



PRK PETERSON
RUSSELL
KELLY

John Sherwood, Jr.
Attorney at Law
425.990.4029
jsherwoodjr@prklaw.com

1850 Skyline Tower
10900 NE Fourth Street
Bellevue, WA 98004-8341
Tel: 425.462.4700
Fax: 425.451.0714
www.prklaw.com



April 11, 2011

HAND DELIVERED

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

Re: Homeowner Comments on Point Mills Development
File Number 11-101457-000-00-LU
Our File No. 106033.102

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 Joe and Mary Bundrant who live at 20530 Richmond Beach Drive NW and we are submitting this letter on their behalf and in further support of the comments of Save Richmond Beach, Inc. Our clients built their dream home and incurred substantial costs in the completion of their home and will be directly affected by the Point Wells development. The development of a large urban center directly across from their home will have substantial adverse implications for our clients. In addition to the substantial financial impact on our clients, there are other non-economic reasons for them to oppose this development that not only impact them, but also all of their neighbors in the surrounding community.

Because the road that our clients reside also currently provides the only access to Point Wells, our clients will be severely and 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. We believe the mega-development proposed at Point Wells poses a very real threat to the property and quality of life of it's the neighborhood. BSRE's project application fails to credibly address our client's concerns and the concerns raised by Save Richmond Beach. Snohomish County cannot allow this project to go

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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 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 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. Our clients are 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

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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

While use of the ITE Trip Generation Manual, 8th Edition and the ITE Internal Trip Balancing for Multi-use Development are adopted methodologies and standard practice, the use of and application of a report prepared to describe a spreadsheet tool for estimating trip generation that has not been adopted or peer reviewed by ITE, is not considered accepted practice. Although the development of a spreadsheet tool by researchers at the Texas Transportation Institute is an important tool for implementation by the transportation engineering profession, the application of limited research on other multi-use sites within Texas to a proposed and yet undeveloped mixed-use project located at Point Wells is neither practical nor reasonable to assume. 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. In fact, one of the major sites used to develop the spreadsheet model is served by a light rail corridor within the Dallas, Texas, and as such, has no bearing or application to any development at Point Wells. Consequently, 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. Because 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

Although 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 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 to properly evaluate local arterial/intersection networks, land use

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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 recreated to correctly 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.

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. 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. Proposed stops or stations 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 a 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. Our clients are very concerned that the Point Wells site does not provide adequate escape routes in the event of a major fire, earthquake or other emergency. 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.

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 the 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

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issues raised by our clients, 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 pre-mature to assume BSRE would *actually* seek to build a full-blown urban center at Point Wells. Now BSRE has submitted a project application for over 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, our clients understand 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. Our clients reserve the right to supplement these comments, or to submit additional comments.

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

Sincerely,

PETERSON RUSSELL KELLY PLLC


John Sherwood, Jr. (for)

cc: Joe and Mary Bundrant