

Lindsey Ozbolt

From: Melonie Anderson
Sent: Thursday, November 2, 2017 5:06 PM
To: Lindsey Ozbolt
Subject: FW: Written Comments for Hearing Examiner: SSDP2016-00414 and SSDP2016-00415
Attachments: SSDP2016-00415 Segment 2B - Steve Oien.docx; SSDP2016-00414 Inglewood Hill Parking Lot - Steve Oien.docx

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- **Permit** information: Visit [MyBuildingPermit.com](#) and perform an [Advanced Search](#) to search by permit number or address.
- Subdivision plan sets (**As-Builts**): [Engineering Records Vault](#).

For all other requests, please use the [Public Records Request Form](#).

From: Steve Oien [mailto:steveoien2015@gmail.com]
Sent: Thursday, November 2, 2017 4:42 PM
To: Melonie Anderson <manderson@sammamish.us>
Subject: Written Comments for Hearing Examiner: SSDP2016-00414 and SSDP2016-00415

Hi Melonie,

Attached are written comments I wish to submit for the Hearing Examiner for SSDP2016-00414 and SSDP2016-00415. Lindsey Ozbolt said I should submit these to you in order for them to be included in the materials the Hearing Examiner reviews.

Thank you for your attention to this matter.

Steve Oien
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Sammamish WA 98074

Written Comments from Steve Oien
East Lake Sammamish Trail Segment 2B
Shoreline Substantial Development Permit (SSPD)
File Number: SSDP2016-00415

I am writing to express my support for King County's East Lake Sammamish Trail Segment 2B Shoreline Substantial Development Permit (SSDP2016-00414). My support is based on the following:

1. **The County's proposal is consistent with the State Shoreline Management Act (SMA) and Sammamish Shoreline Master Program (SMP).** The City's staff report clearly states that "the county has demonstrated compliance with the requirements for approval of an SSDP and the project is consistent with the SMA and SMP".
2. **The County's proposal is a Preferred Shoreline use under the City of Sammamish's Comprehensive Plan Shoreline elements.** The City's staff report states the county's proposal is a "preferred shoreline use and is a public amenity". The staff report further states "the Project has been designed to meet the over-arching policy of no-net-loss of shoreline ecological functions." This last statement is supported by Exhibit 43 from the Watershed Company which conducted environmental review of the site plan. The report found that "the project area the project area is not encumbered by wetland, stream, lakeshore, and their associated buffers".

I do have concerns regarding three of the Recommended Conditions of Approval (nos. 3, 4 and 9), which I believe may impair the county's ability to complete the project. They are as follows:

Condition 3 states ***"The County shall identify all structures not owned and controlled by King County, and existing within the Trail parcel that were constructed or installed pursuant to a permit that is not revocable by the County ("Permitted Structures"). For each Permitted Structure, if any, the County shall identify where the Trail will be modified, narrowed, or relocated to mitigate for conflicts with Permitted Structures"***

Regarding this condition, I do not find anything in the Sammamish Municipal Code (SMC) that allows the City to place such a burden on an applicant. SMC 20.05.040(r) states that the county, as an applicant must submit "Verification that the property affected by the application is in the exclusive ownership of the applicant..."

The county has fulfilled this requirement. This is clearly supported in Exhibit 26, which is a memo from Mike Kenyon, City Attorney regarding legal review of documentation on ownership of the trail. The memo acknowledges that the county has clearly documented ownership. I am aware of the controversy regarding the county's acquisition of the trail corridor and claims by some lakeside residents. However, I do not believe it is appropriate for the City of Sammamish to include any language regarding these claims as part of a Shoreline Permit approval; these are legal disputes between the property owners and the County – and does not include the City. Therefore, I would ask the Hearing Examiner to disregard this condition.

Condition 4 states ***"For those segments that are located within he shoreline setback...the County shall update the plan set to depict that no development, including clearing and grading limits, will occur waterward of the current interim trail alignment. In compliance with SMC 20.06.020(1) and SMC***

25.06.020(5), this section of the Project must be minimized by either locating expanded improvements landward of the current interim trail alignment or by narrowing the Trail sections. No further reduction of the current interim trail shoreline setback will be allowed.

I would point out that the maps provided by King County clearly show that many of the structures alluded to in Condition 3 are located on the lakeshore side of the interim trail. If the county is allowed to remove these structures (whether permitted or not) from land it clearly owns, this would mitigate much, if not all of the clearing on the lakeside of the permanent trail the county is proposing. The county should be allowed to remove those structures as mitigation in order to preserve its proposed trail width. It is unfair to tell the County, as the property owner that it cannot use the full width of the corridor to mitigate potential negative impacts.

Condition 3, 4, and 9 all refer to the City's directive that the proposed ***trail be narrowed*** if certain impacts cannot be avoided.

Trail width is a critical safety issue. The county has proposed a 12 foot wide paved surface, two foot gravel shoulders and a one foot clear zone on both sides. The county's proposed trail design and width conforms to ASSHTO guidelines, which are widely recognized as the standard to ensure safety for trail users. Specifically, the county based its trail width on projected trail use volumes. The county submitted a report (Exhibit 51) prepared by Tool Design Group, a nationally recognized consulting firm. The report "estimates peak hourly volumes should be anticipated to be above 600 users per hour, and 5,000 to 7,000 users per day when the trail is complete (split approximately 50% pedestrians/bicyclists)". The Tool Design Group report describes in detail its methodology for estimating future trail volumes.

Further, the County submitted an additional report (Exhibit 52) from the Tool Design Group which responded to specific questions regarding the proposed trail width. Each of the responses clearly affirmed the need to maintain the trail width as proposed by the County.

In response to the Tool Design Groups documents, The City of Sammamish hired a consulting firm, Fehr Peers, firm to review the Tool Design Group report (Exhibit 58). The memorandum prepared by Fehr Peers, which is only 3 pages, and provides no volume estimates of its own basically states that AASHTO guidelines are just recommendations and are not absolute requirements. I urge the Hearing Examiner to carefully examine each report. It should be clear that the Tool Design Group report is much more thorough, more extensively documented, and sound than the Fehr Peers review.

Safety of trail users is directly relevant to the SSDP being considered by the City. If a trail is not perceived as safe by the public, this will discourage use. Since one of the stated goals of the Shoreline Management Act is to encourage public access opportunities, it is essential that the trail not be narrowed.

I would urge the City and County to work together to find mitigation solutions, both within the entire trail alignment owned by King County, or alternatively offsite as provided for in Sammamish Municipal Code.

Thank you for consideration of my comments.

Steve Oien
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