

## Countryman, Ryan

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**From:** Tom McCormick <tommccormick@mac.com>  
**Sent:** Friday, August 14, 2015 3:27 PM  
**To:** Countryman, Ryan  
**Cc:** Tom Mailhot; White, Clay; Richard Schipanski; Gretchen Brunner  
**Subject:** Shoreline Management Act height limitation

Ryan,

I understand that BSRE has agreed to include a 90-foot alternative in the EIS. (The 90-foot height restriction is discussed in my emails to you dated 5/12/15, 5/14/15, 6/9/15, and 6/10/15.) Using existing architectural plans, BSRE will reduce the height of the tallest buildings to 90 feet and increase the height of other buildings to 90 feet, resulting in roughly the same number of residential units as in BSRE's original application. This approach will force a very ugly, institutional dormitory-style development where 90-foot buildings near the water will block the views of buildings in the rear. BSRE's attorney stated in a 2009 letter to the County Council that "Paramount [(BSRE's predecessor)] is not interested in that kind of unimaginative and unattractive development."

I respectfully request that the County reject such a dormitory-style development, not just in the EIS but also in the County's permitting decisions. Aesthetics aside, I believe it would be contrary to RCW 90.58.320 to approve a development with buildings along the shoreline taller than 35 feet, if those buildings would block the view of buildings in the rear of the development, not to mention the view of existing residences in Woodway and the City of Shoreline. RCW 90.58.320 (reproduced below) is intended to protect shoreline views by limiting the height of buildings in shoreline areas to 35 feet if they obstruct views.

For now, could you please ask BSRE why it believes that it is exempt from the 35-foot limitation in RCW 90.58.320? Also, could you please ensure that the EIS thoroughly addresses the extent to which the 35-foot height limit of RCW 90.58.320 applies to the Point Wells development? The public needs to know how the 35-foot height limit of RCW 90.58.320 applies to the Point Wells development. The hearing examiner will need to know too.

Thank you.

Tom McCormick

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RCW 90.58.320  
Height limitation respecting permits.

No permit shall be issued pursuant to this chapter for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

RCW 90.58.900  
Liberal construction

This chapter is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

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