

**From:** Bill Willard  
**To:** [Davis, Kris](#)  
**Subject:** BSRE Point Wells - Comment for Point Wells Hearing, No. 11-101457 LU  
**Date:** Friday, May 18, 2018 4:31:02 PM  
**Attachments:** [Letter to Camp re BSRE 05182018.pdf](#)

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Please see attached comment letter.

Sincerely,

Bill Willard

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Peter Camp  
Snohomish County Hearing Examiner  
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**Re: Comment for Point Wells Hearing, No. 11-101457 LU**

Dear Mr. Camp,

I am writing to submit my comments in support of the denial of the application by BSRE Point Wells, LP ("BSRE") for a proposed development at Point Wells. I support the positions taken by Snohomish County, The Town of Woodway and The City of Shoreline, in addition to the comments submitted by the members of the public including Tom Mailhot and Tom McCormick.

Specifically:

1. BSRE has had more than enough time to complete the DEIS (Draft Environmental Impact Statement).
  - The application was first submitted in 2011, seven years ago.
  - The County identified 42 critical errors or missing details in 2013.
  - Five years later BSRE has completely resolved 1 of these 42 issues and has still not even responded to 21 of these issues.
  - BSRE has already been granted 3 extensions totaling 4 years from the original due date for their reply to the 42 issues.
  - BSRE does not deserve any more extensions.
2. The County identified 8 major areas where the application was seriously deficient.
  - Any one of these major deficiencies by itself would be grounds to deny the application.
  - Unless all eight deficiencies are remedied in BSRE's promised April 30 submission, BSRE should be given no additional time and the application should be rejected.

3. The application fails to prove the second access road can be built in compliance with County codes.
  - The proposed second road crosses the train tracks, a landslide hazard area, a creek, and a wetland. There is no documentation about how the road will be engineered to successfully cross these sensitive areas.
  - The proposed second road crosses private property. There is no documentation about how BSRE plans to acquire the right to cross that property.
  - There is no drainage plan for the road.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
  
4. The application fails to provide an adequate traffic report.
  - The report greatly overestimates how many car trips will be avoided because residents will access services and shops on site. BSRE cannot even say what services or shops will be available so any estimate must be suspect.
  - The report asserts that 15% of trips from the site will be by bus. This is ridiculous since there is no transit service to the site and BSRE has not submitted any documentation that any transit organization will providing service.
  - The report greatly underestimates the dates for completing the project, so it mistakenly ignores the extra background traffic that will be generated by the light rail stations opening in Shoreline by 2023, long before the first phase of this development is completed.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
  
5. The application has many problems with the height of the planned buildings.
  - The plans show 22 building over 90 feet in height even though the height limit is 90 feet unless the development is near high capacity transit. BSRE has not explained why the site should be considered near high capacity transit.
  - The Urban Plaza is east of the railroad tracks and immediately next to low density zones. County code requires these buildings to be scaled down so that they are no more than a single story as they approach the zone boundary. All 6 of the buildings in the Upper Plaza are higher than allowed, some by more than 100 feet.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
  
6. The application fails to show how onsite contamination will be cleaned up.
  - The application identifies some of the contaminants, but not their location.

- The cleanup plan must be approved by the state Department of Ecology. There is no such plan submitted yet.
  - There are no plans for keeping contaminants out of critical areas like streams, wetlands or Puget Sound during the cleanup process.
  - BSRE has not taken the necessary steps with the Washington Department of Ecology to begin the cleanup.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
7. The application fails to have an adequate parking plan.
- The plans for some of the parking floors are completely missing.
  - Multiple buildings have incomplete design for accessible parking.
  - There is not enough parking for the proposed commercial uses.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
8. The application fails to meet Shoreline Management Program (SMP) regulations.
- There is no analysis of how the project will comply with SMP requirements.
  - There is no mitigation plan.
  - There is no remediation plan for the cleanup and construction phases.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
9. The plan fails to properly document critical areas including landslides hazards and wetlands.
- Landslide areas are not correctly identified.
  - Some of the building locations ignore landslide hazard setback requirements.
  - The site contains streams and wetlands that are not included in the site plans.
  - There is no mitigation plan to protect critical areas during cleanup and construction.
  - After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.
10. There are multiple missing or incomplete documents that are required to complete the DEIS.
- There are at least 10 critical documents that have not been submitted yet.
  - There are an additional 10 documents that have been submitted but still have major sections missing.

- After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.

Sincerely

~Bill

William Willard