

P.O. Box 722
Spokane, WA 99210

July 17, 2006

Planning Services Department
Attention: Mr. Leroy Eadie, City Planner
808 W. Spokane Falls Boulevard
Spokane, WA 99201-3329

RE: Plat and PUD application for Kendall Yards

Dear Mr. Eadie:

Please accept my comments on Riverfront Properties application for a long plat and planned unit development for the Kendall Yards project. I also ask that you bring these comments to the attention of the hearing examiner for this project.

I respectfully request that the above referenced application for the Kendal Yards project be *denied*. The application submitted by Riverfront Properties is incomplete and violates the Washington State Environmental Policy Act. The application for the development also is conflict with the city of Spokane's guidelines both for a Planned Unit Development and does not meet the requirements for granting the developer permission to increase the density of the project. In short, this development plan is based on speculation, sales pitches and supposition and lacks the substantive data that would enable the public and planners to make a well reasoned judgment as to whether the development is legal and in the best interest of the community.

In addition, the city of Spokane is violating it's statutory requirement to protect the public interest and it's fiduciary responsibility to the taxpayers by moving forward so rapidly on this project without sufficient information about the impacts of the development as well as completed traffic analysis by the Washington State Department of Transportation. The city of Spokane also has failed to elicit concrete commitments from the developer to mitigate the impacts of this development and to assure taxpayers are not stuck paying the bill for all of the impacts of this development. The developer's vague promises are unenforceable, do not meet the requirements of city code or state law, and will be meaningless in the event the developer gets the necessary permits and then sells the property to another developer.

Particular concerns and deficiencies in the developer's application include:

- 1) The developer is obligated under the State Environmental Policy Act to identify, analyze and mitigate for all substantial impacts. This has not taken place. For example, *this development proposes 1 million square feet of commercial and retail space -- the equivalent of more than five Wal-Mart Super Centers -- and will generate means an enormous increase in traffic.* On average, one shopper

supports 1,000 feet of retail space, according to retail experts. This means Kendall Yards will need 100,000 shoppers, at build out, to support this development. Yet, the *developer's application does not include a comprehensive study of current and future traffic* on the streets of the West Central Neighborhood. This deficiency is highlighted by figure 3 of the Kendall Yards Kendall Yards Traffic Study (Felsburg, Holt & Ullevig, May 2006, "Study Area and Roadway Classifications"). The West Central Neighborhood is a blank spot on the map that depicts the areas where traffic has been evaluated. Neighborhood residents have repeatedly requested a comprehensive study before the development is approved. This request has been ignored. This enormous deficiency renders the application incomplete and requires that the application be rejected.

- 2) The developer proposes to connect the Kendall Yards project to approximately a half-dozen north-south streets that run through the West Central neighborhood. Two of these street connections will channel traffic directly past both the east and west sides of Holmes Elementary School. *This traffic poses a potential threat to the safety of school children and the many pedestrians, and bicyclists in the neighborhood.* State law requires the developer to assess the current traffic and future traffic now, not at some future date as the developer proposes. If the city allows the developer to move forward without a study of current traffic on the streets of the West Central, then the city will be unable to prove future traffic impacts are the responsibility of the developer.
- 3) The insufficient traffic study provided by the developer identifies *unacceptable traffic impacts to some city arterials and intersections.* The application therefore should be rejected.
- 4) Summit Drive is a designated bicycle path and a proposed extension of the Centennial Trail. The developer has neither studied nor made allowance for the impact of the increased traffic on current and future bicycle and pedestrian use. This deficiency renders the application incomplete.
- 5) The Washington State Environmental Policy Act requires the city of Spokane consider public comment on this project. It appears the city has ignored public comments. For example, one or two business days after the public comment period closed for the supplemental EIS, the mayor announced he was forming a task force to, in essence, fast track this development. That time frame appears to demonstrate the mayor's decision was made before all public comment had been reviewed and considered by city staff.
- 6) The developer's application is based upon a 1993 Environmental Impact Statement. The developer would not purchase property today based on a 1993 appraisal and likewise the public should not be expected to accept a development based on such an outdated study. There was a supplemental EIS performed. However, it is remarkable in its lack of data and actual analysis and does not meet the SEPA required analysis of substantial impacts. A new EIS should be

required to assess the impacts of the development by today's standards.

- 7) The developer's plans for condo buildings up to 12 stories high are out of character with the current neighborhood, will have an adverse impact on residents of the West Central Neighborhood, Peaceful Valley, Brown's Addition and others. Such high-rise development should be prohibited, especially on the west end of the development. It is my understanding that current zoning allows for three-story buildings and this zoning should be retained. There is no meaningful mitigation for creating a corridor of high rises in this rare natural area. This variance should be denied.
- 8) The developer has made many statements regarding pedestrian friendly development but is unwilling to make concrete commitments to ensure Kendall Yards is, in fact, pedestrian oriented and encourages residents to walk to downtown. Meanwhile, the city is allowing the developer to reduce its projected traffic impact based on these vague promises. The developer should not receive credit for any pedestrian friendly development that is not stipulated to in writing, backed by financial commitment and enforceable by court order.
- 9) The developer is expected to apply for property tax waivers for putting a high-density development in the urban core. This means taxpayers elsewhere in the city will be required to pay an even larger share of the inevitable infrastructure, public and emergency services needs of the development. The developer's application should be rejected until a full assessment of the fiscal burden of this project on taxpayers is performed and published.
- 10) Native Americans used the Kendall Yards area for more than 10,000 years and yet there is no consideration in this application for how this intensive development affects their rights and needs. This developer's application should be rejected pending such consideration and consultation with the affected tribes.
- 11) The general objectives of a PUD include: a more desirable development in the general public interest, more aesthetic use of the land, a development consistent with available transportation standards of the city as well as a development that best preserves historical and cultural features of the land. The PUD guidelines call for encouraging "economy and efficiency" in transportation routes. Kendall Yards fails on all counts. Because of the high-rise condominiums, Kendall Yards fails to meet the standard for a more aesthetic use of the land. Because of the intensive traffic impacts, it will adversely affect the surrounding areas and also is inconsistent with traffic standards. Cultural features, including those important to Native Americans are ignored. The developer's PUD application, including a higher development density should be rejected.

Minimum mitigation for this project should include:

- Reducing speed limits throughout the West Central Neighborhood to 20 miles per hour.

- Installing traffic circles at key intersections, to include Summit and Cochrane, Summit and Boone at developer's expense.
- Closing West Point Road at Pettit Drive to motorized traffic to discourage drivers from using this as a high-speed shortcut to Kendall Yards.
- Striping a bicycle lane along Summit and Mission to warn motorists of the existing bicycle lane.
- Installing sidewalks along the south side of Summit in order to accommodate pedestrian safety amid increasing traffic.
- Enforcing laws prohibiting parking on sidewalks in the neighborhood. Such parking forces pedestrians out into traffic and is extremely dangerous.
- Restricting truck traffic, especially construction traffic, from using West Central streets. All access should be through roads Kendall Yards is building.
- Rerouting STA buses so they actually haul passengers to and from Kendall Yards instead of racing empty around West Central as is currently the practice.
- Setting aside right away sufficient for light rail to connect with Kendall Yards in the future, provided at developer's expense.

In the end, it is worth noting that the developer's representative, Tom Reese, has repeatedly stated in public meetings undeveloped riverfront property in an urban area is highly unusual across the country. This one-of-a-kind property demands careful development done to the highest standards, not the careless development that characterizes much of Spokane County, has created enormous traffic and infrastructure headaches and is rapidly making this area a poster child for poorly planned development.

Thank you for your time and consideration.

Sincerely,

Ken Olsen

Cc: Mayor Dennis Hession