

SEPA INFORMATION

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**MITIGATED
DETERMINATION OF NON-SIGNIFICANCE
SEPA14-027 & COMP14-003
Waterfront Place Central
September 26, 2014**



Description of Proposal: Amendments to the Planned Development Overlay Rezone approved in 2005 for Port Gardner Wharf/North Marina Development, now named Waterfront Place Central. Also includes a Shoreline Master Plan (SMP) and zoning text amendment to allow residential use in shoreline jurisdiction.

Applicant: Port of Everett
PO Box 538
Everett, WA. 98206

Representative: Terrie Battello, Chief of Business Development
Port of Everett
PO Box 538
Everett, WA. 98206

Location: Everett Waterfront from 1100 to 1500 blocks west of West Marine View Drive

Zoning: W-C Waterfront Commercial

General Plan: 4.5 - Waterfront Commercial

Lead Agency: City of Everett Planning Department

Contact Person: Jim Hanson Phone: (425)257-8731

Mitigation Measures:

The environmental impacts of this proposal are documented in the Environmental Checklist and other information on file with the City. The listed requirements are placed in response to our review of this information:

AGENCIES WITH JURISDICTION

1. A Hydraulics Project Approval (HPA) from the State Department of Fish and Wildlife is required for this project due to discharge of stormwater to a Snohomish River/Port Gardner. A copy of the HPA should be included along with the plans for Public Works review.
2. A National Pollutant Discharge Elimination System (NPDES) permit, a 401 Water Quality Certification Permit, approval to allow Temporary Exceedance of Water Quality Standards, Individual Stormwater Discharge Permit, Construction Stormwater General Permit, Voluntary Cleanup Plan Letter of No Further Action and a Coastal Zone Management Act Consistency

Determination administered by the Washington State Department of Ecology, may be required for clearing, grading and redevelopment activities on this site.

3. The proposal will need Endangered Species Act (ESA) Compliance and Biological Evaluation/Biological (BE/BA) Assessments with the Army Corps of Engineers, National Marine Fisheries and U.S. Fish and Wildlife Service.
4. A Notice of Construction and Consistency with the Clean Air Act must be obtained from the Puget Sound Air Pollution Control Agency for this project.
5. An U.S. Army Corps of Engineers Section 10 Permit for stormwater outfall may be required for this project. The applicant/owner is responsible for obtaining all necessary permits.

MITIGATION OF ADVERSE IMPACTS BY SEPA

EARTH RESOURCES

1. Any grading/fill and redevelopment activities on this site shall implement best management practices (BMPs) so as to eliminate potential impacts of this project. (SEPA Earth, Land and Shoreline Use Policies.)
2. Development of comprehensive temporary erosion and control plan (TESCP) for master planned redevelopment of the site in compliance with City of Everett and Ecology requirements.
3. Port BMPs to control erosion and sedimentation, potentially including but not limited to clearing limits, cover measures, perimeter protections, traffic area stabilization, sediment ponds, portable filter system, surface water collection, and dust control.
4. Installation of a coordinated set of ground improvements on all required portions of the redeveloped site prior to construction of infrastructure and new buildings to minimize potential damage from a major seismic event.
5. Inclusion of structural design components in all new buildings, consistent with City of Everett building code requirements, to minimize damage from a major seismic event.

AIR QUALITY

6. Comply with PSCAA recommendations for managing construction dust and US EPA and PSCAA regulations for handling potential airborne hazardous substances.
7. Pave construction access roads.
8. Use emission reducing equipment/practices for construction.
9. Use carpooling or other trip reduction strategies for construction workers.
10. Route and schedule construction trucks to reduce delays to traffic.

11. Provide on-site transit access, enhanced pedestrian and bicycle circulation system and transportation management program (TMP) for project employees to reduce single occupant vehicle trips within and to the site.
12. Use Port BMPs for control of dust, painting, sand blasting, and fuels/solvents in the new boatyard. Limit boatyard spray painting to licensed operators.
13. Use of proposal's compact transit and pedestrian oriented, mixed use site design to promote non-personal vehicle forms of transportation to reduce greenhouse gas (GHG) and other air emissions.
14. Low impact, sustainable design of the proposal to meet the equivalent of one of the recognized levels of LEED certification to reduce energy consumption and resulting GHG and other air emissions.
15. Develop and use of a menu of coordinated transportation and non-transportation mitigation strategies to reduce air and GHG emissions.
16. Set higher elevations (18.5' MLLW) of first floors of all significant buildings in the proposal and other related design measures that provide additional protection from future increases in 100-year flood elevations that could impact the site.

WATER RESOURCES

17. Ecology Stormwater Permit and controls for sites greater than 5 acres.
18. Construction BMPs such as silt fencing, plastic covering for exposed ground, straw mulch, hydroseeding, sediment traps, rock lined channels, check dams and temporary detention basins.
19. Cleaning construction equipment and vehicles before they leave the site.
20. Implementation of a City of Everett approved Temporary Erosion and Control Plan.
21. Project operation runoff would be collected and treated for 100 percent of the site. A spill response program would be developed and implemented.
22. A stormwater pollution prevention plan would be developed and implemented.
23. Energy dissipating armoring around new and expanded stormwater outfalls would be provided.
24. Obtain coverage under a Stormwater General Permit and use of operational BMPs to meet required water quality standards.

PLANTS AND ANIMALS

25. Add project landscaping to existing unvegetated shoreline edges of the site.
26. Wherever feasible, remove all remaining creosote wood piling and bulkheads and replace with non-contaminating materials.

ENERGY AND NATURAL RESOURCES

27. Adopt and follow City, State and Federal energy conservation guidelines.
28. City of Everett building code energy conservation measures will be used in the development.
29. Port of Everett energy conservation BMPs.
30. Use of low-impact, sustainable design features in new buildings and site improvements.
31. Use of pedestrian and transit-oriented designs in the project and buildings to reduce auto use.

ENVIRONMENTAL HEALTH AND NOISE

32. Ecology approved cleanup plan under its Voluntary Cleanup Program implementation for entire site.
33. Use of approved abatement plan for removal of hazardous materials from demolished buildings.
34. Health and safety procedures to protect workers from exposed contaminated soils during construction.
35. Use of appropriate contaminated soil management practices.
36. Deed restrictions on areas of the redeveloped site with permanently contained hazardous substances.
37. Conduct groundwater compliance monitoring, as needed.
38. Use properly sized/maintained mufflers. Use engine enclosures and intake silencers.
39. Use standard construction site noise reduction techniques including use of electric or hydraulic impact tools.
40. Use of alternatives to impact pile driving where feasible.
41. Use of pile driving sound absorbing barriers and/or other sound reducing measures.
42. Adhere to City noise ordinance hours and other applicable requirements.
43. Incorporate special acoustical design features in all buildings located close to West Marine View Drive to protect uphill homes from noise as per noise studies.

LAND AND SHORELINE USE

44. Incorporation of transit and pedestrian oriented design features.
45. Inclusion of an integrated mix of land uses.
46. Enhanced on-site circulation for pedestrians and bicycles.
47. Provision of new and enhanced pedestrian and transit linkages to downtown Everett and surrounding areas.
48. Inclusion of traffic-calming design features balancing pedestrian and vehicle circulation.
49. Provision a variety of new public gathering places as per approved plan.
50. Provision of public access to previously restricted shoreline areas on the site.
51. The following regulations and commitments will apply to mitigating land use and shoreline impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett Shoreline Master Program; City of Everett/Port of Everett Planned Development Overlay (PDO) Development Agreement (DA) and Urban Design Guidelines; and the Port of Everett Project Covenants, Conditions and Restrictions (CC&Rs).
52. Incorporation of feasible sustainable and low-impact development methods and techniques.
53. Provision of orderly, multi-phase site redevelopment timetable.
54. West Marine View Drive is designated as a "Gateway" corridor in the City's General Plan. The General Plan states, "Because Everett wants to develop and promote an attractive image, all entry corridors into the City should be designated as "Gateways" and standards should be applied to developments along such "Gateways" relating to building design, landscaping, signage, outdoor storage and other aesthetic considerations that will serve to upgrade Everett's image." To meet the intent of the policy, landscaping in excess of Type III must be provided along West Marine View Drive adjacent to the "Craftsman District".

AESTHETICS/VISUAL QUALITY

55. Removal or major renovation of remaining older buildings, and removal of remaining outdoor storage areas.
56. Removal of all overhead utilities.
57. Removal of all potential taller view blocking trees.
58. Construction of master designed urban activity center with: fully landscaped streets and entryways; pedestrian orientation; network of open spaces/plazas; unified landscaping, lighting and signage; architecturally thematic building designs for each district.

59. Reduced large surface parking areas.
60. Attractive rooftop design treatments.
61. The following regulations and commitments will apply to mitigating aesthetic and visual quality impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett/Port of Everett PDO DA and Urban Design Guidelines, and Port of Everett Project CC&Rs.

LIGHT, GLARE AND SHADOWS

62. Coordinated site lighting/shielding and landscaping plan to minimize on and off-site light and glare impacts.
63. Use of non-reflective roofing and façade materials on all buildings.
64. Locate, design and orient all buildings to minimize light, glare and shadow impacts on the most sensitive receiving areas including the site's shoreline walkways and public spaces.
65. The following regulations and commitments will apply to mitigating light and glare impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett zoning code and Shoreline Master Program, City of Everett/Port of Everett PDO DA and Urban Design Guidelines, Port of Everett Project CC&Rs.

PARKS AND RECREATION

66. New system of shoreline access areas, expanded public walkways, public spaces and recreational facilities (more than 21 new total acres).
67. New park, pathway and plaza improvements in early project phases.
68. The following regulations and commitments will apply to mitigating parks and recreation impacts: City of Everett zoning code and Shoreline Master Program, City of Everett/Port of Everett PDO DA and Urban Design Guidelines, Port of Everett Project CC&Rs.

HISTORICAL AND CULTURAL RESOURCES

69. Archeologist review of geotechnical data and final design plans with any appropriate follow-up actions. Archeological monitoring during any major excavations with potential for disturbance.
70. Documentation of historical and cultural resources that cannot be retained, and consideration of on or off-site relocation of resources that otherwise would not be retained.
71. Interpretive signage on use of site and lost resources.
72. Inclusion of referential building to commemorate lost resources.

TRANSPORTATION

73. No traffic mitigation fees are due for this project at this time. Traffic mitigation fees will be assessed in accordance with EMC 18.40, as amended, as individual projects or phases are brought forward.
74. City of Everett traffic mitigation ordinance fee payments for each project element.
75. Use of a coordinated set of mitigation measures based on the proposal's form of compact, transit and pedestrian oriented, mixed use site redevelopment with opportunities to live, work, obtain essential services and recreate on a single site.
76. Installation of traffic signal at 13th Street and West Marine View Drive.
77. Lane improvements on Alverson Boulevard at West Marine View Drive intersection.
78. Provision of a parking management plan for all site uses to maximize efficient use of all of the proposal's parking facilities.
79. Elimination of up to 18 existing driveways on West Marine View Drive.
80. Elimination of remaining industrial use generated heavy vehicle traffic on weekdays.
81. Provision of on-site transit access and layover ability.
82. Provision of on-site enhanced pedestrian and bicycle circulation system.
83. Provision of a transportation management program (TMP) for project employees.

PUBLIC SERVICES AND UTILITIES

84. The Everett Fire Department has commented that the project needs to have adequate access to all buildings, with 20 feet of unobstructed width, minimum clearance of 13'6", inside and outside turn radii of 35 feet and 55 feet respectively. Slope and grade to EFD standards and all fire lanes, including grasscrete and esplanade, must meet weight requirements. The Applicant has been in contact with fire department, access plans and proposed fire hydrant locations are acceptable. Required improvements will be subject to field inspection at each phase of construction.
85. Provision of well-designed internal street system to facilitate efficient emergency services access to all parts of site.
86. Provision of new, fully looped water distribution and fire hydrant system to provide adequate fire flow.
87. Removal or substantial renovation of all remaining older, non-current code compliant buildings and major structures on the site.
88. City of Everett zoning and building codes and payment of applicable school impact mitigation and utility design and connection requirements.

89. Payment of substantial new state and local property, leasehold, business and occupation and sales taxes during construction and operation of the project.
90. Snohomish County PUD No. 1 has commented that an additional substation is required in the area to handle built-out peak demand and electrical system infrastructure improvements that will result from this project. The PUD and the Port have been in consultation regarding the need for a new substation and examining alternative site locations.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2). The City as the lead agency will not act on this proposal for 21 days from the date below. Comments must be submitted by October 17, 2014.

Responsible

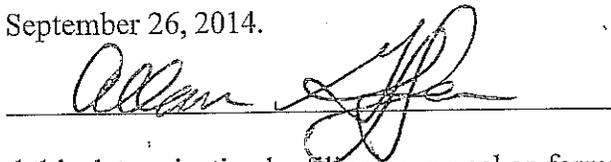
Official: Allan Giffen, Director Phone: (425)257-8731

Title: Planning and Community Development Interim Responsible Official

Address: 2930 Wetmore Avenue, Suite 8-A, Everett, WA 98201

Date: September 26, 2014.

Signature:



You may appeal this determination by filing an appeal on forms provided by the Planning Department and a fee to the Planning/Community Development Permit Services Counter at 3200 Cedar Street, 2nd Floor. The appeal period ends on October 17, 2014.

Contact Jim Hanson to read or ask about the procedures for SEPA appeals.

NOTE: A DNS may be withdrawn in the event of significant changes in the proposal, disclosure of new significant information, misrepresentation by the applicant, or failure to comply with the conditions upon which this Determination of Non-Significance is predicated.

**WATERFRONT PLACE CENTRAL
SEPA MITIGATION**

Element of the Environment And Mitigation Measure	Action Mitigation is tied to	Where found in SEPA Documents	Resp. Party	Implementation Time Frame
<p><i>Earth Resources: Mitigation Measures Designed into the Proposal and Other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Development of comprehensive temporary erosion and control plan (TESCP) for master planned redevelopment of the site in compliance with City of Everett and Ecology requirements • Port BMPs to control erosion and sedimentation, potentially including but not limited to clearing limits, cover measures, perimeter protections, traffic area stabilization, sediment ponds, portable filter system, surface water collection, and dust control • Installation of a coordinated set of ground improvements on all required portions of the redeveloped site prior to construction of infrastructure and new buildings to minimize potential damage from a major seismic event • Inclusion of structural design components in all new buildings, consistent with City of Everett building code requirements, to minimize damage from a major seismic event 	<p>Construction of any structural improvements or any construction that can move soil.</p>	<p>SEPA Checklist section B.1.h.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>During any construction activity. Shoreline Permits, Building Permits, Public Works Permits, Federal and Dept. of Ecology Permits</p>

<p><i>Air Quality: Mitigation Measures Designed into the Proposal and Other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Comply with PSCAA recommendations for managing construction dust and US EPA and PSCAA regulations for handling potential airborne hazardous substances • Pave construction access roads • Use emission reducing equipment/practices for construction • Use car pooling or other trip reduction strategies for construction workers • Route and schedule construction trucks to reduce delays to traffic • Provide on-site transit access, enhanced pedestrian and bicycle circulation system and transportation management program (TMP) for project employees to reduce single occupant vehicle trips within and to the site • Use Port BMPs for control of dust, painting, sand blasting, and fuels/solvents in the new boatyard • Limit boatyard spray painting to licensed operators • Use of proposal's compact transit and pedestrian oriented, mixed use site design to promote non-personal vehicle forms of transportation to reduce greenhouse gas (GHG) and other air emissions • Low impact, sustainable design of the proposal to meet the equivalent of one of the recognized levels of LEED certification to reduce energy consumption and resulting GHG and other air emissions • Use of a menu of coordinated transportation and non-transportation mitigation strategies to reduce air and GHG emissions • Set higher elevations of first floors of all significant buildings in the proposal and other related design measures that provide additional protection from future increases in 100-year flood elevations that could impact the site 	<p>All site redevelopment construction activities and long-term operations related to the proposal</p>	<p>SEPA Checklist section B.2.c.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>During any construction activity and during long-term operation of the proposal. Building permits.</p>
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<p><i>Water Resources: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Ecology Stormwater Permit and controls for sites greater than 5 acres • Construction BMPs such as silt fencing, plastic covering for exposed ground, straw mulch, hydroseeding, sediment traps, rock lined channels, check dams and temporary detention basins • Cleaning construction equipment and vehicles before they leave the site. • Implementation of a City of Everett approved Temporary Erosion and Control Plan • Project operation runoff would be collected and treated for 100 percent of the site. A spill response program would be developed and implemented • A stormwater pollution prevention plan would be developed and implemented • Energy dissipating armoring around new and expanded stormwater outfalls would be provided • Obtain coverage under a Stormwater General Permit and use of operational BMPs to meet required water quality standards 	<p>Redevelopment of the site including site improvements, installation of utilities and other construction activities</p>	<p>SEPA Checklist B.3.d.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>During any construction activity and during long-term operation of the proposal. Shoreline Permits, Building Permits, Public Works Permits, Federal and Dept. of Ecology Permits</p>
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<p><i>Plants and Animals: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Ecology Stormwater Permit and controls for sites greater than 5 acres • Construction BMPs such as silt fencing, plastic covering for exposed ground, straw mulch, hydroseeding, sediment traps, rock-lined channels, check dams and temporary detention basins. • Cleaning construction equipment and vehicles before they leave the site. • Implementation of a City of Everett approved Temporary Erosion and Control Plan • Project operation runoff would be collected and treated for 100 percent of the site • A spill response program would be developed and implemented • A stormwater pollution prevention plan would be developed and implemented • Energy dissipating armoring around new and expanded stormwater outfalls would be provided • Add project landscaping to existing unvegetated shoreline edges of the site • Wherever feasible, remove all remaining creosote wood piling and bulkheads and replace with non-contaminating materials 	<p>Redevelopment of the site including site improvements, installation of utilities and other construction activities</p>	<p>SEPA Checklist B.4.d and B.5.d.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>During any construction activity and during long-term operation of the proposal. Shoreline Permits, Building Permits, Public Works Permits, Federal and Dept. of Ecology Permits</p>
<p><i>Energy and Natural Resources: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • City, State and Federal energy conservation guidelines • City of Everett building code energy conservation measures • Port of Everett energy conservation BMPs • Use of low-impact, sustainable design features in new buildings and site improvements • Use of pedestrian and transit-oriented design in the project to reduce auto use 	<p>All site redevelopment construction activities and long-term operations related to the proposal</p>	<p>SEPA Checklist B.6.c.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>During any construction activity and during long-term operation of the proposal. Building permits.</p>

<p><i>Environmental Health and Noise: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Ecology approved cleanup plan under its Voluntary Cleanup Program implementation for entire site • Use of approved abatement plan for removal of hazardous materials from demolished buildings • Health and safety procedures to protect workers from exposed contaminated soils during construction • Use of appropriate contaminated soil management practices • Deed restrictions on areas of the redeveloped site with permanently contained hazardous substances • Conduct groundwater compliance monitoring, as needed • Use properly sized/maintained mufflers • Use engine enclosures and intake silencers • Use standard construction site noise reduction techniques including use of electric or hydraulic impact tools • Use of alternatives to impact pile driving where feasible • Use of pile driving sound absorbing barriers and/or other sound reducing measures • Adhere to City noise ordinance hours and other applicable requirements • Incorporate special acoustical design features in all buildings located close to West Marine View Drive 	<p>All site redevelopment construction activities and long-term operations related to the proposal</p>	<p>SEPA Checklist B.7.a.4) and B.7.b.3.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>Prior to development permits. During any construction activity and during long-term operation of the proposal. Building permits.</p>
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<p><i>Land and Shoreline Use: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Incorporation of transit and pedestrian oriented design features • Inclusion of an integrated mix of land uses • Enhanced on-site circulation for pedestrians and bicycles • Provision of new and enhanced pedestrian and transit linkages to downtown Everett and surrounding areas • Inclusion of traffic-calming design features while enhancing vehicle circulation • Provision a variety of new public gathering places • Provision of public access to previously restricted shoreline areas on the site* • City of Everett Comprehensive plan, zoning and development regulations • City of Everett Shoreline Master Program • City of Everett/Port of Everett Planned Development Overlay (PDO) Development Agreement (DA) and Urban Design Guidelines • Port of Everett Project CC&Rs • Incorporation of feasible sustainable and low-impact development methods and techniques • Provision of orderly, multi-phase site redevelopment timetable 	<p>All site redevelopment construction activities and long-term land and shoreline use operations related to the proposal</p>	<p>SEPA Checklist B.8.I.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>PDO DA, Land division, Shoreline permits.</p> <p>During any construction activity and during long-term operation of the proposal. Building permits.</p>
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<p><i>Aesthetics/Visual Quality: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Removal or major renovation of remaining older buildings, and removal of remaining outdoor storage areas • Removal of all overhead utilities • Removal of all potential taller view blocking trees • Creation of permanent on-site view corridor • Construction of master designed urban activity center with: fully landscaped streets and entryways; pedestrian orientation; network of open spaces/plazas; unified landscaping, lighting and signage; architecturally thematic building designs for each district • Reduced large surface parking areas • Attractive rooftop design treatments • City of Everett/Port of Everett PDO DA and Urban Design Guidelines • Port of Everett Project CC&Rs 	<p>All site redevelopment construction activities and long-term land and shoreline use operations related to the proposal</p>	<p>SEPA Checklist Section B.10.c.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>PDO DA, Land division, Shoreline permits.</p> <p>During any construction activity and during long-term operation of the proposal. Building permits.</p>
<p><i>Light, Glare and Shadows: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Coordinated site lighting/shielding and landscaping plan to minimize on and off-site light and glare impacts • Use of non-reflective roofing and façade materials on all buildings • Locate, design and orient all buildings to minimize light, glare and shadow impacts on the most sensitive receiving areas including the site's shoreline walkways and public spaces • City of Everett zoning code and Shoreline Master Program • City of Everett/Port of Everett PDO DA and Urban Design Guidelines • Port of Everett Project CC&Rs 	<p>All site redevelopment construction activities and long-term land and shoreline use operations related to the proposal</p>	<p>SEPA Checklist Section B.11.d.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>PDO DA, Land division, Shoreline permits.</p> <p>During any construction activity and during long-term operation of the proposal. Building permits.</p>

<p><i>Parks and Recreation: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • New system of shoreline access areas, expanded public walkways, public spaces and recreational facilities (more than 21 new total acres) • New park, pathway and plaza improvements in early project phases • City of Everett zoning code and Shoreline Master Program • City of Everett/Port of Everett PDO DA and Urban Design Guidelines • Port of Everett Project CC&Rs 	<p>All site redevelopment construction activities and long-term land and shoreline use operations related to the proposal</p>	<p>SEPA Checklist Section B.12.c.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>PDO DA, Land division, Shoreline permits.</p> <p>During any construction activity and during long-term operation of the proposal. Building permits.</p>
<p><i>Historical and Cultural Resources: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • Archeologist review of geotechnical data and final design plans with any appropriate follow-up actions • Archeological monitoring during any major excavations with potential for disturbance • Documentation of historical and cultural resources that cannot be retained • Consideration of on or off-site relocation of resources that otherwise would not be retained • Interpretive signage on use of site and lost resources • Inclusion of referential building to commemorate lost resources 	<p>All site redevelopment construction activities</p>	<p>SEPA Checklist Section B.13.d.</p>	<p>Port of Everett or responsible party doing the work/project</p>	<p>During any construction activity and during long-term operation of the proposal. Building permits.</p>

<p><i>Transportation: Mitigation Measures Designed into the Proposal and other Potential Mitigation Measures</i></p> <ul style="list-style-type: none"> • City of Everett traffic mitigation ordinance fee payments for each project element • Use of a coordinated set of mitigation measures based on the proposal's form of compact, transit and pedestrian oriented, mixed use site redevelopment with opportunities to live, work, obtain essential services and recreate on a single site • Installation of traffic signal at 13th Street and West Marine View Drive • Lane improvements on Alverson Boulevard at West Marine View Drive intersection • Provision of a parking management plan for all site uses to maximize efficient use of all of the proposal's parking facilities • Elimination of up to 18 existing driveways on West Marine View Drive • Elimination of remaining industrial use generated heavy vehicle traffic on weekdays • Provision of on-site transit access and layover ability • Provision of on-site enhanced pedestrian and bicycle circulation system • Provision of a transportation management program (TMP) for project employees • City of Everett zoning, building code and utility design and connection requirements • Provision of well designed internal street system to facilitate efficient emergency services access to all parts of site • Provision of new, fully looped water distribution and fire hydrant system to provide adequate fire flow • City of Everett zoning and building codes and payment of applicable school impact mitigation and utility connection fees • City of Everett zoning, building code and utility design and connection requirements • Payment of substantial new state and local property, leasehold, business and occupation and sales taxes during construction and operation of the project 	<p>All site redevelopment construction activities and long-term land and shoreline use operations related to the proposal</p>	<p>SEPA Checklist Section B.14.h.</p>	<p>Port of Everett or responsible party doing the work/project and/or operating the constructed proposal elements</p>	<p>PDO DA, Land division, Shoreline permits.</p> <p>During any construction activity during long-term operation of the proposal. Building permits.</p>
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Jim Hanson

From: Kim <kim@ratliffbrokerage.com>
Sent: Thursday, October 16, 2014 8:41 AM
To: Jim Hanson
Subject: RE: Port Gardner Wharf

Follow Up Flag: Follow up
Flag Status: Flagged

Jim,

In reviewing the proposed Port Gardner Wharf plan I have two major concerns;

1. The proposed open space is too little, it seems that the plan should be able to support a much larger park area at the west end of the property along the river. The smaller open space areas, for example along the esplanade on the north side of the central marina, should be combined into open space along the river and more land added as well.
2. The parking designated for "Marina Parking" does not appear to be enough, specifically along the north side of the central marina. Is there a parking study available that explains the methodology on how the number of parking spaces was derived?

Thanks,

Kim

<mailto:Kim@RatliffBrokerage.com>

Kim Ratliff
Managing Broker
Windermere Everett South
Kim@RatliffBrokerage.com
425-388-8957 cell

From: Jim Hanson [<mailto:JHanson@everettwa.gov>]
Sent: Tuesday, October 7, 2014 9:03 AM
To: 'Kim'
Subject: RE: Port Gardner Wharf

Hi Kim-

I've got larger prints of the site plan maps (18" X 24") which can be viewed in our office or you might try contacting Terrie Battuello with the Port of Everett at (425)388-0614 to see if they have copies available for purchase. Let me know if you are coming by our office and I'll be sure to have the larger format available for your viewing.

Thanks,

Jim

RESPONSE:

KIM RATLIFF COMMENTS – INADEQUATE OPEN SPACE & MARINA PARKING

Comment #1 – Proposed open space is inadequate, larger west end park needed and smaller north side open spaces should be combined and expanded.

The total amount of public park and open space in the Waterfront Place Center (WPC) project site plan has been increased by more than 2.5 acres compared to the previously approved Port Gardner Wharf (PGW) project site plan. Much of this increased public open space has been added to the Boxcar park site located on the west end of the site. This park is over 2.5 acres in size. It is significantly larger than the previous PGW project amphitheater park proposed for this location. A community use building with an attached outdoor performance stage will also be located adjacent to this park. In addition, one of the larger surface parking lots on the northwest shoreline edge of the site will be designed and constructed so that it can be used as a pedestrian courtyard for various types of festivals and special events. The WPC project's Chamfer Street which connects the northern and southern portions of the site's shoreline esplanade will also be designed as a pedestrian and bike friendly street which can be closed to vehicles for various special events such as car shows, music performances and art fairs.

Comment #2 – Marina parking is inadequate especially along the north side and is there a supporting parking study?

The Port has recently conducted surveys of parking usage of all its marina facilities during high season peak use weekend times and more average weekday use times. This parking use survey information has been used to inform the parking plan design for the site's existing marina facilities. Sufficient marina use only parking has been provided in the WPC project site plan for all portions of the marina which abut the site to accommodate the average high season weekday parking demand. Ample additional parking to meet all additional high season peak weekend marina-related parking needs will be provided in structured parking facilities located adjacent to close by commercial mixed use buildings.

A shared use parking management system for the entire WPC project site will also be implemented to maximize the efficient use of all available parking resources. In addition, the capacity adequacy and appropriate location of all proposed parking structures and parking lots for all proposed WPC project uses has been independently evaluated in parking studies conducted by two separate professional parking consultants, Gibson Traffic Consultants and Walker Parking Consultants. Both of these consultants have concluded that with the use of appropriate shared use parking management methods, adequate parking will be available for all proposed uses including the marina, even during high season peak use periods. The information, methods and conclusions contained in both of these parking studies is included in the WPC project application submitted to the City of Everett in July 2014.

RECEIVED

OCT 17 2014

October 14, 2014

City of Everett Planning Dept.
Attn: Jim Hanson
2930 Wetmore Ave. 8A
Everett, WA 98201

CITY OF EVERETT
Planning Dept.

Re: Proposed Amendments concerning proposed modified PDO zoning and modified Everett Shoreline Management Plan and MDNS for Port of Everett's Waterfront Place Central development project

Both Port of Everett documentation seeking Port Gardner waterfront redevelopment, and City of Everett concurrence (via MDNS) in acceptability of the Port's proposed changes within Shoreline jurisdiction, fall short of adequate shoreline protection per Washington State regulatory code [RCW 90.58}, in regard to both shoreline usage and to public safety.

- 1) Port of Everett has characterized its proposed allowance of 'spillover' of the Multi-Family Residential development portion of "Waterfront Place Central" into the immediately adjacent 100 feet wide portion of the 200 feet wide Shoreline-jurisdiction area designated for water-dependent and water-related Commercial development, as "necessary support" to that development. Such proposed expanded residential development would directly **subtract from** the total Shoreline area remaining available for support of the intended commercial enterprises, and their needs for flexibility in access for customers, merchandise delivery, facilities maintenance and emergency response.

Per the clear language of WA State Shoreline Management Act, RCW 90.58.030 [Ref. section (2)(e)(iii)], and its implementing Administrative Code WAC 173-26-201(1), the City of Everett does **not** have inherent authority to issue an MDNS that overrides its own Shoreline Master Program by needlessly allowing overflow of multi-family residential development into its Shorelines of statewide significance; Multi-family Residential use is not even listed among allowable conditional uses within Shorelines of Statewide Significance. Port of Everett's statement that expanded Multi-family Residential development is "necessary to improve consistency with the Shorelines Management Act's goals and policies" is not supported by facts. A broad mix of water-related commercial development is consistent with SMA goals.

- 2) The waterfront site's proximity to the Whidbey Island Fault, acknowledged in the project's SEPA Checklist, plus the site's acknowledged susceptibility to soils liquefaction in event of earthquake, and anticipation by Everett's Fire Department of increased need for waterfront emergency response, likewise do not support the Port's proposed additional Multi-family Residential development within Shoreline jurisdiction.

The Port notes that it anticipates development of Waterfront Place via some form of public-private partnership. The financial viability of this project location will likely be strongly impacted, potentially adversely, by wide swings in seasonal use patterns, plus significant future shifts in Puget Sound's regional economy. Prudent precautions are warranted.

Thank you for the opportunity to comment.

Peggy Toepel

Peggy Toepel
President, Everett Shorelines Coalition
P.O. Box 13288
Everett, WA 98206

RESPONSE:

PEGGY TOEPEL COMMENTS - WPC PDO ZONING/SMP MODIFICATIONS & MDNS

Comment #1 – Multi-family residential development displacement of commercial uses within the 200-foot shoreline zone and inconsistency with the Everett Shoreline Master Program (SMP) and Shorelines of statewide significance allowed uses criteria

A primary concern expressed in Ms. Toepel's comments was that the proposed expansion of the residential element of the project into the 200-foot shoreline zone "would directly subtract from the total Shoreline area remaining available for support of the intended commercial enterprises, and their needs for flexibility in access for customers, merchandise delivery, facilities maintenance and emergency response." However, the design, use mix and placement of the limited portions of the multi-family mixed use residential buildings that are proposed within the 200-foot shoreline zone of the Waterfront Place Central (WPC) mixed use redevelopment project is expressly intended to avoid creating any of the adverse commercial use displacement impacts identified by Ms. Toepel. These design, use mix and placement measures include:

1. Only a small portion of each of six mixed use residential buildings will be located within the 200-foot shoreline zone of the WPC project. This area will total approximately 44,000 square feet. This is less than 4% of the WPC project's total 200-foot shoreline zone area of approximately 1,100,660 square feet. But most importantly, only a combined total of approximately 6,500 square feet of the ground floor portions of these buildings is proposed to be occupied by residential uses. This is less than 15% of the total ground floor area of the portion of the six residential mixed use buildings located within the WPC project shoreline zone. The remaining 37,500 square feet (85.2%) of the ground floor space of these residential mixed use building portions within the shoreline zone will be allocated to various types of water oriented commercial and public uses. It is very important to note that the vast majority of water oriented commercial and public uses in pedestrian oriented, mixed use shoreline area projects are typically located on the ground floor level. Two of the very limited exceptions are hotels and select types of higher end restaurants. In the WPC project separate shoreline zone building pads have already been designated and reserved for those specific uses. Adding residential uses to the building floors above water oriented commercial and public ground floor uses, reduces their lease costs by providing substantial added sales and rent revenues from the same building and provides the commercial uses with more very close by year-round customers. This type of pedestrian oriented, upper floor residential and ground floor commercial shoreline mixed use development has also been done extensively and successfully throughout Europe for hundreds of years.
2. All of the mixed use buildings located partially within the WPC project 200-foot shoreline zone that would include residential units will be located at least 100 feet or more from the shoreline edge of the project site. The shoreline zone portion of all of these buildings will also not exceed the existing maximum building height of 35 feet for this area.
3. The inclusion of a very limited portion of six residential mixed use buildings in the back half of the 200-foot shoreline zone, has created added site design flexibility and

project revenues which allow the WPC project to include and pay for over 2.5 acres of additional public park, plaza and walkway area amenities in prime site shoreline areas compared to the previous Port Gardner Wharf (PGW) redevelopment project design. This site design revision has also allowed some commercial buildings to be pulled further back from the shoreline edge and has significantly reduced the amount of surface vehicle parking within the 200-foot shoreline zone compared to the previous PGW project design. The WPC site design also allows this previous PGW design surface parking to be relocated to parking structures within and behind the six residential mixed use buildings and other commercial buildings outside of the 200-foot shoreline zone.

4. Ms. Toepel also asserts that “the City of Everett does not have inherent authority to issue an MDNS that overrides its own SMP by needlessly allowing overflow of multi-residential development into its Shorelines of statewide significance”. However, this Everett issued MDNS does not change or override its existing SMP. This MDNS only allows the Everett Council to properly consider the potential environmental effects of amending its SMP to permit limited multi-family development within the proposal’s shoreline jurisdiction area prior to making that amendment decision. In actuality, the City of Everett has the authority under Chapter 90.58 RCW to consider amendments to the portion of its SMP regulating the types of uses permissible within its shorelines of statewide significance to include multi-family residential development. The WPC redevelopment project application and expanded environmental checklist submitted to the City by the Port of Everett, includes a request to amend the City’s SMP to allow limited multi-family development only within the WPC project site. This requested change only affects only a very limited portion of statewide significance shoreline (less than 3,500 lineal feet) which is totally bulkheaded and rock rip rapped on a site with virtually no existing upland or shoreline edge natural character conditions. It will also not affect or change the uses permitted on the numerous miles of other shorelines of statewide significance located within the City of Everett’s jurisdiction. For this reason this proposed SMP amendment (which the City has confirmed with the Department of Ecology is classified as a minor amendment), was included in the City’s WPC project application environmental review process and resulting MDNS.
5. Importantly, as well documented in the prior response comments, allowing the limited amount of multi-family residential in the WPC project’s 200-foot shoreline zone in the manner proposed cannot be described or considered in any manner as needless. To the contrary, it will facilitate a substantial increase in the amount of prime shoreline public park, plaza and walkway area improvements benefitting the public. It will also enhance the year-round customer base and economic feasibility for the project’s shoreline oriented commercial businesses and other public uses without making any significant reduction in their potential ground floor site area. These are also the facts that clearly support the Port of Everett’s statement that expanded Multi-family Residential development in this location is “necessary to improve consistency with the Shoreline Management Act’s (SMA) goals and policies”. In addition, as explained in more detail in the next response, this proposed use amendment is fully consistent with and will implement the applicable use preference criteria of RCW 90.58.020 for shorelines of statewide significance by “increasing public access to publicly owned shorelines and increasing recreational opportunities for the public in the shoreline”.

6. All forms of multi-family development within Shorelines of statewide significance are not prohibited by the SMA or its implementing regulations, contrary to Ms. Toepel's assertion. The requirements of WAC 173-26-251 governing development within Shorelines of statewide significance do not include a detailed list of all the possible types of specific uses that are permitted and prohibited. Instead they spell out the key criteria that all development uses proposed in these special shoreline areas must meet. The carefully designed addition of a new vertical mixed use element to the WPC project with limited upper floor residential uses can certainly meet these requirements. As documented by the WPC project application, the City's environmental review process and the information contained in the prior responses above, the type of limited, primarily upper floor multi-family residential development contained in the WPC project proposal is fully consistent with all of the seven use preference criteria listed in SMA section 90.58.020 and in WAC 173-26-251 (2). By facilitating the addition of more than 2.5 acres of additional high quality shoreline public parks and plazas and other related public amenities to the project site it is particularly effective in satisfying use preference (5) *Increase public access to publicly owned areas in the shorelines*: and use preference (6) *Increase recreational opportunities for the public in the shoreline*. This type of mixed use multi-family development is also very consistent with the three development standards for *Resources of statewide importance* identified in WAC 173-26-251 (3)(d). It will be especially helpful in implementing: (iii) *Provide for the right of the public to use, access and enjoy public shoreline resources of statewide importance*.

Comment #2 - Multi-family residential development seismic event susceptibility and increased need for waterfront emergency services

1. As disclosed in the WPC project's SEPA Checklist, the entire project area is located within a designated liquefaction zone. Therefore whether the project's proposed mixed use multi-family residential component located partly or even entirely within the shoreline jurisdiction is not material to Ms. Toepel's comment on this issue. What is material is the WPC SEPA Checklist's statement that the appropriate and detailed geotechnical and structural analysis will be conducted as part of the final design of the project buildings and site improvements. This will ensure that the necessary measures to adequately mitigate potential earthquake and liquefaction impacts will be utilized to construct all buildings on the site, wherever they are located. Various state of the art ground improvement and seismic mitigation structural design options are available to provide the needed level of seismic and liquefaction for the proposed multi-family mixed use residential buildings at any of the proposed locations shown on the project site plan. The proposed WPC project site plan has also been fully reviewed and approved by the City of Everett Fire Marshall and all of his required revisions for improving emergency response have already been incorporated into the project's proposed site plan.
2. All of the previous responses to Ms. Toepel's previous comments are also very relevant to her final comments regarding the need to take prudent precautions regarding the financial viability of this project at this location. As already described in some detail, including limited and almost entirely upper floor multi-family residential development in a small portion of the site's 200-foot shoreline zone will provide a significant boost to its long-term financial feasibility and the year-round customer base for its new commercial uses along with providing a substantial amount of

additional public shoreline access benefits. This will be done without displacing any significant amount of ground floor water oriented commercial or public uses. In fact it will improve the project's ability to attract and retain for the long-term the best possible mix of these types of important uses.