

Cover Page

Subject: Appeal of Adult Beverage Business License Application Denial
Case Number: BUSL20-0016-Tenor Wines, LLC (d.b.a. Matthews Winery)

List of Documents:

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4. BUSL20-0016 Application Material Submitted for Renewal (pg 26-36)
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Document 1: Applicant Letter of Appeal

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**BEFORE THE OFFICE OF THE
KING COUNTY HEARING EXAMINER**

In re the matter of the Appeal by Tenor Wines,
LLC, d/b/a/ Matthews Winery,

Appellants,

v.

KING COUNTY,

Respondent.

NO. BUSL20-0016

NOTICE AND STATEMENT OF APPEAL
OF ADULT BEVERAGE BUSINESS
LICENSE DENIAL DATED DECEMBER 16,
2021

A. Appellant and Appellant’s Interest and Standing

This appeal is brought by:

Tenor Wines, LLC, d/b/a/ Matthews Winery
16116 140th Ave NE
Woodinville, WA 98072

Tenor Wines, LLC, d/b/a Matthews Winery (“Matthews Winery” or “Appellant”), a Washington limited liability company, is the Applicant for an Adult Beverage Business License that was denied by King County. Matthews Winery brings this appeal to challenge the denial of Adult Beverage Business License, Case # BUSL20-0016 (the “Denial”). The Denial was issued on December 16, 2021, but recited an incorrect appeal period. A revised denial letter was issued on June 23, 2022, with the corrected appeal period. This appeal sets for the Notice of Appeal and the Appeal Statement of Matthews Winery. As the Applicant, Matthews Winery has a legal interest and standing to bring this appeal.

NOTICE AND STATEMENT OF APPEAL OF ADULT
BEVERAGE BUSINESS LICENSE DENIAL DATED
DECEMBER 16, 2021 - 1

CAIRNCROSS & HEMPELMANN, P.S.
ATTORNEYS AT LAW
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
office 206 587 0700 fax 206 587 2308

1 **B. Jurisdiction**

2 This appeal is filed with the King County Hearing Examiner, consistent with the appeal
3 procedures set forth in the Denial and pursuant to KCC 6.74.060 and 20.22.080.

4 **C. Decision Appealed**

5 The decision being appealed is the December 16, 2021, Denial of Adult Beverage
6 Business License, Case # BUSL20-0016, corrected by the June 23, 2022, Appeal Period
7 Correction Notice, issued by King County Department of Local Services, Permitting Division
8 (“Department”), attached hereto as Exhibits A and B.

9 **D. Factual Background and Summary**

10 Matthews Winery has been operating on this site for over 20 years. The winery has
11 maintained all required licensing by the U.S. Alcohol and Tobacco Tax and Trade Bureau
12 (“TTB”) and the Washington State Liquor Control Board (and its successor, the Liquor and
13 Cannabis Board) (“LCB”). King County received notifications and opportunities to object to
14 these licenses; King County did not object to the repeated license approvals for the winery at this
15 site.

16 The winery began as a home-based business off site on or about 1993. In 2000, a building
17 was permitted and constructed on the site to house wine-making operations. All wine-making
18 functions occurred in this building from 2000 to 2010. In 2010, most of the wine-making
19 production was moved to eastern Washington, which eliminated most of the impacts of
20 production to this area and reduced the need to transport grapes from eastern Washington
21 vineyards across the state. A small fermenting and barrel-aging process remains on site as
22 required by the TTB and the LCB.

23 After relocating the majority of production to eastern Washington, the building was
24 utilized primarily as a tasting room, with limited on-site production. Both the TTB and LCB
25 reinspected this new configuration of the site and fully approved the change. King County again
26 had the opportunity to object, but again declined to do so.

1 In 2016, over sixteen years since a winery began operations on this site, the County
2 initiated a study of the winery and brewery industries in the Sammamish Valley in an effort to
3 refine the County Code to reflect the growth of these industries and of the population in this area.
4 To that end, the County and Matthews Winery (as well as many other wineries and breweries)
5 entered into a Settlement Agreement in January 2016. Notably, the Settlement Agreement was
6 not to settle any existing code enforcement action, but to maintain the status quo (i.e., the County
7 would not initiate any code enforcement action if wineries agreed to not increase non-
8 conformance, if any) during the time necessary to complete this study and the time needed for
9 legislative changes to be considered, which is ongoing.

10 The County's initial effort to implement recommendations of the study and to revise its
11 code culminated in Ordinance 19030, adopted in December 2019, which included the new Adult
12 Beverage Business license. Matthews Winery obtained this license in May 2020. Approximately
13 six months later, Matthews Winery received the license renewal for another six months, which
14 was valid through May 2021. After this renewal, Matthews Winery submitted additional
15 documentation to demonstrate the substantial steps and efforts to comply as required by
16 Ordinance 19030. Matthews Winery waited for the third renewal to be approved, but after
17 numerous requests for an update, the Department denied the renewal in December 2021. This
18 denial is the subject of this appeal.

19 In June 2020, the County adopted a moratorium on applications for new or expansion of
20 existing wineries, breweries, and distilleries. This moratorium has been extended through
21 December 2022. Meanwhile, Ordinance 19030 was appealed to the Growth Management
22 Hearings Board, who, on January 3, 2022, invalidated the majority of the new regulations, with
23 the exception of the new licensing provisions. The County appealed that decision, and it is
24 currently before the Court of Appeals.

25 While the Growth Management Hearings Board decision is under appeal, the County
26 began the legislative process of creating and adopting new regulations to satisfy the order of

1 invalidity and update the County code as recommended by the study. That process went to a final
2 hearing before the County Council on June 28, 2022, but was sent back to committee for more
3 work. How the appeal of the Growth Board decision will turn out and what regulations the
4 County will ultimately have in place is unknown at this time.

5 **E. Appeal Issues and Relief Sought**

6 1. Whether the County’s authority to require the Adult Beverage Business License is
7 preempted by RCW 66.08.120, which provides:

8 No municipality or county shall have power **to license the sale of**, or
9 impose an excise tax upon, liquor as defined in this title, **or to license the**
10 **sale or distribution thereof in any manner**; and any power now
11 conferred by law on any municipality or county to license premises which
12 may be licensed under this section, or to impose an excise tax upon liquor,
13 or to license the sale and distribution thereof, as defined in this title, shall
14 be suspended and shall be of no further effect: PROVIDED, That
15 municipalities and counties shall have power to adopt police ordinances
16 and regulations not in conflict with this title or with the regulations made
17 by the board.

18 2. Whether the County erred in issuing the Denial given that KCC 6.74.080 provides:

19 B. For any adult beverage businesses operating under an active
20 Washington state Liquor and Cannabis Board production license issued
21 for their current location before December 31, 2019, and where King
22 County did not object to the location during the Washington state Liquor
23 and Cannabis Board license application process, if all other requirements
24 of this chapter are met, the director shall approve the first adult beverage
25 business license. The first business license shall be valid for six months
26 from the date of issuance. The first business license may be extended, at
no charge to the applicant, for an additional six months, if the director
determines that the business operator has taken substantial steps to
document compliance with K.C.C. Title 21A. Subsequent business
licenses or renewals for such locations shall only be approved by the
director if:

1. The requirements to establish a legal nonconforming use have been met;
 2. The applicant has otherwise established a vested legal nonconforming use;
 3. The director determines that the business operator has taken substantial steps to document compliance with K.C.C. Title 21A;
- or

1 4. If the business has come into conformance with the winery,
2 brewery, distillery facility I, II or III or remote tasting room
3 regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C.
21A.55.110.

4 3. Whether the County erred in issuing the Denial given that KCC Ch. 21A.32 allows a
5 use established in compliance with use and development standards in effect at the time of
6 establishment to be continued so long as the use is not discontinued or expanded in a manner
7 inconsistent with the chapter. The use of the property was in compliance with the use and
8 development standards in effect at the time of establishment, which was confirmed by the
9 County by its various approvals and lack of objection to the LCB licenses since at least 2000.
10 The use has not been discontinued or expanded in violation of KCC Ch. 21A.32.

11 4. Whether the County erred in issuing the Denial given the January 28, 2016 Settlement
12 Agreement and the fact that the County is continuing its consideration of legislative changes
13 affecting wineries, breweries, distilleries, and associated tasting rooms.

14 5. Whether the County erred in issuing the Denial given that the continuing moratorium
15 makes it impossible to satisfy the Adult Beverage Business License requirements.

16 6. Whether the County erred in issuing the Denial given that the Growth Management
17 Hearings Board invalidated the development standards that must be met for the Adult Beverage
18 Business License making it impossible to satisfy those standards.

19 7. Whether the Denial was otherwise unsupported by other provisions of King County
20 Code or state law.

21 Appellant respectfully request that the Hearing Examiner review the evidence and legal
22 arguments regarding the Denial, and to reverse and remand the Denial to the Department for
23 further processing consistent with the final decision of the Hearing Examiner. Specifically,
24 Appellant requests that the Hearing Examiner conclude that (a) the County's authority to require
25 the Adult Beverage Business License is preempted by RCW 66.08.120; and (b) Appellant's use
26 is a legally nonconforming use that may continue so long as it is not impermissibly expanded or

1 discontinued. To the extent the Hearing Examiner determines any current zoning provisions must
2 be complied with, Appellant requests that the Hearing Examiner direct the Department to work
3 with Appellant toward reasonable compliance rather than outright denial.

4 DATED this 14th day of July, 2022.

5 CAIRNCROSS & HEMPELMANN, P.S.

6
7 /s/ Andrew S. Lane

8 Andrew S. Lane, WSBA No. 26514

9 E-mail: alane@cairncross.com

10 524 Second Avenue, Suite 500

11 Seattle, WA 98104-2323

12 Telephone: (206) 587-0700

13 Facsimile: (206) 587-2308

14 Attorneys for Appellants

1 **DECLARATION OF SERVICE**

2 I, Kristi Beckham, am a citizen of the United States, resident of the State of Washington,
3 over the age 18 and hereby state that on this date, I caused to be filed/served a true and correct copy
4 of the foregoing NOTICE AND STATEMENT OF APPEAL OF ADULT BEVERAGE BUSINESS
5 LICENSE DATED DECEMBER 16, 2021, to the Hearing Examiner and all counsel and parties of
6 record at the address and in the manner listed below.

7 OFFICE OF THE HEARING EXAMINER
8 KING COUNTY, WASHINGTON
9 King County Courthouse
10 516 Third Avenue Room 1200
Seattle, Washington 98104
Tel: (206) 477-0860

Via Email:
hearingexaminer@kingcounty.gov
Attn: Jessica Oscoy
Jessica.Oscoy@kingcounty.gov

11 KING COUNTY Department of Local Services
12 Permitting Division
13 *Represented by Warren Claus*
14 919 SW Grady Way, Suite 300
Renton, WA 98057
Tel: (206) 263-3377

Via Email:
wclauss@kingcounty.gov

15 Lena Madden, SDPA
16 KING COUNTY PROSECUTING
17 ATTORNEYS OFFICE
18 516 Third Avenue, Civil Division
Seattle, WA 98104
Tel: 206-263-3643

Via Email:
Lena.Madden@kingcounty.gov

19 I declare under the penalty of perjury under the laws of the State of Washington that the
20 foregoing is true and correct.

21 DATED this 14th day of July, 2022, at Bothell, Washington.

22 */s/ Kristi Beckham*

23 Kristi Beckham, Legal Assistant
24 CAIRNCROSS & HEMPELMANN, P.S.
25 524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: 206-587-0700
Facsimile: (206) 587-2308
26 E-mail: kbeckham@cairncross.com

NOTICE AND STATEMENT OF APPEAL OF ADULT
BEVERAGE BUSINESS LICENSE DENIAL DATED
DECEMBER 16, 2021 - 7

CAIRNCROSS & HEMPELMANN, P.S.
ATTORNEYS AT LAW
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
office 206 587 0700 fax 206 587 2308

EXHIBIT A

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NOTICE AND STATEMENT OF APPEAL OF ADULT
BEVERAGE BUSINESS LICENSE DENIAL DATED
DECEMBER 16, 2021

CAIRNCROSS & HEMPELMANN, P.S.
ATTORNEYS AT LAW
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
office 206 587 0700 fax 206 587 2308



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

December 16, 2021

Attn: Cliff Otis
Tenor Wines, LLC (DBA Matthew's Winery)
16116 140th Ave NE
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0016

Business Name: Tenor Wines, LLC (DBA Matthew's Winery)

Subject Property: 16116 140th Ave NE, Woodinville, WA 98072

Dear Mr. Otis,

This letter is to notify you that your Adult Beverage Business License application for a Type III Winery has been denied. After thorough review of the submitted application material, King County Permitting Division has determined that the proposed business does not comply with the provisions of King County Code (KCC) Title 6 and KCC Title 21A.

In order to renew your Adult Beverage Business License after the first year, you must demonstrate compliance with the business license regulations in KCC 6.74.080.B, which requires businesses to demonstrate:

- 1) The requirements to establish a legal nonconforming use have been met;
- 2) The applicant has otherwise established a vested legal nonconforming use;
- 3) The director determines that the business operator has taken substantial steps to document compliance with K.C.C. Title 21A; or
- 4) If the business has come into conformance with the winery, brewery, distillery facility I, II or III or remote tasting room regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C. 21A.55.110*.

Based on the application material provided, the applicant has not demonstrated that the criteria of KCC 6.74.080.B have been met. The subject business has not obtained the required land use and building permits for a Type III Winery to demonstrate compliance with King County development standards. The following compliance issues have been documented on the subject property:

- 1) The applicant has not obtained a Conditional Use Permit (CUP) for a Type III Winery in accordance to KCC 21A.08.080.
- 2) The applicant has not obtained a commercial building permit to establish a Type III

Winery use on the property.

King County understands that the applicant would like to obtain land use and building permits per winery, brewery, and distillery standards put into effect by Ordinance 19030. However, King County is not able to accept any land use and/or building permits for businesses seeking compliance with the winery, brewery, and distillery standards adopted under Ordinance 19030 due to the current moratorium that is in effect. The moratorium, originally passed in June of 2020 under Ordinance 19122 has been extended until December 23, 2022. It is further important to note that due to an appeal to Ordinance 19030 filed to the Central Puget Sound Region Growth Management Hearings Board under FOSV, et al. v King County (Case No. 20-3-0004c), King County Permitting Division cannot speculate on the outcome of the case or the impact it could have on the winery, brewery, distillery and remote tasting room standards that go into effect once the existing moratorium is lifted. Given these circumstances and the lack of a path towards compliance as a Type III Winery, your request to renew your Adult Beverage Business License cannot be approved.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

All applicants are afforded the right to appeal this decision. Please refer to page three for more information about the appeal process.

Sincerely,



Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

Appeal Notice

Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
8. \$250 appellant fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

Notification of Appeal Hearing Date

As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

Appeal Hearing

At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>

EXHIBIT B

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NOTICE AND STATEMENT OF APPEAL OF ADULT
BEVERAGE BUSINESS LICENSE DENIAL DATED
DECEMBER 16, 2021

CAIRNCROSS & HEMPELMANN, P.S.
ATTORNEYS AT LAW
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
office 206 587 0700 fax 206 587 2308



King County

Department of Local Services

Permitting Division

919 SW Grady Way, Suite 300

Renton, WA 98057

206-296-6600

<https://kingcounty.gov/depts/local-services/permits>

June 23, 2022

Subject: Adult Beverage Business License: Appeal Period Correction Notice

Adult Beverage Business License Applicant,

This letter is to notify you that the Adult Beverage Business License application denial that was previously issued incorrectly cited the appeal period allowed for the decision. This correction letter is:

- 1) To inform you that the standards appeal period for an Adult Beverage Business License application denial is 24 days (not 7 days as listed in the denial letter that you received); and
- 2) To allow you the opportunity to appeal the decision based on the corrected 24-day appeal period.

If you would like to appeal the Adult Beverage Business License denial decision that was previously issued, you may do so in accordance to the King County Code (K.C.C) standards provided on page two and three. The appeal statement must be received within 24 days from the date of this letter.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

King County Code (K.C.C.) 20.22.080 Appeals - generally.

A. Unless K.C.C. 20.22.070 applies, a person initiates an appeal from a decision of a department or division by delivering an appeal statement to the issuing department or division.

B. The appeal statement must be received by the department or division within twenty-four days of the date of issuance of the decision by the department or division.

C. The statement appealing the decision of a department or division to the office of the hearing examiner shall:

1. Include a copy of, or clearly identify, the decision being appealed;
2. Identify the location of the property subject to the appeal, if any;
3. Identify the legal interest of the appellant;
4. Identify the alleged errors in the decision;
5. State specific reasons why the decision should be reversed or modified;
6. State the harm suffered or anticipated by the appellant; and
7. Identify the relief sought.

D. The appellant shall pay a fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

E. In order that a person contemplating an appeal has the necessary information on which to base the appeal, during the time between the issuance of the decision and the deadline for delivering an appeal, the department or division shall:

1. Respond to inquiries concerning the facts and process of the decision; and
2. Make available any files that detail the facts on which the department or division based its ruling.

F. If a department or division is unable to comply with subsection E. of this section, the examiner may authorize an amendment to an appeal statement to reflect information subsequently made available to the appellant.

G. The scope of an appeal shall be limited to matters or issues raised in the appeal statement and any amendments to the appeal statement the examiner may authorize.

H. If a person fails to timely deliver the appeal statement or pay the appeal fee, the office of the hearing examiner does not have jurisdiction to consider the appeal and the decision of the department or division becomes final and unreviewable.

King County Code (K.C.C.) 4A.780.010 Fees.

A. Except as otherwise provided in subsection B. of this section, the fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, is two hundred fifty dollars.

B.1. The fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, of a permit fee estimate and billing under K.C.C. chapter 27.50* is fifty dollars.

2. There is no fee for filing an appeal to the office of the hearing examiner of an enforcement or penalty action under K.C.C. Title 6, K.C.C. Title 11 or K.C.C. Title 23, or a transit rider suspension under K.C.C. 28.96.130.

C. The fee for filing an appeal to the council under section K.C.C. 20.22.230.D. is two hundred fifty dollars.

King County Code (K.C.C.) 20.22.090 Appeals - reasons for dismissal.

A. For appeals of agency actions to the office of the hearing examiner, the examiner, on the examiner's own motion or on the motion of a party, shall dismiss an appeal if the appellant lacks standing or if the appeal is untimely, frivolous on its face or beyond the examiner's jurisdiction.

B. The examiner may dismiss an appeal that is not sufficiently specific to apprise the parties of the factual basis upon which relief is sought or if the grounds stated do not constitute a legally adequate basis for the appeal. Alternatively, the examiner may clarify the issues on appeal or may require any party with the burden of proof to clarify the issues on appeal.

King County Code (K.C.C.) 20.22.100 Appeals and applications - processing.

A. The examiner shall process all appeals and applications as expeditiously as possible, giving appropriate consideration to the procedural due process rights of the parties.

B.1. For appeals initiated by delivering the appeal statement to the responsible department or division, the responsible department or division shall file with the office of the hearing examiner the decision or decisions being appealed, the appeal statement and a current list of parties and interested persons within seventeen days of the date the responsible department or division receives the appeal statement. The examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days of the date the office of the hearing examiner receives those materials.

2. For any appeal that requires the appeal statement to be delivered directly to the office of the hearing examiner, the examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days, of receiving the appeal statement.

C. For applications for which the responsible department or division issues a recommendation and an examiner holds a public hearing and issues a decision or recommendation, the examiner shall complete the application review, including holding a public hearing and transmitting the report required by K.C.C. 20.22.220, within ninety days from the date the council refers the application to the office of the hearing examiner. Any time required by the applicant or the responsible department or division to obtain and provide additional information requested by the examiner and necessary for the determination on the application and consistent with applicable laws, regulations and adopted policies is excluded from the ninety-day calculation.

D. At least fourteen days before a scheduled hearing, the examiner shall transmit notice of the time and place of the hearing.

E. If for any reason testimony cannot be completed on the date set for a hearing, the matter shall be continued to the soonest available date. To the extent practicable, a matter should be heard on consecutive days until it is concluded.

F. The examiner may extend the deadlines in this section for up to thirty days. Extensions of over thirty days are permissible with the consent of all parties. When an extension is made, the examiner shall state in writing the reason for the extension.

G. Failure to complete the hearing process within the times stated in this section shall not terminate the jurisdiction of the office of the hearing examiner.

King County Code (K.C.C.) 20.22.110 Consolidation of hearings.

Whenever an appeal or application includes more than one county permit, approval or determination for which a public hearing is required or for which an appeal is provided under

this chapter, the hearings and any appeals may be consolidated into a single proceeding before the examiner.

King County Code (K.C.C.) 20.22.120 Prehearing conference.


A. On the examiner's own initiative, or at the request of a party, the examiner may set a prehearing conference.

B. If a prehearing conference is set, it shall be held not less than fourteen days before the scheduled hearing. At least seven days before the prehearing conference, the examiner shall transmit notice of the date and location of the prehearing conference.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>

Document 2: Summary of Charges: Proof of Payment for Business License and Appeal Fee

 King County	Department of Local Services Permitting Division 919 SW Grady Way, Suite 300 Renton, WA 98057	<h2>Summary of Charges</h2>
Project Name: TENOR WINES LLC	As of: 07/19/2022	
Project Location: 16116 140TH PL NE	Permit #: BUSL20-0016	
	PO Number:	
Customer: CLIFF OTIS	Parcel Number: 1526059092	
16116 140TH PL NE	Permit Type: Adult Beverage	
WOODINVILLE, WA 98072		
	Permit Status: Business License Revoked	

Fees

Fixed Fees

Appeal Filing Fee - Hearing Examiner Type 2 Decision	\$250.00	
License: Adult Beverage	\$200.00	
Total:		\$450.00

Hourly Charges:

Project Cost to Date: **\$450.00**

Payments

Date	Type	Check #/Trust #	Payee	Amount
04/28/2020	Check - Mail-In	8900	TENOR WINES LLC	\$100.00
08/17/2021	Check - Mail-In	2411	TENOR WINES, LLC	\$100.00
07/14/2022	Credit Card		John Hempelmann	\$250.00

Total Payments: **\$450.00**

Total Balance of Project Cost **\$0.00**

The permitting fees shown on this summary represent estimated charges based on County review of submitted application materials, and the fees adopted by the County as of the summary date. Fees are subject to change based on changes to an application or to adopted fees. Additional fees may be incurred after initial application submittal or at permit issuance.

All fees must be paid in full before DLS Permitting issues Final Approval, T.C.O. or C.O.

For billing questions, please call 206-296-6659 or email BillingHotline.DPER@kingcounty.gov.

**Document 3: Denial Response Letter Issued and Appeal Period Correction Notice
by King County Permitting Division**



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

December 16, 2021

Attn: Cliff Otis
Tenor Wines, LLC (DBA Matthew's Winery)
16116 140th Ave NE
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0016

Business Name: Tenor Wines, LLC (DBA Matthew's Winery)

Subject Property: 16116 140th Ave NE, Woodinville, WA 98072

Dear Mr. Otis,

This letter is to notify you that your Adult Beverage Business License application for a Type III Winery has been denied. After thorough review of the submitted application material, King County Permitting Division has determined that the proposed business does not comply with the provisions of King County Code (KCC) Title 6 and KCC Title 21A.

In order to renew your Adult Beverage Business License after the first year, you must demonstrate compliance with the business license regulations in KCC 6.74.080.B, which requires businesses to demonstrate:

- 1) The requirements to establish a legal nonconforming use have been met;
- 2) The applicant has otherwise established a vested legal nonconforming use;
- 3) The director determines that the business operator has taken substantial steps to document compliance with K.C.C. Title 21A; or
- 4) If the business has come into conformance with the winery, brewery, distillery facility I, II or III or remote tasting room regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C. 21A.55.110*.

Based on the application material provided, the applicant has not demonstrated that the criteria of KCC 6.74.080.B have been met. The subject business has not obtained the required land use and building permits for a Type III Winery to demonstrate compliance with King County development standards. The following compliance issues have been documented on the subject property:

- 1) The applicant has not obtained a Conditional Use Permit (CUP) for a Type III Winery in accordance to KCC 21A.08.080.
- 2) The applicant has not obtained a commercial building permit to establish a Type III

Winery use on the property.

King County understands that the applicant would like to obtain land use and building permits per winery, brewery, and distillery standards put into effect by Ordinance 19030. However, King County is not able to accept any land use and/or building permits for businesses seeking compliance with the winery, brewery, and distillery standards adopted under Ordinance 19030 due to the current moratorium that is in effect. The moratorium, originally passed in June of 2020 under Ordinance 19122 has been extended until December 23, 2022. It is further important to note that due to an appeal to Ordinance 19030 filed to the Central Puget Sound Region Growth Management Hearings Board under FOSV, et al. v King County (Case No. 20-3-0004c), King County Permitting Division cannot speculate on the outcome of the case or the impact it could have on the winery, brewery, distillery and remote tasting room standards that go into effect once the existing moratorium is lifted. Given these circumstances and the lack of a path towards compliance as a Type III Winery, your request to renew your Adult Beverage Business License cannot be approved.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

All applicants are afforded the right to appeal this decision. Please refer to page three for more information about the appeal process.

Sincerely,



Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

Appeal Notice

Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
8. \$250 appellant fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

Notification of Appeal Hearing Date

As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

Appeal Hearing

At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>



King County

Department of Local Services

Permitting Division

919 SW Grady Way, Suite 300

Renton, WA 98057

206-296-6600

<https://kingcounty.gov/depts/local-services/permits>

June 23, 2022

Subject: Adult Beverage Business License: Appeal Period Correction Notice

Adult Beverage Business License Applicant,

This letter is to notify you that the Adult Beverage Business License application denial that was previously issued incorrectly cited the appeal period allowed for the decision. This correction letter is:

- 1) To inform you that the standards appeal period for an Adult Beverage Business License application denial is 24 days (not 7 days as listed in the denial letter that you received); and
- 2) To allow you the opportunity to appeal the decision based on the corrected 24-day appeal period.

If you would like to appeal the Adult Beverage Business License denial decision that was previously issued, you may do so in accordance to the King County Code (K.C.C) standards provided on page two and three. The appeal statement must be received within 24 days from the date of this letter.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

King County Code (K.C.C.) 20.22.080 Appeals - generally.

A. Unless K.C.C. 20.22.070 applies, a person initiates an appeal from a decision of a department or division by delivering an appeal statement to the issuing department or division.

B. The appeal statement must be received by the department or division within twenty-four days of the date of issuance of the decision by the department or division.

C. The statement appealing the decision of a department or division to the office of the hearing examiner shall:

1. Include a copy of, or clearly identify, the decision being appealed;
2. Identify the location of the property subject to the appeal, if any;
3. Identify the legal interest of the appellant;
4. Identify the alleged errors in the decision;
5. State specific reasons why the decision should be reversed or modified;
6. State the harm suffered or anticipated by the appellant; and
7. Identify the relief sought.

D. The appellant shall pay a fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

E. In order that a person contemplating an appeal has the necessary information on which to base the appeal, during the time between the issuance of the decision and the deadline for delivering an appeal, the department or division shall:

1. Respond to inquiries concerning the facts and process of the decision; and
2. Make available any files that detail the facts on which the department or division based its ruling.

F. If a department or division is unable to comply with subsection E. of this section, the examiner may authorize an amendment to an appeal statement to reflect information subsequently made available to the appellant.

G. The scope of an appeal shall be limited to matters or issues raised in the appeal statement and any amendments to the appeal statement the examiner may authorize.

H. If a person fails to timely deliver the appeal statement or pay the appeal fee, the office of the hearing examiner does not have jurisdiction to consider the appeal and the decision of the department or division becomes final and unreviewable.

King County Code (K.C.C.) 4A.780.010 Fees.

A. Except as otherwise provided in subsection B. of this section, the fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, is two hundred fifty dollars.

B.1. The fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, of a permit fee estimate and billing under K.C.C. chapter 27.50* is fifty dollars.

2. There is no fee for filing an appeal to the office of the hearing examiner of an enforcement or penalty action under K.C.C. Title 6, K.C.C. Title 11 or K.C.C. Title 23, or a transit rider suspension under K.C.C. 28.96.130.

C. The fee for filing an appeal to the council under section K.C.C. 20.22.230.D. is two hundred fifty dollars.

King County Code (K.C.C.) 20.22.090 Appeals - reasons for dismissal.

A. For appeals of agency actions to the office of the hearing examiner, the examiner, on the examiner's own motion or on the motion of a party, shall dismiss an appeal if the appellant lacks standing or if the appeal is untimely, frivolous on its face or beyond the examiner's jurisdiction.

B. The examiner may dismiss an appeal that is not sufficiently specific to apprise the parties of the factual basis upon which relief is sought or if the grounds stated do not constitute a legally adequate basis for the appeal. Alternatively, the examiner may clarify the issues on appeal or may require any party with the burden of proof to clarify the issues on appeal.

King County Code (K.C.C.) 20.22.100 Appeals and applications - processing.

A. The examiner shall process all appeals and applications as expeditiously as possible, giving appropriate consideration to the procedural due process rights of the parties.

B.1. For appeals initiated by delivering the appeal statement to the responsible department or division, the responsible department or division shall file with the office of the hearing examiner the decision or decisions being appealed, the appeal statement and a current list of parties and interested persons within seventeen days of the date the responsible department or division receives the appeal statement. The examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days of the date the office of the hearing examiner receives those materials.

2. For any appeal that requires the appeal statement to be delivered directly to the office of the hearing examiner, the examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days, of receiving the appeal statement.

C. For applications for which the responsible department or division issues a recommendation and an examiner holds a public hearing and issues a decision or recommendation, the examiner shall complete the application review, including holding a public hearing and transmitting the report required by K.C.C. 20.22.220, within ninety days from the date the council refers the application to the office of the hearing examiner. Any time required by the applicant or the responsible department or division to obtain and provide additional information requested by the examiner and necessary for the determination on the application and consistent with applicable laws, regulations and adopted policies is excluded from the ninety-day calculation.

D. At least fourteen days before a scheduled hearing, the examiner shall transmit notice of the time and place of the hearing.

E. If for any reason testimony cannot be completed on the date set for a hearing, the matter shall be continued to the soonest available date. To the extent practicable, a matter should be heard on consecutive days until it is concluded.

F. The examiner may extend the deadlines in this section for up to thirty days. Extensions of over thirty days are permissible with the consent of all parties. When an extension is made, the examiner shall state in writing the reason for the extension.

G. Failure to complete the hearing process within the times stated in this section shall not terminate the jurisdiction of the office of the hearing examiner.

King County Code (K.C.C.) 20.22.110 Consolidation of hearings.

Whenever an appeal or application includes more than one county permit, approval or determination for which a public hearing is required or for which an appeal is provided under

this chapter, the hearings and any appeals may be consolidated into a single proceeding before the examiner.

King County Code (K.C.C.) 20.22.120 Prehearing conference.

A. On the examiner's own initiative, or at the request of a party, the examiner may set a prehearing conference.

B. If a prehearing conference is set, it shall be held not less than fourteen days before the scheduled hearing. At least seven days before the prehearing conference, the examiner shall transmit notice of the date and location of the prehearing conference.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>

Document 4: BUSL20-0006 Application Material Submitted for Renewal

Clauss, Warren

From: Cliff Otis <cliff@matthewswinery.com>
Sent: Monday, August 9, 2021 8:57 PM
To: Clauss, Warren
Cc: Diane Otis; Terri DePaola
Subject: FW: Business License Package 2021
Attachments: 2020-04-16 18188 SP_Existing Conditions-C-FLAT-C-FLAT.pdf; 2020-06-16-PREAPP-MATTHEWS.pdf; Pre-application-meeting-application.pdf; 2020_03_20-MATTHEWS WINERY-PLAN AND AREA CALCULATIONS.pdf; scan0003.pdf; 18176 Matthews Winery DRAFT CAS MAP_REV1b_7-8-20.pdf; scan0005.pdf; scan0004.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Warren,

Here is the Matthews Adult Beverage Business License package for 2021 as requested. It contains all the information from 2020 with the new 2021 application form, 2021 Business license and 2021 health permit for this location.

The significant step that we have taken towards compliance is redoing the initial critical area study in 2020. The "draft" map from Wetland Resources is enclosed. Once the King County ordinance is finalized we plan on finalizing this study and starting over with the pre app process to determine all the next steps to come into full compliance based on the "Final" King County adult beverage ordinance and its final set of parameters. The Blue Line group will be walking side by side with us to navigate us thru it successfully.

Obviously this process has been affected by Covid19 throughout the whole region/nation and even our existing business as well as our employees. Hopefully, we can get "back to normal" soon and also get closure on the Ordinance that is now at the GMA being reviewed again. Please let us know if you have any information on that process and its timeline.

Will send the \$100 business license fee in the mail to DPER, 35030 SE Douglas Street #210 Snoqualmie, WA 98065. I will send you a copy of the check / stub in another email for your verification.

Please confirm receipt of this email and attachments.
I am available to answer any questions via email or phone call.
See the attachments enclosed.

Many thanks!

Respectfully,

Cliff Otis
Matthews + Tenor
16116 140th Pl NE Woodinville, WA 98072
O:425.487.9810 C:425.442.8390

Business License Application, Adult Beverage, continued

Application and Facility Types			
Application Type:	<input type="radio"/> New Application	<input checked="" type="radio"/> Renewal	
Facility Use: (check all that apply)	<input type="checkbox"/> Remote Tasting Room	<input type="checkbox"/> Brewery	<input type="checkbox"/> Distillery
	<input checked="" type="checkbox"/> Winery	<input type="checkbox"/> Other	<input type="checkbox"/> Non-Conforming
WBD Type:	<input type="radio"/> Type I	<input type="radio"/> Type II	<input checked="" type="radio"/> Type III
Square footage of Manufacturing:	3826	Square footage of Tasting Room:	1628

Business Information			
BUSINESS NAME	PARCEL NUMBER (required)		
TOUOR WINES, LLC DBA MATTHEWS	1526059092		
BUSINESS ADDRESS	CITY	STATE	ZIP CODE
16116 140 TH AVENUE	WOODINVILLE	WA	98072
BUSINESS MAILING ADDRESS	CITY	STATE	ZIP CODE
<input checked="" type="checkbox"/> Same as above			
BUSINESS EMAIL	BUSINESS PHONE NUMBER		
CLIFF@MATTHEWSWINERY.COM	425-487-9810		
UBI NUMBER	BUSINESS WEBSTE ADDRESS		
602205228	WWW.MATTHEWSWINERY.COM		
WSLCB LICENSE NUMBER	EFFECTIVE DATE		
#681704	5-7-2021		

Applicant Information (name of person or entity proposing to operate the business)			
FULL NAME	PHONE NUMBER	EMAIL ADDRESS	
CLIFF OTIS	425.442.8390	CLIFF@MATTHEWSWINERY.COM	
MAILING ADDRESS	CITY	STATE	ZIP CODE
16116 140 TH AVE NE	WOODINVILLE	WA	98072

Continued

Business License Application, Adult Beverage, continued

Select one: Sole Ownership (Applicant listed above) LLC Partnership Corporation

CORPORATE OR PARTNERSHIP NAME <i>TENOR WINES, LLC</i>				
ADDRESS OF PRINCIPAL OFFICE <i>16116 140TH PL NE</i>		CITY <i>WOODINVILLE</i>	STATE <i>WA</i>	ZIP CODE <i>98072</i>
NAME OF REGISTERED AGENT <i>JGB Service Corp</i>	PHONE NUMBER <i>206-624-0900</i>	EMAIL ADDRESS		
MAILING ADDRESS <i>600 UNIVERSITY ST #3600</i>	CITY <i>SEATTLE</i>	STATE <i>WA</i>	ZIP CODE <i>98101</i>	

Partnerships or corporations: list all owners, partners or officers with a financial interest: (Attach an additional page if necessary)

LLC
Members

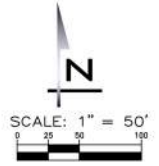
FULL NAME <i>Cliff Otis</i>	EMAIL ADDRESS <i>CLIFF@MATTHEWSWINERY.COM</i>		
MAILING ADDRESS <i>13926 180TH AVE NE</i>	CITY <i>REDMOND</i>	STATE <i>WA</i>	ZIP CODE <i>98052</i>
FULL NAME <i>DANE OTIS</i>	EMAIL ADDRESS <i>DANE@MATTHEWSWINERY.COM</i>		
MAILING ADDRESS <i>13926 180TH AVE NE</i>	CITY <i>REDMOND</i>	STATE <i>WA</i>	ZIP CODE <i>98052</i>

The issuance of this business license is not meant to imply that all regulations have been met.

I, the undersigned, declare under the penalty of perjury that I am the applicant or authorized representative of the above-listed adult beverage business and that the answers and accompanying information contained in this document have been examined by me and are true, correct and complete. I understand that if information provided in this document is not true, correct and complete that this license may be denied or revoked, and that future extensions may also be denied. I understand that additional local, state, and federal licenses, authorizations, and permits are required before I may engage in any adult beverage business use, and that I am fully responsible for obtaining all applicable local, state and federal licenses, authorizations and permits. I understand that the granting of this adult beverage business license does not satisfy and shall not be construed as satisfying any other local, state, or federal laws or regulations

Applicant Signature: *[Signature]*

Date: *8/9/2021*



SITE INFORMATION

ZONING	RA (RURAL AREA)
GROSS SITE AREA	338,838 SF (7.7 AC)
TOTAL WINERY AREA	5,454 SF
TOTAL TASTING ROOM AREA	1,628 SF (29.8% OF TOTAL FLOOR AREA)
MAXIMUM WINERY AREA ALLOWED	8,000 SF
TASTING ROOM AREA ALLOWED	30% OF TOTAL WINERY AREA
MAXIMUM IMPERVIOUS SURFACE ALLOWED	81,958.7 SF (25% OF TOTAL SITE AREA)
TOTAL IMPERVIOUS SURFACE	50,347 SF (15% OF TOTAL SITE AREA)
PARKING MINIMUM	11 STALLS
	*10.9 STALLS PER 1,000 SF + 1 STALL PER 300 SF OF TASTING ROOM
EXISTING PARKING STALLS	28 STALLS (3 ADA)
MAXIMUM STALLS ALLOWED	15 STALLS
	*UP TO 100% OF PARKING MINIMUM

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL, THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

NO.	DATE	BY	REVISIONS

MATTHEWS WINERY
EXISTING CONDITIONS
PARCEL # 1526059092
WASHINGTON
KING COUNTY

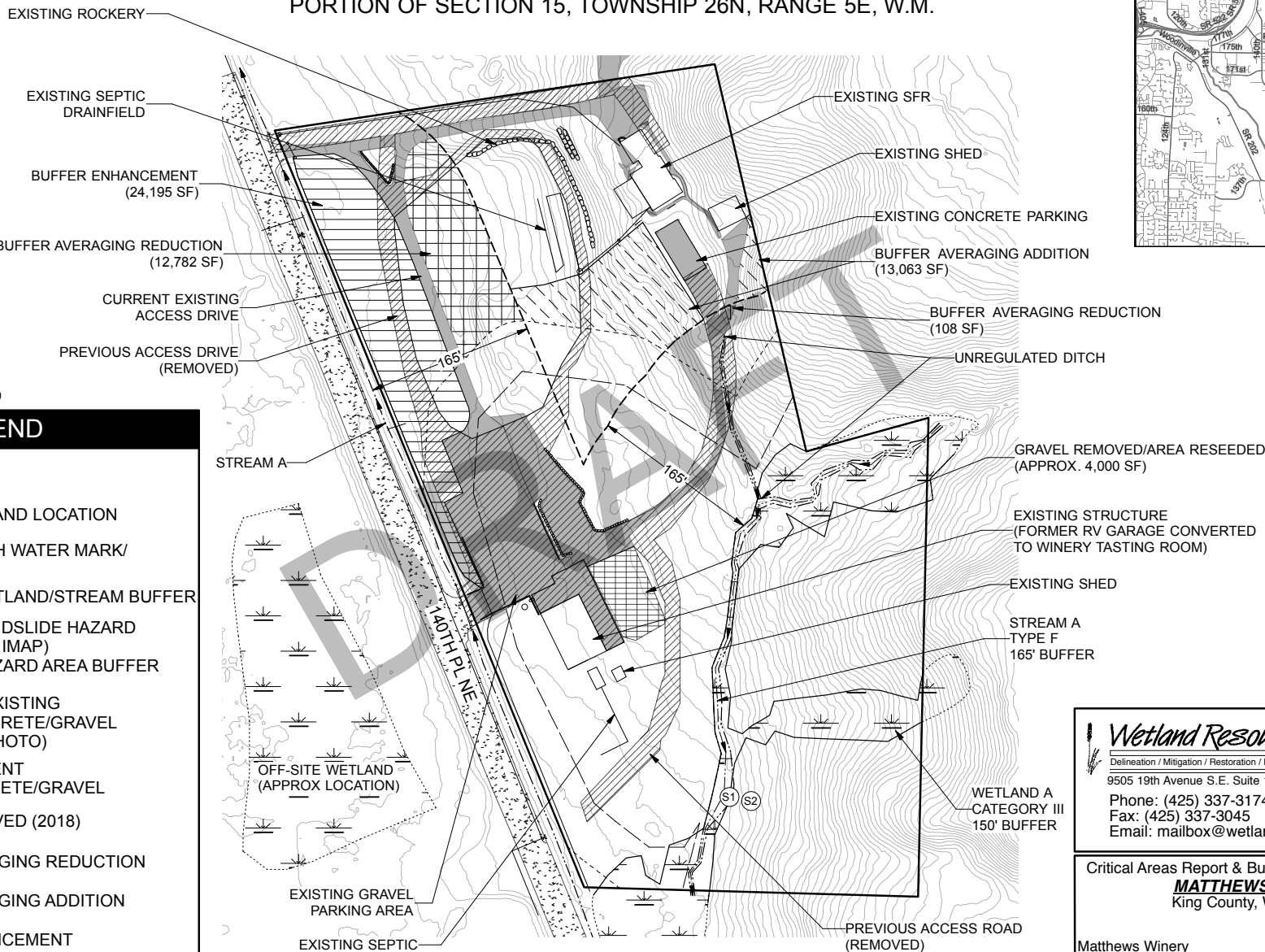
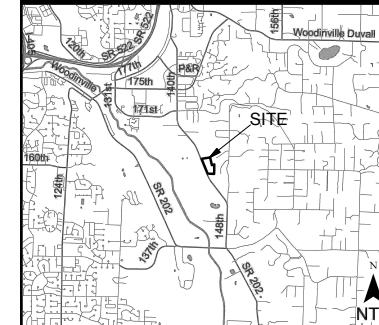
JOB NUMBER:
18-188
SHEET NAME:
SITE PLAN
SHT **1** OF **1**

CRITICAL AREAS REPORT AND BUFFER MITIGATION PLAN MAP

MATTHEWS WINERY

PORTION OF SECTION 15, TOWNSHIP 26N, RANGE 5E, W.M.














VICINITY MAP



Scale 1" = 100'



LEGEND

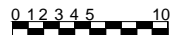
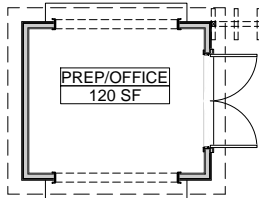
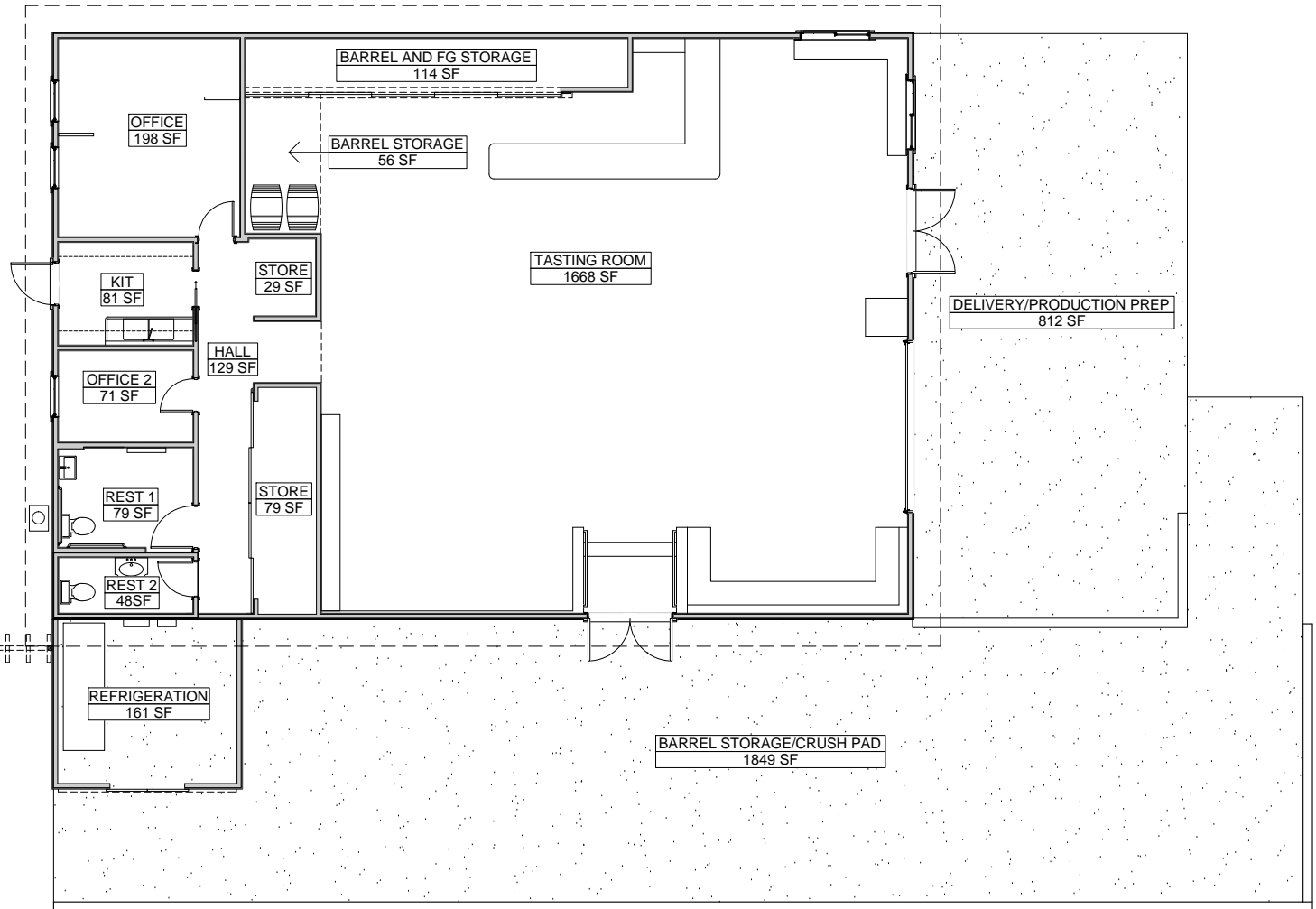
-  WETLAND
-  APPROX WETLAND LOCATION
-  ORDINARY HIGH WATER MARK/
STREAM/DITCH
-  STANDARD WETLAND/STREAM BUFFER
-  POTENTIAL LANDSLIDE HAZARD
AREA (KING CO IMAP)
-  LANDSLIDE HAZARD AREA BUFFER
(KING CO IMAP)
-  PREVIOUSLY EXISTING
ASPHALT/CONCRETE/GRAVEL
(2000 AERIAL PHOTO)
-  CURRENT EXTENT
ASPHALT/CONCRETE/GRAVEL
-  GRAVEL REMOVED (2018)
-  BUFFER AVERAGING REDUCTION
-  BUFFER AVERAGING ADDITION
-  BUFFER ENHANCEMENT
-  DATA SITES

Wetland Resources, Inc.
 Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance
 9505 19th Avenue S.E. Suite 106 Everett, Washington 98208
 Phone: (425) 337-3174
 Fax: (425) 337-3045
 Email: mailbox@wetlandresources.com

Critical Areas Report & Buffer Mitigation Plan Map
MATTHEWS WINERY
 King County, Washington

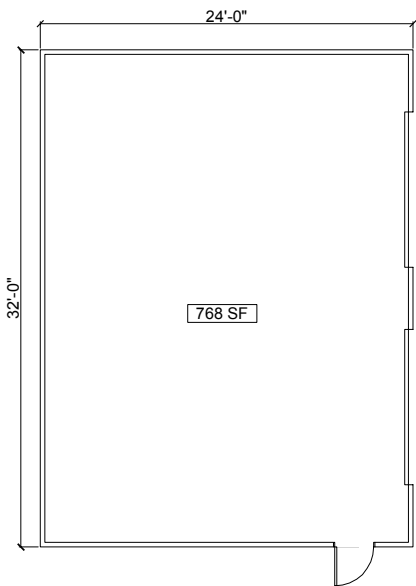
WINERY AREA CALCULATIONS

NON-TASTING ROOM AREAS:	SF
OFFICE	198
KITCHEN	81
ACCOUNTING	71
RESTROOM 1	79
RESTROOM 2	48
HALL	129
STORAGE 1	29
STORAGE 2	79
BARREL STORAGE IN TASTING ROOM	56
BARREL AND FG STORAGE	114
DELIVERY/PRODUCTION PREP	812
BARREL STORAGE/CRUSH PAD	1849
REFRIGERATION ROOM	161
PREP & PRODUCTION OFFICE	120
TOTAL NON-TASTING AREAS	3826
TOTAL TASTING AREA	1628
TOTAL WINERY SQUARE FOOTAGE	5454
PERCENT OF WINERY THAT IS TASTING AREA	29.8%



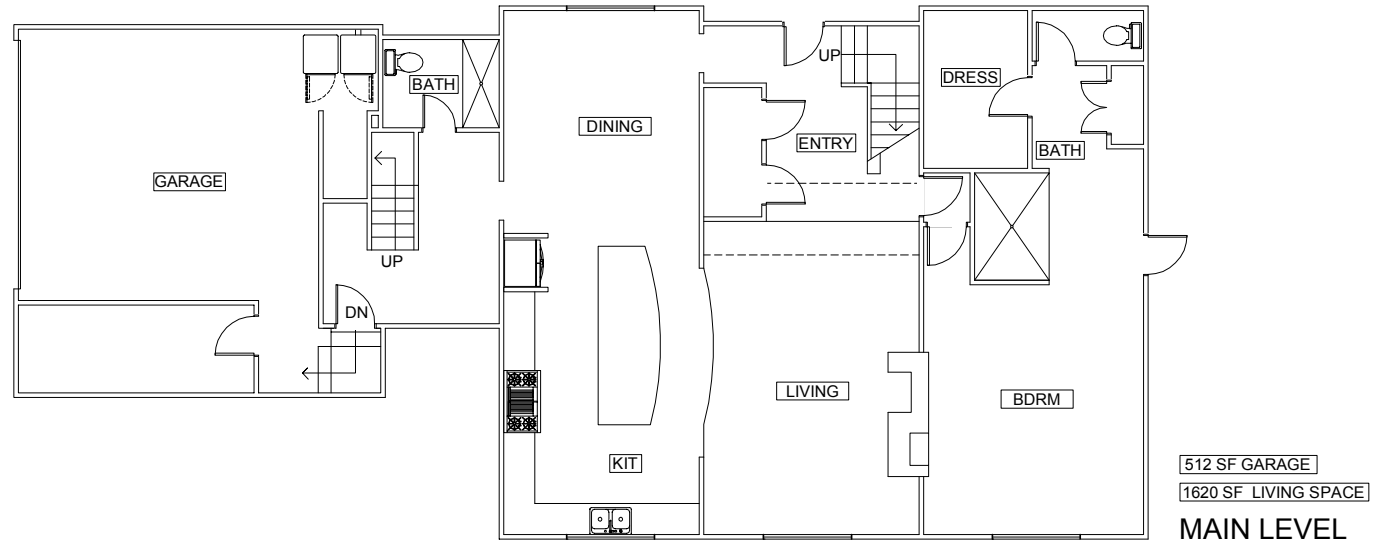
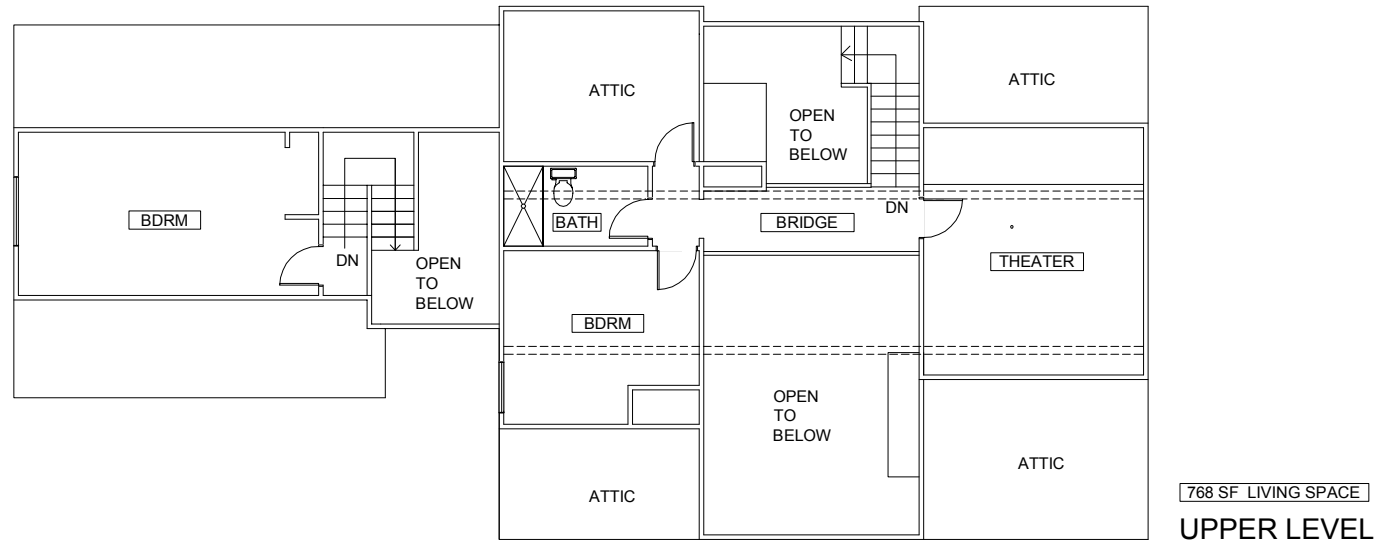
MATTHEW'S WINERY
WINERY FLOOR PLAN AND AREA CALCULATIONS
 SCALE: 1/8" = 1'-0"





DETACHED GARAGE

SCALE: 1/8" = 1'-0"



MATTHEW'S WINERY-EXISTING RESIDENCE FLOOR PLAN

SCALE: 1/8" = 1'-0"





Pre-application meeting application

Submit the completed application form to PermitCenter.DPER@KingCounty.gov

Project Information				
PROJECT NAME		DATE		
PRE-APPLICATION MEETING TYPE				
Voluntary (Feasibility)		Mandatory, Project Type _____		
PROJECT ADDRESS/LOCATION		PARCEL NUMBER(S)		
PROJECT DESCRIPTION/PERMIT(S) REQUESTED:				
Applicant Information				
FULL NAME		PHONE NUMBER	EMAIL ADDRESS	
MAILING ADDRESS		CITY	STATE	ZIP CODE
Agent Information		Same as Applicant		
FULL NAME		PHONE NUMBER	EMAIL ADDRESS	
MAILING ADDRESS		CITY	STATE	ZIP CODE

Pre-application meeting application, continued

Applicant Team Attendance					
Indicate the number of individuals from each discipline that plan to attend.					
Applicant:		Architect		Legal Counsel	
Civil Engineer		Developer:		Other	
Geotech. Consultant		Landscape Architect		Traffic Engineer	
Wetland/Stream Consultant:		Property Owner			
Requested Permitting Staff Indicate the review disciplines desired for the meeting.					
Land Use and Zoning, includes: Site Planning, Project Management, Land Use, Zoning, Landscaping, Parking and lot layout, On-site traffic flow, Historic preservation, Subdivisions, Conditional Uses, Variances, Temporary Use Permits and SEPA Environmental Review.					
Site Engineering, includes: Surface Water Design Manual, King County Road Design and Construction Standards, Floodplain development, and Addressing.					
Transportation, include: Traffic impact analysis, Signalization, Channelization, and Level-of-service evaluations					
Geologic Issues (Critical Areas): Landslide hazards, Seismic, Coal Mine hazards, and Steep slopes					
Aquatic Resource Issues (Critical Areas): Streams, Wetlands, and Shorelines					
Grading Issues: Clearing and Grading, Erosion and sedimentation control, Tree removal/retention, Site development issues, and Site restoration.					
Fire Issues: Fire protection, Fire flow, Fire access, Sprinklers, Alarms, and Hazardous materials.					
Building Issues: Building occupancy classification, Construction types, and Structural requirements.					
Department of Natural Resources and Parks: For projects affecting facilities managed by Water and Land Resources Division, King County Parks, Solid Waste Division, or Wastewater Treatment Division.					



BUSINESS LICENSE

STATE OF
WASHINGTON
Limited Liability Company

TENOR WINES, LLC
MATTHEWS CELLARS
16116 140TH PL NE # A
WOODINVILLE, WA 98072

EGG HANDLER/DEALER - ACTIVE
INDUSTRIAL INSURANCE - ACTIVE
TAX REGISTRATION - ACTIVE

Issue Date: May 07, 2021
Unified Business ID #: 602205228
Business ID #: 001
Location: 0001
Expires: May 31, 2022

UNEMPLOYMENT INSURANCE - ACTIVE
MINOR WORK PERMIT - ACTIVE
DOMESTIC WINERY < 250,000 LITERS #081704 -
ACTIVE

DUTIES OF MINORS:

Ages 16-17: dishwashing. *MINOR MUST BE SUPERVISED BY A RESPONSIBLE ADULT IF WORKING PAST 8:00 P.M.*

LICENSING RESTRICTIONS:

It is the business's responsibility to comply with minor work permit requirements. See WAC 296-125-030 and WAC 296-125-033 for Non-Agricultural and WAC 296-131-125 for Agricultural guidelines and restricted activities.

Please note: The U.S. Department of Labor prohibits minors under the age of 18 from using power food slicers and grinders.

REGISTERED TRADE NAMES:

MATTHEWS CELLARS

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue

Public Health
Seattle & King County



Permanent Food - Risk Based

PR0082856

PERMIT

PERMIT NO. PR0082856
P/E 6757
GRANTED TO MATTHEWS CELLARS - TASTING ROOM
LOCATION 16116 140TH PL NE
WOODINVILLE, WA 98072

Limited Food Services - no permanent plumbing

FOR A PERIOD BEGINNING 4/1/2021 **AND ENDING** 3/31/2022

MAILING ADDRESS

MATTHEWS CELLARS - TASTING ROOM
C/O DIANE & CLIFF OTIS
16116 140TH PL NE
WOODINVILLE, WA 98072

Director

DATED 04/05/2021

BY

Patty Hays

SUBJECT TO ALL STATE LAWS, COUNTY BOARD OF HEALTH RULES AND REGULATIONS, AND/OR CITY OR COUNTY ORDINANCES PERTAINING THERETO. THIS PERMIT MAY BE SUSPENDED OR REVOKED UPON VIOLATION BY THE HOLDER OF ANY OF THE TERMS OF THESE REGULATIONS. THIS PERMIT IS NOT TRANSFERABLE AND MUST BE POSTED IN A CONSPICUOUS PLACE. THIS PERMIT IS NOT VALID UNLESS SIGNED BY OPERATOR. NEW OWNERS MUST APPLY AND PAY FOR A NEW PERMIT BEFORE BEGINNING OPERATION.

X

OPERATOR SIGNATURE



Document 5: BUSL20-0016 Application Material, 6-month Conditional Adult Business License Response Letter, 6-month Extension Letter

King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

Attn: Cliff Otis
Tenor Wines LLC
16116 140th PI NE
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0016

Business Name: Tenor Wines LLC (Matthews Winery)

Subject Property: 16116 140th PI NE, Woodinville, WA 98072 (Parcel #
1526059092)

Dear Mr. Otis,

You have been approved for a six-month conditional adult beverage business license. This conditional license does not certify that your business is in compliance with King County Code. Instead, it provides an opportunity for you to bring your business into compliance.

This conditional license is valid for six months from the date of issuance. In order to extend this license beyond six months, you must demonstrate either full compliance or substantial progress toward compliance with King County Zoning Code Title 21A. Please refer to page two through four of this letter for options you can use over the next six months to document substantial progress made in bringing your adult beverage business into compliance.

After six months, if you can demonstrate that you have made substantial progress with King County Zoning Code Title 21A, your adult beverage business license will be extended for another six months. If you cannot demonstrate substantial progress with King County Zoning Code Title 21A, the adult beverage business license extension will be denied and your business will be required to cease operation until it fully complies with King County zoning requirements.

If you have any questions about this process, please contact me at wclauss@kingcounty.gov or 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Adult Beverage Business Facility, Compliance with King County Code, Title 21A

With the adult beverage business license application submitted to King County Permitting Division, you have demonstrated that your adult beverage business was operating under an active Washington State Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and that King County did not object to the location during the Washington State Liquor and Cannabis Board liquor license application process. On your application, you applied as a type III winery in accordance to the regulations of King County Code Title 21A, adopted by Ordinance 19030.

I. Review of your Adult Beverage Business Licenses Application:

After review of your adult beverage business license application, your winery business has the opportunity to qualify as a type III winery, in accordance King County Code Title 21A. In order to meet the code criteria to qualify as a type III winery, your business will be required to submit a Conditional Use Permit to ensure it is a compatible land use and complies with the criteria in King County Code 21A.08.080.B.12. The Conditional Use Permit is a land use decision that requires public notice and is appealable. If your adult beverage business is approved through a Conditional Use Permit, a commercial building permit will be required to establish the use on the property.

Before applying for a Conditional Use Permit, you are required to submit an application for a mandatory Pre-application Meeting. This Pre-application Meeting reviews the proposed type III winery use to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Multiple review disciplines are required for the pre-application meeting and is listed on the Pre-Application Meeting Information packet.

The following code criteria are the minimum standards required in order to comply as a type III winery:

King County Code 21A.08.080.B.12:

- a. In the A zone, only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;
- b. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;
- c. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;
- d. Wineries, breweries and distilleries shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal, and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;
- e. Structures and parking areas for winery, brewery distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

- f. In the A Zone, sixty percent or more of the products processed must be grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be processed;
- g. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of on-site production shall include crushing, fermenting or distilling;
- h. In the A zone, structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;
- i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;
- j. Access to the site shall be directly to and from an arterial roadway;
- k. Off-street parking maximums shall be determined through the conditional use permit process, and should not be more than one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;
- l. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;
- m. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and
- n. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A., whichever is less.

*In additional to the criteria mentioned above, all applicable zoning standards of King County Code Title 21A will be applied including landscaping, parking and circulation, and critical areas.

II. Demonstrating Substantial Progress Toward Compliance to Extend the Adult Beverage Business License After 6-Months

To demonstrate substantial progress toward compliance after six months, the applicant should complete at least one of the following permits or meetings listed below. Participation in the suggested options is strongly recommended to give the applicant the best opportunity to demonstrate progress.

1. Mandatory Pre-Application Meeting (Attachment 1), recommended to apply in 2 months

Prior to applying for a Conditional Use Permit for a type III winery, you are required to submit for a mandatory Pre-application Meeting. This pre-application meeting reviews the proposed type III winery use to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Multiple review disciplines are required for the pre-application meeting and are in the Pre-Application Meeting Information packet.

2. Conditional Use Permit (Attachment 2), recommended to apply in six months

In order to meet the zoning code criteria to qualify as a type III winery, your business will be required to submit a Conditional Use Permit to ensure it is a compatible land use and complies with the criteria in King County Code 21A.08.080.B.12. The Conditional Use Permit is a land use decision that requires public notice and is appealable. If your adult beverage business is approved as a Conditional Use Permit, a commercial building permit will be required to establish the use on the property.

*If you cannot demonstrate that you have completed at least one of the options listed above in order to demonstrate substantial progress, the six-month conditional license may not be extended and code enforcement action may be taken. King County Permitting Division may not consider other actions taken to demonstrate substantial progress towards compliance.

III. King County Code Advisory:

One of the goals of this adult beverage business license is to educate business owners and verify that they comply with county land use, health and safety regulations. This adult beverage business license only reviews code standards related to King County land use. To ensure compliance with health and safety regulations, your adult beverage business needs to comply with all King County Code regulations including building, septic, wastewater.

For more information about any authorizations or permits that may be required to comply with health and safety regulations please refer to Information & Resources: Adult Beverage Facilities sheet (Attachment 3).



Pre-application meeting information

Pre-application meetings are intended to provide applicants an opportunity to present development proposals to the Department of Local Services, Permitting Division (Permitting) prior to the formal permit submittal. This process allows applicants to ask permitting staff questions about applicable codes and standards and to determine the requirements for a complete application. It also allows Permitting staff to become familiar with project elements prior to a complete, in-depth review. There are two types of Pre-application Meetings.

1) A **Voluntary Pre-application Meeting** is held at the applicant's request to gain a better understanding of regulations that will influence the project design or to determine the project's feasibility. This meeting may be very preliminary in nature and is not intended to fulfill the mandatory pre-application meeting requirements of the King County Code (KCC). The applicant is free to choose as many or as few review disciplines as they feel necessary to discuss the desired topics that will help refine their proposal.

Voluntary pre-application meetings for commercial building permits and site development/clearing & grading permits subject to SEPA (Type 1 decisions) are highly recommended. Although these permit types do not require a pre-application meeting, the communication with staff is likely to reduce the number of revision cycles and improve permit approval timeframes.

2) A **Mandatory Pre-application Meeting** is required prior to permit submittal for all Type 2, 3, and 4 decisions per KCC 20.20.030. A mandatory pre-application meeting generally requires a higher level of plan detail than a voluntary pre-application meeting. The objectives of the mandatory pre-application meeting are to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Depending on the development permit being discussed, Permitting considers certain review disciplines essential to the review of the permit application. See submittal requirements on page 4 for direction.

Information provided by King County staff during the pre-application phase is preliminary in nature and subject to changes in codes and regulations until a formal permit application is submitted and deemed complete. The pre-application process is not intended to provide assurances that a development proposal will be approved by King County. Pre-application meeting products are valid for one year from the date of the meeting.

Pre-application meetings do not vest a proposal to a particular version of code, regulation, or standard.

Pre-application meeting information & application, continued

Application Submittal

1. Complete the “pre-application meeting application form”.
 - a. Select the review disciplines from the list below that apply to your project. Permitting may determine additional staff/disciplines are necessary based on the pre-application materials presented and charges will apply accordingly.
2. Submit the completed Pre-application Meeting Application form to PermitCenter.DPER@KingCounty.gov.

Invoicing and Payment

1. You will receive an email with an invoice and permit number for payment of the pre-application fee.
2. Using the provided permit number (no user account is required), pay the invoice at <https://aca.accela.com/kingco/Default.aspx>.

Additional Documents

1. Upon payment of your pre-application meeting fees, the project manager will:
 - a. Coordinate a pre-application meeting date and time. The meeting will be online using Microsoft Skype.
 - b. Send you an email with a Microsoft OneDrive link for the purpose of sending large files to Permitting. Refer to the Submittal Requirements section for a full listing of required documents. Upload the documents appropriate for your project. Documents should be in the PDF format.

Alternatively, applicants may email documents (10 gigabyte size limit) or transfer files using their own cloud storage location (DropBox, Google Docs, Adobe Cloud, etc.). If an alternative service is used, Permitting staff are not permitted to create user accounts to access these services.

Incomplete application packages can delay the scheduling of the pre-application meeting.

Additional Resources

King County [Department of Local Services, Permitting Division](#)

- [Pre-application meeting packet](#)
- [Property Research Guide](#) and [Property Research Video](#)
- [Permit Fees](#)
- Call the Permit Center at 206-296-6600 or email DPERWebInquiries@KingCounty.gov

Pre-application meeting information & application, continued

Review Disciplines and Fee Information

King County Code Title 27 requires Permitting to assess non-refundable fees for pre-application meetings based on the number of review disciplines preparing review comments and attending the pre-application meeting. The review disciplines are listed in the chart below. Mark the box next to each review discipline being requested for the pre-application meeting. The application fee is the total of the checked boxes.

A: Land Use and Zoning, includes: Site Planning, Project Management, Land Use, Zoning, Landscaping, Parking and lot layout, On-site traffic flow, Historic preservation, Subdivisions, Conditional Uses, Variances, Temporary Use Permits and SEPA Environmental Review.	\$733
B: Site Engineering, includes: Surface Water Design Manual, King County Road Design and Construction Standards, Floodplain development, and Addressing.	\$733
C: Transportation, include: Traffic impact analysis, Signalization, Channelization, and Level-of-service evaluations	\$772
D: Geologic Issues (Critical Areas): Landslide hazards, Seismic, Coal Mine hazards, and Steep slopes	\$733
E: Aquatic Resource Issues (Critical Areas): Streams, Wetlands, and Shorelines	\$733
F: Grading Issues: Clearing and Grading, Erosion and sedimentation control, Tree removal/retention, Site development issues, and Site restoration.	\$733
H: Fire Issues: Fire protection, Fire flow, Fire access, Sprinklers, Alarms, and Hazardous materials.	\$733
I: Building Issues: Building occupancy classification, Construction types, and Structural requirements.	\$733
J: Department of Natural Resources and Parks: For projects affecting facilities managed by Water and Land Resources Division, King County Parks, Solid Waste Division, or Wastewater Treatment Division.	\$772

Pre-application meeting information & application, continued

Submittal Requirements

R = Required O = Optional	Voluntary (Feasibility) Clearing & Grading and Building Permits	Plats and Short Plats	Conditional Use & Temporary Use Permits	Critical Areas Alteration Exception or Reasonable Use Exception	Shoreline Substantial Development, Shoreline Variance or Shoreline Conditional Use Permit Shorelines Packet	Special Use Permits & Rezones	Variance from Zoning Code
Review Disciplines Required (1) <i>See page 2 for descriptions</i>		A, B, C, D, E, F	A, B, C, H, I	A, D, E, F	A, B, E	A	A
Affidavit of Application	R	R	R	R	R	R	R
Project Narrative & Questions for Permitting Staff	R	R	R	R	R	R	R
Preliminary Site & Building Plans (2)	R	R	R	R	R	R	R
Draft of Application Form (follow links in column headings)	R	R	R	R	R	R	R
Residential Density Calculation Worksheet	O	R	n/a	n/a	n/a	n/a	n/a
Conceptual Drainage Plan/Drainage Study	O	O	O	O	O	O	n/a
SEPA Environmental Checklist	O	R	O	n/a	R	O	n/a
Geotechnical Report	O	O	O	O	O	O	n/a
Wetland/Stream Report	O	O	O	R	O	O	n/a
Traffic Impact Analysis	O	O	O	n/a	n/a	O	n/a
Critical Areas Designation	O	O	O	O	O	O	O
Groundwater Study (required for proposed mining activities)	O	O	O	O	O	O	O
Site Photographs	O	O	O	O	O	O	O

(1) [Waiver of a review discipline](#) may be granted by a Product Line Manager or Planner, depending on project and site characteristics. Call 206-296-6600 for questions.

- (2) [Preliminary Site Plan](#) should include, if known or applicable to project:
- Location of the property (vicinity map showing cross street)
 - Address (if an address has been assigned)
 - Parcel number(s)
 - Zoning of parcel(s) and adjacent parcels
 - North Arrow and Scaled dimensions (Eng. Scale for Site Plan, Arch. Scale for Building Plans)
 - Existing and proposed building footprints, with overhangs and projections
 - Existing and proposed grade contours
 - Site area in square feet or acres of the project site
 - Area of disturbance and/or development, including utilities and septic, as needed
 - Existing and proposed easements (ingress/egress, utilities, or drainage)
 - Critical areas and their buffers, if known



King County
Department of Permitting
and Environmental Review
35030 SE Douglas Street, Suite 210
Snoqualmie, Washington 98065-9566
206-296-6600 TTY Relay: 711
www.kingcounty.gov

Conditional Use Permit (CUP) Instructions & Information

For alternate formats, call 206-296-6600.

General Information

The following is a summary of the Conditional Use Permit (CUP) application process and a description of the application submittal requirements. The information for a Conditional Use Permit application is necessary in order to evaluate the merits of a proposal with applicable county and state regulations and to assess the potential community environmental impacts. If required to be submitted, the environmental checklist will be the basis for determining if an environmental impact statement will be required prior to any approval of a Conditional Use Permit.

An application will be evaluated on the basis of information provided by the applicant, the King County Comprehensive Plan (KCCP), pertinent provisions of the King County Code (KCC), site inspection, and comments submitted by citizens and interested public agencies. If the subject property is located within an identified landslide, erosion, steep slope, seismic, avalanche or coal mine hazard or wetland or stream area, the applicant may be required to submit a special study produced by a qualified professional to address the identified critical area features on the subject property.

Copies of the KCC and KCCP are available for inspection at the Department of Permitting and Environmental Review (Permitting) Permit Services Center and at the main branch of the Seattle Public Library. KCC and other development regulations are also available on the Internet via the King County Web site at www.kingcounty.gov.

Questions related to CUP may be answered by calling or contacting:

Department of Permitting and Environmental Review
35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266
Telephone: 206-296-6600

Pre-Application Conference

A pre-application conference with Permitting staff is required prior to filing a CUP application. Pre-application request forms and instructions for filing a pre-application conference request are available at the Permitting Services Center, from the Permitting Web site at www.kingcounty.gov/permits, or by calling 206-296-6600. A filing fee is required at the time a request is made with the amount to be determined at the time of filing and based on the latest adopted fee ordinance. Permitting staff will schedule the pre-application conference within thirty (30) days from the date of the request.

Filing an Application

A CUP application must be filed in person at the Permitting Services Center. An appointment with Permitting staff is required to file the application. Please call 206-296-6797 to schedule the appointment. The minimum submittal requirements necessary to file the application are described below. Permitting staff has twenty-eight (28) days from the date of filing to determine whether or not the application is complete. An application that fails to meet the submittal requirements described herein will be deemed incomplete.

Notice of Application

Public Comment Period: After Permitting staff determines that a CUP application is complete, a Notice of Application is issued, as specified below. The minimum public comment period is twenty-one (21) days, although public comments may be submitted and considered until the time of the decision.

Permitting sends out a notice of the application to property owners within a 500-foot radius of the subject property.

If the area is rural or lightly populated, the notice must be mailed to at least 20 different property owners; or, in other appropriate cases, the department may determine it is necessary to notify additional property owners.

A notice of the application will be published by the Permitting staff in the official county newspaper and another newspaper of general circulation.

The applicant is required to install a notice board, which must be placed in a conspicuous place on the property throughout the permit process so that it is visible to people passing by the property. Additional notice boards may be required as determined by Permitting.

The cost of the board is the applicant's responsibility. Permitting will send the applicant written instructions regarding the specific requirements for the notice board.

Notice of the application is also provided to anyone who writes to the department requesting information regarding the CUP request.

Method for Processing

The Department Director has appointed a representative to make final decisions regarding CUPs. This process generally takes 120-days provided no appeals are filed or substantial additional information is required. Upon conclusion of the review of the CUP application materials, the director's representative will issue a written decision based on the written record. If the proposal is subject to the State Environmental Policy Act (SEPA), Permitting will issue the SEPA threshold determination. A copy of the decision is mailed to all parties who have written to the department. There is an appeal period, as identified in the written decision, whereby an aggrieved person can file an appeal together with an appeal filing fee to the King County Hearing Examiner.

In those cases where a proposed action for a CUP also requires other County permits, the following procedures shall apply:

When other permits require a public hearing before the Hearing Examiner, the review of the CUP shall be combined with the other permit(s), and the Examiner shall act on behalf of the director's representative for the purpose of the CUP decision.

When other permits are administratively approved, review of the CUP application may be combined with other permits dependent on the granting of a CUP. If not combined, other permits may proceed prior to review and approval of such CUP.

In those cases where the Hearing Examiner is presiding, the Examiner will also act as the decision-maker and rule on the CUP.

In all cases of combined review, the most informative provisions for notification and processing shall govern the review of CUP requests.

No permit shall be approved without prior review and approval of any required variance.

Criteria for CUP Approval

KCC 21.44.040 Conditional Use Permit. A Conditional Use Permit shall be granted by the county, only if the applicant demonstrates that:

The conditional use is designed in a manner which is compatible with the character and appearance of an existing, or proposed development in the vicinity of the subject property;

The location, size and height of the buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;

The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;

Requested modifications to standards are limited to those that will mitigate impacts in a manner equal to or greater than the standards of this title;

The conditional use is not in conflict with the health and safety of the community;

The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and

The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

Submittal Requirements for Filing a CUP Application

Unless otherwise noted, the following listed items are required to be submitted at the time of application.

Permit application form: Submit one (1) original and two (2) copies.

Legal Description: Submit one (1) copy.

One a piece of white, legal-size, 8½" x 14" paper, type the legal description of the subject property and attach it to the application. The legal description of the property may be obtained from the King County Department of Assessments. **Be absolutely sure the description is correct and agrees with the property outlined on the Assessor's map.** A current legal description is necessary before the application is acceptable. If the legal description is written from a survey map, the map should accompany the description along with the Assessor's map outlined in red.

Conditional Use Permit (CUP) Application: Submit five (5) copies.

CUP Development Plans: Submit six (6) copies on uniform-sized sheets. Plans must be folded to fit in a legal-size folder (8½" x 14").

Provide on cover sheet

A 6" x 6" blank space in the lower right hand corner for Permitting identification stamps.

Name, address, day telephone number of owner.

Name, address, day telephone number of registered engineer, land surveyor, architect, or planner.

Existing zone classification.

Acreage within property boundaries.

Proposed method of sewage disposal and sewer district.

Source of water; if water district, include name.

Fire district.

School district.

Legal description (type or print).

A written statement of the general purposes of the project.

An explanation of all features pertaining to uses and other pertinent matters not readily identifiable in map form.

Vicinity maps: Show sufficient area and detail to clearly locate the project in relation to surrounding roads, parks, rivers, and municipal boundaries, together with its scale.

In the case of kennels, include the number, size, and characteristics of the breed.

For communication facilities: name, address, and day telephone number of operators.

Site plans – drawn to a convenient engineer scale:

Map scale and North arrow.

Property boundaries clearly dimensioned and accurately delineated by a heavy line or color.

Boundary lines and zoning classification of adjacent tracts within 500-feet of the subject property.

Locate, name, and dimension all existing and proposed streets and other public ways, easements, utility and railroad rights-of-way within and adjacent to the proposed development.

Existing and proposed topography on separate drawings showing at least 5-foot contours to be extended at least 100-feet beyond project boundaries.

Location of any major physical features such as railroads, lakes and rivers, including those with 500-feet of the subject property.

Locate all critical areas and associated buffers on plans. A critical area includes erosion hazards, landslide hazards, steep slope hazards, avalanche, floodplain, wetland, and/or stream. Indicate if streams are intermittent: 100-year floodplain for rivers, 25-year floodplain for streams, and delineate top and toe of 40% slopes. See KCC 21A.24 for Critical Area Standards and Development Limitations.

Accurate dimensions, location, and use of all existing and proposed structures on the subject property indicating porches, eaves, fences and signs. Identify any structures to remain or to be removed. Identify existing wells and/or septic tank and drainfields.

General size, location and uses of all existing structures within 100-feet of boundaries of the subject property.

Show elevations and/or sections of all existing and proposed buildings depicting general character of the structures, relationship between floors, entrances, building height and grades.

Illustration of building types or building complexes (may be schematic plan view) showing relationships between parking, entrances, walks, indoor areas and outdoor uses (structural floor and building plans are not required).

A minimum of one cross-section in each direction showing the relationship of the proposed structures to both existing and final grade.

If any new streets are proposed (public or private), show street construction section or reference to suitable King County Department of Transportation standards (reference King County Road Standards).

Location, dimensions, and design of off-street parking facilities showing points of ingress and egress. (See KCC 21A.18 and King County Road Standards.)

Boundaries of proposed common open space land, if any; indicate proposed use.

Proposed public dedications, e.g. school sites, parks, etc., if any, within the site.

Preliminary landscape plan showing existing vegetation to be retained and proposed landscaping identifying height and type of landscaping to be provided at time of planting. This plan can include narrative, if necessary. (See KCC 21A.16 for applicable standards for the proposed use.)

Easements, deed restrictions or other encumbrances restricting the use of the property.

Reduced Site Plan: Submit one (1) copy of a reduced site plan on an 8½" x 11" sheet.

Water Availability Certificate: Submit three (3) copies.

Preliminary approval for the creation of a new water system in accordance with the provisions of the applicable Coordinated Water System Plan or for connection with a private well from the Seattle-King County Department of Public Health; **or**

The Certificate of Water Availability form for the site must be given to the appropriate existing water purveyor to complete (water district; city; water association), and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

Note: For sites located in the Urban Growth Area, if the development is not proposing to be served by an existing or new Group A water system at the time of construction, a Certificate of Future Connection must be given to the appropriate Group A water purveyor to complete and then returned with this form.

Sewer Availability Certificate: Submit three (3) copies.

Preliminary approval for individual or community on-site sewage disposal systems from the Seattle-King County Department of Public Health must be submitted with this application; **or**

The Certificate Sewer Availability form for the site must be given to the appropriate agency to complete (sewer district) and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

Certificate of Future Water/Sewer Connection (if applicable): Submit three (3) copies.

If the site is located in the Urban Growth Areas, and an interim on-site sewage system is proposed consistent with KCC 13.24.136, the following information is also required:

The sewer availability form must be submitted to the most logical sewer purveyor to complete and returned with this application along with a letter which demonstrates to the satisfaction of the Director of Permitting that the requirement to receive sewer service from the purveyor is unreasonable or unfeasible at the time of construction; and

A Certificate of Future Connection must be given to the appropriate agency to complete and then returned with this application.

SEPA Environmental Checklist with gas emission worksheet and a reduced copy of the site plan (only if required by KCC 20.44): Submit eight (8) copies.

Please refer to instructions on the SEPA checklist form. The applicant will be contacted by the Permitting Department if additional information or clarity is required. Failure to respond may cause postponement of consideration of the request. If another agency is the SEPA lead agency for this project, also submit eight (8) copies of the Threshold Determination. If an EIS has been prepared for this proposal, submit three (3) copies of the EIS with the application.

Level-One Drainage Analysis: (Required only if the thresholds for drainage review per the King County Surface Water Design Water Manual are met.) Submit two (2) copies.

Conceptual Drainage Plan: (Required only if the thresholds for drainage review per the King County Surface Water Design Manual are met.) Submit two (2) copies.

Fire District Receipt: Obtain from the local fire district. Submit one (1) copy.

Proof of "Legal" Lot Status: Documentation of the date and method of segregation of the subject property. Submit one (1) copy.

Certificate/Affidavit of Critical Areas Compliance: Submit one (1) copy.

Certification of Applicant Status Form: Submit one (1) copy.

Copies of variance decisions required per KCC 21A

List of other issued or pending permits or decisions related to the proposal

Permit Review Fees

Additional Documents Required for Communication Facilities Only: Submit four (4) copies of each.

Attachment A for Communication facilities filing requirements

Interference and Noise Report

Radio frequency, National Instruments Error Report (NIER)

A list of community meeting attendees, a list of those who received a mailed notice, and a copy of the published meeting notice.

Other documents: (Optional at time of application submittal – Permitting staff may request or require submittal after application has been filed):

Special studies or reports (e.g., traffic studies, wetland reports, geotechnical evaluation). Submit four (4) copies.

Photographs, charts, petitions, letters, models, etc., may be submitted at the discretion of the applicant. Submittals should fit within an 8½" x 14" legal-sized file folder.



Information & Resources: Winery, Brewery, Distillery (WBD) I, II, III & Remote Tasting Rooms (Adult Beverage Facilities)

**Click on the hyperlink or refer to the endnotes for full link to each resource*

On January 3rd, 2020, [Ordinance 19030 \(Adult Beverage\)](#)¹ went into effect, which updated development regulations related to wineries, breweries, distilleries, and remote tasting rooms in unincorporated King County. The changes made by this ordinance is to help King County to prepare for and support the future of the adult beverage industry as it evolves in the region, to better implement and comply with the policies of the King County Comprehensive Plan, Countywide Planning Policies and the Growth Management Act.

Ordinance 19030 identifies four new land use definitions in [King County Code](#)² (KCC) 21A.06. These include:

1. Remote Tasting Rooms (KCC 21A.06.996)
2. Winery, Brewery, Distillery Facility I (KCC 21A.06.1427A)
3. Winery, Brewery, Distillery Facility II (KCC 21A.06.1427B)
4. Winery, Brewery, Distillery Facility III (KCC 21A.06.1427C)

1. Permits & Licenses:

All WBD I, II, III Facilities and Remote Tasting Rooms require:

- A. [Liquor License](#)³ from Washington State Liquor and Cannabis Board (WSLCB)
- B. [Adult Beverage Business License](#)⁴ from King County Permitting Division
- C. All applicable development permits necessary to comply with King County regulations. This varies based on the each proposed development. Refer to section 2 for a list of related development regulations that may be required.

2. King County Development Regulations, including, but not limited to:

- [Commercial Development Permit](#)⁵, [Tenant Improvement, or Change of Use Permit](#)⁶
- [Fire Permit](#)⁷ or [Mechanical Permit](#)⁸
- [Sign Permits](#)⁹
- [Temporary Use Permit](#)¹⁰
- [Conditional Use Permit](#)¹¹

Information & Resources: Winery, Brewery, Distillery (WBD) I, II, II & Remote Tasting Rooms (Adult Beverage Facilities), continued

3. Seattle King County Public Health Regulations, including, but not limited to:

- [Septic Use Approval](#)¹² or [Sewer Certificate](#)¹³
- [Food Handlers Permit](#)¹⁴
- [Beverage-Related Businesses](#)¹⁵

4. King County Industrial Waste

For discharge to the sanitary sewer, contact [King County Industrial Waste](#)¹⁶ at (206) 477-5300.

5. King County Stormwater Services

For information on required [Best Management Practices](#)¹⁷ to protect water quality, contact [King County Stormwater Services](#)¹⁸ at (206) 477-4811.

6. Washington State Department of Ecology

For information on [State Waste Discharges Permits](#)¹⁹ for land application or surface water discharge of wastewater (non-sewage), contact Ecology at (425) 649-7098

¹ https://www.kingcounty.gov/~media/Council/documents/Issues/winery/Ordinance_19030.ashx?la=en

² https://aqua.kingcounty.gov/council/clerk/code/24-30_Title_21A.pdf

³ <https://lcb.wa.gov/licensing/apply-liquor-license>

⁴ <https://www.kingcounty.gov/services/business/licenses/types.aspx>

⁵ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/8.ashx?la=en>

⁶ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/5.ashx?la=en>

⁷ <https://www.kingcounty.gov/depts/local-services/permits/permits-inspections/fire-permits.aspx>

⁸ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/36A.ashx?la=en>

⁹ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/20A.ashx?la=en>

¹⁰ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/b-tempuse-geninfo-pdf.ashx?la=en>

¹¹ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/ConditionalUsePermit-CUP-InstructAndInfo.ashx?la=en>

¹² <https://www.kingcounty.gov/depts/health/environmental-health/piping/onsite-sewage-systems/applications/permits.aspx>

¹³ <https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/Sewer-Availability-Certificate.ashx?la=en>

¹⁴ <https://www.kingcounty.gov/depts/health/environmental-health/food-safety/food-business-permit.aspx>

¹⁵ <https://www.kingcounty.gov/depts/health/environmental-health/food-safety/food-business-permit/beverage.aspx>

¹⁶ <https://www.kingcounty.gov/services/environment/wastewater/industrial-waste.aspx>

¹⁷ <https://www.kingcounty.gov/services/environment/water-and-land/stormwater/documents/pollution-prevention-manual.aspx>

¹⁸ <https://www.kingcounty.gov/services/environment/water-and-land/stormwater.aspx>

¹⁹ <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-permits>



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

Adult Beverage Business Owner,

This letter is to inform you that your conditional Adult Beverage Business License has been extended for an additional six months.

King County Permitting recognizes the challenges that existing adult beverage businesses have faced over the past six months, including:

- (1) Adjusted protocols and procedures in response to Covid-19,
- (2) Invalidation of King County zoning standards for wineries, breweries, distilleries, and remote tasting rooms put into effect by Ordinance 19030, and
- (3) A moratorium passed by King County Council prohibiting the expansion of existing or the establishment of new wineries, breweries, distilleries.

Based on these circumstances, King County Permitting Division is aware that adult beverage businesses, such as your own, have faced increased challenges that have limited their ability to make substantial progress towards compliance with King County Code. For this reason, King County Permitting Division is extending the Adult Beverage Business License to allow additional time for businesses to respond to the restrictions put into effect by the both the moratorium and Washington State Growth Management Hearings Board ruling on Ordinance 19030.

It is important to note that this extension is not a determination that your adult beverage business has taken substantial progress towards compliance per King County Code 6.74.080, but rather an extension based on the existing circumstances listed above. Once the moratorium has been lifted and the zoning standards for wineries, breweries, distilleries, and remote tasting rooms re-established, all adult beverage business licenses will need to obtain all necessary permits to demonstrate compliance.

Any adult beverage businesses that are already vested through an existing building permit or as a nonconforming home occupation are encouraged to use the next six months to obtain all necessary permits to ensure compliance with King County Permitting Division standards. Businesses seeking compliance with the invalidated zoning standards for wineries, breweries, distilleries, and remote tasting rooms will need to wait until zoning standards are back in effect.

If you have any questions, please contact me at wclauss@kingcounty.gov or 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

BUSL20-0016

Business License Application, Adult Beverage, continued

RECEIVED

APR 18 2020

KC DLS/PERMITS

Application and Facility Types

Application Type: New Application Renewal

Facility Use: Remote Tasting Room Brewery Distillery
(check all that apply) Winery Other Non-Conforming

WBD Type: Type I Type II Type III

Square footage of Manufacturing:

Square footage of Tasting Room:

Business Information

BUSINESS NAME
TENSOR WINES, LLC

PARCEL NUMBER (required)
152605 - 9092

BUSINESS ADDRESS
16116 140TH PL. NE

CITY STATE ZIP CODE
WOODINVILLE, WA 98072

BUSINESS MAILING ADDRESS Same as above

CITY STATE ZIP CODE

BUSINESS EMAIL
CLIFF@MATTHEWSWINERY.COM

BUSINESS PHONE NUMBER
425-487-9810

UBI NUMBER
602205228

BUSINESS WEBSTE ADDRESS
MATTHEWSWINERY.COM

WSLCB LICENSE NUMBER
BW-WA-227

EFFECTIVE DATE
07/13/2011

Applicant Information (name of person or entity proposing to operate the business)

FULL NAME PHONE NUMBER EMAIL ADDRESS
Cliff Otis 425-442-8390

MAILING ADDRESS CITY STATE ZIP CODE
16116 140TH PL NE WOODINVILLE, WA 98072

Continued

Business License Application, Adult Beverage, continued

Select one: Sole Ownership (Applicant listed above) Partnership Corporation

CORPORATE OR PARTNERSHIP NAME

RENOIR WINES, LLC

ADDRESS OF PRINCIPAL OFFICE

16116 140TH PL NE

CITY

WOODINVILLE, WA

STATE

ZIP CODE

98072

NAME OF REGISTERED AGENT

PHONE NUMBER

EMAIL ADDRESS

JGB SERVICE CORPORATION

MAILING ADDRESS

600 UNIVERSITY ST. #3000

CITY

SEATTLE, WA

STATE

ZIP CODE

98101

Partnerships or corporations: list all owners, partners or officers with a financial interest: (Attach an additional page if necessary)

FULL NAME

CLIFF OTIS

EMAIL ADDRESS

CLIFF@MATTHEWSWINERY.COM

MAILING ADDRESS

13926 180TH AVENUE

CITY

REDMOND

STATE

ZIP CODE

WA 98052

FULL NAME

DIANE OTIS

EMAIL ADDRESS

DIANE@MATTHEWSWINERY.COM

MAILING ADDRESS

13926 180TH AVE NE

CITY

REDMOND

STATE

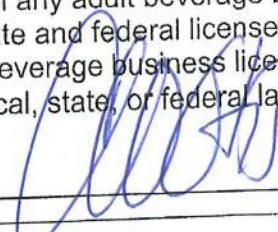
ZIP CODE

WA 98052

The issuance of this business license is not meant to imply that all regulations have been met.

I, the undersigned, declare under the penalty of perjury that I am the applicant or authorized representative of the above-listed adult beverage business and that the answers and accompanying information contained in this document have been examined by me and are true, correct and complete. I understand that if information provided in this document is not true, correct and complete that this license may be denied or revoked, and that future extensions may also be denied. I understand that additional local, state, and federal licenses, authorizations, and permits are required before I may engage in any adult beverage business use, and that I am fully responsible for obtaining all applicable local, state and federal licenses, authorizations and permits. I understand that the granting of this adult beverage business license does not satisfy and shall not be construed as satisfying any other local, state, or federal laws or regulations

Applicant Signature: _____



Date: _____

4/12/2020



April 17, 2020

Patrick J. Mullaney
D. 206.386.7532
patrick.mullaney@stoel.com

VIA COURIER

Warren Clauss
Associate Planner, Commercial
King County Department of Local Services, Permitting Division
35030 S.E. Douglas Street, Suite 210
Snoqualmie, WA 98065

Re: Matthews Winery Adult Beverage Business License

Dear Mr. Clauss:

I am following up on our telephone conversation from last week. As you may be aware, Stoel Rives is assisting Tenor Wines, LLC, doing business as Matthews Winery (“**Matthews**”), with its application for the new Adult Beverage Business License (the “**License**”) pursuant to Ordinance 10930 (the “**New Ordinance**”) for the winery located at 16116 140th Place NE in unincorporated King County.


As you will see, Matthews has already invested significant resources to evaluate the requirements of the New Ordinance and prepare a workable plan to bring its winery operations into compliance, and Matthews is committed to working diligently with the Permitting Division to achieve compliance with the New Ordinance within the time period set out by the Permitting Division. To that end, we respectfully request that you copy Stoel Rives on all written correspondence to Matthews regarding its application for the License and other permitting matters related to compliance with the New Ordinance. Please also feel free to reach out to me directly with legal or regulatory questions related to Matthews’ application.

Sincerely,

Patrick J. Mullaney (via electronic signature)

Patrick J. Mullaney

(Enclosures)

 stoel.com 600 University Street, Suite 3600, Seattle, WA 98101
T 206.624.0900 F 206.386.7500

April 17, 2020

Tenor Wines, LLC

Dbas: Matthews Winery, Matthews Estate, Matthews Cellars

16116 140th Place N.E.

Woodinville, WA 98072

“Where Washington Wine Meets Woodinville Farming”

Matthews Winery sits on eight acres in the heart of the Woodinville Wine County and is owned by the Otis’s, a local family which operates the winery. We take our inspiration from the great wine blending techniques of Bordeaux and from the exceptional fruit that our state is producing. Our wines tip their hat to old world traditions, while embracing the energy and innovation of this ascendant wine region. Since 1992, Matthews has crafted red wines from Cabernet Sauvignon, Merlot, Cabernet Franc, Malbec, Petit Verdot, and Syrah fruit, and white wines from Sauvignon Blanc, Semillon and Chardonnay fruit.

We work with many of the most iconic vineyards in Washington, honing our growing and blending processes to deliver wines of depth, complexity and substance. We make wine with principles, and while we are inspired by Bordeaux, many of those principles come from our Washington heritage. When you walk around our Woodinville property, you’ll see our production facility, tasting room, farmhouse, and organic farm, all with a deep respect for the land and people of our local community and state. Whether it’s a special occasion or an everyday moment, count on our wines to be approachable, exciting and a pleasure to share with others.

Process:

Matthews wines start in a state-of-the-art winemaking facility in Walla Walla, Washington, close to where the grapes are grown and where each of our vineyard lots are hand sorted, destemmed, and crushed during harvest. Then, depending on the varietal, each lot will be analyzed and then transferred to oak barrels, concrete or stainless-steel tanks for fermentation and barrel aging on site and at our Woodinville facility. All Woodinville barrels, when ready, are returned to Walla Walla to be included in the bottling and labeling process. Once the bottling process is completed, then cases are delivered to the Woodinville facility and used for tastings and retail sales.

Buildings:

Originally, the production portion of the Woodinville winery facility was the majority of the building, with the exception of a 200 square foot tasting room. As the production needs changed around 2010-11, the tasting room area expanded into a larger portion of the facility, and thus there was a smaller production footprint, which has been continuously used since that time. As a direct result of the new King County Adult Beverage Ordinance, the overall structure of the winery facility is now changing again. The majority of the footprint is to be dedicated to production with no more than 30% of the original building footprint dedicated to tasting room area and at least 70% of the original building footprint and crush pad dedicated to production and administrative offices. This modification is intended to fully comply with the new Adult Beverage Ordinance. The building plans that are being submitted today may be modified in consultation with DPER over the next few months to fully define

the exact configuration required to meet all the requirements of the King County Adult Beverage Ordinance. Leading up to and going through the CUP process as a WBD III, we have plans to further define each area of our business. A full set of building plans, civil plans, other permits and plans will be created in the next few months as we begin this CUP process as outlined by DPER.

On our property we also have four other buildings. The Farmhouse is a full time, private residence for a member of the Otis Family. The Farm Shed houses things such as a tractor, lawn mower, tools, equipment, and supplies used in managing the property which includes the farm, produce and flower planting areas. The Green House is used by our fulltime farmer in the production of organic produce. The Prep/Production office is a small building used as a prep area and office for cleaning, storing and managing farm produce and activities.

Compliance with KCC Title 21A:

The Winery holds an active winery permit from the U.S. Alcohol and Tobacco Tax and Trade Bureau (Permit Number WA-W-15197) and is licensed by the Washington State Liquor and Cannabis Board as a Domestic Winery <250,000 Liters (License Number 081704). The Winery entered into a settlement agreement with King County on January 28, 2016 regarding compliance with King County Code Title 21A, along with many other adult beverage businesses in unincorporated King County, and it has complied with the terms of the settlement agreement. Following the adoption of the new King County Adult Beverage Ordinance on December 4, 2019, the Winery has engaged legal, engineering and design professionals to evaluate the requirements of the new

ordinance, has met with consultants for the County regarding compliance with the new ordinance, and is submitting this application in furtherance of its commitment to comply fully with the new ordinance.

Other Facts:

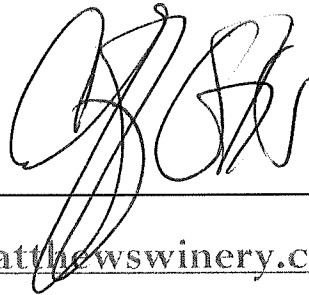
- Water is supplied by the Woodinville Water District – customer # 42951. Attached is a sample invoice.
- We employ approximately 20-25 full or part time people in family wage jobs in King County.
- We produce about 15-20k cases of wine each year.
- We are fully committed to buying Washington State grapes in support of grape growers and farmers across the State.
- Winebow is our key distributor of wines across the USA.
- We are members of the Woodinville Wine Country, Woodinville Chamber of Commerce, Washington Wine, Washington Wine Institute and other local organizations.
- We collect thousands of dollars in sales tax for the State of Washington each month.
- Every year we support over 150 Local, Regional and National charities with thousands of dollars in donations and gifts.
- We have spent more than 300k in the past 5 years supporting local farmers and farms in the Sammamish Valley and Snoqualmie Valley predominately.
- We have many 501 C3 and other nonprofit and charities that use our location for raising funds for the worthy causes.
- We have won many National Awards for our Wines.

We have enclosed the business license application, a copy of the King County Settlement Agreement, Woodinville Water District bill, Washington State Business License, Health Permit, Reseller Permit, Clearing and Grading Permit, TTB Permit, Registered trade names, Federal Taxpayer W9 etc. Your DPER files would contain all the correspondence referencing ADDC16-0463.

Please confirm receipt.

Sincerely,

Cliff Otis



Owner - Cliff@matthewswinery.com – 425 443 8390

Diane Otis

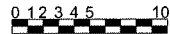
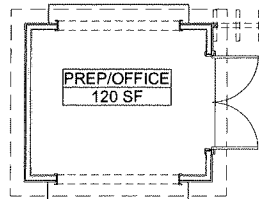
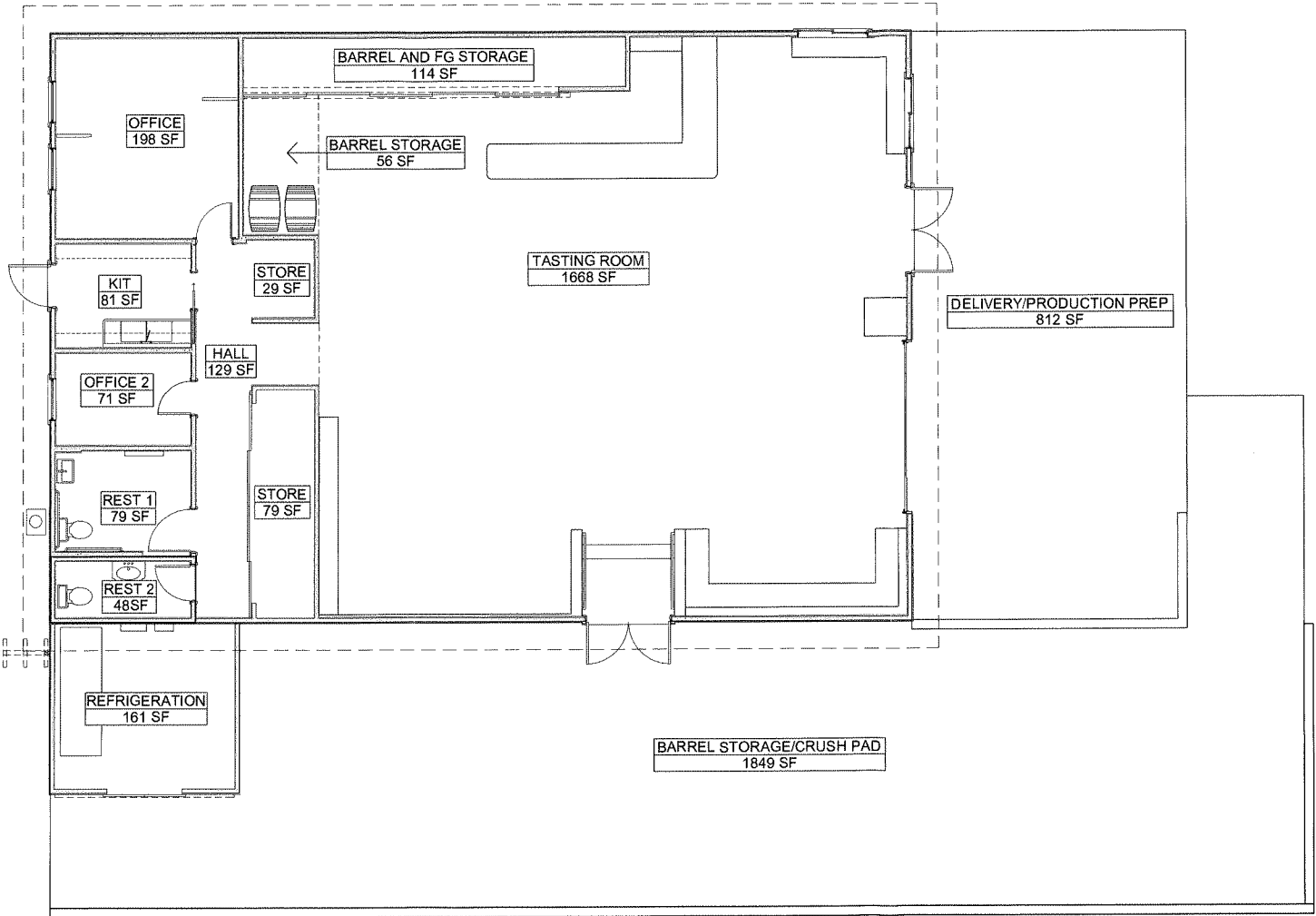


Owner - Diane@matthewswinery.com – 425 444 2990

cc: enclosures

WINERY AREA CALCULATIONS

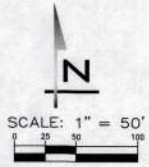
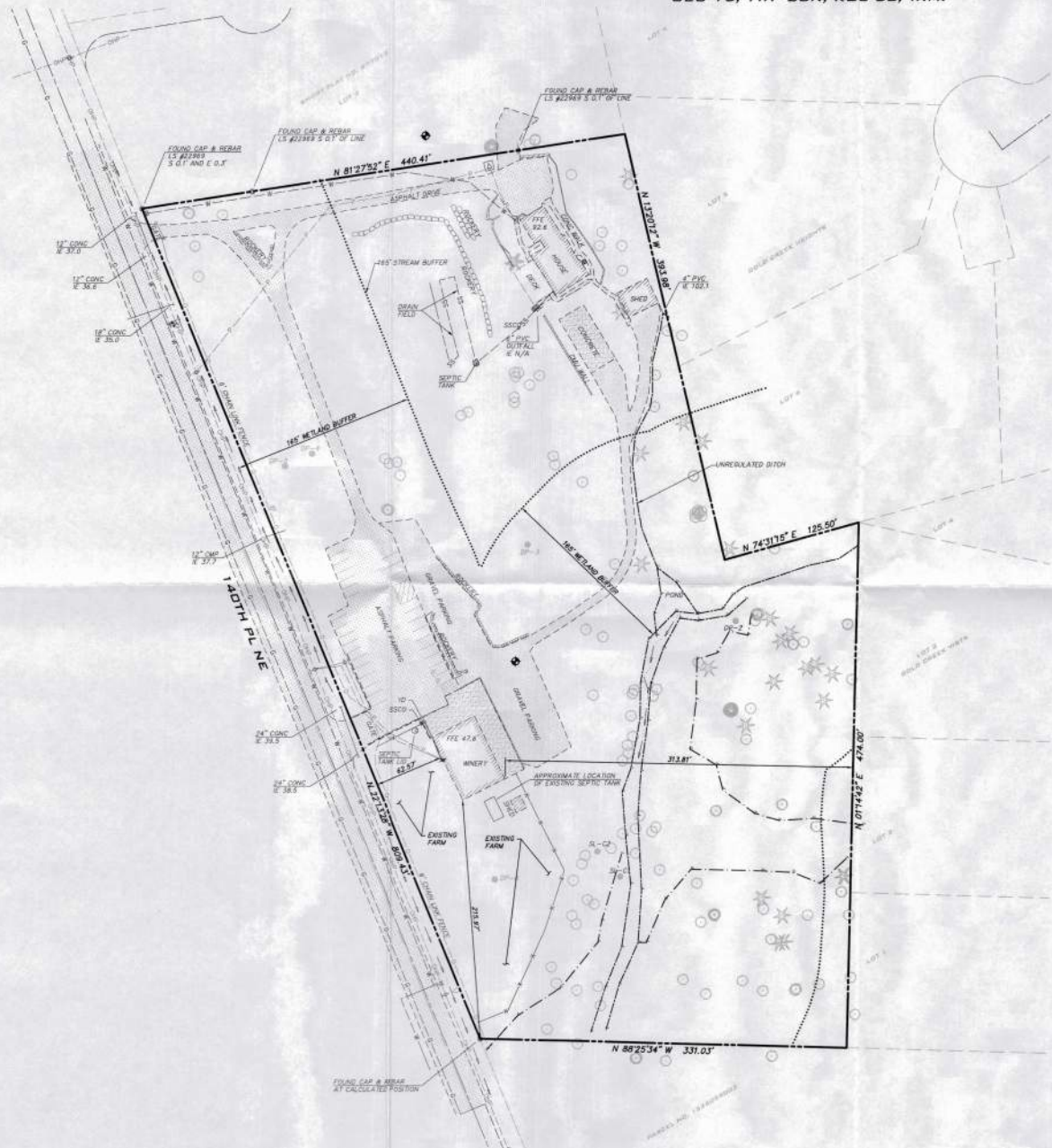
NON-TASTING ROOM AREAS:		SF
OFFICE		198
KITCHEN		81
ACCOUNTING		71
RESTROOM 1		79
RESTROOM 2		48
HALL		129
STORAGE 1		29
STORAGE 2		79
BARREL STORAGE IN TASTING ROOM		56
BARREL AND FG STORAGE		114
DELIVERY/PRODUCTION PREP		812
BARREL STORAGE/CRUSH PAD		1849
REFRIGERATION ROOM		161
PREP & PRODUCTION OFFICE		120
TOTAL NON-TASTING AREAS		3826
TOTAL TASTING AREA		1628
TOTAL WINERY SQUARE FOOTAGE		5454
PERCENT OF WINERY THAT IS TASTING AREA		29.8%



MATTHEW'S WINERY
WINERY FLOOR PLAN AND AREA CALCULATIONS

SCALE: 1/8" = 1'-0"





SITE INFORMATION

ZONING
 RA (RURAL AREA)

GROSS SITE AREA
 283,638.8 SF (7.7 AC)

TOTAL WINEY AREA
 6,454 SF

TOTAL TASTING ROOM AREA
 1,628 SF (29.8% OF TOTAL FLOOR AREA)

MAXIMUM WINEY AREA ALLOWED
 6,000 SF

TASTING ROOM AREA ALLOWED
 306 OF TOTAL WINEY AREA

MAXIMUM IMPERVIOUS SURFACE ALLOWED
 83,959.7 SF (29% OF TOTAL SITE AREA)

TOTAL IMPERVIOUS SURFACE
 50,347 SF (18% OF TOTAL SITE AREA)

PARKING MINIMUM
 11 STALLS

***10.8 STALLS PER 1,000 SF + 1 STALL PER 300 SF OF TASTING ROOM**

EXISTING PARKING STALLS
 28 STALLS (2 ADA)

MAXIMUM STALLS ALLOWED
 18 STALLS

***UP TO 150% OF PARKING MINIMUM**

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE, AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.



SCALE:
 AS NOTED

PROJECT MANAGER:
 TODD OBERG, PE

PROJECT ENGINEER:
 TBD

DESIGNER:
 TBD

ISSUE DATE:
 4/16/2020

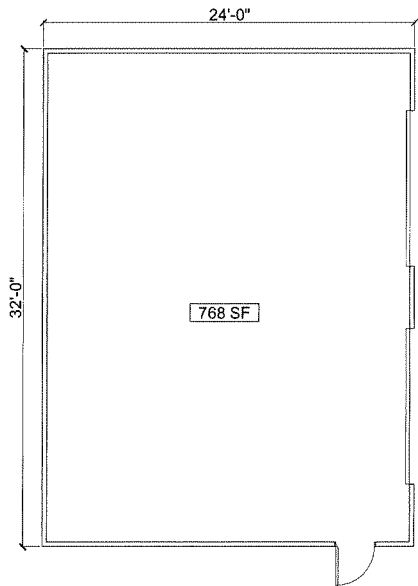
NO	DATE	BY	REVISIONS

MATTHEWS WINERY
EXISTING CONDITIONS
 PARCEL # 1526059092
 KING COUNTY WASHINGTON

JOB NUMBER:
18-188

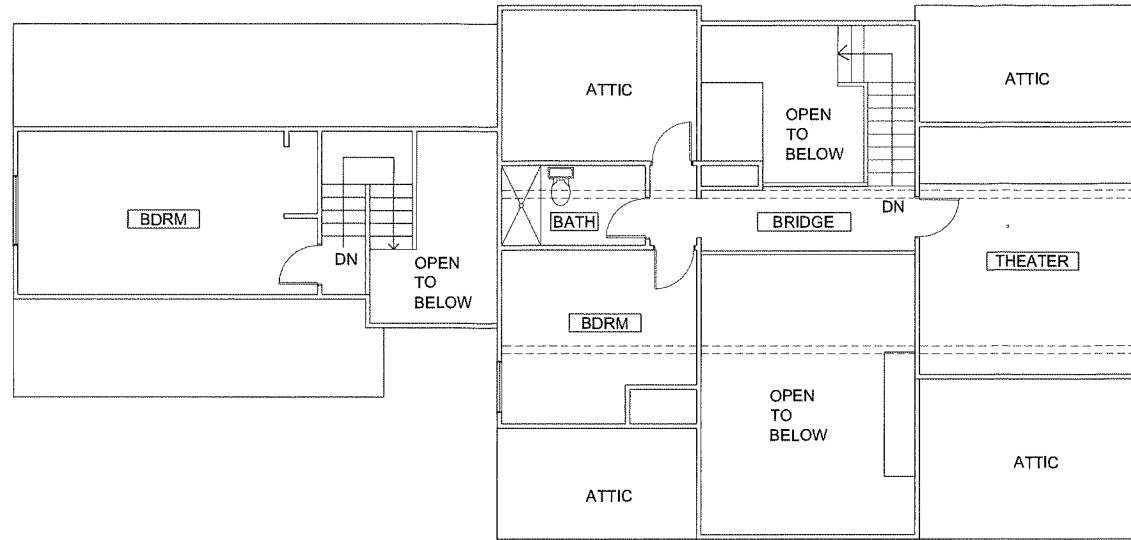
STREET NAME:
SITE PLAN

SHT **1** OF **1**



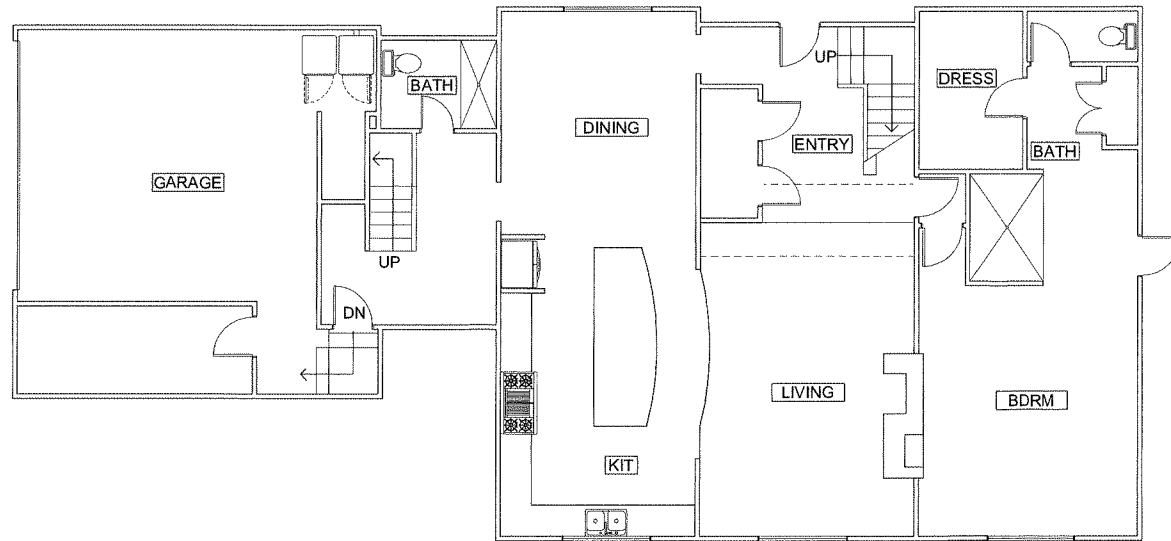
DETACHED GARAGE

SCALE: 1/8" = 1'-0"



768 SF LIVING SPACE

UPPER LEVEL



512 SF GARAGE

1620 SF LIVING SPACE

MAIN LEVEL

MATTHEW'S WINERY-EXISTING RESIDENCE FLOOR PLAN

SCALE: 1/8" = 1'-0"





King County

**Department of Permitting
and Environmental Review**

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 TTY Relay: 711

January 11, 2016

Tenor Wines and Matthews Estate
16116 140th PL NE
Woodinville, WA 98072

Dear Tenor Wines And Matthews Estate,

Though the winery, brewery, distillery and related tasting room industry is not new to Washington State, in recent years it has become one of our hallmark industries. We know that Washington wines are respected and enjoyed nationally and even internationally, that our craft beers have both popular and cult followings, and now we are seeing the emergence of local distilleries whose products are gaining fans near and far. Combined, these businesses form a leading component of our State and local economies and help define our regional character. We support the industry and want it to thrive.

In 2006, when wineries and tasting rooms were beginning to become more common in King County, we established some zoning rules to govern what was to us a relatively new local land use. Today, we see that those zoning regulations are in some ways out of step with how the alcohol beverage industry has developed and matured. Because of that, it is sometimes difficult for business owners to fully comply with the land use regulations, often leading to code enforcement violations; and in some cases there can be tensions between the businesses and nearby residents.

Accordingly, the Office of the King County Executive soon will be initiating a detailed study of the industry. The study will examine the industry in the Sammamish Valley area, and other parts of King County, in light of our local zoning regulations and compare our zoning to other jurisdictions—both cities and counties—that zone for these businesses.

The study will be conducted by a consultant who will receive information and input from the public and a stakeholder group comprised of people who are informed about the industry and related regulations. If there are any recommendations for regulatory change, we anticipate they will be transmitted to the King County Council this year. The study will focus primarily on the Sammamish Valley area, but the recommendations may apply Countywide.

This letter is being sent to all wineries, breweries, distilleries and associated tasting rooms in unincorporated King County that are on file either with the Department of Public Health and/or the Department of Permitting and Environmental Review.

Many of these businesses are not in full compliance with King County land use and public health regulations, and several have open code enforcement cases. However, given the pending study and the

January 11, 2016

Page 2

potential of changes to County regulations, the Department of Permitting and Environmental Review is willing to present a settlement option for business owners. In lieu of proceeding with standard enforcement processes described in the King County Code, business owners may continue their current operations during the study period and also while any resulting legislative changes are being considered by the King County Council if the business owner(s) agree to the following conditions:

- The business entity will not undertake any construction or any activity that will increase its regulatory non-compliance;
- The business entity will correct immediately any failure to comply with applicable regulations that create a life safety issue; and
- If there are any issues of non-compliance with Public Health—Seattle & King County food safety and on-site septic regulations, those will need to be addressed on a case-by-case basis through the County's normal processes, which may result in either an approved permit or a variance to continue operating.

Upon completion of the study and any subsequent County Council action, property owners will be given the opportunity to address their unpermitted uses according to any resulting recommendations and/or code amendments.

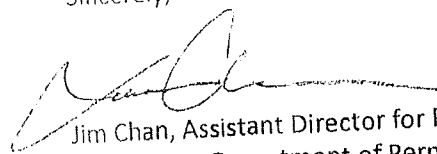
To accept the settlement agreement option, you must sign and return the statement below to our office no later than **February 3, 2016** to:

Department of Permitting and Environmental Review
Attn: Jim Chan
35030 S.E. Douglas Street, Suite 210
Snoqualmie, Washington 98065

If you have any questions regarding this letter, please contact Sheryl Lux at (206) 477-0293 or sheryl.lux@kingcounty.gov. We would welcome and appreciate a timely response because the study will begin soon. However, if we do not receive a response by February 3, 2016, then we will continue with existing code enforcement cases and initiate new ones that are warranted.

We look forward to working together with you and other stakeholders to find workable and beneficial solutions.

Sincerely,



Jim Chan, Assistant Director for Permitting
King County Department of Permitting and Environmental Review

Attachment: Proposed Settlement Agreement

cc: Becky Elias, Department of Public Health
Sheryl Lux, Department of Permitting and Environmental Review, Code Enforcement
Diane Carlson, Department of Executive Services

SETTLEMENT AGREEMENT

I am the owner of the business known as Tenor Wines, LLC (Abba-Matthews Cellars)
located in unincorporated King County at 11116-140th Place NE (Matthews Estate, Matthews Winery)
My business includes (please summarize services and activities): Tenor Wines
winery and tasting room and BiB

I have decision-making authority and may legally bind my business under the laws of the State of Washington.

I do not have an approved permit for the use and operation of the business at this time.

I agree not to undertake any construction or any form of activity that will increase my business' regulatory non-compliance.

I agree to correct immediately, pursuant to the County's normal processes, any and all County code violations that create any life safety issues.

I understand that by signing and complying with this settlement that I will not be subject to code enforcement actions for my winery, brewery, distillery, or associated tasting room business for the duration of the study period and while any related legislative changes are being considered. I agree that I am now and will be in the future subject to the plain language of the King County Code. I understand that I will have the opportunity to address my business' current unpermitted uses and/or code violations, as set forth in the King County Code, after the resolution of the study, and that the King County Council may or may not adopt any recommended legislative changes. I also understand that this settlement does not bind any other law enforcement or regulatory agency from investigating or enforcing applicable laws.

Dated this 28 day of January, 2016.

Business Owner (printed and signed):

Diane Otis

[Signature]
Duff Otis

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Tenor Wines, LLC	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ P <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
	5 Address (number, street, and apt. or suite no.) See instructions. 16116 140th PI NE	Requester's name and address (optional)
	6 City, state, and ZIP code Woodinville, WA 98072	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
			-			-			
or									
Employer identification number									
9	1	-	2	1	7	7	2	6	6

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶ 5/13/2019
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



STATE OF
WASHINGTON

Limited Liability Company

BUSINESS LICENSE

Issue Date: May 10, 2019
Unified Business ID #: 602205228
Business ID #: 001
Location: 0001
Expires: May 31, 2020

TENOR WINES, LLC
MATTHEWS CELLARS
16116 140TH PL NE # A
WOODINVILLE, WA 98072

EGG HANDLER/DEALER - ACTIVE
INDUSTRIAL INSURANCE - ACTIVE
TAX REGISTRATION - ACTIVE

UNEMPLOYMENT INSURANCE - ACTIVE
MINOR WORK PERMIT - ACTIVE
DOMESTIC WINERY < 250,000 LITERS #081704 -
ACTIVE

DUTIES OF MINORS:

Ages 16-17: dishwashing. *MINOR MUST BE SUPERVISED BY A RESPONSIBLE ADULT IF WORKING PAST 8:00 P.M.*

LICENSING RESTRICTIONS:

It is the business's responsibility to comply with minor work permit requirements. See WAC 296-125-030 and WAC 296-125-033 for Non-Agricultural and WAC 296-131-125 for Agricultural guidelines and restricted activities.

Please note: The U.S. Department of Labor prohibits minors under the age of 18 from using power food slicers and grinders.

REGISTERED TRADE NAMES:

MATTHEWS CELLARS

This document has the registration, endorsement, and license authorized for the business and is valid for the period shown on this document. The licensee certifies the information on the application is true, correct, and complete to the best of his or her knowledge, and that business will be operated in compliance with all applicable Washington state, county, and city regulations.

Vikki Smith
①

TENOR WINES, LLC
16116 140TH PL NE
WOODINVILLE WA 98072-6985



BUSINESS LICENSE

REGISTERED TRADE NAMES

Unified Business ID #: 602205228

Limited Liability Company

TENOR WINES, LLC

REGISTERED TRADE NAMES:

- MATTHEWS CELLARS
- MATTHEWS ESTATE LLC
- MATTHEWS FARM
- MATTHEWS WINERY
- TENOR WINES

This document is the registration, enforcement, and business authorization for the business named above. It is subject to the provisions of the Uniform Information Practices Act, which apply to all state agencies. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose.

Vikki Smith
2

Public Health
Seattle & King County



Permanent Food - Risk Based



PERMIT

PERMIT NO. PR0082856
P/E 6757
GRANTED TO MATTHEWS CELLARS - TASTING ROOM
LOCATION 16116 140TH PL NE
WOODINVILLE, WA 98072

Limited Food Services - no permanent plumbing

FOR A PERIOD BEGINNING 4/1/2020 AND ENDING 3/31/2021

MAILING ADDRESS

MATTHEWS CELLARS - TASTING ROOM
C/O DIANE & CLIFF OTIS
16116 140TH PL NE
WOODINVILLE, WA 98072

Director

DATED 03/27/2020

BY

Patty Hays

SUBJECT TO ALL STATE LAWS, COUNTY BOARD OF HEALTH RULES AND REGULATIONS, AND/OR CITY OR COUNTY ORDINANCES PERTAINING THERETO. THIS PERMIT MAY BE SUSPENDED OR REVOKED UPON VIOLATION BY THE HOLDER OF ANY OF THE TERMS OF THESE REGULATIONS. THIS PERMIT IS NOT TRANSFERABLE AND MUST BE POSTED IN A CONSPICUOUS PLACE. THIS PERMIT IS NOT VALID UNLESS SIGNED BY OPERATOR. NEW OWNERS MUST APPLY AND PAY FOR A NEW PERMIT BEFORE BEGINNING OPERATION.

X

OPERATOR SIGNATURE



STATE OF
WASHINGTON

RESELLER PERMIT

Washington State Department of Revenue

PO Box 47476 • Olympia, WA 98504-7476 • 1-800-647-7706

602 205 228
TENOR WINES LLC
MATTHEWS CELLARS
16116 140TH PL NE
WOODINVILLE, WA 98072-6985

Permit Number: A08 4746 21

Effective Date: 01-01-2018

Expiration Date: 12-31-2021

Business Activities:

WINE AND DISTILLED ALCOHOLIC BEVERAGE MERCHANT WHOLESALERS

This permit can be used to purchase:

- Merchandise and inventory for resale without intervening use
- Ingredients, components, or chemicals used in processing new articles of tangible personal property produced for sale
- Feed, seed, seedlings, fertilizer, and spray materials by a farmer
- Materials and contract labor for retail/wholesale construction
- Items for dual purposes (see Purchases for Dual Purposes on back)

This permit cannot be used to purchase:

- Items for personal or household use
- Promotional items or gifts
- Items used in your business that are not resold, such as office supplies, equipment, tools, and equipment rentals
- Materials and contract labor for public road construction or U.S. government contracting (see Definitions on back)
- Materials and contract labor for speculative building

This permit is no longer valid if the business is closed.

The business named on this permit acknowledges:

- It is solely responsible for all purchases made under this permit
- Misuse of the permit:
 - Subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and penalties imposed (RCW 82.32.291)
 - May result in this permit being revoked

Notes (optional): _____

Important: The Department of Revenue may use information from sellers to verify all purchases made with this permit were qualified.

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

BASIC PERMIT
(Under Federal Alcohol Administration Act)

1. PERMIT NUMBER

WA-W-15197

2. DATE OF PERMIT

October 29, 2008

5. NAME AND ADDRESS OF PERMITTEE (Number and street, city or town, State and Zip Code)

TENOR WINES, LLC
dba MATTHEWS CELLARS
16116 140TH PLACE NORTHEAST
WOODINVILLE, WA 98072-6985

3. REGISTRY NUMBER (If applicable)

BW-WA-227

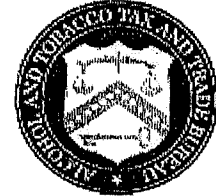
4. DATE OF APPLICATION for Amendment

May 13, 2011

6. TRADE NAMES AUTHORIZED BY THIS PERMIT (Trade name approval does not constitute approval as a brand name for labeling purposes. If needed, list on reverse or use continuation sheet.)

See Attached

* Used for Contract Bottling or Packaging/Branding Purposes



7. PERMIT GRANTED FOR (ONE TYPE OF OPERATION ONLY)

Pursuant to the application of the date indicated in item 4, you are authorized and permitted to engage, at the above address, in the business of:

- a. Distilled Spirits - distiller rectifier(processor) warehouseman and/or warehouseman and bottler and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the distilled spirits so distilled or rectified, or warehoused and bottled, or the wines so rectified,
- b. Wine - producer and blender blender and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the wine so produced or blended,
- c. Importer - importing into the United States the following alcoholic beverages: and while so engaged, to sell, offer to deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so imported,
- d. Wholesaler - Purchasing for resale at wholesale the following alcoholic beverages: and while so engaged, to receive or to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so Purchased.

This Permit is conditioned upon your compliance with the Federal Alcohol Administration Act; the Twenty-first Amendment and laws relating to its enforcement; all other Federal laws relating to distilled spirits, wine, and malt beverages, including taxes with respect to them; the Federal Water Pollution Control Act; and, all applicable regulations made pursuant to law which are now, or may hereafter be, in force.

This basic permit is effective from the date shown above and will remain in force until suspended, revoked, annulled, voluntarily surrendered, or automatically terminated.

THIS PERMIT WILL AUTOMATICALLY TERMINATE THIRTY DAYS AFTER ANY CHANGE IN PROPRIETORSHIP OR CONTROL OF THE BUSINESS, unless an application for a new basic permit is made by the transferee or permittee within the thirty day period. If an application for a new basic permit is timely filed, the outstanding basic permit will continue in effect until the application is acted on by the Director, Alcohol and Tobacco Tax and Trade Bureau.

THIS PERMIT IS NOT TRANSFERABLE. ANY CHANGE IN THE TRADE NAME, CORPORATE NAME, MANAGEMENT OR ADDRESS OF THE BUSINESS COVERED BY THIS PERMIT, OR ANY CHANGE IN STOCK OWNERSHIP (MORE THAN 10%) MUST BE REPORTED TO THE NATIONAL REVENUE CENTER OR PUERTO RICO OPERATIONS OFFICE WITHOUT DELAY.

THIS IS AN

ORIGINAL PERMIT

AMENDED PERMIT

REASON FOR AMENDMENT

CHANGE IN CORPORATE NAME

DATE OF AMENDMENT

JUL 13 2011

SIGNATURE AND TITLE OF AUTHORIZED TTB OFFICIAL

FOR JOHN J. MANFREDA, ADMINISTRATOR

TTB F 5170.2 (05/2006)

CLEARING AND GRADING

Permit type, Subtype: Grade, Clearing

Title: OTIS ABC CLEARING RESTORATION

Description: PLANT 18 NATIVE TREES AND PLANTS NEAR
STREAM AND REMOVE 2 HAZARDOUS TREES

Permit Number: GRDE15-0171

Date Issued: 03/11/2016

Expiration Date: 3/11/2017

Permit Status: Permit Issued

List of Parcels: 1526059092

Site Address: 16116 140TH PL NE 98072

Valuation: \$0.00

Applicant Name: CLIFF & DIANE OTIS

Applicant Address: 16116 140TH PL NE WOODINVILLE, WA
98072

Owner Name: Rubstello/Otis Llc

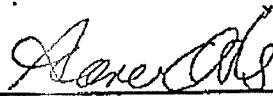
Owner Address: 16116 140th Pl Ne
Woodinville, Wa 98072

Please refer to the above project number when making inquiries regarding this application. For Permit information or requests for inspections, call your Grading/Clearing Inspector at 1-888-546-7728.

CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the information furnished by the owner or owner's agent in support of this application is true and correct. I further certify that all applicable King County requirements for the work authorized by this permit, if issued, will be met and that violation thereof will be cause for code enforcement action.

I have read the attached conditions of approval and understand that failure to comply with all conditions set forth herein shall necessitate an immediate work stoppage until such time as compliance with the stipulated conditions is attained. Failure to comply or repeated violations of permit conditions may result on enforcement actions, civil penalties as authorized under K.C.C. Title 23, and/or permit suspension or revocation. The granting of this permit shall not be construed as satisfying the requirements of other applicable Federal, State or Local government permits or regulations. The operation and maintenance of facilities authorized under this permit shall be conducted in accordance with the conditions contained herein and shall generally comply with all provisions of K.C.C. 16.28 and other applicable County Codes.



co-owner

3/12/16
Date

Owner /Applicant Signature

Title



King County
 Department of Permitting
 And Environmental Review
 35030 SE Douglas Street, Suite 210
 Snoqualmie, Washington 98065

Notification of Permit Approval

NAME: Cliff and Diane Otis
 ADDRESS: 16116 – 140th Place NE
 Woodinville, WA 98072

DATE: November 7, 2015

This notice is to inform you that your permit number GRDE15-0171 for the Otis ABC Clearing Restoration has been reviewed, approved, and is ready to be issued.

When you come to pick up your permit, please bring this letter with you along with the fees and/or additional items listed below. This permit must be issued at our Snoqualmie office at 35030 SE Douglas Street, Suite 210, unless other arrangements have been made. Please sign up on the Building Permit Issuance list in the main lobby; you will be seen in first-come, first-serve order. You may need to wait, and wait times may vary depending upon customer flow. Pick up hours are:

7:30 to 11:30 a.m. and 1:00 to 3:00 p.m., Monday, Tuesday, Thursday and Friday
 Closed all day Wednesday

The following checked items must be received prior to the issuance of your permit:

- Current Balance* Due for Permit and Mitigation Fees = **\$0.0**
*This balance is what is currently shown on the account for the permit. There may be additional hourly charges due at issuance. Also, hourly fees that are not charged by the time of issuance may be billed.
- Copy of Current Washington State Contractor's Registration (required for Commercial Permits)-or signed owner affidavit
- One copy of the recorded Critical/Sensitive Areas Notice on Title(s)
- Copy of recorded ABC Notice on Title
- Health Department Approval (Both Cover Page and Signed Site Plan)
- Submit (2) Copies Recorded Drainage Covenants
- Other:

King County DPER accepts cash or checks for payment. Please make all checks payable to the **King County Office of Finance**. We will hold your permit for sixty (60) days. If your permit is not issued within 60 days, your application will expire and may be canceled in compliance with KCC 16.02.280. **Any request for extension of this time should be directed in writing to the address above, attention of the Permit Center Supervisor.** Customer requested building or land use inspections outside regular business hours will be charged the overtime labor cost of County personnel in addition to the regular inspection fees. Excluded from overtime fees are inspections for fireworks stands, fireworks displays and other special events. If you have any questions regarding your permit or this letter, please contact the Permit Center at 206-296-6600.

Thank you.

STATE OF WASHINGTON



SECRETARY OF STATE

LENOR WINES, LLC

JGB SERVICE CORPORATION
600 UNIVERSITY ST #3600
SEATTLE WA 98101

AMENDMENT

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that documents meeting Washington statutory requirements have been filed and processed with the Secretary of State on behalf of:

LENOR WINES, LLC

A Washington Limited Liability Company
UBI: 602 205 228
Filing Date: September 15, 2010
Effective Date: September 15, 2010

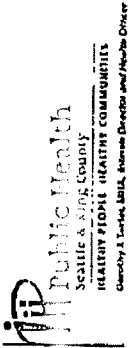
Previous Name:

MATTHEWS ESTATE, LLC



Given under my hand and the seal of the State of Washington at Olympia, the State Capital.

Sam Reed, Secretary of State



**ON-SITE SEWAGE SYSTEM (OSS)
RECORD DRAWING CERTIFICATION
OF COMPLETION** (Submit in Triplicate)

ADDRESS OF PROPERTY 16116-140th Place NE

(Street)

Woodinville

(City)

98072

(Zip)

SYSTEM TYPE Holding Tank

OPERATIONAL CAPACITY 110 (gals/day) PERMIT NO. ON0151928 APN (PARCEL #) 152605-9092

No. of Bedrooms designed for 0 LEGAL DESCRIPTION Section 35, Township 26, Range 05 Lot 4 Subdivision KCSP #877013 REC 7801260573

Owner Ottis, Cliff W. Address 16116 - 140th Place NE, Woodinville, WA 98072 Phone 425-442-8390

Designer Dave Huard Address PO Box 2243 North Bend, WA 98045 Phone 425-831-1781

Master Installer MURPHY, JERRY Address PO BOX 529, NORTH BEND, WA 98045 Phone 206-226-0711

INSTRUCTIONS TO (OSS) DESIGNER: →

ATTACH A SEPARATE SHEET FOR THE RECORD DRAWING PLAN(S). USE A SCALE OF 1"=20' OR 1"=30' (max. paper size 11X17"). ALSO: INCLUDE THE INSTALLATION PERMIT, DOCUMENTATION OF FINAL COVER, PERFORMANCE DEMONSTRATION REPORT FORM, AND OTHER DOCUMENTS APPLICABLE TO THE SYSTEM (Title 13 - SECTIONS 13.56.050/13.56.054)

STATUS OF RECORD DRAWING

This Record Drawing is **UNSATISFACTORY** for the following reason(s):

See attached comments/explanation

I hereby certify that the accompanying drawing and support documents accurately represent the system installed at the address/parcel indicated above, and that all requirements and conditions (concerning plumbing sub elevations; maintenance of grades; fills; surface drains; etc.) indicated on the approved site design (or latest approved revision thereof) dated 06.11.2013 have been complied with. I further certify that this system meets all requirements of the King County On-Site Sewage Code, Title 13, Code of the King County Board of Health.

SIGNATURE OF DESIGNER OR P.E. _____

DATE

8-5-15

CERTIFICATION NUMBER 5100122

TO BE FILLED IN BY HEALTH DEPARTMENT ONLY

APPROVED 8-18-15 BY: Ken Ellor Comments: _____
(Date) (Health Official)

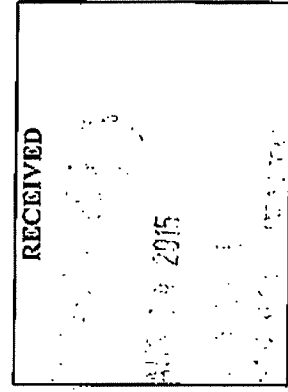
OFFICE REVIEW ONLY

DISAPPROVED _____ BY: _____
(Date) (Health Official)

NEW CONSTRUCTION: **UNLAWFUL TO OCCUPY**
PREMISES WITHOUT HEALTH DEPARTMENT APPROVAL OF THE
OSS/SEPTIC SYSTEM RECORD DRAWING CERTIFICATION

INSTRUCTIONS TO THE OSS OWNER/SYSTEM USER:

Please refer to your OSS owner's operating, maintenance and technical specifications manual and Notice on title pertaining to the OSS. Your OSS has limitations! Refer to the Operational Capacity of the System established by the OSS designer. Overloading it or disturbing the soil absorption system (SAS) (e.g. drainfield, mound, sand filter, ATU, etc.) may cause the system to prematurely fail. For further information, contact your Health Department Service Center (206) 296-4932



Public Health – Seattle & King County

Application for Health Department Approval of Building Permit

For houses or structures served by an on-site sewage (septic) system (OSS)

Office Address – 14350 SE Eastgate Way, Bellevue, WA 98007

(206) 296-4932 Fax: (206) 296-4919 Refer to fee schedule for current fee

Note: Indicate if access to property is a problem due to locked fencing, guard dogs, etc.

Application and all support documents must be submitted in TRIPLICATE – 3 complete sets.

Health Department Use Only

Record I.D. Number

ON 0142641

Health Dept. Use Only

T – Guide Page/Loc.

In addition, your application sets must include:

- Ⓟ A detailed route map and directions to property;
- Ⓟ Floor plans showing what is changing in the building or on the property. The maximum size paper accepted is 11" x 17"
- Ⓟ An attached completed CHECKLIST FOR HEALTH DEPARTMENT REVIEW OF APPLICATION FOR BUILDING PERMIT

Property Information

Address of Property	<u>16116 140th PL NE</u>	Parcel No #	<u>152605-9092</u>
City	<u>Woodinville</u>	Zip Code	<u>98072</u>
Applicant's Name	<u>Mathews Winery, Diane Otis</u>	Day Phone (425)	<u>487-9810</u>
Applicant's Mailing Address	<u>16116 140th PL NE</u>	City	<u>Woodinville, WA</u> Zip <u>98072</u>
Owner's Name	<u>Mathews Winery, Diane Otis</u>	Day Phone (425)	<u>487-9810</u>
Age of House	<u>1982</u>	Distance to nearest public sewer	<u>>200'</u>
Existing Square Footage of house	<u>2450</u>	Number of existing bedrooms	<u>3</u>
Square footage to be added	<u>-0-</u>	Number of bedrooms being added	<u>-0-</u>
Description of proposed changes			Is property in an incorporated city? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>Change of use to Bed & Breakfast, no physical change to property</u>			

Type of On-Site Sewage System Serving Property: Gravity
 Additions or repairs to sewage system (give dates and describe briefly)

Describe or attach any drainfield easements, covenants or notices on title, which may impact the property

Water Supply Information

- Group B Water Supply (2 or more connections) Name of Water System: Woodinville Water Dist State I.D. Number: _____
- Group A Less than 1000
- Group A More than 1000
- Private (well, spring, etc.) attach copies of well log, well covenants, chemical/bacteriological sample reports.

For Health Department Use Only

Released Initials _____ Date _____

Approved 11-6-13 Date By: Ken Elliott

Disapproved _____ Date By: _____

Hold _____ Date By: _____

Comments/Conditions: 2 bdam, B: B + 1 bdam, case reviewed

Date Received
RECEIVED
 OCT 08 2013
 EASTGATE
 ENVIRONMENTAL HEALTH

A person aggrieved by any decision or final order of the Health Officer may file a written application for appeal to the Health Officer within 60 calendar days of the date of the above decision. (Title 13, K.C.B.O.H. Chapter 13.12 – Sewage Review Committee).

CHECKLIST FOR HEALTH DEPARTMENT REVIEW OF APPLICATION FOR BUILDING PERMIT
 (For buildings not served by public sewer)

The following checklist is a guide to assist the applicant in submitting a complete application. A properly prepared application must include this checklist below along with any additional details and specifications required by applicable provisions of the King County Board of Health – Title 13. *Note: For non-applicable items put NA in the "NO" Column.*

SITE ADDRESS: 16116 140th PL NE PARCEL NUMBER (APN) 152605-9092

APPLICATION FORM	Yes	No
Application indicates that public sewer service is not available within 200 feet of the subject property.	XX	
The Application for Health Department Approval of Building Permit form is complete; <i>Data on all copies must be legible.</i>	XX	
Application is submitted in triplicate and accompanied by the appropriate fee.	XX	
Detailed reference maps for locating the property are provided (vicinity, location and routing to site).	XX	
There is access for field inspection by health department	XX	
The application indicates if the owner needs to be present due to access issues (e.g. guard dog, locked gate, etc.).	XX	
Application sheets are properly collated.	XX	

PLOT PLANS	Yes	No
Parcel plot plan is provided		
a 1" = 30' scale is used. The parcel plot plan is provided on paper that is 11" x 17" or smaller.	XX	
Entries on the plan are legible.	XX	
A North arrow is indicated on the plan	XX	
Property lines and dimensions are shown. (specific lengths are indicated)	XX	
Direction of surface drainage is/are shown.	XX	
The plan shows existing structures present on the site, including all out buildings.	XX	
Plan shows the location of existing wastewater tank(s) – (e.g. septic tanks, pre-treatment tanks, dosing/pup tanks, components, etc.)	XX	
Plan shows the location of existing sand filter(s)	XX	
Location of the proposed sewage disposal area (e.g. drainfield, mound, up-flow sand filter) is shown.	XX	
Location of any potential reserve sewage disposal area is shown.	XX	
Location of all septic components are shown (e.g. tightlines, d-box, pressure lines).	XX	
Existing and proposed setbacks (e.g. the proposed addition setback to sewage system components)	XX	
The plan clearly depicts the accurate location(s) of the following:	XX	
Drainage basins	XX	
Wells, cisterns, etc. – show a 100' radius for each well location	XX	
Abandoned wells	XX	
Water supply lines	XX	
Drainage basins (e.g. sump basins, curtain drains, drainage ditches)	XX	
Components of the system	XX	
Recessed fixtures	XX	
Subaqueous structures/bodies of water	XX	
Sensitive areas	XX	

AS-BUILT RECORDS	Yes	No
As-built diagram is provided/attached	XX	
An 8 1/2" x 11" (or larger) (at the as-built diagram scale) transparent overlay is provided showing the proposed condition	XX	

OTHER DOCUMENTS	Yes	No
If applicable, other recorded documents relating to the sewage system and water supply are referenced		



WOODINVILLE WATER DISTRICT
 17238 NE Woodinville-Duvall Road
 PO Box 1390
 Woodinville, WA 98072-1390
 (425) 487-4100 Fax (425) 485-6381

TK

Account Summary

Customer Name MATTHEWS ESTATE
Billing Date 03/16/20
Service Address 16116 140TH PL NE
Account Number 5495102
Customer Number 42951
Bill Number 1005626

Previous Balance \$148.63
Payment Received -\$148.63
Account Adjustment/Fees \$0.00
Balance Forward \$0.00
Current Charges \$141.37
Amount Due This Statement \$141.37

Current Charges Due Date 03/31/20

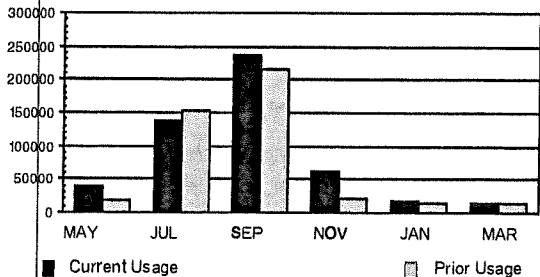
Meter Number	Service Period From / To	No. of Days in Billing Period	Winter Average	Meter Readings		Usage (ccf/gal)
				Previous	Present	
45511127	01/08/20 - 03/12/20	64	2348	170939	172453	15140

Current Detail Utility Charges

WATER BASE CHG - 3/4" METER \$44.62
 WATER CONSUMPTION GAL \$96.75



Bi-Monthly Consumption in Gallons



***** NOTICE *****

Revised Water & Sewer Rates!

This bill reflects changes in water and sewer rates that were adopted by our District Commissioners for the 2019-2020 Budget. Specific new rates for your customer classification are listed on the back of your bill. For any questions about the new rates, please call District staff at: (425) 487-4100.

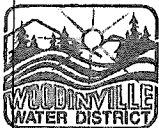


Help us contact you in an emergency. Update your info at woodinvillewater.com Click on Quick Links

For more information or emergencies, call (425) 487-4100. After hours, remain on the line and follow instructions. Use enclosed envelope for remittance or mail to Woodinville Water District, PO Box 1390, Woodinville, WA 98072-1390. Please see reverse side of your bill for rate and other important information.

DATABAR FORM # 7060 4/4/17

PLEASE DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT



WOODINVILLE WATER DISTRICT
 17238 NE Woodinville-Duvall Road
 PO Box 1390
 Woodinville, WA 98072-1390
 (425) 487-4100 Fax (425) 485-6381

Account Number	Billing Date	Due Date
5495102	03/16/20	03/31/20
Service Address		Past Due
16116 140TH PL NE		\$.00
Bill Number	Cust Number	Amount Due
1005626	42951	\$141.37

▼ Please Make Check Payable To Name Below:

2D00098 1 AV 0.389 AUTO SCH 5-DIGIT 98072



MATTHEWS ESTATE
 16116 140TH PL NE
 WOODINVILLE WA 98072-6985

00119 Seq
 1 Stm 1 of 2
 Pg 1 of 1
 2D 0.66
 1000

WOODINVILLE WATER DISTRICT
 PO BOX 1390
 WOODINVILLE WA 98072-1390



00006042020 601 1005626 0000014137 4