

Countryman, Ryan

From: Countryman, Ryan
Sent: Monday, September 19, 2016 2:12 PM
To: Gary Huff (GHuff@karrtuttle.com) (GHuff@karrtuttle.com)
Cc: Kisielius, Laura; McCrary, Mike; Mock, Barb; Otten, Matthew; Rowe, Tom; 'Gary Huff'; 'Douglas A. Luetjen'; 'Steve Ohlenkamp'; 'Jack Molver'; dan.seng@perkinswill.com
Subject: Point Wells
Attachments: Point Wells Preliminary Draft EIS Preliminary Landslide Hazard Commentspdf

Hi Gary,

Thank you for the call this afternoon! I was drafting the email below to send in advance of our Tuesday meeting on Point Wells. The meeting purpose is to discuss timing and content of revisions to the project application relative to the publication of the Draft Environmental Impact Statement (DEIS). At the end of this email, I am appending an August 18 email that I sent to you as information for the others who are copied on this email. If, as seems likely following your call, we can quickly agree on the timing for revisions to the project applications, then we could spend the bulk of our meeting time tomorrow prioritizing issues for the content of revisions to the application.

As you know, a DEIS identifies probable adverse impacts of a project and proposes possible mitigation measures. There is a public comment period on a DEIS. Normally, a Final EIS (FEIS) responds to public comments, corrects any errors found in the draft, and may include a limited amount of new information. Under Snohomish County's process, the FEIS will form the basis of our recommendations to the Hearing Examiner who may then grant approval or deny the project. Approval is usually conditional on taking steps to mitigate impacts and on making minor corrections in construction drawings. Outright denial usually only happens in extreme cases where a project is clearly unachievable; more often, flawed projects are remanded for revision.

Major revisions would require a Supplemental EIS (SEIS). This could be a supplemental draft (SDEIS) if revisions happen after a DEIS and before an FEIS. Under a remand, a revised project would require a supplemental final (SFEIS) that would form the basis of a new recommendation and a second hearing.

Our goals on Tuesday are (1) to find a way to avoid needing an SEIS for Point Wells and (2) to receive a commitment from BSRE to revise the application to comply with code. The second goal is because number of major revisions to the project design and supporting materials are necessary before we can recommend approval.

The site requires a second access road. This is to comply with Snohomish County Code (SCC), the fire code, and our Engineering Design and Development Standards (EDDS). The only way to provide a second road is through landslide areas. This is possible with adequate engineering and appropriate design. If adding a second road were the only major change necessary, then it might be possible to address this in the FEIS. However, adding a second road is not the only EIS-level revision.

The site plan, geotechnical reports and other documents only discuss landslide hazards in the portion of the site east of the railroad tracks. Image 1 below is adapted from Sheet A-051 and illustrates where a second landslide hazard to the north village is entirely omitted in the application and other materials provided by the applicant. This issue alone would require an SEIS, see attached comments to the preliminary draft EIS. Snohomish County needs this to be part of the EIS review so that we can recommend steps to mitigate landslide risks to buildings and the parking garage in the North Village. Similarly the landslide setbacks shown on the phase east of the tracks do not represent the effective code requirements; thereby rendering insufficient the recommendations that would be based on the setbacks shown.

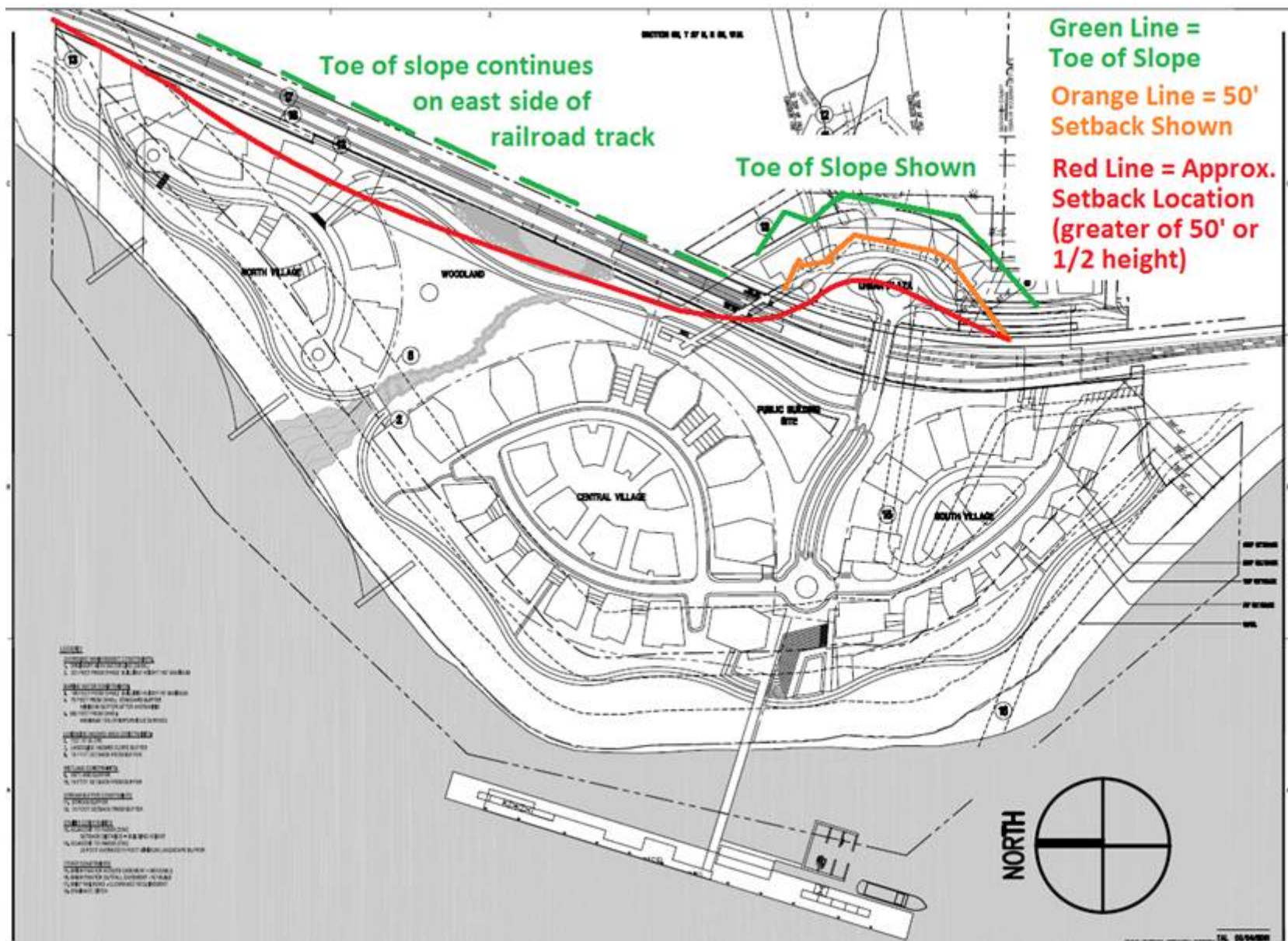


Image 1: Landslide Hazard Issues

On page 9 of an [April 12, 2013, Review Completion Letter](#) by my predecessor, Darryl Eastin, it was noted that, the "site development plans do not depict the location and description of all other critical areas regulated pursuant to Chapters 30.62B" [Geologically Hazardous Areas] which is the issue above.

The 2013 letter also asks for "clarification of how the project meets the provisions of SCC 30.62A.320(1)(c) regarding impervious surfaces within buffers" from Puget Sound. We are still waiting for this clarification and have created Image 2 (below) to help illustrate the concern. (Image 2 is also adapted from Sheet A-051). The August

18, 2016, email included at the bottom of this email refers to specific steps that the applicant could take to lessen the design challenge of staying below impervious surface maximums.

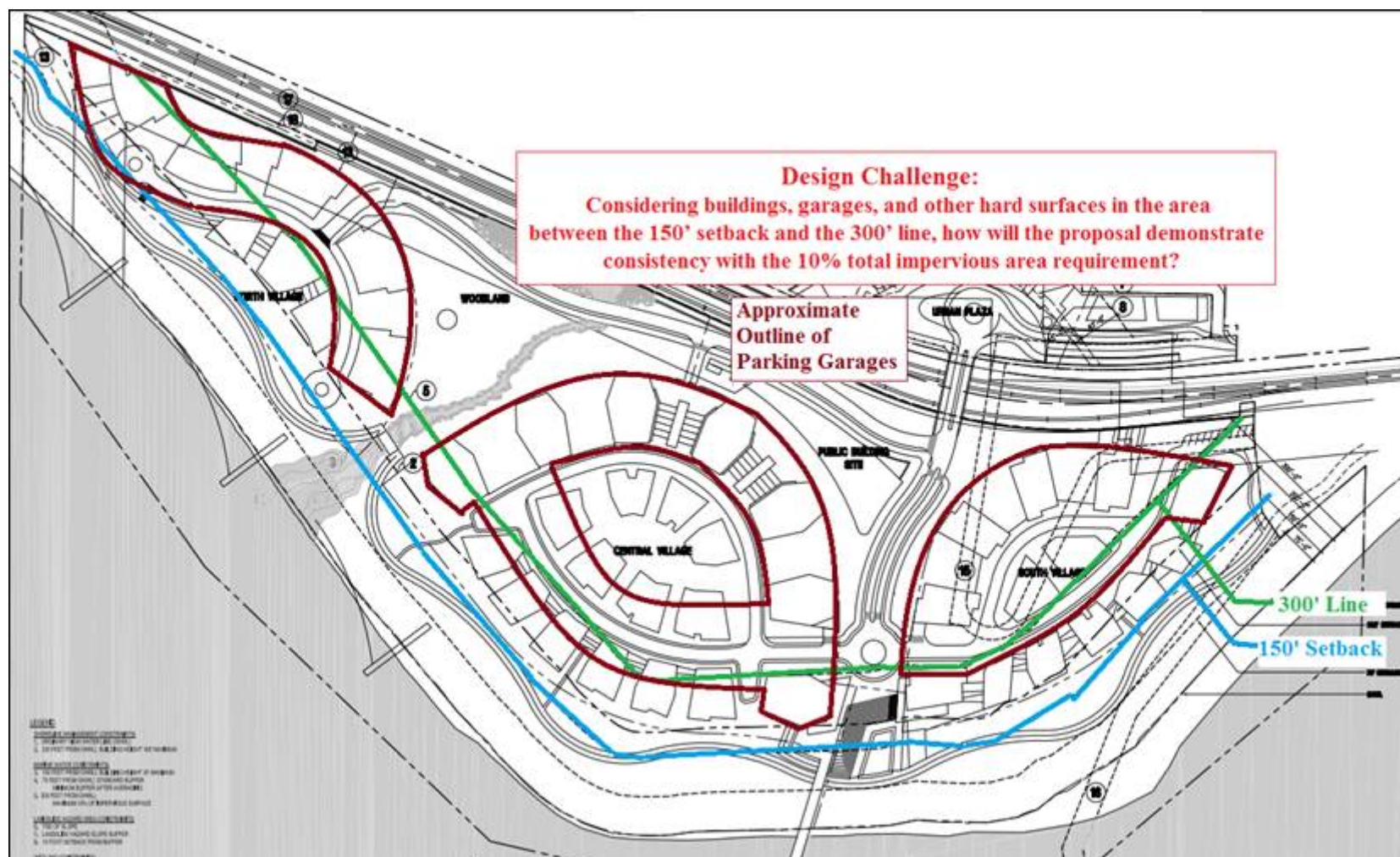


Image 2: Impervious Surface Issues

Even with the steps that we identified as possibilities for your client to consider, the recommendation in the 2013 letter that “Staff suggests that the applicant make a request for review under the innovative development design provisions of SCC 30.62A.350” stands. Without use by the applicant of the Innovative Development Design [IDD] provisions, we cannot approve the site plan. Even with IDD, it is likely that the amount of impervious surface near Puget Sound will need to be less. Absence of an approved IDD plan means that the DEIS must disclose that the application does not comply with Snohomish County Requirements to protect Wetlands and Fish & Wildlife Habitat Conservation Areas (Chapter 30.62A SCC). We cannot simply recommend conditions of approval on this subject to the Hearing Examiner and expect a favorable decision on the project. Therefore, the applicant must make some changes before the project goes to hearing. These changes may significantly alter the size or design of the project. (Please note that IDD is only part of what it would take to meet code requirements.)

Other known significant and overlapping issues with the project design exist. These include parking, the number of units, the adequacy of proposed fire lanes, and internal inconsistencies in the application. Addressing these may require supplemental EIS work if not addressed prior to DEIS publication. Until we know how BSRE proposes to resolve these issues, we cannot determine whether supplemental environmental work related to these changes would be necessary. Even if supplemental environmental work is not necessary in response to revisions for the topics in this paragraph, we cannot recommend approval until it is clear that the project can meet the applicable requirements. Without knowing the number, size, and occupancy (senior-only or unrestricted) of units, we cannot determine whether the proposal would have adequate parking. The 2011 application does not have enough parking for the stated number of units. Will a revised application add parking garage floors to meet the parking requirements? Will these parking areas be in landslide hazard or shoreline setback areas? If the applicant were to add an upper level to a garage, how would that affect the stormwater drainage plan? Such issues might not be EIS-level concerns, but they do need to be largely resolved before FEIS publication if we are to be able to make favorable recommendations on the project.

To expedite the overall review process, we will be urging you on Tuesday to advise your client that revisions to the project should attempt to address all areas of concern, not just those identified as clearly being issues that might require supplemental environmental review. To receive a favorable recommendation, the revised application must meet all of our requirements (or be able to meet the requirements when satisfying conditions applied by the Hearing Examiner). Internal consistency is a requirement. If buildings and parking garages shift to avoid critical areas, then the applicant must update the landscaping plans too.

I'm looking forward to a productive discussion tomorrow!

Ryan

From: Countryman, Ryan
Sent: Thursday, August 18, 2016 9:20 PM
To: Gary Huff (GHuff@karrtuttle.com) (GHuff@karrtuttle.com) <GHuff@karrtuttle.com>
Subject: Point Wells

Hi Gary,

Following up on our conference call today: You asked for the latest draft of the Supplemental Review Letter (draft letter). Here is a link: <http://snohomishcountywa.gov/DocumentCenter/Home/View/36775> (it is 44 MB and will take a while to download). This is a good document to look at using Word's “show markups” option because the side comments explain some remaining steps and identify things needing more research or additional cross-references. Some parts of the draft letter are in close to final form and others still need lots of work.

You also asked me to suggest areas where I think starting your work with Perkins-Will and DEA would be most effective. Since the draft letter does not yet have a clear summary, here is how I think about the design question:

1. Where can you build?
2. What do you want to put there?
3. How will people get around?
4. Do the pieces fit?
5. Any other requirements?

6. Is it internally consistent?

Where can you build? Critical area regulations determine most of this. Geologic Hazards and Shoreline Setbacks are the biggest factors here.

Geohazard Review in the draft letter is still incomplete. The summary on the Preliminary Draft EIS (PDEIS) that we discussed today covers the big picture more completely than the draft letter does. We will revise the PDEIS comments and add them to the draft letter soon to complete Chapter 30.62B review (see page 198 of the draft letter). With enough engineering, it is usually possible to build in landslide hazard areas and setbacks from them. Avoiding them as much as is feasible is the default starting point, but this will be difficult to do entirely at Point Wells. There are some special challenges under the heading *Urban Plaza Grading and Setbacks* (page 254) that should receive early consideration because the simplest solutions may involve moving the police/fire station and redesigning some of this phase.

By "Shoreline Setbacks," I am referring to both Chapters 30.62A (page 178) and 30.67 SCC (page 233). Review of these chapters is still rough. The requirements for development near Marine Waters pose the biggest hurdle (see page 184). A key challenge is that the current application proposes much more than the typical 10% maximum impervious surface between 150' and 300' from Puget Sound. Page 186 identifies some steps to help remedy this, but it is likely that the revised application will need to use the Innovative Development Design provisions of *former* SCC 30.62A.350. I would suggest that you bring in your team to meet with our biologists who are reviewing the project (Randy Middaugh and Frank Scherf) to get an early understanding of what they would be looking for under the innovative development design provisions. The same provisions could help with specific concerns we have about Chevron Creek and the stream next to the North Village.

What do you want to put there? With buildable areas more clearly established, it is easier to place garages and buildings. Since the buildable area may be less than assumed on the 2011 application and the application is short of parking, I would suggest starting with parking garage outlines. A friend who designs high-rise projects tells me that the tightest garages he has ever drawn needed around 385 square feet per stall. He likes to tell clients to expect one stall per 425 sq ft and then surprise them with a lower figure. The 2011 application assumes one stall per 350 sq ft.

If critical area constraints reduce the footprint for the garages from what the 2011 application shows, then it will be even harder to provide parking for 3,081 units. Obvious options include filling in the "donut hole" of the Central Village garage. Other garages may need an additional floor. The current proposal includes some garages floors at 6 feet above sea level. These will require special flood proofing, so adding higher floors rather than lower floors may be preferable. Will all of the buildings have direct elevator access to the garages? Not all of them currently do and adding more elevators to the garages reduces the space for parking below. There is a beginning of parking summary on page 17 and details on page 74.

Buildings above the garages can be wider or taller if the goal is to maintain unit count. However, to park 3,081 units with direct elevator access will require roughly 50% more parking structure than shown. Since the floor plans are incomplete and the basis of 3,081 units is a square footage assumption, I would strongly urge you to have Perkins-Will draw basic floor plans for all buildings. On my read of the plans, which includes some guesses/assumptions of my own, the 2011 application would yield between 2,632 and 2,803 units, with the range depending on whether the "townhouse units" are flats or not (this is in a separate Excel file). Maybe there is a way to get to 3,081 units, but the drawings should clearly show how the project would accomplish this. Because there is such a challenge with parking, it may worth double-checking with your client whether the goal is 3,081 units or 3 million sq ft of non-garage construction. Some of the units would be quite small for the location, especially of the townhouse units end up as flats. Larger units would require less parking and help alleviate traffic issues.

How will people get around? Eliminate the Sound Transit platform unless progress is happening on that front.

Add the second access to the plans as soon as feasible. Have a meeting with the Snohomish County Fire Marshal (Mike McCrary) and the Shoreline Fire Chief (Matt Cowen) to discuss turning radius requirements for ladder trucks. There is discussion in the draft letter of these issues under the heading *Public Safety and Lack of Second Access* on page 15. Second access and turning radii issues may require moving some buildings around a bit, which complicates settling on elevator and parking locations in the garages below.

Do the pieces fit? Does the site seem coherent and retain a concept of having four villages? Are the commercial uses still in good locations? Has anything exceeded the heights studied in the visual analysis prepared so far for the DEIS?

Any other requirements? Do the revisions meet the owner's expectations? From Snohomish County's standpoint, is there enough detail for the Design Review Board to do its job? See review of design standards and DRB requirements on page 117 to 133 (some of 133 to 135 needs further editing/formatting).

Is it internally consistent? There are going to be details to sort out at every stage, but we have identified several inconsistencies that would be very difficult to address simply by having the Hearing Examiner apply conditions. *Trees on Parking Garages* (page 239) discusses conflicts with stormwater, garage elevations, internal roads, and landscaping. *Road Profiles* (page 248) is looking for consistency regarding road and sidewalk widths, which affect building locations, stormwater, and the limited amount of street parking. We also discuss the Urban Plaza Parking Circulation (page 263) which affects parking and, indirectly, unit counts. There is also extensive discussion of Chevron Creek (page 266) that plays into the need to request innovative development design consideration for critical areas and touches on setbacks and building locations as well as drainage requirements.

Let me know if you want help setting up the suggested meetings or have any questions.

Thank you!

Ryan