impervious areas on your project site.

Provide detailed information about your project on the following table. Enter 0 in the sections that are not applicable to your project.

<table>
<thead>
<tr>
<th>EXISTING</th>
<th>AREA (SQUARE FEET)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure</td>
<td>13,008</td>
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<tr>
<td>Garage</td>
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<tr>
<td>Sidewalks</td>
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<td>Porch</td>
<td></td>
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<td>Gravel Drive/Parking</td>
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<tr>
<td>Concrete or Asphalt Paving</td>
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<tr>
<td>Previous Paving*</td>
<td></td>
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<tr>
<td>Others</td>
<td></td>
</tr>
<tr>
<td><strong>Total Existing Impervious Surface</strong></td>
<td><strong>40,281.1</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>PROPOSING</th>
<th>AREA (S.F.)</th>
<th>AREA (S.F.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure</td>
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<tr>
<td>Garage</td>
<td></td>
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<td>Sidewalks</td>
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<td>Porch</td>
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<td></td>
<td></td>
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<tr>
<td>Others</td>
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<tr>
<td><strong>SUBTOTAL</strong></td>
<td><strong>3,695</strong></td>
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</tr>
<tr>
<td><strong>TOTAL NEW OR REPLACED IMPERVIOUS SURFACE</strong></td>
<td><strong>3,695</strong></td>
<td></td>
</tr>
</tbody>
</table>

*Previous paving is an engineered parking product that allows water to pass freely to the ground. It is suitable only in certain situations.

**STORM WATER MANAGEMENT REQUIREMENT DETERMINATION**

Follow the diagram using information from your impervious surface calculation. Your answers will determine the storm water management requirements list you will use.

Is the total new or replaced impervious surface equal to or less than 5,000 square feet?

**NO**

Address the requirements of STORM WATER MANAGEMENT REQUIREMENTS LIST H

Does the project contain more than 2,900 square feet of new impervious area?

**NO**

Address the requirements of STORM WATER MANAGEMENT REQUIREMENTS LIST I

Is your project less than 125 square feet of replaced or new impervious area AND less than 0.005 acres of land disturbed?

**YES**

NO STORMWATER PERMIT REQUIRED

**NO**

Is this a single-family residence?

**YES**

Address the requirements of STORM WATER MANAGEMENT REQUIREMENTS LIST I

**NO**

Address the requirements of STORM WATER MANAGEMENT REQUIREMENTS LIST H

**65**
Anticipated Start Date: ____________________ Anticipated Completion Date: ____________________

A Department of Ecology NPDES Permit is required for all projects of an acre or larger. Will your project require such a permit?  □ Yes  ❌ No

A Forest Practice Permit is required for all projects removing and selling timber from the property site. Will your project require such a permit?  □ Yes  ❌ No

A Hydraulic Permit from the Department of Fish and Wildlife and / or a CORP Permit from the Corp of Engineers are required for all fill or work within, over, or under a stream or wetland. Will your project require such a permit?  □ Yes  ❌ No

All State and / or Federal Permits shall be obtained and a copy provided to the City of Mukilteo prior to issuance of the City of Mukilteo Engineering Permit.

Construction shall be in accordance with the current APWA/WSDOT standard specifications; except as specifically superseded by the approved plans or special conditions of the permit. The following conditions or restrictions must be followed:

Should any damage be done to the road(s) during the time of construction and installation or in the maintenance and/or operation of said FACILITIES, the road(s) shall be restored by the Permittee(s), their successors or assigns, to as good a condition as it was before such damage occurred. Should the grade, width or location of the road(s) be changed or altered in any way so as to require the removal of said FACILITIES the Permittee(s), their successors or assigns, shall forthwith move and relocate said FACILITIES without any redress against the City.

The permittee shall indemnify, defend and hold harmless the City, its officers, agents and employees, from and against any and all claims, losses or liability, including attorneys fees, arising from injury or death to persons or damage to property occasioned by the construction, installation, operation, location, maintenance, or any other cause related to the improvement for which this permit is granted. With respect to this permit and as to claims against the City, its officers, agents and employees, the permittee expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to any employees the permittee may have, and agrees that the obligation to indemnify, defend and hold harmless provided for in this paragraph extend to any claim brought by or on behalf of any employee of the permittee. This waiver has been mutually negotiated by the parties as part of the permitting process and is given, as is the indemnification agreement contained within this paragraph, as consideration for issuance of a right-of-way use permit by the City. This paragraph shall not apply to any damage or injury resulting from the sole negligence of the City, its agents or employees. To the extent any of the damages or injuries referenced by this paragraph were caused by or resulted from the concurrent negligence of the City, its agents or employees, this obligation to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the permittee, its officers, agents or employees, if any.
The acceptance of the conditions upon which this permit is granted shall be evidenced by the beginning of the installation of said FACILITIES as set forth herein.

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS PERMIT APPLICATION IN ITS ENTIRETY AND KNOW THE SAME TO BE TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL CONDITIONS, CITY ORDINANCES AND STATE / FEDERAL LAWS REGULATING ACTIVITIES COVERED BY THIS PERMIT APPLICATION. I ALSO ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO MAINTAIN PUBLIC STREET FREE OF DIRT AND DEBRIS.

[Signature]

10/10/2014

Date
ENGINEERING APPLICATION CHECKLIST

Provide the following information as part of your submittal:

☑ Scaled drawings
☑ Impervious surface calculation
☐ Storm water management requirement determination
☐ Storm water site plan and/or erosion control plan as stated on the applicable requirements list I, II, or III
☑ Storm water management and erosion control acknowledgement form
☑ Attach a copy of General Construction Stormwater Pollution Prevention Plan (SWPPP) to site plan
SWPPP NARRATIVE

AMERICAN TOWER

281865

75TH ST SW & 46TH AVE W

SN4931

Prepared: October 2, 2014

DCI Project: 99604.155

Duncanson Company, Inc.

145 SW 155th Street, Suite 102
Seattle, Washington 98166
(206) 244-4141
Minimum Requirement 2—SWPPP Narrative

Stormwater Pollution Prevention Elements

A Stormwater Pollution Prevention Plan (CSWPPP), including appropriate Elements 1-12, is presented below. Less than 1 acre of area will be disturbed.

- **Element #1 – Preserve Vegetation/Mark Clearing Limits**
  Clearing limits are shown on the plan and shall be marked in the field by orange safety fence or with orange silt fence.
  - BMP C101: Preserving Natural Vegetation
  - BMP C102: Buffer Zones
  - BMP C103: High Visibility Plastic or Metal Fence

- **Element #2 – Establish Construction Access**
  A stabilized construction entrance is shown on the plans.
  - BMP C105: Stabilized Construction Entrance
  - BMP C107: Construction Road/Parking Area Stabilization
  Note: Existing driveway to be used as construction entrance and parking.

- **Element #3 – Control Flow Rates**
  Due to project size and flow rate changes of less than 0.1 cfs there will be no flow rate controls needed.

- **Element #4 – Install Sediment Controls**
  Sediment control shall be installed prior to earthwork activities and shall be maintained in place until the site has reached final stabilization.
  - BMP C233: Silt Fence

- **Element #5 – Stabilize Soils**
  Exposed and unworked soils shall be stabilized with the application of effective BMPs to prevent erosion throughout the life of the project. No soils shall remain exposed and unworked for more than 7 days during the dry season (May 1 to September 30) and 2 days during the wet season (October 1 to April 30). Regardless of the time of year, all soils shall be stabilized at the end of the shift before a holiday or weekend if needed based on weather forecasts. The relevant BMPs for stabilizing soils include:
  - BMP C120: Temporary & Permanent Seeding
  - BMP C121: Mulching
  - BMP C123: Plastic Covering

- **Element #6 – Protect Slopes**
  All cut and fill slopes shall be constructed and protected in a manner that minimizes erosion.
  - BMP C121: Mulching
• **Element #7 – Protect Drain Inlets**
  There are no storm drain inlets at or near this site location.

• **Element #8 – Stabilize Channels and Outlets**
  There are no storm drain channels at or near this site location.

• **Element #9 – Control Pollutants**
  All pollutants, including waste materials and project debris, that occur onsite during construction shall be handled and disposed of in a manner that does not cause contamination of stormwater. Good housekeeping and preventative measures shall be taken to ensure that the site will be kept clean, well organized, and free of debris. The relevant BMPs for controlling pollutants include:
  - BMP C151: Concrete Handling
  - Source Control BMPs discussed below

  If required, BMPs to be implemented to control specific sources of pollutants are discussed below.

  Vehicles, construction equipment and/or petroleum product storage/dispensing:
  - Maintain spill cleanup kit on-site.
  - All vehicles, equipment and petroleum product storage/dispensing areas shall be inspected regularly to detect any leaks or spills and to identify maintenance needs to prevent leaks or spills.
  - No on-site fueling tanks and petroleum product storage are anticipated.
  - Spill prevention measures, such as drip pans, shall be used when conducting maintenance and repair of vehicles or equipment.
  - In order to perform emergency repairs on site, place temporary plastic beneath and, if raining, over the vehicle.
  - Contaminated surfaces shall be cleaned immediately following any discharge or spill accident.

  Dust control for disturbed land areas and unpaved parking lots:
  - Sprinkle or wet down soil or dust with water as long as it does not result in a wastewater discharge.
  - Stabilize traffic areas with rock or hog fuel if needed to control dust.
  - Mulch exposed soils if needed to limit wind borne dust.

• **Element #10 – Control Dewatering**
  If dewatering is necessary, care shall be taken with the discharge water. Pump discharge shall be to a stabilized location followed by sediment retention or other treatment. Examples include discharging to a rock pad or dispersal manifold followed by vegetation, pumping to a temporary sediment trap or pumping into a filter fabric bag.
• Element #11 – Maintain BMP’s
All temporary and permanent erosion and sediment control BMPs shall be maintained and repaired as needed to assure continued performance of their intended function. All temporary erosion and sediment control BMPs shall be removed within 30 days after the final site stabilization is achieved or after the temporary BMPs are no longer needed. Trapped sediment shall be removed or stabilized onsite. Disturbed soil resulting from removal of BMPs or vegetation shall be permanently stabilized.

• Element #12 – Manage the Project
All BMPs shall be inspected, maintained, and repaired as needed to assure continued performance of their intended function. Site inspections shall be conducted by a person who is knowledgeable in the principles and practices of erosion and sediment control.