

From: casperdenn@aol.com
To: [Hearing.Examiner](#); [Hearing.Examiner](#)
Subject: Comment On Point Wells Development Application 11-01457 LU/VAR and Others
Date: Tuesday, November 17, 2020 12:08:17 PM

Dear Mr. Hearing Examiner:

I am a neighbor to the proposed Point Wells development, which you are currently reviewing to make a decision upon.

I write to urge you to DENY the application to develop the Point Wells site as an Urban Center. Please note the following points:

A). This application attempts to force a very large square peg into a tiny round hole. What may be legally permitted is not always appropriate. Yet, what is proposed is not even compliant with Snohomish County code. BSRE has had (10) years and three plus one court allowed extensions to mold a legal development to fit this site. Either a legally fitting development is not possible, or the applicants are simply non responsive. Even with BSRE's last submissions, large areas and lists of non compliance plus substantial code inconsistencies remain. It is time to stop the time wasting of the staffs of the county and cities involved, as well as the citizens of the surrounding neighborhoods. It is clearly not possible to force this square peg into this round hole.

B). This application proposes a development below a landslide hazard zone that BSRE's own consultants call out as historically unstable and observed (See exhibit C-24 Hart Crowser 4/18/2018, section 6.1 and figure 5).

-The report states that the 'best available' estimates are that the travel distance for any above site slide would be from 155' to 770',

clearly enough distance to reach this site, as historically did happen immediately north of the site in the late 1990's.

-The Oso slide traveled about (1) mile in Snohomish County in 2014.

-BSRE proposes a (40') retaining wall to increase protections to the site. The retaining wall is proposed as part of the west side of the

secondary access road to the site. However, as the secondary road winds up the slope easterly, there are no protections for vehicles

nor pedestrians on that secondary road in the event of a slide. (See exhibit C-300, figure 9). In the event the uplands slide, vehicles,

cyclists, pedestrians on the secondary access road, remain unprotected by any retaining walls or structures.

-BSRE has not demonstrated in many required areas, that their submissions show compliance with Snohomish County code related to

the landslide hazard risks, despite (10) years of waiting.

C). There is no public transportation Sounder Train that stops at the site. None is proposed in the future by Sounder management. Thus,

despite BSRE relying on high capacity public transportation allowing for the extensions of all residential towers from 90' to 180', this extension reliance is inconsistent with what is allowed under county code (see SCC 30.34A.085 [2010]) related to high capacity transit.

D). The main access streets, Richmond Beach Dr and Richmond Beach Road, clearly do not have the capacity to accomodate the

large increase in traffic for the proposed residential 3,000 units, plus commercial space, at the site. BSRE has not submitted any traffic studies which demonstrate that these access roads and related intersections will not break down. If these access roads could withstand the volume increases, surely BSRE would have submitted supporting traffic studies at some point over the last (10) years.

E). Just a few short years ago, I constructed the last new house in the area. I was not allowed any extensions, and I had to meet all

deadlines and comply with all codes. It was onerous, but I had to comply with code. If BSRE is allowed extension after extension, and incomplete submission after incomplete submission, equal protections under law would seem illusory. In no way do I detract from your authority. I would simply wish to see, after my difficult experience, that a precedent appearing to look like inconsistency, be avoided.

PLEASE DENY THIS APPLICATION FOR THE POINT WELL'S DEVELOPMENT, as BSRE has had (10) years to demonstrate that the project can comply with Snohomish County code; and either the project cannot comply or BSRE failed to respond to demonstrate compliance.

Respectfully,
Denis Casper
20235 Richmond Beach Dr. NW