

West Bay Yards Mixed Use / File: 21-2854 PROJECT ADDRESS: 1210 West Bay Drive 2 st Round Review Comments – July 15, 2022			
Note: Please type your responses into the column titled <i>Applicant Response</i> , and include as much information needed to clearly respond to each comment.			
ITEM	COMMENT OR REQUESTED REVISION	DETAILS	APPLICANT RESPONSE
PLANNING			
1) Site Details – Site Plan	Revision	<ul style="list-style-type: none"> Previous comments asked for individual site plans for at least engineering phases 1 and 2 with associated buildings. These were provided, but lack some important details, please revise as following: <ul style="list-style-type: none"> Include all individual lots that are intended to be created, the property lines should be shown on the site plan. See Sheet A21 for revised parcel/property lines. Update/address anticipated scope of work in each phase. Show only the work for each phase on the phased plans. See Sheets A7.P TO A10.P for site phasing diagrams. Setbacks, coverages, and other development standards for each parcel need to be provided on each site plan. See Sheets A21 TO A26 for requested information for each parcel. Clearly identify the base of buildings to show coverages. 1st floor (parking garage) is difficult to make out, especially near the esplanade and where plantings are shown on the structure. See Sheet A21 to A26 for building footprint and coverage information. See Sheet A12 for plaza level and lower-level garage parking entry points and extent of terraced landscape planting. Refer to landscape drawings for additional information on planting layout. Each phase will need to include calculations for code compliance. Response does not show setbacks, development coverage, nor height measured from edge of phase I. Please revise accordingly. See Sheet for A21 to A26 for setback and for development coverage information for each parcel. See Sheet A8 for height measurements and definitions. Clarify building coverage calculations – excluding all areas landward of the Ordinary High-Water Mark (OHWM). Identify areas being included in building coverage on plans. Consider providing a diagram or other method to show compliance. Revisions provide the building sizes, but percentage covered is not addressed, nor is compliance related to each proposed parcel. Proposed ROW dedication and lands covered by water should be excluded and identified as such. Only areas landward of projected new OHWM excluding right-of-way (ROW) pathways have been used for coverage calculations. See sheets A21 TO A26 for individual parcel building coverage information and ROW areas excluded. 	Plans have been revised as noted under each comment.
2) Site Layout	Revision	<ul style="list-style-type: none"> Previous request was for pedestrian routes to be clearly identified on plans particularly where the pedestrian route appears to be combined with the vehicular lane of travel on the north and south sides of the parking garage structure. Revisions better address the concern; however the following remain issues/requested revisions as follows: <ul style="list-style-type: none"> Pedestrian promenade of 24' ROW dedication bottlenecks to a 6' or 8' along the north and south of project. It is unclear how the pathway will integrate/overlap with the 30' long ramps for vehicular access. Is 6' wide ROW dedication intended to be on-top of parking garage/ plaza? Or adjacent? Is ROW intended to be at same grade as the vehicular entry ramps? Note – ROW dedication for expanded trail cannot be reduced below EDDS minimum sizes / design. Consider providing elevations or other visual aid better identify the pathway/ROW area on both sides of structure. See sheets A11.P and A12 for treatment of vehicular-pedestrian routes intersection, levels on which the routes are located and code compliance. See sheet A11.P & A21 for ROW dedication diagram/definition and sheet A14 for additional ramp/access diagrams. Unclear what U.N.O means – please provide key. U.N.O = Unless Noted Otherwise. See updated Abbreviation Key on sheet A1 Proposed property lines are not shown, show lines to clarify which parcels the pedestrian routes will be located on. See sheet A21 for property lines & Sheet A11.P for pedestrian routes Show exact location of ROW dedication areas. See Sheet A21 for ROW dedication areas and sheet A29.P for site section diagram. 	Plans have been revised as noted under each comment.

		<ul style="list-style-type: none"> Address intent for public access to kayak launch, in parking areas, across site etc. Clarify if 7 public access parking spaces will be for public only. Clarify how drop off and pick up of kayaks are intended to work. <p>Public Access Parking (7 stalls) is to the North and will be for public use only. Public can tote/carry kayaks to kayak launch location (see Sheet A19) or utilize other nearby public launch locations. Kayak Launch is located on the site to optimize access for ideal water depth and minimize impact to vegetation/shoreline. See Sheet A19 for site amenities.</p>	
<p>3) Shoreline – View Analysis</p>	<p>Revision</p>	<ul style="list-style-type: none"> Images in the view analysis along the shoreline (VCA) show small shrubs and bushes and do not show any large trees. These images therefore minimize the effect the VCA / Soil and Vegetation Protection Area combination will have on views. Shoreline Mitigation Sequencing Narrative indicates the VCA will be planted with big leaf maple and several other large tree species that will mature to provide significant shade and habitat function but will also likely block views more than what is shown on these images. Please revise to more accurately reflect view opportunities at plant maturity. <p>Appropriate tree species and planting layout will be considered to minimize view intrusion. Note that trees will have minimal view blocking due to developing an overhead canopy. Views from the promenade will be unobstructed underneath the canopy. See A16.P for a sketch overlay of the trees at maturity and revised Project View Narrative (June 6, 2023).</p>	<p>Plans have been revised as noted under each comment.</p>
<p>4) Height – OMC 18.06.100.2.c And Height Bonus for Expanded Waterfront Trail.</p>	<p>Revision</p>	<ol style="list-style-type: none"> Previous request was to indicate on plans the area of Right of Way (ROW) dedication associated with the waterfront the size of the proposed park. Request remains applicable as it appears the expanded waterfront trail is intended to be used to increase height through bonuses. Area of ROW shown on A-21. No park is being provided. See Sheet A8 and sheets A22-A26 for building height diagrams, and sheets A29.P for shoreline section including ROW. The expanded trail (different than standard trail) will need to be physically bigger or “expanded” in size over the standard trail width to meet the requirements of the bonus. Plans show areas where the trail is less than the standard required size, which would not be acceptable as it would be a reduced width rather than “expanded” width waterfront trail. Areas of concern are at both north and south sides of the building where the trail intersects with West Bay Drive. The 24’ width (22’ paved) is anticipated to extend from West Bay all the way around the buildings. While 24’ dedication may not be necessary for the entire length reductions below the minimums outlined in the EDDS would not be supported. Please revise / clarify accordingly. The expanded trail begins at the northwest connection to West Bay Drive and extends east then south wrapping around toward the southeast corner. The extension of the public trail to the south of property towards West Bay Drive does not reflect the required full ROW dedication since it is a short-term access until the entire shoreline trail is completed. The expanded trail will terminate at the southeast border of the development until the City can construct the future connector to tie into West Bay Park to the South. See sheet A11.P, A21 and shoreline section A29.P. Previous request was to provide analysis of recreational needs / amenities to be provided as outlined in OMC 18.06.100c.iv. Response indicated the detailed needs assessment is located in the Project Narrative, however the two narratives provided were the Shoreline Narrative and the View Narrative. Neither included specific reference to recreational needs identified in the Parks Plan, environmental, hazardous waste, or engineering issues. Such analysis remains necessary. Narrative Analysis for 18.06.100.2.C.iv.b.3 : See Analysis of Recreational Needs, June 12, 2023. There is no hazardous waste risk as any current hazards will be addressed by compliance with MTCA in conjunction with development. The trail improvements will be provided as per code and EDDS requirements at a location that previously had not trail system at all. The project’s civil engineer has reviewed the trail design, which complies with all City stormwater requirements, and there are minimal utilities located in the area. Previous revision request was for to provide a diagram indicating how height is being calculated, request remains. While Design Review Sheets 301-310 do address height and appurtenances, they do not show how height is being measured precisely. Request is to clarify the point at which grade is being measured. Sheets provided appear to indicate grades for all sides of the building is the top of esplanade (26’) which is likely accurate for parts of the building but seems to exclude the portions of the building (s) where vehicular entry will be made (north and south sides) nor does it appear to calculate grade at the ground level of the eastern (shore) side of the building. Height is measured from average grade. Clarification on how average grade/ grade plane are being calculated remains necessary. 	<p>Plans have been revised, updated and supplemented as noted under each comment.</p>

		<p>See Sheet A8 building phasing, as well as A22 to A26 showing how height is being calculated from average grade plane, and definition of grade for measurements. See also phasing diagrams A7.P & A8 showing adequate extent of plaza (average grade plane) at street level in each phase for height calculations.</p> <p>4. Building 3 will be constructed as many as 5 years before the second phase site work and associated parking garage. The average grade on the western side will therefore be significantly lower than is shown in plans. It is unclear how this building will meet height requirements in the time between phase I and II site work. Please address how height will be measured from grade (all sides of the building) associated with this structure and phase.</p> <p>The plaza will extend more than required 6 feet on all sides of the buildings, to be considered average grade plane for height calculations at any phase. See Sheet A7.P, A8 as well as A22 to A26 for building height calculations, definition of grade for measurements and extent of Plaza at each phase providing adequate extension of grade for access/code compliance.</p>	
5) Shoreline - Location of Ordinary High Water Mark	Revision / Additional info	<p>Previous revision request was to demonstrate compliance with RCW 90.58.030 related to the determination of the OHWM and how it is reflected on plans.</p> <p>See sheet A28 for projected location of OHWM and code compliance of various shoreline amenities.</p> <p>Comment remains applicable. Per the applicant's response related to legal issues it appears the applicant and City agree that to use a new OHWM, the relocated OHWM must be in place, identifiable, and approved prior to construction permit approval for or any work within 30' of the existing OHWM. This is because the existing OHWM would be used as the baseline until a new one is established (if permitted to relocate). Phasing plans will need to be revised to show this approach. The applicable restoration work will need to be completed, then the new OHWM would need to be identified and then construction permits for work near the shoreline could be applied for/ approved. Construction work setback more than 30' from the existing OHWM could proceed simultaneously with restoration work, but any mixed-use portions of the project within 100' from the OHWM (in place at the time of construction permit submittal) would need a SCUP before commencing. Revise phasing plans accordingly or clarify intent.</p> <p>See Sheet A21 to A32.P showing 100' setback to projected OHWM. No CUP should be required as only portions of residential buildings 1, 4 and 5 extend into 100' building setback. There are no mixed-use structures in 100' building setback.</p> <p>See Sheet A7.P for site phasing diagram, and A8-A10.P for construction sequencing diagram. A28 & A29.P indicate the documented existing and new OHWM.</p>	<p>The Applicant concurs with the City's comment and analysis in terms of construction sequencing and permitting relative to completion of restoration and identification of the new OHWM once established. Additional responses are provided below each comment.</p>
6) Shoreline – No Net Loss	Revision / Additional info	<p>Significant revision / additional information was provided to address No Net Loss. The following topics remain in need of further assessment/analysis:</p> <ol style="list-style-type: none"> 1. To demonstrate all reasonable efforts to avoid adverse environmental impacts mitigation sequencing must be addressed. 2. Previous request asked for all proposed structures within the shoreline setback and Vegetation Conservation Area to be addressed. Response indicates only 85.6sf of impervious surface will be within the VCA, however there appears to be a cantilevered platform and at least 3 paved or graveled access points which is in total exceeds 86sf. Please clarify. <p>Per section 18.20.495 C. allowances of impervious surfaces up to 25% may encroach the VCA for authorized uses (trails, viewing platforms, public shoreline access etc.). The VCA is approximately 37,000 SF. There is approximately 3500 SF of encroachment into VCA from pedestrian overlooks, public-use trail & shoreline access paths, which is 9 % of allowable 25% in 37,000 SF VCA. See Sheet A21 & A28 showing calculations for VCA, impervious area & mitigation area.</p> <p>More than 4,000 SF of area is set aside as vegetative area on site adjacent to VCA for no net loss of vegetative land, shown on sheet A28, thereby mitigating more area than encroached by impervious surfaces in VCA.</p>	<p>See revised West Bay Yards No Net Loss and Mitigation Sequencing, Grette & Associates, June 16, 2023.</p> <p>Additional responses are provided below the City comment.</p>
7) Shoreline Mitigation Sequencing Narrative And Mitigation Plan	Revision / Additional info	<p>Per the City's request a Mitigation Sequencing Narrative and Restoration Mitigation Plan were provided. Please revise as follows:</p> <p>Mitigation Sequencing Narrative/ Mitigation Plan Sequencing:</p> <ol style="list-style-type: none"> 1. Avoidance: <ul style="list-style-type: none"> o indicates an unavoidable loss of 0.77 acres of aquatic land, through the addition of fill but it does not specifically address why conversion of aquatic to terrestrial land is necessary. Please address. Alternative could include cutting into the site – moving the OHWM 55' landward / removing 0.77 acres of legacy fill. Or a mix of cut and fill where the OHWM remains in the same location. o Narrative inaccurately characterizes the purpose of the West Bay Restoration Assessment. The assessment's purpose is to provide an assessment of restoration opportunities (p.i of assessment) rather than specific restoration approaches. Concept images and designs are limited in detail and intended to support future planning and design work (P. iii of Assessment). Project 	<p>Comments addressed in the following revised/new reports:</p> <p>West Bay Yards No Net Loss and Mitigation Sequencing, Grette & Associates, June 16, 2023.</p> <p>West Bay Yards Restoration & Mitigation Plan, Grette & Associates, June 16, 2023.</p>

		<p>approval relies on obtaining approval of a detailed restoration plan that complies with the SMP. Revise narrative to address the alternatives evaluated where no loss of aquatic land was evaluated.</p> <ul style="list-style-type: none"> ○ Analysis indicates the Geologic Hazards Assessment recommends retention of all riprap as removal would be an unacceptable factor of safety, but the Geological Assessment does not specify if removal of rip-rap in addition to the new beach would an unacceptable risk factor or simply removal of rip-rap without new beach is being evaluated. If the riprap is integral structural component aiding in the structural integrity of the site and development, then additional geotechnical analysis will be needed. Full geotechnical report with borings in this location maybe needed for conclusions to be accepted. See comments on Geotech. <p>2. Minimization:</p> <ul style="list-style-type: none"> ○ Narrative does not adequately address efforts to minimize the amount of fill / relocation of OHWM. Alternatives such as removing the existing riprap and cutting into the existing onsite fill need to be fully evaluated. If removal of all the riprap is not feasible, demonstrate why. If removal of top 2/3rs or 1/3rd is not possible, demonstrate why. Narrative indicates fill behind riprap is of unknown materials indicating study of the area is preliminary yet excludes this alternative without detailed study. Minor cut into existing fill could significantly reduce the amount of converted land /loss of aquatic land and needs to be thoroughly evaluated. <ul style="list-style-type: none"> ▪ Note: Cantilevered deck, access trails, kayak launch, stairs, removal of debris etc. are all proposed to cut up to 260cy into the bank and remove riprap. It is unclear why this work is an acceptable risk factor, but other cuts would not be. ○ The extent to which the fill extends waterward should be addressed. Narrative indicates an 8:1 slope result in the least amount of fill placed in the aquatic environment but does not address if that is the least amount of aquatic land lost. Nor does it indicate the extent to which a slightly larger slope % might affect aquatic land loss such as 7:1 or 6:1. The bench does not appear to be sloped all, its purpose needs to be addressed. Various slopes of the proposed grade should be evaluated to reduce the extent of conversion of aquatic to terrestrial areas. Several alternatives should be addressed. All efforts to eliminate and/or reduce loss of aquatic land must be evaluated. ○ Cutting back into the existing slope is discussed and dismissed because the stability of the existing legacy fill is unknown. Additional analysis is needed. All alternatives that would reduce need for elimination of aquatic land need to be thoroughly evaluated. It is unclear why removal of existing armoring (riprap) would necessitate armoring when an entirely new beach is being created. The proposed 2' of fill anticipated across the entire site, coupled with extensive engineered solutions for upland areas should be more carefully considered related to how they could tie into fill cuts along the shoreline. Consider upland stabilization methods as they might be less impactful than relocating the OHWM / converting aquatic land to terrestrial. <p>3. Restoration:</p> <ul style="list-style-type: none"> ○ Narrative should address restoration related to the loss of aquatic land. ○ Section appears to indicate a separate tree tract (not VCA) will be provided. This tract has not been identified on other plans. Please clarify. ○ Restoration section inaccurately references purpose of West Bay Restoration which is to provide an assessment of restoration opportunities (p.i of assessment) rather than specific restoration approaches. Concept images and designs are limited in detail and intended to support future planning and design work (P. iii of Assessment). The assessment specifically states that cut and fill may be required to achieve target intertidal elevations to regrade shorelines to natural slopes (Table 1). The restoration plan and narrative provided appear to place significant emphasis on preliminary illustrative images from an assessment document, rather than on the independent study of this project's restoration plan, please revise. ○ Assessment indicates the proposal is consistent with the City's 2012 restoration plan, however that plan calls for removal of fill from this location rather than additional fill (item 27 on page 29), please revise accordingly. While restoration is called for in this location, the addition of fill (and extent of fill) has not been adequately addressed and is not necessarily supported by the 2012 Restoration Plan. <p>The Mitigation Plan / Restoration Plan</p> <ol style="list-style-type: none"> 1. Plan does not adequately address alternatives such as no fill and less fill to avoid conversion of aquatic to terrestrial land. Mitigation sequencing section must address each sequence in detail, as outlined above. 2. Plan indicates removal of riprap would unacceptably threaten the integrity of remedial action, therefore riprap must remain intact, but this is inconsistent with the restoration narrative that indicated the rip-rap removal must be maintained due to geotechnical risk, not contamination. Plan cites Pioneer study related to MTCA toxic cleanup requirements but does not provide detail as to how it is known that toxics are in the fill behind riprap, nor the extent of them. Other documents indicate fill content is unknown. It is unclear how these 	<p>West Bay Yards Shoreline Restoration Design Report, Moffat & Nichol et al., June 21, 2023.</p>
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8) Shoreline – Modification OMC 18.20.833	Revision / Additional info	<p>Previous request remains applicable. Drift sill is a groin according to definitions in the SMP and a groin meets the definition of hard armoring. Either remove groin / drift sill or apply for a Shoreline Conditional Use Permit. Criteria for both shoreline stabilization and groins are applicable and must be addressed. See OMC 18.20.800 shoreline modifications</p> <p>Existing Rip-Rap Sea wall is defined as shoreline stabilization as a “hard armor”. Repair and replacement of this armoring appears proposed. Repair, maintenance can be permitted provided all applicable code criteria are met in OMC 18.20.866. Please address the following:</p> <ul style="list-style-type: none"> • Provide demonstration the riprap was permitted or year it was installed if before SMP requirements. • Demonstrate the need of repair / replacement. <ul style="list-style-type: none"> ○ The rip-rap must be needed to protect an existing principal use or structure. ○ Must be needed to protect said use/structure from erosion caused by currents, tidal action, or waves. Note: Moffit Nichol report indicates low wave action and not anticipated to be adjacent to the shore after restoration. ○ Achieves NNL ○ Replacement cannot encroach water-ward of OHWM <p>Note: new or enlarged stabilization is prohibited as outlined in OMC 18.20.864 as they are only permitted to support legally existing primary structures or shoreline uses. The new development will need to demonstrate new hard armoring is not necessary.</p> <p>OMC 18.20.855.h requires shoreline restoration projects to us bioengineering rather than bulkheads or other stabilization methods unless it can be demonstrated no other feasible option is available. Rather than replacement/repair of the rip-rap revetment, bioengineering should be evaluated if repair is anticipated.</p>	<p>The drift sill/groin has been removed from the project with this resubmittal.</p> <p>Remaining City comments are addressed in West Bay Yards Shoreline Restoration Design Report, Moffat & Nichol et al., June 21, 2023.</p>
9) Shoreline - Fill	Revision / Additional info	<p>Previous request remains applicable: Demonstrate compliance with OMC 18.20.033, and 18.20.037.</p> <ol style="list-style-type: none"> 1. Fill shall be the minimum necessary to accommodate the proposed use or development. <ul style="list-style-type: none"> • Minimum necessary has not been adequately addressed. 2. Fill for the purpose of creating land area is prohibited. <ul style="list-style-type: none"> • Proposal moves the OHWM up to 55’ waterward of its current location, creating significantly more developable land than is currently available. Project development is proposed in areas otherwise undevelopable if fill were not creating new upland area. Response does not address this new development potential and should is required to demonstrate compliance with the SMP. 	<p>City comments addressed in West Bay Yards Shoreline Restoration Design Report, Moffat & Nichol et al., June 21, 2023.</p>
10) Shoreline Restoration and Enhancement OMC 18.20.855 Restoration Plan	Revision/Additional Info	<p>In order to gain approval of a restoration project, the restoration plan must be one of the following:</p> <ul style="list-style-type: none"> • Consistent with the implementation of a “Comprehensive Restoration Plan” approved by the City or Ecology or • Consistent with the SMP. <p>As discussed in round 1 requested revisions and other sections, there is general agreement that restoration at this site is desirable and that a reasonable approach would include modifying the grade to that of a gentler slope, but how that is accomplished remains to be determined and needs to be evaluated within the proposed restoration plan. The 2016 West Bay Restoration Assessment is not a comprehensive restoration plan. Similarly, the City’s 2012 2012 Restoration Plan for Budd Inlet calls for fill removal to create the natural beach rather than additional fill to create the beach. The restoration plan submitted does not benefit from being consistent with an approved Comprehensive Restoration Plan, therefore it must independently demonstrate compliance with the SMP to be approved. The following areas will need revision to obtain approval:</p> <ul style="list-style-type: none"> • Restoration must be designed to avoid use of shoreline stabilization. <ul style="list-style-type: none"> ○ Groin/drift sill and retention/replacement rip-rap revetment should be evaluated. Alternatives bioengineering must be addressed. • Restoration projects shall not extend waterward more than the minimum necessary to achieve intended result. <ul style="list-style-type: none"> ○ Alternatives must be addressed. • Restoration projects shall not result in the creation of additional upland area <ul style="list-style-type: none"> ○ Project as designed includes 0.77 acres of additional upland area, which does not comply with criteria. Alternatives must be addressed. • Plan must be based on Best Available Science. 	<p>City comments addressed in West Bay Yards Shoreline Restoration Design Report, Moffat & Nichol et al., June 21, 2023.</p>

		<ul style="list-style-type: none"> ○ Plan relies on preliminary information such as memos and preliminary assessments as confirmation that alternatives with no or less upland fill are not viable. These documents are lacking and need to include testing, borings, and data. ○ Alternative beach slopes should be addressed and scientific justification for the 5:1 slope, then bench then and 8:1 is needed to demonstrate this is the minimum necessary. 	
<p>11) Shoreline – Misc.</p>	<p>Revision / Additional Info</p>	<ol style="list-style-type: none"> 1. Public Access (OMC 18.20.450): <ol style="list-style-type: none"> a. Revise plans to show the shoreline trail as dedicated as ROW. See Sheet A11P for public trail diagram and A21 showing waterfront trail dedicated as ROW.. Note that this will bifurcate the existing site, setting the VCA on the waterward side of the ROW Noted, see Sheet A21 & A28 for ROW & VCA. The VCA and restoration area are required to be set aside as a tract if any land division is proposed, otherwise the VCA must be set aside through other legal means. As a Boundary Line Adjustment or other subdivision is likely to be submitted with this project, the City assumes the VCA will be set aside as a tract. Both the ROW dedication and Tract should be shown on revised plans. See sheet A28 showing extent of VCA, and A21 showing ROW dedication of waterfront trail. No new subdivision is proposed with the project, and so no separate tract has been identified on the plans. b. Clarify what areas are intended to be available to the public and to what extent. Since the trail is required to be dedicated as ROW, access would likely be 24/7. It is unclear if the beach stairs / physical access to the shoreline is intended to be limited and if so to what extent? Clarity regarding what specifically is intended to be available to the public and to what extent is needed See sheet A19 for site signage & amenities, all areas are to be for public access/ public use 24/7 with the exception of access to residential portions of the buildings. Commercial uses/retail spaces will be open to public during business hours. No gates or locks are to be incorporated to restrict public access to trail, stairs, physical shoreline access, plaza, and other site amenities. A small railing will be constructed on water side of trail to protect VCA/riparian zones, which is reflected on the revised shoreline landscaping drawings. 2. 18.20.652 Boating facilities / 18.20.652 Launch Ramps / 18.20.656 Boat Storage: <ol style="list-style-type: none"> a. It is unclear how the kayak launching area is intended to be used or designed. Is it a pedestrian access to the shoreline dedicated as ROW or private? Is it a public use facility or private? How will the public access? Why is not closer to the public parking? All access to the trail/ROW and shoreline is available to the public. See sheet A19 for site amenities diagram. Public Access Parking (7 stalls) is to the north and will be for public use only. Members of the public can tote/carry kayaks to kayak launch location (see Sheet A19) or utilize other nearby public launch locations. The kayak launch is located on the site to optimize access for ideal water depth and minimize impact to vegetation/shoreline. 3. Clarify width of ROW dedication and expanded trail. Trail ranges from 6’ to 22’, dedication width is not identified Trail width along shoreline is identified in sheet A11.P, A21 and Sheet A29.P; see response to item 4.1 above for description of trail dedication. 	<p>Responses are provided below City comments.</p>
<p>12) Vegetation Conservation Areas</p> <p>OMC 18.20.492-18.20.496</p>	<p>Revision / Additional info</p>	<ol style="list-style-type: none"> 1. Provide sizes of cantilevered overlooks. They appear to exceed size requirements. Identify if they are intended to be in the public park or private. Show parcel lines as each parcel is allowed 400sf for private development and the deck can be no more than 2’ above grade, and not covered. Sheets A21 to A26, A28 show extent of impervious area of permitted uses in VCA per parcel. See response to comment 6.2 above. Also shown on Shoreline Landscape Drawings. 2. Provide calculations on site plan indicating the percent of hard/paved surfaces within the VCA per parcel See Sheets A22 to A26. 3. Show the VCA tract / easement / trust. This will be important to consider related to the Trail Dedication, and ROW adjustments anticipated. See Sheet A21 for ROW dedication area. 4. A recordable document will be required with the construction plans for this area Noted. 5. The roots of trees must be designed to be above the sea level, or scientific evidence is needed to show how the specific species will survive. OMC 18.20.496, and OMC 18.20.410.f. 	<p>Responses are provided below City comments.</p>

		<p>There will be adequate soil coverage for riparian tree roots. Using scientific and previous experience in shoreline plantings tree species accustomed to a shoreline environment will be propagated. Any trees used adjacent to the OHWM will be tolerant of the occasional saline/inundation exposure from tidal waters. The planting substrate will be created by the placement of sand, and gravel mixed with topsoil to create a substrate on top of the existing rip rap or the proposed gravel berm. In some cases, topsoil will be tilled or mixed into the gravel berm material. The depth of the soil media will be adequate for planting growth with 24"-30" in the riparian and transitional zones, and 8" in the salt marsh above elevation 8 NAVD88 (12 MLLW). In addition to the prepared soil there is another soil horizon below that. Soils will also be provided in the inertial spaces of the rip rap. See revised landscape/shoreline sections for additional detail.</p>	
13) Shoreline – Accessory Structures OMC 18.20.620.c	Revision / Additional info	<p>Up to 800sf of accessory structures may be constructed within the building setback area, cantilevered decks appear to exceed 800sf. Please provide sizes and parcel lines to justify placement.</p> <p>The cantilevered overlooks are located in the VCA as permitted encroachments. Measures will be taken to reduce disruption to vegetative land with minimal construction. See response to comment 6 above.</p>	Responses are provided below City comments.
14) Critical Areas-Slopes OMC 18.32.600	Revision / Additional info	<p>The Geologic Hazard Assessment Memo (2021) supplemented the Preliminary Geotechnical Recommendation Memo (2020). The two documents combined provide a better assessment of the site and project scope, but the following remain issues in need of further study:</p> <ol style="list-style-type: none"> 1. The 2020 memo indicates the development should use deep foundations coupled with site wide ground improvements (GI) to address issues related to soil liquefaction. The report indicates this will alleviate safety issues for all onsite development. Clarification is needed as to how far the GI is intended to extend towards the shoreline (existing riprap). Is GI intended to support the promenade? Are deep foundations and GI intended for beach access paths and cantilevered decks? 2. The 2021 memo indicates removing the riprap revetment could lead to slope instability and does not recommend its removal because of safety related issues. This seems to contradict the conclusions that GI and deep foundations will adequately address soil instability and liquefaction. Clarification is needed. It is unclear what impact the retention or removal of riprap has on overall safety of the site, the 2021 memo appears to focus primarily on the VCA and riprap wall only, but both upland and waterward work should be addressed together as they are inter-related. 3. The 2021 memo addresses three alternatives related to safety factors. 1) existing conditions with riprap, 2) existing conditions without riprap and 3) proposed conditions riprap and beach creation. A 4th alternative needs to be addressed, removal of riprap and beach creation. Analysis needs to address the safety factor of beach installation without riprap. If beach creation without riprap is unsafe further assessment on alternatives should be provided. <ul style="list-style-type: none"> • Clarify how the riprap is creating upland safety and how this ties into the GI and deep foundations. • Clarify why riprap is needed between upland and shoreline restoration and how the new shoreline restoration work is/is not affected by similar safety factors. Is the riprap integrally tied to success of the beach installation? If so, more technical information is needed. <ol style="list-style-type: none"> 1. Alternatives need to be addressed such as removal of portions of the riprap, the affects the proposed GI would have on site stability related to the riprap etc. Soil borings should be provided for areas adjacent to the riprap to better assess conditions. 2. Further assessment of currently proposed removal and modification to the riprap is needed. If removal of riprap is unsafe, additional information on how the kayak launch, access ramps, cantilevered decks, debris removal, stormwater outfalls etc. are viable must be provided. The geotechnical engineer must address all proposed works in the area including the 260cy of rip-rap removal proposed. 3. The site modifications such as fill, groin, and other shoreline modifications must be addressed by the geotechnical report. 	<p>City comments are partially addressed in West Bay Yards Shoreline Restoration Design Report, Moffat & Nichol et al., June 21, 2023.</p> <ol style="list-style-type: none"> 1) GI layout and its interaction with building foundations, decks, etc. is a final design issue, and will likely include a GI design-build contractor joining the team. Liquefaction mitigation and stability will be provided for applicable site improvements in accordance with code requirements. 2) GI will not extend into intertidal areas. Rip rap removal and retention are discussed in the West Bay Shoreline Restoration Design Report. Agreed that upland and waterward work should be addressed together and this will take place during final design (not SEPA/land use). 3) This is addressed in the West Bay Shoreline Restoration Design Report, and: <ul style="list-style-type: none"> • GI and deep foundation final design forthcoming, this is an iterative process with a specialty contractor. • See West Bay Shoreline Restoration Design Report <ol style="list-style-type: none"> 1. See West Bay Shoreline Restoration Design Report. We do not recommend more soil borings. 2. See West Bay Shoreline Restoration Design Report. 3. Agreed. The final geotechnical report will include pertinent shoreline modifications, as well as final GI layout, and final stability assessments showing shoreline conditions meet code requirements. This is

			<p>an iterative process that takes place between 60 and 90 percent design.</p>
<p>15) Landscaping Plan</p>	<p>Revision / Additional info</p>	<p>Previous comments remain applicable: Detailed review of the landscaping plan will occur at the engineering construction permit phase. Conceptual review will address any site design changes - please revise the landscaping plan as follows:</p> <ul style="list-style-type: none"> Show utility lines and stormwater vaults etc. to ensure no conflicts. <p>Since most landscaping is over structure there should be very little impacts from utilities. We will show proposed utilities on our landscape plans. Most impacts would occur along West Bay Drive. See sheets S-01-LS-05 for additional information.</p> <ul style="list-style-type: none"> Show soil volumes for all planting beds located where native soil will not be available. Several planting beds appear to be placed on the parking structure; plans must demonstrate adequate soil volume for species proposed. Tree spacing within planting areas appears deficient. <p>Planting on top of parking structure will be a combination of intensive and extensive green roof plantings and raised beds or planters. Most planters with groundcovers will have a minimum depth of 4" to a maximum of 24" or greater.</p> <ul style="list-style-type: none"> Response indicates 24" depth. Coordination with Urban Forester and engineering is needed. Structured soil and other engineered solutions can be approved when requested. Such information / request has not been submitted. <p>See sheet LS-06 for planter depth and soil.</p> <ul style="list-style-type: none"> Islands are required to be 12' in width (6' distance to hard surface from a tree), all islands must meet a minimum of 144sf. Revise surface parking islands at north end of project. The 7 visitor parking spaces are not covered nor above the parking structure. <p>See revised sheet A12 Vehicular route with 12' islands. 7 visitor parking is at the street level (level above parking structure) Tree islands currently are greater than 144 sq. ft. See sheet LS-05 notes for additional information.</p> <ul style="list-style-type: none"> Perimeter landscaping is required between West Bay Drive and the parking lot, minimum width 10' for surface parking. 	<p>Responses are provided below City comments.</p>

		<p>See revise sheet A12 Vehicle route with 10' perimeter landscaping. See landscape drawing LS-05 for additional information</p> <ul style="list-style-type: none"> Revise plans to identify which of the parking spaces are surface or Plans must clearly identify which of the parking stalls are surface parking and which are in-building parking. <p>Tuck under parking, below-grade covered parking & visitor surface parking is identified on Sheet A12. Landscaping is being provided along the perimeter of the surface parking for screening. See landscape sheets LS-02-LS-05.</p> <p>Calculations showing compliance with the required minimum interior landscaping areas per parking stall must be provided on the landscaping plan. Perimeter landscaping areas do not count towards this requirement.</p> <p>Most parking stalls on the Plaza level are tucked under the building hence will not have interior landscaping. 7 surface parking stalls provided at the North end of site is provided with both perimeter landscaping and tree islands for screening.</p> <ul style="list-style-type: none"> Show soil volumes for planting plan associated with VCA. Trees will not survive if the roots are below the OHWM and therefore inundated with saltwater regularly. <p>We are providing a planting selection that will be tolerant of occasional tidal inundation and the associated saline conditions. Planting used adjacent to the OHWM will only occasionally be inundated with tidal waters. The planting substrate will be created by the placement of sand, and gravel mixed with topsoil to create a substrate on top of the existing rip rap or the proposed gravel berm. In some cases, topsoil will be tilled or mixed into the gravel berm material. The depth of the soil media will be adequate for planting growth with 24"-30" in the riparian and transitional zones, and 8" in the salt marsh above elevation 8 NAVD88 (12 MLLW). In addition to the prepared soil there is another soil horizon below that. Soils will also be provided in the inertial spaces of the rip rap.</p> <p>See shoreline landscape sections.</p> <ul style="list-style-type: none"> Show pedestrian routes along north and south sides of buildings <p>See sheet A11.P for pedestrian route diagram.</p>	
16) Vehicular Parking	Revision / Additional info	<p>1. Please identify the loading area OMC 18.38.140 on site plan</p> <p>See Sheet A12 for loading areas.</p>	Responses are provided below City comments.
Design Review	Revision / Additional info	<p>Provide response to all design criteria in OMC 18.110 (Basic Commercial), and OMC 18.155 (West Bay Drive). The checklist for basic commercial is available upon request. Narrative does not appear to have been submitted.</p> <p><u>Section 18.110 Design Review Narrative</u></p> <p>Frontage</p> <p>Buildings abut over 50% of the street frontage, and gaps between buildings do not exceed 78'. Surface parking is tucked behind the buildings or below and not visible from West Bay Drive. See A15.P</p> <p>Connections</p> <p>Clear pedestrian circulation is shown on plans, with several routes from West Bay Drive down to the expanded trail along the waterfront, and connections from Woodard Trail. Only 3 vehicular curb cuts for the entire development evenly spaced along the frontage (See A6.P). Direct clear visual connections established through views from West Bay Drive out to the water. Signage and wayfinding is established throughout the site directing the public to various amenities; parking, public trails, and building entrances. A18.P & A19</p> <p>Fences & Walls</p> <p>The only fencing/ walls on the development consist of open cable rail for safety fall protection as well as along the water side of the trail to protect the vegetation conservation area. See shoreline landscape drawings</p> <p>Pedestrian Amenities</p> <p>Pedestrian amenities have been set up along the expanded trail, as well as throughout the plaza level. Viewing platforms, trash receptacles, pedestrian lighting, trees & vegetation, kayak launch, shoreline access points and bike racks. (See Sheet A18.P and A19).</p>	Responses are provided below City comments.

View Preservation

Lots of design consideration has been put into the preservation of views through view corridors, vegetation selection, access to an expanded pedestrian trail for public to access views of the Sound as well as mountains. See **A 16.P**

Building Location & Design

See notes above about frontage and building design/ layout. Buildings located along West Bay Drive and pedestrian plazas at street level have been introduced to activate the development with public use. Vehicle parking is located behind or under the buildings and is secondary to pedestrian use. See **A12** and **A30.P**. Building entrances are clearly defined and sheltered with canopies. Overall buildings are designed with 3 parts (Base-not more than 2 stories, Middle &Top). See **A33.P to A42.P**

Maintaining Human Scale

Human scale is created through windows & glazing, architectural details, brick coursing, base plinth, and lots of windows and openings on all sides and a tripartite hierarchy to the buildings. Retail shops are located at street level. Balconies, variety in cladding materials, as well as plantings & vegetation also contribute to maintaining human scale. See **A33.P to A42.P**

Street Walls

Lots of high proportion glazing is incorporated at the street level off West Bay Drive exceeding that 60% requirement at commercial/retail uses. See sheets **A34.P, A36.P, A38.P, A40.P & A42.P**. Large Plaza/ pedestrian areas separating buildings break up the development and contribute to the overall openness which make it inviting to the public. See **A15.P**.

Windows

Windows provide relief, detail, and variation to each building façade. There is established rhythm at, base, middle and at top of building. Balconies at residential units break up the window grid and provide harmony to overall elevations. Division of windows through mullions and transoms add a sub-level of design harmony and contribute to the sense of human scale. Increased amounts of glazing are used at the street level commercial/retail shops. See **A33.P to A42.P**

Projections into Right-of-Way

A variety of projections, awnings, canopies, balconies are provided however none of these project into the ROW due to the buildings set back from West Bay Drive to enhance the drive-ability/walkability of vehicular/pedestrian traffic.

Roofs

Roofs are designed to provide a variety of relief and detail throughout the development. A variety of overhangs and step-backs contribute to this as well as large ground level canopies. Gables were limited to preserve views for inland neighbors. See **A33.P to A42.P**

Corners

Pedestrian friendly corners at intersections and development entrances have been established through inset entrances, protective overhangs, and large display windows.

Consistency

All buildings for this development have a consistent design to them from all sides through use of similar materials colors, datums fenestration, balconies, and detailing. See **A33.P to A42.P**

Colors and Materials

Colors and materials fit within the Pacific Northwest Palette. No highly reflective materials have been selected, or large expanses of mirrored or heavily tinted glazing. See **A33.P to A42.P**

Lighting

Modest site lighting has been incorporated throughout the development to provide general site security, emphasize key architectural elements, and pedestrian paths/ walkways. Lighting will be designed to not shine off into adjacent site, buildings or onto water while maintaining dark skies to the greatest extent possible while avoiding glare over the water. See **A43.P**

Parking Structures

		<p>All vehicle entry to the parking areas is concealed behind the buildings or below the street level under a post tensioned slab. No street façade parking. See A12</p> <p>Plant Selection</p> <p>Plant and tree selection has been based off native varieties that are compatible with the existing landscaping and adjacent vegetation. Tree size and heights have been selected based upon size at maturity, and are well suited for their locations. See Shoreline landscape drawings and A16.P</p> <p>Screening Site Services</p> <p>Service areas have been carefully located to be screened from public view including things like solid waste/ trash compactors, garbage collection below the street level, and service access below street level as well. See A20.P. Screening of at-grade equipment will be provided by landscaping (trees and shrubs). Building mounted equipment will be screened or located up at roof level behind screening walls.</p> <p>Screening Blank Walls</p> <p>Overall building design and layout provides minimal blank walls throughout the development. Landscaping of trees and shrubs will be provided as needed to provide screening as needed.</p> <p><u>Section 18.155 West Bay Drive Design Review Narrative</u></p> <p>Lighting</p> <p>Lighting will be designed to not shine off into adjacent site, buildings or onto water while maintaining dark skies to the greatest extent possible while avoiding glare over the water.</p> <p>View Corridors</p> <p>Site has been laid out to avoid blocking views of the water from the view corridor. See A15.P to A17.P</p> <p>District architectural concept</p> <p>Design uses elements (Pacific Northwest architectural features and materials) along West Bay Drive to invoke waterfront heritage. Cues have been taken from historical structures and other developments along West Bay Drive. Features include Post & beam construction, wood siding, brick, earthy tones. See A33.P to A42.P</p> <p>Creation of Human Scale</p> <p>Human scale is created through windows & glazing, brick coursing, base plinth, and lots of windows and openings on all sides and a tripartite hierarchy to the buildings. See A33.P to A42.P</p> <p>Windows</p> <p>Building and window orientation is such to provide access to views of the nearby scenery as well as preserve privacy for tenants as well as for neighbors.</p>	
Land Division	Information only for future submittal.	<p>Further discussion regarding the type of land division appropriate for this site is needed. Given the amount of change proposed and the various dedications and other modifications necessary a short subdivision, or binding site plan is more appropriate. The first step towards determining if a Boundary Line Adjustment would include a Legal Lot Determination. Based on the documents provided, the City has identified five existing legal lots. Minor relocation of these five parcel lines is possible as a BLA, provided plans can clearly identify the original location and proposed location of lines.</p> <p>See Sheet A21 TO A26 reflecting property lines per approved BLA recorded under AFN 4977481.</p>	Responses are provided below City comments.

17) SEPA – General Review	Revision	<p>General revisions needed:</p> <p>Please revise the SEPA Checklist as follows:</p> <p>A.6 – timing: Consider updating if appropriate related to probable changes in project scope.</p> <p>A.8: Note – Checklist makes reference to Data-Gap study from Pioneer, but it is not listed here as submittal and was not reviewed as part of this submittal. It has been provided, but not before review by agencies etc.</p> <p>10: Governmental approvals, add design review and Ecology VCP.</p> <p>c.2 – Response implies the City has previously approved restoration plans – which is not accurate. City approve assessments evaluating areas to be restored. Once a restoration plan is created, response should be updated to reflect its conclusions.</p> <p>B.7 – Environmental Health</p> <ul style="list-style-type: none"> • A.1: Contamination: Clarify if contamination in the soil behind riprap revetement is a reason cut cannot be made in this location. Clarify type and location of said contamination and proposed clean up plan. Or – identify the relationship between 2012 clean up and the inability to cut into this area. • A.2: Hazardous Chemicals/Conditions: Address the hazardous conditions that are shaping the project design and prohibiting cut into the legacy fill adjacent to the riprap revetment if applicable. • A.5 – proposed measures to reduce health hazards: Address, as applicable, the anticipated cleanup plan for contamination (if any) in legacy fill along rip-rap revetment. <p>B.13 Historic Preservation: The Responses to Questions 13 a. and 13 b. are not consistent with the Cultural Resources Survey completed by the applicant. There are historic sites 45+ old nearby. The survey indicates there are 13 registered historic structures within one mile. And 13b. indicates no evidence on site of past historic use, but there is ample evidence of historic (post-contact) use. Strong likelihood of evidence of Native American habitation is reduced due to prior site disturbance but should not be dismissed, and SEPA response could include note regarding high number of known archeological sites in proximity.</p>	A revised SEPA Checklist is included with resubmittal.
18) Agency Comment	Revision	Please respond to agency comments. Their comment letters are attached to the email.	See Applicant’s Response to Agency Comments, June 23, 2023.
Engineering – Frontage Improvements	Revision	<ol style="list-style-type: none"> 1. Indicate on plans how the shared-use pathway (ROW Dedication) on the water side connects back to the West Bay Drive sidewalk. Clearly depict that there is at least 12 feet unimpeded clear pathway around the building and parking garage entrance to access back to the sidewalk. Indicate where path and vehicular lane of travel are overlapping, if applicable. See sheet A11.P for pedestrian path, ROW dedication and treatment of pedestrian/vehicle path intersection. See response to item 4.1 above regarding extent of expanded trail and ROW. See sheet A12 for vehicular route as a reference. 2. Ensure path / ROW meets maximum grades (5%) or provide 5’ square resting area every 200’. See sheet A11.P for pedestrian path notes, and sheets A14.1 and A14.2 for section of ROW showing 1:12 ADA slope at site north and south, with landing for every 30” of rise. Vehicular ramp is at 5% slope and does not exceed 200’ length. 	Responses are provided below City comments.
19) Engineering – Storm Drainage	Revision / Additional info	<ol style="list-style-type: none"> 1. Preliminary Drainage Design Report, Section 1, Table 1: In the table, existing pervious surface is listed as 100% of the total area, however Section 2.1 of the same report says that the surface is predominantly covered with gravel and concrete. Please update Table 1. • This has been updated. 2. Preliminary Drainage Design Report, Appendix 3: Please delineate the three on-site basins that will flow to the treatment systems. Exhibit 3 only shows two treatment system drainage basins. Where is the third basin and its treatment system? How will runoff from the pavement areas that connect between building be collected and treated? • The treatment exhibit has been updated to show the pavement between the buildings that will need to be treated. The report and plans have also been updated to reflect this revision. Calculations for this basin has also been added to the Appendix. The water in this basin will be collected and conveyed to a modular wetland for treatment prior to discharging to Budd Inlet. 3. Site Development Drawings: Please use the correct spelling of Budd Inlet. • Plans have been revised to reflect this change. 	Responses are provided below City comments, and a revised Preliminary Drainage Design Report, SCJ Alliance, June 2023, is included with the resubmittal.

		<p>4. Site Development Drawings, Sheet EC-01: Please identify the stabilized construction entrance.</p> <ul style="list-style-type: none"> • This has been added. <p>5. Site Development Drawings, Sheet SD-01: The survey and Engineering Design Report identify 5 existing culverts that outfall to Budd Inlet from the site, however the drainage plan sheet shows one existing outfall to remain as is, two existing outfalls to be reconstructed, one existing outfall to be decommissioned this leaves one that has not been addressed on the drainage plan. The one that appears to be missing from the drainage plan sheet is an 18 CMP culvert with IE of 5.59. Please indicate what is to happen with that culvert. Also, please identify the existing offsite 8 CPP culvert with IE 10.29 that is just outside of the SE corner of the site.</p> <ul style="list-style-type: none"> • The 18 CMP culvert with IE of 5.59 is being decommissioned. We have added a callout to SD-01 to mention it we also have a call out on EC-01. We have also added a callout to the existing 8 CPP culvert. 	
20) Engineering – Solid Waste	Revision	<p>1. Solid Waste is an Element of the Engineering Design and Development Standards. Solid Waste information and plans shall be incorporated into the Civil plan set.</p> <p>See sheet A20.P for revised solid waste plan layout and updated civil drawings sheet SP-02 and EX-01.</p> <p>Applicant has shown two compactors but not included turning movements or dimensions. For a project of this size, the applicant will need to dedicate space to organics dumpsters. A third compactor is recommended - one each for garbage, recycle, and corrugated cardboard. A solid waste scoping meeting will need to be set up to further discuss the issues at hand.</p> <p>See sheet A20.P for revised solid waste plan layout with 3 compactors and organics dumpster (also updated on civil drawings sheet EX-01 showing turning movements).</p>	Responses are provided below City comments.
21) Parks	Revision	<p>It is important that areas open to the public are clearly marked and indicated. Please revise to provide clarity in the final built project for the public in perpetuity.</p> <p>See Sheet A18.P, and A19 for site features & signage and site amenities; see prior responses regarding public access to amenities.</p> <p>1. The Shoreline Consistency Narrative mentions parklets and play areas are included aspects of the public esplanade (pg. 4 and 5). Please clearly indicate where these public amenities are located on the site plan and include signage to identify their accessibility to the public.</p> <p>See Sheet A18.P and A19 for location of site amenities.</p> <p>2. Please include signage at the 7-stall parking area that identifies it as "Public Trail Parking Area".</p> <p>See sheet A12 for public parking and A19 for signage indicating PUBLIC TRAIL PARKING AREA.</p> <p>3. Please include signage to identify the Public Trail at the trail entry points where the trail meets the sidewalk on West Bay Drive. As well as where the Woodard Trail crossing intersects the property.</p> <p>See sheet A18.P, A19 for signage and locations. All amenities in and around ROW are open for public use.</p> <p>4. Fencing should not be used in areas that are open to the public in a way that can be construed to limit access by the general public.</p> <p>See sheet A11.P for pedestrian route, and sheet A29.P for trail cross section. No fencing to be installed with the exception of small cable rail fence at changes in elevation greater than 30" at pedestrian sidewalks and at water side of expanded trail to protect VCA. See A19.</p> <p>5. Please indicate the accessible water access point on the site plan.</p> <p>See sheets A18.P and A19 for signage and location of accessible trail access points. No accessible physical water access points to be provided for this development.</p> <p>Please provide information about how you will meet the code provisions of OMC 18.06.100.2.c.iv. It appears with the height requested both subsections (a) and (b) would apply.</p> <p>The expanded waterfront trail (see sheet A11.P & A21) is designed to be consistent with EDDS city standards and dedicated as a ROW to the City, connects to West Bay Drive and has posted signage per Sheets A18.P and A19.</p>	Responses are provided below City comments.
22) Fire	Revision	<p>1. The esplanade may be reduced to 20' wide paved access from 24' since the two story town homes are no longer part of the project.</p> <p>Updated on drawings. See shoreline section on A29.P</p> <p>2. The Access point to the Esplanade shall have an inside corner greater than a 30' radius or prove with auto turn that a 62' tillered aerial and a 34' Pierce fire engine can navigate onto and off of the esplanade.</p> <p>See A13 showing inner turning radius of 30' and outer turning radius of 50' at South east corner of fire access lane per OMC requirements and inner turning radius of 70' and outer turning radius of 90' at North east corner.</p>	Responses are provided below City comments.

<p>23) Historic Preservation</p>	<p>Additional Information</p>	<ol style="list-style-type: none"> 1. Provide the physical survey requested by the Squaxin Island Tribe (deep soils testing using controlled excavation with a flat bucket backhoe or a vibricore testing strategy to identify cultural resources or cultural resource-bearing deposits, following a research design that takes into account the variable water table throughout the project area). <ul style="list-style-type: none"> • Provide adequate notice and access for Tribal monitoring during testing. • Provide documentation such as a letter of acceptance from Tribal Cultural Resources Office as evidence of Tribal consultation and acceptance of survey results. • Submit results of physical survey and documentary evidence of Tribal acceptance to the city and DAHP at time of resubmittal. This documentation is required prior to continued processing of application for Land Use and necessary to assess environmental impacts related to cultural resources at this site. A SEPA determination of non-significance cannot be issued until this documentation has been provided. 2. Revise Attachment C Cultural Resources Desktop Review by AquaTerra Cultural Resources Consulting to respond to the comments and questions offered by Tribal Cultural Resources staff in August of 2021. Obtain documentary evidence from Tribal Cultural Resources Office of their acceptance of the revisions. 3. File updated report and documentation of Tribal acceptance with the city and DAHP at time of resubmittal. See Squaxin Cultural Resources Office comments attached. 	<p>An updated Cultural Resource Assessment has been prepared in response to Tribal comments, including the results and analysis of requested boring. See Cultural Resource Assessment for West Bay Yards Project, Amendment 1, Aqua Terra, Feb. 14, 2023. The CRA has been submitted to DAHP; consultation with the Tribe regarding the results of the analysis and any required mitigation is ongoing.</p>
<p>24) Tree Protection and Replacement OMC 16.60</p>	<p>Revision</p>	<ol style="list-style-type: none"> 1. A minimum of 50% of the required tree density shall be met in a Soil and Vegetation Protection Area. (50% of 152 = 76 tree units), the trees proposed are large species and will need large area for roots. Previous comments regarding tree placement with rip-rap wall underneath appear to have not been addressed. Adequate space for roots will need to be provided. 2. Trees outside the SVPA appear to mostly be placed in tree pits/wells on the parking garage/ promenade. Any trees outside of the SVPA intended to count towards tree density must be located in tree wells / pits sized to accommodate the tree at maturity. Additional coordination is needed and engineered solutions may be warranted. Species selection will likely directly impact the amount of soil volume needed, therefore this information may need to be addressed before land use approval can be granted. 	<p>Landscape plans show tree counts. The design exceeds 76 tree units within the stormwater Protection Area. The planting substrate will be created by the placement of sand, and gravel mixed with topsoil to create a substrate on top of the existing rip rap or the proposed gravel berm. In some cases, topsoil will be tilled or mixed into the gravel berm material. The depth of the soil media will be adequate for planting growth with 24"-30" in the riparian and transitional zones, and 8" in the salt marsh above elevation 8 NAVD88 (12 MLLW). Soils will also be provided in the inertial spaces of the rip rap.</p>