



DAVID EVANS  
AND ASSOCIATES INC.

August 26, 2015

Mr. Gary Huff  
Karr Tuttle Campbell  
701 Fifth Avenue, Suite 3300  
Seattle, WA 98104

SUBJECT: Secondary Access – Point Wells Urban Center Development

Dear Mr. Huff:

This letter report is intended to provide information regarding the issue of a secondary access to serve the proposed development. Information is provided in this report on the following topics:

- I. Project Description
- II. Historic and Current Access Conditions
- III. Code Requirements for Access
- IV. Environmental and Engineering Constraints
- V. Alternatives for Secondary Access
- VI. Recommendations and Conclusions

#### **I. Project Description**

The Point Wells development proposed by BSRE Point Wells, LP (“BSRE”) consists of an Urban Center containing a mix of uses to include multi-family residential, commercial, and retail space. A total of 3,081 residential units are proposed. The location of the development site is shown on **Exhibit A** and is at the north terminus of Richmond Beach Drive within unincorporated Snohomish County. The section of Richmond Beach Drive that connects to the site is within the Town of Woodway. The north boundary of the City of Shoreline is encountered approximately 275 feet to the south. BSRE also owns an adjacent parcel that connects the development site to 116th Avenue W at the top of the adjacent bluff. This strip is within the boundaries of the Town of Woodway and is not a part of the proposed development site.

The bulk of the Point Wells development site is on Puget Sound and sits to the west of the Burlington Northern Santa Fe (BNSF) railway. A minor portion of the development site is located on the east side of the railway and will serve as the main entrance, or “gateway,” into the development.

## II. Historic and Current Access Conditions

The Point Wells property has been in use as a refinery and oil terminal for over 100 years. Prior to 1960, the site had two means of vehicular access. The primary access was from Richmond Beach Drive (and this access route remains the primary access to the site). A secondary access known as Heberlein Road connected the site to the area to the east of the refinery up on the top of the adjacent bluff (known as the "Upper Bluff"). The Upper Bluff has historically included a small housing development that served the staff of the oil terminal. It is assumed that Heberlein Road was also used to provide access between the refinery and an ancillary tank farm that was located farther east where the Woodway Highlands subdivision is presently located.

## III. Code Requirements For Access

### Snohomish County Uniform Development Code Requirements for Access

The land use application for the Point Wells Urban Center was determined to be complete as of February 14, 2011 and is, therefore, subject to the development standards in effect at that time. These standards include the Snohomish County Uniform Development Code ("UDC").

The following is an excerpt from relevant portions of the vested version of the UDC pertaining to provisions for access:

#### ***SCC 30.24.010 Road and Access Standards.***

*Development shall make adequate provisions for roads, vehicular access, pedestrian facilities, transportation network circulation, transit facilities, and traffic demand management in accordance with the general and specific standards and review criteria of this code, the EDDS, and any other applicable local, state or federal requirement.*

#### ***SCC 30.24.020 Vehicular Ingress and Egress.***

*The director of the department of public works, in conjunction with the fire marshal, shall have the authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or a parking area to a public street and to alter existing ingress or egress as may be required to control traffic in the interest of public safety and general welfare.*

The current UDC has added a section specifically addressing Urban Centers. Pertinent excerpts of code provisions adopted on October 3, 2012 which became effective on January 1, 2015 (and therefore not applicable to the vested Point Wells project application) are as follows:

#### ***30.24.070 Access and road network requirements for a proposed development in the Urban Center (UC) zone and subject to the requirements of chapter 30.34A SCC.***

*Proposed development in the UC zone that is subject to the requirements of chapter 30.34A SCC must comply with following additional vehicular and pedestrian circulation system requirements:*

*(1) Proposed urban center developments shall be designed to provide for future vehicular connections to adjacent parcels, where applicable.*

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*(4) As a condition of approval, a property owner may be required to provide for joint vehicular access to and/or from adjacent parcels. Joint vehicular access must be accomplished through easements or joint use agreements on forms approved by the county.*

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*(6) If there is a conflict between the provisions of this section and other chapters within title 30 SCC or the EDDS, the county engineer shall determine the appropriate regulation or standard.*

Additional language of chapter 30.24 SCC (which is not applicable to the Point Wells Project application) specifies the role of the county engineer in the determination of the number of access points:

***30.24.030 Establishing or altering vehicular and pedestrian access.***

*Decisions by the county engineer in establishing or altering the location, width, number and design of any vehicular or pedestrian access from a road network element shall be made in accordance with SCC 13.01.020(2) and shall not be subject to the provisions of title 30 SCC.*

It is to be noted that the existing sole means of open, public access to Point Wells is within the jurisdictions of Woodway and Shoreline. The county engineer's jurisdiction terminates at the project boundary on Richmond Beach Drive.

Snohomish County Engineering and Development Standards

Chapter 3-01 (A) of the Snohomish County Engineering and Development Standards ("EDDS") provides general criteria for road circulation and states:

*Road circulation is important in road system design for the following reasons:*

- *Operation of the arterial road system is improved by dispersing local traffic onto multiple roads and access points;*
- *Response time for emergency services is reduced;*
- *Time and mileage travelled by individuals and service providers, including school bus transportation, mail delivery, utilities, etc., are reduced; and*
- *Use of transit systems, and pedestrian and bicycle facilities, is promoted.*

EDDS 3-01 (B)(5) states that a road serving more than 250 Average Daily Trips (ADT) shall be connected in at least two locations with another road or roads that meet the applicable standards for the resulting traffic volume.

EDDS 3-01 (B)(9) states that the county engineer may determine that a non-motorized connection (such as a shared use or bikeway) between developments is appropriate in place of a roadway through the deviation process.

Section EDDS 1-05, regarding deviation from standards, provides both a description of the intent of the standards and a process by which deviation from the standards can be approved by the county engineer. This section recognizes that alternatives to the standards may better accommodate existing conditions, overcome adverse topography, or allow for more cost effective solutions without adversely affecting safety, operations, maintenance, or aesthetics. The criteria used to evaluate a requested deviation from the standards include:

- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;
- The deviation will not adversely affect safety or operations;
- The deviation will not adversely affect maintenance and its associated cost; and
- The deviation will not adversely affect aesthetic appearance.

#### Other Jurisdictions

Neither the codes nor standards for the Town of Woodway or the City of Shoreline have a specific ADT threshold for the provision of secondary vehicular access. Connectivity of road networks and road stubs to abutting, undeveloped land is encouraged by the City of Shoreline standards.

#### Public Safety / Emergency Services

Snohomish County Fire District 1 and the Shoreline Fire Department, as well as the Snohomish County Sheriff's office, have indicated that they have the ability to serve the proposed development. Neither has yet required that a secondary vehicular access be provided. The site development plan has the ability to accommodate alternative means of access for emergency responders such as by helicopter and boat.

#### **IV. Environmental and Engineering Constraints**

The Upper Bluff slope east of the BNSF railroad has been well documented to have experienced landslides. Seepage is encountered on the lower portions of the slope. Two significant drainages traverse the slope. The topography is steep, in areas in excess of fifty percent. Seepage areas have been determined to be wetlands and contain drainage streams. Both areas are regulated environmentally sensitive areas.

## V. Alternatives for Secondary Access and Impacts

### Upper Bluff via Heberlein Road (Route 1A)

The northern most alternate route<sup>1</sup> would follow the path of the former Heberlein Road (marked as “Route 1A” on **Exhibit B**). Heberlein Road was vacated in 1962 at the request of Chevron, the refinery operator at the time. Chevron requested the road be vacated because the road had failed due to landslides and was no longer serviceable. The remnants of this road lie on property now owned by a third party and are not now owned by BSRE or any of its affiliated companies.

It is noted that the alignment of the former Heberlein Road is significantly out of compliance with current Snohomish County road horizontal alignment standards, as the alignment includes hairpin curves which are no longer allowed. The grade of the former road is not known, although it goes from the proposed development site to the top of the Upper Bluff, an elevation change of approximately 200 feet.

Alternate Route 1A is not considered a viable option due to its ownership by a third party and the engineering constraints in building such a roadway.

### Upper Bluff via Sound View Development (Routes 1B and 2A)

The next alternatives could eventually connect with Heberlein Road (Route 1B) or 116<sup>th</sup> Avenue W (Route 2A), but would do so via a newly proposed development on the Upper Bluff. The owners of the Upper Bluff refer to the proposed development as “Sound View.” The site of this development is located within unincorporated Snohomish County. Preliminary renditions of possible site plans show the primary access to the site from 238th Street SW (which lies within the Town of Woodway), following the route of Heberlein Road, and then connecting to Point Wells at possible locations near the main entrance of the Point Wells development. These routes are labeled as “Route 1B” and “Route 2A” on **Exhibit B**. More detailed drawings of the various options for Route 1B as provided by the Upper Bluff owner’s representative are shown on the drawings attached as **Exhibit C**. Information regarding this proposed development, including the existence of a recently executed Annexation and Development Agreement between the Upper Bluff owner and the Town of Woodway is available at <http://www.townofwoodway.com/landuse/default.htm>.

It is expected that Snohomish County will require that the developer of the Upper Bluff site provide for a secondary means of vehicular access to this project. It is expected that such a secondary access will be a requirement, unless a request for a deviation from the standard is submitted and approved. If such a secondary access is required, then a connection with the

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<sup>1</sup> Although there are suggestions from time to time that a secondary access route running north of the Project site should be considered, this is not deemed a viable option. There are no roads north of the site, as it runs along the shoreline of Puget Sound and the main BNSF railway. Building such a road would be cost prohibitive and would likely be impossible to permit or to obtain access rights from the state, railroad, or other property owners.

Point Wells project would be expected if such a connection could be made. However, until such a project is built, this option is not considered viable due to its ownership by a third party and the significant regulatory and engineering constraints in building such a roadway which would have to be overcome by the Upper Bluff owner.

#### BSRE Parcel to 116th Avenue W (Route 2B)

The only property owned entirely by BSRE that links the site to another existing road is the route that runs from the main entrance of the Point Wells project up the bluff to the east and connects directly with 116th Avenue W. This route is marked as "Route 2B" on **Exhibit B**. The difficulty with this route is the steep slope that is encountered as the route leads east up the bluff. This slope is estimated to be as much as 60 percent and thus exceeds the regulatory limitation for emergency vehicles, the primary purpose of a secondary access route. Further, this narrow strip of land is as little as ten feet in width. In addition, as this route is within the jurisdiction of the Town of Woodway, permit authorization for the construction and use of such a route would have to be obtained from the Town. In past discussions with Woodway officials they have indicated that they would object to a connection to Woodway via this route.

Construction of an access at this location has the following challenges to implementation. First, it appears that the grade would exceed 12 percent, which could limit the use to emergency vehicles. Second, geotechnical considerations may render the alignment infeasible. Third, critical area buffers would be impacted. Fourth, construction of the access may require the permission of adjoining private property owners. Fifth, the existing right of way is too narrow. Finally, construction of the access along this route might require elimination of the development's planned ten story, 56-unit (UP-T3) building.

As a result, this option is not deemed an available option for emergency vehicles due to the steep slope and is not deemed a viable option for private vehicle traffic due to the previously stated objection of the governing jurisdiction.

#### Private Driveway (Northeast) to 116th Avenue W (Route 2C)

Another variation on Route 2B described above would be to have emergency vehicles travel eastward and up the Upper Bluff via the path of an existing private driveway and to then connect with the existing BSRE strip of land that extends to 116th Avenue W (as described above). This route is marked as "Route 2C" on **Exhibit B**. This route is partially owned by a private party and, given the additional permitting issues with the Town of Woodway described above, this route is not deemed viable as a secondary access for this project.

#### Private Driveways (Southeast) to the 116th Avenue W (Routes 3A & 3B)

Two other options for the secondary access would be to follow the private driveways that are marked as "Route 3A" that connects to 116th Avenue W or to follow NW 205th Street that also connects to private driveways and likewise connects to 116th Avenue W ("Route 3B"). As these routes would both require the use of private property (and given that Route 3B does not

actually connect to the entrance of the project), neither of these routes is deemed viable as a secondary access for the project.

### Transportation Circulation

The transportation effects of providing a public secondary vehicular access connection to 116th Avenue W have been examined. Depending on the parameters and assumptions inserted into the traffic model, it appears that as much as twenty-six percent (26%) of the trips generated by the development might be expected to use a connection to 116th Avenue W. It is to be noted that if this were to occur, the reduction in traffic using Richmond Beach Drive would likely not result in a commensurate reduction in the level of mitigation necessary to address capacity issues on the Richmond Beach Corridor.

## **VI. Recommendations and Conclusions**

Based on a review of the site conditions and constraints mentioned above (and that none of the secondary access options are deemed to be viable), it appears that the provision of a secondary access to the site to provide for public safety and welfare, whether for public vehicular access or restricted to emergency and possibly pedestrian use, is not warranted. The project design includes appropriate measures to allow for the safe, efficient circulation of and access for vehicles, including emergency vehicles, within, to and from the development.

Sincerely,

**DAVID EVANS AND ASSOCIATES, INC.**

Jack N. Molver, P.E.  
Vice President

Copies: Doug Luetjen, KTC / Kirk Harris, DEA  
Attachments/Enclosures: Exhibit A: Site Map; Exhibit B: Access Routes; Exhibit C: Sound View  
Plans

Project Number: PARA0000-0006

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**EXHIBIT A**

Point Wells Urban Center Site

See Attached.



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**EXHIBIT B**

Point Wells Urban Center Secondary Access Routes

See Attached.

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**EXHIBIT C**

Upper Bluff ("Sound View") Development Plans

See Attached.