

ZACHARY R. HIATT
(206) 340-9635
zhiatt@grahamdunn.com

April 11, 2011

Mr. Darryl Eastin, Project Manager
Snohomish County Planning and Development Services
3000 Rockefeller Ave, #604
Everett, WA 98201

Re: Save Richmond Beach's Comments on Proposed Point Wells Development
File Number 11-101457-000-00-LU
File Number 11-101007-000-00-SP (short plat)

Dear Mr. Eastin:

Thank you for the opportunity to comment on the proposed Point Wells development, submitted by BSRE Point Wells, LP ("BSRE") on March 4, 2011. Our office represents Save Richmond Beach, Inc., and submits these comments on its behalf. Please accept these comments for both the Point Wells urban center development application and the related short plat application. Save Richmond Beach is a non-profit community organization dedicated to preserving quality of life in Richmond Beach and surrounding neighborhoods through responsible and sustainable planning. The members of Save Richmond Beach and their families use the public amenities in the communities adjacent to Point Wells on a daily basis, including streets, schools, parks, libraries, and other City- or County- services. Many of them regularly walk or drive the residential roads along Richmond Beach Road/NW 195th Street, 20th Ave. NW/Timber Lane, and Richmond Beach Drive NW, and several members live adjacent to these roads. In addition, several of Save Richmond Beach's members have homes adjacent to Point Wells, with views overlooking the site.

Because these roads currently provide the only access to Point Wells, all of Save Richmond Beach's members who regularly use or live on them stand to be adversely impacted by the intensive development that the proposed urban center development would allow. Such intensive development will lead to increased traffic congestion in the Richmond Beach neighborhood, which does not have adequate transportation infrastructure or public facilities to support a development of the scale proposed by BSRE. This in turn will lead to increased light- and noise-pollution, air pollution, traffic accidents, crime, and other health and safety hazards. In sum, Save Richmond Beach believes the mega-development proposed at Point Wells poses a very real threat to the property and quality of life of its members. BSRE's project application fails to credibly address many of Save Richmond Beach's concerns. Snohomish County cannot allow

Pier 70
2801 Alaskan Way ~ Suite 300
Seattle WA 98121-1128
Tel 206.624.8300
Fax 206.340.9599
www.grahamdunn.com

April 11, 2011

Page 2

this project to go forward until these conflicts with the surrounding communities are properly addressed and resolved.

Impacts on Local Road Network

The BSRE Point Wells proposal will generate an unacceptable level of vehicle trips and associated traffic impacts, especially in light of the single point of access and relatively low capacity of the surrounding road network. The Notice of Application indicates that the project “will be evaluated to determine if there is enough capacity on county roads to accommodate the project’s traffic impacts, and a concurrency determination will be made.” While the application attempts to address impacts on Snohomish County roads, an inadequate attempt is made to address impacts related to roads within the City of Shoreline. Because of Point Wells’ relatively isolated location, Richmond Beach Drive NW, which travels through Shoreline in King County, provides the only vehicular access to the site. As a result, it is undisputed that the most immediate traffic impacts from this development will be felt not in Snohomish County, but in the City of Shoreline in King County. In light of these unique circumstances, BSRE’s application should be evaluated in light of Shoreline’s road classification and adopted level of service standards. To do otherwise would be a cynical attempt to avoid State concurrency requirements, and would ignore the *actual* impacts of the development and real-world limitations of this site.

The projected traffic density for Richmond Beach Drive NW, in particular, cannot be maintained under Shoreline’s existing road classifications. Shoreline reclassified Richmond Beach Dr NW, north of 190th, as “local,” with a capacity of 4,000 trips per day. The traffic impact analyses, both initial and expanded, will require Richmond Beach Drive NW, a dead-end local access road, to become a “heavily-traveled urban street.” Shoreline has stated it will consider reclassifying this portion of Richmond Beach Drive NW as “collector arterial,” with a capacity of 8,250, but it cannot support the projected number of 11,587 net new daily trips as reported in the Point Wells Development Traffic Impact Analysis. The only proposed mitigation in the Traffic Impact Analysis is an “urban section” with parking on one or both sides, which is woefully inadequate. Furthermore, allowing additional parking along Richmond Beach Drive will only create additional conflicts with the safety and quality of the residential neighborhood along this road corridor.

Snohomish County has not addressed the Growth Management Act’s (“GMA”) concurrency requirements and level-of-service standards for roads under the City of Shoreline’s jurisdiction. SCC 30.66B.230(6) requires an interlocal agreement between the County and Shoreline. No agreement has been reached. Further, Shoreline can recommend mitigating measures that will be imposed as a condition of development, as long as they reasonably relate to the proposed development’s impact and are consistent with the required interlocal agreement. Save Richmond

April 11, 2011

Page 3

Beach is also concerned about the level of service and delay analysis for the major affected intersections and the feasibility of the proposed mitigation measures. This project should not be approved until conflicts with the classification, capacity and level of service standards along Richmond Beach Drive are resolved.

Inadequacy of BSRE Traffic Study

The traffic analysis submitted by BSRE contains several critical flaws, as discussed in greater detail below. The project should not be approved until these flaws are corrected as part of comprehensive traffic study to be coordinated with the City of Shoreline, Town of Woodway, and other affected communities.

Trip Generation Methodology

Use of the ITE Trip Generation Manual, 8th Edition, and the ITE Internal Trip Balancing for Multi-use Development is a generally-accepted methodology for estimating the number of vehicle trips generated by a multi-use development. However, the *Point Wells Expanded Traffic Impact Analysis* does not use these methods, and instead relies upon a report prepared to describe a spreadsheet tool for estimating trip generation that has not been adopted or peer reviewed by ITE. While the development of this spreadsheet tool by researchers at the Texas Transportation Institute may be useful to the transportation engineering profession, it is neither reasonable nor accepted practice to apply its limited research (which was conducted on multi-use sites within Texas) to a proposed and yet undeveloped mixed-use project located at Point Wells. In fact, the data collected at other sites within this research paper is only utilized to employ the spreadsheet tool, and is not considered a case-study, or for application in the transportation engineering profession as standard practice. One of the major sites used to develop the spreadsheet model is served by a light rail corridor within Dallas, Texas, and as such, has no bearing or application to any development at Point Wells. As such, the entire "Internalization Reduction" assumption within the *Point Wells Expanded Traffic Impact Analysis* is without merit or basis and should be redone for consistency with standard transportation engineering practice and methods. As these assumptions have direct bearing on all of the traffic impact analyses prepared within the *Point Wells Expanded Traffic Impact Analysis*, the relative project impacts would increase substantially, and therefore, should be updated to reflect accepted trip generation assumptions consistent with ITE practice.

Travel Demand Forecast Model

While employment of a 4-step trip subarea model consistent with the PSRC regional model is an acceptable approach, application of the most recent PSRC trip generation tables (rather than 2006) should have been used. As such, this subarea model is inconsistent with the latest

April 11, 2011

Page 4

regionally adopted base year model and trip generation tables. With limited model documentation provided for the subarea model by the study, for consistency and assessment purposes, the subarea model should be consistent with and based on the City of Shoreline's latest Travel Demand Model in order to properly evaluate local arterial/intersection networks, land use interaction, and trip generation (internal, external rates, etc.) within the vicinity in which traffic impacts would occur. At a minimum, this review should be coordinated with the City of Shoreline's most recent Comprehensive Transportation Planning element, methodologies, and assumptions.

Arterial Capacity

The arterial capacity assumptions applied in the analysis do not have a correct citation (i.e., source), nor are they consistent with local roadway conditions or standards. In fact, the classification used for Richmond Beach Drive NW segment north of N 196th Street is incorrect in its assumption as a "Collector" roadway. This roadway segment is classified by the City of Shoreline as a Local Street north of N 199th Street, and has a limited capacity based on City code of no more than 4,000 average vehicles per day. It should be noted however, that the existing street conditions of Richmond Beach Drive NW north of N 199th Street currently does not meet the minimum geometric standards to achieve a capacity of 4,000 average daily trips (ADT). The evaluation of arterial capacity impacts should be redone to incorporate local street/arterial actual conditions and standards into the analysis in coordination with the City of Shoreline and other jurisdictions (e.g., City of Woodway and WSDOT) that would be impacted by the proposed development. These and other issues related to the capacity of Richmond Beach Drive are discussed in the greater detail in the enclosed memo report by Michael Read, P.E., of Transportation Engineering Northwest dated January 18, 2011. Please include the enclosed Transportation Engineering Northwest memo as part of Save Richmond Beach's comments.

Lack of Mass Transit

BSRE has acknowledged repeatedly that Point Wells cannot function as an urban center without high capacity transit. And yet no additional mass transit at the site is ensured or guaranteed by this project application. Functional high capacity transit at this site will require not just new stops or stations, but also buses and trains to regularly serve those stations. The BSRE proposal merely states that the project will contain a transit center to allow for Metro service and a Sounder commuter rail station, without any confirmation from the corresponding governmental agencies. Community Transit, the transit authority serving Snohomish County, has already gone on record stating it will not serve a station at Point Wells. A station serving Point Wells is not included in Sound Transit's ST2 plan, which provides the funding for a specific set of capital projects through 2023. Furthermore, both Sound Transit and Community Transit recently

April 11, 2011

Page 5

announced they will be cutting service due to budget constraints. Snohomish County cannot assume sufficient high capacity transit will be available at Point Wells based solely on the developer's bare promise. Instead, the County should not and cannot allow this project to go forward until commitments are in place from the transit agencies who will be providing such service, that high capacity transit meeting all of the requirements for an urban center will be in place at Point Wells prior to the time of occupancy. A proposed stop or station should also be supported by a feasibility study and the appropriate SEPA analysis.

Completeness

BSRE's urban center development action fails to meet all of the requirements of Snohomish County's urban center development code (SCC Ch. 30.34A), and is therefore incomplete. First, the transportation plan and traffic study are incomplete due to the flaws and limitations discussed above. In addition, based on Save Richmond Beach's review of the application materials provided, BSRE does not appear to have included "signed affidavit that includes a written summary of the pre-application neighborhood meeting pursuant to SCC 30.34A.165(3)(f)," as required by SCC 30.34A.170. The project application is also incomplete due to its lack of a hydrogeologic report. The Snohomish County Code requires preparation of a hydrogeologic report for any activity within a critical aquifer recharge area with high or moderate groundwater sensitivity. Snohomish County's "State of the Stilly: Stillaguamish Clean Water District 2007 Report" shows the Point Wells Development to be located on an area of high aquifer vulnerability. No hydrogeologic report has been submitted with the Point Wells Development application.

Safety and Availability of Public Services

Based on the site's soil conditions, high liquefaction potential, and identified seismic activity, it will be critical to analyze not only the engineering and safety of structures within the proposed development, but also impacts on the surrounding community and the adequacy of evacuation routes. Save Richmond Beach is very concerned that the Point Wells site does not provide adequate escape routes in the event of a major fire, earthquake or other emergency. Of particular concern is the fact that there is only one way in and out of most of the site—multiple points of access should be required, particularly for a development of this scale. Even assuming the developer is able to locate a rail or mass transit station at Point Wells, these services will not be of use in an emergency. The poor access to Point Wells jeopardizes not only the safety of its own residents in the event of an emergency, but also the safety of the surrounding community as existing access or escape routes become flooded with thousands of new Point Wells residents. Again, this will require the County and BSRE to coordinate with neighboring jurisdictions to ensure impacts are properly evaluated and addressed.

April 11, 2011

Page 6

Finally, the Point Wells Development has not planned for the provision of sufficient public services. The project has been designed to include its own fire and police station, but declines to specify which jurisdiction will be responsible for providing those services. Furthermore, the project aspires to provide an internal street system that will provide access for police, fire, and emergency vehicles, but Richmond Beach Drive NW is still the only entry and exit point for any travel to hospitals and emergency medical care. Internal streets will not permit greater or more efficient access to these critical public services.

Conclusion

Throughout the public process and litigation over Snohomish County's redesignation and zoning of Point Wells as an "urban center," the County and BSRE have consistently argued that the issues raised by Save Richmond Beach, Shoreline, Woodway and other concerned citizens will be addressed at the "project level." Working more like business partners than regulator and applicant, the County and BSRE have also argued that it was premature to assume BSRE would *actually* seek to build a full-blown urban center at Point Wells. Now BSRE has submitted a project application for more than 3,000 new residences, 100,000 square feet of commercial space and 12,000 new car trips per day, and still the surrounding communities' concerns have not been adequately addressed. In short, BSRE's application fails to credibly demonstrate how it will get such a large number of people and vehicles safely in and out of this site. The application should not and cannot be approved until the developer has done so. The Point Wells site presents a unique set of challenges and impacts, and those challenges need to be further evaluated and resolved before this project can go forward.

Finally, Save Richmond Beach has been advised by Snohomish County PDS staff that the County will continue to accept comments on the BSRE Point Wells application (File Number 11-101457-000-00-LU) beyond the April 11, 2011 deadline indicated in notice. Save Richmond Beach reserves the right to supplement these comments, or to submit additional comments, based on the County's assurances that the record will remain open beyond April 11.

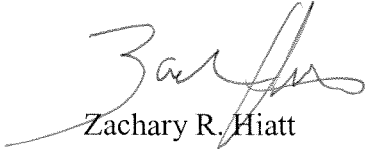
Thank you again for the opportunity to share the community's concerns about this very important issue.

[signature appears on following page]

April 11, 2011
Page 7

Sincerely,

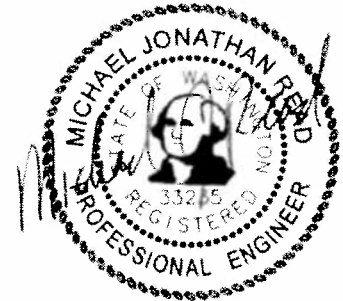
GRAHAM & DUNN PC



Zachary R. Hiatt

ZRH/akd
m40713-1562385.doc

DATE: January 18, 2011
TO: Caycee Holt, Save Richmond Beach
FROM: Michael J. Read, P.E.
Transportation Engineering Northwest, LLC
RE: Richmond Beach Drive NW – Review of Existing Conditions
for Street Classification



EXPIRES 2 / 28 / 11

This memorandum outlines my review of existing conditions along Richmond Beach Drive NW in the context of the built environment, roadway function and characteristics, and impacts associated with expansion or upgrade to serve the proposed Point Wells development in unincorporated Snohomish County, WA.

Existing Conditions

Currently Richmond Beach Drive NW is classified as a collector arterial from its intersection with NW 196th Place to the northern City limits at NW 205th Street¹. North of NW 199th Street, the existing weekday daily vehicle (AWDT) traffic loads average approximately 500 AWDT per day, and roughly 900 AWDT south of NW 198th Street. During field review the railroad overcrossing of NW 196th Street was under construction, so roadway characteristics were limited to review between this intersection and NW 205th Street.

Generally, the roadway consists of two 10-foot travel lanes with 0-2 foot paved shoulders on the west side of the street, and 5-8 foot paved shoulders on the east side north of NW 199th Street. The speed limit is posted at 25 mph and north of NW 199th Street, the roadway has no alternative access outlet, and therefore, is considered a dead-end street. Within the City of Shoreline and Woodway, Richmond Beach Drive NW serves approximately 50 single-family residential homes on this dead-end street segment. The topography along this roadway segment can generally be characterized as being built on a bench over rolling terrain, with moderate to steep slopes on the west side of the roadway (that limit buildable land between the roadway and the BNSF railway corridor and Puget Sound shoreline), and moderate slopes on the east side of the roadway.

From approximately NW 198th Street all the way to the northern City boundary, no on-street parking is provided. Based on built conditions north of NW 199th Street and locations of utilities, the approximately public right-of-way width appears to be approximately 50 feet in the vicinity of NW 202nd Place.

¹ Source: Shoreline Transportation Master Plan – July 2005.

South of NW 198th Street, the shoulder on the west side of the roadway widens to a section approximately 14 feet in width, providing an area for on-street parking within a paved/gravel area. On the east side of the roadway along this section, 4-foot paved shoulders are provided. A transit layover area and bus stop is provided for Route 348 operated by King County-Metro in the vicinity of NW 198th Street on Richmond Beach Drive NW.

Proposed Roadway Classification

The City of Shoreline is currently considering an amendment to the Point Wells Subarea Plan that would reclassify the dead-end portion of Richmond Beach Drive NW (from NW 199th Street to NW 205th Street) to a local access road rather than a collector arterial. The amendment also identifies a “maximum capacity” that should not be exceeded on the roadway segment of 4,000 daily vehicle trips.

The selected criteria within the proposed amendment, namely a maximum capacity of 4,000 ADT, appears most appropriate given that historically this roadway segment does serve two or more neighborhoods and provides for inter-residential travel. In addition, non-residential land uses are also served by this roadway classification. It is therefore, recommended, that the proposed amendment be clarified that the roadway segment would be designated as a Local Street - Neighborhood Collector.

It should be noted however, that the existing condition of the dead-end portion of Richmond Beach Drive NW does not currently meet the geometric standards established by the City of Shoreline for Local Street - Neighborhood Collector or the Local Street designation with the Local Street classification. The minimum pavement width of 28 feet (measured between curbs) and raised sidewalks on both sides of the street for a Local Street – Neighborhood Collector are needed to both serve the allowable traffic carrying capacity of 4,000 ADT as well as provide for safe pedestrian mobility.

Based upon the language within the existing and proposed language of the Point Wells Subarea Plan by the City of Shoreline, minimum upgrades would need to be constructed on the roadway to at least partially meet the City’s standard for Local Street- Neighborhood Collector if development at Point Wells occurs and a maximum capacity of 4,000 ADT is reached. This would include at least construction of a raised sidewalk on one side of the street (that does not diminish the current paved roadway width that currently does not meet the minimum pavement width standard for a Local Street – Neighborhood Collector) in order to provide for safe pedestrian movements concurrent to traffic loads of 4,000 ADT.

In order to provide such a roadway upgrade to a partial Local Street – Neighborhood Collector, impact would occur to built environment within the public right-of-way and outside the existing public right-of-way. Assuming construction of the sidewalk occurs on the east side of the roadway, impacts would occur to existing retaining walls, landscaping, mailbox/utility placement, luminaire poles/foundations, and other shoulder features. Right-of-way acquisition would also be required for construction of the sidewalk, to provide slope easements, and to accommodate utility relocation. Reconstruction of several private driveways would also be required.

Accommodation for a sidewalk or widened roadway on the west side of the dead-end segment of Richmond Beach Drive NW would never be possible given steep slopes, existing driveway transitions/slopes between private property and the traveled roadway surface, setbacks of existing homes (within 5 feet of existing right-of-way line), and overall topographic conditions.

Secondary Emergency Vehicle Access

The City of Shoreline currently has no minimum secondary access standards or requirements codified within their comprehensive plan or engineering standards. The City likely has no specific code pertaining to this secondary access requirement as it currently has an extensive roadway grid system, with few dead-end streets that serve large neighborhoods. This particular situation, where an urban area will now be serving an unincorporated land-locked parcel, does however require consideration of this condition to meet minimum levels of safety for an new land uses that require fire and emergency vehicle access.

These standards are used by local jurisdictions to establish an intensity of uses that be served by a vehicle access route in order that fire and emergency vehicle can respond via alternative means if the main access is blocked simultaneous to another incident. Sometimes these minimum access requirements default to the International Fire Code (IFC) by reference. Under the 2009 IFC, this secondary access requirement is triggered at 30 residential units by some agencies. Within unincorporated King County, this trigger is reached at 100 residential units or an equivalent 1,000 ADT (see Section 2.19 of *King County Road Design and Construction Standards*, 2007).

As the dead-end roadway segment of Richmond Beach Drive NW currently serves roughly 50 homes, the minimum secondary access requirement is already triggered for any new development within Point Wells for residential units, but has approximately 500 ADT remaining based on a 1,000 ADT threshold. As such, in its present level of alternative access, the Point Wells development area would require secondary access after generating net increases in new vehicle trips of more than 500 ADT that would utilize Richmond Beach Drive NW.