

Lynnwood Link Extension

Summer 2013



Draft EIS Comment Form

Submit your comments by September 23, 2013

NAME: Michael MAYES - MAYES TESTING ENGINEERS, INC.
ADDRESS: 20225 Cedar Valley Road, Suite 110
CITY: Lynnwood STATE: WA ZIP CODE: 98036
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Please sign me up for project email updates

Sound Transit wants to hear from you. Comments can be about anything related to the project, ranging from giving an opinion or observation to discussing technical aspects of the environmental analysis. The extended public comment period ends September 23, 2013. All comments received or postmarked by this date will be responded to in the Final EIS.

Comments

B-001-001

While I support light rail, Segment C alternatives C1 and C2 appear to have much more negative impact than C3. Both C1 and C2 affect current quiet residential areas, wetlands and businesses. C2 takes out my brand new building! We employ 100 people. C3 is on mostly undeveloped land. It seems that the only reason not to build C3 is that people would need to walk a bit further. Seems like this could be easily mitigated by re-arranging bus lanes. Build C3!



B-001-001

Your comment stating a preference for Alternative C3, and describing the impact Alternative C2 would have on your business is noted.

**B-002-001**

Your preference for Alternative C3 is noted.

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**From:** Brian Sodorff <brian@gmgloan.com>  
**Sent:** Thursday, September 12, 2013 12:27 PM  
**To:** Lynnwood Link DEIS  
**Subject:** comment on transit station

**B-002-001**

If the transit station is anywhere other than the current location, we will relocate our business operations. We will not remain in any area of Lynnwood. This would be devastating for all of the small businesses. C3 would be the only location we could live with. All of our business associates in the area will do the same....

Brian Sodorff  
Loan Officer, Lynnwood Branch - License # MLO-114429  
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CH&

September 23, 2013

**VIA EMAIL**

Lauren Swift, Lynnwood Link Extension DEIS  
Sound Transit  
401 South Jackson Street  
Seattle, Washington 98104

Re: Comments on Lynnwood Link Extension DEIS

Dear Sound Transit Board:

**B-003-001**

Cairncross & Hempelmann, PS, represents several local, national, and international real estate developers constructing and/or planning Transit-Oriented Development ("TOD") projects adjacent to existing and future Sound Transit light rail stations. Locating walkable, compact, and vibrant communities near transit stations serves the laudable goals of our regional transit system. First, it reduces household transportation costs, decreases overall regional travel time, increases the pool of workers and consumers for companies, and mitigates environmental problems associated with auto travel. Second, TOD projects increase transit ridership and revenue, which support the ongoing vitality of the transit system. Third, walkable, compact and vibrant communities near light rail stations improve the quality of life for those inside such communities, and also for the entire region by mitigating the many potential impacts of our region's rapid population growth.

Sound Transit has recognized these and other benefits of TOD projects in Resolution No. R2-2012-24 – Attachment A ("Sound Transit TOD Policy"). With regard to the planning and developing transit facilities, Sound Transit TOD Policy at Section 5(A)(2) specifically provides: "As Sound Transit progresses through the project development phases of its transit facilities...Sound Transit will [a]ssess the extent to which development of alignments, station locations, and transit support facilities affect and support implementation of...TOD strategies." Because TOD projects and the communities they create are so important to the success of the Lynnwood Link Extension and because our clients will be creating those TOD communities, we submit this comment letter to recommend the best station alternatives for successful TOD projects and, consequently, a successful regional transportation system.

*Attorneys at Law  
CH&*

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**B-003-001**

Thank you for providing your assessment of the transit-oriented development (TOD) potential for station alternatives considered in the Draft EIS. Sound Transit is committed to supporting TOD around its light rail stations. To that end, the agency's planning process has included public involvement and the evaluation of TOD potential for the station alternatives considered in the EIS. Sound Transit appreciates your recommendations.

**B-003-002**

**Segment A: Northgate to Shoreline**

The proposed station at NE 145<sup>th</sup> Street has great TOD potential. NE 145<sup>th</sup> Street is a major thoroughfare (SR 523). It will allow for increased accessibility to the station and adjacent TOD projects. Also, the proximity of 15<sup>th</sup> Avenue NE and its mix of uses will help draw passengers eastward from the station and facilitate the type of density needed between 15<sup>th</sup> Avenue NE and the station area.

The proposed station at NE 155<sup>th</sup> Street should be rejected. Station locations at NE 145<sup>th</sup> Street and NE 185<sup>th</sup> Street are preferable for several reasons. First, NE 145<sup>th</sup> Street (SR 523) has greater accessibility from the surrounding areas, including Bothell Way NE and Lake City Way NE (SR 522). The NE 145<sup>th</sup> Street station will serve the residents of Lake Forest Park, Kenmore, and Bothell, among others. Second, NE 145<sup>th</sup> Street is a main thoroughfare capable of handling the increased capacity of transit riders traveling to the station. Third, unlike NE 155<sup>th</sup> Street which is primarily a single-family neighborhood, NE 145<sup>th</sup> Street already contains a mix of uses nearby that will allow for a smoother transition to the kind of density that is appropriate near a regional light rail station. Finally, the City of Shoreline already has begun planning for increased density around the NE 145<sup>th</sup> Street station to facilitate TOD projects and the community and city-wide benefits they will provide. *See* City of Shoreline Comment letter dated September 16, 2013.

All of the Alternatives for Segment A include a station at NE 185<sup>th</sup> Street. Except for Alternative A-1, all of the Alternatives include a parking garage or parking lot immediately east of the station. A large parking structure adjacent to the station has the potential to discourage potential riders from walking or biking to the station. However, if carefully located, designed, and scaled, parking east of the station could be integrated successfully into a TOD community. Any parking should be integrated into the TOD community, rather than act as a physical or visual barrier between pedestrians and the station.

Conclusion: Alternative A-3 provides the best TOD potential for the NE 145<sup>th</sup> Street and NE 185<sup>th</sup> Street stations.

**B-003-003**

**Segment B: Shoreline to Mountlake Terrace**

Alternative B-4 should be rejected. It locates the Mountlake Terrace station within the I-5 median, which would not encourage pedestrian access from nearby residents. B-1, B-2, and B-2A are the better options for facilitating a successful TOD community.

Conclusion: Alternatives B-1, B-2, and B-2A provide the best TOD potential for the Mountlake Terrace station.

**Segment C: Mountlake Terrace to Lynnwood**

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**B-003-002**

Your preference for Alternative A3 based on your assessment of its TOD potential is noted. The Preferred Alternative incorporates several elements you identify as supporting TOD in the NE 145th Street and NE 185th Street station areas.

**B-003-003**

Your preference for Alternatives B1, B2, and B2A based on TOD potential is noted.

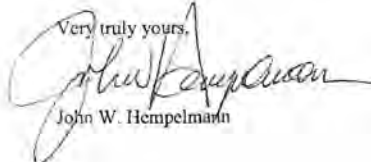
Lauren Swift, Lynnwood Link Extension DEIS  
September 23, 2013  
Page 3

**B-003-004**

Alternative C-1 provides the best TOD potential for the Lynnwood Park-and-Ride station. We disagree with the conclusion in the DEIS (see Table S-4) that the Alternative C-2 and C-3 station locations have the same development/TOD potential as C-1. C-1 is a shorter walking distance to the city center. Additionally, C-1 is located adjacent to several sites with strong development potential. Further, C-2 and C-3 are at a lower elevation than C-1 and therefore would require a more burdensome walk up the hill to the transit station, thereby discouraging ridership.

Conclusion: Alternative C-1 provides the best TOD potential for the Lynnwood Park-and-Ride station.

Thank you for consideration of our comments.

Very truly yours,  
  
John W. Hempelmann

JWH:msd

{07396206.DG.CX.1}

**B-003-004**

While you conclude that Alternative C1 provides the best TOD potential, Sound Transit's TOD assessment summarized in Section 4.2.4 (Land Use Indirect and Secondary Impacts) of the Draft and Final EIS considers a wider range of factors than just the potential for redevelopment on immediately adjacent parcels. Sound Transit assessed TOD potential at the station areas using four elements: (1) existing conditions supporting transit-oriented development, (2) transit-supportive plans and policies, (3) station access, and (4) potential development opportunities.

**CASCADE TROPHY**

20815 52<sup>nd</sup> Ave W  
Lynnwood, WA 98036

cascade.trophy@integra.net  
(425)775-3109

September 22, 2013

Sound Transit DEIS  
Comments, c/o Lauren Swift  
401 S Jackson St.  
Seattle, WA 98104

Dear Ms. Swift,

We lease commercial space located at 20815 52<sup>nd</sup> Ave West in Lynnwood, owned by Jeff Carter and Lisa Peterson. We have been in business since 1973 (40 years!), and at this location since 1994. The bulk of our customers are schools, churches, sports teams, clubs, and other groups from the nearby surrounding areas. With other trophy shops in close proximity to us, the fact that we have had long-term stability in one place has been a benefit to our business. We have watched other trophy shops move over the years and with that we have picked up MANY of their customers due to the fact it was no longer convenient to track down where they moved. We cannot afford to have the same thing happen.

**B-004-001** We are writing to express our support for the alignments that do **not** run up 52<sup>nd</sup> Ave West. Alternatives C-1 and C-2 would have an extremely detrimental impact on us, forcing us to either move or sell our business, or to close up completely.

**B-004-002** As we stated above...IF we were to move, we would lose customers who have become accustomed to coming to the same location for some 20 years. At any new location, we would have to remodel the space to fit our needs, would have to move inventory and equipment, and change all of our advertising. All of this time and expense would result in significant lost income. It would be difficult to find a comparable location that has good parking, easy access to I-5 and I-405, a space that gives us both a working area and a retail store front - all at a long-term lease for the same rate.

The value of our business would be negatively impacted if we were to sell, because any new buyer would inherit the reduced street access, limited visibility, and other environmental impacts.

**B-004-003** We are also concerned about the ability of our company to maintain the quality of work for which it is known. Our customers keep coming back because we offer them custom designs, excellent customer service, and always deliver a quality product. Vibration from either the construction and/or the train itself would make the laser, tools and presses that we use to both design and fabricate the awards more difficult to maintain and cause them to put out poorer quality. This could cause us to have to work our schedules around the construction or train interference and those times would not coincide with our customer base needs.

**B-004-004** Noise is also an issue. When customers come to our shop, it is important for them to be able to communicate with us about their custom orders, and loud noises from either construction or the train would make that difficult. Plus we do a lot of communication on the phone as well. That can already at times be difficult but with this new possibility it would make it almost impossible.

**B-004-005** We also live in this neighborhood - on 208<sup>th</sup>, just a few blocks away from our business. This area is both home and work, and the light rail, if situated on 52<sup>nd</sup> Ave West, would put both our house

**B-004-001**

Your concerns regarding the potential impacts of Alternative C1 and C2 to your business are noted.

**B-004-002**

Thank you for your comment about your concerns about business displacement under Alternatives C1 and C2.

If your business were to be displaced (which the Preferred Alternative avoids), Sound Transit would provide relocation services as well as compensation. An interview would be conducted to determine your needs for a comparable and affordable replacement property. Services would include ongoing information on the availability and lease costs of commercial properties meeting your needs. Compensation could include expenses related to finding a replacement property, existing tenant-owned improvements, permits and improvements at the new building, moving expenses, operating permits and licenses, as well as new advertising materials and stationary.

For additional information, please see Section 4.1 Acquisitions, Displacements, and Relocations.

**B-004-003**

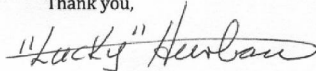
The Noise and Vibration Technical Report, included with the Final EIS on CD, has additional discussion of the standards used to define vibration levels and impacts for permanent or construction-related activities. Sound Transit does not anticipate vibration levels to disrupt normal operations at your business. Construction vibration mitigation described in the Final EIS would be implemented during work at the property, if Alternatives C1 or C2 were implemented. Where construction activity close to the building is unavoidable, Sound Transit would work with the owners/tenants to stage work in ways that would be less disruptive to their operations.

B-004-005

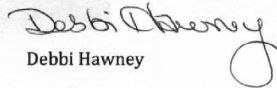
and business under the shadow of the light rail line, profoundly impacting our lives in every way possible. I (Lucky) am 77 years old and my business and home are all I have for retirement benefits. I (Debbi) am married but my husband is on disability, unable to work due to a brain tumor. My employment is crucial to being able to take care of our families every day needs, as well as, our future medical needs, which are immanent. As you can see the light rail line would be detrimental to our future well-being. And this is only our story!

This neighborhood is not only pleasant and family oriented but as a business we also provide work and opportunities for the children and single parents in the area. Serving and watching out for one another is what a neighborhood is all about. Please run the light rail alongside I-5 as far as possible before breaking off towards the transit center.

Thank you,



Lucky Hurban



Debbi Hawney

B-004-004

The FTA criteria for transit noise are based on exterior noise levels, which makes them a more conservative measure of impacts for interior noise. If your business is able to perform with the traffic noise in this area, noise from the light rail, while possibly audible, would not be expected to affect your operations.

For construction, the City of Lynnwood construction noise ordinance would be applicable, and Sound Transit is committed to maintaining construction noise levels within the criteria. Further, construction noise for this project is similar to construction noise for a paving project, building construction, or any other construction project, and Sound Transit works with local residences and businesses to minimize construction impacts.

B-004-005

Sound Transit notes your concerns about Alternatives C1 and C2. The Preferred Alternative does not use the 52nd Avenue W alignment, and would avoid impacting the businesses and residences along the street.



Jeff Carter and Lisa Peterson  
20815 52<sup>nd</sup> Ave W  
Lynnwood, WA 98036  
lisapete56@comcast.net

September 21, 2013

Sound Transit  
Draft EIS Comments  
c/o Lauren Swift  
401 S Jackson St  
Seattle, WA 98104

Dear Ms. Swift,

We own property located at 20815 52<sup>nd</sup> Ave W in Lynnwood (tax lot numbers 27042100403600 and 4100). Our small business, JC Auto Restoration, Inc., is located in this building, as is our long-term tenant, Cascade Trophy. We appreciate this opportunity to submit our feedback on the Draft EIS for the proposed Lynnwood Link Extension Alignments.

B-005-001

We much prefer the alternatives that do not run up 52<sup>nd</sup> Ave West. Alternative C-3 and the City of Lynnwood's proposed C-4 alternative would have the least impact on our property and business, to Cascade Trophy, and be least disruptive to the neighborhood. If Sound Transit were to acquire all, or a portion, of our property, it would have a huge impact on us personally, on our business, and on our tenant's business.

Jeff is self-employed and has no employer-established retirement fund. In the late 1990s, our business was outgrowing its location. As we looked for a new space, Jeff also looked to see what other people were doing who were in a similar line of work. The only ones who could retire were those who owned their shop property. The rest were working into their 70s and 80s, just scraping by. In 2000 we took out all of the equity we could from our home, and purchased this commercial building. It would be both the new location for the shop and our investment in Jeff's retirement. For many years our income and cash supply was greatly restricted because of this purchase. We felt that in the long run, it would give us good retirement income, whether we decide to lease the space once Jeff is no longer working, or if we sold the building. We will have it paid off in 2025.

If the Lynnwood Link Light Rail were to run on Alignments C-1 or C-2, Sound Transit, as we understand it, would acquire either part or all of our property. In either case we would lose market value and future income for Jeff's retirement.

If Sound Transit were to acquire the entire property, we would lose our existing tenant, Cascade Trophy, and have to relocate our business. We would lose future rental income, and depending upon the replacement building, lose future increase in property value as well. If JC Auto Restoration had to move, we would have to move all of our equipment, customized shelving, tools, customer cars and extensive vintage auto parts inventory. The estimated time to pack up, remodel the new building as needed, set up, and return to normal business operations is over one year. We would likely have to lay off our employees, Jeff would lose all personal and business income for this time, and JC Auto Restoration would be responsible for significant unemployment taxes for our employees for several years. Many customers would go elsewhere and not return, resulting in loss of future business.

Even if Sound Transit were to acquire just part of the property for the right of way and/or pylon placement, we would see a significant negative impact. Not only would the value of the property drop, but the rate that we could charge to future lease-holders would drop as well.

Our current tenant, Cascade Trophy, has been one of the best tenants you could ask for. They have been at this location since before we bought our building. We rely on their rent for our mortgage payment, and if Sound Transit were to choose alternatives C-1 or C-2, the chances are excellent that the owner, August "Lucky" Hurban, would either sell the business to a new owner at a new location, or

## B-005-001

Thank you for your comment stating a preference for a modified Alternative C3. Sound Transit identified a modified Alternative C3 as its Preferred Alternative in the Final EIS, and this alternative would avoid impacting your property and business. Please note that Sound Transit policy provides for a fair and equitable means of addressing real property impacts across its projects. Consistent with state and federal law, this policy requires Sound Transit to fairly compensate for property acquisitions, and to provide compensation and relocation for displaced businesses. If an alternative affecting your property were to move forward, Sound Transit would work with you and any affected businesses to negotiate fair compensation and relocation benefits.



**B-005-001** would close completely. In either case, we would lose an outstanding tenant. It would be extremely difficult, if not impossible, to find a new tenant who would be willing to pay the same rate per square footage, would need no modifications to the space, and would commit to a long-term lease.

**B-005-002** Like all retail businesses, both JC Auto Restoration and Cascade Trophy need easy in-and-out street access for customers, good visibility from the street, and adequate parking. Cascade Trophy frequently has people driving in to drop off and pick up orders. JC Auto needs ample parking, with a large enough area for an enclosed car hauler to safely drop off and pick up customers' valuable vintage automobiles. It also needs comfortable access to its two garage doors, keeping in mind that vintage automobiles have a wider turning radius than a modern subcompact, and require more space for maneuverability. Both Cascade Trophy and JC also need access for delivery trucks on a daily basis.

**B-005-003** The vibration of both the construction and the running of the light rail could have a negative impact as well. Cascade Trophy uses sensitive laser cutting equipment to etch sophisticated designs and lettering on plaques, trophies, and signs. JC Auto uses vintage equipment to calibrate and adjust gauges, speedometers, automotive record players, and other electrical and mechanical components of antique automobiles. All of these tools are affected by vibration, as are their computers and security systems.

**B-005-004** Noise is a concern as well. It is already difficult to have a conversation outside, especially on the phone, over the freeway noise, and it would be impossible over the sound of either the construction or the train itself. We anticipate that during construction there will be significant noise impacts even inside the building, which will greatly affect communication with customers for both companies.

**B-005-005** On a larger scale, we are concerned about the wider impact on the neighborhood if alignments C-1 or C-2 are chosen. The small businesses in the area provide employment for local residents. Many of have been in the same location for years, if not decades, providing stability and income to the area. Relocating the DSHS, Vocational Rehabilitation and Work Source offices would be a hardship for economically disadvantaged and disabled individuals. The 2010 census shows that this area is home to a high percentage of individuals who live in rentals, are from minority backgrounds, are low income, have never gone to college, and who speak a language other than English at home. Some are more recent immigrants who do not have full awareness of how they can express their opinion about this decision. Many come from countries where the population – particularly the women - not only does not, but cannot, participate in the political process. Many are children. Therefore, a significant percentage of the population affected may be essentially without a voice in this process.

**B-005-006** We would much prefer to have the Link Extension Alignment sited parallel to the freeway rather than on 52<sup>nd</sup> Ave West. This option would preserve parkland, residences, apartment buildings, and businesses – including our own - and would be the least disruptive to the community.

We have participated in Sound Transit information sessions, as well as sessions hosted by the City of Lynnwood. Those meetings have been informative and helpful, particularly the ones hosted by Sound Transit. Thank you for giving the community opportunities to learn about the project and provide feedback.

Sincerely,

Jeff Carter  
Owner, JC Auto Restoration, Inc.  
[www.jcauto.com](http://www.jcauto.com)  
206-375-2696

Lisa Peterson, MS  
Director, UW GenOM Project  
<http://depts.washington.edu/genomics/index.shtml>  
206-499-6085

## **B-005-002**

Thank you for your comments about property access, parking, and circulation needs for your property at 52nd Ave W. If Alternative C1 or C2 is selected for the project to be built, properties that are not fully acquired would retain their functional access, and would have sufficient levels of parking, circulation, and freight/delivery accessibility as needed for their operations.

## **B-005-003**

The Noise and Vibration Technical Report accompanying the Final EIS has additional discussion of the standards used to define vibration levels and impacts for permanent or construction-related activities. Sound Transit does not anticipate vibration levels to disrupt normal operations at your business. Construction vibration mitigation described in the Final EIS would be implemented during work at the property as appropriate, if Alternatives C1 or C2 were implemented. Where construction activity close to the building is unavoidable, Sound Transit would work with the owners/tenants to stage work in ways that would be less disruptive to their operations.

## **B-005-004**

The FTA criteria for noise are based on exterior noise levels, which makes them a more conservative predictor of potential impacts for noise-sensitive building interiors. If your business is able to perform with the traffic noise in this area, noise from the light rail, while possibly audible, would not be expected to affect your operations. Light rail is typically quieter than the heavy trucks on the roadway near you.

For construction, the City of Lynnwood construction noise ordinance would apply. Sound Transit expects to limit construction noise levels to be within the City's criteria. Further, construction noise for this project is similar to construction noise for a paving project, building construction, or

any other construction project, and Sound Transit works with the city, local residences and businesses to minimize construction impacts.

**B-005-005**

Sound Transit appreciates your concerns about the potential community impacts of Alternatives C1 and C2. As described in your comments, the Lynnwood community is very diverse and includes racial and ethnic minorities, persons with limited English proficiency, and those with low and moderate income. As part of Sound Transit's community outreach efforts during project planning and the environmental review process, special outreach activities have been conducted to involve these community groups in the public decision-making process leading to the selection of a preferred alternative for the Lynnwood Link Extension project. These efforts included the availability of translated materials and interpreters upon request. See Chapter 7 of the Final EIS for a summary of the public comments received on the Draft EIS and Appendix C for a listing of outreach activities and comments specifically targeted for minority and low-income populations.

**B-005-006**

Your preference for an alternative parallel to the freeway rather than on 52nd Avenue W due to business impacts and impacts to Work Source are noted.

**MULLALLY DEVELOPMENT COMPANY**

REAL ESTATE DEVELOPMENT & MANAGEMENT

2825 EASTLAKE AVENUE E., SUITE 250  
SEATTLE, WASHINGTON 98102  
OFFICE (206) 362-1600  
FAX (206) 362-4052

September 23, 2013

Via Email: [lynnwoodlinkdeis@soundtransit.org](mailto:lynnwoodlinkdeis@soundtransit.org)

Sound Transit  
Attn: Lauren Swift, Lynnwood Link Extension DEIS  
401 S. Jackson Street  
Seattle, WA 98104

Re: Comments on Lynnwood Link Extension Draft Environmental Impact Statement  
(Draft EIS)

Dear Ms. Swift:

**B-006-001**

We are the owners of the Northgate Plaza Apartments property at 11200 1st Avenue NE, north of Northgate Way and east of Interstate 5/1st Avenue NE. All of the Segment A alternatives place the light rail line between our property and the freeway. The Draft EIS acknowledges adverse impacts to our property and the need for mitigation. However, we do not believe the Draft EIS analysis fully takes account of the impacts to our property, in part because portions of the analysis are based on the existing use of the property, and not its planned use. We offer the following comments to be considered in preparation of the Final EIS and in implementation of the project.

**Information about the Northgate Plaza Apartments Site**

Our property is approximately 7.86 acres in size (342,548 square feet). It is presently developed with 34 one-story to two-story apartment buildings with 207 units that were constructed in 1951. In recognition that the existing buildings are nearing the end of their lifespan and require frequent repair to maintain them as rental units, we have spent a substantial amount of time and effort working with the City of Seattle on future development options for the property. The property is located within the Northgate Urban Center, and the City's Comprehensive Plan calls for much greater density than exists on the site at present.

In 2010 we proposed a rezone of the property from a Midrise to a Neighborhood Commercial 3 – 85 foot height limit designation. The purpose of the zoning change was to accommodate future mixed-use, commercial and multi-family residential development of substantially greater density. This zoning change was unanimously approved by the Seattle City Council in November 2012. The zoning change resulted in an increase of nearly 600,000 square feet of allowable building square footage. The new site zoning allows a wide mix of commercial and residential uses totaling over two million square feet of development.

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**B-006-001**

Thank you for writing of your concerns about the potential impacts to your property at NE 11200 Street and First Avenue NE, and for describing your plans for the property.

The analysis of land use impacts in the Final EIS is based on existing land uses, approved land use plans, and other permitted developments. The potential for impacts is discussed in in Section 4.2.2 Long-Term Impacts. A site-specific analysis of potential impacts to a future development in the absence of approved plans or permits would be speculative, and therefore not considered in the EIS. However, in Appendix 4.2.2, Sound Transit has reviewed the consistency of the proposed alternatives against adopted plans and policies of the city, including the City of Seattle's Northgate Urban Center, and finds that the alternatives would support the City's intent to create a more compact urban center in the area. In addition, based on the current designs for the Preferred Alternative, the project would be across the street from your parcel and would not place any new restrictions on the use of your property.

**B-006-001** Since the time the rezone was approved, we have identified development concepts for the property and anticipate proceeding with initial City approvals for portions of the site next year. Development along the eastern edge of the site, in proximity to the proposed light rail route, is anticipated to consist of office, hotel, and assisted living or multi-family residential uses. That development will be able to utilize the full allowed zoning height of 85 feet.

**Comment on Preferred Alignment**

**B-006-002** Of the alternatives presented in the Draft EIS, we prefer Alternative A1 as it locates the alignment furthest from our property line and proposed development. The other alternatives come fairly close to the northwest corner of our property and could impair access to our site. Development options for the property have envisioned an internal access road along our northern property line, with a driveway at the northwest corner of the site. Thus, an alignment in close proximity to that corner is problematic in terms of our future development options and access.

We would appreciate the opportunity to meet with Sound Transit to obtain further information on the exact distance of the alignment and its associated structures vis-à-vis our property line.

**Access Impacts**

**B-006-003** The Draft EIS states that the project would cause the adverse impact of “reduced access” to our property in particular. Draft EIS, p. 4-206. However, in the section on Transportation Construction Impacts, the Draft EIS states that “Local access would be maintained.” The EIS needs to have a more complete discussion of access impacts on particular properties, such as ours, during the construction process. There should be a commitment to work with property owners in devising appropriate mitigation for those impacts.

In addition, there needs to be full disclosure of any long-term access impacts and a commitment to appropriate mitigation.

**Noise and Vibration Impacts**

**B-006-004** Given the proximity of the alignment and inclusion of crossover switches, the Draft EIS acknowledges that at and near our property, noise and vibration impacts would be “moderate to severe for all alternatives” unless mitigation is implemented. The Draft EIS states that mitigation would be incorporated as part of the project, but then states that it is “Sound Transit’s policy” to mitigate noise that would otherwise result in moderate or severe impacts. Draft EIS, p. 4-125. However, mitigation of impacts (both noise and vibration) should be more than a matter of “policy” and instead should be clearly incorporated into the project as required mitigation.

**B-006-002**

Your comment in favor of Alternative A1 is noted Alternative A1 is the basis for the Preferred Alternative, which would be across 1st Avenue from your property. Based on current plans for construction, there would be no physical impacts to your property and no changes to your access due to the light rail project.

**B-006-003**

The Draft EIS text regarding "reduced access" in the cultural resources section of the document referred to construction period effects, but a revised description in the Final EIS clarifies that access could be modified. Access would be maintained, consistent with the text in the Transportation Technical Report. There could be modified access for travel from some directions during construction periods, such as when flaggers are present on 1st Avenue or other nearby streets to accommodate construction activities. Delays could occur, but access to adjacent properties (land and buildings) would be maintained. Depending on required construction activities, access to the property may need to be reduced (e.g., one lane instead of two lanes) or otherwise altered (e.g., short-term reroute of the access) from conditions prior to the start of construction. Parcel-specific details would be determined during final design, in coordination with the City of Seattle and affected property owners. Section 3.6.9 also lists a variety of mitigation measures that Sound Transit will use to reduce impacts on adjacent property owners, residents, and businesses. These include communication about construction activities using a variety of methods and obtaining written permission from property owners to make temporary changes to access. Moreover, should construction activities require temporary use of a small portion of your property, then the conditions of use would be negotiated in a legally binding temporary construction easement.

B-006-005

**Historic Resources**

The Draft EIS concluded that the Northgate Plaza Apartments are eligible under Criterion C for listing on the National Register of Historic Places (NRHP). We do not agree with that conclusion. And we note that a private property may not be nominated for or placed on the NRHP unless the private property owner agrees.

As part of our rezone process, the history of site development was fully documented. That information was then reviewed by City Staff and resulted in a determination by the City of Seattle Landmarks Preservation Board that the structures were unlikely to meet the standard for designation as historic landmarks. (Department of Neighborhoods, LPB 58/11). This determination governed for purposes of the State Environmental Policy Act and City review of the rezone.

It should be noted that although there are some differences between Seattle Landmark criteria and NRHP criteria, NRHP Criterion C (under which our buildings are considered eligible by the Draft EIS) is in substance the same as the City's Landmark criteria. Thus, the City's determination of non-eligibility should be factored into the analysis in the Sound Transit EIS.

**Conclusion**

We appreciate your consideration of our comments and would welcome the opportunity to discuss the project with you further.

Very truly yours,



Vincent J. Mullally  
Managing Member, Northgate Plaza LLC

**B-006-004**

Sound Transit's policy is to mitigate noise and vibration impacts consistent with federal, state, and local criteria. Section 4.7.7 of the Draft and Final EIS identify potential mitigation to be incorporated into the project. Mitigation measures may be refined during final design but will continue to meet applicable federal, state, and local noise criteria.

**B-006-005**

Federal agencies must comply with Section 106 of the National Historic Preservation Act, which addresses properties eligible for listing in the National Register of Historic Places (NRHP). Local land use and landmark decisions are not relevant to NRHP eligibility. While the designation criteria are similar, their application by the Washington Department of Archaeology and Historic Preservation (DAHP) and the Seattle Landmarks Preservation Board may differ. FTA determined, and DAHP concurred, that the Northgate Plaza Apartments are eligible for NRHP listing because they are an intact example of a particular type of apartment complex typical of the post-war era. This determination does not constitute nomination to the NRHP and owner consent is not required.



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September 23, 2013

Via Email and US Mail

Sound Transit DEIS  
 Comments c/o Lauren Swift  
 401 S. Jackson Street  
 Seattle, WA 98104  
 LynnwoodLinkDEIS@soundtransit.org

Re: Lynnwood Link Extension Draft Environmental Impact Statement ("DEIS")

Dear Ms. Swift,

On behalf of the Northgate Mall Partnership, which is owned by the Simon Property Group (collectively "Simon"), we submit the following comments with respect to the DEIS. Simon owns and operates the Northgate Mall ("Mall") located in the Northgate neighborhood in Seattle (located between Northgate Way and NE 103rd Street and 1st and 5th Avenues NE). The Northgate Mall is located at the terminus of Sound Transit's proposed Northgate Link and the beginning of the proposed Lynnwood Link.

Simon is the largest retail real estate company in the world. Simon owns or has interests in 325 properties throughout North America and Asia. In Washington, in addition to the Mall, Simon owns the Tacoma Mall, Columbia Center Mall in Kennewick, North Bend Premium Outlets, and Seattle Premium Outlets in Tulalip. A number of Simon's mall properties are located at or near public transit/rail stations, including on the west coast the Fashion Valley Mall (San Diego Trolley), and Stanford Mall and Stoneridge Mall in the Bay Area (BART), with Stoneridge experiencing the addition of a new BART stop and BART parking deck in 2011. Simon has extensive experience from these projects – both in the effects and potential mitigation of their cost, construction/implementation and post-construction operation – that it believes is relevant to evaluate and consider in order for Sound Transit to improve its plans, lower its project costs, and avoid, reduce and mitigate its impacts on the Northgate Mall and its neighbors.

**B-007-001**

The probable significant, unmitigated, direct, indirect and cumulative adverse environmental impacts of Sound Transit's proposed Lynnwood Link Extension, the Northgate Extension, together with King County's more recently unveiled plans for transit-oriented development on the current Northgate Transit Station site (proposed for the property directly to the south of the Northgate Mall) that Sound Transit is facilitating, hereafter collectively referred to as the "Projects", will be substantial, particularly with the traffic and overused public parking impacts that already exist and the many years of continuous construction and traffic impacts from the Projects that will persist in the future.

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 Perkins Coie LLP

**B-007-001**

Sound Transit, King County, and the City of Seattle have been involved in planning transit improvements and related developments in the Northgate area for over a decade. The projects and plans to extend high-capacity transit to and beyond the Northgate transit center reflect the designation of the Northgate area as a regional growth center. Sound Transit is committed to working cooperatively with Simon, other stakeholders, the City and King County throughout the development of the Northgate Link Extension, as well as for the future Lynnwood Link Extension.

There is also a long history of environmental documents examining environmental impacts and identifying mitigation commitments for the Northgate Link Extension, and now for the Lynnwood Link Extension. (The King County Transit Oriented development project has not yet advanced to the stage of planning or permitting involving environmental review.) The extension to a station at Northgate was originally part of the Central Link Draft and Final EIS (1998-1999) and the subsequent North Link Draft and Final Supplemental EIS (2002-2006).

In addition, the Lynnwood Link Extension Draft and Final EIS examine direct, indirect and cumulative impacts in Chapters 3 and 4 (in direct, indirect as well as cumulative effects discussions by environmental topic). The primary other project discussed in the Northgate area is Sound Transit's Northgate Extension, which is assumed under the No Build Alternative, as is the underlying growth in development, population and employment for the Northgate area and the region through 2035. (Plans for King County's Transit-Oriented Development project remain conceptual).

As the following responses to comments explain, Sound Transit expects that many of the primary issues of concern in your letter (largely traffic and construction period impacts) will be resolved through continued

- B-007-001** The Projects will impact:
- Mall traffic ingress, egress and access at several key points,
  - visibility and clarity of mall access for customers from I-5 and 1st Avenue NE,
  - visibility of the Mall - interrupted in the short to medium term with construction, and in the long term freeway views will be permanently diminished or blocked (which are key for these type of regional retail facilities that serve large (300,000+) population bases),
  - traffic on the roads and arterials surrounding the Mall from the initial planned work on Northgate Station facilities as early as 2014, to 2023 upon expected completion of the Lynnwood Link line,
  - exacerbation of the already existing "Hide and Ride/Park" problems in the vicinity, associated not only with undersized Metro park and ride facilities, but also other undersized public parking facilities such as the local library branch to the east of the Mall, and
  - Mall patron parking and circulation due to the proposed use of the most heavily patronized Mall parking lot as both a long-term construction staging area for both the Northgate Station and Extension and the Lynnwood Link Extension, and potentially for placement of a Sound Transit park-and-ride garage on Mall property if not placed on King County's current Transit Station site.
- B-007-002** There are substantial reasons to be concerned that the cumulative impacts of the Projects will be very disruptive to the Mall and its commercial and residential neighbors, for perhaps as much as ten years of continuous intensive construction activity, as well as the longer-term conditions with the transit network in place and the significantly higher density development occurring immediately surrounding the 60+ year old facility.
- Simon has engaged Transportation Engineering NorthWest ("TENW") to conduct a more in-depth analysis of potential impacts and expects a formal report of their findings later in October 2013. Simon will supplement these comments with TENW's report when completed.
- B-007-003** To help address and minimize impacts to the Mall and surrounding business and residential neighbors, it is critical that Sound Transit carefully consider and coordinate construction plans and cumulative traffic for the Northgate Extension with the Lynnwood Link and Metro's plans for transit-oriented development (TOD) south of the Mall, for:
- (a) the potential overlapping construction periods prior to the opening of the Northgate Station,

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coordination for the final design and construction planning work for the Northgate Link Extension. This approach is consistent with the impacts and mitigation commitments originally defined in the North Link Final EIS and its Record of Decision. Many of the areas that are identified as sources of concern in your letter would not be further aggravated by the construction and operation of the Lynnwood Link Extension. The Lynnwood project would be less intensive and more physically removed from the Northgate station and transit-oriented development (TOD) areas, bringing a lower potential for higher cumulative impacts than for any of the other projects alone. In addition, the development of the Lynnwood Link Extension would actually reduce the number of riders/patrons needing to access the Link system at Northgate, which would lessen rather than increase long term traffic compared to the Northgate Link Extension alone.

To help further illustrate this point, the Final EIS for the Lynnwood Link Extension has updated its discussion of the Northgate Link Extension and has added a description of the King County TOD project. In earlier planning for the Lynnwood Link Extension Draft EIS, Sound Transit and the City of Seattle considered intersections of concern for worsened conditions with the Lynnwood Extension, and had concluded that no adverse impacts were likely because the Lynnwood Link project would reduce the number of trips destined to Northgate. Finally, Sound Transit has developed further information on its planned construction approaches, and is incorporating the latest information on the Northgate Link Extension's construction program, and further discussions of these issues are included in the Transportation Technical Report.

**B-007-002**

Sound Transit does not anticipate a continuous 10 years of major construction activities for the combined projects. The Lynnwood Link Extension's major construction activities near Northgate would be about one year, shorter than the other projects, and involving primarily the



B-007-003

(b) the construction window for the Lynnwood extension coupled with the anticipated extraordinary use of the area around Northgate Station for parking for commuters when Northgate Station is open, but Lynnwood is still under construction, and

(c) for the longer term conditions when the Lynnwood Station is finally open, and Northgate area is no longer the critical transfer point from automobiles to transit for the general public.

The analyses should also include understanding the relationship between what is already a fully utilized park-and-ride condition today, how that will change when the Northgate Link is open and the end node for commuters from the north, and considered in concert with the potential loss of the existing surface lots of the Metro Transit Center today for planned TOD development over that entire site. Simon expects there to be a period of time before the Lynnwood Link is open when there will be an extraordinary burden on parking, as well as on traffic in the areas as noted above, but the unique impact to the Mall for the likelihood of significant commuter use of the Mall's private parking (as "park-and-hide" or "hide and ride") that is provided for, required for, and intended for the Mall's retailers/customers. This "hide and ride" activity would be a direct impact to the Mall and in direct conflict with the Mall's operating hours. The Mall's neighbors, both business and residential, face similar burdens that will be dramatically exacerbated by Sound Transit's plans for North Link and Lynnwood Link, and King County's related "Transit Oriented Development" proposal.

This is of significant concern, especially for those weekday evenings when commuters have not returned to their cars and Mall customers cannot find parking because commuters (who have parked on the Mall property all day) are still occupying spaces in Mall lots (and most likely the most preferred spaces along the west side of the Mall). If Sound Transit's expectations regarding ridership are even remotely realized (recognizing that the State's auditor has found them to have been overstated and has requested they be reconsidered), the problem will likely be worse on local sports weekends for Seahawk and Husky games, and on the evenings throughout the spring, summer and early fall for Mariner games, when Mall parking is in most demand for shopping. These are real, foreseeable adverse impacts and ones Simon has experienced elsewhere that should reasonably be expected to occur once the Northgate Station and Link opens. Moreover, the impacts will continue to be exacerbated by the overlapping continuation of construction of the Lynnwood Link, and would be further exacerbated by potential implementation of a high density TOD on King County land that would shift the existing substantial parking demand off of that site, and most likely onto the Mall's, and add to the area's already strained traffic and parking demands.

Simon has been working with Sound Transit staff on ways to minimize construction-related parking impacts to the Mall, such as by placing the proposed Sound Transit/Metro park-and-ride garage on the Metro site to the south of the Mall. But to this point, those discussions have been looking at the Northgate Station and line extension project in a vacuum. As this next phase (Lynnwood Link) takes form, and the potential of a fully utilized King County TOD starts to take shape, the impacts on the Mall property and on the surrounding community must be analyzed in

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construction of the guideway adjacent to the I-5 right of way. This would be north of the areas where the Northgate Station, park-and-ride, and Metro's Transit Oriented Development project would occur.

The analysis of traffic in the EIS through 2035 considers an underlying increase in traffic growth in the area due to the planned growth in jobs and housing in the Northgate Urban Center. The major investments in transit in the area have been considered in the analysis of traffic. This was the method used for the assessments of traffic for the Lynnwood Link Extension, as well as for the Northgate Link Extension.

For both projects, Sound Transit's mitigation commitments include measures to maintain access to the mall and surrounding neighborhoods, and to work with the City, County, Simon and other stakeholders to minimize impacts.

#### B-007-003

The North Link Final SEIS included a detailed review of parking impacts for the project and identified mitigation where appropriate. Sound Transit agrees that the planning and coordination of overlapping construction activities would help reduce individual as well as potential cumulative effects to traffic, access and parking. The Final EIS identifies such coordination as a mitigation measure for cumulative effects in section Section 3.6 of the Final EIS. The potential TOD on King County Metro property has not been reflected in Sound Transit projects' construction traffic analysis because there are no detailed plans available for that project, including a proposed date for construction. However, Sound Transit expects the development would be within assumed future growth in traffic levels that are already assumed as part of the No Build Alternative for the area, which incorporates more jobs, housing and trips in the Northgate district. In addition, park and ride supply at the Northgate Station is expected to be fully occupied. As the Lynnwood Link Extension project would include stations with new park and ride facilities

**B-007-003** their totality, not segmented. Discussions between Simon and Sound Transit staff are ongoing, and we hope to develop better mitigation through those processes that should be included as part of Sound Transit's final Lynnwood Link EIS, and likely in a supplemental EIS for North Link, particularly if King County's proposal to convert its existing park and ride lot to a transit oriented development (eliminating the already oversubscribed parking) is not abandoned or at least substantially modified.

**B-007-004** **I. Other Projects Considered for Cumulative Effects.**

In Appendix H, Sound Transit identified certain other projects that are "reasonably foreseeable" as part of the analysis of cumulative effects and the predictions of conditions for the future regional transportation system. However, Sound Transit did not identify the North Link Station and Extension nor the King County Metro Northgate TOD Project in the cumulative effects analysis. Both of these should be considered in the EIS analysis, and particularly in the Transportation Technical Report analysis to address private property and local circulation impacts to the Mall and other immediately surrounding businesses and residential neighborhoods. These projects should not be considered as "baseline" existing infrastructure.

**B-007-005** **A. North Link.**

As you know, the North Link and Lynnwood Link are two "phases" of Sound Transit's larger light rail system plans. The North Link phase is essential to the purpose and function of the Lynnwood Link phase, and the North Link impacts should be considered in the Lynnwood Link EIS analysis. To that end, the Lynnwood Link DEIS should reconsider the Northgate Station Area local area traffic circulation, parking, and construction impacts along 1<sup>st</sup> Avenue NE, NE Northgate Way, the local freeway interchange system with I-5, Mall access and parking, all in an effort to address impacts in a comprehensive manner. In addition, alternatives presented in the Lynnwood Link DEIS demonstrate a "range" of ridership impacts that would occur at the Northgate Link Station area, yet no evaluation of increased parking or local area traffic impacts that would occur as a result of these ridership levels are evaluated. For Simon and its neighbors, it is crucial that Sound Transit consider how to best coordinate the construction and design of both phases in order to minimize long-term and short-term transportation and construction-related impacts to the Mall, located at the proposed intersection of these two phases.

**B. King County Metro Site - Transit Oriented Development Plans.**

**B-007-006** The North Link Final SEIS (2006) included the following description for the transit oriented development plans for the Metro site south of the Mall:

"King County Metro: Northgate Transit-Oriented Development Project

King County is planning a high-density, mixed-use urban development on the existing Northgate Transit Center site. The site will continue to be an important transfer point and could accommodate additional services such as a light rail

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to the north of Northgate, capturing trips to the north, this would help reduce demand for parking spaces at the Northgate Station, and is projected to reduce bus trips and vehicle trips as well, compared to levels experienced with the Northgate Extension alone.

**B-007-004**

The Northgate Extension is considered as part of No Build because the decision to build and operate the Northgate Link Extension has been made, the project has completed its environmental review, and it is fully funded. It will be in place and operating before the Lynnwood Link Extension is completed. The King County TOD project at Northgate has been added to this list of projects considered in the cumulative effects analysis in Final EIS, although further details and timing of the project remain unconfirmed at this time. In addition, in response to your comment, the cumulative construction effects for all three projects together are now discussed in more detail in the Final EIS, including in Chapter 3 of the Final EIS, as well as in the Transportation Technical Report.

As noted above, in terms of long term impacts, the Lynnwood Link Extension would attract transit trips to the north of the Northgate Station, which would help reduce demand for parking spaces at Northgate, and would reduce bus trips and vehicle trips as well, reducing the potential for adverse cumulative effects.

**B-007-005**

Based on modeling data for the Lynnwood Link Extension, which shows lower ridership and reduced trips to Northgate after Lynnwood Link opens, Sound Transit projects decreased transit-related traffic accessing Northgate. This supports a conclusion that there are no additional Link-related parking and traffic impacts in the Northgate Station area due to the Lynnwood Link Extension, and a detailed reexamination of long term

**B-007-006**

station. The existing capacity of the four park-and-ride lots in the Northgate area is approximately 1,400 stalls. The TOD project would replace these stalls and provide more spaces for commercial and residential use. Two new parking structures with 575 apartments; retail, restaurant, health club, hotel, or office space; a cinema; and a daycare center above the parking structure on the south lot are planned. A second parking structure at the northeast corner of First Avenue NE and NE 103rd Street would serve the north end of the future light rail station. Traffic congestion on First Avenue NE and Fifth Avenue NE would be relieved by intersection and signal improvements, additional lanes on NE 103rd Street, and the creation of a new street, Third Avenue NE, that connects the existing office park south of NE 100th Street with the mall north of NE 103rd Street. King County could “surplus” the park-and-ride lot at Fifth Avenue NE and NE 112th Street, located next to Target and Best Buy, giving the City of Seattle the opportunity to purchase it for creation of a park. By relocating the Northgate Transit Center to 1st Avenue NE, King County could provide excellent connections for passengers transferring between Metro buses and the future Sound Transit light rail station. King County Metro Transit and the City of Seattle have tentatively agreed that this proposal should be considered for further study. King County is studying the feasibility of sustainable building practices, such as “green roofs” for the buildings. Stormwater from the TOD project would be detained on site and potentially directed to the City of Seattle’s stormwater treatment feature, “the Channel” at Thornton Creek. The following projects describe the development in Northgate in more detail . . .”

Source: North Link Final SEIS (2006), Appendix P4.18: Cumulative Effects Information at p. P4.18-3.

However, Appendix H of the DEIS does not identify the Metro Northgate TOD Project as a project considered in the cumulative effects analysis. This project should be included in the analysis, particularly if Sound Transit plans to support this project by building the mitigation/replacement park-and-ride garage on the Mall site. And, in addition, the potential impacts of the TOD if Lynnwood Link is NOT constructed, or even significantly delayed, should also be considered, since Sound Transit cannot guarantee Lynnwood Link’s construction, let alone that it will be completed on schedule.

## II. Impacts to Mall Access.

**B-007-007**

Figure 6-1 of the DEIS Transportation Technical Report (July 2013) shows a proposed construction staging area located on the Mall’s western parking lot just south of NE 107th Street, with truck haul routes to and from the staging area and I-5 through the NE 107th Street on-ramps and off-ramps and also having truck haul routes use 1st Avenue NE north of NE 107th Street. There is also a note on Figure 6-1 that there may be “Temporary Closures (e.g., structure placement)” on the Mall parking lot. In addition, Sound Transit has plans (i) to use the Mall site for construction staging for the Northgate Station from 2016-2019, (ii) to temporarily take the

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traffic conditions near the station is not necessary as part of the Lynnwood Link Extension.

## **B-007-006**

Appendix H in the Final EIS lists the King County TOD project as part of the set of projects considered for long term and construction cumulative effects. Individual environmental topics also have added discussion where relevant, including in transportation (Chapter 3) and Land Use (Chapter 4, Section 4.2). If construction for the Northgate Link Extension and Lynnwood Link Extension overlap, Sound Transit will coordinate the separate projects to minimize traffic impacts during construction, as described in Section 3.6.9 of the Final EIS. The Lynnwood Link Extension is not proposing additional parking in the Northgate area, and because the King County TOD is not a Sound Transit project, Sound Transit is not responsible for addressing impacts of that project, whether or not Lynnwood Link is constructed. The King County TOD project remains conceptual at this point, and with its elements or construction timing yet to be determined.

## **B-007-007**

The indication of a construction staging area within the mall property in Figure 6-1 of the Transportation Technical Report is primarily related to the Northgate Link Extension, but Sound Transit is working with Simon Properties to allow the site to be used for an early element of Lynnwood Link Extension, which should help reduce overall construction durations for the two projects in this area. Parking impacts associated with Northgate Link Extension construction and operation are addressed in the Final SEIS and ROD for the Northgate Link Extension (known as North Link at the time of the Final SEIS).

**B-007-007** parking lot at the southeast corner of the Mall site and apparently use it to mitigate Sound Transit's parking impacts during the Maple Leaf portal construction, and (iii) to permanently take a portion of the Mall parking lot on the southwest corner of the Mall site in order to build a Sound Transit/Metro park-and-ride garage so as to facilitate Metro's TOD plans. These actions could reduce the Mall's total private parking by 15% to 20% when overlapped, and create real and enduring parking problems in the area for the Mall and its neighbors, for years. This is not "temporary" from the Mall's perspective. And, it will exacerbate the existing "Hide and Ride" problems for all of the local area residents.

**B-007-008** Further, it appears possible that as part of the pending Northgate Station construction effort, Sound Transit may also attempt to close off one of four key access points off of 1<sup>st</sup> Avenue to the Shopping Center (105<sup>th</sup> private) for some portion of the suggested 40 month utilization of the Mall site for this temporary Northgate Station construction staging. The traffic impacts associated with the removal of access from the Mall's most heavily utilized parking fields, for several months, rerouting customers from the most heavily used parking fields on the west side back around to the 5<sup>th</sup> Avenue lots, and transporting the primary customer traffic that arrives from I-5 around on the adjacent streets to account for these significant changes during construction, have not been properly analyzed. This will be further exacerbated if the Lynnwood Link or King County TOD work overlaps, do not adequately account for cumulative parking and traffic pattern changes that ultimately push those burdens on the Mall, or both. The secondary neighboring streets are not designed to handle these burdens, so again there will be burdens not just on the Mall, but its neighbors.

**B-007-009** Access to the Mall, particularly to and from I-5 and particularly on the western side, are the most important elements of the Mall's customers' means to reach the Mall and the adjacent freeway interchange that serves the larger Northgate Neighborhood and business district. Peak directional flows at this interchange system operate at or near capacity during peak weekday and weekend periods. This interchange also serves as the first access/last terminus for local connection onto the reversible I-5 Express Lanes. As a result, added pressure onto local arterials is generated along 1<sup>st</sup> Avenue NE, 103<sup>rd</sup> Avenue NE, and NE Northgate Way. Moreover, regular freeway congestion along the I-5 corridor occurs on a consistent basis, and regional traffic spillover already regularly utilizes these arterials that serve as the primary Mall access. A recent collision at the I-5 northbound off ramp that closed a single lane on 1<sup>st</sup> Avenue NE indirectly sent traffic for hours "through Mall property", essentially stopping and blocking traffic flow within the Mall interior drive aisles for hours as drivers diverted around congested roadways.

The Mall's primary trade area of regular shoppers (from which 70% of its retailers' sales are generated) extends south as far as Lake Union and Westlake, and north to the King County/Snohomish County Line. The Northgate/I-5 off-ramp is the Mall's primary point of customer access for a significant majority of those customers coming northbound, given the already bottlenecked conditions at the Northgate Way/I-5 underpass, and the lack of any significant east-west routes over/under I-5 to the south.

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### **B-007-008**

This specific proposal is not an element of the Lynnwood Link Extension. Responses above address Sound Transit's approach and commitments to coordination construction period planning that would occur regardless of details of any of the other projects or activities in the area.

### **B-007-009**

Sound Transit recognizes the importance of the I-5 ramps and 1st Avenue as access points for the Northgate District as well as for the mall and its patrons. The Draft and Final EIS and the Transportation Technical Report all indicate the Northgate/I-5 off-ramp experiences high levels of congestion and delays, and predict increasing levels of congestion through 2035. The continued congestion on major highways and local streets is among the reasons light rail is to be developed in this area, particularly as the Northgate District continues to absorb growth and development as a regional growth center defined in regional and city plans.

**B-007-010** Construction impacts are not just related to interruption or alteration of existing roadways, access or circulation. One also needs to factor in the construction activities, and the vehicles/equipment used for construction, and their added burden to the adjacent roadway network. The DEIS does not provide any information regarding the size or timeframe of the proposed construction staging nor the duration and intensity of use of the truck haul routes to and from the Mall, so from the existing DEIS it is not possible to meaningfully understand the extent of these impacts. The DEIS also fails to analyze the cumulative impacts of the foregoing when combined with the Northgate Link station and guideway construction and construction of the park-and-ride garage, nor for the potential construction of King County's TOD plans immediately to the south of the Mall. Currently, the Sound Transit/Metro garage is proposed for construction in or around 2014/2015, the Northgate Station construction staging is proposed to occur from 2016 to 2019 on the Mall site, and the Lynnwood Link construction is proposed to occur from 2018-2023. The potential timing of the King County TOD is unclear, but representations have been made that suggest several hundred units might possibly be complete by the time Northgate Station is open. If not coordinated, continuous and possibly conflicting construction on the Mall site could occur from 2014 through 2023, a 10-year period, impacting vehicular/pedestrian access, freeway interchanges, and parking facilities and availability for both the Mall and its neighbors. The Mall requests that a focused comprehensive study of these issues be undertaken to ensure that traffic circulation is maintained, public or TOD parking impacts do not occur, and economic impacts to Mall tenants and their employees are minimized as a result of these cumulative impacts expected to result.

**B-007-012** It is important to understand that for regional destinations such as Northgate, long-term, burdensome conditions are likely to permanently divert customers to alternatives. Getting these customers to come back once the public infrastructure projects are completed is not only not guaranteed, for many it is likely to permanently alter their shopping patterns. This phenomenon is well documented across America. Once a customer is alienated for any period, it is difficult to lure them back. The ability to keep the Mall occupied with quality retailers and dining options, as well as to maintain the quality and vibrancy of the Mall as a regional center, depends on that convenient and continuous access and availability of parking as they are currently accustomed to.

**B-007-013** Sound Transit's FEIS should provide additional information and analysis of these issues, along with carefully considered alternatives for minimizing impacts that could permanently shift customer shopping patterns away from Northgate, given the duration of the combined impacts for the Projects, and their cumulative overlapping activities. Sound Transit should analyze how timing and coordination of construction for the Northgate Link and the Lynnwood Link can minimize impacts to the Mall, especially recognizing the potential TOD overlapping concerns.

### III. Impacts to Mall Parking and Circulation.

**B-007-014** As noted above, Sound Transit is proposing to use the parking lot on the western side of the Mall for construction staging for the Northgate Link. Given constraints on 1<sup>st</sup> Ave up to Northgate Way, it is reasonable to assume continued desire on Sound Transit's part to use of some Mall property for this purpose beyond the North Link project's construction timeframe. Moreover,

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### B-007-010

The Lynnwood Link Extension's Northgate area construction activities will primarily involve the construction of the elevated guideway. Therefore, the duration and intensity of the construction activities are expected to be about a year, less than what is needed for the Northgate Link Extension, which involves a tunnel portal, guideways, the station, the parking garage, guideways and tailtracks. Truck traffic to serve construction activities would also be less, with less need for spoils removal or fill, fewer materials, and fewer crossings of existing streets and roadways. The Draft EIS had a summary of activities, but deferred discussion of specific details to the Transportation Technical Report, which identified the types of activities including potential night-time periodic closures in the Northgate area on pages 6-10 to 6-19. Additional discussion is now included in the Final EIS in Chapter 3, and updated information is in the Transportation Technical Report.

### B-007-011

Using the general construction and project development period for the Lynnwood Link Extension (or the Northgate Link Extension) does not accurately reflect the duration of construction activities with the potential for higher construction period traffic impacts. As page 2-27 of the Draft EIS notes, in any given location, heavy civil construction is expected to be completed within one to two years. Construction of elevated sections of the guideway would be staged to minimize major traffic impacts, with most closures or detours occurring at night. Depending on a contractor's approach to staging, the guideway segment could be placed within 3 months of relatively continuous work, or 6 to 12 months of intermittent work. Therefore, there is not a high potential for the Lynnwood Link Extension to create higher cumulative construction effects than those already identified for the projects individually, and a continuous ten or more years of heavy construction adversely affecting access to the Northgate area is not expected considering the projects in the area. The Transportation Technical Report gives further detail on likely sequencing

**B-007-014** Sound Transit is proposing to permanently take the parking area on the southwest corner of the Mall site to build a Sound Transit/Metro garage. The DEIS does not include sufficient information to understand the scope of the parking impacts from the Lynnwood Link construction staging, nor the cumulative impacts of the Northgate Link, Lynnwood Link and Metro TOD plans.

Additional information and analysis should be provided, along with alternatives for minimizing parking and circulation impacts. In particular, as discussed above, Sound Transit should analyze how timing and coordination of construction for the Northgate Link and the Lynnwood Link can minimize impacts to the Mall, factoring in realistic assumptions for King County's TOD prospects.

#### IV. Hide and Ride.

**B-007-015** Currently, the King County-Metro transit center is located south of NE 103<sup>rd</sup> Street, immediately south of the Mall. Surface and structured parking is heavily used in close proximity to this facility, as commuters limit their parking desire to the shortest walking distance. Relocation and expansion of the major transit access points further north to include the Mall and adjacent property will significantly increase the likelihood of commuters using the private surface parking lots of the Mall for "hide-and-ride".<sup>1</sup> This happens routinely in Simon centers, including at its Stoneridge Mall in Pleasanton with the new BART station (completed 2011) abutting that mall. With added pressure during construction of the Northgate Station, the proposed Sound Transit parking garage, extension of Link north along 1<sup>st</sup> Avenue NE, and King County TOD all generating additional demand or displacing existing supply within the Mall, and with new demand generated by Lynnwood Link trips, parking demand impacts on the Mall should be considered in a cumulative and comprehensive manner. During each stage of construction, upon completion of the Northgate Station and line but prior to Lynnwood being operational, and thence forward.

Given understating of parking demands during the critical construction period windows (when Sound Transit currently anticipates reducing the Mall parking supply for many years to build facilities on and adjacent to Mall property), and perhaps most acutely once Northgate Station is open, but the Lynnwood extension is not complete, several years of continuous loss of parking is likely to affect Mall retailers' ability to be successful absent mitigation of impacts to what is already a very tight parking arrangement at Northgate Mall. The Mall is at the low end of parking requirements for regional malls in suburban settings. The Mall and its tenants cannot afford for inadequate commuter parking to make what is already going to be a challenging

<sup>1</sup> In addition to "hide and ride" parking, similar activity and impacts to the Mall result from other public facilities located nearby. For example, on August 20, 2013, from 5:30 pm - 8:00 pm, Sound Transit held an open house/public hearing on the DEIS at the Northgate Community Center Gymnasium at 10510 5th Ave NE, Seattle (corner of 105th and 5th Ave. NE, adjacent to Northgate Mall). The lot was full before the meeting started. Therefore, members of the public who did not simply give up in frustration parked in the private Mall parking lot closest to the community center to reach the open house meeting, or in the residential neighborhood to the south.

by area to help support the finding that construction impacts can be managed to avoid severe impacts.

As noted above, Sound Transit's construction period mitigation commitments will include coordinating planning with other projects as well as with stakeholders, the City and WSDOT, which would further reduce potential construction impacts for individual projects as well as potential cumulative or sequential projects. As part of final design for the Northgate Link Extension, Sound Transit has continued to develop details of the construction sequencing and phasing.

#### B-007-012

Sound Transit recognizes the concerns of the Mall in retaining its customer base. The construction planning and mitigation approach for the project includes a commitment to maintain effective access to the mall and to parking to reduce the potential for impacts to the long term customer base of the mall. In addition, the long-term presence of the light rail line near the mall and the high visibility and accessibility of the mall for Sound Transit riders has the potential to attract customers to the mall.

Measures identified in Section 4.3.6 (Economic Impact Mitigation) of the Final EIS describes communication, marketing and promotional measures Sound Transit would implement with businesses and business districts to minimize impacts. This would include working with Simon Properties to publicize that businesses are open during construction, and to develop signage and wayfinding systems for the construction period.

#### B-007-013

The Final EIS includes additional discussion clarifying the areas of potential construction overlap with the other projects noted in your letter, and also has further detail on the types of construction activities by location for the Lynnwood Link Extension. However, many of the

**B-007-015** | situation worse. Yet, these unmitigated public spill-over public parking impacts are going to occur for a number of years as these overlapping Projects proceed. Simon and its retailers are highly motivated to help Sound Transit make sure they do not experience the negative consequences that Simon tenants in other “transit project-proximate” locations already experienced elsewhere. And one can look at the current conditions, where commuters fill up virtually all of the close park-and-ride lots, and then park on Mall property, and fill up most of the surface streets surrounding the existing Northgate Transit Center most weekdays, to know that significant anticipated increases in utilization of public transit here will undoubtedly not result in reduced parking demand. It is incumbent upon Sound Transit’s environmental analysis to compare current “boardings” of transit systems to anticipated future boardings, identify how many of those incremental boardings are likely to come from automobiles, and properly plan to accommodate them without burdening the Mall and surrounding streets and neighborhoods. This needs to be looked at for each step in the process of transitioning the area surrounding Northgate Station, up until Lynnwood is open and operating, and relieving this community of the likely peak parking demand as the end node of the system until that new link is open and operational.

**V. Impacts to Visibility from I-5.**

**B-007-016** | The Northgate Station, the Northgate and Lynnwood guideway, and the Sound Transit garage will all impact visibility of the Mall from I-5 and to some degree 1st Avenue NE. The DEIS states that “Views of Northgate Mall from I-5 would not be impaired.” DEIS at Table 4.5-1 (Summary of Potential Visual Quality Impacts of the Light Rail Alternatives). That statement is factually incorrect, particularly when considering the cumulative visibility impacts of the Lynnwood Link, the Northgate Station and Link, the proposal for a Sound Transit/Metro garage on the southwest corner of the Mall site, and the King County Northgate TOD plans. The DEIS should correct this inaccuracy and analyze and address how visibility impacts might be minimized, such as by providing temporary or new permanent replacement signage for the Mall, or otherwise compensating for such impacts. Though Northgate Mall generates a good deal of business from the local community, the reality is Northgate Mall, as with most shopping malls of this kind, generates customer traffic primarily from a much broader clientele. In the Mall’s case via the freeway system up to the King County line, and as far down as U Village and Westlake. The Mall’s trade area of regular shoppers has a population base of close to 500,000 people. And thus visibility and awareness from that broad audience is critical to the Mall retailers’ success.

**VI. Traffic Impacts on Roads and Arterials Surrounding the Mall.**

**B-007-017** | The DEIS Transportation Technical Report (July 2013) recognizes that arterial and local street impacts would be highest at stations that provide the greatest number of park-and-ride access opportunities. This review however, does not consider the impacts (increase or decrease) in those specific types of traffic impacts relative to the Northgate Link station area, nor the cumulative impacts that could very likely be experienced with overlapping construction activities. As noted above, these specific impacts should be included in a “focused” Northgate Station Area Traffic and Parking Impact Study. This study would address short-term,

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mitigation measures already defined in the Draft EIS and that now accompany the Preferred Alternative in the Final EIS are designed to address the stated concerns over construction and potential impacts to business and economic activity in the Northgate district. This includes a commitment to coordinate construction planning and mitigation with other projects.

**B-007-014**

Northgate Link Extension has been discussing with Simon Properties the use of the southwest corner of the Mall site for construction staging and guideway construction. Impacts related to displaced parking supply are being addressed by Sound Transit as part of the Northgate Link Extension.

Figure 6-1 of the Transportation Technical Report indicated a construction staging area in the mall lot based on preliminary plans; the Final EIS has updated conceptual design plans for construction staging, which supercedes the figures that were used in the technical report, but still shows the edge of the property being potentially used. Construction staging planning is still in early stages, and the areas to be used would depend on final design details as well as property availability, including both public and private properties. The Draft EIS for the Lynnwood Link Extension identified the mall property as being affected by partial acquisition in Section 4.1, Acquisitions, and Appendix I-4.1, and includes conceptual plans in Appendix F that show the potential for parking stalls on the far west edge of the lot to be impacted in order to construct structural supports for the guideway as it crosses to the west side of 1st Avenue NE. The Final EIS updates that information for the Preferred Alternative. The number of potentially affected spaces is small (less than 20) compared to the overall supply available at the mall, and the EIS identifies measures to mitigate any loss of parking on private property (primarily compensation when the amount of displaced parking is small).



**B-007-017** intermediate, and long-term traffic and parking impacts to the Mall and the I-5 Northgate area freeway interchange system and local arterial system. This type of study will be especially vital in the evaluation of construction impacts, that include construction staging, Mall access closures, temporary parking impacts, etc. And it should be able to help identify upfront traffic mitigation efforts that can partially mitigate for the impacts during years of construction, before the area is finally free from construction related impacts in the 2021 thru 2024 years, as best as the Mall can foresee. Anticipated TOD densities and timing will also need to be factored into the analysis.

#### VII. Alternatives.

**B-007-018** The DEIS also fails to take a hard, fair look at reasonable alternatives. Given the direct, indirect and cumulative, and enduring, adverse environmental impacts the light rail and TOD plans would create, this analysis should not be piecemealed, but rather should carefully assess impacts and alternatives across all of these “segments” of Sound Transit’s proposal.

**B-007-019**

- Sound Transit currently plans to condemn a portion of the Mall land, and to construct the replacement parking for the King County Metro park-and-ride patrons in a parking structure on the Mall’s property. Given the burdens the Mall and its retailers and customers are already going to shoulder for a decade during coincident construction of rail facilities, the multi-modal transit station and the TOD project contemplated, the Mall recommends that Sound Transit reconsider, and fully analyze, the placement of the Northgate park-and-ride facility on the King County Metro TOD site (similar to the preferred alternative in the Northgate FEIS (2006)). Simon further recommends that such an alternative consider the scope and timing of the otherwise intensive TOD project (and coordinate Sound Transit plans with Mall plans to build its own garage to mitigate the Projects’ parking impacts during Sound Transit’s construction staging on the Mall site).

**B-007-020**

- The Mall recognizes that its site will be used as laydown for construction staging for the Northgate extension project, but it is not clear if that “need” extends further into the future with the proposed Lynnwood project. Given the tight physical constraints between I-5 and 1st Street as one approaches a heavily congested Northgate Way interchange, the Mall and its tenants would like to understand whether Sound Transit anticipates using the Mall further for additional laydown as part of the construction of the Lynnwood Extension. In that regard, Simon’s representatives were advised that that was a distinct possibility during Sound Transit’s Northgate open house. Simon requests that the need, scope and extent of any additional laydown be clarified and analyzed.

**B-007-021**

- For the long term, it is clear that moving the planned park-and-ride garage to the current Transit Center site would reduce traffic impacts/conflicts with the 500,000 person population in the Mall trade area that is driving to Northgate to shop, and result in less pressure for “hide and ride” that would impact the Mall’s available parking for Mall patrons, as well as its retailers success and its neighbors’ parking options and residential neighborhood ambiance.

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#### **B-007-015**

The Northgate Link Extension project is proposing the use of the southwest corner of the mall parking lot, and impacts related to displaced parking supply as well as the potential for managing potential hide-and-ride effects, are being addressed by Sound Transit as part of that project, consistent with the North Link Final SEIS and that project’s Record of Decision. The Final EIS and the Transportation Technical Report for the Lynnwood Link Extension have further detail about construction staging and sequencing in the Northgate area, and describe both the types of activities, the timing, and the nature of construction staging areas, which are generally west of 1st Avenue. In addition, the Transportation Technical Report and Chapter 3 of the Final EIS both indicate that ridership at the Northgate Station would be lower after the Lynnwood Link Extension opens, which would reduce the potential for transit-related traffic and parking impacts around the Northgate station.

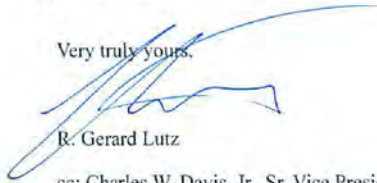
#### **B-007-016**

The conclusions in the Draft EIS, with the visual simulation in Figure G-3, shows that views would not be impaired because the prominent buildings within the mall would continue to be visible above the elevated guideway. The elevation of I-5 slopes down from south to north from an elevation of about 310 feet at NE 92nd Street to an elevation of about 270 feet at NE 100th Street and continues at that level until it begins to climb again at about 310 feet at Northgate Way. The buildings of the Northgate Mall are at an elevation of about 300 feet. Parking lots slope to the west and south to about 280 feet. Vegetation along I-5 and the canopy of trees in the parking areas screen the lower portions of the mall buildings from most of I-5, however the mall is still a prominent landmark because of the visibility of upper floors of buildings. The light rail guideway is generally at an elevation of 325 feet. As shown in Figure G-3 (at about NE 97th at an I-5 elevation of about 284 feet) the guideway obscures the lower elevations of buildings. The upper portions of buildings and the general presence of the features of the mall are still

**Conclusion**

**B-007-022** For the foregoing reasons, Simon requests that the FEIS fully assess the cumulative impacts and effects of the North Link, the Lynnwood Link, and the King County TOD proposal, particularly in light of the existing infrastructure deficiencies in the area around the Mall. When viewed together, it is clear that the impacts to the Mall and its neighbors will be substantial during the extended 10+ year construction period, and that the final result will be dramatic parking and traffic impacts, and associated damage to the economic vibrancy of the Mall and its business neighbors, as well as the livability of the Mall's neighboring residential areas. We look forward to working with Sound Transit (and King County) staff to help avoid, reduce and mitigate these impacts, with the goal of helping to make the North Link and Lynnwood Link the successes the public is hoping for.

Very truly yours,



R. Gerard Lutz

cc: Charles W. Davis, Jr., Sr. Vice President Development - West, Simon Property Group

clearly visible. As I-5 slopes downward to the north, views of mall from northbound traffic are increasingly obscured by retained vegetation along I-5 and tree canopy in parking lots. Southbound traffic north of Northgate Way has few views of the mall because the roadway curves to the east and views from vehicles are oriented to the southwest. South of Northgate Way, views of the mall are out of the line of sight of drivers. Passengers can see major features of the mall by looking sideways. The elevated portions of the light rail guideway rise from an elevation of about 310 feet to about 325 feet between 107th Street and Northgate Way and are above the level of the base of the mall, but is still below the level of the tree canopy in the mall parking lots. The upper levels of buildings are still visible. Occupants of vehicles on I-5 have extensive views of complex urban development on both sides of I-5 and of the upper portions of buildings, including the mall. The presence of the mall and other development remains the dominant feature in views from the road. The portion of the guideway shown in Figure G-3 is part of the Northgate Link Extension south of the current project, and therefore illustrates the cumulative impacts of both projects. This figure also shows the existing parking structures. Proposed station impacts were analyzed in the Sound Transit North Link Final EIS on pages 4-54 and are illustrated in Appendix P4.4 View Location 1.

**B-007-017**

As noted in responses above, the Final EIS and the Transportation Technical Report provide more detail on construction and how the Lynnwood Link Extension would reduce the demand for transit-related trips at the Northgate Station, compared to No Build. Therefore, a detailed assessment of traffic conditions in Northgate, in addition to the more detailed analysis conducted for the Northgate Link Extension would not be needed to confirm that the Lynnwood Link Extension would not increase traffic impacts compared to the Northgate Extension alone.

**B-007-018**

The alternatives in the Lynnwood Link Extension EIS assess the potential impacts of a project defined as providing an extension of mass transit from Northgate to Lynnwood. The Northgate Link Extension and the Lynnwood Link Extension are separate projects, with the Northgate Link Extension being part of previous decisions, environmental reviews and funding commitments that have allowed the Central Link system to be built for the corridor connecting SeaTac to Northgate. Potential refinements to the Northgate Link Extension are not being considered as part of the Lynnwood Link Extension. However, as Sound Transit continues to complete final design for the terminus of the Northgate Link Extension, the agency is coordinating with Simon Properties, the City, King County Metro and others to address the concerns that your letter identifies.

In addition, the Lynnwood Link Extension EIS identifies actions that are related to the connections between other projects as indirect, secondary or cumulative. In this way, Sound Transit has evaluated the potential for significant environmental impacts arising as a result of the Lynnwood Link Extension, whether it arises directly from the project or whether it would occur as part of other reasonably foreseeable activities in the area. This discussion is found in the Final EIS in Chapter 4 for each resource evaluated, and mitigation measures to address cumulative effects are identified in the Final EIS.

**B-007-019**

For the Northgate Extension, Sound Transit has coordinated the project's final design planning with Simon Property Group and King County Metro to confirm the location of the park and ride facility at Northgate Station. The areas that were considered would not be directly affected by the construction of alternatives being considered for the Lynnwood Link Extension. Sound Transit has also entered discussions with Simon Property Group about the use of an area within the west part of the mall

parking for construction staging for the guideway north of the Northgate Station. Depending on the final outcome of those discussions and negotiations, the Lynnwood Link Extension could propose using this area for construction staging.

**B-007-020**

Sound Transit generally plans to maintain construction staging along the Segment A alignment within the proposed guideway, stations, and other available rights-of-way. Properties proposed for permanent acquisition or that are available for lease are also often considered for construction staging. Appendix F of the Final EIS updates the areas that Sound Transit expects to utilize for construction activities, which includes the western edge of the parking lot to the mall where the guideway would begin before crossing over to the west side of 1st Avenue. As you know, Sound Transit has been in discussions with Simon Properties for this area as part of the Northgate project as well. As part of coordinating construction for both projects, Sound Transit is also considering opportunities to combine some aspects of construction of the projects into a single construction period to help reduce overall impacts.

**B-007-021**

This issue is related to the Northgate Link Extension and King County's Transit-Oriented Development project, and is not related to the decisions being made for the Lynnwood Link Extension.

**B-007-022**

In the Final EIS and in responses to this letter's individual comments, Sound Transit has added further information describing the relationship between the Lynnwood Link Extension to Northgate Link Extension, and the King County TOD project. This includes further information showing that the potential combined construction periods would not involve more

than 10 years of intensive activities that would not be addressed by mitigation measures already in place in the Lynnwood Link Extension and North Link EIS documents, that the Lynnwood Link Extension would have a more limited range and duration of construction activities, generally north and west of the mall property, and also demonstrating that the Lynnwood Link Extension would reduce the potential for long term traffic and parking impacts in the district.

Sound Transit remains committed to working with Simon Properties, the City of Seattle, King County and others as final design and construction continues on Northgate Link Extension, and as the County ultimately advances its TOD project.

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**From:** Mike Raskin <Mike@mjrdevelopment.com>  
**Sent:** Sunday, September 22, 2013 9:59 PM  
**To:** Lynnwood Link DEIS  
**Cc:** Mike Raskin  
**Subject:** Lynnwood Link Extension Comments  
**Attachments:** Site\_N - Labeled pdf.pdf; Building Photo.jpg.jpg

September 21, 2013

Re: Sound Transit – Lynnwood Link Extension

Dear Sound Transit

I would like to provide my thoughts and comments about the proposed options for the Lynnwood Link. It is my sincere hope that Sound Transit will support Option C-3 or the newly proposed Option C-4 as opposed to Options C-1 or C-2.

**B-008-001** I am the owner of a three story office 72,000 s.f. Class “A” office building located on 20311 52<sup>nd</sup> Avenue in Lynnwood, just north of the Edmonds School District Property. I also own two other adjacent properties and have plans on those properties for an additional 50,000 s.f. of office to be developed in the near future. I have attached a map showing the location of the building and a picture showing the building.

My building is leased to the State of Washington and houses a number of agencies including DSHS (Department of Social and Health Services) and DCFS (Department of Children and Family Services) that provide valuable services to the Lynnwood and South Snohomish County communities. Many of the roughly 250 people that work in the building live in the Lynnwood area and they, and the many visitors to the building, shop at local Lynnwood businesses during their work week. If Route C-1 or C-2 is chosen it will negatively impact valuable community services both during and after construction as well as have a negative effect on local Lynnwood businesses. These people and their many clients in the community will suffer. If C-1 or C-2 is chosen it will hurt important State services and the effect on the buildings and plans for the property will be significant.

If C-1 or C-2 is selected homes and businesses will be destroyed, parks and pristine wetlands will be damaged, companies and residents will be displaced. There will be significant negative effects on the environment including water, air, soil, parklands, noise, ecosystems, vegetation and wildlife. The construction alone will take years in which time the entire area which is residential as well as commercial will be effected. How can that make sense when other options closer to Interstate Five with lower impacts on residents and business are available. I would also be surprised if options C-1 and C-2 are not far more expensive than either C-3 or C-4. I know that Sound Transit provides estimates of the impact of each option to the City and Community but do these studies include the possible economic loss to Lynnwood’s businesses if tenants move away and businesses are forced to close from options C-1 and C-2. I would hope that Sound Transit will consider these ramifications before making its choice.

**B-008-002**

**B-008-003** It appears that the Lynnwood City Council has in the past favored option C-1 as opposed to option C-3. Staff reports present that the C-1 alignment “might be” more favorable for the proposed City Center project than the C-3 alignment. If the City Center project happens it will likely be many, many years from

1

## B-008-001

Thank you for identifying your concerns about your building and the potential impacts to businesses and operations it houses, as well as to other residences, businesses, and employees along the Alternatives C1 and C2 alignments. While these alternatives would acquire properties and displace businesses and operations, requiring their relocation, the mitigation measures identified in Section 4.1 (Acquisitions, Displacements and Relocations), as well as in Section 4.3 (Economics), would offset many of the impacts. Sound Transit would also work closely with tenants, including any affected service agencies, to ensure that their services would continue to be available during any relocation process. While these and other mitigation measures are available for those alternatives to reduce impacts, some impacts would be unavoidable, and the alternatives indeed vary in terms of which properties and parties would be affected. Still, larger scale impacts to the overall area are not likely, because access to the surrounding area and properties would be maintained throughout construction.

Following the Draft EIS, Sound Transit received a considerable number of other comments voicing similar concerns about Alternatives C1 and C2. The Sound Transit Board has identified a modified Alternative C3 as the Preferred Alternative in the Final EIS. If this alternative is selected for construction, then the property impacts along 52nd Avenue W would be avoided. Again, the Draft EIS and the Final EIS both identify mitigation measures to help reduce the severity of the impacts, and some of the areas of impact that are noted in your comment (water, air, soil, vegetation, and wildlife, for example) would not result in adverse effects to the environment after mitigation has been applied.

## B-008-002

The Final EIS provides cost estimate comparisons for all the alternatives in Chapter 5. The Segment C alternatives have similar cost ranges. The Draft EIS and Final EIS do not analyze an Alternative C4, but the Final

**B-008-003**

now. Locating the Lynnwood Link at locations C-1 or C-2 will cause real harm to the City now. It seems shocking that responsible City leaders could choose to impact a significant number of residents, citizens and businesses now for some potential uncertain gain that "might" occur many years from now. I would hope that Sound Transit would carefully look at any disadvantages of C-3. A case could be made that C-3 will make the City Center buildings more valuable since the elevated rail would provide visibility to the buildings in the City Center blocks effected in the same way as the Monorail does in downtown Seattle. Any potential future harm from C-3 is at best speculative, C-1 and C-2 on the other hand will cause real harm to the City now.

I am encouraged that the City of Lynnwood and Sound Transit is now considering a new option C-4. This option does not damage existing businesses and residences in the way that C-1 and C-2 does and it appears that the alignment might not affect the City Center Block in question. Selecting C-1 or C-2 will hurt Lynnwood, the community, valuable State services and the area in general. A choice of C-3 or C-4 makes sense and is good for the community.

Thank you for the opportunity to provide thoughts on this important decision.

Michael Raskin  
President MJR Development  
Manager – MR Creekside LLC

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YOU DREAM IT WE BUILD IT		

EIS does include a Modified Alternative C3, which is similar to an option proposed by the City of Lynnwood. As discussed in Section 4.3, Economics, of the Draft and Final EIS, Sound Transit does evaluate the economic effects of the alternatives, including loss of property tax revenue, and the section also considers the potential for other types of effects occurring during construction or operation.

**B-008-003**

Thank you for your comments regarding near-term conditions and impacts of the alternatives, compared to the longer range goals to develop Lynnwood's City Center area. Please see the Final EIS for updated analyses of the alternatives, including the modified Alternative C3.





