



*City of Everett
Planning and Community Development*

REZONE APPLICATION

Applicant: OliverMcMillan, LLC
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OliverMcMillan, LLC Local Office: 2907 Hewitt Avenue, Everett, Washington 98201
Phone: (425) 317-0912

Property Owner(s):

Property within the Riverfront Redevelopment site is under several ownerships, with the majority of the area currently owned by the City of Everett. (See figure 2 for parcel ownership map). The City of Everett has authorized the sale of the City owned property to OliverMcMillan (Resolution No. 5871, and "Riverfront Property Disposition Agreement"). OliverMcMillan will dedicate or provide easements to the City as necessary to facilitate the City's construction of public access trails and other public amenities and improvements on the Redevelopment site as set forth in the Property Disposition Agreement. City ownership within the Rezone area also includes the GTS Drywall site, and City Street Right-of-Way and Street ends. Other property owners include The Port of Everett, which owns a portion of the Riverfront Redevelopment site where the existing Diversified Industries building is located, Newland Construction, and Eclipse Properties LLC (Stuchell).

Phone _____

Address _____

Primary Contact:
(if other than applicant)

OliverMcMillan, Charlie Hickcox, Project Manager
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Local Contact:

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Property Address or Location:

The Everett Riverfront Redevelopment site is located on the west side of the Snohomish River, east of I-5, south of Pacific Ave., and north of Rotary Park and Lowell Snohomish River Road (Figure 1). The proposed redevelopment site includes several ownerships (see list above), consists of approximately 221 acres, and includes the following five distinct geographic areas:

1. **Tire Fire / Landfill Site :** This area is bordered by 36th Street on the north; the Burlington Northern Santa Fe (BNSF) mainline and “Turkey Trail” right-of-way on the west; and on the east and south by the diagonal created by the former Milwaukee Road railroad right-of-way. This area includes the portion of the site referred to as the “Ramp Triangle.”
2. **Simpson Pad:** This area is generally south and west of the area described below as the Simpson Category 1 Wetlands and Riparian Corridor; and north of the area described below as the South Simpson Site. This area is identified in the Everett General Plan and related documents as the “Developable Portion of the Simpson Site.”
3. **Simpson Category 1 Wetlands and Riparian Corridor:** This area is located between the Tire Fire / Landfill site, the BNSF Mainline on the east, and between the Snohomish River and the upland area known as the Simpson Pad or the Developable Portion of Simpson Site. This area is comprised entirely of areas that are or will be aquatic or riparian habitat and public access.
4. **South Simpson Site:** This area lies between the BNSF mainline on the west, the Snohomish River on the east, the Washington Department of Transportation (WSDOT) water treatment property on the south and the Simpson Pad on the north. This area is comprised entirely of areas that are or will be aquatic or riparian habitat and public access.
5. **Eclipse Mill Site:** This area lies north of the easterly extension of 36th Street, east of the BNSF ‘C’-line track and right-of-way, west of the Snohomish River and south of Pacific Avenue. This area includes the Port property, Eclipse Properties LLC (aka “Stuchell”), Newland Construction and the “Drywall Property” (not part of the original Property Disposition Agreement with the City).

NOTE: The proposed Rezone area does not include the Simpson Category I Wetlands.

Tax Parcel Number _____

Legal Description (attach if necessary) _____

Zoning:

The current zoning designations for properties within the Riverfront Redevelopment site are:

- ✓ C-2 (Heavy Commercial - Light Industrial);
- ✓ M-1 (Office and Industrial Park); and
- ✓ Aquatic.
- ✓ Note: Some portions of the site have an Urban Flood Fringe District zoning overlay.

The C-2 designation is applied to the Eclipse properties and the Landfill/Tire Fire site to about 41st Street. The remainder of the property has the M-1 designation except for the Simpson Category I wetlands which are zoned Aquatic.

Comprehensive Plan Designation: (Comprehensive Plan and Shoreline Master Program (SMP) Designations)

The current Comprehensive Plan designations for the Riverfront Redevelopment site are

- ✓ 4.5-Waterfront Commercial
- ✓ 7.1-Aquatic.

The Waterfront Commercial designation applies to all areas of the Riverfront Redevelopment site except the Simpson Category I Wetlands and the areas immediately adjacent to the Snohomish River which are designated Aquatic.

- ✓ The Shoreline Master Program (SMP) designations are:
- ✓ Urban Multi-Use,
- ✓ Urban Conservancy;
- ✓ Urban Conservancy Recreation;
- ✓ Aquatic; and
- ✓ Aquatic Conservancy

The Urban Multi Use designation applies to the Simpson (development) Pad, the Tire Fire/Landfill site, and “Lands Located Along the Snohomish River, South of the SR-2 Bridge” and north of 36th Street. The eastern boundary is the ordinary high water mark. The western boundary is 200 feet from the ordinary high water mark: (this designation applies to the Riverfront Redevelopment site area north of 36th Street to Pacific Avenue, includes the area of parcels within the shoreline jurisdictional boundary of the Eclipse Mill/Port of Everett site, the Newland and Eclipse Properties LLC properties.)

The Urban Conservancy-Recreation designation applies to all of the Riverfront Redevelopment site south of the Simpson Pad (the “Developable Portion of Simpson” site), within shoreline jurisdiction. The Urban Conservancy designation applies to Bigelow Creek and the Category I wetlands, along with the riparian corridor along the east edge of the property subject to shoreline jurisdiction.

The Aquatic designation applies to all water areas of the Snohomish River, waterward of the ordinary high water mark.

Comprehensive Plan/Shoreline Master Program Vision Statements

In addition to the Comprehensive Plan land use map designations, the Comprehensive Plan includes “Comprehensive Plan/Shoreline Master Program Vision Statements” for the Riverfront Redevelopment site. The Vision Statements are summarized in the narrative response to criteria below.

Area of Property (Acres/Square Feet) _____ 191 acres

Project Description:

The proposed redevelopment will include construction of a mixed-use commercial/residential development, shoreline and habitat restoration, and rehabilitation of a former, mostly industrial site. The proposed Master Plan includes the construction of up to 900,000 square feet of mixed commercial use; 200,000 square feet of hotel space; and up to 1,400 residential units (multi- and single-family). The ultimate mix of uses constructed will be determined by market demand and the land use capacity of the site (type, location, and size of uses and structures, and infrastructure

capacity). The types of uses in the description of “commercial” include retail, restaurant, theater, and office use, and potentially other uses permitted in the proposed Waterfront Commercial (WC) Zone. The Master Plan may be amended over time in response to market demand for the proposed uses. An illustrative example of the preferred development concept is included in the DEIS and attached to this application.

Consistent with the Comprehensive Plan, the proposal includes a:

- **Rezone of the Riverfront Redevelopment site to W-C, Waterfront Commercial, and**
- **A Planned Development Overlay (PDO) zoning for the site.** The PDO will implement the provisions of the WC Zone that provide for increased building height limits in conjunction with a Planned Development Overlay Zone.

The proposed PDO zone for the Riverfront Redevelopment project proposes a maximum building height of 100 feet (for the proposed hotel), and a maximum building height of 65 feet for all parcels other than the Simpson Pad (which will comply with the default limit of 35 feet). Mixed-Use Development Guidelines will be included in the PDO to guide activities on the Landfill/Tire Fire and Eclipse areas. “Residential Design Guidelines for Everett Riverfront Development” will also be included in the PDO. The proposed residential design guidelines would supersede the requirements in EMC 19.15.

Name of the planner who conducted the Pre-Application meeting : Dave Koenig

I am the owner or am authorized by the owner to sign and submit this application. I grant permission for City staff and agents to enter onto the subject property for the sole purpose of making any inspection of the property which is necessary to process this application. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete, and correct.

Signature by Owner/Applicant/Agent _____ Date _____

City and State where this application is signed _____, _____
City State

REZONE SUPPLEMENTAL APPLICATION

Land Use and Zoning Information

Existing Zoning:

The current zoning designations for properties within the Riverfront Redevelopment site are:

- ✓ C-2 (Heavy Commercial - Light Industrial);
- ✓ M-1 (Office and Industrial Park); and
- ✓ Aquatic.
- ✓ Note: Some portions of the site have an Urban Flood Fringe District zoning overlay.

The C-2 designation is applied to the Eclipse properties and the Landfill/Tire Fire site to about 41st Street. The remainder of the property has the M-1 designation except for the Simpson Category I wetlands which are zoned Aquatic.

Existing Land Use:

Structures and land uses currently existing on the Riverfront Redevelopment site include:

Simpson Pad: Vacant. A public access trail presently runs on the eastern and northern perimeters.

Landfill/Tire Fire: The City operated Animal Shelter, and the City's Public Works storage yard, which are located on the Landfill/Tire Fire area of the site. The Animal Shelter and Public Works storage yard will be relocated, and the Animal Shelter building will be demolished.

Eclipse Mill: Diversified Industries has an operation in a building located within the Eclipse Mill area of the site (on a parcel owned by the Port of Everett-under a month-to-month lease arrangement). This operation will likely be relocated and the building demolished. The area adjacent to Eclipse Mill Road, previously used for log storage, is currently used for soil stockpiling. At the north end of the site, located east of Eclipse Mill Road and south of Pacific Avenue is an office building and storage yard for Newland Construction. An approximately one acre parcel owned by Eclipse Properties LLC is located immediately south of the Newland property.

Other: Burlington Northern Santa Fe Railroad tracks currently bisect the Riverfront Redevelopment site, and run between the Simpson Development Pad and the Landfill Site. Under an existing City/BNSF Agreement, these RR tracks will be removed by BNSF no later than the end of 2008.

Related Activity: The City will be surcharging and subsequently re-grading the landfill for use. This is an activity that is independent of the proposed redevelopment (as it is required for any use of the site) and is not part of this land use review process.

Access:

Access to the Riverfront Redevelopment site is provided from I-5 via the 41st Street Interchange, and the 41st Street Overpass provides direct access into the site. A roundabout is being developed at the foot of the bridge as well as a bridge to cross streams within the BNSF ROW to tie the Landfill Tire/Fire Site to the Simpson Pad are being developed by the City under separate

approval processes. An internal roadway loops under the 41st Street Overpass and extends to the north to provide current access to the existing Animal Shelter and the Diversified Industries building. Eclipse Mill Road, an unimproved private road, currently provides private access to the Eclipse Mill portion of the site. The unimproved road runs north from 36th Street to Pacific Avenue, however, no public through access is currently available on the site.

Proposed Zoning:

The proposed Zoning is W-C, Waterfront Commercial, and Planned Development Overlay (PDO). The PDO is proposed to implement the provisions of the WC Zone that provide for increased building height limits in conjunction with a PDO. The proposed PDO zone for the Riverfront Redevelopment project proposes a maximum building height of 100 feet for the proposed hotel, and a maximum building height of 65 feet for all parcels other than the Simpson Pad. Mixed-Use Development Guidelines and Residential Design Guidelines will also be included in the PDO. Drafts of those guidelines are attached to this application. The proposed residential design guidelines would supersede the requirements in EMC 19.15.

Proposed Land Use:

The proposed land use for the Riverfront Redevelopment is a Master Plan mixed-use commercial / residential development, shoreline and habitat restoration, and rehabilitation of a former, mostly industrial site. The proposed Master Plan includes the construction of up to 900,000 square feet of mixed commercial use; 200,000 square feet of hotel space; and up to 1,400 residential units (multi- and single family). The ultimate mix of uses constructed will be determined by market demand and the land use capacity of the site (type, location, and size of uses and structures, and infrastructure capacity). The proposed uses generally include commercial, including retail, office, hotel and restaurant; pedestrian and bicycle trails; open space and public gathering place; boat dock and supporting facilities, and other uses permitted in the W-C zone and the Urban Multi-Use shoreline environment. The proposal includes single family, multiple family and townhouse residential uses; and hotel (lodging). -The Master Plan may be amended over time in response to market demand for the proposed uses. An illustrative example of the preferred development concept is shown in Figure 2.

Adjacent Zoning:

- **North:** C-2 & C-2 UFFD;
- **South:** M-2 & M-2 UFFD & P;
- **East:** Snohomish River/ Area East of the Snohomish River (outside Everett under jurisdiction of Snohomish County): Zoning is A-10 (Agricultural-10 Acres)/ Density Fringe Area & Floodway Fringe Area.
- **West:** A number of different Zoning designations about the Riverfront Redevelopment site on the West:
 - ✓ C-2 (Area east of I-5 & west of the BNSF mainline tracks);
 - ✓ C-1 (Area adjacent to and east of S. 3rd Street);
 - ✓ R-2 (Generally area west of S. 3rd, up to Lowell Park);
 - ✓ P (Lowell Park);
 - ✓ B-2 and M-2 (Area west of the South Simpson site).

Adjacent Land Use:

- **North:** Existing land uses located to the north of the Riverfront Redevelopment site include Snohomish River Properties, LLC Current uses on the Snohomish River Properties, LLC parcels include marine (barge) shipping and storage of rock products (Aggregates West), a heavy equipment dealership, and BDZ Construction Office building. Other land uses located north of the site include a number of heavy commercial and industrial uses, such as contractors' storage yards, Riverside Roof, Keller Supply, Cenex Co-op, and other similar uses.
- **South:** Existing land uses located to the south of the site are primarily agricultural and residential. The areas immediately adjacent to the south, however, include a WSDOT I-5 stormwater treatment facility, heavy industrial uses (Morse Brothers), and Rotary Park.
- **East:** The Riverfront Redevelopment site is adjacent to and is bounded by the Snohomish River on the east. The existing land uses located to the east of the Snohomish River are open space, and agricultural uses.
- **West:** Existing land uses located to the west of the Riverfront Redevelopment site include the BNSF mainline railroad tracks, Lowell Park, the Lowell Neighborhood, and the Interstate 5 freeway. The BNSF mainline tracks lie between and separate the site from the Lowell neighborhood. Some small commercial nodes are located adjacent to the Riverfront Redevelopment site in the Lowell neighborhood. Uses in the commercial nodes include a grocery/restaurant and office uses. The Lowell residential neighborhood is generally located on an east facing slope which overlooks the Riverfront Redevelopment site. Industrial and heavy commercial uses are located adjacent to and west of the Landfill Area of the site, west of the BNSF tracks and abutting Smith Street. Land uses in this area include a manufacturer of industrial equipment, truck parts and service, industrial sheet metal, warehousing, a service station and other similar uses. A mission for homeless men is also located west of the Landfill area.

Comprehensive Plan Information

Comprehensive Plan Map Designation of Subject Property

The current Comprehensive Plan designations for the Riverfront Redevelopment site are

- ✓ 4.5-Waterfront Commercial
- ✓ 7.1-Aquatic.

The Waterfront Commercial designation applies to all areas of the Riverfront Redevelopment site except the Simpson Category I Wetlands and the areas immediately adjacent to the Snohomish River which are designated Aquatic.

- ✓ The Shoreline Master Program (SMP) designations are:
- ✓ Urban Multi-Use,
- ✓ Urban Conservancy;
- ✓ Urban Conservancy Recreation;
- ✓ Aquatic; and

✓ Aquatic Conservancy

The Urban Multi Use designation applies to the Simpson (development) Pad, the Tire Fire/Landfill site, and “Lands Located Along the Snohomish River, South of the SR-2 Bridge” and north of 36th Street. The eastern boundary is the ordinary high water mark. The western boundary is 200 feet from the ordinary high water mark: (this designation applies to the Riverfront Redevelopment site area north of 36th Street to Pacific Avenue, includes the area of parcels within the shoreline jurisdictional boundary of the Eclipse Mill/Port of Everett site, the Newland and Eclipse Properties LLC properties.)

The Urban Conservancy-Recreation designation applies to all of the Riverfront Redevelopment site south of the Simpson Pad (the “Developable Portion of Simpson” site), within shoreline jurisdiction. The Urban Conservancy designation applies to Bigelow Creek and the Category I wetlands, along with the riparian corridor along the east edge of the property subject to shoreline jurisdiction.

The Aquatic designation applies to all water areas of the Snohomish River, waterward of the ordinary high water mark.

Comprehensive Plan/Shoreline Master Program Vision Statements

The Shoreline Element of the Comprehensive Plan includes vision statements and management policies for specific properties to further define the shoreline environment designations.

Vision Statements

Lands located along the Snohomish River south of the SR 2 bridge and north of 36th St.: *This area shall be developed with high quality mixed-use development including multiple family residential, office park, light commercial and high quality public access on the site.*

Tire Fire / Landfill Site: *The Tire Fire / Landfill Site shall be developed as a high quality, master planned “lifestyle entertainment center”. The master plan shall encourage public enjoyment of the river and shorelines and emphasize an attractive, people oriented mixed-use commercial center with significant public access, abundant parking, a plaza or public center area, and separation between pedestrians and automobiles encouraging pedestrian movement. The master plan shall orient buildings and facilities to maximize visual access to the river, estuary and mountain views and provide visual and direct access to the river and prominent riverfront trails. Examples from which to draw design and land use concepts include but are not limited to: Granville Island and Nanaimo in British Columbia, Portland’s Riverfront, Pickering Farms in Issaquah, and Carillon Point in Kirkland. However, the design master plan should be tailored to Everett’s needs and overall vision for the riverfront. The mixed uses may include commercial/retail, office, multifamily residential, public access to the shoreline, and ample trails and walkways.*

Developable Portion of Simpson Site: *The vision for the 45-acre “development pad” on the 136-acre Simpson site is an attractive, master planned campus-like office park or high quality mixed use office/residential development. A possible use for this site could be the headquarters for a high quality high tech company. The remainder of the Simpson site will be for conservation and park purposes except for transportation and utility access. The riparian corridor along the river will be preserved with public access including a trail. The southern portion of the site should be open space and park use.*

Simpson Category 1 Wetlands and Riparian Corridor: *The Category 1 wetlands and the riparian corridor on the Simpson site will be for conservation, except for transportation and utility access. The riparian corridor along the river will be preserved with public access including a trail.*

South Simpson Site: *The Category 3 wetlands on the Simpson site will be for conservation and park purposes, except for transportation and utility access. The southern portion of the site should be open space and park use.*

Management Policies.

Simpson and Tire Fire/Landfill Sites. *Development of these sites should be of a high quality design and should only occur after approval of a master plan involving a public review of the site plans through the Planned Development Overlay Process. (Policy 3.15.4).*

Area south of Highway 2. *Encourage high quality mixed-use development, including multiple family residential, office park, and light commercial uses. Water-oriented uses, such as restaurants with views of the waterfront are encouraged. However, nonwater-oriented commercial, and/or multiple-family residential uses should be allowed in this area, provided the development provides views to the Snohomish River from and through the site. High quality public access should be provided along the entire shoreline. Access shall be located so that it does not significantly impact habitat for endangered species.*

L 1.2.5 Shoreline Public Access Plan: The City of Everett Shoreline Public Access Plan was adopted May 21, 2003 as a sub-element of the Comprehensive Plan. Section 7 of the Plan addresses the Shoreline area of the City from Pacific Avenue southward to Rotary Park and includes a number of plan elements that apply to the Riverfront Redevelopment property. Elements of the Shoreline Public Access Plan and consistency of the Riverfront Redevelopment with the Plan are described in detail in the “Parks, Recreation, Open Space, and Public Access” section of the DEIS.

Narrative Statement - Specific Evaluation Criteria

All applications must be accompanied by a narrative statement describing how the proposal is consistent with the rezone criteria.

Criteria 1: *The proposed rezone is consistent with the Everett Comprehensive Plan.*

a. The proposed zoning, and the review process (PDO public review process) are consistent with the policies of the Comprehensive Plan

Current Comprehensive Plan land use designations, Shoreline Master Program designations, and “Comprehensive Plan/Shoreline Master Program Vision Statements” are identified above. (Also see the Land and Shoreline use chapter of the DEIS for additional analysis). Current Zoning designations of the Riverfront Redevelopment site are also identified above. The current zoning designations for the areas proposed for development within the Riverfront Redevelopment site are C-2 Heavy Commercial - Light Industrial; M-1 Office and Industrial Park; and Aquatic. The Comprehensive Plan prescribes Waterfront Commercial; M-S (Maritime Service); or RC (Riverfront Commercial), as the potential appropriate zoning designations for the area that is the subject of this application. *The current C-2 and M-1 designations are inconsistent with the*

Comprehensive Plan designations for the useable areas of the property. Development under current zoning would not implement the adopted Comprehensive Plan nor would it be consistent with the Shoreline Master Program Vision Statements for the Riverfront described above).

Zoning amendments along with a Planned Development Overlay and Master Plan are needed to implement the existing Comprehensive Plan to establish a zoning designation that is consistent with the Comprehensive Plan and SMP vision statements, policies and regulations. Section VI of the Land Use Element of the Comprehensive Plan includes Implementation Programs and a table showing the “Equivalent Zoning” for specific Comprehensive Plan Land Use and SMP designations. The equivalent zoning for 4.5 Waterfront Commercial and SMP Urban Multi-Use is W-C; M-S; or RC. The proposed zoning for the Riverfront Redevelopment site is W-C therefore ***the proposed zoning is consistent with and would apply the implementation program included in the Comprehensive Plan.***

Additionally, Comprehensive Plan Policies call for the Riverfront to be redeveloped in a manner consistent with the Comprehensive Plan and SMP vision statements, through a Planned Development Overlay (PDO) Zoning process: “*Development of these sites (Simpson and Tire Fire/Landfill Sites) should be of a high quality design and should only occur after approval of a master plan involving a public review of the site plans through the Planned Development Overlay Process.*” (Policy 3.15.4). The proposed Riverfront Redevelopment includes a (PDO) rezone that is consistent with and would implement the applicable provisions of the Comprehensive Plan and Shoreline Master Program Policies. The PDO “Master Plan” would apply to all property within the Riverfront Redevelopment area. (Note the illustrative site plan includes the Port, Newland and Eclipse Properties LLC parcels and the PDO would apply equally to those parcels as well as to City and OM properties in the project area).

Conclusion: The proposed zoning, and the review process (PDO public review process) are consistent with the policies of the Comprehensive Plan.

b. The proposed Riverfront Redevelopment project and Master Plan are consistent with Land Use policies in Section 2 of the Comprehensive Plan

The Proposed Project is consistent with many specific policies of the Land Use Element of the Comprehensive Plan. This is evidenced by the following:

- ❖ Residential Policies 2.1 (*designate land to accommodate projected population*):
 - ✓ The development provides housing throughout the development which helps the City attain its population goals.
- ❖ 2.1.1, 2.1.4, 2.1.7; Commercial Policies 2.2 (*integrate commercial areas*)
 - ✓ The proposed Master Plan is an integrated mixed use project that includes housing within the mixed use commercial development.
- ❖ 2.2.3, (*Pedestrian friendly development*),
 - ✓ The project is pedestrian friendly, and includes both public sidewalks on internal streets and roadways, and extensive new public access trails and connections.
- ❖ 2.2.6(d) waterfront commercial, 2.2.7, 2.2.8; Open Space Policies, 2.6.5, 2.6.7 (*incorporate public open space into development proposals*);
 - ✓ Among other public access improvements, the Riverfront Redevelopment will eventually add approximately 2.3 miles of trails to the existing 1.2 miles of trails at Lowell

Riverfront trail. The applicant (OM) will add approximately one mile of that trail (with the City finishing a portion of that trail as well as completing the remaining additions). The proposed Master Plan incorporates substantial new park and public open space into the project including, but not limited to, a 3 acre park (north of 36th Street on the Eclipse Mill site), a 1.5 acre central gathering place in the mixed-use commercial development on the Landfill site, park areas within the Simpson Pad development and other public open space. A dock and boating facility is included along the river east of the central gathering area.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan are consistent with these Land Use policies of the Comprehensive Plan.

c. Proposed Riverfront Redevelopment project and Master Plan are consistent with these Shoreline Land Use policies of the Comprehensive Plan

The Proposal is consistent with many specific policies of the Shoreline Land Use Element of the Comprehensive Plan. This is evidenced by the following:

- ❖ 3.15.3 Management Policy: This policy includes language that encourages “*high quality mixed-use development, including multiple family residential uses south of SR-2.*”
 - ✓ The project is consistent with the specific recommendation to include multiple family uses located on the Eclipse Mill site. Additionally, the residential design guidelines will assure high quality design for residential uses included in the Master Plan.

- ❖ 3.15.4 Management Policy: This policy states that development of the Simpson and Tire Fire/Landfill site should “*only occur after approval of a master plan involving a public review of the site plans through a Planned Development Overlay process.*”
 - ✓ The proposal includes a Master Plan and PDO, which are subject to the public review process

- ❖ 3.15.6 (extension of existing trails):
 - ✓ The proposed Master Plan includes the extension of existing trails (about 1 mile by OM), and includes a dock area.

- ❖ 3.15.11, 3.17.1 (protect/mitigate impacts to existing wetlands):
 - ✓ The proposal includes enhancement of buffers around the Simpson Pad to increase functions and provide additional protection and restoration of the shoreline edge along the Eclipse site.

- ❖ 3.18.1, 3.18.2 (shoreline rehabilitation and public access),
 - ✓ Shoreline trail extensions include restoration of the shore edge along the Eclipse site. The proposed boat dock will entail removal of imported rock and include softening of the bank for a more natural edge. These features are integrated with public access improvements including the expanded trail system.

- ❖ 3.26.5 (commercial development with public access),
 - ✓ Trails are connected at multiple locations with the commercial uses on the Landfill/Tire Fire site as well as to the walkways and roads throughout that part of the development.

- ❖ 3.39.2, 3.39.8, and Shoreline Modification Goal 3.40; 3.46.1 (boat docks);

- ✓ A dock is proposed for public use. The dock and boat house is proposed just below the central park included in the commercial development.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan are consistent with these Shoreline Land Use policies of the Comprehensive Plan.

d. The proposed Riverfront Redevelopment project and Master Plan are consistent with Housing policies of the Comprehensive Plan.

The Proposed Project is consistent with many specific policies of the Housing Element of the Comprehensive Plan. This is evidenced by the following:

- ❖ Multiple Family Housing-Location and Compatibility Objective 4.7, and Policies 4.7.1 and 4.7.2 (encourage multiple family development in mixed use residential-commercial centers);
- ✓ The proposed Riverfront Redevelopment Master Plan is an integrated mixed use project that includes multiple family housing integrated within the primarily commercial development areas of the project.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan are consistent with these Housing policies of the Comprehensive Plan.

e. The proposed Riverfront Redevelopment project and Master Plan are consistent with Transportation objectives and policies of the Comprehensive Plan

The Proposed Project is consistent with many specific policies of the Transportation Element of the Comprehensive Plan. This is evidenced by the following:

- ❖ Objective 1: Plan, finance and maintain a multi-modal transportation system that provides expanded travel opportunities for transit, pedestrian, bicycle and ridesharing while accommodating private automobile use and supporting economic development within the community.
- ✓ The Riverfront Redevelopment project will provide improved local transit service to the project site, as well as improved access to other nearby transit services and Everett Station. These improvements to transit will result in an overall increase in transit ridership, and could substantially reduce trips made by automobile. These improvements are consistent with the Transportation Objectives of the 2006 Update of the Transportation element of Everett’s Comprehensive Plan.
- ❖ Objective 2 Design of Transportation Facilities The City has chosen a growth concept that is intended to reshape the land use form to a more pedestrian-oriented character.
- ✓ The proposed Riverfront Redevelopment Master Plan includes new bicycle and pedestrian amenities, and connections to existing bicycle/pedestrian trails and public sidewalks.
- ❖ Objective 6 (non-motorized transportation), need for integrated pedestrian and bicycle trails within the city.
- ✓ The Non-Motorized Transportation (Trail) Sub-Element of the Comprehensive Plan includes a principal strategy to “improve the existing infrastructure to better accommodate bicycle and pedestrian traffic, and to develop new bicycle/pedestrian trail systems.” The Planning Principles of this Comprehensive Plan Sub-Element includes the promotion of “a transportation system that includes a trail system and places an emphasis

on alternative non-motorized forms of transportation. The significant investment in non-motorized facilities, providing connections between land uses, can substantially help to reduce trips by automobile. These improvements are consistent with, and will help implement, the 2006 Update of the Transportation element of Everett's Comprehensive Plan, including the Transportation Objectives.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan are consistent with these Transportation policies of the Comprehensive Plan.

f. : The proposed Riverfront Redevelopment project and Master Plan encourages river uses that enhance the tax base while protecting the natural environment and promoting increased public access to the shoreline, and is consistent with the Capital Facilities and Utilities, and Economic Development policies of the Comprehensive Plan.

The Proposed Project is consistent with many specific policies of the Capital Facilities and Utilities, and Economic Development Element of the Comprehensive Plan. This is evidenced by the following:

- ❖ Goal 6.1, Policy 6.1.4 (*encourage land use, economic development and housing policies that co-locate jobs and housing*);
 - ✓ The Proposed Master plan entails commercial uses as well as a variety of housing types.

- ❖ Goals, Objectives and Policies, Waterfront Development Goal 7.4 (*encourage river uses that enhance the tax base while protecting natural environment and promoting increased public access to shoreline*), (emphasis added),
 - ✓ The proposed Master Plan includes mixed commercial uses, including retail, office, restaurant, hospitality (hotel), and potentially other uses permitted in the proposed WC Zone. The mixed commercial uses included in the proposed Master Plan could generate up to 2,200 employees. This is done in conjunction with buffer and shoreline restorations.

- ❖ Objectives 7.4.1, 7.4.27.4.3, Policy 7.4.5, (*promote businesses that increase the number of people employed on riverfront*),
 - ✓ Projected employment would help meet employment growth projections for the community. The increase in employment on the Riverfront Redevelopment site would exceed the Comprehensive Plan's projected additional employment for the Central sub-area. The additional employment will increase the jobs to household ratio for this area of the City.

- ❖ Objective 7.5.3, Policy 7.5.2, and Action Plan, E. Public Access (*balance economic development with protection of environmental resources*),;
 - ✓ The proposed Master Plan includes the protection and enhancement of existing high function wetlands; the removal of existing BNSF railroad tracks allowing the City to conduct habitat restoration of that area, restoration of shoreline areas, and other environmental restoration and enhancement measures.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan encourages river uses that enhance the tax base while protecting the natural environment and promoting

increased public access to the shoreline, and is consistent with the Capital Facilities and Utilities, and Economic Development policies of the Comprehensive Plan.

- g. **The proposed Riverfront Redevelopment project and Master Plan preserves the riparian areas on the site, including the Simpson Category I Wetlands, preserves public access along the river, and provides pockets of public space along the riverfront.**

The Proposed Project is consistent with Urban Design policies of the Comprehensive Plan. This is evidenced by the following:

- ❖ Objectives 8.1.1, 8.1.3 (*ensure that commercial and multiple family development has a high quality of design with respect to public places, pedestrian amenities, landscaping, building forms*),
 - ✓ The proposal includes design guidelines for all residential development, including multiple-family. The design integrates pedestrian amenities, landscaping and public access throughout the proposal. The proposed PDO includes “Residential Design Guidelines for Everett Riverfront Development” and Commercial design guidelines which assures “diverse and high quality building design”.
- ❖ Policy 8.1.4 (*encourage mixing commercial uses with higher density housing as redevelopment occurs*),
 - ✓ The proposal includes townhouses within the commercial development area.
- ❖ Policy 8.1.2 (*preserve estuaries, riparian corridors*),
 - ✓ The proposed Master Plan includes the preservation of the Category I Simpson Wetlands, and the riparian corridor adjacent to the Snohomish River. Public access is provided along the edge of the river, and includes a relocated trail at the north end of the Category I Simpson Wetland.
- ❖ 8.1.5, Objectives 8.3.2, 8.4.3, and 8.5.6, Policy 8.4.3, 8.4.7. Objectives 8.5.5, and 8.5.7, and Policy 8.5.4 (*preserve public access along the edge of the river*).
 - ✓ The proposed Master Plan includes new public space, including pockets of public space along the riverfront. The public amenities include a 3 acre public park area near the commercial development, a central gathering point in the commercial area, neighborhood parks, and a boat dock. The project will include sidewalks and pathways to link the residential areas to the commercial area and services.
- ❖ Harborfront/Riverfront Goal 8.7, Objectives 8.7.1, 8.7.2, 8.7.3, Policies 8.7.1 (*construct pathways along riverfront*),
 - ✓ Public access improvements would include extension of the riverfront trail to the north through and from the Simpson Pad. These improvements are intended to provide pedestrian and bicycle trails and access along the waterfront, and linkages to adjacent retail, commercial, wetland areas and open space.
- ❖ 8.7.2, 8.7.8 (*provide pockets of public space along riverfront*);
 - ✓ The proposed Master Plan includes new public space, including pockets of public space along the riverfront. The public amenities include a 3 acre public park area near the commercial development, a central gathering point in the commercial area, neighborhood parks, and a boat dock. The project will include sidewalks and pathways to link the residential areas to the commercial area and services.

Conclusion: The proposed Riverfront Redevelopment project and Master Plan preserves the riparian areas on the site, including the Simpson Category I Wetlands, preserves public access along the river, and provides pockets of public space along the riverfront. The proposed Riverfront Redevelopment project and Master Plan is consistent with the Urban Design policies of the Comprehensive Plan.

- h. **The proposed Riverfront Redevelopment project and Master Plan is consistent with and would implement the adopted Shoreline Public Access Plan for the riverfront area. The proposed Master Plan would improve public access, and would provide substantial public recreational opportunities that would encourage the use of the City's riverfront.**

The proposed Riverfront Redevelopment project and Master Plan is consistent with and would implement the adopted Shoreline Public Access Plan for the riverfront area which are policies of the Comprehensive Plan. This is evidenced by the following:

- ❖ Goal 9.1, Policies 9.2.1 (*improve public access*),
 - ✓ The proposed Riverfront Redevelopment Master Plan includes a new trail corridor from the Simpson Pad along the old railroad bed area and north along the Eclipse site. The trail extensions will connect to the existing riverfront trail.

- ❖ 9.2.2 (*provide recreational opportunities that encourage use of city waterfront*),
 - ✓ The proposed Master Plan includes new public space, including pockets of public space along the riverfront. The public amenities include a 3 acre public park area near the commercial development, a central gathering point in the commercial area, neighborhood parks, and a boat dock. The project will include sidewalks and pathways to link the residential areas to the commercial area and services.

- ❖ E. Public Access (*implement adopted Shoreline Public Access Plan for riverfront areas*).
 - ✓ The project includes an array of public amenities, as documented in Criteria 2B below, including potentially a new boat dock.

In addition, elements of the Public Access Plan that apply to the Riverfront Redevelopment site include the following:

- “Relocation of the BNSF tracks to the west, away from the shoreline will facilitate development of a trail connecting to the existing Lowell Riverfront Trail that runs through the old Simpson Mill site.” (*It is envisioned that portions of the Simpson Mill Site will be redeveloped.*) (Introduction).
- The plan includes provisions for extending the trail through the riverfront property ultimately connecting to the north to Pacific Avenue. “The BNSF rail line will be realigned to the west, allowing construction of a trail from Pacific Avenue to the current terminus of the Lowell Riverfront Trail.” Alternative alignments of the trail through the Eclipse Mill site are generally identified, with the trail located on the shoreline for a non-water dependent use. Additionally, the Plan states that “the wetland just north of the old Simpson Mill site is an ecologically important resource, and so the trail will follow its western margin. Limited nature trails and viewing areas may be added, subject to environmental conditions.”

- The Plan provides for a number of trail connections, including a future connection over the BNSF near 38th Street (a related City project), connections across I-5 at the 41st Street overcrossing, and connections to the Lowell Community and the Interurban Trail (future City projects).
 - *“Widened sidewalk and bicycle lanes should be added to 36th Street to provide a link to the Everett Station and, ultimately, to downtown Everett. A pedestrian/bicycle overcrossing should be provided over the railroad.”*
- The Plan states that these plan elements should be given high priority for early implementation *“because it will connect travelers from the Lowell community and southeast Snohomish County to the Everett Station and the Highway 2 bicycle lanes, providing an important commuter connection and making possible a number of recreational bicycle loop rides. East west connections at 36th Street and across 41st Street, connecting to the Interurban Regional Trail, will also be critical to connect back to Everett’s southern neighborhoods and the region to the south.”*(Implementation).

Conclusion: The proposed Riverfront Redevelopment project and Master Plan is consistent with and would help implement the adopted Shoreline Public Access Plan for the riverfront area. The proposed Master Plan would improve public access, and would provide substantial public recreational opportunities that would encourage the use of the City’s riverfront. The project is consistent with these policies of the Comprehensive Plan.

Criteria 2: The proposed rezone bears a substantial relation to public health, safety, or welfare; and the proposed rezone promotes the best long term interests of the Everett Community for the following reasons:

a. Brownfield Redevelopment:

The Riverfront Redevelopment project includes reuse, shoreline and habitat restoration, and rehabilitation of mostly former industrial sites. A portion of the proposed development is located on the former Simpson lumber mill site, and a portion of the site was previously used as a landfill and a discarded tire storage area that twice burned. The Tire Fire/Landfill Area is subject to a State Department of Ecology Consent Decree. Reuse of a Brownfield site (the Tire Fire/Landfill) site is an action defined by the American Planning Association as “Smart Growth”¹, and is a factor considered for meeting LEED’s certification. Redevelopment of Brownfield sites within urban growth areas help revitalize those areas and consequently reduce urban sprawl by reducing demand on undeveloped areas.

b. New park and public access improvements:

The proposed Riverfront Redevelopment will provide extensive additional public access and park and open space areas, and will assist in implementing high priority elements of the City’s adopted Shoreline Public Access Plan: “ This” (Riverfront) *“section merits high priority for early implementation because it will connect travelers from the Lowell community and southeast Snohomish County to the Everett Station and Highway 2 bicycle lanes, providing an important*

¹ See for example-“Expedited Brownfield cleanup can open the door to revitalizing urban cores and town centers while relieving some of the pressure to develop outlying green space” Northeast/Midwest Institute-Smart Growth at <http://www.nemw.org/smartgrowth.htm>

commuter connection and making possible a number of recreational bicycle loop rides.” A summary of these improvements is included below:

- The Riverfront Redevelopment will provide an array of new public amenities including wetland enhancements (to be undertaken by the City in actions related to this Project); new shoreline access points; expanded pedestrian/bicycle paths and trails; nature interpretive viewpoints (to be developed by the City); new recreation, open space and park areas, and multi-use public spaces for outdoor gathering; and a new boat dock. Public amenities will be located in all areas of the Project.
- The Riverfront Redevelopment will eventually add approximately 2.3 miles of trails to the existing 1.2 miles of trails at Lowell Riverfront trail. Oliver McMillan will develop one mile of that in conjunction with its activities. The entire project area will eventually result in approximately 78 acres of natural areas and wetlands, nature interpretive areas, 3 acres park on the Eclipse site, 1.5 acres of public area on the Landfill site that will integrate with a dock on the river, and park areas within the residential development on the Simpson Pad.
- Public access improvements include extension of the riverfront trail to the north, as well as additional trails associated with habitat enhancements /restoration (that will be developed by the City related to this Project). These improvements are intended to provide pedestrian and bicycle trails and access along the riverfront, and linkages to adjacent retail, commercial, wetland interpretive areas and open space.
- Public access and trail connections to the neighborhood and existing pedestrian and trail facilities will include:
 - ✓41st Street Overcrossing and Interurban Trail: Connection to the bicycle and pedestrian improvements being provided as part of the recently completed 41st Street Overcrossing and connection to the Interurban Trail. A current City of Everett project will improve 41st Street between I-5 and Colby Avenue and will include pedestrian/bicycle improvements. These improvements, in conjunction with the 41st Street Overcrossing improvements, will complete the link between the existing termination of the Interurban Trail and the Riverfront Redevelopment site and will connect with the public access improvements proposed as part of the Riverfront Redevelopment project. Construction of the 41st Street improvements is projected to occur in 2007 with completion anticipated in 2008.
 - ✓BNSF Overcrossing: A pedestrian/bicycle overcrossing of BNSF mainline tracks will be provided by the City in the area around 36th Street (from 32nd to 40th). This improvement would provide a link between the Riverfront Redevelopment site and the Everett Station Area, and ultimately to downtown Everett. This improvement is included in the City’s Transportation Improvement Program, and funds to construct the improvement have been secured.
 - ✓Pacific Avenue Connection: Pedestrian/bicycle and public access facilities will be provided as an integral part of the Riverfront

Redevelopment project and will extend the full length of the property. Improvements are proposed to extend to the north end of the Eclipse Mill site. Pedestrian improvements will be part of the roadway that extends through the Eclipse Mill site and will connect with improvements on Pacific Avenue. As an interim connection, where the Riverfront Redevelopment site ends at the Newland property, the public access trail would loop from the riverside location back to the roadway through the Eclipse Mill site and tie into pedestrian improvements on the roadway.

✓ A pedestrian overcrossing is being provided by WSDOT at Main Street. The overcrossing connection is intended to be for pedestrian use only, and will provide a safe pedestrian connection between the Lowell Community and the Riverfront Redevelopment site at Main Street.

- Open space areas will be integrated into the mixed-use residential development on the Simpson Site. Open space will be integrated into each of the residential neighborhoods to meet Leadership in Energy and Environmental Design (LEED) standards.
- Internal access to the on-site parks, recreation, and open space public amenities will be provided by public access pedestrian/bicycle trails and/or sidewalks on internal streets and roadways.

c. The Riverfront Redevelopment project protects, restores, and enhances critical areas within the redevelopment site.

The Property Disposition Agreement includes provisions that the City will restore the wetland area using the “Snohomish Riverfront Properties at Bigelow Creek: Conceptual Enhancement Program”) as conceptual guidance. The Conceptual Enhancement Program includes enhancements that would:

- ✓ Remove existing berms to restore floodplain and tidal connections;
- ✓ Remove blockages to reconnect wetland complexes;
- ✓ Remove Past riverbank modifications, roads and the existing Riverfront Trail that currently limit riverine connections and “create backwater channels” reconnecting these areas, including the construction of bridges to retain the integrity of the existing trail system;
- ✓ Reconnect the west and north wetland complexes via a revitalized section of Bigelow Creek;
- ✓ Relocate and daylight portions of the Bigelow Creek Channel;
- ✓ Direct restored Bigelow Creek flows through the heart of the North Wetland Complex, thereby providing an unimpeded passage for water, fish, and wildlife,” and;
- ✓ Provide trail enhancements to provide connections to the regional trail system, including connections between Rotary Park and the Riverfront Property and connections to the Regional Transit Center north of the Riverfront Properties.

- ✓ “Extend the existing Lowell River Trail northward from its present end at the northwest corner of the Simpson Development Pad.”

d. The proposed Riverfront Redevelopment will establish a model for “green development” for a major master planned urban development within the City of Everett.

The project is proposed to attain, at a minimum, a certification level of Silver for Neighborhood Development (ND) from the U.S. Green Building Council’s LEED Rating System. The Council’s core purpose is to transform the manner in which buildings and communities are designed, built, and operate to enable an environmentally and socially responsible, healthy, and prosperous environment that improves the quality of life. Elements of development in the LEED-ND program include:

“Smart location” (proximity to transportation infrastructure); proximity to water and wastewater infrastructure; protection of imperiled species and ecological communities; wetland and water body conservation; agricultural land conservation floodplain avoidance, open (non-gated) community; compact development, and construction activity pollution prevention. All other elements of the ND rating process are electives (some do not apply to all potential developments) with the proponent selecting how to achieve the points sought for a specific rating. The electives include: Brownfield redevelopment, preferred locations, reduced automobile dependence, bicycle network, housing and jobs proximity, school proximity, steep slope protection, habitat or wetlands conservation and restoration of habitat or wetlands, diversity of housing types, walkable streets, transit facilities, access to surrounding vicinity, passive and active public spaces, community outreach and involvement, certified “green buildings”, energy efficiency in buildings, reduced water use, minimize site disturbance, contaminant reduction in Brownfields remediation, stormwater management, heat island reduction, stormwater management, solar orientation, wastewater management, recycled content in infrastructure, construction waste management, light pollution reduction and innovation in design.

Additionally, the PDO will include Mixed-Use and Residential Design Guidelines to assure “diverse and high quality building design”. (See Draft Guidelines attached to this Application.)

e. Implements the City of Everett Comprehensive Plan and adopted Comprehensive Plan/Shoreline Master Program Vision Statements for the Riverfront.

It is in the public interest that the adopted Comprehensive Plan, including the Riverfront Vision Statements, Shoreline Public Access Plan, and other elements of the Plan are implemented. The proposed Riverfront Redevelopment project is consistent with and implements the Objectives, Goals, and Policies of the Comprehensive Plan and the adopted Comprehensive Plan/Shoreline Master Program Vision Statements for the Riverfront. (See the Narrative Statement response to Criteria 1 for a detailed description of project consistency with the Comprehensive Plan.).

The proposed project will insure that the adopted vision statements are realized by the community:

- ✓ The proposed Master Plan encourages public enjoyment of the river and shorelines; emphasizes an attractive, people oriented mixed-use commercial center

with significant public access, and “separation between pedestrians and automobiles encouraging pedestrian movement”.

- ✓ The proposed Master Plan provides a transit and pedestrian oriented mixed use commercial center on the City’s riverfront.
- ✓ The proposed Master Plan will provide an array of new public amenities including wetland enhancements; new shoreline access points; expanded pedestrian/bicycle paths and trails; new recreation, open space and park areas, and multi-use public spaces for outdoor gathering; and a new boat dock. (See item B above).

f. Provides a high quality, high visibility mixed use commercial development within a major entry corridor for the City of Everett.

The proposed Riverfront Redevelopment project is located adjacent to I-5, and will provide a high quality master planned development within the City’s entry corridor. The project will add a positive image to the City’s entry corridor, by adding a destination mixed use center where a landfill and industrial uses previously existed. The PDO will include “Residential Design Guidelines for Everett Riverfront Development” which assures “diverse and high quality building design”. (A summary is included below. For detailed design elements see the referenced Guidelines document.)

The Residential Design Guidelines includes the following elements to create a livable environment and high quality design:

- A. Project Statement:** The plan for this new neighborhood within the City of Everett, Washington has been conceived to harmonize with the City’s diverse historic character and create a “small town-like” appeal. The Everett Riverfront Development Design Guidelines are based on the Residential Design Guidelines for Everett Riverfront Development. With a goal of maintaining existing community character within new neighborhoods, those guidelines were based on a survey of design and architectural features within the existing historic community. These Guidelines are intended to foster the creation of quality architectural and landscape design, which accepts architectural diversity while providing for strong neighborhood continuity.
- B. Purposes and Intent:** “This document will guide the development of Everett Riverfront Development in accordance with the Development Agreement for Everett Riverfront Development.”

1. Creating a Livable Environment

Everett Riverfront Development aims to create an enjoyable place to live that makes environmental stewardship and social interaction easy. Land uses are integrated to balance housing, services, recreation and employment. Everett Riverfront Development encourages:

- Diverse and high quality building design
- Neighborhood interaction
- Non-automotive mobility
- Energy and resource conservation/Energy Star certification
- Gardening/landscaping

- Built Green certification and low impact development

g. Provides for substantial additional commercial activity, at a high quality destination location within the City.

It is anticipated that the new mixed use commercial development would result in an estimated average of 26,270 customers and visitors to the site each day during peak site use. The customers and visitors would generate substantial additional commercial activity as well as using the park, recreation, and public access facilities located on the site. The proposed mixed use development, public gathering places, pedestrian improvements, public access, critical area restoration/educational viewpoints, and shoreline viewpoints, will encourage substantially increased public and pedestrian use of the site, including riverfront shoreline public access.

h. Provides increased Jobs to Population ratio.

The mixed commercial uses included in the proposed Master Plan could generate up to 2,200 employees. Projected employment would help meet employment growth projections for the community. The increase in employment on the Riverfront Redevelopment site would exceed the Comprehensive Plan's projected additional employment for the Central sub-area. The additional employment will increase the jobs to household ratio for this area of the City.

i. The proposed Master Plan is an integrated mixed use project that will provide the opportunity to live, work, shop, and recreate within the Riverfront Redevelopment site.

The Master Plan provides a range of residential uses including single family detached, townhouse, and condominium; a range of commercial uses including office, retail, restaurant, small retail shops, and other uses that will provide opportunities to shop, as well as employment opportunities; and a range of park, open space, and public access recreation opportunities. The integrated mix of uses will help reduce the need for off-site travel and help mitigate traffic impacts of the project.

j. Transit and Pedestrian oriented development.

Bicycle/pedestrian facilities are provided the entire length of the project and linkages are provided to the adjacent community. The proposed Riverfront Redevelopment Master Plan provides pedestrian connections and public access throughout the development, provides pedestrian improvements on the internal street and roadway system, and internal pedestrian and bicycle public access trails the entire length of the project. Internal trails provide linkages between the various sub-areas of the project, and provide new bicycle/pedestrian connections to the neighborhood and to the existing trail system as documented above.

The Riverfront Redevelopment Master Plan provides transit improvements and transit access throughout the proposed development, and within each sub-area of the development. Non-motorized connections between the project site and other major activity areas will be significantly enhanced through the series of the planned trails, sidewalks and bike facilities. These facilities

will improve access between adjacent neighborhoods, the Everett Station, and the riverfront. The facilities will also provide linkages or connections to existing regional trail facilities, such as the Interurban trail. These facilities will benefit residents, employees and customers within the proposed development and other users from outside the development who wish to access the development and riverfront. The significant investment in non-motorized facilities, providing connections between land uses, can substantially help to reduce trips by automobile. These improvements are consistent with, and will help implement, the 2006 Update of the Transportation element of Everett's Comprehensive Plan, including the following Transportation Objectives:

- ✓ Objective #1: Expand Multi-Modal Travel Opportunities
- ✓ Objective #2: Develop Appropriate Design Standards and Procedures
- ✓ Objective #4: Minimize Environmental and Community Impacts

Wide sidewalks (17 to 20 feet) will be on both sides of the primary north-south spine road within the Landfill portion of the site. Pedestrian improvements will be part of the spine road as it continues through the Eclipse Mill site and will connect with improvements on Pacific Avenue. A sidewalk would be on the east side, to access the buildings to the east. (The roadway connection to Pacific could be included in a later phase of the development).

Sidewalks will be located on one side of the east-west streets to access the retail buildings within the Landfill site. Within the Simpson site, a sidewalk will be located on both sides of the roadway. Bike lanes are planned for the accessory road located on the west side of the Landfill portion of the site.

Substantial transit access and improvements are proposed as part of the project, and future potential transit improvements are provided for. A new transit route would likely serve the Everett Riverfront development. The service could use an existing route, such as the route 4, that is restructured to serve the site. The goal is to have a service frequency of 15 minute headways, with a minimum of 30 minute headways. The preferred routing would access the site at both Pacific Avenue and at 41st Street. The route could potentially operate in both directions, and would traverse along the main spine road. A secondary option is for the route to be accessed only from 41st Street (if the railroad crossing near Pacific Avenue and ramps at Interstate 5 are a hindrance to transit operations). Under this scenario, the route would only access the site from 41st Street, and use the 36th Street roundabout to turn around, and travel in a southbound direction toward 41st Street. In this case, the route would primarily serve the Landfill portion of the site. The route could also serve the Simpson site through a route deviation type of service. The route could continue south of the 41st Street roundabout if requested by passengers, to provide access to the Ramp Triangle and residential uses at the Simpson site, where the bus would turn around to traverse back to 41st Street. The streets within the development will be designed to accommodate a 60 foot articulated bus, as well school buses.

Starting from the north, there would be stops at the following locations:

- ✓ 2 primary stops (in each direction) between Pacific Avenue and 36th Street roundabout (Eclipse Mill parcel)
- ✓ 2 secondary stops (in each direction) between the 36th Street and the 41st Street roundabout
- ✓ 1 secondary stop (in each direction) between the 41st Street roundabout and Bigelow Creek (Ramp Triangle area)
- ✓ 1 secondary stop at the roundabout at the Simpson Mill parcel

Figure 5.4 of the Traffic Study included in the Appendixes of the DEIS (Perteet) shows future planned transit services and facilities, and proposed routing and stop locations within the project site. Buses would stop in-lane, without bus pull-outs. Transit stops should be designed to meet Everett Transit design standards, with a power source for lighting and ITS equipment, such as real-time information. The primary stops located between 36th Street and 41st Street are likely to have the highest ridership due to the high concentration of mixed uses, and therefore should include adequate weather protection. Weather protection can be accommodated through a standalone shelter, or through the use of canopies or insets at the building facades.

The Riverfront Redevelopment project will provide improved local transit service to the project site, as well as improved access to other nearby transit services and Everett Station. These improvements to transit will result in an overall increase in transit ridership, and could substantially reduce trips made by automobile. These improvements are consistent with the 2006 Update of the Transportation element of Everett's Comprehensive Plan, including the following Transportation Objectives:

- ✓ Objective #1: Expand Multi-Modal Travel Opportunities
- ✓ Objective #2: Develop Appropriate Design Standards and Procedures
- ✓ Objective #4: Minimize Environmental and Community Impacts

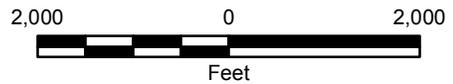
It is in the public interest to encourage transit and pedestrian oriented development which will result in an overall increase in transit ridership, and could substantially reduce trips made by automobile.

Map Revised: 10/04/07

JEP:MGM

Path: P:\616191002\01\GIS\Chs 1-3\Figure 1.mxd

Office: BOIS



Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
3. It is unlawful to copy or reproduce all or any part thereof, whether for personal use or resale, without permission.

Data Sources: ESRI Data & Maps, Street Maps 2005
 Transverse Mercator, Zone 10 N North, North American Datum 1983
 North arrow oriented to grid north

Vicinity Map

Everett Riverfront Redevelopment
 Everett, Washington

Figure 1

Agency Reference #:
Circulated by:
Project Tracking Number:

Date Received:
(local govt. or agency)



Washington State JOINT AQUATIC RESOURCES PERMIT APPLICATION (JARPA) Form

Step 1: Get Ready	Step 2: Complete Form	Step 3: Check Work	Step 4: Copy and Send In
Go to www.epermitting.org for correct form and instructions .	Use black ink . Check correct permit boxes.	Use internet "Help" buttons to answer questions completely.	See JARPA Contacts at www.epermitting.org for correct mailing addresses.

Fish Habitat Enhancement Projects per RCW 77.55.181. You must submit copy of completed JARPA form and Fish Habitat Enhancement JARPA Addition to your Local Government Planning Dep't and WA Dep't of Fish and Wildlife (WDFW) Area Habitat Biologist on same day. Note for Local Governments: You must submit comments to WDFW within 15 working days.

Based on instructions at www.epermitting.org, I am sending copies of this application to the following: *(check all that apply)*¹

- Local Government for Shoreline: [Substantial Development](#) [Conditional Use](#) [Variance](#) Exemption Revision
 [Floodplain Management](#) Critical Areas Ordinance
- Washington Department of Fish and Wildlife for [Hydraulic Project Approval](#) (Submit 2 copies to WDFW Region)
 Washington Department of Ecology for [401 Water Quality Certification](#) (to Regional Office-Federal Permit Unit)
 Washington Department of Natural Resources for [Aquatic Resources Use Authorization Notification](#)
 Corps of Engineers for: [Section 404](#) permit [Section 10](#) permit
 Coast Guard for: [General Bridge Act Permit](#) [Private Aids to Navigation](#) (for non-bridge projects)
 For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

PROJECT TITLE: *Everett Riverfront Redevelopment*

PROJECT DESCRIPTION: *Mixed use redevelopment of former industrial properties along the Snohomish River in Everett, Washington*

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

help 1. APPLICANT
Oliver McMillan LLC

MAILING ADDRESS
2907 Hewitt Avenue Everett, WA 98201/733 8th Ave, San Diego, CA

WORK PHONE 619-321-1111	E-MAIL ADDRESS chickcox@olivermcmillan.com	HOME PHONE N/A	FAX #
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If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

help 2. AUTHORIZED AGENT
Mark Wolken

MAILING ADDRESS
2903B Hewitt Avenue, Everett, WA 98201

WORK PHONE 425-252-0320	E-MAIL ADDRESS wolkenm@msn.com	HOME PHONE	FAX #
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help 3. Relationship of applicant to property: OWNER PURCHASER LESSEE _____

help 4. Name, address and phone number of property owner(s) if other than applicant:
City of Everett, 3002 Cedar Street, Everett, WA 98201 ATTN: Dave Davis; 425-257-8800
Port of Everett, 2911 Bond Street, Everett, WA 98201 ATTN Larry Crawford, 425-259-3164
Burlington Northern Santa Fe Railway Company, 2454 Occidental Avenue, Seattle, WA 98134 ATTN Mgr of Public Projects

help 5. Location (street address, including city, county and zip code, where proposed activity exists or will occur)
The Everett Riverfront Redevelopment site is located on the west side of the Snohomish River, east of I-5, south of Pacific Ave., and north of Rotary Park and Lowell Snohomish River Road. The proposed redevelopment site includes several ownerships (see list above), consists of approximately 221 acres, and includes the following five distinct geographic areas:
 1. **Tire Fire / Landfill Site:** This area is bordered by 36th Street on the north; the Burlington Northern Santa Fe (BNSF) mainline and "Turkey Trail" right-of-way on the west; and on the east and south by the diagonal created by the former Milwaukee Road railroad right-of-way. This area includes the portion of the site referred to as the "Ramp Triangle".
 2. **Simpson Pad:** This area is generally south and west of the area described below as the Simpson Category 1 Wetlands and Riparian Corridor; and north of the area described below as the South Simpson Site. This area is identified in the Everett General Plan and related documents as the

¹ Additional permit applications as applicable will be filed when detailed plans are developed.

"Developable Portion of the Simpson Site."

3. **Simpson Category 1 Wetlands and Riparian Corridor:**

This area is located between the Tire Fire / Landfill site, the BNSF Mainline on the east, and between the Snohomish River and the upland area known as the Simpson Pad or the Developable Portion of Simpson Site. This area is comprised entirely of areas that are or will be aquatic or riparian habitat and public access.

4. **South Simpson Site:** This area lies between the BNSF mainline on the west, the Snohomish River on the east, the Washington Department of Transportation (WSDOT) water treatment property on the south and the Simpson Pad on the north. This area is comprised entirely of areas that are or will be aquatic or riparian habitat and public access.

5. **Eclipse Mill Site:** This area lies north of the easterly extension of 36th Street, east of the BNSF 'C'-line track and right-of-way, west of the Snohomish River and south of Pacific Avenue. This area includes the Port of Everett parcels..

help Local government with jurisdiction (city or county)
City of Everett

help Waterbody you are working in	Snohomish River	help Tributary of	help WRIA # 7
help Is this waterbody on the 303(d) List	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

If YES, what parameter(s)?

help Shoreline designation
Urban Multi-Use, Urban
Conservancy, Urban Conservancy
Recreation, Aquatic and Aquatic
Conservancy

help Zoning designation
The current zoning of the Riverfront
Redevelopment site is C-2 Heavy
Commercial - Light Industrial; M-1
Office and Industrial Park; and
Aquatic. The Simpson Category I
wetlands are zoned Aquatic. Some
portions of the site have an Urban
Flood Fringe District zoning overlay.
All but the Simpson Wetlands is
proposed to be re-zoned to
Waterfront Commercial

¼ Section	Section	Township	Range	Government Lot
NE	5	28	05	
SE	32	29	05	
NE	32	29	05	
SE	29	29	05	
NE	29	29	05	

help DNR stream type if known
1

help Latitude and Longitude: From
47°56'49.48"N /122°11'26.62"W to
47°58'41.24"N /122°11'06.27"W

Tax Parcel Number See attached
list.

help 6. Describe (a) the current use of the property, (b) structures existing on the property, and (c) existing environmental conditions.

Have you completed any portion of the proposed activity on this property?

The Simpson Pad is vacant. It has been used for forest product manufacturing in the past and has been filled with clean material. The landfill site has been a solid waste landfill. It has also been used for railroad operations. A tire recycling operation that eventually burned was located on part of the landfill. A solid waste transfer station was also located on the property until 2002. A city animal shelter and public works storage yard are the only active uses of the property. The Eclipse site was a lumber mill and timber handling operation. That area also included a former drywall operation and includes the milling and recycling operation of a non-profit that employs developmentally disabled adults. The area not occupied by the non-profit operation is being used by contractors for the adjacent I-5 improvements including stockpiling of soil. Railroad operations also occupy areas throughout the project area, with some to be discontinued and the areas incorporated into the project. Detailed descriptions of conditions and uses are found in the DEIS. Improvements that will facilitate this or other uses have been completed but not the specific actions that are the subject of this application.

YES NO

For any portion of the proposed activity already completed on this property, indicate month and year of completion.

Note: There are related activities that were part of other Shoreline Permits completed or in progress.

help Is the property agricultural land? YES NO **help** Are you a USDA program participant? YES NO

help 7a. Describe the proposed work that needs aquatic permits: Complete plans and specifications should be provided for all work waterward of the ordinary high water mark or line, including types of equipment to be used. If applying for a shoreline permit, describe all work within and beyond 200 feet of the ordinary high water mark. If you have provided attached materials to describe your project, you still must summarize the proposed work here. Attach a separate sheet if additional space is needed.

The project is a larger Master Planned mixed use development. Elements requiring Shoreline Permits include (moving north to south) 1) Surcharge and fill and grade, of the area on the landfill in shoreline jurisdiction (this is work that is independent of the development activities as it is required regardless of any specific future use); 2) Relocated leachate collection system, as part of the surcharge on the landfill; (including fill of 927 feet of stream and wetland fill addressed later), 3) construction of mitigation for wetland/stream impacts from the relocated leachate trench as well as buffer enhancement and construction of a temporary public access trail east of the landfill parcel; 4) Construction of mixed use buildings including hotel, retail, townhomes and parking for those uses as well as a plaza along the eastern slope of the landfill property that is within shoreline jurisdiction; 5) development of a street connecting the landfill parcel with Pacific Avenue (by the City); 6) construction of a backwater area from upland for a boathouse and related water access uses; 7) construction of single family residential units and associated work in areas of the Simpson Pad within shoreline jurisdiction (along the northern area south of the buffer and trail), along the eastern edge and in the southeast corner of the pad; 8) restoration of the buffer area around the perimeter of the Simpson Pad and installation of a raingarden strip on the outer edge, 9) relocation of the public access trail crossing the northern section of the Simpson Pad to be outside of the buffer; 10) Improvements, including widening and buffer encroachment of a service road that runs from the southeast corner of the Simpson Pad back to the west and then south for a secondary emergency access road; 11) Restoration of the shoreline edge including buffer planting and construction of a public access trail along the Eclipse property to where it interfaces with the proposed 3 acre City Park; 12) Fill and grade and construction of residential units on the Eclipse parcel; and 13) Miscellaneous utility connections and associated work necessary for the uses and activities listed above.

PREPARATION OF DRAWINGS: See sample drawings and guidance for completing the drawings. **ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED.** NOTE: Applicants are encouraged to submit photographs of the project site, but these DO NOT substitute for drawings. **THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.**

help 7b. Describe the purpose of the proposed work and why you want or need to perform it at the site. Please explain any specific needs that have influenced the design.

The City of Everett has established a Comprehensive Plan/Shoreline Master Program Vision Statement for the subject site. The purpose of the project is to redevelop the site consistent with that plan and meet the need for controlled growth. The requirements as established by the City include: Lands located along the Snohomish River south of the SR 2 bridge and north of 36th St. This area shall be developed with high quality mixed-use development including multiple family residential, office park, light commercial and high quality public access on the site; Tire Fire / Landfill Site: The Site shall be developed as a high quality, master planned "lifestyle entertainment center". The master plan shall encourage public enjoyment of the river and shorelines and emphasize an attractive, people oriented mixed-use commercial center with significant public access, abundant parking, a plaza or public center area, and separation between pedestrians and automobiles encouraging pedestrian movement. The master plan shall orient buildings and facilities to maximize visual access to the river, estuary and mountain views and provide visual and direct access to the river and prominent riverfront trails. Examples from which to draw design and land use concepts include but are not limited to: Granville Island and Nainaimo in British Columbia, Portland's Riverfront, Pickering Farms in Issaquah, and Carillon Point in Kirkland. However, the design master plan should be tailored to Everett's needs and overall vision for the riverfront. The mixed uses may include commercial/retail, office, multifamily residential, public access to the shoreline, and ample trails and walkways. Developable Portion of Simpson Site: The vision for the 45-acre "development pad" on the 136-acre Simpson site is an attractive, master planned campus-like office park or high quality mixed use office/residential development. A possible use for this site could be the headquarters for a high quality high tech company. The remainder of the Simpson site will be for conservation and park purposes except for transportation and utility access. The riparian corridor along the river will be preserved with public access including a trail. The southern portion of the site should be open space and park use; Simpson Category 1 Wetlands and Riparian Corridor: The Category 1 wetlands and the riparian corridor on the Simpson site will be for conservation, except for transportation and utility access. The riparian corridor along the river will be preserved with public access including a trail; South Simpson Site: The Category 3 wetlands on the Simpson site will be for conservation and park purposes, except for transportation and utility access. The southern portion of the site should be open space and park use.

help 7c. Describe the potential impacts to characteristic uses of the water body. These uses may include fish and aquatic life, water quality, water supply, recreation and aesthetics. Identify proposed actions to avoid, minimize, and mitigate detrimental impacts and provide proper protection of fish and aquatic life. Identify which guidance documents you have used. Attach a separate sheet if additional space is needed.

A Biological Assessment and Habitat Management Plan (HMP) has been developed to evaluate potential impacts to aquatic life, including fish, among other things, as part of the Environmental Review (DEIS) for this proposal. The BA/HMP is attached to this application and is hereby incorporated in its entirety. In summary aquatic impacts will occur along selected and discrete shoreline areas of the Snohomish River, adjacent to access roads and potentially associated with utility crossings. Minor wetland impacts on the Eclipse site are necessitated by the road placement. Wetlands are also impacted by the dock, which needs to be accessed from public areas. Pre-construction requirements on the landfill require re-location of a leachate collection trench and associated controls which necessitate impacts to a stream and wetland.

help 7d. For in-water construction work, will your project be in compliance with the State of Washington water quality standards for turbidity (WAC 173.201A-410)? YES NO

help 8. Will the project be constructed in stages? YES NO

Proposed starting date: Work in areas under Shoreline Jurisdiction would begin 6/08

Estimated duration of activity: 7 years

help 9. Check if any temporary or permanent structures will be placed:
 Waterward of the ordinary high water mark or line for fresh or tidal waters AND/OR
 Waterward of the mean higher high water for tidal waters?
 Two boat docks could extend past the OHWM.

help 10. Will fill material (rock, fill, bulkhead, or other material) be placed:
 Waterward of the ordinary high water mark or line for fresh waters?
 If YES, VOLUME20 (cubic yards) (log jams) / AREA >.10 (acres)
 Waterward of the mean higher high water for tidal waters?
 If YES, VOLUME (cubic yards) / AREA (acres)

help 11. Will material be placed in wetlands? YES NO
 If **YES**:

help A. Impacted area in acres: 1.14

help B. Has a delineation been completed? If **YES**, please submit with application. YES NO

help C. Has a wetland report been prepared? If **YES**, please submit with application YES NO

help D. Type and composition of fill material (e.g., sand, etc.)
 clean construction fill

help E. Material source:
 pit run

help F. List all soil series (type of soil) located at the project site, and indicate if they are on the county's list of hydric soils. Soils information can be obtained from the natural Resources Conservation Service (NRCS). All xerothents

help G. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? YES NO
 If **YES**, IMPACTED AREA IS _____ ACRES OF DRAINED WETLANDS.

NOTE: If your project will impact greater than 1/10 of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form.
NOTE: A 401 water quality certification may be required from Ecology in addition to an approved mitigation plan if your project wetland impacts are greater than 1/10 acre in size. Please submit the JARPA form and mitigation plan to Ecology for 401 certification review.

help 12. Stormwater Compliance: This project is (or will be) designed to meet ecology's most current stormwater manual, or an Ecology approved local stormwater manual. YES NO

If **YES** – Which manual will your project be designed to meet? ^{WDOE Stormwater Management Manual for Western Washington (2005)}

help If **NO** – For Clean Water Act Section 401 and 404 permits only – Please submit to Ecology for approval, along with this JARPA application, documentation that demonstrates the stormwater runoff from your project or activity will comply with the water quality standards, WAC 173.201(A)

help 13. Will excavation or dredging be required in water or wetlands? YES NO

If **YES**: Shoreline restoration will occur throughout the project area. Specific HPA's and detailed plans will be developed.

A. Volume: _____ (cubic yards) /area _____ (acre)

B. Composition of material to be removed:

C. Disposal site for excavated material:

D. Method of dredging:

help 14. Has the State Environmental Policy Act (SEPA) been completed YES NO in process

SEPA Lead Agency:

SEPA Decision: DNS, MDNS, EIS, Adoption, Exemption Decision Date (end of comment period)

SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

help 15. List other Applications, approvals or certifications from other federal, state or local agencies for any structures, construction discharges or other activities described in the application (i.e. preliminary plat approval, health district approval, building permit, SEPA review, federal energy regulatory commission license (FERC), Forest practices application, etc.). Also, indicate whether work has been completed and indicate all existing work on drawings. **NOTE:** For use with Corps Nationwide Permits, identify whether your project has or will need an NPDES permit for discharging wastewater and/or stormwater.

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO.	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
See DEIS for list					

help 16. Has any agency denied approval for the activity you're applying for or for any activity directly related to the activity described herein?
 YES NO
 If **YES**, explain:

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SECTION B - Use for Shoreline and Corps of Engineers permits only:

help 17a. Total cost of project. This means the fair market value of the project, including materials, labor, machine rentals, etc.
\$20,000,000

help 17b. If a project or any portion of a project receives funding from a federal agency, that agency is responsible for ESA consultation. Please indicate if you will receive federal funds and what federal agency is providing those funds.

FEDERAL FUNDING YES NO If **YES**, please list the federal agency.

help 18. Local government with jurisdiction: City of Everett

help 19. Provide names, addresses and telephone numbers of adjoining property owners, lessees, etc. *Please note: Shoreline Management Compliance may require additional notice – consult your local government.*

NAME	ADDRESS	PHONE NUMBER
Snohomish River Properties LLC	PO Box 1648, Bothell, WA	425-259-2290
WSDOT	PO Box 330310, Seattle, WA 98133	425-405-1785
BNSF Railway Company	PO Box 961089 Fort Worth, TX 76161	425-304-6646
DNR – Riverbed		
Eclipse Properties LLC	2707 Colby Avenue, Suite 1208, Everett, WA 98201	
Newland Construction	3300 Chestnut Avenue, Everett, WA 98201	

SECTION C - This section MUST be completed for any permit covered by this application

help 20. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work **ONLY** after all necessary permits have been received.

_____ SIGNATURE OF APPLICANT	DATE
---------------------------------	------

_____ SIGNATURE OF AUTHORIZED AGENT	DATE
--	------

I HEREBY DESIGNATE _____ TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT.

_____ SIGNATURE OF APPLICANT	DATE
---------------------------------	------

_____ SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	
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THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

COMPLETED BY LOCAL OFFICIAL

- A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)
- B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:
- C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

These Agencies are Equal Opportunity and Affirmative Action employers.
For special accommodation needs, please contact the appropriate agency in the instructions

Attachment to JARPA

Everett Riverside

Property Tax Parcel ID's

00439900002800	29052900400300	29052900400100
2905320040160	00576003000002	290529000102300
00500302800100	00576002700000	29052900010100
00439900002800	00576008000000	29052900101100
00439900002700	00576002900000	29052900102200
00439900002500	00576001800000	00439080501700
00439900002300	00576001700000	00439080502500
29053200402600	00576001600002	29052900101400
29053200100600	00576001600001	2905290001600
00439901100000	0043990110000	0043975201700
00576004100001	29052900400300	00984008472200
00576004100002	00576001300000	29052900101600
29052900400300	00576001400000	00439901100000
00576004000001	00576015000002	
00576004000002	00576015000001	
00439900002800	00576000200001	
2905320040160	00576000200000	
00500302800100	00576001000002	
00576003100002	00576001000001	
00577003100001	29052900400300	
00576004200000	00576003000002	
	00576002700000	

Supplemental Information

Oliver McMillan Shoreline Permit Application

Shoreline Master Plan and Rules Compliance

Description of actions included in Permit Application:

The project is a larger Master Planned mixed use development. Elements requiring Shoreline Permits include (moving north to south) 1) Surcharge and fill and grade, of the area on the landfill in shoreline jurisdiction (this is work that is independent of the development activities as it is required regardless of any specific future use); 2) Relocated leachate collection system, as part of the surcharge on the landfill; (including fill of 927 feet of stream and wetland fill addressed later), 3) construction of mitigation for wetland/stream impacts from the relocated leachate trench as well as buffer enhancement and construction of a temporary public access trail east of the landfill parcel; 4) Construction of mixed use buildings including hotel, retail, townhomes and parking for those uses as well as a plaza along the eastern slope of the landfill property that is within shoreline jurisdiction; 5) development of a street connecting the landfill parcel with Pacific Avenue (by the City); 6) construction of a backwater area from upland for a boathouse and related water access uses; 7) construction of single family residential units and associated work in areas of the Simpson Pad within shoreline jurisdiction (along the northern area south of the buffer and trail), along the eastern edge and in the southeast corner of the pad; 8) restoration of the buffer area around the perimeter of the Simpson Pad and installation of a raingarden strip on the outer edge, 9) relocation of the public access trail crossing the northern section of the Simpson Pad to be outside of the buffer; 10) Improvements, including widening and buffer encroachment of a service road that runs from the southeast corner of the Simpson Pad back to the west and then south for a secondary emergency access road; 11) Restoration of the shoreline edge including buffer planting and construction of a public access trail along the Eclipse property to where it interfaces with the proposed 3 acre City Park; 12) Fill and grade and construction of residential units on the Eclipse parcel; and 13) Miscellaneous utility connections and associated work necessary for the uses and activities listed above.

Plan Elements and Rules:

33D.020 Applicability—Basic requirements.

A. Consistency. No development shall be undertaken on the shorelines of Everett except those which are consistent with the goals, policies and use regulations of Everett's Shoreline Master Program and the Shoreline Management Act

The application materials including the Environmental Impact Statement (EIS) and its appendixes including the Biological Assessment/Habitat Management Plan (BA/HMP) and this document demonstrate the proposal is consistent with the goals, policies and regulations of Everett's SMP and the state Act.

33D.030 Criteria for issuance of permits.

Consistency with:

- 1. The policies and procedures of the Shoreline Act of 1971, as amended;*
- 2. Everett's Shoreline Master Program; and*
- 3. The State Environmental Policy Act.*

The SMA provides:

The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The department, in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which: (1) Recognize and protect the statewide interest over local interest; (2) Preserve the natural character of the shoreline; (3) Result in long term over short term benefit; (4) Protect the resources and ecology of the shoreline; (5) Increase public access to publicly owned areas of the shorelines; (6) Increase recreational opportunities for the public in the shoreline; (7) Provide for any other element as defined in RCW [90.58.100](#) deemed appropriate or necessary.

The proposal protects waters of statewide interest (Snohomish River) through creation of buffers, restoration of shoreline areas and implementation of stormwater controls that will improve and protect water quality (see EIS and BA/HMP). The enhancements will restore the natural character of the shoreline by recreating as more natural edge along the Eclipse Mill area and where the boat facility is proposed (EIS Chapter 4.5 and BA/HMP). Edge treatments and re-planting with native plants will result in long-term benefits. Public access is provided and recreational opportunities are increased with the boat facility.

Conclusion: The proposal meets the goals and provisions of the Shoreline Management Act (RCW 90.58).

Everett SMP Goals Applicable to this application:

4.7 Urban Multi-Use Purpose

To ensure optimum use of shorelines within urbanized areas by providing for water oriented public and commercial activities, recreational and residential uses, and public access, and by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses, while protecting and restoring ecological functions.

The proposal provides a mixed use urban development including commercial and residential uses with recreational amenities (boat area, trails, open areas and park areas set aside). The proposal includes enhancement of ecological functions (see EIS Chapter 4.5 and BAS/HMP).

Conclusion: The proposal meets the goal of 4.7 of the SMP.

3. Lands located along the Snohomish River south of the SR 2 bridge and north of 36th Street Vision Statement

This area shall be developed with high quality mixed-use development including multiple family residential, office park, light commercial and high quality public access on the site.

The proposal for this area is a mixed use development. Most of this area is proposed for multi-family residential with commercial uses proposed just outside of Shoreline jurisdiction at the south end near 36th Street. Public access is provided through a new trail. A 3 acre area at the south of this area is set aside for park use.

Conclusion: The proposal conforms with the vision for this area as described in the SMP.

4. Tire Fire/Landfill Site Vision Statement:

The tire fire/landfill site shall be developed as a high quality, master planned “lifestyle entertainment center”. The master plan shall encourage public enjoyment of the river and shorelines and emphasize an attractive, people oriented mixed-use commercial center with significant public access, abundant parking, a plaza or public center area, and separation between pedestrians and automobiles encouraging pedestrian movement. The master plan shall orient buildings and facilities to maximize visual access to the river, estuary and mountain views and provide visual and direct access to the river and prominent riverfront trails. Examples from which to draw design and land use concepts include but are not limited to: Granville Island and Nanaimo in British Columbia, Portland’s Riverfront, Pickering Farms in Issaquah, and Carillon Point in Kirkland. However, the design master plan should be tailored to Everett’s needs and overall vision for the riverfront. The mixed uses may include commercial/retail, office, multifamily residential, public access to the shoreline, and ample trails and walkways.

The proposal on the landfill/tire fire site is for a master plan mixed use “lifestyle entertainment center” development. It includes substantial parking, there is separation between vehicles and pedestrians, is interconnected by pedestrian corridors that intersect with trails, and has a plaza that integrates with public access to the river, fully meeting the intent of this vision. Buildings are oriented towards the east to provide visual access to the river and mountains. Uses include commercial/retail, office, multifamily residential, public access to the shoreline, and ample trails and walkways and a hotel.

Conclusion: The proposal for the Landfill/Tire Fire Site meets the vision of the SMP.

5. Developable Portion of Simpson Site (See Figure 4.14): Vision Statement

The vision for the 45-acre “development pad” on the 136-acre Simpson site is an attractive, master planned campus-like office park or high quality mixed use office/residential development. A possible use for this site could be the headquarters for a high quality high tech company. The remainder of the Simpson site will be for conservation and park purposes except for transportation and utility access. The riparian corridor along the river will be preserved with public access including a trail. The southern portion of the site should be open space and park use. A road connecting the River Road with the 41st interchange via the development pad may be located on the southern portion of the site.

The proposal for the developable portion of the Simpson Pad is for a residential development that compliments the retail and commercial uses on the Landfill/Tire Fire Site. Using this portion of the proposal for residential uses provides a population base to ensure the “lifestyle entertainment center” is populated and not abandoned during non-commercial hours.

Conclusion: While not providing an office component within the Simpson Pad development the proposed residential development fully integrates with and compliments the remainder of the proposed development and meets the intent of the SMP.

4.9 Urban Conservancy – Recreation 4. South Simpson Site 5. Rotary Park

Vision Statement

The Category 3 wetlands on the Simpson site will be for conservation and park purposes, except for transportation and utility access. The southern portion of the site should be open space and park use. A road connecting the River Road with the 41st interchange via the development pad may be located on the southern portion of the site.

The proposed activity in this area of the site is a secondary emergency access road, portions of which may also be used as a trail. The remaining area is open space.

Conclusion: The secondary emergency access road proposed in this area is fully in compliance with this vision.

Summary:

The proposal meets the policy goals of the SMP as outlined in the visions for these areas.

SEPA

Conclusion: The EIS provides compliance with SEPA.

Criteria for issuance of permits Summary:

The proposal complies with the State Act, the SMP and SEPA. As such it meets the criteria for issuance of Shoreline permits as requested.

33D.050 Shoreline use element.

A. Regulations.

1. All exterior lighting, including lighting of signs, shall be directed downward onto the site and away from other shoreline properties or nearby neighborhoods.

See Section 5.2 of the EIS. This provides:

Buildings will be designed to minimize off-site light and glare impacts including those on the river using such elements as:

- Landscape will provide screening at parking areas to minimize vehicle headlight impacts.

- Downcast lighting and shielded lighting will be utilized to minimize light spill.
- Limit heights of lighting in parking lots and streets.
- Building design will consider reflective materials and their impact to neighboring communities. Use of muting devices, construction materials and window sizes of larger structures will be incorporated to reduce glare.
- All buildings and residences have been placed on the site and oriented to minimize potential impacts from lighting, glare and shadowing of the most sensitive areas, including wetlands, public trails, and the Snohomish River.
- Full cut-off fixtures will be used on site lighting fixtures to contain all site lighting onto the development property and minimize light to adjacent properties and affected environments. A full cut-off fixture has no direct uplight (no light emitted above horizontal). These fixtures are also required to reduce glare by limiting light intensity of the light from the lamp in the region of 80° to 90°.
- On residential properties, vehicles will be parked in enclosed garages to the greatest extent possible to reduce the need for outdoor site lighting around parking areas and reducing the impact of vehicle headlight beams, thus reducing the glare associated with such areas.
- Roofs and façade materials will be non-reflective to reduce potential glare impacts.

Conclusion: The proposal meets the requirements of the Shoreline regulations for lighting.

2. All shoreline development shall comply with the city's noise ordinance (Chapter 20.08), both during and after construction. The city may require the applicant to prepare noise studies to determine if a proposal is in conformance with the ordinance.

Section 5.8 of the EIS concludes “the analysis of the environmental noise implications of operation of the action alternatives concluded that noise from project-related activities would be unlikely to result in adverse impacts at off-site locations.”

Conclusion: The proposal meets the requirements of the Shoreline regulations for noise impacts.

3. Warning devices on vehicles (back up beepers) are exempt from the city's noise ordinance, but are perceived as irritating by most people. When feasible, developments that abut residential zones must be designed to shield vehicle maneuvering and loading areas from residential areas by placement of buildings, berms, etc.

The site plans show receiving areas oriented towards I-5 and away from residential sources.

Conclusion: The proposal is designed to conform with requirements regarding warning devices.

4. All shoreline developments shall be located, constructed and operated so as not to be a hazard to public health and safety.

The EIS considered potential hazards including health and safety. As part of the development many cleanup actions related to the landfill containment and potentially hazardous materials will be undertaken to ensure potential impacts to public health and safety are avoided.

Conclusion: The proposal will be designed and operated so as not to be a hazard to public health or safety.

5. Shoreline sites shall have a landscaping plan which is in scale and harmony with proposed structures and serves to provide some screening and buffering of the activities where this is appropriate.

All areas contiguous with the shoreline will have native vegetation either through retention or enhancement. In addition, the comprehensive landscaping plans are part of the design guidelines.

Conclusion: A landscaping plan will be part of the development.

33D.060 Cultural resources element.

2. An archaeological survey shall be required for any development that includes excavation into native soils (i.e., below any fill) unless an acceptable archaeological survey has previously been completed for the area. Archaeological survey reports and site investigation reports shall be made available to the Tulalip Tribes.

An archaeological survey was provided as a component of the EIS and was submitted to the Tulalip Tribes.

Conclusion: The proposal meets the requirements of the Cultural resources element of the rules.

33D.070 Flood hazard reduction element.

A. Regulations.

2. All development in the flood fringe and floodway overlay zones shall comply with Chapter 30 of this title, as applicable. In addition, all development located downriver from SR 529 shall be floodproofed in accordance with the provisions in Section 30.040C, as applicable.

The proposal includes raising the elevation of all areas of the development outside of the 100 year flood plain and in most cases outside of the 500 year floodplain as well.

Conclusion: The proposal meets the flood proofing requirements of the regulations.

33D.080 Public access element.

A. Regulations.

1. Public access shall be required to the extent allowed by law in the review of all shoreline substantial development and conditional use permits

The proposal includes public access in the form of a relocated trail on the north end of the Simpson Pad to connect with the existing riverside trail, a temporary gravel trail from the Simpson Pad to the park area near 36th Street (the City is developing the permanent trail as part of its agreement with Oliver McMillan), and a new permanent trail along the Eclipse Mill site. It also includes a boating area the is connected to the commercial uses and the plaza on the landfill site.

Conclusion: The proposal provides public access as required by the regulations.

2. Public access shall be provided on-site,

See previous response.

4. Water-enjoyment uses and non-water-oriented uses that front on the shoreline shall provide continuous public access along the entire site's shoreline. Continuous access does not mean the access is equidistant from the OHWM or within a buffer.

The only activity in the proposal which fronts on the shoreline is a water dependent use (boat area).

Conclusion: The proposal meets this access requirement.

6. Where a project is located within an area covered by an adopted public access plan, public access improvements shall be generally consistent with the adopted plan. However, the city may approve an alternative proposed by the applicant that meets the goals, objectives and policies in this SMP. Adopted public access plans include, but are not limited to, "An Urban Design Plan for Everett Harborfront," "Everett Harborfront Public Access Plan," "Everett Central City Development Plan," "A Pedestrian and Bicycle Access Plan for Everett's Snohomish Riverfront," the "Non-Motorized Transportation (Trail) Plan," or as such shall be superseded or amended.

The proposed public access for this proposal is based upon the City's adopted public access plan.

Conclusion: The proposal meets the plan conformance requirements for public access in the shoreline regulations.

7. Except where clearly not feasible, public access improvements shall include construction of trails to implement the non-motorized transportation plan, or as such shall be superseded or amended.

The public access in this proposal is comprised of trails which also meet the non-motorized transportation plan.

Conclusion: The proposal meets the non-motorized plan conformance requirements for public access in the shoreline regulations.

9. Where feasible, development uses and activities shall be designed and operated to avoid blocking, reducing, or adversely interfering with the public's physical access to the water and shorelines.

The proposal provides uninterrupted public access throughout the activities proposed by Oliver McMillan.

Conclusion: The proposal does not interfere with public access.

11. Public access sites shall be connected directly to the nearest public street or trail.

The proposal provides connections between the public access and streets throughout the development.

Conclusion: Public access is connected to streets as required.

13. Public access improvements shall include provisions for persons with disabilities, where reasonably feasible.

Public access in the proposal is provided through flat mostly paved trails. The areas not paved by the proponent will be completed by the City.

Conclusion: Public access is accessible.

14. Required public access improvements shall be fully developed and available for public use at the time of occupancy of the use or activity unless there are mitigating circumstances and an assurance device acceptable to the planning and community development director is in place.

Public access improvements are being developed to be available at the time of occupancy of uses. The only portion that may not be completed will be finished by the City based on an existing agreement.

Conclusion: Public access will be completed in a timely manner in accordance with the regulations.

15. Public access easements and permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition running contemporaneous with the authorized land use. Said recording with the county auditor's office shall occur at the time of permit approval. Future actions by the applicant and/or successors in interest or other parties shall not diminish the usefulness or value of the public access provided.

Public access areas will be deeded to the City.

Conclusion: the easement requirements will be met.

16. The standard state approved logo or other signs approved by the planning and community development director that indicate the public's right of access and hours of access shall be constructed, installed and maintained by the applicant. Signs may control or restrict public access as a condition of permit approval.

Signage will be implemented with the public access improvements.

Conclusion: Signage requirements for public access will be met.

17. Public access improvements shall be designed to minimize impacts to environmentally sensitive areas, ecological functions, or ecosystem-wide processes. A biological assessment (planning director's interpretation), and potentially a habitat management plan (Sections 33D.360 through 33D.590, Environmentally Sensitive Areas), shall be required for each project in shoreline jurisdiction. The city may require that buffers be increased based upon the results of that assessment. Mitigation of impacts shall be required as appropriate.

A BA/HMP was prepared for the development actions including public access. Buffers and buffer management is proposed based on that report.

Conclusion: Public access will be developed based on a BA/HMP in conformance with the regulations.

18. The city may require that parking facilities be provided in conjunction with required public access improvements.

Parking for public access is provided within the adjoining mixed use development.

Conclusion: Parking is provided for public access.

22. The placement and design of structures on shoreline sites shall be done in a manner which is least detrimental to shoreline views and vistas. In certain instances this may be accomplished by orienting the length axis of the building and/or operation parallel to the view line. This regulation applies even if offsite public access is provided.

The boat facility is the only structure proposed near the shoreline. That development is lower in height than surrounding uses. Public access is incorporated with this area. A visual analysis was provided for the development to assess impacts to off-site views (EIS). The analysis concluded that views of the shoreline are minimal.

Conclusion: Views of the shoreline will not be impacted by the proposed development.

23. Any building or structure within two hundred feet of the ordinary high water mark, in excess of thirty-five feet in height shall provide data showing that it will not obstruct the view of a substantial number of residences on the areas adjoining such shorelines. This regulation does not apply to cranes, utility poles or other devices required to carry on water-dependent

operations. (The intent of this regulation is not to reduce the height limitation presently allowed in any multi-family zone.) This regulation applies even if off-site public access is provided

The EIS Visual analysis concluded that no views of the shoreline will be diminished by structures in excess of 35 feet. Some minor views may be impacted by residential development, most of which is not in the shoreline (Simpson Pad) and will be less than 35 feet.

Conclusion: Buildings in excess of 35 feet (including a 100 foot tall hotel and up to 65 foot tall commercial buildings and multi-family residential uses on the Eclipse site up to 50 feet will not obstruct the view of the river for a substantial number of residences in surrounding areas.

33D.090 Conservation element.
A. Regulations.

1. All development activities shall comply with the city's environmentally sensitive area ordinance, Sections 33D.360 through 33D.590, in effect on March 21, 2001, and Planning Director Interpretation No. 2-2000, Interim Procedures, Endangered Species Act Listing for Chinook Salmon and Bull Trout, unless more stringent requirements are adopted by city council subsequent to that date.

Areas that have been identified as significant features of the landscape (for example, wetland, critical habitat, erosion hazard, estuary and stream corridors) have been designated in the project conceptual designs as permanent open space. Two of the most prominent features of the natural landscape, the Simpson Category 1 Wetlands and Riparian Corridor and Bigelow Creek, are retained both for their value to biota and because of their value moderating floodwater, retaining and naturally treating stormwater, and protecting water quality. Protection and enhancement of these features will reduce the potential effects of the project.

The mitigation plan has been developed to address the SEWIP, Everett Critical Areas Ordinance, Washington State Department of Ecology and USACOE guidance. Where possible, the mitigation area is larger than the minimum required based on the SEWIP analysis (see the BA/HMP). The buffer areas have also been planned to address increased LWD production, increased continuity and wildlife opportunity by adding a wider a more diverse array of native plant species. The entire project area has experienced severe disturbances over the past 100 years and the resulting existing conditions are a patchwork of buffer widths, straightened stream channels, diked and isolated wetlands, and hardened river banks with minimal vegetation and creosote piles along the entire river edge. The proposed mitigation incorporates a package of mitigation items that address all these issues and results in a more favorable environment and promotes the proposed development in concert with environmental protection.

The proposed buffer plan for the site has been developed with existing conditions and City of Everett regulations in mind in concert with the proposed development and future public amenities. Buffer enhancements have targeted increased densities of native plant species, production of LWD, increased habitat availability for those species likely to utilize the site, protection of aquatic species, and separation between human and natural environments. This topic is discussed in greater detail above and in the BA/HMP.

The stormwater treatment and release element associated with the buffer enhancement plan has been designed to comply with Washington Department of Ecology and City regulations, including Critical Areas and Stormwater Design regulations and guidelines.

Conclusion: The project meets the requirements of applicable City ordinances and regulations for environmental protection.

2. All developments shall comply with other local, state and federal regulations relating to critical areas, as applicable.

See previous response.

3. Best available science shall be used in identifying, evaluating and mitigating impacts of development proposals. The city shall require sufficient geological, hydrological and biological studies to determine the impacts of the proposal. (See Sections 33D.360 through 33D.590 and Planning Director Interpretation No. 2-2000 in Appendix A.)

See response to 1 in this section above.

4. Area-wide and watershed-based plans adopted by city council shall be given substantial weight in determining whether impacts to wetlands and aquatic areas are adequately evaluated and compensated.

See response to 1 above. The analysis included reliance on SEWIP which is a watershed based plan.

5. When analyzing proposed development on geologically hazardous areas, geotechnical reports must address stabilization required over the life of the project. The geotechnical report must address the method of conveying stormwater to the nearest established, stable drainage course, within the naturally occurring drainage (or sub-drainage) basin, by pipe or by other approved method that will not result in erosion or flooding. Sufficient information and analysis must be provided to enable the city to determine that this requirement is being met. Appropriate easements will be required if conveyance must occur across private property.

Much of the project is in seismic and liquefaction hazard areas. Geotechnical reports were developed in conjunction with the EIS. Development is being proposed in conformance with recommendations from those plans. The stormwater treatment and release element associated with the buffer enhancement plan has been designed to comply with Washington Department of Ecology and City regulations, including Critical Areas and Stormwater Design regulations and guidelines.

Conclusion: The project meets the geologic hazard requirements of the rules.

6. Existing hydrologic connections between water bodies, water courses, and associated wetlands shall be protected and maintained.

Hydrologic connections between wetlands are not impacted by the proposal. The proposal utilizes low-impact stormwater techniques like raingardens to maintain and enhance wetland hydrology.

Conclusion: Wetland hydrology is protected and maintained by the proposal.

7. All developments shall mitigate impacts to water quality using best available science. Compliance with city stormwater regulations consistent with state stormwater regulations shall be required. Water quality monitoring during construction and operation may be required by the planning and community development director or hearing examiner on a project by project basis based upon specific /characteristics of the proposal.

The stormwater treatment and release element associated with the buffer enhancement plan has been designed to comply with Washington Department of Ecology and City regulations, including Critical Areas and Stormwater Design regulations and guidelines.

Conclusion: The proposal meets stormwater requirements.

12. Land clearing, grading, filling and alteration of natural drainage features and land forms, where /permitted, shall be limited to the minimum necessary for permitted development.

Wetlands and a stream are impacted by the proposal. The EIS and BA/HMP consider these impacts. The impacts are created by the road through Eclipse Mill, the development of a boat facility, and the largest for relocation of the leachate collection system on the landfill. In total 1.2 acres of wetland and 927 lineal feet of stream are impacted. These impacts are the minimum necessary to allow the proposed project to be practical.

Conclusion: The proposal limits impacts to the least necessary.

13. When this master program requires mitigation, the mitigation sequence identified in Section 33D.040 shall be used.

The EIS and BA/HMP outline how mitigation sequencing was used.

Conclusion: Required mitigation sequencing was used on this project.

14. Where applicable, new development shall include environmental cleanup and restoration of the shoreline in accordance with state and federal requirements.

Relocation of the leachate line and final capping work on the landfill is a form of cleanup. In addition, the proposal calls for removing invasive plants, re-grading some buffer areas to provide a more natural slope, and removing up to 50 creosoted timbers from the river.

Conclusion: The proposal entails cleanup and restoration.

17. Where buffers are restored or enhanced, plantings shall generally be spaced and composed to mimic native buffer communities. However, plantings shall also be designed to take into account impacts to views and scenic vistas. Measures to protect views and scenic vistas may include, but not be limited to:

- a. Grouping large trees in clusters;*
- b. Selecting species that grow to heights that allow views without requiring maintenance pruning;*
- c. Clustering evergreens.*

Planting plans for restoration areas is provided in the BA/HMP and EIS. The plant spacings are provided to mimic native buffer communities.

Conclusion: Buffer plans meet the requirements of the rules.

18. When public access is incorporated into buffers, buffer plantings shall be preserved and/or restored to the extent practicable. However, improvements such as paved trails, non-motorized public access bridge structures, overlooks, limited grassy recreational areas, and limited areas of hardened surfaces for direct access to the water may be permitted.

Public access is located on the outside of the buffer adjacent to the Simpson wetland at the north end of the Simpson Pad. Other trails are incorporated into other buffers with plantings provided on both sides of the trail.

Conclusion: Public access will not impact buffer plantings.

19. All plantings within environmentally sensitive areas and their required buffers shall be native species or native-hybrids. The city shall encourage developers to use native species for all landscaping within one hundred feet of the shoreline, except for areas permitted for grass in conjunction with public access, recreational developments, or dike maintenance.

The planting plans in the EIS and BA/HMP use only native plants.

Conclusion: Buffers will be planted with native species.

24. The buffer on the south side of the Category 1 wetland north of the Simpson development pad shall be determined by a wetland analysis per Sections 33D.450 and 33D.520 of the Everett Municipal Code. This analysis shall include a habitat management plan (HMP) and buffer enhancement plan (BEP). Buffers recommended in the wetland analysis cannot be less than one hundred feet unless significant improvements are made to the wetland and buffer functions. In no case shall the buffer be reduced below seventy-five feet, and the trail shall be relocated outside of that buffer except where it connects to the trail along the river. The buffer shall be enhanced to provide for the potential for large woody debris recruitment into the wetland; provided, however that a spur trail to the wetland may be provided in the buffer to provide views into the wetland. Associated interpretive facilities such as signs, a viewing platform, and benches may also be provided in the buffers.

The proposed buffer plan for the site has been developed with existing conditions and City of Everett regulations in mind in concert with the proposed development and future public amenities. Buffer enhancements have targeted increased densities of native plant species, production of LWD, increased habitat availability for those species likely to utilize the site, protection of aquatic species, and separation between human and natural environments. This topic is discussed in greater detail above and in the BA/HMP.

The Everett codes call for enhancements that focus on establishing opportunities for large woody debris (LWD) to become established through planned plantings and recruitment. In addition, the mitigation plan includes specific additions of downed LWD at selected locations along the wetland margins and buffer interfaces. Buffer preservation and enhancement surrounding the mitigation wetland will ensure that wetland functions remain intact and are sufficiently isolated from surrounding development. The planned wetland buffer enhancements have focused on LWD production and shading along the wetland margins where currently there is minimal or only deciduous species of vegetation. Many of the buffers are damaged from past practices on the site and have developed patchwork vegetation that is less effective as wildlife habitat, water quality improvement, and shade areas to the adjacent wetlands. Vegetated wetland buffer widths are also quite variable on the site and range from 0 to 50 feet in most cases. There are a few areas that have some wider buffer zones but in general, buffers offer little effectiveness. The proposed 75-foot buffer surrounding the Simpson Pad will provide a continuous wildlife corridor, LWD production, increased shade, and better water quality treatment as compared to current conditions. The installation of stormwater rain gardens along the development margins of the buffer will also provide hydrology to the buffer to water plants and also to the wetland to support wetland hydrology over time.

The proposed 75-foot buffer on the north face of the Simpson Pad is the most efficient buffer width for the project site based on landscape position, past land disturbances and proposed project stormwater treatment and control. The site is isolated from other contiguous wildlife habitats, surrounded by major roads and highways, includes significant human built environments (railroad and urban development) that preclude large mammal use or connection to significant habitats. The proposed buffer widths attempt to provide continuity for small mammals, birds, adequate protection for aquatic species, and are also of sufficient width to provide a barrier or separation between human and natural environment.

Conclusion: The proposed 75 foot buffer is based on an analysis in the BA/HMP and meets the requirements in this section of the regulations by improving the buffer and wetland functions by providing LWD, enhanced hydrology through the rain gardens, re-shaping grades and planting.

26. Stormwater facilities are prohibited in Category 1 stream and wetland buffers. In lower-rated wetlands and streams, stormwater management facilities are permitted only within the outer twenty-five percent of the buffer;

The City has interpreted this provision to define “stormwater facilities” as hard-built measures like pipes, vaults and large wetpods that are not natural features. Based on this definition the raingardens are not considered “facilities” so none are proposed in the buffer to the Category 1 Simpson wetland.

27. To the extent feasible, projects shall be designed to shield environmentally sensitive areas and their buffers from high noise generating activities such as vehicle loading and maneuvering areas and loud industrial activities through site design, use of fencing and berms, etc.

No high noise generating activities are proposed in proximity to any environmentally sensitive areas.

28. Lighting shall be directed downward onto the site and away from environmentally sensitive areas and their buffers.

See responses under 33D.050 above.

30. Whenever feasible, construction staging areas shall be located outside of environmentally sensitive areas and buffers as defined in the SMP.

Construction staging is not planned in any environmentally sensitive areas or their buffers.

31. Best available science shall be used in the design and implementation of compensation and restoration projects.

See response to 24 above.

35. SEWIP Regulations. When compensatory wetland mitigation is required for development in the estuary, the applicant must comply with the following regulations unless an alternative that provides equal or greater compensation is approved by state and federal resource agencies.

SEWIP was used for the mitigation as described in section 4.5 of the EIS and in the BA/HMP.

33D.100 Uses permitted within environments and use regulations.

The uses proposed are all permitted in the Multi-Use designated area, which applies to this site.

33D.130 Boating facilities.

C. Regulations—Design/Expansion/Renovation.

1. Boating facilities shall be designed in a manner that will minimize damage to ecological functions and ecosystem-wide processes.

The boating area is proposed to be developed by removing armoring from the shoreline to create a new backwater area.

Conclusion: The boating area will not damage ecological functions as it is developed out of upland areas.

33D.140 Commercial development.

1. The city of Everett shall require and use the following information in its review of commercial development proposals:

a. Nature of the commercial activity (e.g., water-dependent, water-related, water-enjoyment, nonwater-oriented, mixed-use) including a breakdown of specific components;

The proposal is a mixed-use master planned development including retail, hotel, office, entertainment, restaurant, multi-family residential, single-family residential, public and open spaces, boat access and public access.

b. Need for shoreline location;

The location is former industrial and disposal areas that are being redeveloped into uses identified in long-range City Plans (see sections discussing Shoreline Plan visions for these properties).

c. Special considerations for enhancing the relationships of the activity to the shoreline;

As discussed earlier, this proposal integrates the mixed-use components with visual and physical access to the river.

d. Provisions for public visual and physical access to the shoreline;

See discussions earlier in the Public Access element discussion.

e. Provisions to ensure that the development will not cause adverse environmental impacts; and

See discussion above under Conservation Element describing the measures to ensure adverse environmental impacts are not caused.

f. For mixed-use proposals, present alternative mixes of water-oriented and non-water-oriented uses and activities, structural locations, site designs and bulk considerations, alternative enhancements for physical and visual public access to the shoreline (both public and private space), and other considerations which address the goals and policies of the SMP.

The EIS considers 3 alternative mixes of uses.

2. Non-water-oriented commercial uses shall only be permitted within two hundred feet of the ordinary high water mark when they provide substantial public access and they provide ecological restoration, if appropriate and feasible, and when at least one of the following criteria is met:

a. The site is physically separated from the shoreline by another property, public right-of-way, or significant environmentally sensitive area.

b. The use is part of a mixed-use project or area that includes water-dependent uses.

c. The site is upriver from the SR 529 bridge, or is located along Union or Steamboat Sloughs. Water-dependent and water-related commercial uses shall be prohibited where they would require new dredging, fill, piers, or other significant modifications in areas designated Aquatic Conservancy, or in the aquatic area west of Smith Island (AU 3.05).

The Project is located upriver of the SR 529 bridge.

4. Priority shall be given to commercial development located in areas presently served by roads and utilities.

The project is served by 41st Street and Pacific Avenue.

5. Commercial uses that are not water-dependent shall be prohibited over the water, except where they are auxiliary to and in support of water-dependent uses, and provided the size of the over-water construction is not expanded for non-water-dependent uses.

Commercial uses are not planned over the water.

7. All commercial loading and service areas shall be located on the upland side of the commercial activity or provisions must be made to screen the loading and service area from the shoreline and water body.

All loading areas are located in the upland areas of the project.

9. Commercial uses shall employ best management practices (BMPs) concerning the various services and activities they perform and their impacts on the surrounding water quality. Operators shall take all actions necessary to insure that contaminants do not enter the water or storm drainage system. Development and operations shall comply with the city's drainage ordinance and stormwater management manual.

The stormwater treatment and release element associated with the buffer enhancement plan has been designed to comply with Washington Department of Ecology and City regulations, including Critical Areas and Stormwater Design regulations and guidelines.

33D.210 Parking.

2. Parking in shoreline jurisdiction shall directly serve a shoreline use. Parking as a "primary" use and parking that serves a use not approved in the shoreline jurisdiction shall be prohibited.

Parking is provided only for the allowed mixed uses and public access.

3. Parking facilities shall be designed and landscaped to minimize adverse impacts upon adjacent shoreline and abutting properties. Landscaping shall be provided per zoning code standards, unless a landscape modification is approved by the planning director or hearing examiner, per Section 35.070.

Landscaping will be provided in parking areas.

4. Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served, except when the parking facility is within or beneath the structure and adequately screened, or where parking will serve public access provided as a part of a development, or in cases when an alternate orientation would have less adverse impact on the shoreline.

The only parking proposed landward of the uses served is oriented to allow the uses it serves to be part of the streetscape within the commercial center. The location of this parking is on the landfill and does not impact the shoreline.

5. Parking facilities for shoreline activities shall provide safe and convenient pedestrian circulation within the parking area and to the shorelines.

Parking has been planned as part of an integrated access and circulation plan discussed in depth in the EIS.

33D.220 Recreational development.

1. In designating shoreline areas for recreation activity or permitting developments in shoreline areas, consideration shall be given to the recommendations of the Everett parks and recreation comprehensive plan and other approved comprehensive public access plans.

As discussed earlier, the public access is designed based on City plans/

2. Priority shall be given to recreational developments which increase the opportunity for public access and enjoyment to our urban shoreline areas.

The boat area provides accessibility for the public to enjoy uses on the water.

3. Water-dependent recreational uses shall be given priority over other types of recreational use. Water-related and water-oriented recreational uses shall be second priority. Non-water-oriented recreational uses are permitted, provided they include public access and environmental restoration of the shoreline edge and buffers, and provided that they avoid significant ecological impacts.

The boating area is for rowing activities and use of small watercraft which is water-dependent.

4. Recreational facilities shall be provided with adequate sanitary facilities.

Sanitary facilities will be provided from the boat area.

7. Pedestrian and bicycle paths shall be provided unless clearly not appropriate.

Please refer to the Public Access Element discussion above. Pedestrian and bicycle paths are proposed.

10. Proposals for recreational development shall provide adequate water supply, sewage and garbage disposal.

The boat area is integrated with the plaza and surrounding commercial uses providing these utility needs.

11. Recreational facilities shall provide adequate provisions to prevent the general public from trespassing and overflowing into adjacent properties.

The boat area is designed to integrate with adjacent public and commercial spaces.

12. In approving shoreline recreational developments, the city shall ensure that the development will maintain, enhance or restore desirable shoreline features, including unique and fragile areas, scenic views and aesthetic values. To this end, the city may adjust and/or prescribe project dimensions, location of project components on the site, intensity of use, screening, parking requirements and setbacks, as deemed appropriate to achieve this intent.

The proposal provides substantial new access and views of the river and wetland areas while enhancing and preserving the natural edges of those waters.

33D.230 Residential development.

A. Regulations.

1. Residential and accessory structure development over water, including floating homes, shall be prohibited.

No over-water residential development is proposed.

2. Shoreline stabilization for new residential structures is prohibited, except as allowed through Section 33D.400.B, Reasonable Use. (Also see Regulation 3 in Section 33D.290, Shoreline Stabilization.) The subdivision of properties into parcels that will require shoreline stabilization for development to occur shall be prohibited.

No shoreline stabilization is proposed as part of this proposal.

3. Where development activities will result in disruption of vegetation with a potential for increased run-off and erosion, development plans shall include provisions for temporary soil stabilization during development and for permanent stabilization upon completion of development. Buffers shall be provided as required by the SMP.

Invasive vegetation will be removed and erosion control BMPs will be utilized to prevent impacts. Vegetation is enhanced and buffers provided.

4. Multiple family developments shall orient buildings to views of the shoreline, when feasible, while protecting views of shorelines from other properties.

Multiple family development in the proposal is all oriented to views of the shoreline and does not disrupt off-site views.

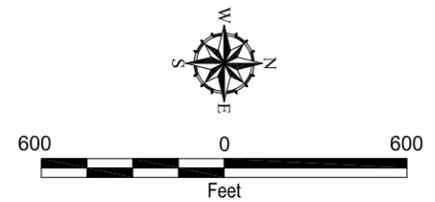


RESIDENTIAL USES SEE 2.3-1A FOR CONCEPT DETAIL

MIXED USES SEE 2.3-1A AND B FOR CONCEPT DETAIL

MULTI-FAMILY RESIDENTIAL AND MIXED USES SEE 2.3-1B FOR CONCEPT DETAIL

LEGEND	
[Pattern]	WESTWOOD TOWNHOMES
[Pattern]	CLUSTER TOWNHOMES:
[Pattern]	ROWHOME - LANDINGS:
[Pattern]	COURTYARD HOMES - TAMBARK:
[Pattern]	TRIPLEXES:
[Pattern]	PASEO HOMES - GREENS:
[Pattern]	DUPLEX LOTS:
[Pattern]	ZIPPER LOTS:



Notes:
 1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Image provided by Gensler.

Preferred Alternative	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure FS-1

Legend

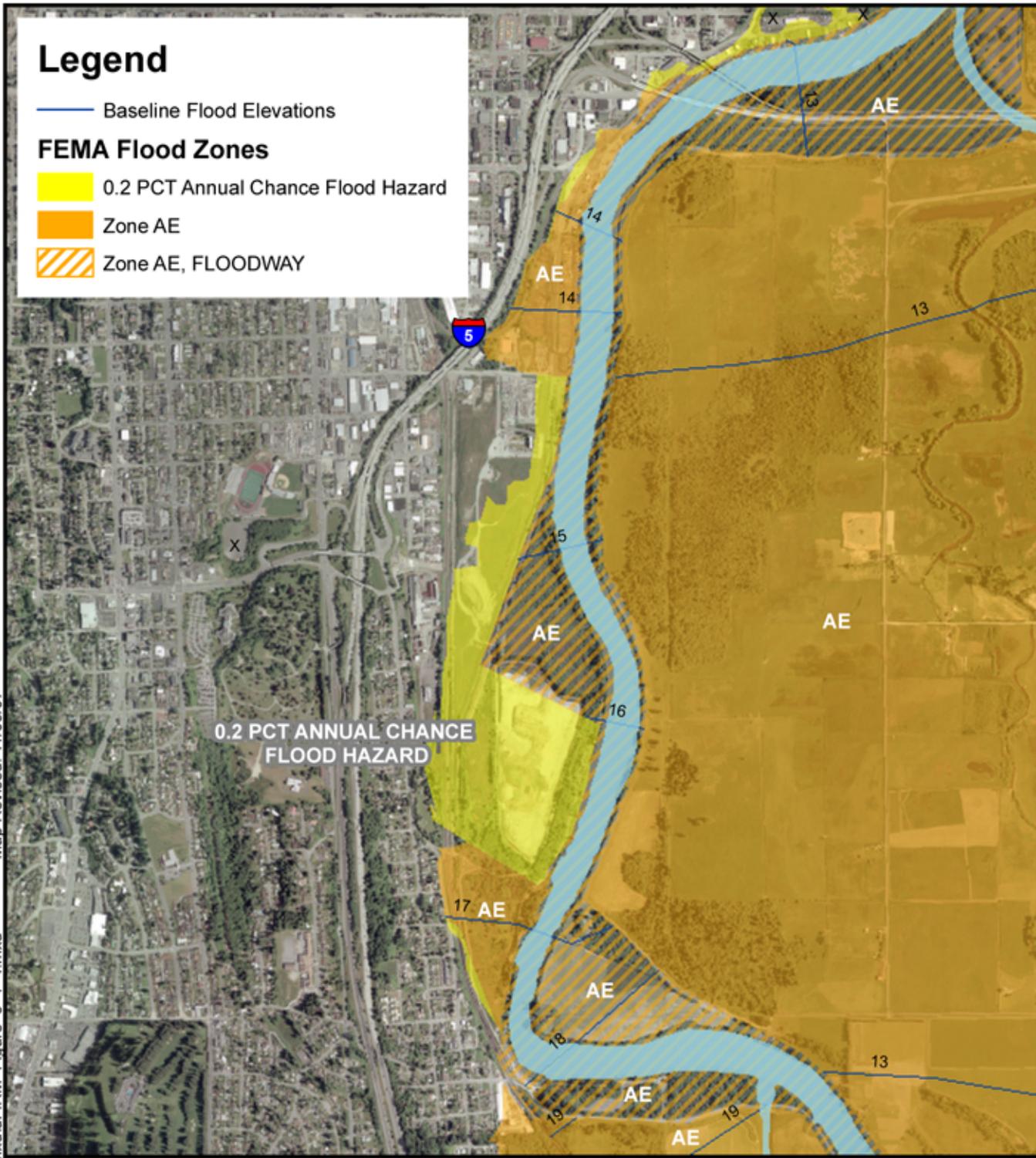
— Baseline Flood Elevations

FEMA Flood Zones

0.2 PCT Annual Chance Flood Hazard

Zone AE

Zone AE, FLOODWAY



0.2 PCT ANNUAL CHANCE
FLOOD HAZARD

Data Sources: Aerial photo from Snohomish County;
FEMA Flood Zones and Baseline Elevations provided
by the Federal Emergency Management Agency.

1,750 875 0 1,750 Feet



Notes:

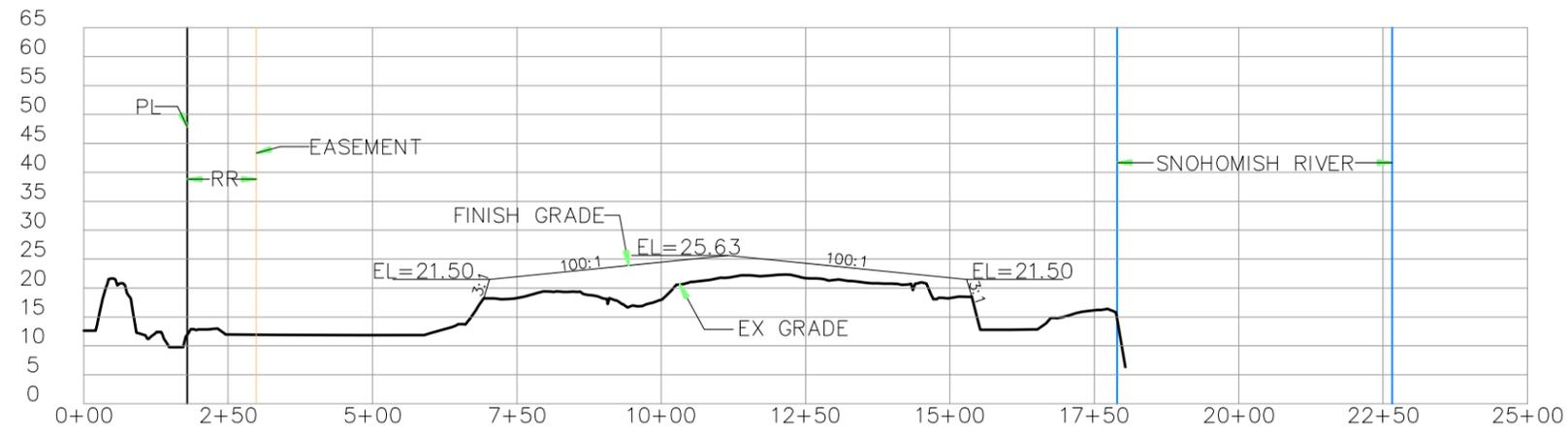
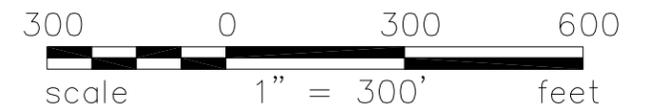
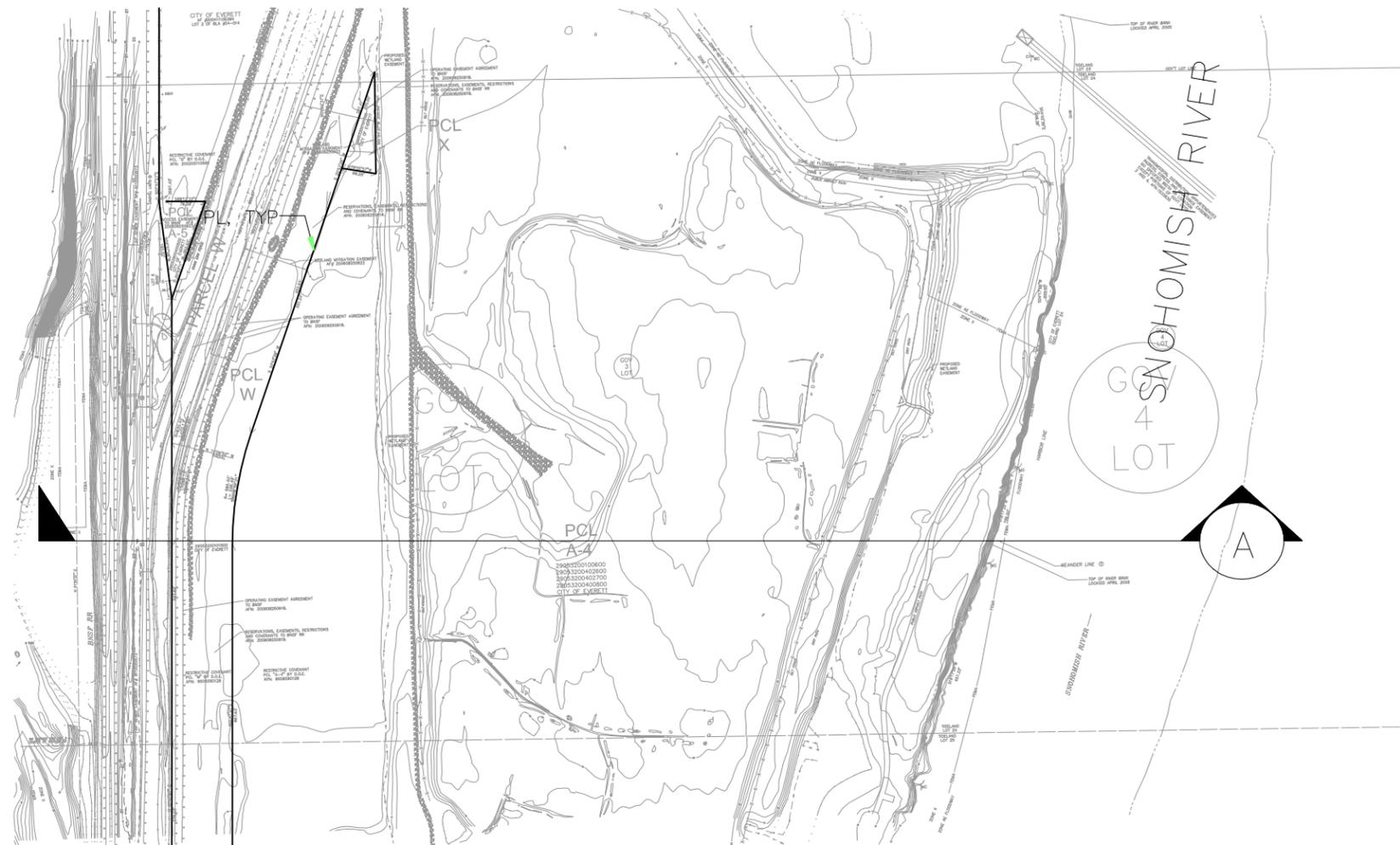
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**Federal Emergency Management
Agency Flood Zones**

Everett Riverfront Redevelopment
Everett, Washington

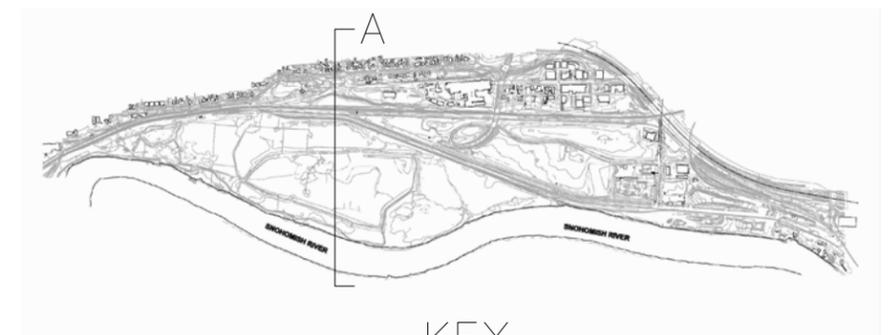
GEOENGINEERS

Figure 5.1-4



SECTION A

SCALE: HORIZ: 1" = 300'
VERT: 1" = 30'



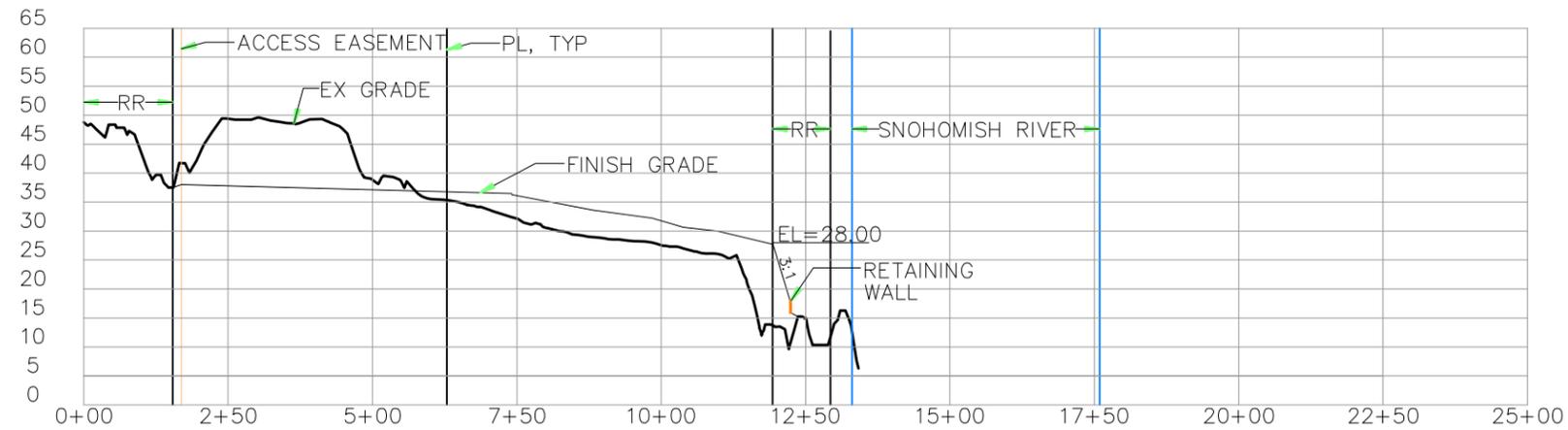
KEY

Reference: 20071109_EverettRiverfront_Sections.dwg obtained from Magnusson Klemencic Associates on 11/09/07.

- Notes:
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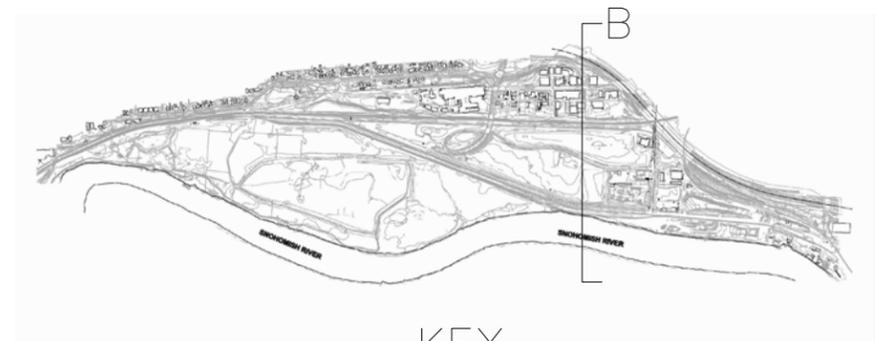
**Grading Cross-Section
Section A**
Everett Riverfront Redevelopment Project
Everett, Washington

**Figure
4.1-1**



SECTION B

SCALE: HORIZ: 1" = 300'
VERT: 1" = 30'



Reference: 20071109_EverettRiverfront_Sections.dwg obtained from Magnusson Klemencic Associates on 11/09/07.

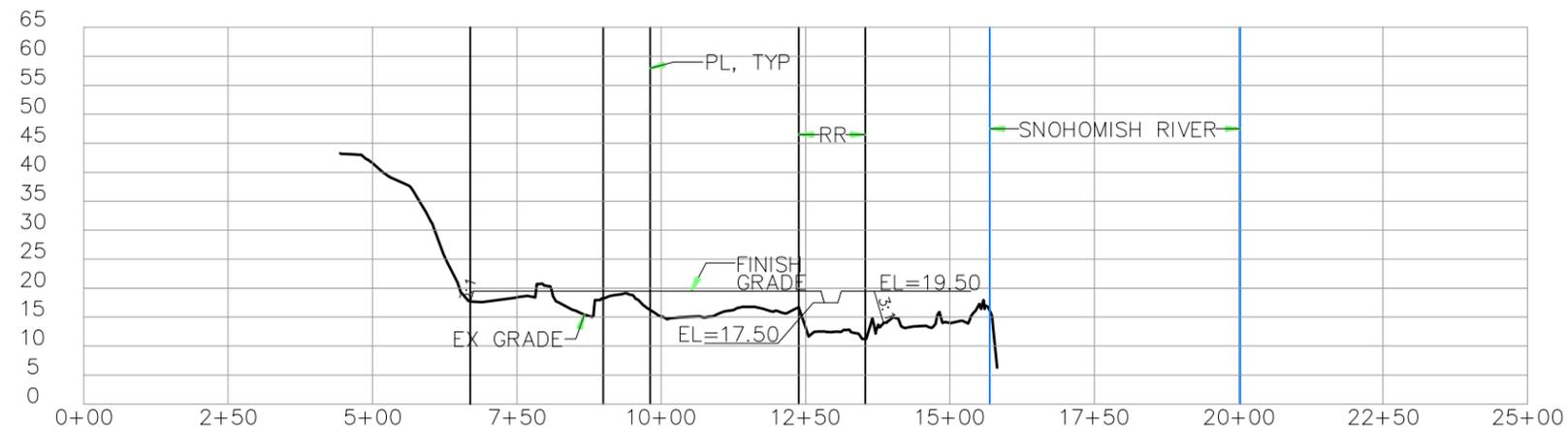
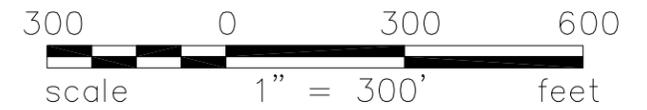
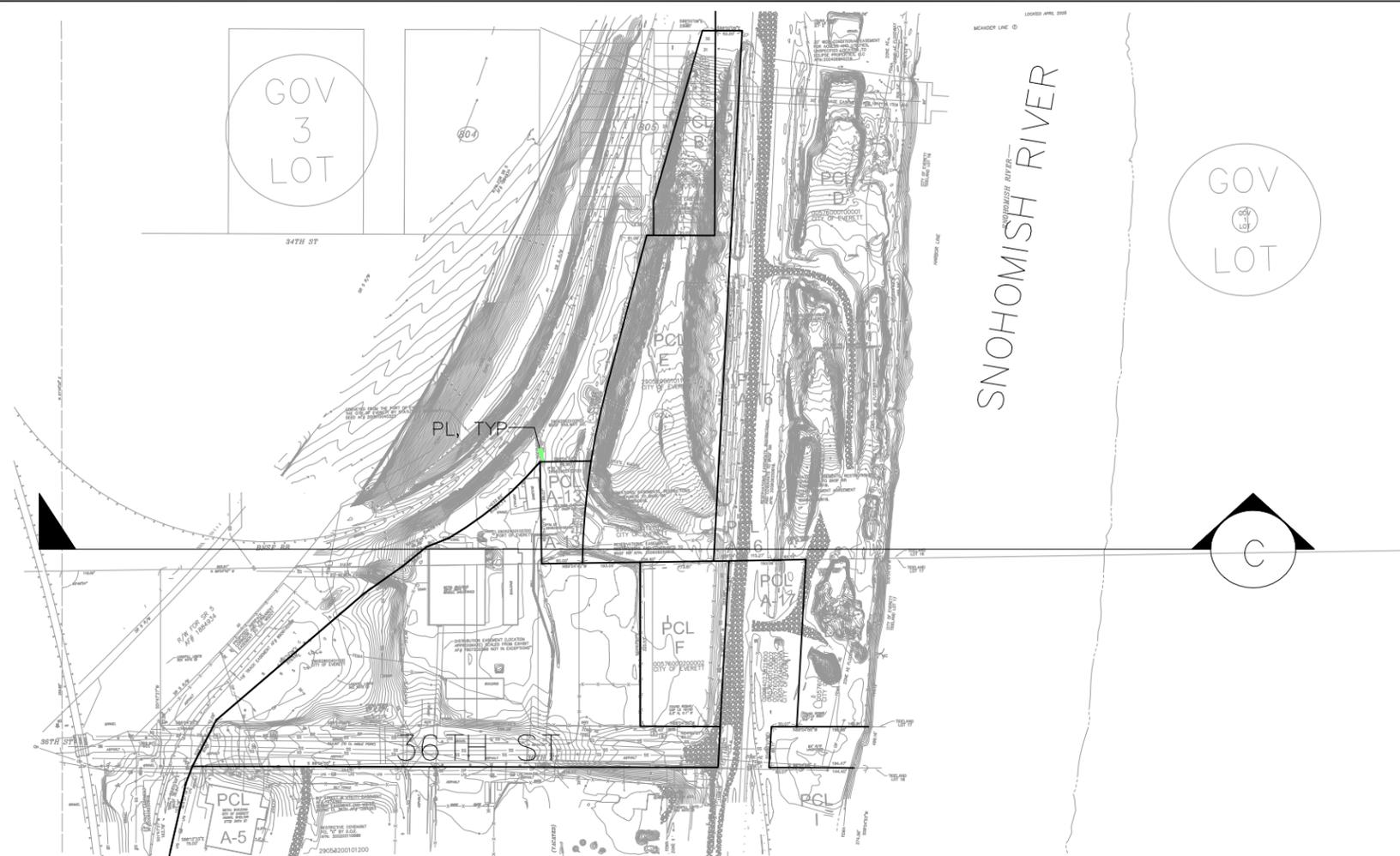
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**Grading Cross-Section
Section B**

Everett Riverfront Redevelopment Project
Everett, Washington

**Figure
4.1-1A**



SECTION C

SCALE: HORIZ: 1" = 300'
VERT: 1" = 30'



KEY

Reference: 20071109_EverettRiverfront_Sections.dwg obtained from Magnusson Klemencic Associates on 11/09/07.

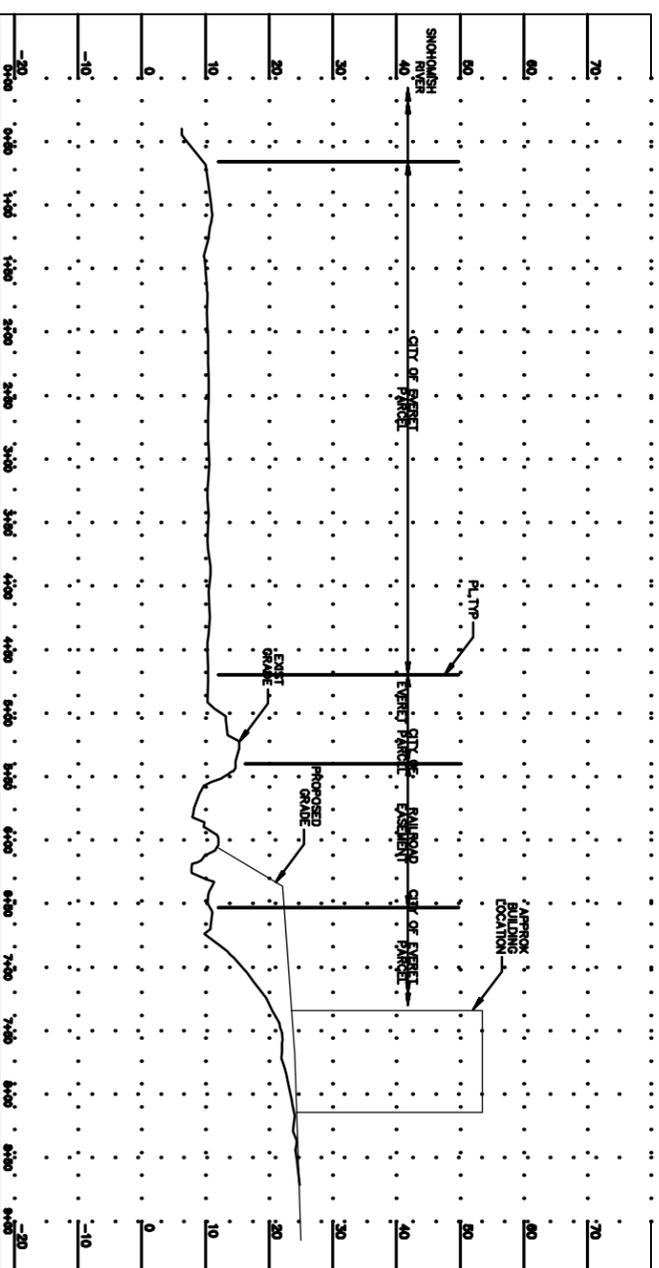
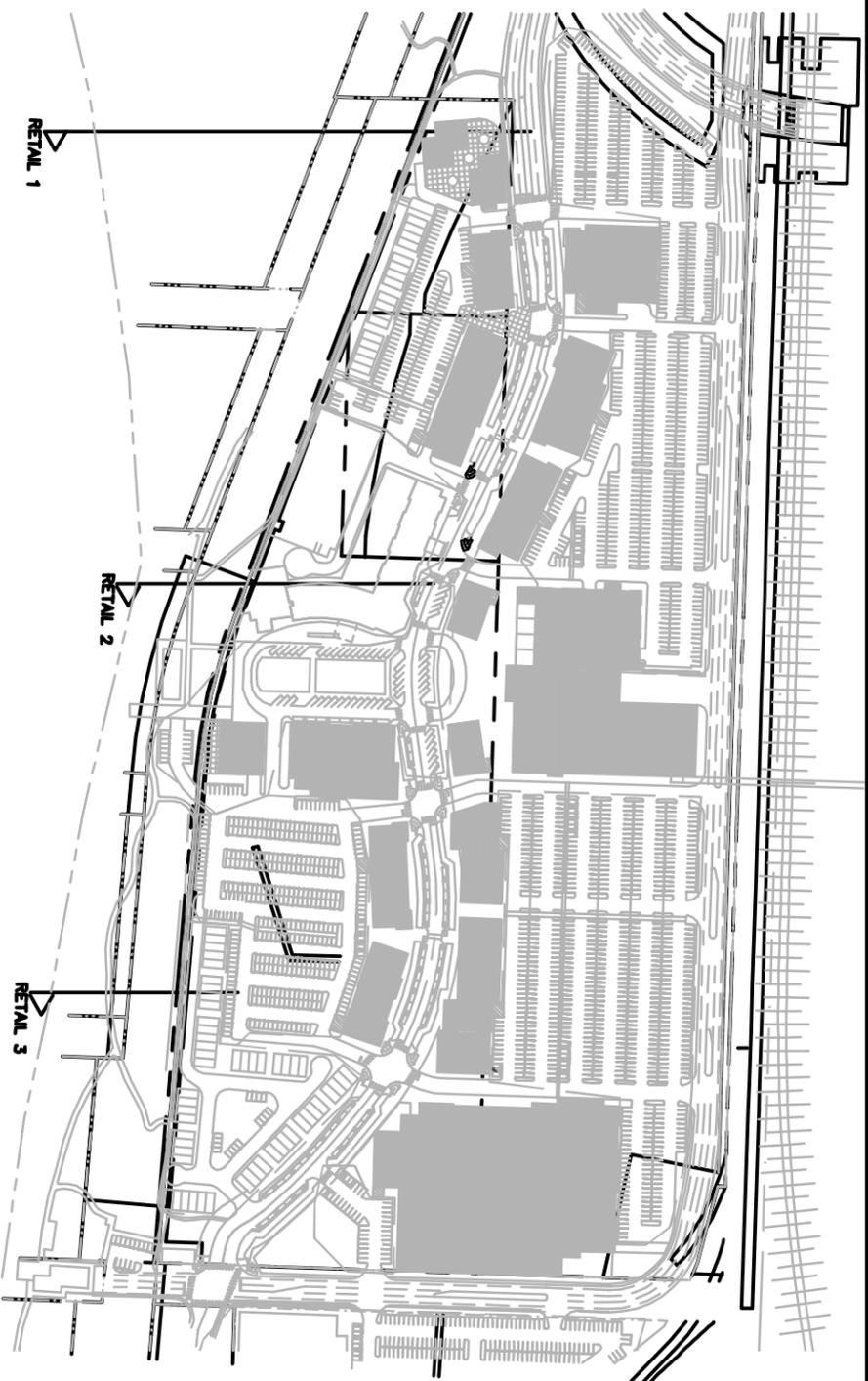
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**Grading Cross-Section
Section C**

Everett Riverfront Redevelopment Project
Everett, Washington

**Figure
4.1-1B**



RETAIL 1 SECTION
N.T.S.

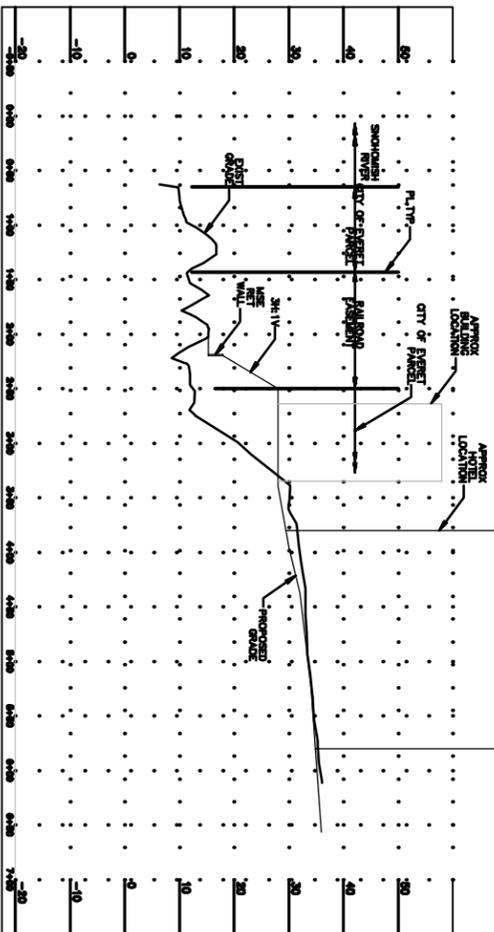
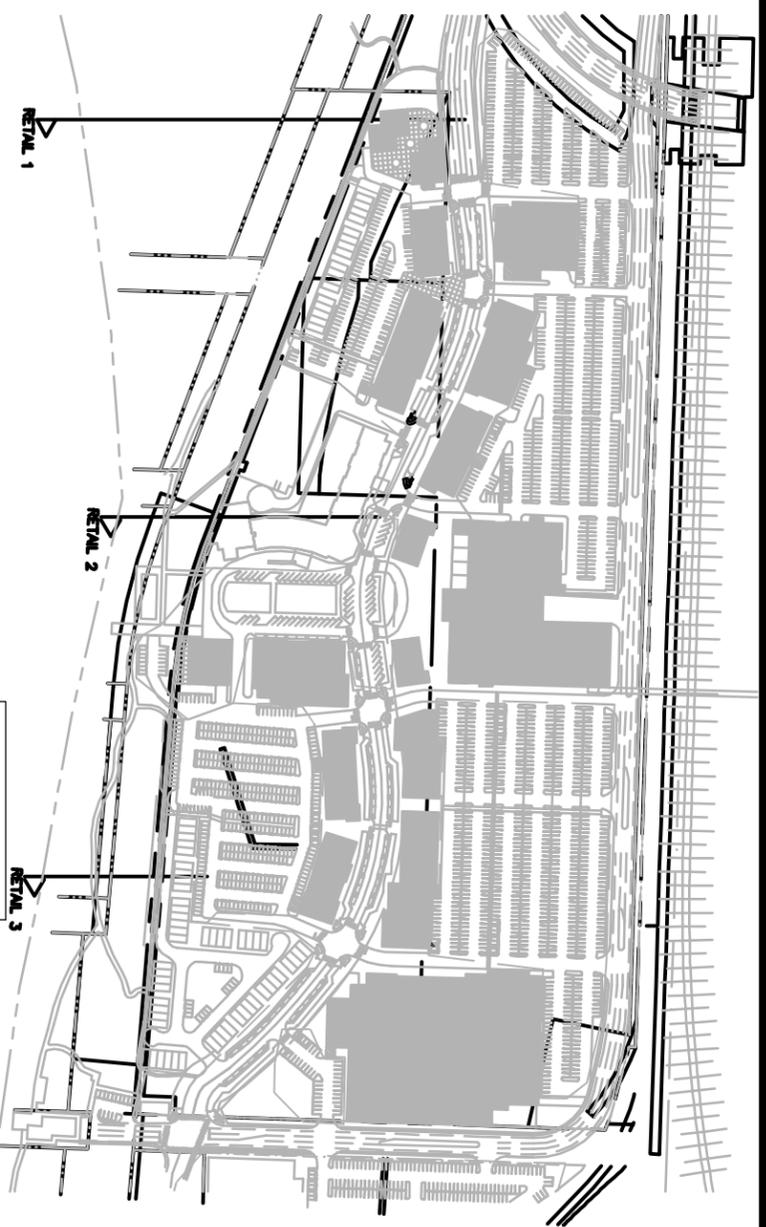
(SITE SECTIONS BY MKA)

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EVERETT RIVERFRONT DEVELOPMENT

for OLIVER MCMILLAN

SHORLINE PERMIT CROSS SECTIONS



RETAIL 2 SECTION
N.T.S.

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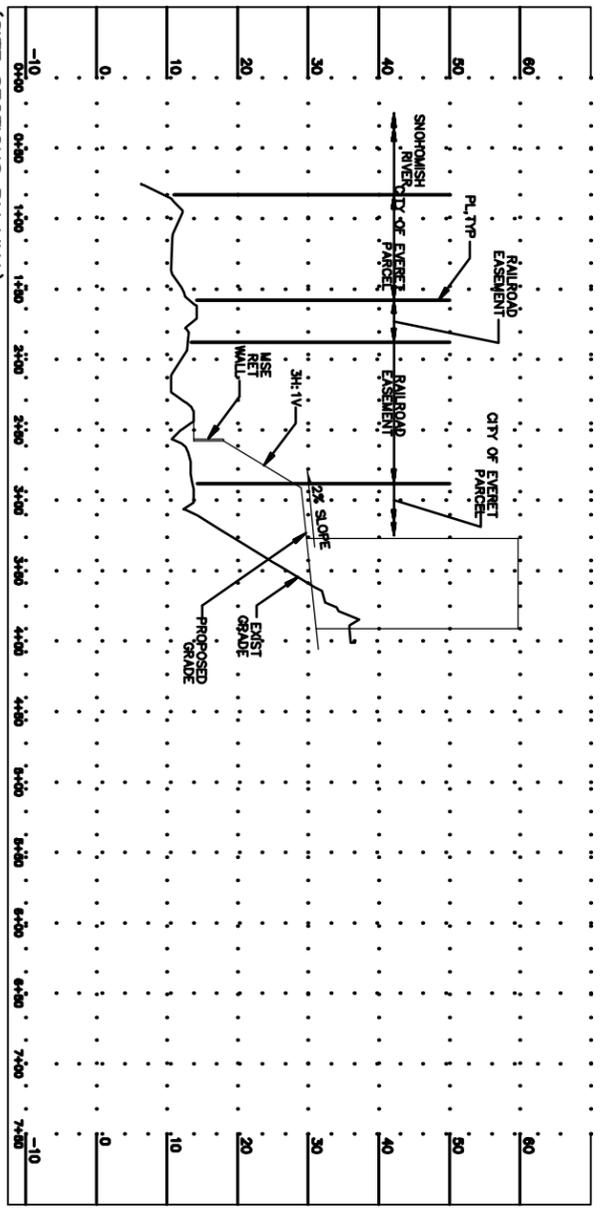
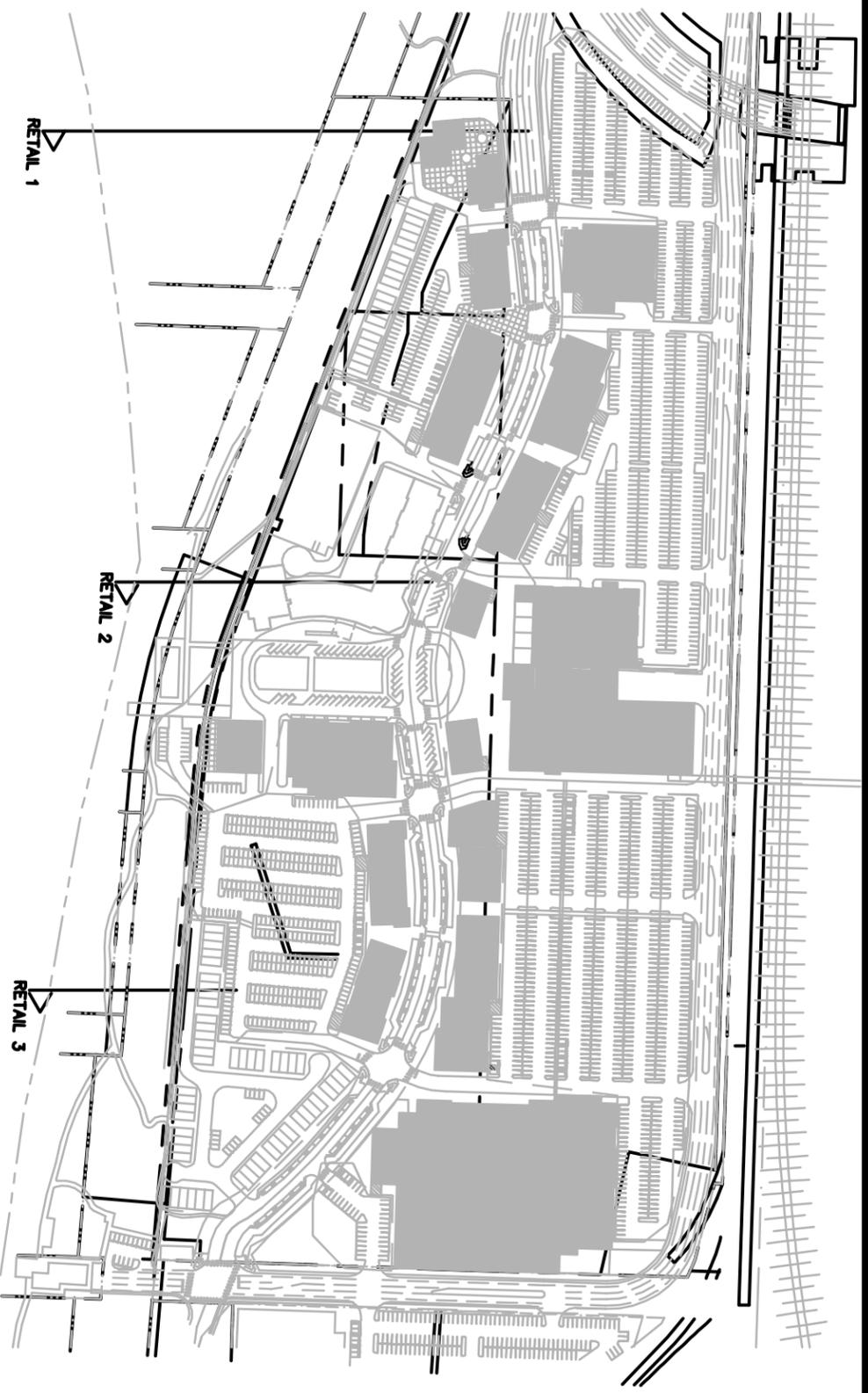
EVERETT RIVERFRONT DEVELOPMENT

for OLIVER MCMILLAN

SHORLINE PERMIT CROSS SECTIONS

07-0292-01
PM: PAT FARLEY
DECEMBER 13, 2007

Retail 2



RETAIL 3 SECTION
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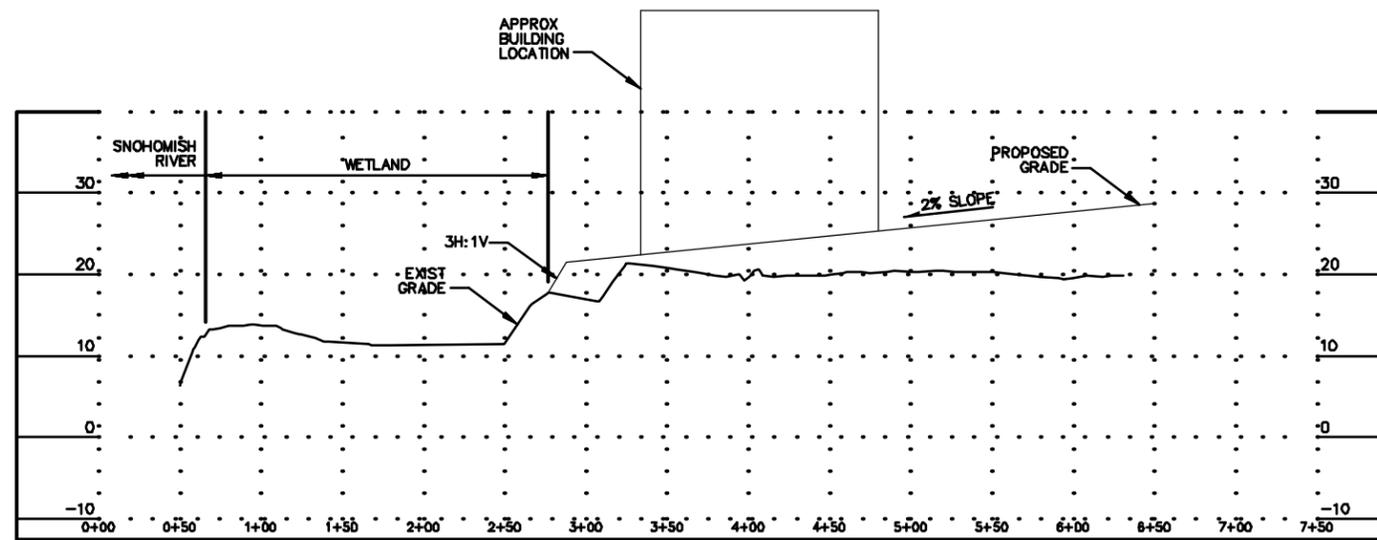
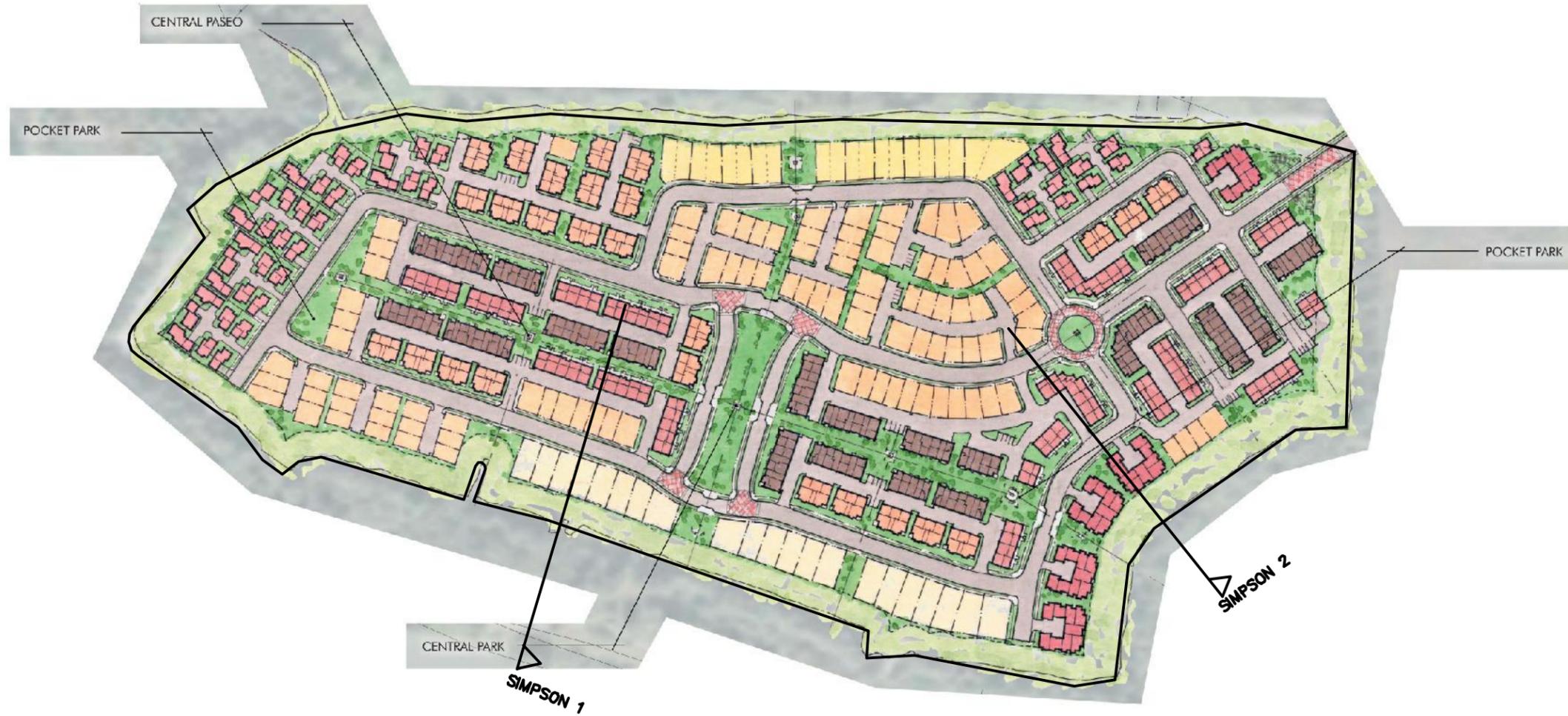
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EVERETT RIVERFRONT DEVELOPMENT

for OLIVER MCMILLAN

SHORLINE PERMIT CROSS SECTIONS



SIMPSON 1 SECTION
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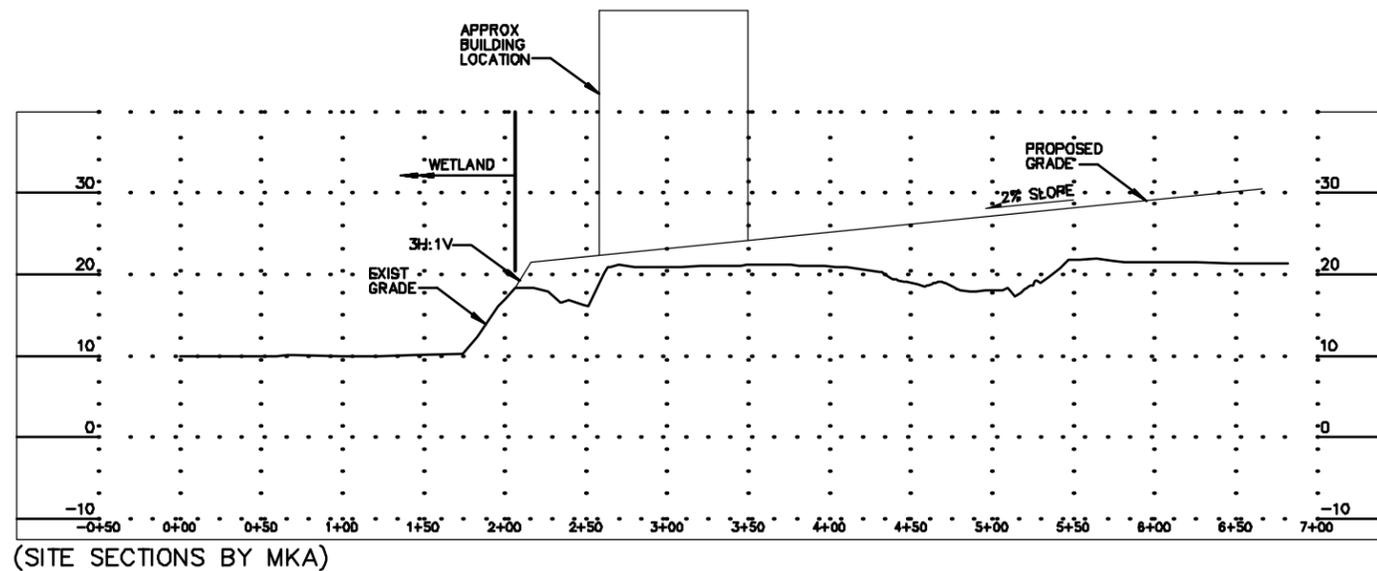
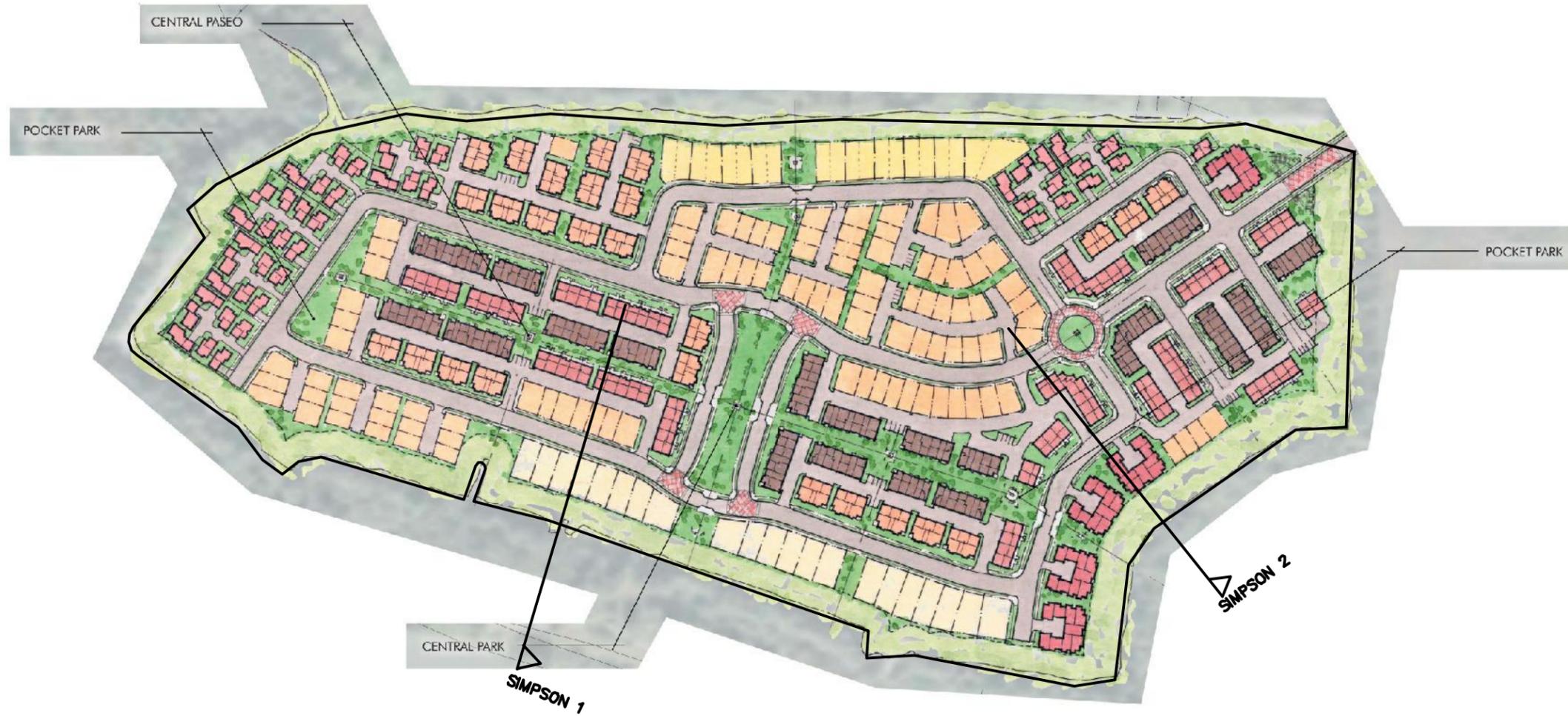
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BELLEVUE, WA | 98004
t 425.463.2000 | f 425.463.2002

EVERETT RIVERFRONT DEVELOPMENT
for OLIVER MCMILLAN

07-0292-01
PM: PAT FARLEY
DECEMBER 17, 2007

SHORLINE PERMIT CROSS SECTIONS

Simpson 1



SIMPSON 2 SECTION
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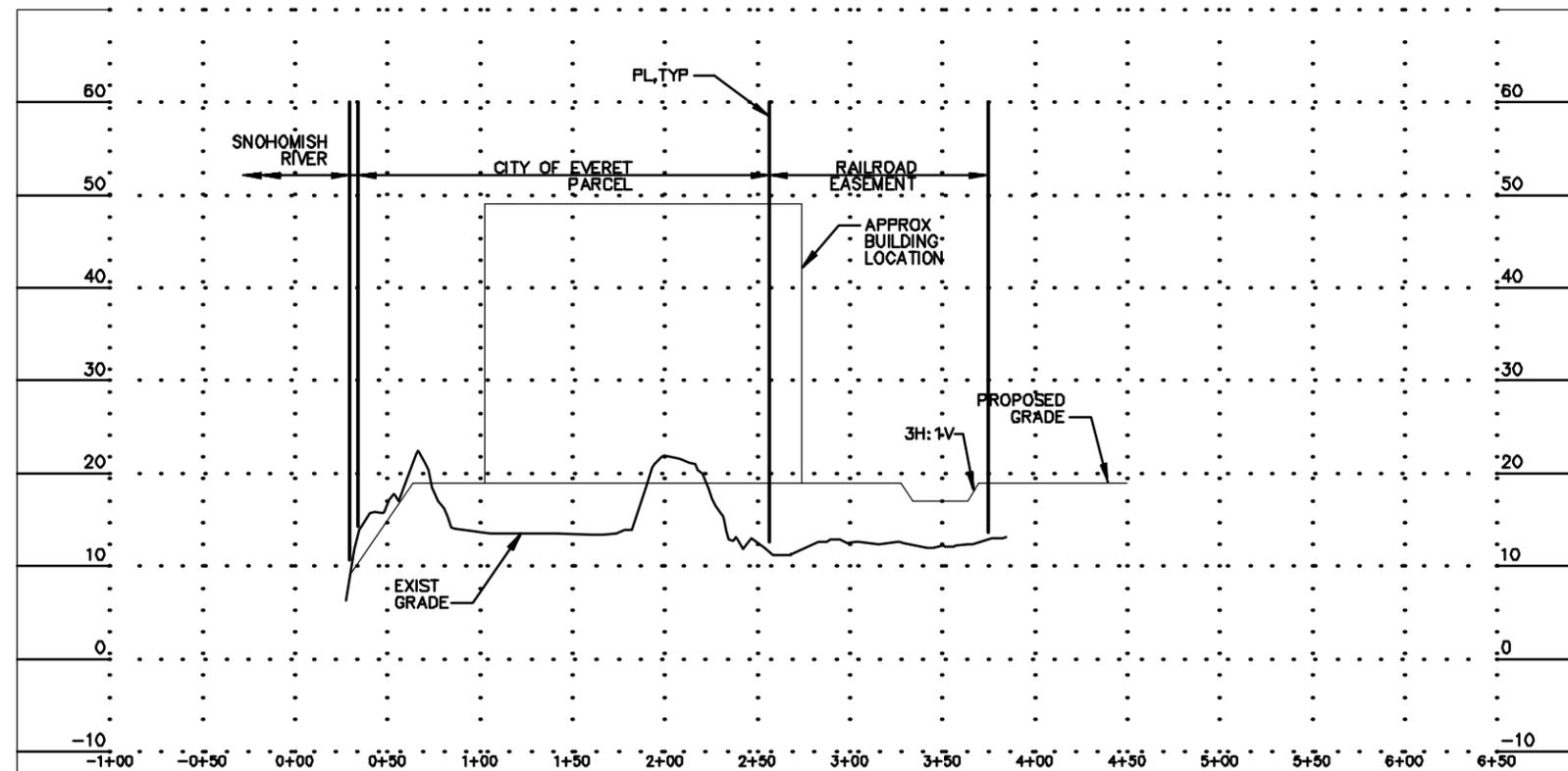
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BELLEVUE, WA | 98004
t 425.463.2000 | f 425.463.2002

EVERETT RIVERFRONT DEVELOPMENT
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SHORLINE PERMIT CROSS SECTIONS

Simpson 2



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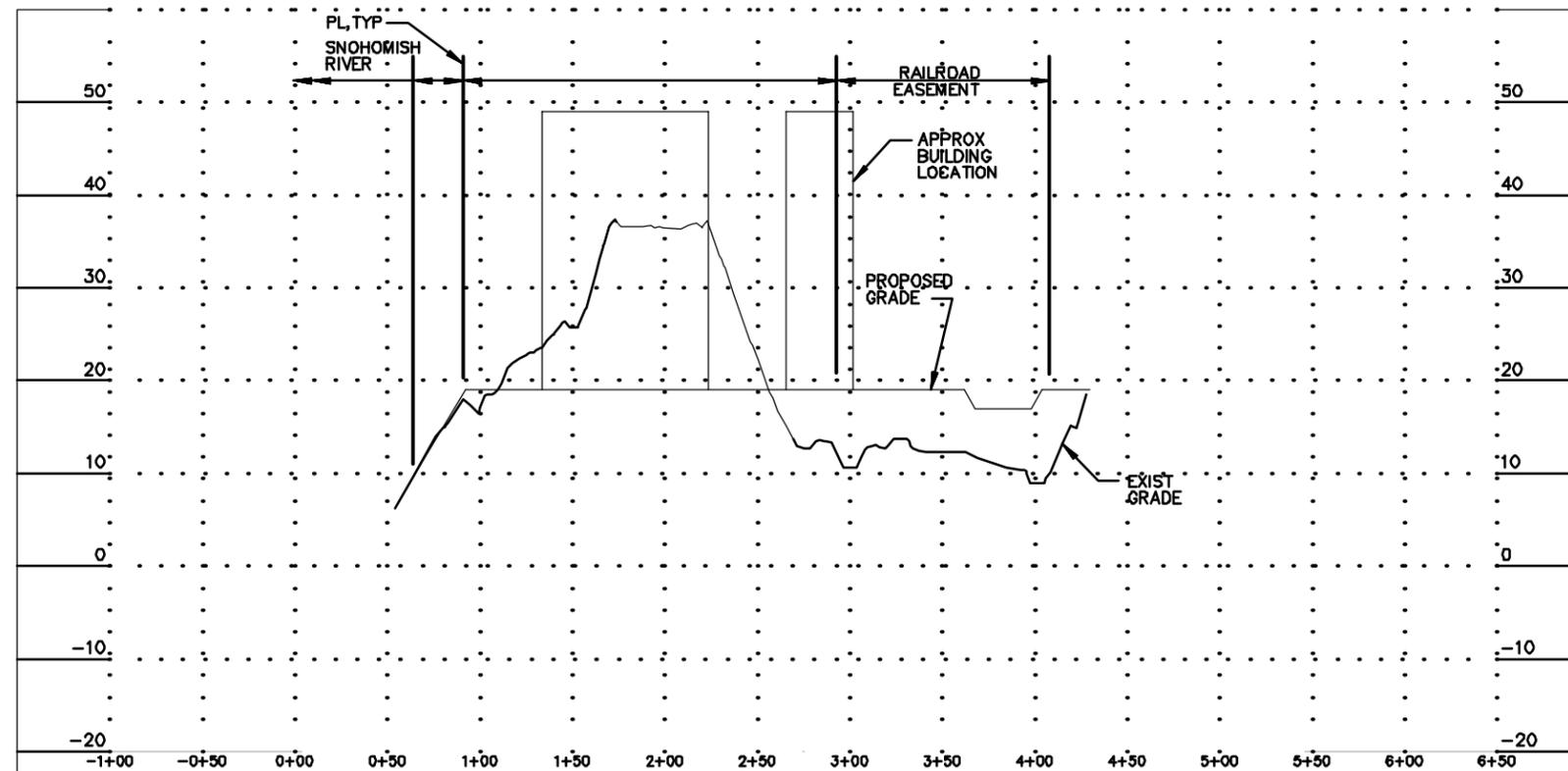
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BELLEVUE, WA | 98004
t 425.463.2000 | f 425.463.2002

EVERETT RIVERFRONT DEVELOPMENT
for OLIVER MCMILLAN

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DECEMBER 17, 2007

SHORLINE PERMIT CROSS SECTIONS

Eclipse 1



ECLIPSE 2 SECTION
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BELLEVUE, WA | 98004
t 425.463.2000 | f 425.463.2002

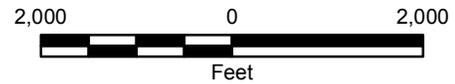
EVERETT RIVERFRONT DEVELOPMENT
for OLIVER MCMILLAN

07-0292-01
PM: PAT FARLEY
DECEMBER 17, 2007

SHORLINE PERMIT CROSS SECTIONS

Eclipse 2

Map Revised: December 4, 2007
 Path: P:\6191002\01\GIS\MXD\619100201\Figure1.mxd
 Office: BOIS

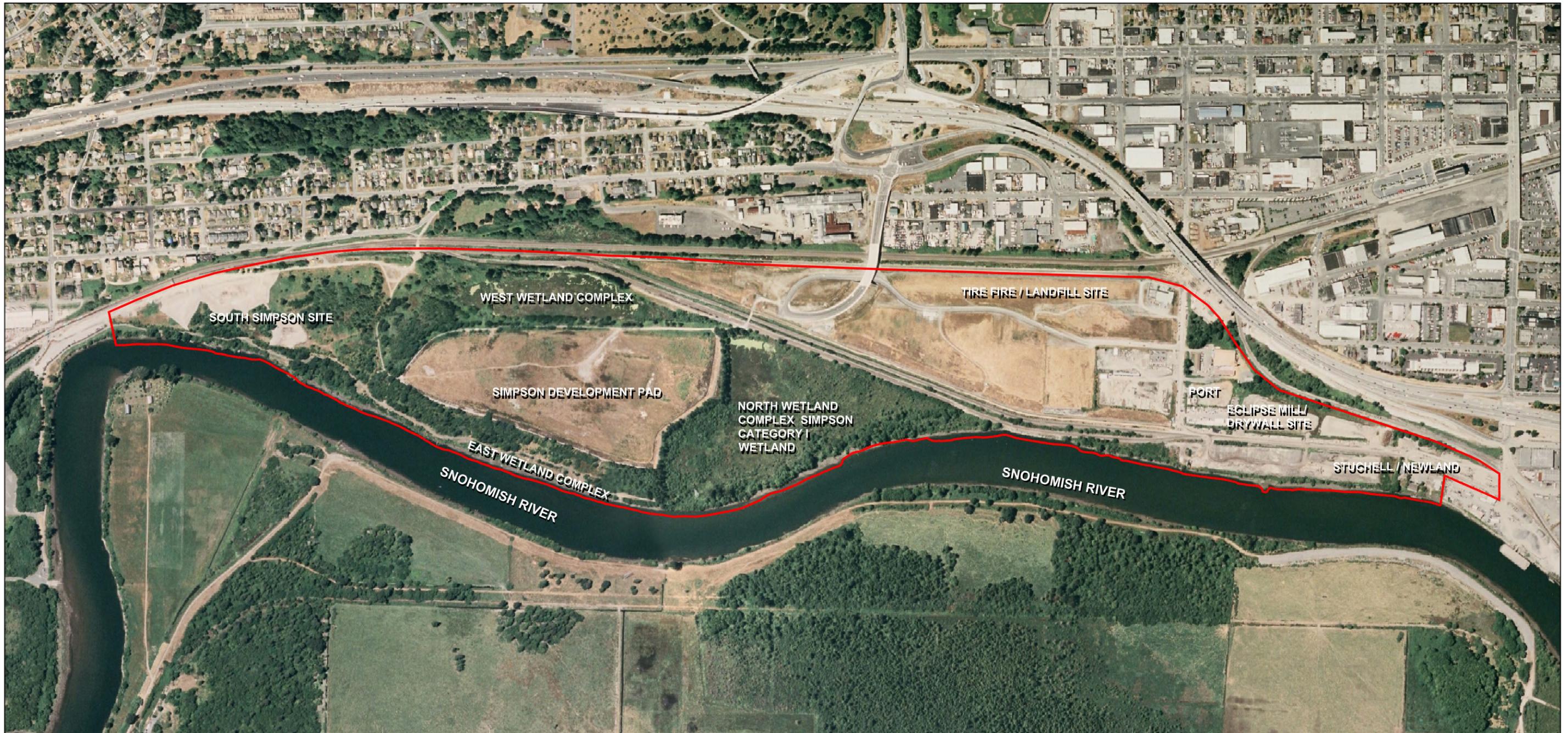


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Data Sources: ESRI Data & Maps, Street Maps 2005
 Transverse Mercator, Zone 10 N North, North American Datum 1983
 North arrow oriented to grid north

Vicinity Map	
Everett Riverfront Redevelopment Everett, Washington	
	Figure 1



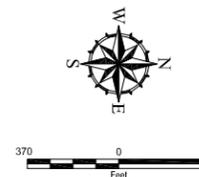
Legend

 Site Boundary

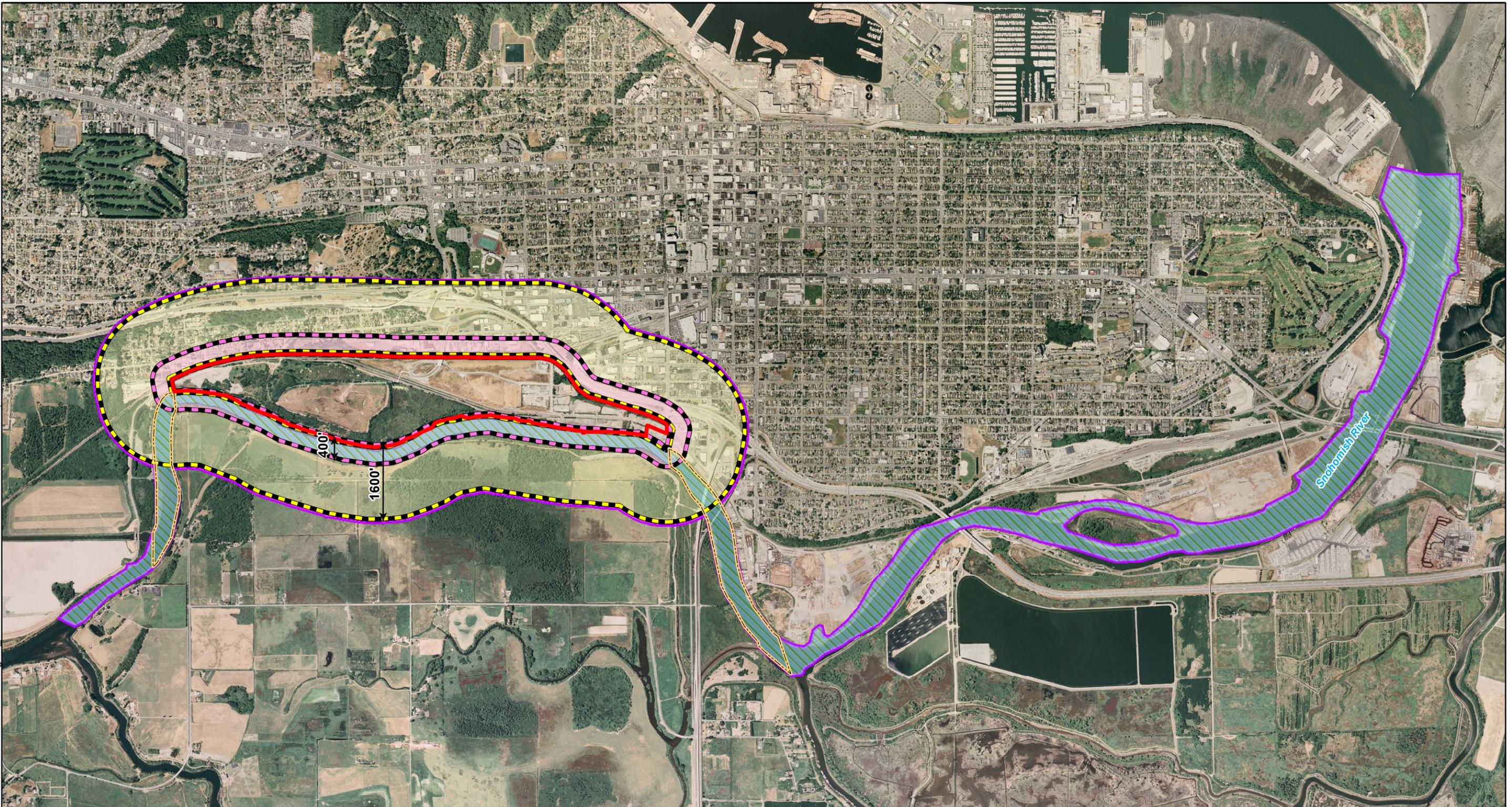
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Data Sources:
Aerial photo obtained from NAIP Imagery 2006.



Site Boundary / Layout	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 2



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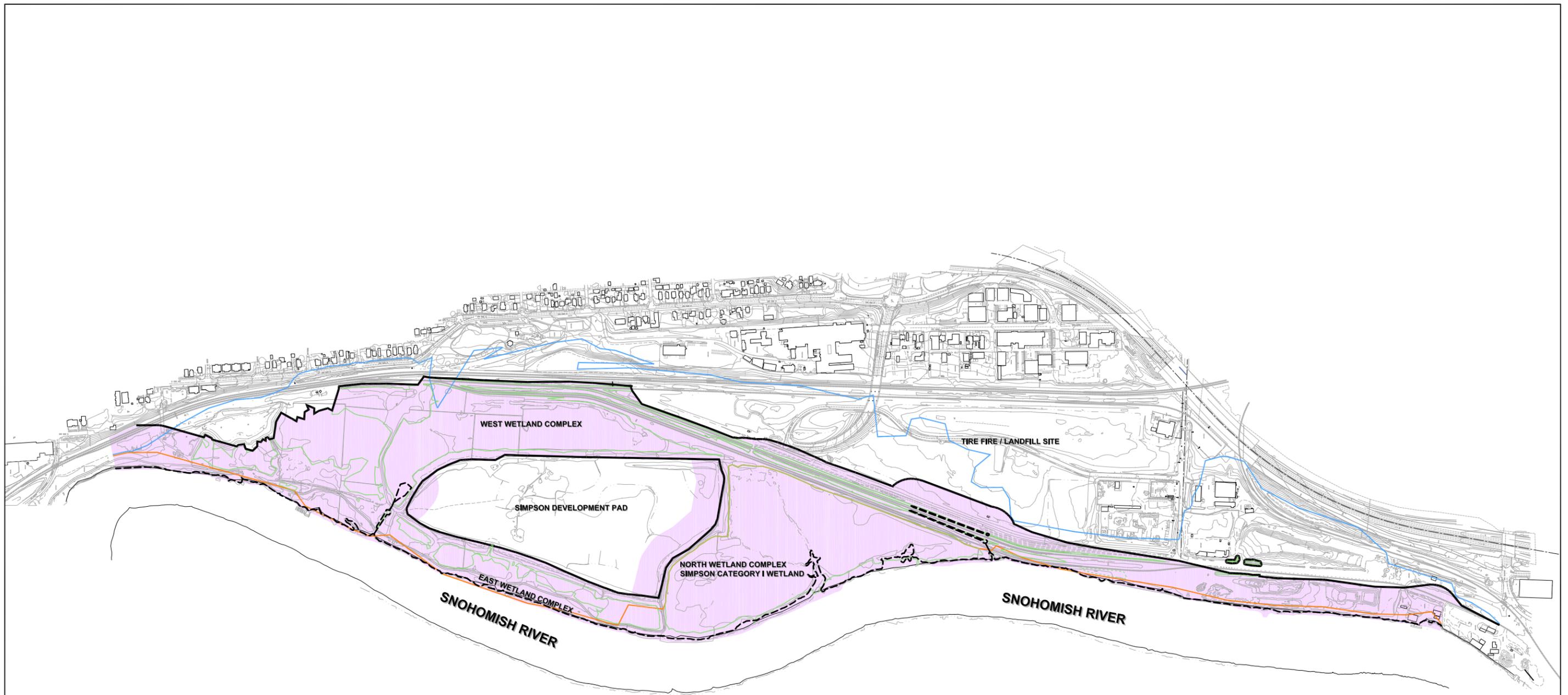
Data Sources:
 NAIP imagery from US Department of Agriculture, July 2006.
 Universal Transverse Mercator, Zone 10, North American Datum 1983

Explanation

- Site_boundary10042007
- Approximate In Water Noise Impact Area
- Sediment Impact Area
- General Construction Terrestrial Noise Impact Area
- Maximum Construction Terrestrial Noise Impact Area
- Approximate Action Area



Action Area	
Everett Riverfront Redevelopment Everett, Washington	
	Figure 3



Legend

-  Shoreline and Shoreland Jurisdiction Line
-  Shoreline and Shoreland Jurisdiction
-  Wetlands
-  FEMA - 100 Year Flood Plain
-  FEMA - Floodway
-  Snohomish River OHWM
-  Estimated Wetland Boundary not Surveyed

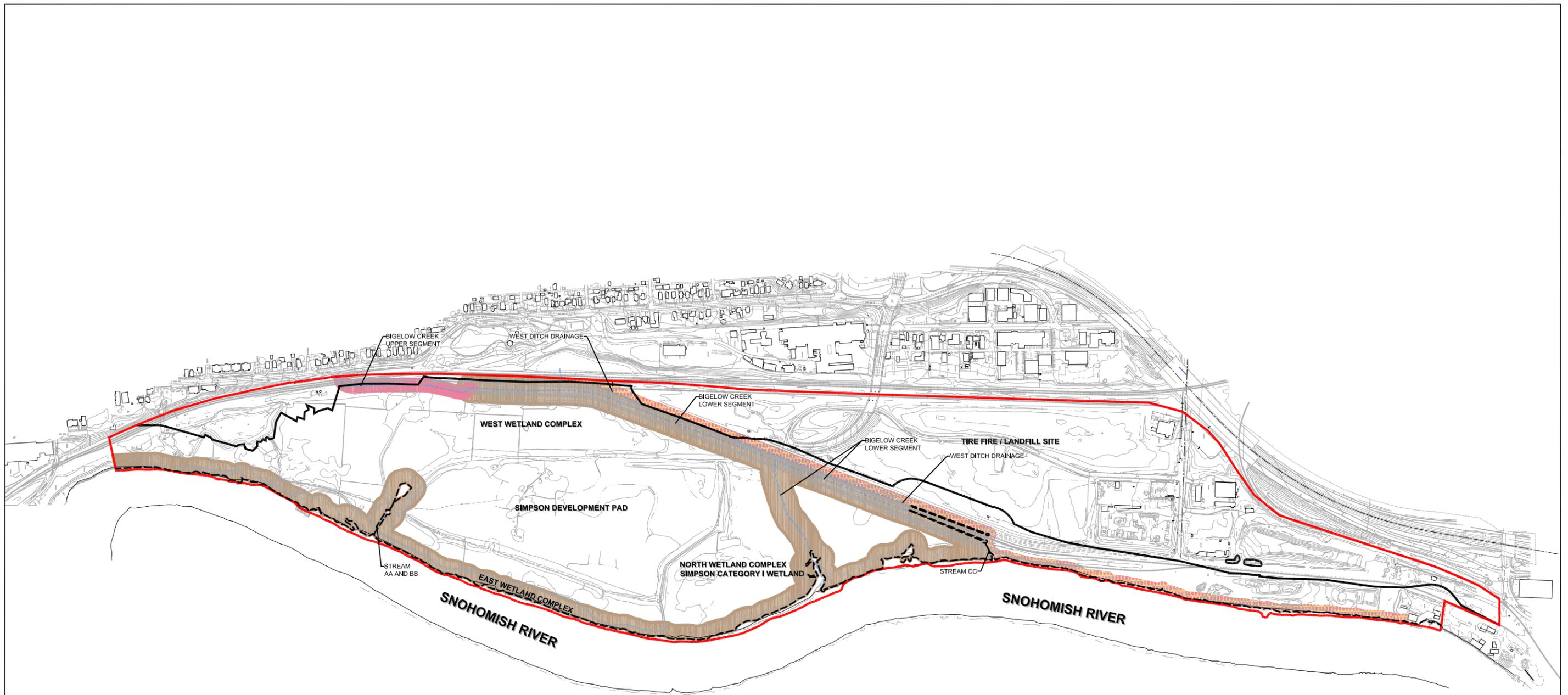


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3. The extent of shoreline and shoreland jurisdiction as determined by the City of Everett.

Reference: Base drawing provided by Perteet, Inc.

Shoreline and Shoreland Jurisdiction with FEMA Floodway	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 4

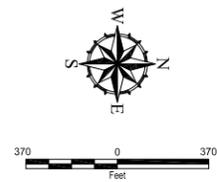


- Notes:
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 3. This map represents shoreline jurisdictional information from the City of Everett and centerline approximations of stream channels based on interpretations from information provided by ESA Adolfsen.

Reference: Base drawing provided by Pertee, Inc.

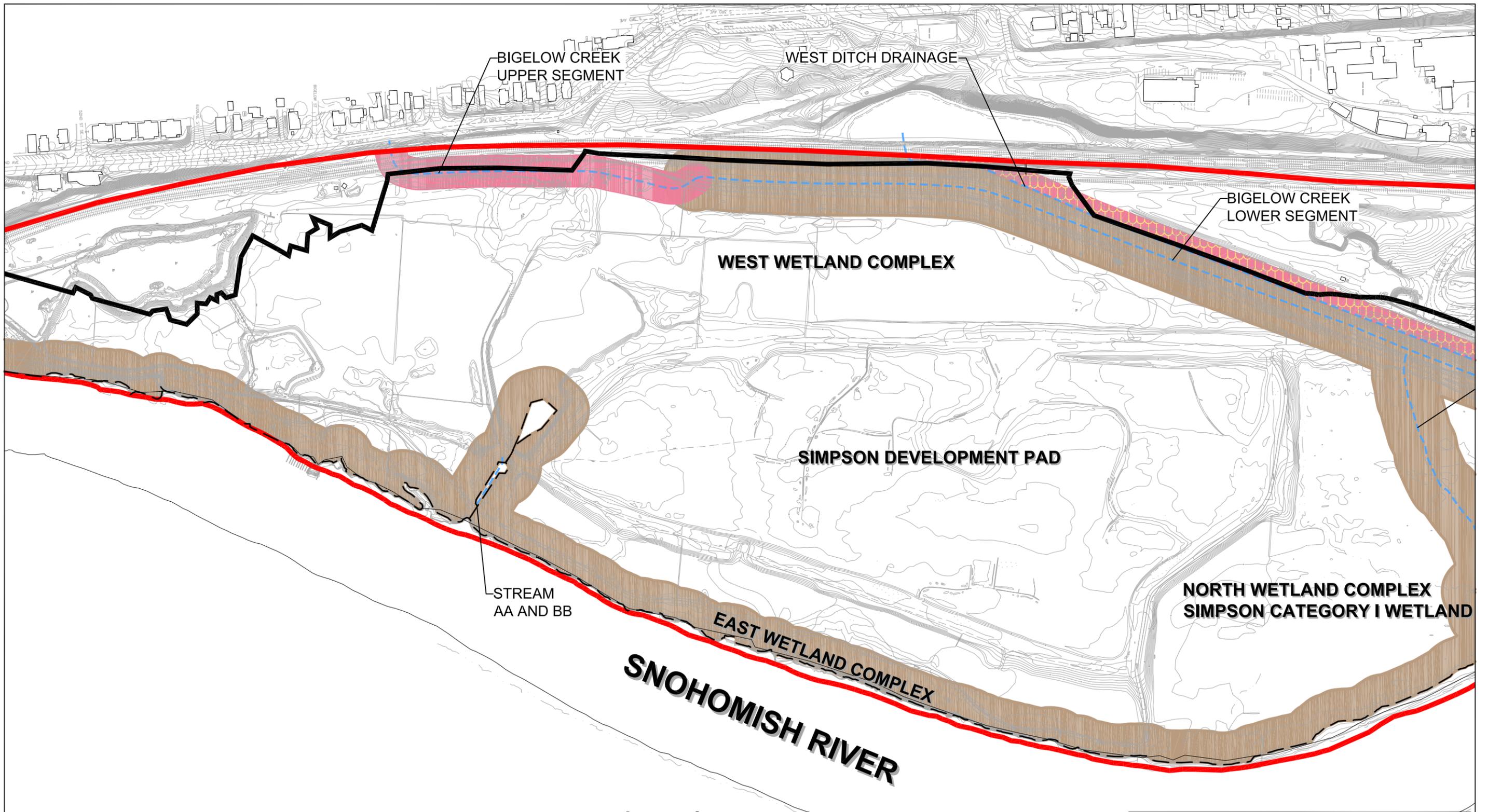
Legend

- Site Boundary
- Stream
- Snohomish River OHWM
- Shoreline and Shoreland Jurisdiction Line
- 100 Foot Stream Buffer
- 50 Foot Stream Buffer
- 50 Foot Stream Buffer (reduced)



Stream Delineation and Buffer Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 5

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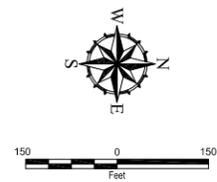


- Notes:
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 3. This map represents shoreline jurisdictional information from the City of Everett and centerline approximations of stream channels based on interpretations from information provided by ESA Adolfsen.

Reference: Base drawing provided by Perteeet, Inc.

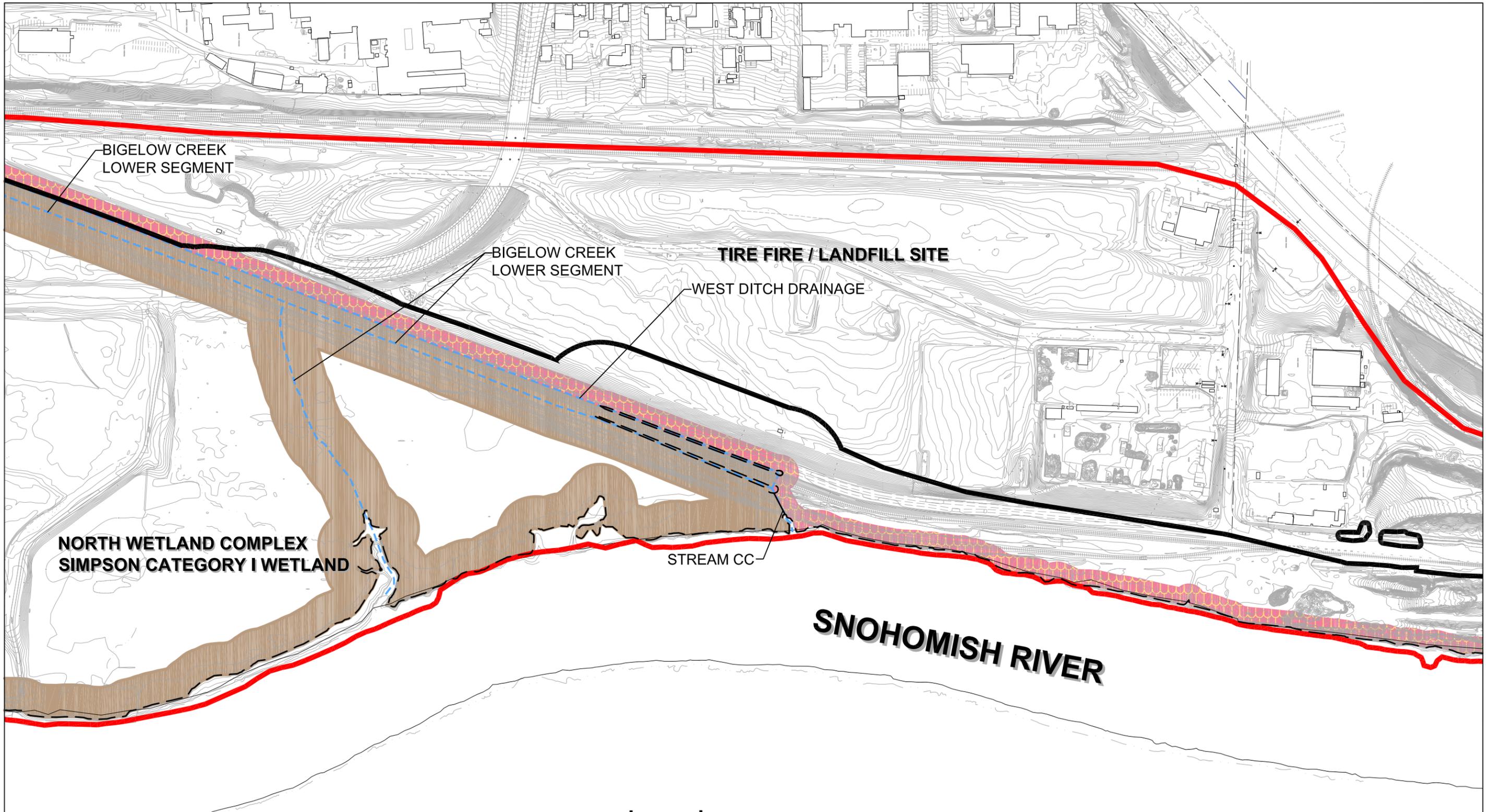
Legend

- Site Boundary
- - - Stream
- Snohomish River OHWM
- Shoreline and Shoreland Jurisdiction Line
- 100 Foot Stream Buffer
- 50 Foot Stream Buffer
- 50 Foot Stream Buffer (reduced)



Stream Delineation and Buffer Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 5a

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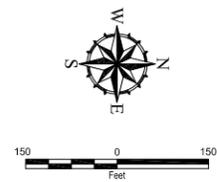


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 3. This map represents shoreline jurisdictional information from the City of Everett and centerline approximations of stream channels based on interpretations from information provided by ESA Adolfsen.

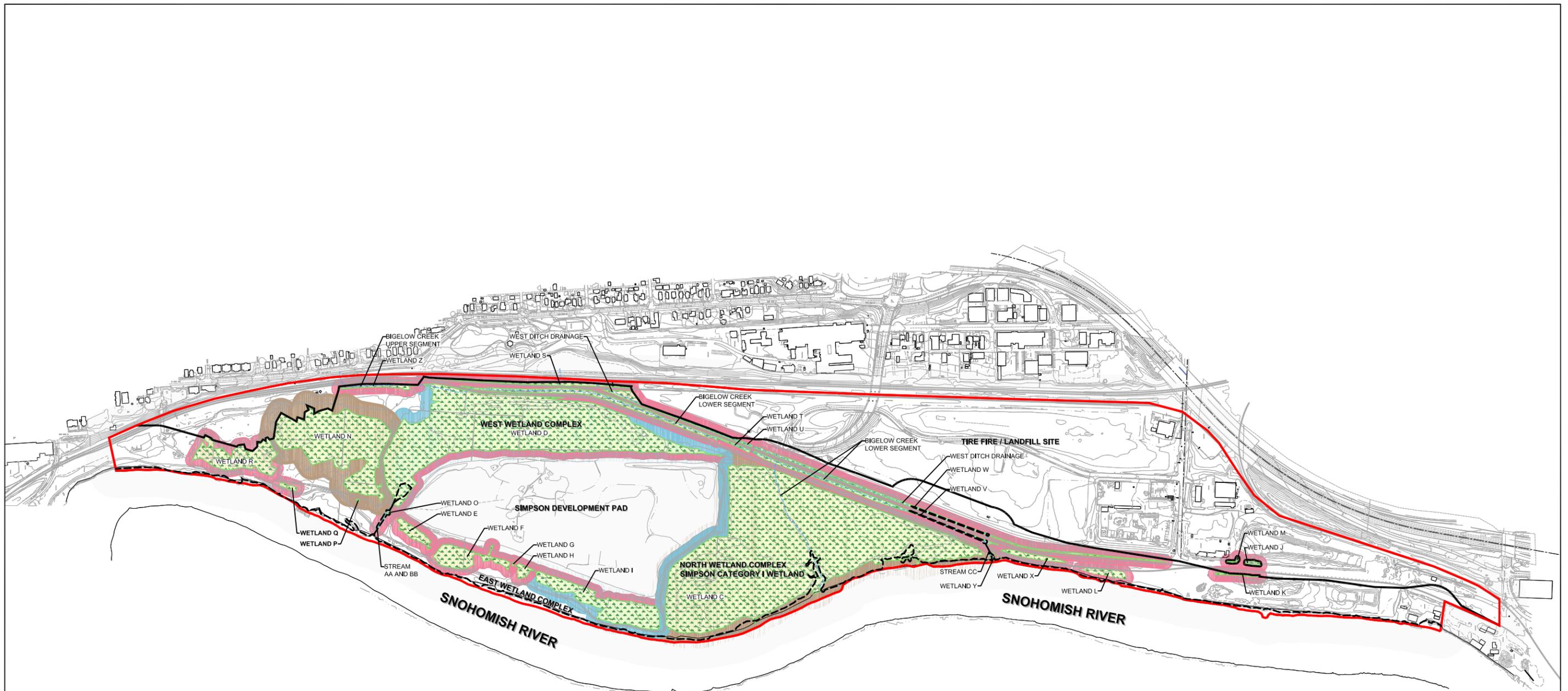
Reference: Base drawing provided by Perteeet, Inc.

Legend

-  Site Boundary
-  Stream
-  Snohomish River OHWM
-  Shoreline and Shoreland Jurisdiction Line
-  100 Foot Stream Buffer
-  50 Foot Stream Buffer
-  50 Foot Stream Buffer (reduced)



Stream Delineation and Buffer Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 5b

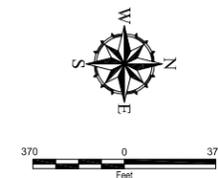


Legend

-  Site Boundary
-  Wetlands
-  Snohomish River OHWM
-  Stream
-  Shoreline and Shoreland Jurisdictional Line
-  100 Foot Wetland Buffer
-  75 Foot Wetland Buffer
-  50 Foot Wetland Buffer
-  Estimated Wetland Boundary not Surveyed

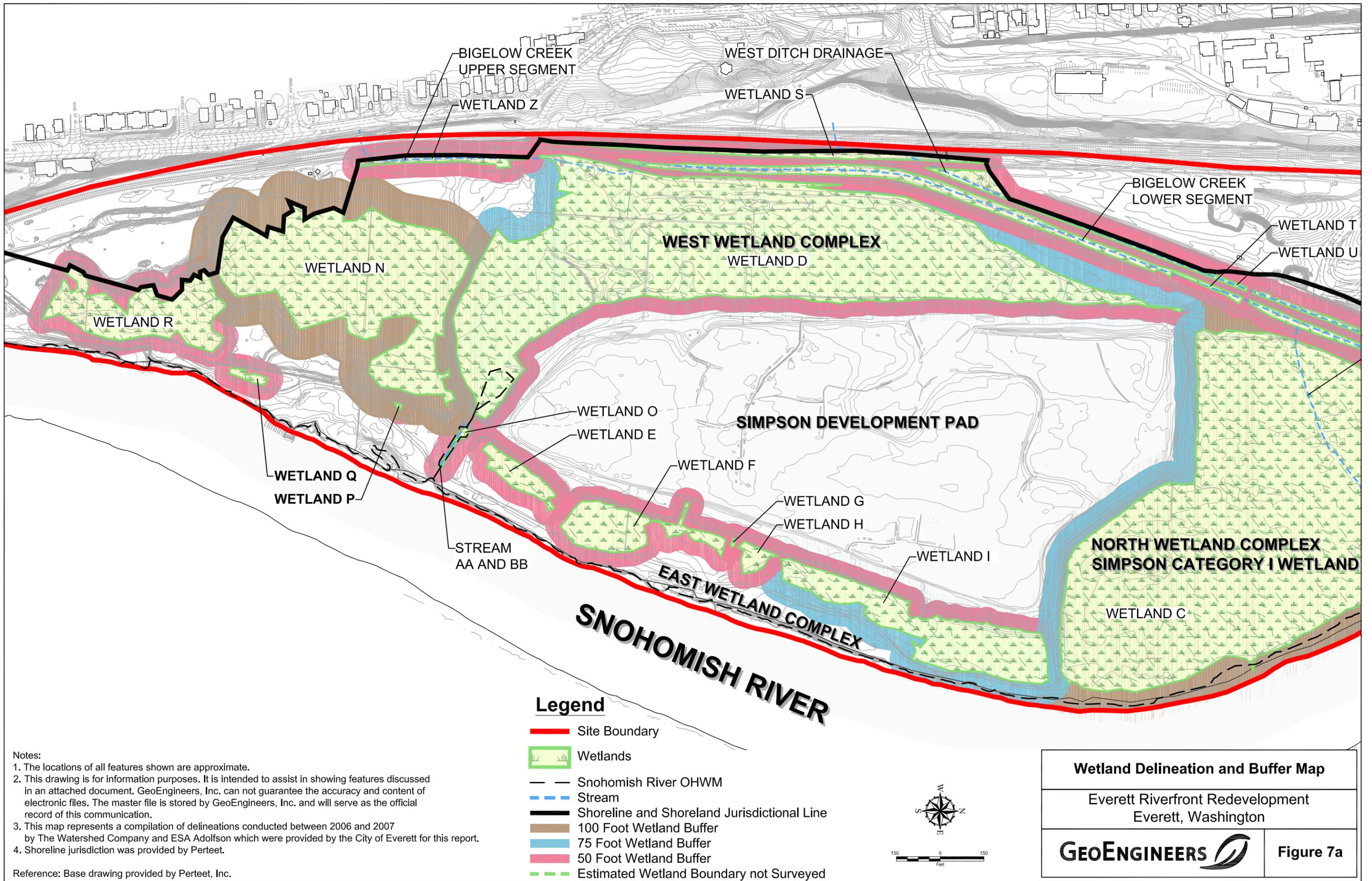
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 3. This map represents a compilation of delineations conducted between 2006 and 2007 by The Watershed Company and ESA Adolfsen which were provided by the City of Everett for this report.
 4. Shoreline jurisdiction was provided by Perteet.

Reference: Base drawing provided by Perteet, Inc.

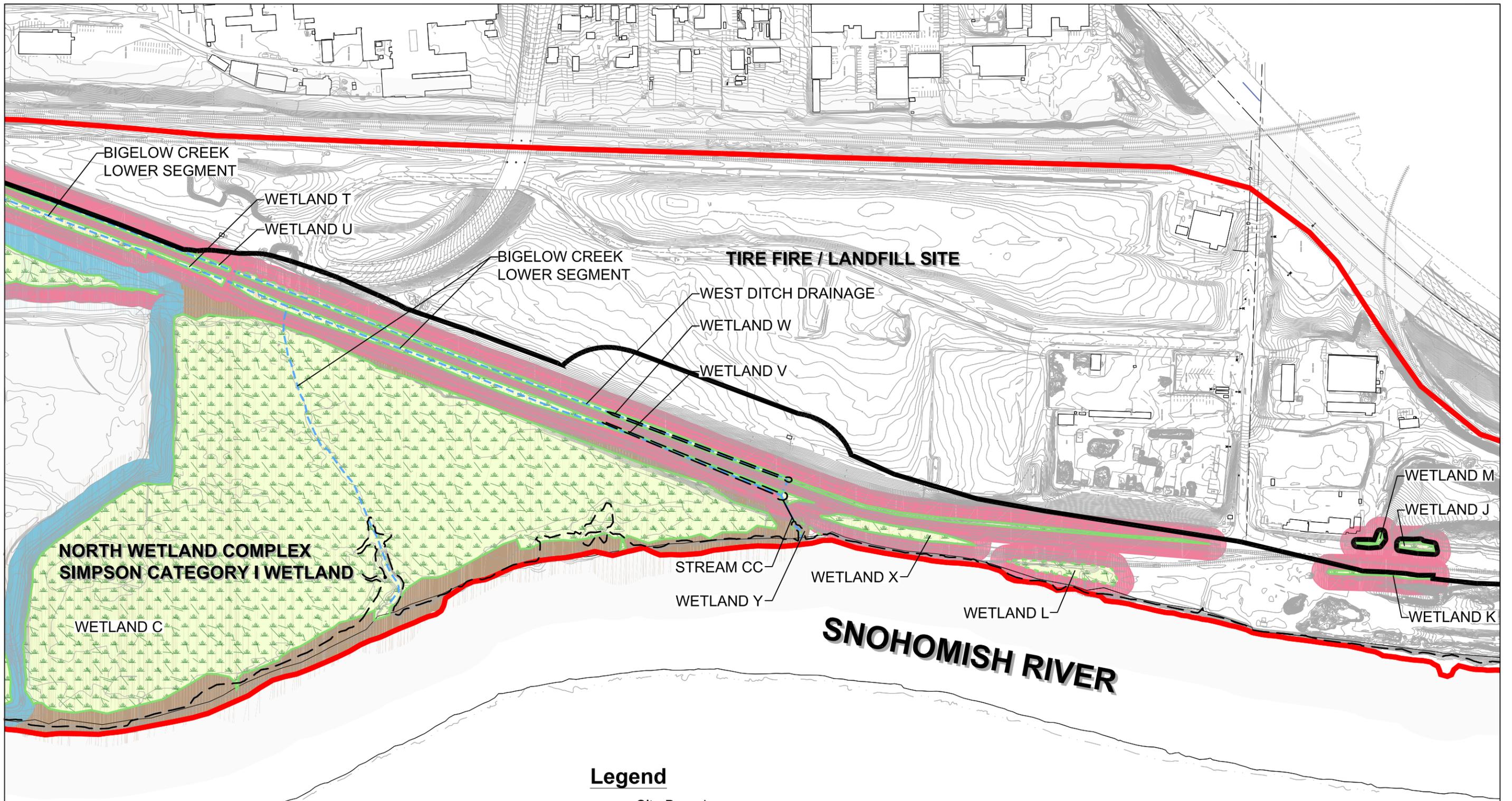


Wetland Delineation and Buffer Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 7

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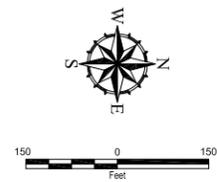


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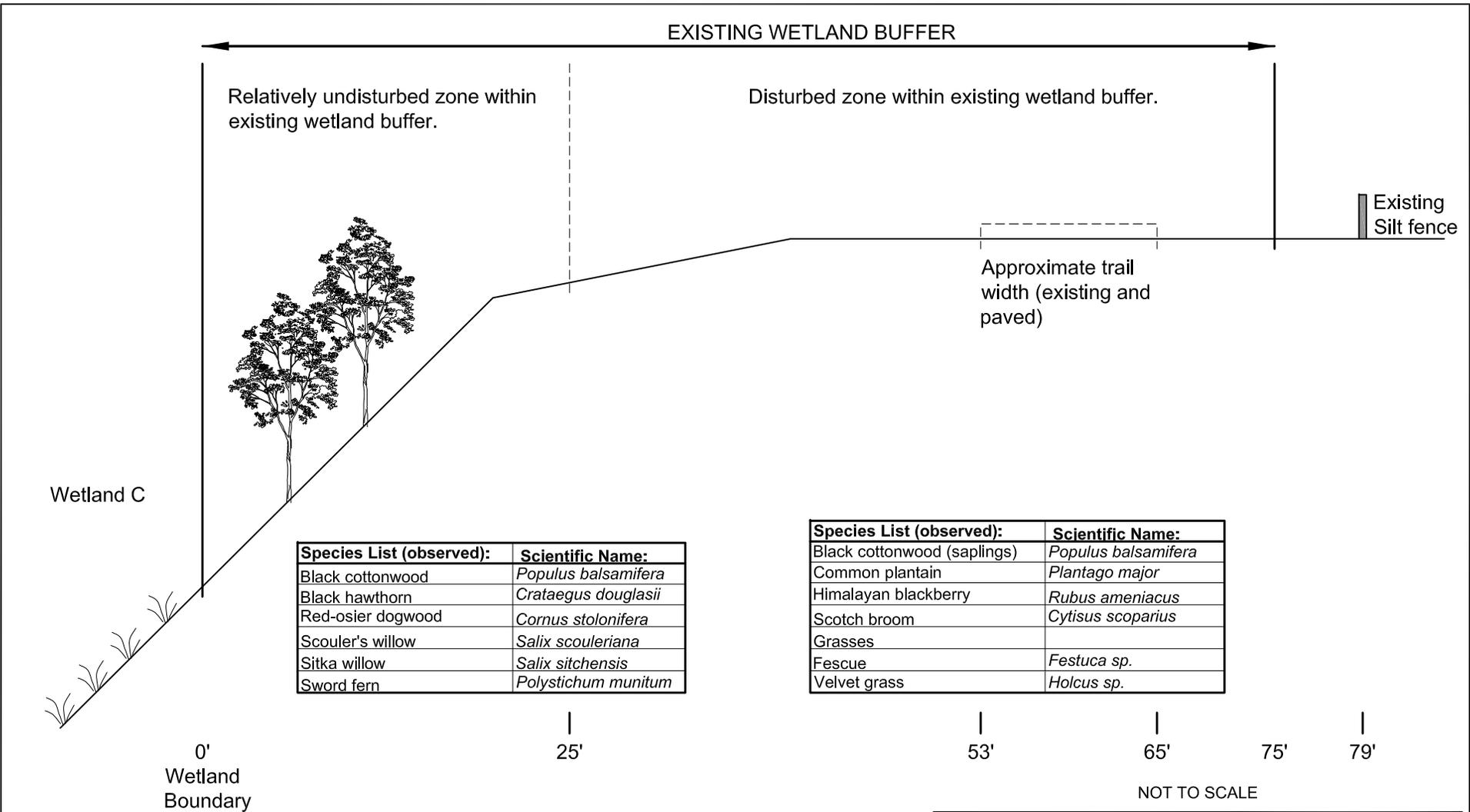
- Site Boundary
- Wetlands
- Snohomish River OHWM
- Stream
- Shoreline and Shoreland Jurisdictional Line
- 100 Foot Wetland Buffer
- 75 Foot Wetland Buffer
- 50 Foot Wetland Buffer
- Estimated Wetland Boundary not Surveyed

Notes:
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 3. This map represents a compilation of delineations conducted between 2006 and 2007 by The Watershed Company and ESA Adolfsen which were provided by the City of Everett for this report.
 4. Shoreline jurisdiction was provided by Perteet.

Reference: Base drawing provided by Perteet, Inc.



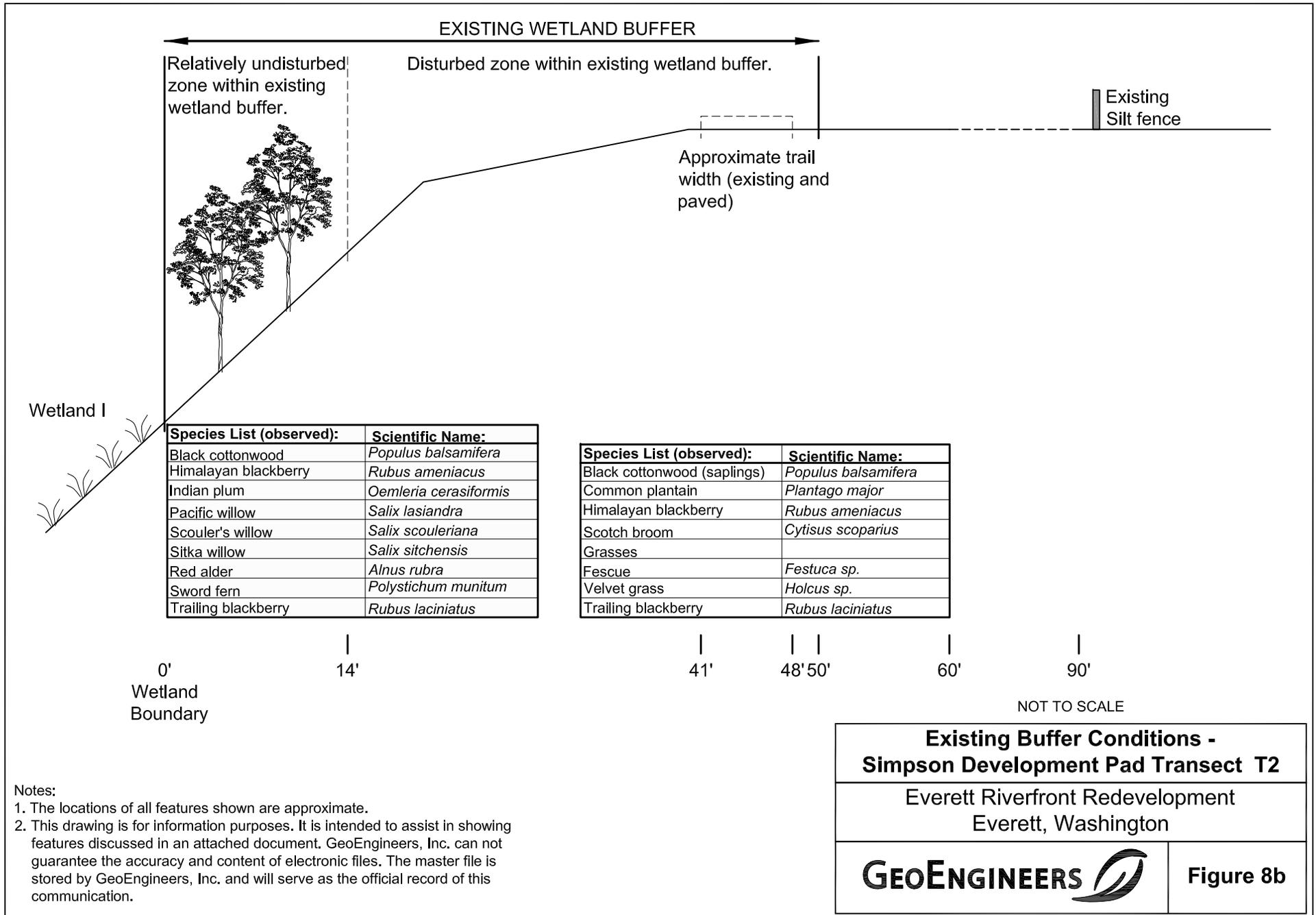
Wetland Delineation and Buffer Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 7b



Notes:

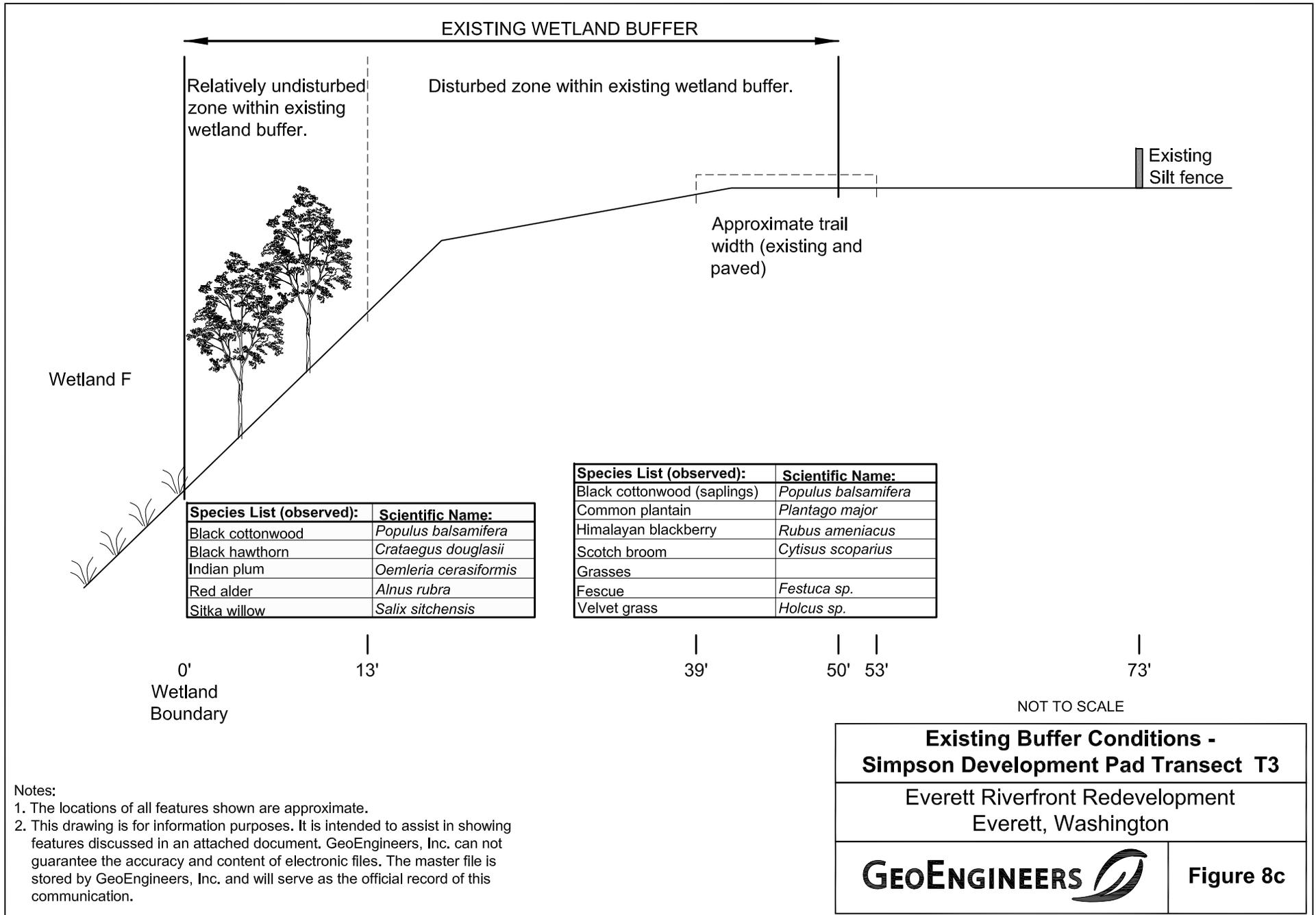
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Existing Buffer Conditions - Simpson Development Pad Transect T1	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 8a



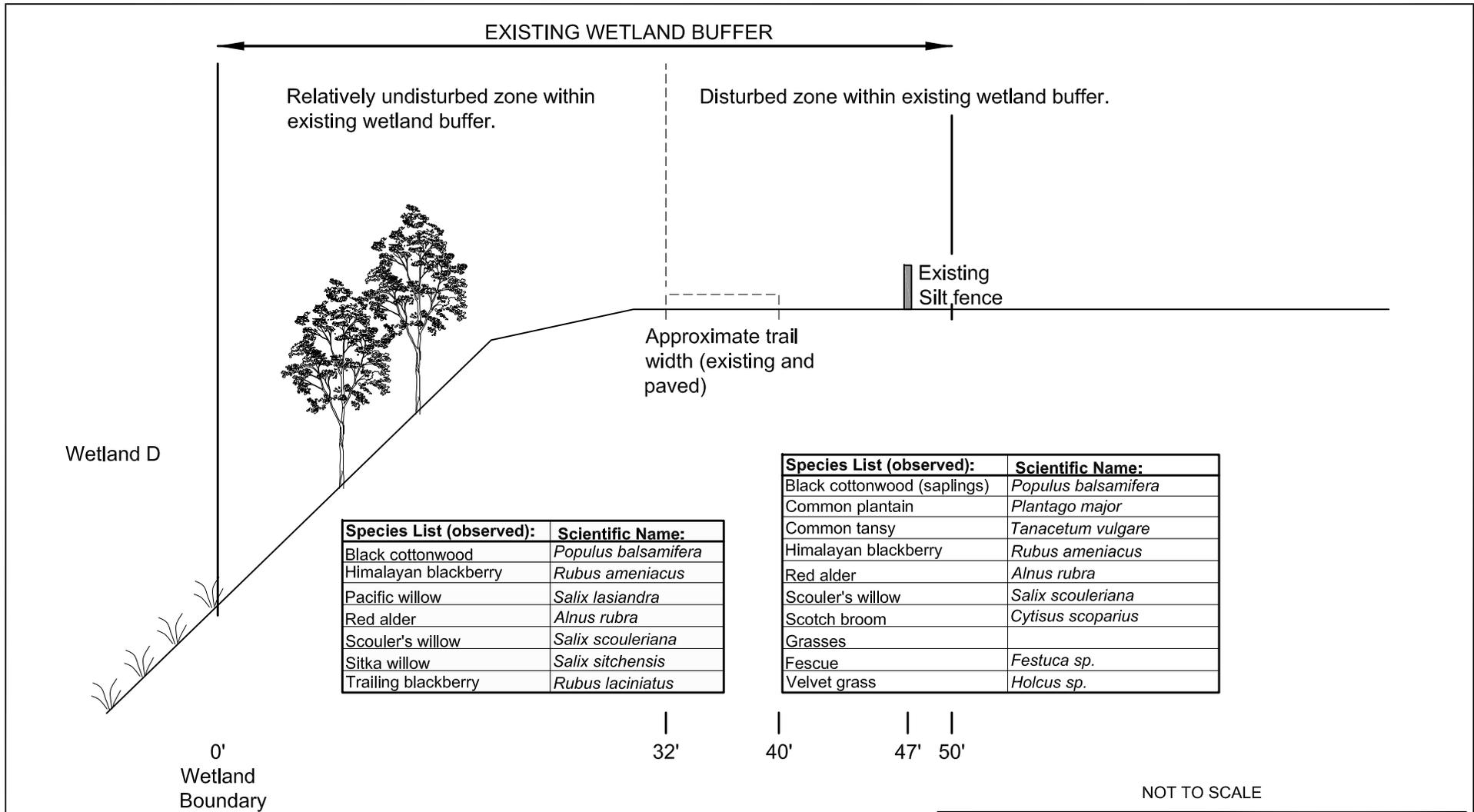
Notes:

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Species List (observed):	Scientific Name:
Black cottonwood	<i>Populus balsamifera</i>
Himalayan blackberry	<i>Rubus ameniacus</i>
Pacific willow	<i>Salix lasiandra</i>
Red alder	<i>Alnus rubra</i>
Scouler's willow	<i>Salix scouleriana</i>
Sitka willow	<i>Salix sitchensis</i>
Trailing blackberry	<i>Rubus laciniatus</i>

Species List (observed):	Scientific Name:
Black cottonwood (saplings)	<i>Populus balsamifera</i>
Common plantain	<i>Plantago major</i>
Common tansy	<i>Tanacetum vulgare</i>
Himalayan blackberry	<i>Rubus ameniacus</i>
Red alder	<i>Alnus rubra</i>
Scouler's willow	<i>Salix scouleriana</i>
Scotch broom	<i>Cytisus scoparius</i>
Grasses	
Fescue	<i>Festuca sp.</i>
Velvet grass	<i>Holcus sp.</i>

NOT TO SCALE

Notes:

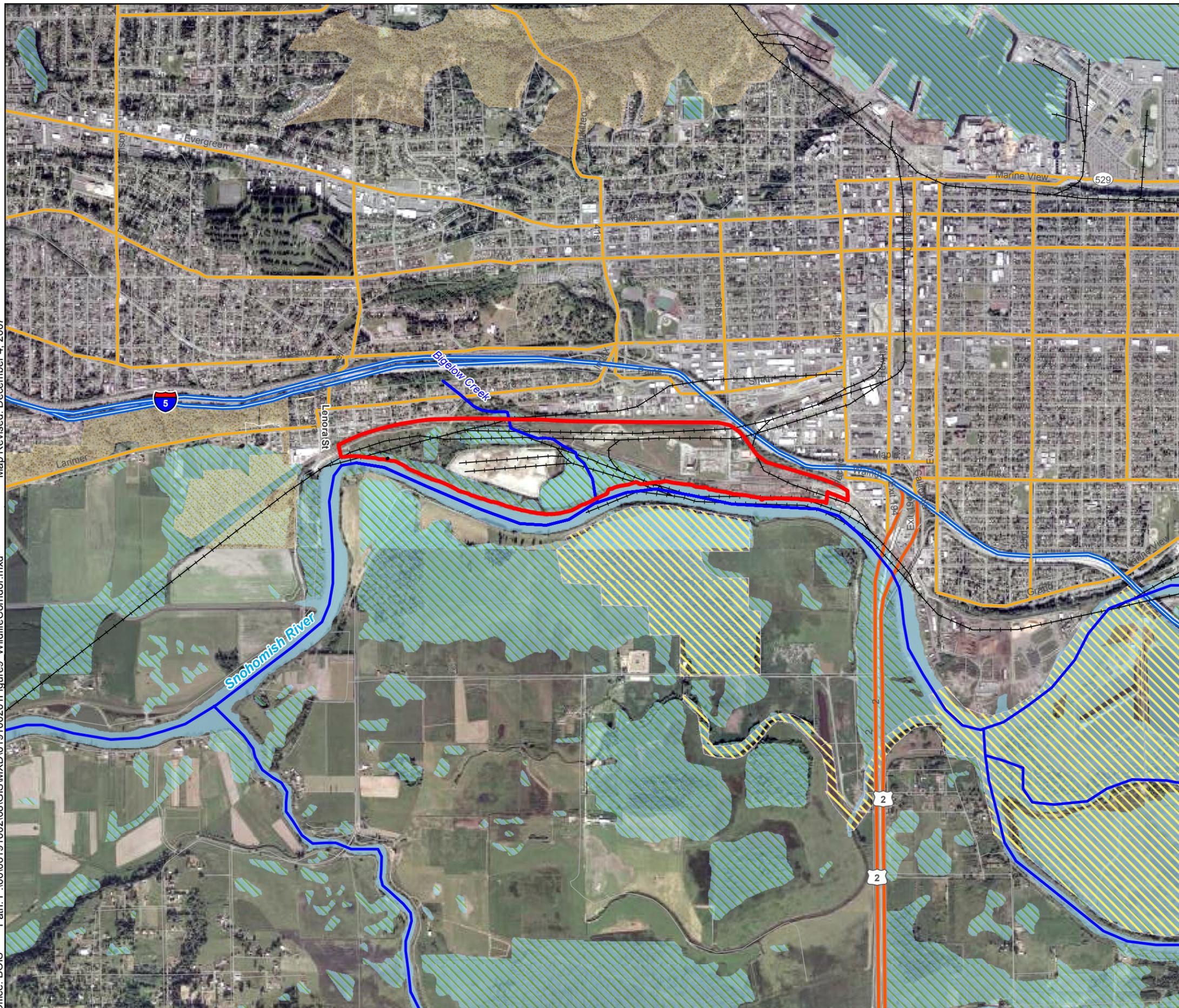
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**Existing Buffer Conditions -
Simpson Development Pad Transect T4**

Everett Riverfront Redevelopment
Everett, Washington

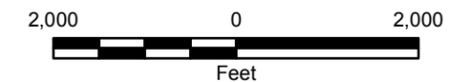


Figure 8d



Explanation

- Project Area
- Anadromous and Resident Fish Presence
- Streams / Rivers
- Wildlife Corridor
- Waterfowl Concentrations
- Wetlands



Notes:

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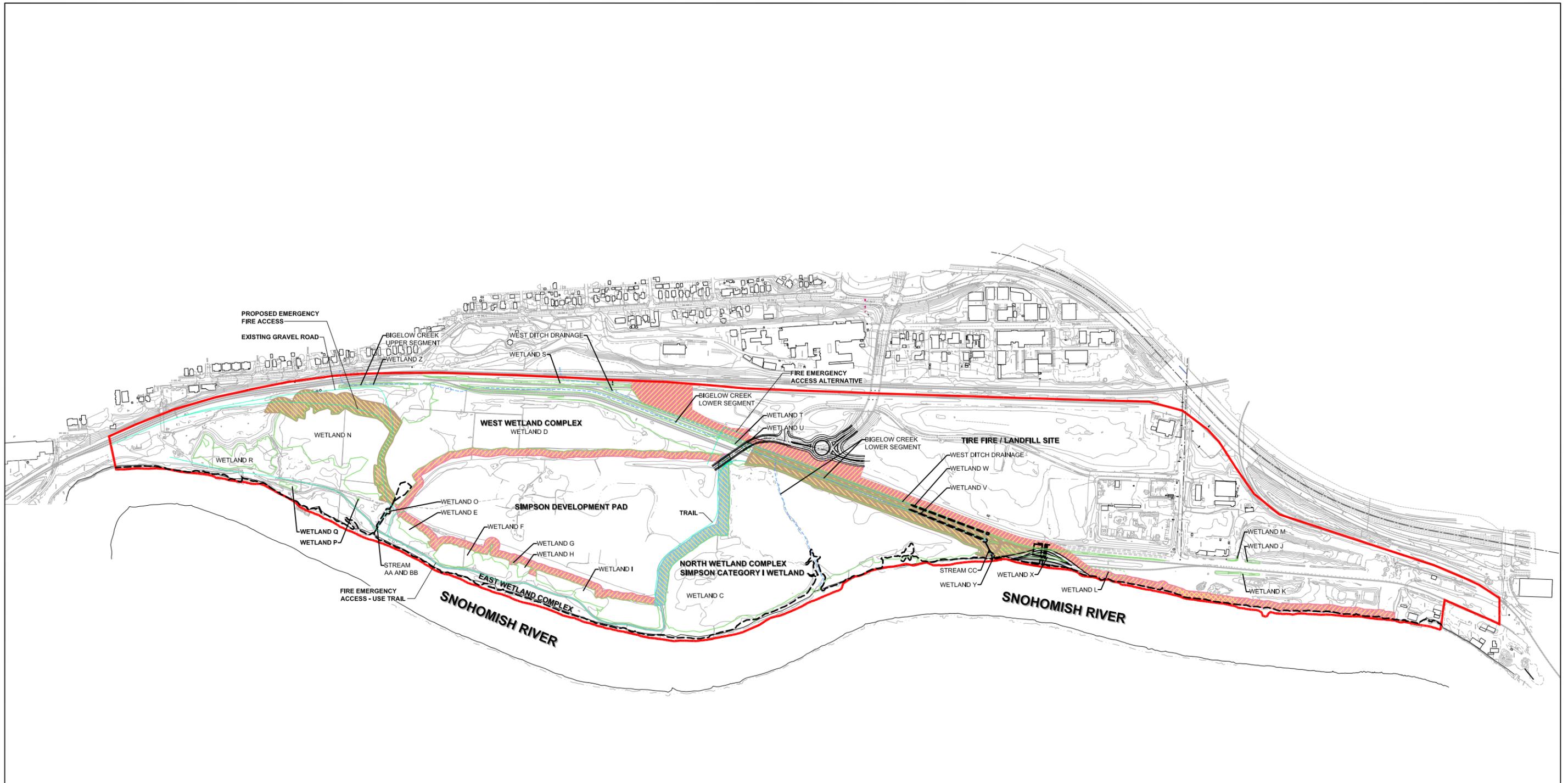
Data Sources:

Aerial image obtained from TerraServer dated Thursday, June 13, 2002.
 Habitat and Species data from Washington Department of Fish and Wildlife. Wetland data from NWI data from National Fish and Wildlife (obtained April 2006) & staff delineation.
 Urban areas and wildlife corridor delineated from field staff.
 Road data provided from ESRI Data & Maps, Street Maps 2005.
 Universal Transverse Mercator, Zone 10, North American Datum 1983

Wildlife Corridor and Species Use Map

Everett Riverfront Redevelopment
Everett, Washington



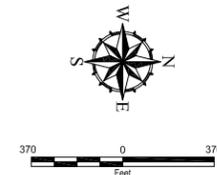


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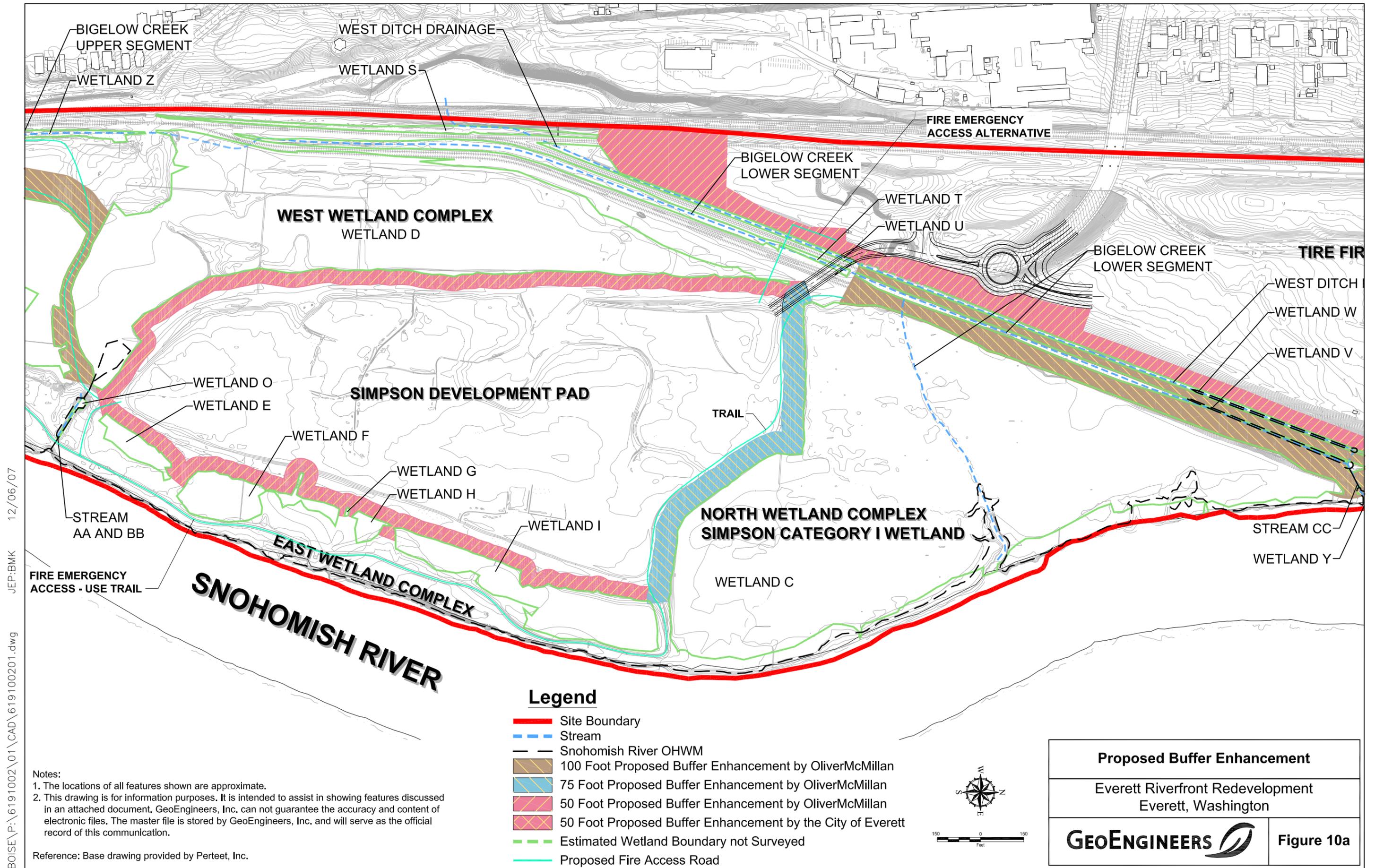
- Site Boundary
- Stream
- Snohomish River OHWM
- 100 Foot Proposed Buffer Enhancement by OliverMcMillan
- 75 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by the City of Everett
- Estimated Wetland Boundary not Surveyed
- Proposed Fire Access Road

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Reference: Base drawing provided by Perteeet, Inc.



Proposed Buffer Enhancement	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 10



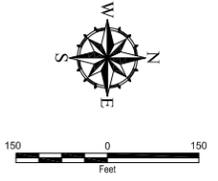
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Reference: Base drawing provided by Pertee, Inc.

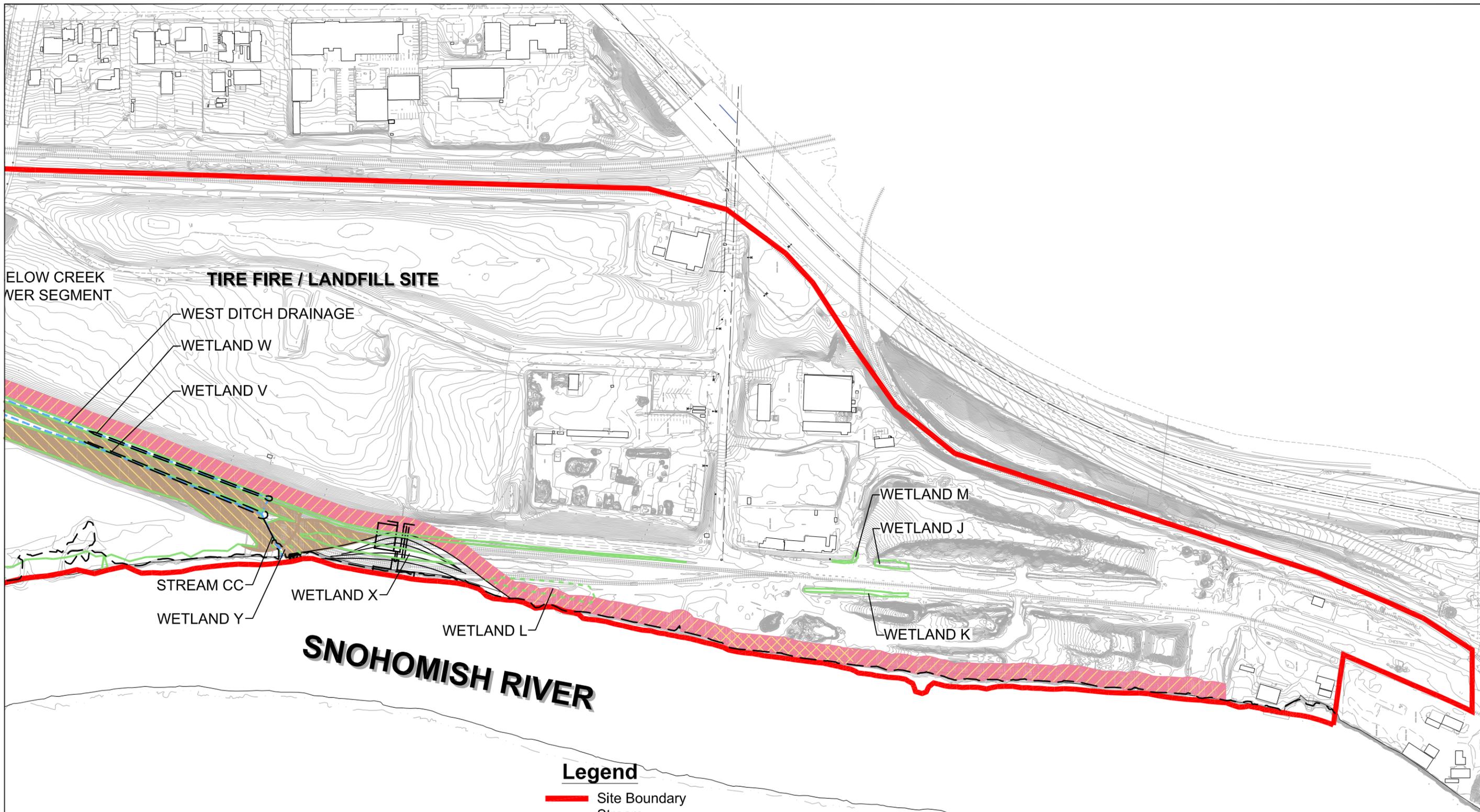
Legend

- Site Boundary
- - - Stream
- Snohomish River OHWM
- 100 Foot Proposed Buffer Enhancement by OliverMcMillan
- 75 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by the City of Everett
- Estimated Wetland Boundary not Surveyed
- Proposed Fire Access Road



Proposed Buffer Enhancement	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 10a

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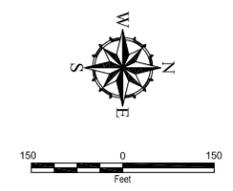


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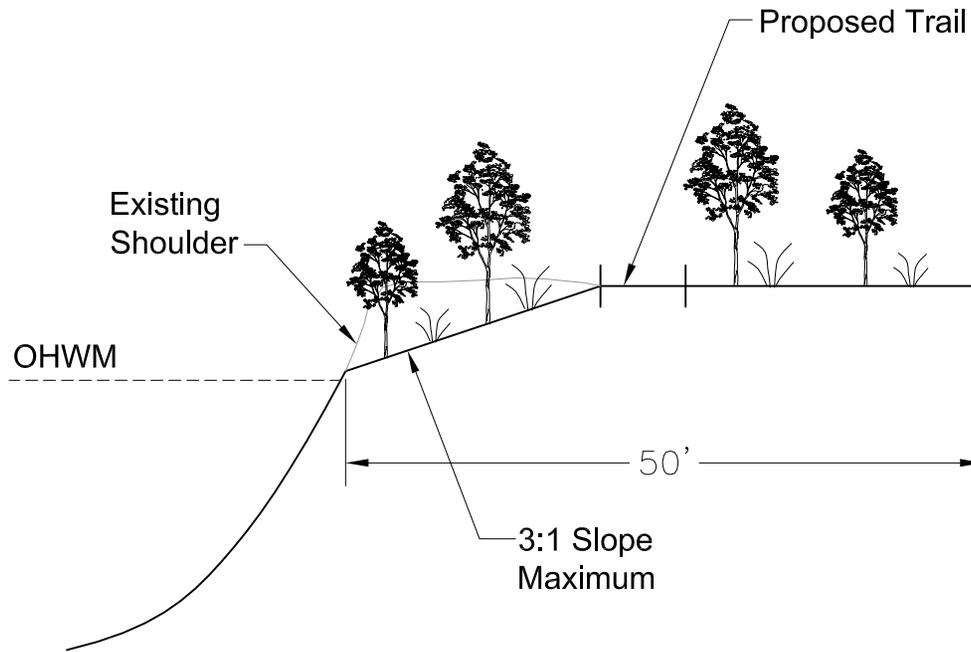
Reference: Drawing provided by Perteet, Inc.

Legend

- Site Boundary
- - - Stream
- Snohomish River OHWM
- 100 Foot Proposed Buffer Enhancement by OliverMcMillan
- 75 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by OliverMcMillan
- 50 Foot Proposed Buffer Enhancement by the City of Everett
- Estimated Wetland Boundary not Surveyed
- Proposed Fire Access Road



Proposed Buffer Enhancement	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 10b



NOT TO SCALE

**Buffer Enhancement -
Shoreline Eclipse Mill**

Everett Riverfront Redevelopment
Everett, Washington



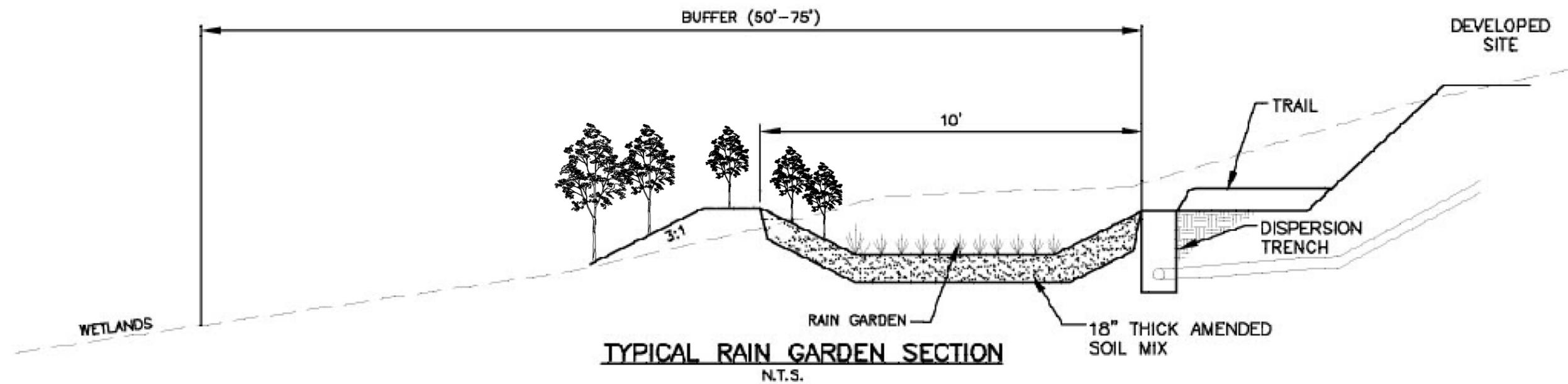
Figure 11

Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Drawing provided by GeoEngineers.

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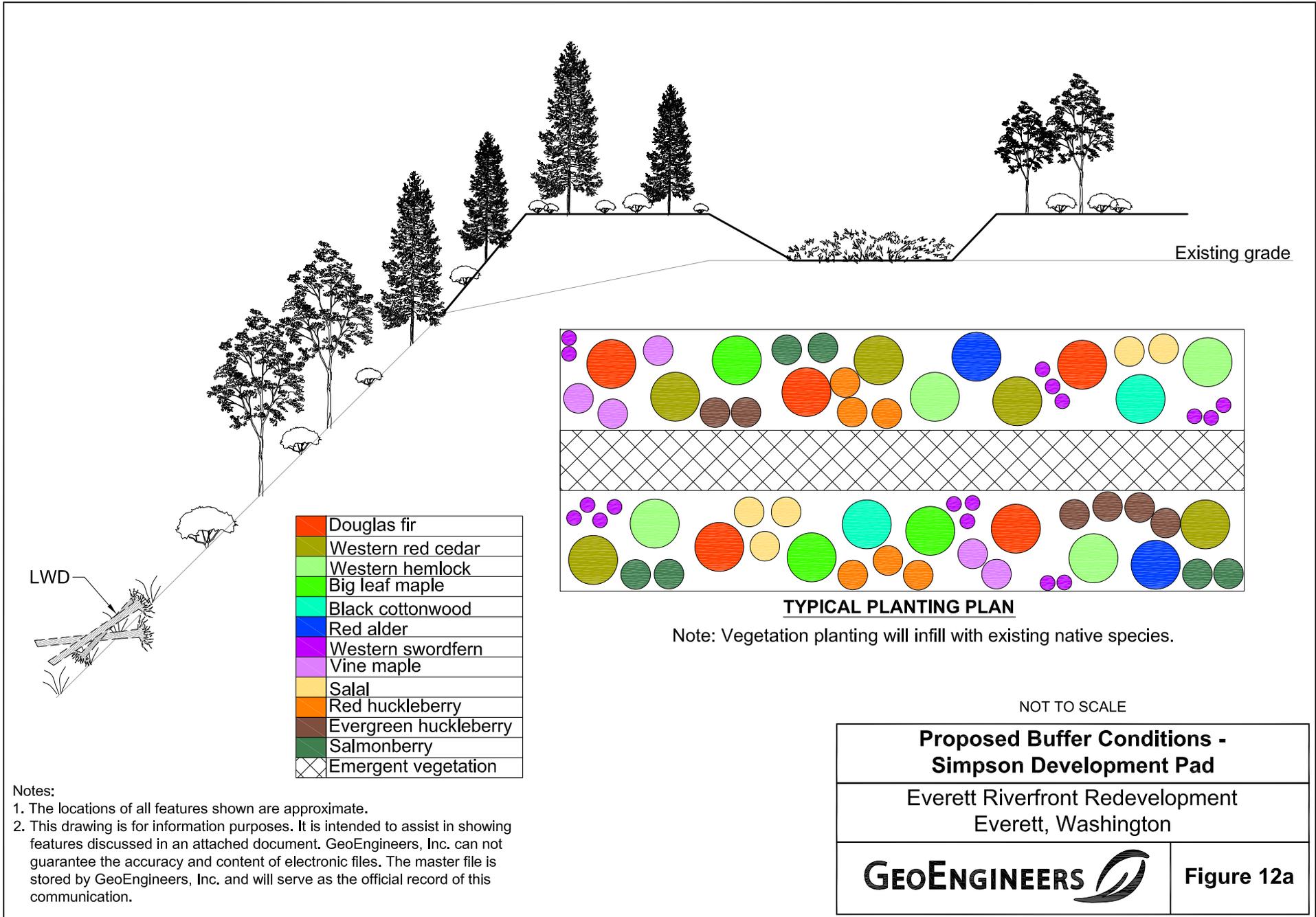


Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Drawing provided by Pertee, Inc.

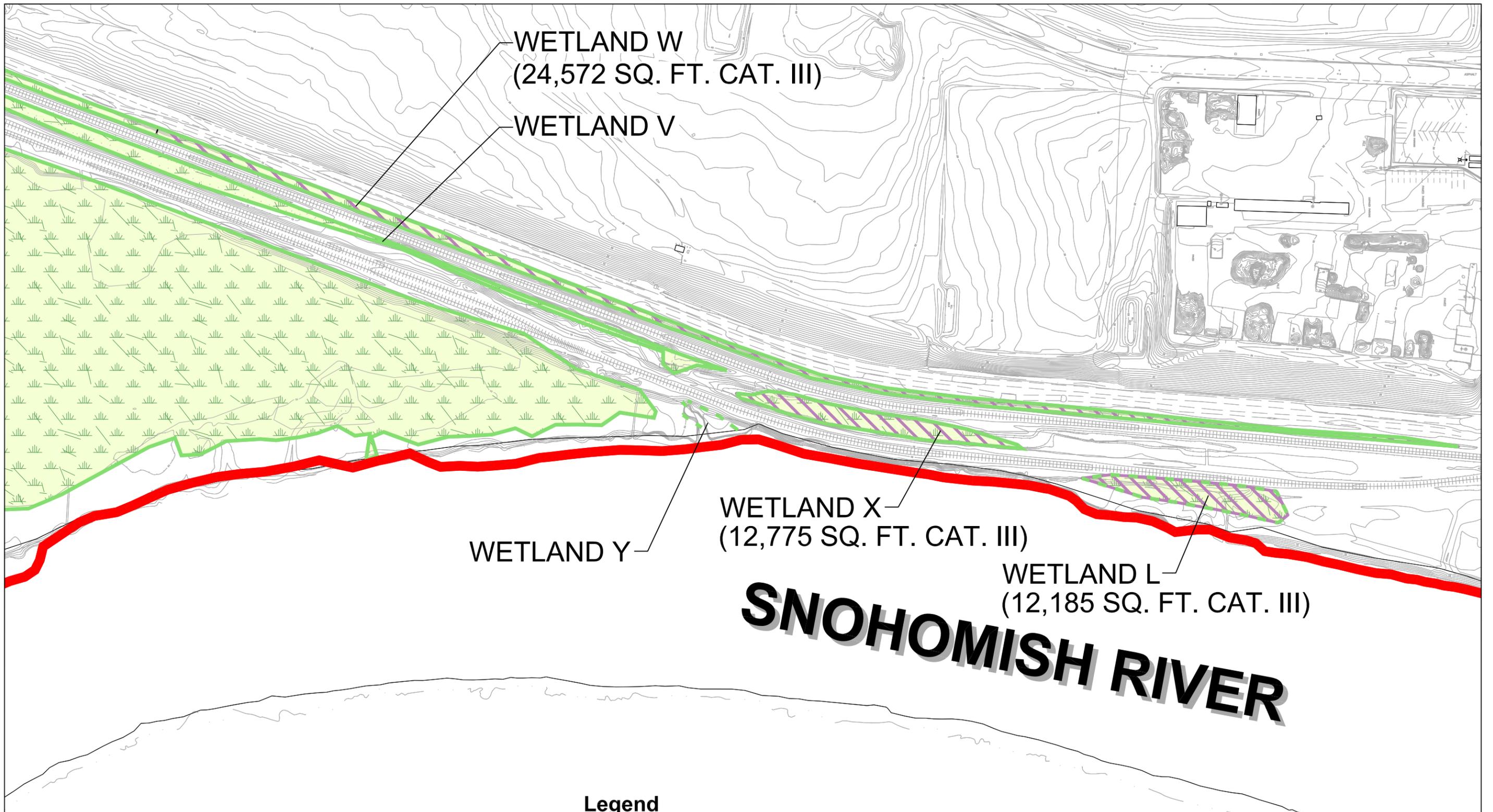
Proposed Buffer Enhancement - Simpson Development Pad	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 12



Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

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WETLAND W
(24,572 SQ. FT. CAT. III)

WETLAND V

WETLAND X
(12,775 SQ. FT. CAT. III)

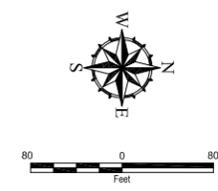
WETLAND Y

WETLAND L
(12,185 SQ. FT. CAT. III)

SNOHOMISH RIVER

Legend

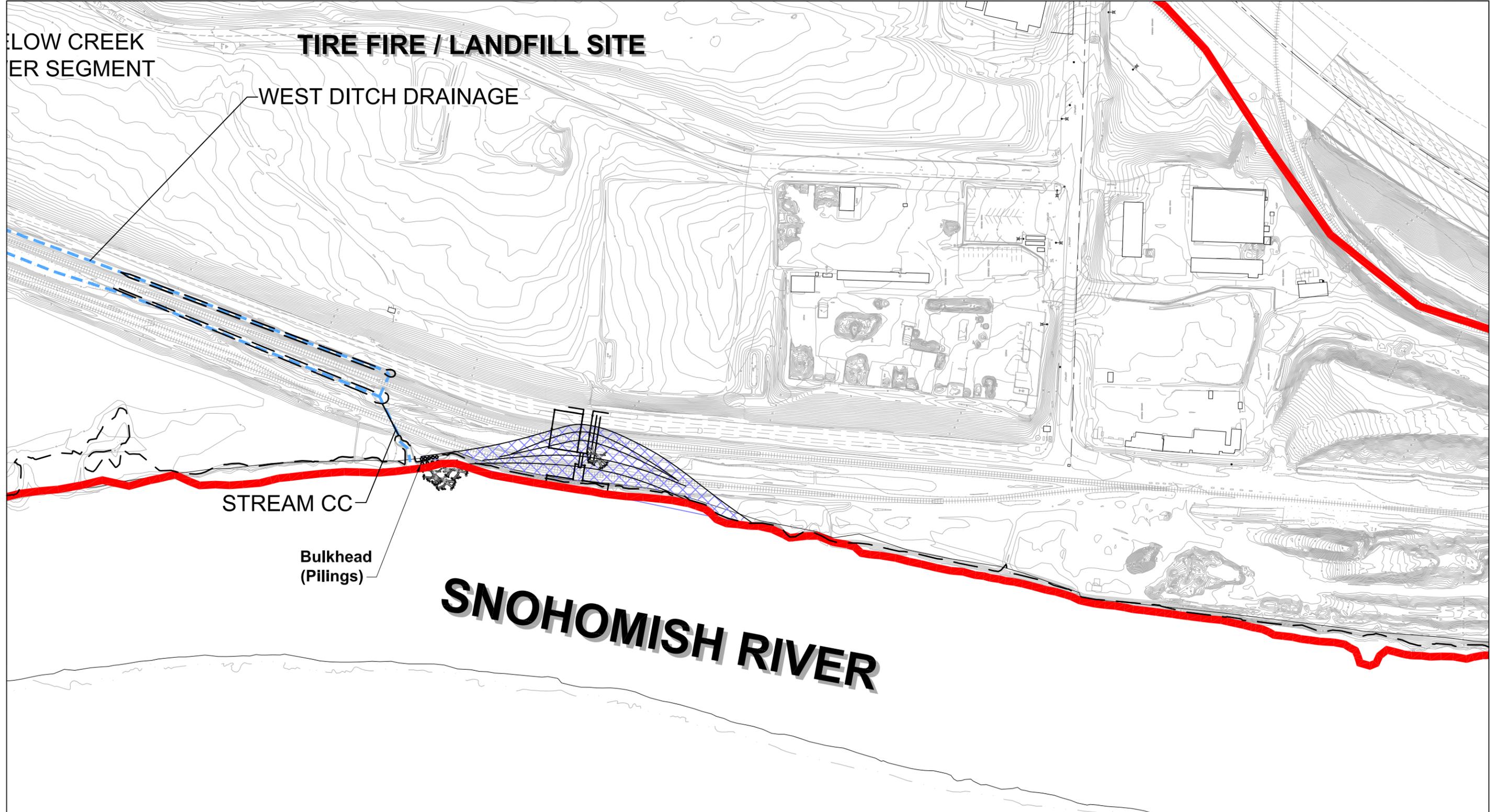
-  Site Boundary
-  Wetlands
-  Proposed Wetland Fill (49,532 sq. ft.)
-  Estimated Wetland Boundary not Surveyed



Notes:
 1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Base drawing provided by Perteet, Inc.

Wetland Resources Impact Map	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 13



Legend

-  Snohomish River OHWM
-  Shoreline Habitat Mitigation



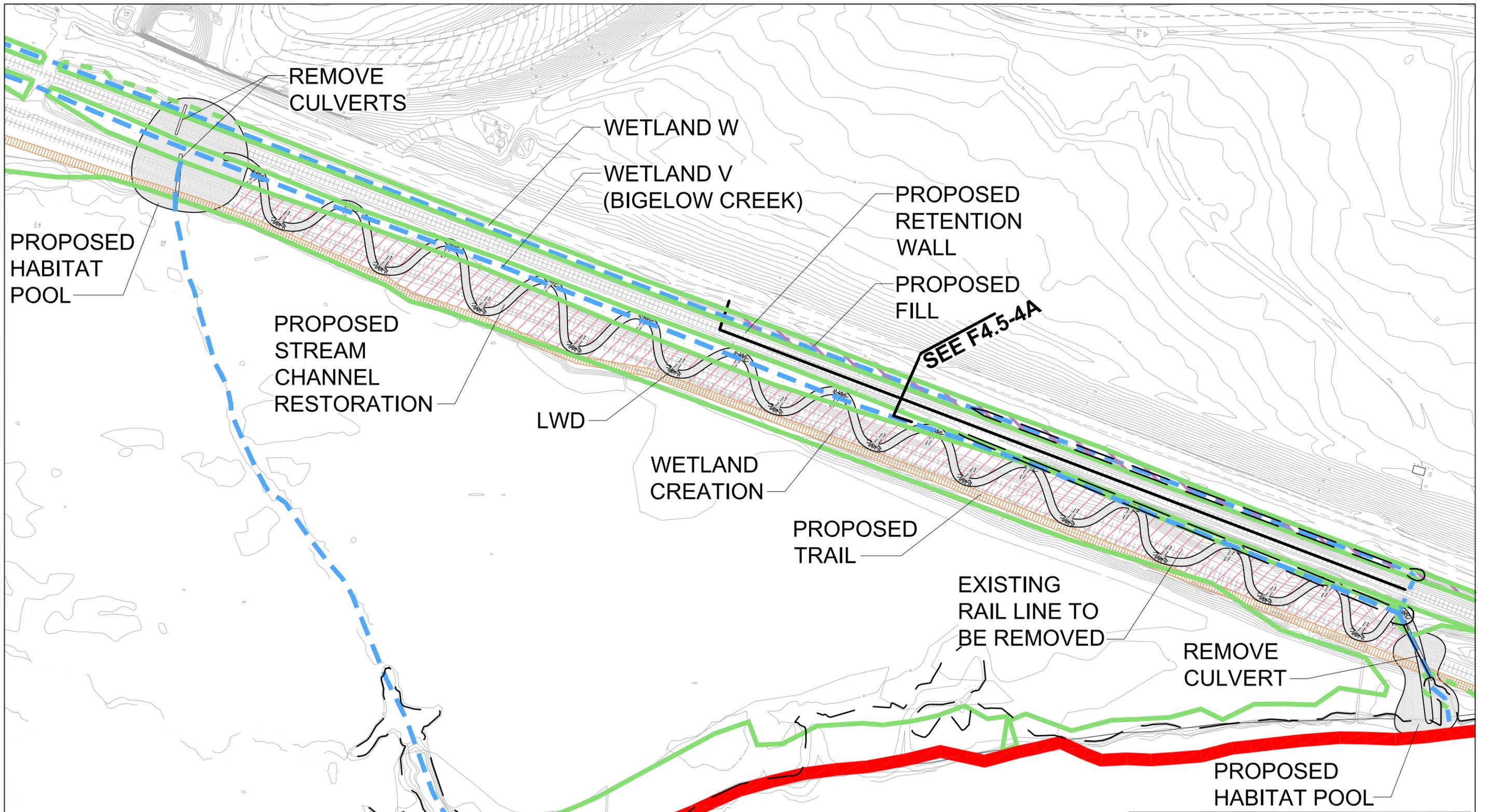
Notes:
 1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Base drawing provided by Perteeet, Inc.

Proposed/Conceptual Shoreline Impacts, Mitigation and Aquatic Access	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS 	Figure 14

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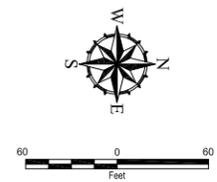


Notes:
 1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
 3. This map represents delineations conducted in 2007 by ESA Adolphson which were provided by the City of Everett for this report.

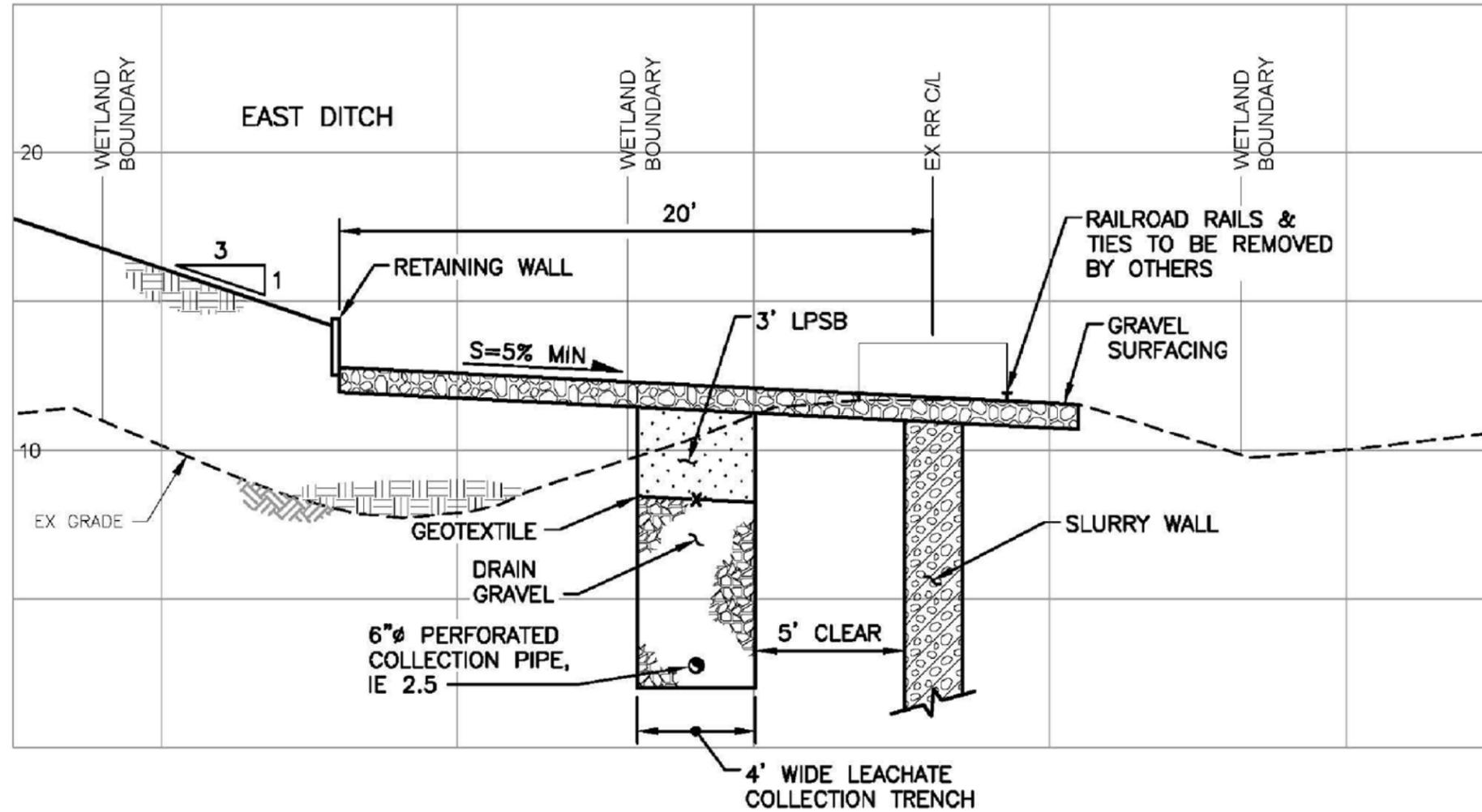
Reference: Base drawing provided by Pertect, Inc.

Legend

- Site Boundary
- Snohomish River OHWM
- - - Stream
- Proposed Wetland Fill
- Proposed Creation (60,134 sq. ft.)
- - - Estimated Wetland Boundary not Surveyed



Conceptual Bigelow Creek Wetland and Channel Restoration	
Everett Riverfront Redevelopment Everett, Washington	
GEOENGINEERS	Figure 15



Notes:

1. The locations of all features shown are approximate.
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Reference: Drawing provided by BHC Consultants, LLC.



Conceptual Bigelow Creek Wetland and Channel Restoration - Cross Section

Everett Riverfront Redevelopment
Everett, Washington



Figure 15a