

September 17, 2015

City of Des Moines
Planning, Building and Public Works
21630 11th Ave S
Des Moines, WA 98198

Re: Woodmont Recovery Campus LUA2014-0038

Rather than having the opportunity to comment on the design of the proposal to build a Woodmont Recovery Campus, we should be having the opportunity to comment on the permitting process of the project and whether it should be allowed at all. I briefly read the documents regarding this project and see that a hearing was conducted on 04/03/15 where a handful of neighbors to the proposed facility had a chance to comment about how the Woodmont School, neighborhood and King County Public Library full of children and their teachers might be impacted by this proposed treatment facility population.

Pacific Highway South has historically been a problem area for criminals, prostitution and gangs and adding one more unstable element without proper mitigation seems unwise. The fact that the City of Des Moines only has four police officers on duty at any one time, based on a statement by the Police Chief himself, seems to be the most persuasive reason to forego this project. It is a fact that the police response is already less than desired because of poor funding for community safety. It is difficult to understand why we would want to add more challenges to our community at this time.

It is obvious that this whole process has been conducted under the radar and without full disclosure to the community. I object to this project and can only hope that it can be stopped.

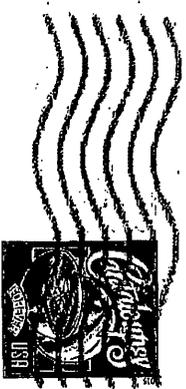
Respectfully Submitted,

Barbara Campbell 
Des Moines City Resident

C
Barbara C. Campbell
23107 Marine View Dr. S
Des Moines, WA 981987345

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City of Des Moines
Planning, Building and Public Works
01630 14th Ave S
Des Moines, WA. 98198

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DEPARTMENT OF PUBLIC WORKS
NORTASDY PARK MUNICIPAL CENTER
DES MOINES, WASHINGTON

98198633883



Copy!
Darr
Dunise
Michael

Sept. 17 2015

Des Moines City,
Attn City Council

We are opposed to the plan to have a recovery campus in our neighborhood.

We have a 16 year old Granddaughter that lives with us and we only live 6 blocks away from the planed center is located.

She waits for the bus and is dropped off from the bus 3 blocks from this location. There will be people we do not want in our neighborhood walking down the main streets to get to this center. This is where children are getting on and off the bus and need to walk home by themselves. This is not a proper place for this center.

Also it is 3 blocks away from our local elementary school. This is not the type of people we want to be walking around near our schools.

Please reconsider your idea of allowing this Recovery Campus in our neighborhood.

We do not want to live in an area where there is encouragement of drug activity and type of people it will bring to our neighborhood.

Thank you



Gary and Kathy Hoffman
27508 14th Pl. S.
Des Moines WA 98198

Denise Lathrop

From: miranda <kiriigloi@hotmail.com>
Sent: Friday, September 18, 2015 11:32 AM
To: Denise Lathrop
Subject: LUA2014-0038

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Denise,

I got your name as a contact regarding questions about the Woodmont Recovery Campus.

Let's start with the obvious: How could you??? (not you personally, of course). It looks like they were playing pin the tale on the donkey! This location is absurd on the face of it. Schools, neighborhoods, residential are????

When will there be public discourse? When is the next city council meeting? What were they thinking? I drive several people to the clinic in Seattle for their 'medication' and IT IS A SCARY PLACE AND YES PEOPLE LOITER IN THE AREA AND SOMETIMES ACT OUT. It is almost beyond comprehension that anyone would consider this location (Woodmont) appropriate and to allow access from 16th?????? Insane.

I would like to see anyone on the city council approve such a plan in their own neighborhoods or next to their own children's or grandchildren's schools.

Respectfully,

Kiri Igloi 253.941.4835

September 20, 2015

To: Denise Lathrop, Community Development Manager

Dave Kaplan, Mayor Position # 7

Subject: Woodmont Recovery Campus – File Number LUA2014-0038

I request that the City of Des Moines revoke the conditional use permit as filed by Valley Cities Counseling and Consultation firm shown in the subject file number above and to deny any further building permits for this planned Campus located at 26915 Pacific Highway sponsored by the Valley Cities Counseling and Consultation firm.

The current plan calls for the construction of five buildings totaling 94,000 Square feet for Evaluation , Treatment (Detoxification), Outpatients, Commons meeting area for AA meetings and supportive services, and a Dispensary Clinic mainly for clients addicted to the use Methadone and possibly other drugs. The expected clientele is believed to number 500 addicts daily for treatment for their lack of self-responsibility/control and unpredictable behavior with respect to society's expectations.

The pure size of this complex suggests that rather than a normal medical facility it is a factory whose end product is "cured" former addicts for which the recidivism rate is known to be very high and should be treated as volatile.

This volatility from current users seeking care or "cured" addicts will have an adverse effect on the size of our Des Moines Police department who will have to redirect resources for emphasis patrols on Pac Highway as preventative measures to protect our citizenry from those Methadone users, some of whom will be driving erratically (stoned) on our major thoroughfare, Pac Highway, for their treatment at the subject planned facility. Plus, current plans call for a Dispensary Clinic of 7200 sq. ft. that would suggest large quantities of various drugs in inventory and be subject to potential robbery.

This current location is very close to Schools, Woodmont Library, Churches, Pre- Schools , Parks where young impressionable children are present. This condition would not be allowed if the permit applicant were planned on building a tavern... It occurred to me that this facility would better fit in an Industrial area similar to Segal Park which begins on 190th So. to 200th So. Where a four lane road separates Industries located on both sides of this roadway leading South from the South Center Shopping Complex. Defining this operation as an Industry can be totally justified as their end products are "cured" drug addicts returned to society for productive purposes.

Thank you for your action in the revocation of the conditional use permit.

Sincerely,



Gary L Kennedy, a Des Moines Citizen and Home Owner since 1965

23312 th Place South

(p) 206-878-7849

Denise Lathrop

From: William Balogh <wbalogh@aol.com>
Sent: Monday, September 21, 2015 9:40 AM
To: Denise Lathrop
Subject: Fwd: WOODMONT RECOVERY CAMPUS

-----Original Message-----

From: William Balogh <wbalogh@aol.com>
To: dlathrop <dlathrop@dersmoineswa.gov>
Sent: Sun, Sep 20, 2015 2:39 pm
Subject: WOODMONT RECOVERY CAMPUS

WHY ON EARTH WOULD WE WANT TO BRING A BUNCH OF ADDICTS TO THE NEIGHBORHOOD.
THESE PEOPLE COMMIT CRIMES TO SUPPORT THEIR ADDICTIONS.
YOUR OPENING UP A CAN OF WORMS.
HAS THIS BEEN APPROVED BY THE CITY COUNCIL?
WE SHOULD BE GIVEN THE CHANCE TO VOTE ON THIS ISSUE.
SURELY THE COMMENTS CAN'T BE LIMITED TO THE DESIGN.
YOUR MAILING TALKS ABOUT CONDITION 5.
WHAT IS THAT?
YOU CITY TYPES SPEAK A DIFFERENT LANGUAGE THEN THE REST OF US AND AT TIMES I GET THE
IMPRESSION YOU ARE TRYING TO SNOW US.
wbalogh @aol.com

Denise Lathrop

From: Carolyn White <ckw62061@gmail.com>
Sent: Monday, September 21, 2015 8:18 PM
To: Denise Lathrop
Subject: Woodmont Recovery Campus

I am writing today to protest the addition of Valley Cities Woodmont Recovery Center that is to be opened in my neighborhood. I live 2 blocks north of there and the facility is also one block from Woodmont Elementary school.

I am afraid that there will be people loitering in the area and could raise the crime rate and would jeopardize children coming and going to school. It is also right next to a public library.

This is a family area and we are trying to make it a better place to live. Please MOVE IT. You are supposed to fight for our rights as people and neighborhoods. It is time to represent us and help better our neighborhoods. If you don't we will find someone who will.

A concerned neighbor...

Carolyn White
Landmarque Homeowner
925-813-8423

City of Des Moines Planning, Building and Public Works Department
21630 11th Ave S, Suite D
Des Moines, WA 98198

Subject: Valley Cities Counseling and Consultation, File Number: LUA2014-0038

Dear Ladies & Gentlemen of the Des Moines Planning, Building & Public Works Department,

I am writing to express our serious concern about the design of the proposed Valley Cities Counseling and Consultation facility proposed for 26915 Pacific Highway South in Des Moines. First, the project has ballooned into a full campus, with a building and inhabitant density that the neighborhood and surface streets do not adequately support; it appears to exceed the lot coverage limits. Given this excess, the scope of the project's design will unduly interfere with the neighborhood and the surrounding streets. I do not see adequate measures for ensuring safe flow of traffic in and out of the facility or mitigated on the surrounding surface streets. More importantly, the subject design has not enough mitigation and community protection measures included for what will essentially be "inmates" of their involuntary rehabilitation center, or remotely adequate buffers between the homes, school and public library that are near or adjacent to the site. Further, I do not see that the plan for addressing the facilities' potential noise impact that will arise from a facility that is as large as envisioned. There are no design elements that appear to facilitate public transit or car-pooling. Finally, the design does not provide a legal or satisfactory offset distance from the local public library and elementary school that adjoin the property, and where children regularly frequent.

On a secondary concern, I vehemently oppose a plan to raise the current height restriction to accommodate the Valley Cities project. This facility will be a not-for-profit entity, is an unmitigated abuse of the public responsibility and trust to arbitrarily raise height restrictions to accommodate their design. The City of Des Moines has had many, many requests to raise the height restriction in the City, or even provide a variance, for potential tax-paying, city-revenue producing business projects. These projects have not been allowed the accommodation and I see no compelling reason why the subject project, which will provide no tax revenue, would drive such a change in height restriction. The community cannot condone a project that exceeds the height restrictions for this type of project that is an over built plan for the site, and will be a drain on the community, City maintenance and social services.

A project of this size should enhance our community, however, I see nothing in the design or plan that adds or provides any improvement that will benefit the City of Des Moines residents or that will lead to an increase in tax revenue for our city. Vacant lands within or adjoining a neighborhood should be used in say that preserve and enhance the quality of life for the City and its residents. The entire permit process for this facility went forward with no notice to the City residents, not to mention the ownership transaction was not open and recorded for public awareness; it is all extremely troubling. I appreciate being able to comment on this subsequent grossly negligent design, but am extremely disappointed that this project has been allowed to go so far as public comments with the numerous problems within this design.

Sincerely,



Toni & Brian Lund

27051 8th Ave S
Des Moines, WA 98198

(253) 839-4686

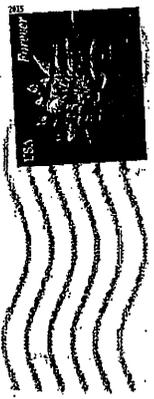


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SEP 22 2015

BY: _____

City of Des Moines
Planning, Building, & Public Works Dept.
21630 11th Ave S, Suite D
Des Moines, WA 98198



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SEATTLE WA 98101

To: City of Des Moines Planning, Building, and Public Works Department
Re: Public Comment on Valley Cities Evaluation & Treatment Facility
File #LUA2014-0038
From: Dr. Wendy Ghiora, Des Moines Property Owner
Date: September 23, 2015

Upon review of documents on the Des Moines City Government Website pertaining to the above proposed facility; and after attending the September 10, 2015 Des Moines City Council Meeting, I would like to state the following objections to building the Valley Cities Rehab Facility at the currently proposed site:

1. Inadequate Notice Given: For a proposed facility at a site with so many ramifications, inadequate public notice was given. Application for the project was completed on 12/12/14. Public Notice was given on 2/2/15 (almost two months later). Comments were due by 2/17/15. Yes, this meets the **minimum** requirement of 15 days' notice, but more notice would have allowed for a more comprehensive and true understanding of the community's important concerns about the location of the project.
2. Significant Opposition: When the formal meeting was held to ask community members for input on the location of the proposed facility, eight local residents spoke. All of them opposed building at this location, mainly because of its proximity to the school, the junior high school bus stop, and the library.
It is an accepted notion that each citizen who bothers to write a complaint, let alone appear in person, represents 100 others who did not take any action.
3. Unsafe Location for Children:
Valley Cities Woodmont Recovery & Treatment Facility Traffic Assessment
II. Paragraph 2 – "Surrounding development in the immediate vicinity is predominantly residential.
This is true, but it is located .5 miles from Woodmont Elementary School and 59 yards from the library, which is often frequented by school children.
4. The Keimig Associates Letter of December 2, 2014 – Use Permit Project Narrative
V. Summary – "The Evaluation & Treatment Building will provide 16 beds for patients needing involuntary treatment.

Here is just one of many studies regarding the effectiveness of involuntary treatment:

The Effectiveness of Coerced Treatment for Drug- Abusing Offenders

M. Douglas Anglin

Michael Prendergast

David Farabee

UCLA Drug Abuse Research Center

1100 Glendon Avenue, Suite 763

Los Angeles, California 90024

First, from a methodological standpoint, we reiterate De Leon's (1988) contention that research in this area has been confounded by the misuse of terms such as "legal referral," "legal status," and "legal pressure." De Leon suggests that legal referral should be used to express an explicit procedure in which an offender is referred to treatment via probation, parole, diversion, or specific sentencing stipulations.

Legal status should be used to describe clients with any form of legal involvement, ranging from warrants to incarceration. Finally, De Leon suggests that the term legal pressure be used to describe the extent to which the offender experiences discomfort over the potential consequences of noncompliance. Future studies should avoid using subjective terms such as "involuntary" or "coerced" without directly assessing the client's perception of the referral process.

Second, the research emphasis on external pressure to enter treatment, and its relative success, has largely eclipsed the potential role of internal motivation. There is strong support for the role of internal motivation as a predictor of program retention and positive treatment outcomes. Examining the role of coercion for clients in an alcohol treatment program, Freedberg and Johnston (1978) found that, while external sources of coercion played an important role in bringing the client into treatment, the decline in perceived external coercion over the following year was a significant predictor of abstinence one year later. Likewise, Simpson et al. (1997) report that a client's internal motivation for change at the time of program admission significantly predicted long-term post-treatment outcomes.

Clearly, the relative success of external motivators for treatment (i.e., legal coercion) should not preclude our efforts to enhance the internal motivation of coerced clients.

The Effectiveness of Coerced Treatment

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Although the majority of the studies reviewed here examined the relationship between legal status, legal referral, or legal pressure to treatment retention and outcomes, coercion undoubtedly accounts for some of the variance in all of these measures. We have suggested that terms like “involuntary” and “coerced” not be used without first measuring the subjective perception of the clients in question; these assessments should also include internal motivation.

High internal motivation for change prior to treatment is predictive of two-fold increases in the likelihood of positive outcomes for substance use and criminality (Simpson, Joe, & Rowan-Szal, 1997).

In conclusion, while external motivators such as criminal justice pressure, and presumably coercion, are often associated with positive treatment outcomes, the role of internal motivation and treatment engagement must not be overlooked. Given that intrinsic motivation for change is the primary distinction between voluntary and criminal justice-referred substance abuse treatment clients (Farabee, Nelson, & Spence, 1993), treatment protocols of legally coerced substance abuse clients should reflect our knowledge that, in the end, it is the client who decides upon the outcome.

It is also known there is a high percentage of repeat offenders even after rehabilitation has occurred.

8a. What is the current use of the site and adjacent properties?

15a. Public Services

Existing need for services offered will be directed from hospitals and jails to the site.

b. The project is being managed by full-time staff that can provide continued oversight to help reduce public service and alarms with surveillance are being contemplated to increase site security.

There is no question that this point should be mandatory in such a facility.

5. Illegal Use and Sale of Drugs is Imminent

There is solid evidence that drugs are routinely snuck into Drug Rehab Facilities. We do not want drugs or drug sellers near our schools or our children.

Drug use in rehab centers is a chronic problem, and staff members struggle to keep drugs from creative, ingenious patients desperate for them.

- Addicts entice friends, family or their former dealers to smuggle drugs into rehab for them.
- In recent cases in New Jersey and Minnesota, employees and patients faced criminal charges
- Betty Ford Center has tightened security in the past year, spokesman says

When Bethany Ehrhart, 23, wanted to kick her addiction to painkillers, her mother, Darlene, found the money for top-of-the-line treatment at the world-renowned Betty Ford Center. A week after her arrival at the celebrity rehab in Rancho Mirage, Calif., Ehrhart says, a fellow patient gave her heroin smuggled in on visitors' day.

Ehrhart says she witnessed a drug deal at the rehab center and told a staff member, who failed to report it. In an e-mail to Ehrhart's mother, Betty Ford's former CEO John Schwarzlose, who left the post in July, promised an investigation, offered the family free services and refunded Ehrhart's tuition. Ehrhart transferred to another rehab center.

Ehrhart's experience underscores a chronic problem for drug rehab centers that struggle to keep drugs from creative, ingenious patients desperate for them.

"Addicts will go to great lengths to get drugs," said Carol Falkowski, former director of the Alcohol and Drug Abuse Division at Minnesota's Department of Human Services, who also worked for a decade at the Hazelden Foundation. Staff members know addicts will often entice friends, family or their former dealers to smuggle drugs into rehab for them, she said.

Recent examples include:

- Prosecutors in New Jersey arrested seven men, including five employees, in July on charges of distributing heroin, crack cocaine and painkillers to patients at Veterans Affairs treatment facilities. "These seven men abused their access to VA medical facilities to peddle dangerous drugs to other veterans undergoing treatment," U.S. Attorney Paul Fishman said.

- In March, a patient at a locked state drug treatment center in Fergus Falls, Minn., was sentenced to four years in prison after she and two other patients used heroin and other drugs they had smuggled into the facility, said Otter Tail County assistant prosecutor Michelle Eldien. An accomplice outside the center smuggled the drugs into the rehab in shampoo bottles and pockets of jeans, she said.

- Falkowski, now president of Drug Abuse Dialogues, an educational organization on drug and alcohol abuse in Minnesota, has heard stories of desperate addicts trying to distill fruit pilfered from the cafeteria into alcohol. At a treatment center where Falkowski worked in the 1970s, workers found drug syringes hidden in a clothes dryer.

McCarren reports for WUSA-TV in Washington, D.C.

If The Betty Ford Center, one of the most highly regarded drug rehabilitation facilities in our country has experienced illicit drugs penetrating their security system, imagine what will happen here in Des Moines.

A site where serious drugs are certain to be available has no business being located so close to a K-8 school. The junior high school children will have to walk directly in front of the entrance on 16th in order to get to their bus stop.

6. Des Moines City Council Meeting of September 10, 2015

I attended the September 10, 2015 Des Moines City Council Meeting. The meeting room was so packed, there was standing room only. I had come, merely to observe the meeting and get a feel for the town I am about to move into. More than a dozen residents individually got up and addressed the City Council Members. Every one of them spoke in opposition to the location of the Valley Cities Evaluation & Treatment Facility. Many had no objection to the facility itself, only to the proposed location due to its proximity to the school and the library, where many children go to do their homework and get tutoring after school. Not one person present spoke in favor of the facility or its location.

Due to the evidence presented here, it is imperative that the Des Moines City Council find a more suitable location for this proposed facility.

Sincerely,



Dr. Wendy Ghiora
4125 248th Ct. SE
Issaquah, WA 98029

Property Owner of:
26449 Marine View Dr. S.
Des Moines, WA 98198

(425) 961.0496
wghiora@gmail.com

Denise Lathrop

From: dixie small <small.dixie@gmail.com>
Sent: Friday, September 25, 2015 6:03 PM
To: Denise Lathrop
Subject: Fwd: Woodmont Recovery Campus

Good evening Ms. Lathrop,

I would like to forward you the email I sent previously to other government officials regarding the Woodmont Recovery Campus(file number:LUA2014-0038). Your consideration is greatly appreciated. Thank you.

Dixie Small

----- Forwarded message -----

From: **dixie small** <small.dixie@gmail.com>

Date: Wed, Sep 16, 2015 at 4:49 PM

Subject: Woodmont Recovery Campus

To: karen.keiser@leg.wa.gov, tina.orwall@leg.wa.gov, mia.gregerson@leg.wa.gov,
mark.miloscia@leg.wa.gov, carol.gregory@leg.wa.gov, linda.kochmar@leg.wa.gov,
dkaplan@desmoineswa.gov, tpiasecki@desmoineswa.gov

Cc: pbosmans@desmoines.gov, mpina@desmoineswa.gov, vpennington@desmoineswa.gov,
jnutting@desmoineswa.gov, mmusser@desmoineswa.gov, lbangs@desmoineswa.gov,
bscheckler@desmoineswa.gov, jim.ferrell@cityfederalway.com

Good afternoon,

I am writing to express my concerns and opposition to the proposed Woodmont Recovery Center. I will begin by stating the obvious. Woodmont Elementary School is less than 700 feet away from the proposed site, Woodmont Library is adjacent to it, a bus stop for Junior High students is only feet away and many children and adults will be needlessly put at physical and emotional risk.

The City of Des Moines is struggling to address our current crime with an inadequate police force. Do we as a community want to endorse a higher incidence of crime by allowing Valley Cities Counseling to open it's doors in our neighborhood welcoming those addicted to drugs?

The reality of this proposal is grim for our city. Where have our elected representatives placed their values? It is time to make a final decision against this proposed facility in our neighborhood before it is too late and we are left asking ourselves where we went wrong?

Respectfully,

Dixie Small

26403 8th ave. so.
Des Moines Wa. 98198
206 300-1046

Denise Lathrop

From: DesMnsDave@aol.com
Sent: Monday, September 28, 2015 7:23 AM
To: Denise Lathrop; Dan Brewer
Cc: Tony Piasecki; Michael Matthias
Subject: Fwd: Review Comments on Woodmont Recovery Campus Design

FYI. Please consider these comments as submitted for the design review process. Thank you.

Dave Kaplan
Mayor & Councilmember
City of Des Moines, WA

From: mcnewnickie@gmail.com
To: dkaplan@desmoineswa.gov
Sent: 9/27/2015 10:17:47 P.M. Pacific Daylight Time
Subj: Review Comments on Woodmont Recovery Campus Design

My husband and I did attend the meeting earlier in September regarding the Woodmont Recovery Campus. As was the consensus of nearly every participant at the meeting, we are not in favor of this building, due to the proximity of the grade school and the residential area. We would prefer to see this type of building in a more industrial part of King County, where the safety of other citizens are taken into account as much as the well being of those who are seeking out treatment.

After reviewing the design, a few items stand out that really need to be addressed:

- 1). There are 6 Foot High Wood Fences along all the residential areas. As we discussed in the meeting, visibility, while in a residential and school zone area, is key. In the event that a child is abducted, or some sort of crime occurs directly relating to the Woodmont Recovery Campus, transparency is KEY. Any fence needs to be transparent. And the fence needs to be tall enough that it is not easily scaled, i.e. 12 ft. vs. 6 ft. I would be interested in finding out if there is a plexi-glass type fence available, that is not easily climbed, and can not be cut through.
- 2). I don't see any perimeter lighting around the fence lines. There needs to be a LOT of lighting, keeping in mind the residential area needs to be protected from the lighting as well. Numerous motion detector lights on all sides of the campus should be installed.
- 3). City of Des Moines Police should also be a part of this plan, (not paid by Des Moines residents) at all entrances to each of the buildings and to each possible entrance of site. This needs to be a 24 hour service. In addition to the police officers on site, a minimum of 2 additional officers round the clock should be allowed, to offer assistance to Des Moines citizens outside of this campus, as the attraction to the campus by many who are having a hard time controlling their impulses, while they are still going through treatment, will be in the area.
- 4). Surveillance Camera Security should also be a part of this plan at all the entrances of the buildings, and the entrances to the property.
- 5). Local Businesses that are just mere feet away from this facility will also be affected by the potential clients of the Woodmont Recovery Campus. In order to protect these businesses who have much invested in the area, there should be 24 Hour City of Des Moines visible police protection, to keep the customers of those businesses from being approached and harassed while they are trying to shop, get gas, get food, etc.

Again, I think this is a very poor choice for location. It is such a poor choice it makes a person wonder if there is something else going on behind the scenes that we have not been made aware of. Please do all that can be done, to move this campus to another safer location.

Thank you,

Nickie and Rod McNew
Residents of Des Moines, WA=

Denise Lathrop

From: Susan Pursell <pursell_susan@yahoo.com>
Sent: Monday, September 28, 2015 11:01 AM
To: Denise Lathrop
Subject: Submitting comments re: LUA2014-0038

Denise,
I'm emailing you as I'm currently out of town.
My name is Susan Pursell and am a new resident of Des Moines.
We live at the Mariner Manor, 601 S 227th St #409S, Des Moines WA 98198.
Cell phone is 206-909-3710

This letter is about the proposed project in the Woodmont area of Des Moines. It appears the intention is to build a comprehensive center to treat individuals with a variety of issues. You state you will have a "Dispensing Center" which I take to mean a Methadone Dispensing Facility. I have direct experience with Methadone Facilities and their problems that I want to address.

History

For 8 years I was the Administrator of Orthopedic Physician Associates (OPA) and large Orthopedic practice in the Nordstrom Tower on the Swedish Campus on First Hill in Seattle. A Methadone Facility was built on First Hill about 2 blocks away. We had very real problems with the patients and their activities. I worked with local management of the Starbucks in our building which became a "hang out" for the patients and was driving away both employees and our customers.

What I observed was fairly large groups of Methadone patients (15-30) all gathering for hours around any open facility. They were unkept, unclean, sometimes they were passive, other times fighting, they verbally attacked others, crowded around all door openings smoking and they aggressively panhandled. I saw them sleeping at tables with drool coming out of their mouths, I saw folks with open sores or obviously just released from ERs in gowns, etc. They overtook all bathrooms, shoplifted and also sold drugs.

The Starbucks refused to stop serving them, but did pull out all their retail due to theft. And they stopped providing free waters, coffee and refills to try to get them to move on. I instructed all my patients and employees to avoid that Starbucks.

Suggestions

- 1 My first suggestion is that you do not build this facility in Des Moines. I believe you'll end up with a long term problem that is very hard to control.
2. If you are dead set on building it, then at least don't build this center near children.
3. I suggest a requirement to the project install a privacy fence around it making it more a compound/campus. Maybe planted so it looks nice. It needs to be on a bus line.
4. The reason all these people gather is they typically are low income or homeless. And the State has to provide bus passes or taxi service for them to make their dispensing group appointments. Therefore, they will begin arriving 2 hrs prior to make sure they make their scheduled

appointments. And again may have to wait another 2 hours for a return ride. The Methadone Facility should provide for this waiting time.

5. There should be a mandatory Waiting facility to seat 30-50 persons. It should be inside the compound. Indoor facility with tables & chairs with toilets and water fountain. It should have its own covered smoking area. It should be staffed and open 2 hrs before the first Dispensing and close 2 hrs later. In this way you can better control the patients. It should be part of the client contract that they stay within the compound and not roam in the neighborhoods.

6. The Facility should provide Guard Services to keep clients in the center and see them onto their rides. They should patrol the surrounding areas and shoo straying patients back to the waiting center. If the center refuses to provide Guards, then the Facility should underwrite 2 additional police officers in the City of Des Moines to compensate for this work.

7. The City should be ready to prosecute panhandling, theft, and the dealing of drugs in and around the Facility.

I felt it was important to come forward with this information so that realistic solutions could be built into any agreements to build a Facility of this type.

Sue

Denise Lathrop

From: Susan Pursell <pursell_susan@yahoo.com>
Sent: Tuesday, September 29, 2015 4:31 AM
To: Denise Lathrop
Subject: Re: Submitting comments re: LUA2014-0038

Denise,
OK please see me email
Adequate "Waiting facilities" will be needed and privacy screen suggested.

Sue

From: Denise Lathrop <DLathrop@desmoineswa.gov>
To: 'Susan Pursell' <pursell_susan@yahoo.com>
Sent: Monday, September 28, 2015 2:06 PM
Subject: RE: Submitting comments re: LUA2014-0038

Ms. Pursell:

Thank you for your comments. I am not sure if you saw the draft design review decision on the City's website but here is the link:

<http://www.desmoineswa.gov/index.aspx?NID=466>

We are looking for comments as it relates to the DRAFT Design Review Decision and specific criteria that the project was reviewed under. I will add your comments below but wanted to bring our draft review decision and criteria to your attention.

Regards,

Denise E. Lathrop, AICP
Community Development Manager
City of Des Moines Planning, Building and Public Works Department
21630 11th Avenue S, Suite D
Des Moines, WA 98198-6398
Phone: 206-870-6563
Fax: 206-870-6544

It takes a place to create a community, and a community to create a place

From: Susan Pursell [mailto:pursell_susan@yahoo.com]
Sent: Monday, September 28, 2015 11:01 AM
To: Denise Lathrop <DLathrop@desmoineswa.gov>
Subject: Submitting comments re: LUA2014-0038

Denise,
I'm emailing you as I'm currently out of town.
My name is Susan Pursell and am a new resident of Des Moines.
We live at the Mariner Manor, 601 S 227th St #409S, Des Moines WA 98198.
Cell phone is 206-909-3710

This letter is about the proposed project in the Woodmont area of Des Moines. It appears the intention is to build a comprehensive center to treat individuals with a variety of issues. You state you will have a "Dispensing Center" which I take to mean a Methadone Dispensing Facility. I have direct experience with Methadone Facilities and their problems that I want to address.

History

For 8 years I was the Administrator of Orthopedic Physician Associates (OPA) and large Orthopedic practice in the Nordstrom Tower on the Swedish Campus on First Hill in Seattle. A Methadone Facility was built on First Hill about 2 blocks away. We had very real problems with the patients and their activities. I worked with local management of the Starbucks in our building which became a "hang out" for the patients and was driving away both employees and our customers.

What I observed was fairly large groups of Methadone patients (15-30) all gathering for hours around any open facility. They were unkept, unclean, sometimes they were passive, other times fighting, they verbally attacked others, crowded around all door openings smoking and they aggressively panhandled. I saw them sleeping at tables with drool coming out of their mouths, I saw folks with open sores or obviously just released from ERs in gowns, etc. They overtook all bathrooms, shoplifted and also sold drugs.

The Starbucks refused to stop serving them, but did pull out all their retail due to theft. And they stopped providing free waters, coffee and refills to try to get them to move on. I instructed all my patients and employees to avoid that Starbucks.

Suggestions

- 1 My first suggestion is that you do not build this facility in Des Moines. I believe you'll end up with a long term problem that is very hard to control.
2. If you are dead set on building it, then at least don't build this center near children.
3. I suggest a requirement to the project install a privacy fence around it making it more a compound/campus. Maybe planted so it looks nice. It needs to be on a bus line.
4. The reason all these people gather is they typically are low income or homeless. And the State has to provide bus passes or taxi service for them to make their dispensing group appointments. Therefore, they will begin arriving 2 hrs prior to make sure they make their scheduled appointments. And again may have to wait another 2 hours for a return ride. The Methadone Facility should provide for this waiting time.
5. There should be a mandatory Waiting facility to seat 30-50 persons. It should be inside the compound. Indoor facility with tables & chairs with toilets and water fountain. It should have its own covered smoking area. It should be staffed and open 2 hrs before the first Dispensing and close 2 hrs later. In this way you can better control the patients. It should be part of the client contract that they stay within the compound and not roam in the neighborhoods.
6. The Facility should provide Guard Services to keep clients in the center and see them onto their rides. They should patrol the surrounding areas and shoo straying patients back to the waiting center. If the center refuses to provide Guards, then the Facility should underwrite 2 additional police officers in the City of Des Moines to compensate for this work.
7. The City should be ready to prosecute panhandling, theft, and the dealing of drugs in and around the Facility.

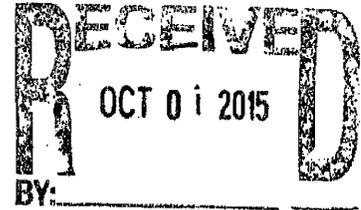
I felt it was important to come forward with this information so that realistic solutions could be built into any agreements to build a Facility of this type.

Sue

From: Mary Eun and John Born

Address: 806 S. 273rd Ct, Des Moines, WA 98198

Date: October 1, 2015



To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038

Below are my Comments on the Draft Design Review Decision for the Woodmont Recovery Campus.

1. Responding to item 2. Project Submittal, a. "The city's design review process recognized that land use regulations aimed at the ... avoidance of inappropriateness...and provide for the health, safety and general welfare of the citizens." (DMMC 18.235.030)

A driveway to 16th Avenue South is in direct conflict of the purpose "avoidance of inappropriateness" and "provide for the... safety... of the citizens." If allowed, both foot and vehicle traffic will cross a sidewalk where elementary school children walk to school. It is both inappropriate and too great a safety risk to design a situation where potentially agitated incoming patients will be literally crossing paths with elementary school children walking to school. Mitigation by installing and closing a gate during certain hours will not avoid this situation because people will forget the time and still come to the gate to check if it's open. The appropriate and safe solution is to eliminate any entrance onto 16th Avenue South.

2. Responding to item 1. Application Process, g. "...staff recommended looking at like facilities in the region."

The architect for Valley Cities submitted a Land Use Planning Letter that states, "The following material is in further support of your questions on the facilities and services to be offered and a try to equate them to existing experiences in the Puget Sound area of like facilities, none of which are as comprehensive as this campus will become." Later the Land Use Planning Letter states, "Unfortunately the facilities do not keep accurate data on emergency responses." And response from a similar company for operational data was: " To your question, we don't have data points specific to the areas you seek."

These points build the case that the response was incomplete and should not have been accepted. This omission needs to be addressed before this project progresses further.

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose "3) To protect, preserve, and enhance the social, cultural, economic, environmental, aesthetic, and natural values that have established the desirable quality and unique character of Des Moines."

The application omits addressing the impact on Woodmont K-8 school. Woodmont K-8 is known for being a high quality school that many Des Moines students "choice" into. The social and cultural impact to the student population of Woodmont K-8 school is grave if Valley Cities builds a campus on the next block with heavy daily traffic of methadone addicts and acute mental health patients who are a danger to themselves and others.

Respectfully Submitted,

Mary Eun and John Born

Denise Lathrop

From: Mary Eun <maryeun@gmail.com>
Sent: Thursday, October 01, 2015 3:11 PM
To: Denise Lathrop
Subject: Comment letters re WRC Design Review Decision

Denise,

I just dropped off two comment letters at the front desk of Public Works. David Steen may have already given them to you.

One was a letter from myself and my husband. The other letter was from a larger group with 40 of us.

I have a question regarding the comment letter that had 40 names signed at the bottom. All these folks asked me to add their names. I only added my address to the letter. David Steen said that any response would come just to me. If the others provided you their addresses, would you add them to the list of citizens to respond to? Or is there a better way for you to recognize that you are getting a comment letter from them as well and they would like to get the response?

I look forward to getting your response soon, today if possible, so that I may alert the other 39 of what they need to do to hear directly from you.

Sincerely,
Mary Eun

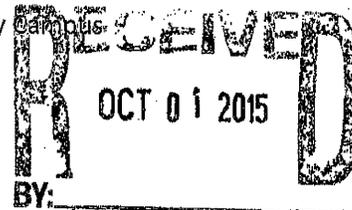
From: Mary Eun

Date: October 1, 2015

To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038



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1. Conflict with Decision Criteria: Des Moines Municipal Code 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

The Evaluation and Treatment Facility will be flushing bodily fluids with high levels of legal and illegal drugs into the waste treatment system. Some patients may also dispose of drugs by flushing them. High levels of potentially dangerous substances will be entering our water and waste treatment systems. Currently no impact study has been provided. This gap needs to be addressed to evaluate risks to aquifers, Puget Sound and our water supply.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

- a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.
- b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.
- c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.
- d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

- a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.
- b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?
- c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?
- d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?
- e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?
- f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

4. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the safety of the citizens driving in the area of the proposed facility.

- a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.
- b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

I am submitting these comments on behalf of myself and the following persons who have requested their names be added to this comment letter: Doreen Harper, Earl Harper, Candace Urquhart, Glen Urquhart, Harry Callahan, April Chavarria, Jesus Chavarria, Susan White, Martin Metz, Donna Metz, Spencer Hutchins, Kerry Hutchins, Jamie Griswold, Theresa Griswold, Kathleen McAteer Wolf, Toni Kelly, Chris Kelly, Kelly Carlile, John Carlile, Russ Roberts, Leslie Roberts, Sharon Crawford, Fred Crawford, Erica Schindler, John Schindler, Sheryl Hilmon, AnaLee Fluegel, Mark Fluegel, Richard Johnson, Oscar Haynes, Huong Ho, Tho Ho, Kim Pham, Martin Skrivanic, Rita Martin, Hubert Martin, Cheryl Johnson, Edward Harris, Andrea Harris, Leslie Roberts, Russ Roberts.

Sincerely,

Mary Eun

806 S. 273rd Ct, Des Moines, WA 98198

Don - I suggested each person submit an individual letter or that they submit one letter signed by everyone

October 1, 2015

City of Des Moines

Planning, Building and Public Works

21630 11th Ave. South

Ste D

Des Moines, WA 98198

Re: Woodmont Recovery Campus

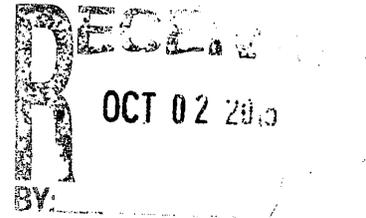
Sir/Madam:

During the SEPA process, Valley Cities compares the Woodmont Recovery Center to facilities that are not similar. In fact, in the December 23, 2014, letter it states "there is no other facility as comprehensive as this campus." Also, none of the referenced facilities (Kitsap Mental Health, Thrusting County Evaluation and Treatment, Bridges Evaluation and Treatment, and Two Rivers Landing) are near schools. Why is Valley Cities doing this experimental campus so close to an elementary school?

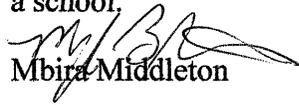
Just a couple of blocks north of the proposed site sits Woodmont Elementary School. I often see the students walking to school and back home. As a teacher and parent, I am concerned about the safety of these children. Studies show that 40 -60 % of patients addicted to heroin relapse within the first year — often within the first weeks of finishing a treatment program. Valley Cities is planning on putting these addicts near children. What may happen when a child is walking home from school and the addict is traveling to or from Valley Cities? A backpack stolen, a rape, an assault, a murder?

I am also concerned about the health of their learning environment. Methadone users are known to take medications similar to Xanax to get high. Drug dealers know this. Drug dealers are known to hang around methadone clinic to sell these medications. I'm wondering how many lock downs these students will have to suffer through because addicts that are high are on the school grounds. How will the children be able to focus when they're scared of traveling to school and scared of being at school?

Unfortunately, many people who find themselves enslaved to drugs or alcohol, have challenges with anger management, inappropriate conduct and stealing. Safeway, the Woodmont Library and the area surrounding Pacific HWY and 272nd, is already overwhelmed with problems. I shudder to imagine this area with people who will severely increase the number of incidents for the already overwhelmed Des Moines police. There is no question that the vital services that



Valley Cities is planning on offering are needed in south King County. However, I feel that the Woodmont area is already over taxed. Further, these services should not be located this close to a school.


Mbira Middleton

26016 11th Pl. S.

Des Moines, WA 98198

Mbira73@ymail.com

01-OCT-2105

Subject: Comments for the Draft Design Review for the Woodmont Recovery Campus

Project file: LUA2014-0038

Date: 01-OCT-2015

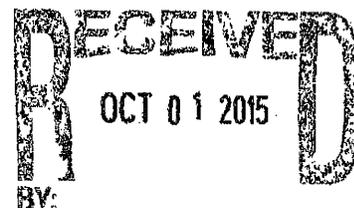
To the city of Des Moines Planning, Building and Public Works Department:

I have concerns about the design of the proposed Woodmont Recovery Campus. I believe the design has serious flaws and also believe serious omissions were made in the inputs to the design – specifically omissions in the traffic study.

These design flaws and serious omissions conflict with the purpose Des Moines Municipal Code 18.235.030, which is to promote the public health, safety, and general welfare of the citizens of the City.

Design Concern: Traffic Study Ignores Traffic impact of Woodmont Elementary, Collocated on 16th Ave

- *Woodmont Elementary (K-8), located on 16th Ave) is located 650ft from the 16th Ave entrance of the proposed facility*
- *Traffic study prepared by Heath and Associates on 3/4/15 makes no mention or consideration of Woodmont Elementary located 650ft from the 16th street entrance of the proposed facility. **This is a considerable oversight.***
- *Traffic study data were taken during the **assumed** PM peak period between the hours of 4 PM and 6 PM. **Data from the 4-6PM period provides the basis for the reports analysis***
- *By ignoring the school traffic peak periods (7:45-8:30am, 2:30-3:00 pm) the traffic study presents an inaccurate view of the areas traffic.*
- *Woodmont Elementary host approx. 480 students and 25 staff – This is a significant part of the traffic system with that was clearly overlooked in the traffic study. No mention at all of the school appears in the study*



01-OCT-2105

Design Concern: Traffic Study Ignores foot Traffic from Woodmont Elementary, Collocated on 16th Ave

- *Woodmont Elementary (K-8), located on 16th Ave) is located 650ft from the 16th street entrance of the proposed facility*
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- *Traffic study data were taken during the **assumed** PM peak period between the hours of 4 PM and 6 PM. **Data from the 4-6PM period provides the basis for the reports analysis***
- *Traffic Study states : "little pedestrian and bicyclist traffic is noted along 16th Ave S. Pacific Highway has sidewalk along both sides providing excellent facilities for pedestrian access to the site"*
- **By looking only from 4pm to 6pm, the Study missed the foot and bike traffic resulting from a 480 student Elementary School**

Design Concern: Traffic Study Error on 16th Ave Speed

- *Traffic study prepared by Heath and Associates on 3/4/15 makes no mention or consideration of Woodmont Elementary located 650ft from the 16th street entrance of the proposed facility. **This is a considerable oversight.***
- *Traffic Speed on 16th Ave is stated as 35MPH, but a school zone exists just beyond the facility with reduced speed while children are present*

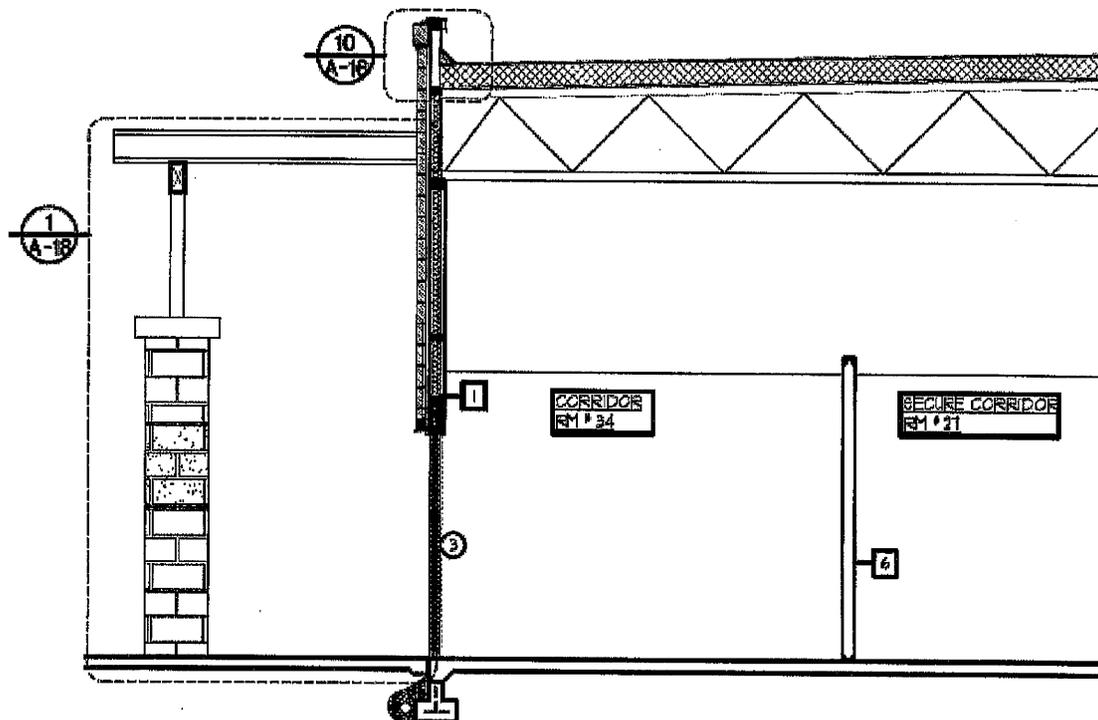
Design Concern: Hostile Landscaping will push loitering out into the community and public areas

- *As noted in the Draft Design Review Decision, "hostile landscaping" has been used in this area to deter loitering around the buildings.*
- *This design pushes those loitering around the buildings, out of the campus and onto the community sidewalks.*
- **This choice acknowledges people are prone to loitering around this type of facility and that the loitering is undesirable. Hostile landscaping will push those persons prone to loitering, out of the campus and onto our neighborhood sidewalks.**

01-OCT-2105

Design Concern: Canopy over entry to involuntary courtyard presents security concern

- As noted in the Draft Design Review Decision, "entries are protected with canopies"
- The Involuntary Cortyard entry canopy is supported by easy to climb pillars as shown below
- Pillars, roof and wall arrangement provide means of escape
- **This is an unsuitable structure in an area holding people against their will.**



01-OCT-2105

Design Concern: Involuntary Room Windows provide means of exit if broken and easy access to the detained

- Windows are wide (3 foot, + 4 inches). These are large enough to be exited thru if broken. Windows are on the first floor and may be broken from outside the building.
- Easy access to these windows from the parking area do not provide adequate protection to a patients that are likely to have unresolved disputes with contacts outside the facility.
- A person could easily approach a window and assassinate a patient. As extreme as this may sound, please acknowledge that drive by assassinations are commonplace in illegal drug communities.

Design Concern: Involuntary Common Room (room 42) ceiling material inappropriate

- Designed Ceiling is suspended Acoustic Tile
- Acoustic Tile ceilings are made from movable, lightweight tiles may be moved aside and items may be hidden in the overhead area. This is an inappropriate material for an involuntary (prisoner) environment

Design Concern: Department of Health Design Review

- A department of health design review is required for this type of facility. I have not seen this as part of the design review process

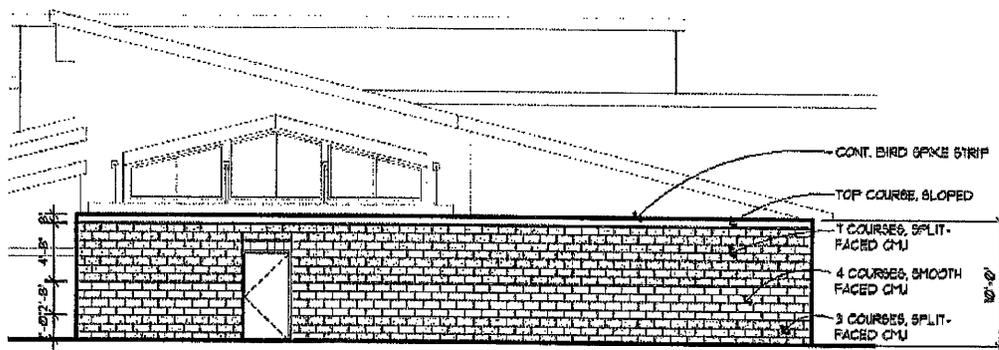
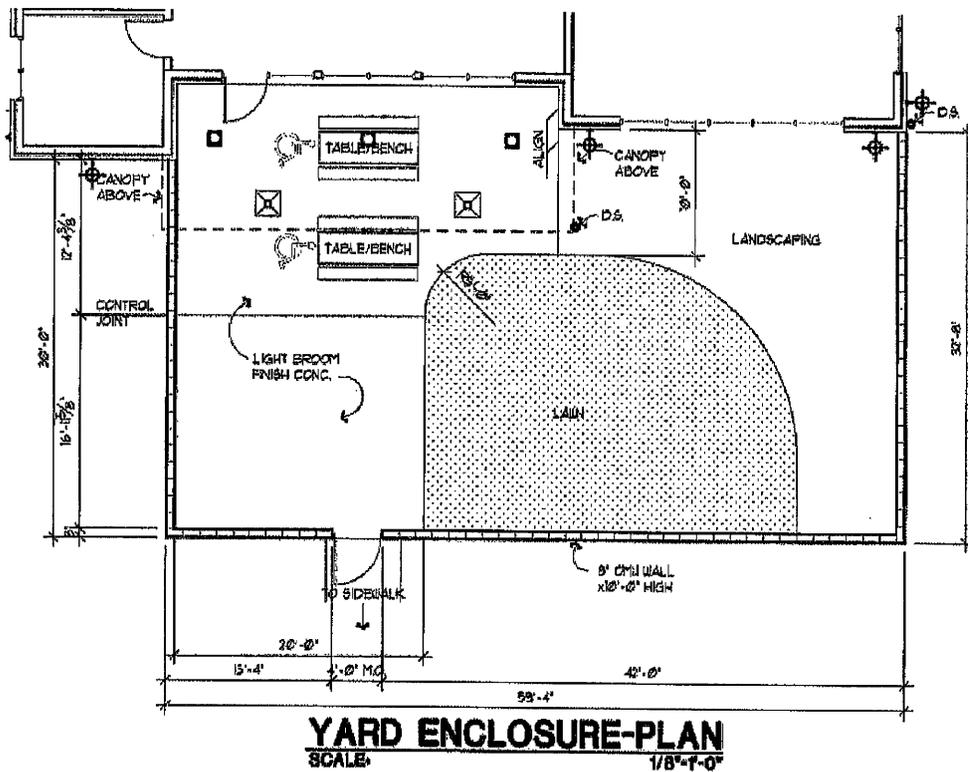
Design Concern: Exercise Equipment for the involuntary area

- It is standard practice to provide exercise equipment for those held against their will for extended periods of time. I do not see an area set aside for patient exercise.

01-OCT-2105

Design Concern: Involuntary courtyard wall presents security concern

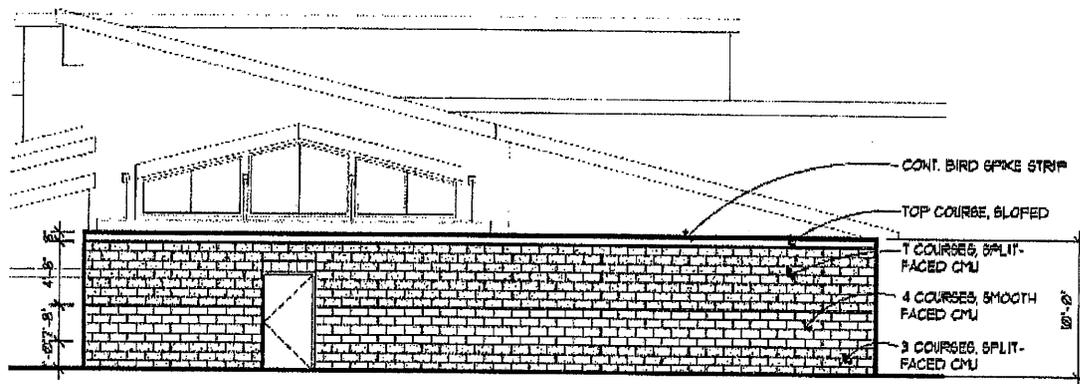
- Involuntary (prisoner) unit provides an outdoor courtyard surrounded by a single plain 10ft wall as shown below. The wall, as designed is to be constructed from CMU (Concrete masonry unit). A 10ft wall can be scaled easily with the help of another patient. A 10ft wall can be scaled alone by a skilled athlete.
- Involuntary (prisoner) courtyard wall is topped only with bird strip. This may deter birds, but not a determined person climbing over the wall



01-OCT-2015

Design Concern: Involuntary courtyard Door presents security concern

- Involuntary (prisoner) unit courtyard provides an outdoor courtyard with a door that exits to a sidewalk.
- **A single door failure releases involuntary patients onto our sidewalk and into our community**

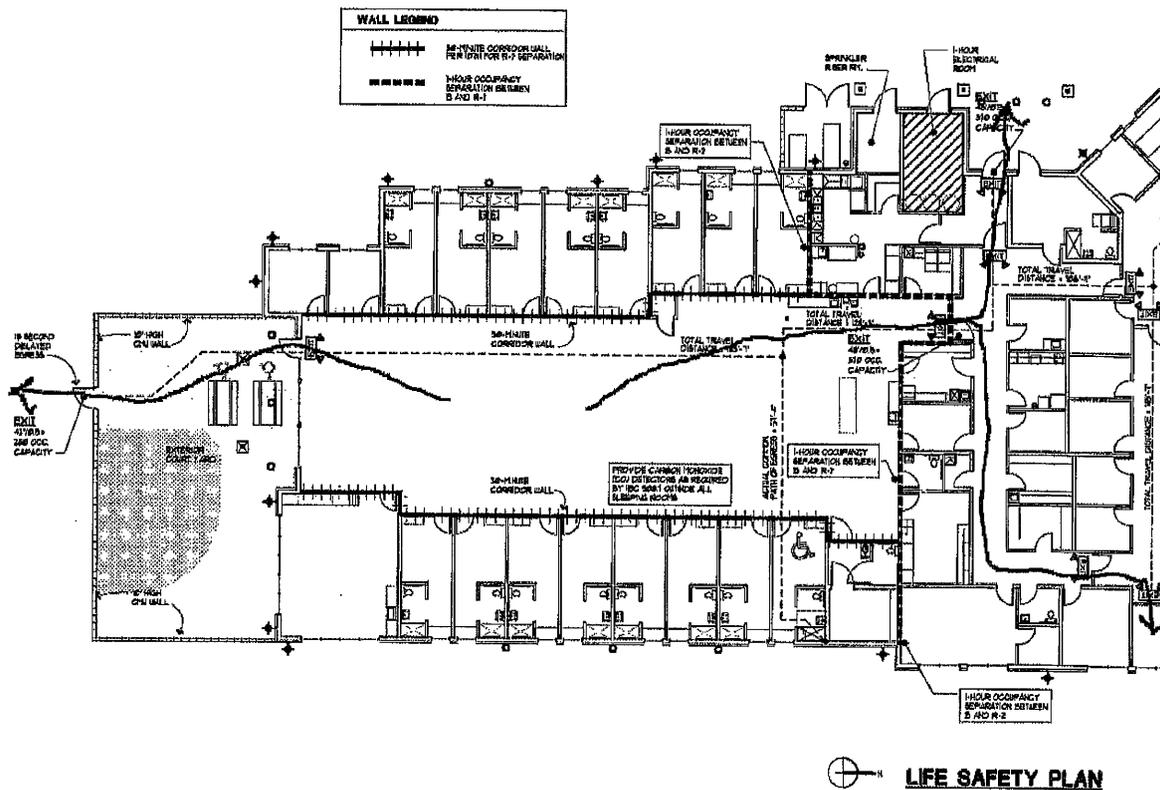
**Design Concern: Monument signs provide multiple locations for loitering**

- As noted in the Draft Design Review Decision, "Monument signs will be used throughout the site"
- Monument signs provide an easy location for people to loiter as they are easy to lean up against and hide behind. **Monument signs are unsuitable for this facility**

01-OCT-2105

Design Concern: Egress during Fire

- In the event of an emergency (fire), there are multiple exit paths from the involuntary unit
- **Control of involuntary patients in the event of a fire does not appear to be maintained**



Best Regards,

Kevin Hay

26445 Marine View Drive

Des Moines WA 98198

253-508-4075

kevin@orcamicro.com

01-OCT-2105

Dan Brewer

From: doviaktj@plu.edu on behalf of Tad Doviak [tubatad@gmail.com]
Sent: Thursday, October 01, 2015 9:38 PM
To: Denise Lathrop
Subject: Woodmont Recovery Center Design Review Comments

Denise,

I would like to submit for consideration the comments below. Please note that while this may appear to be the same as comments received from Mary Eun on this same topic, I have added several comments of my own and made some adjustments as well. Our concerns are quite similar, but not identical. Thank you for your time.

Tad Doviak
25747 19th Ave S
Des Moines, WA 98198
253-839-2402

From: Tad Doviak
Date: October 1, 2015
To: The city of Des Moines Planning, Building, and Public Works Department
Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus
Project file: LUA2014-0038

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e. The design neglects to enumerate the type of door controls within the facility. Are they adequate to prevent unwanted patient movement? Are there safeguards in place for the adequate evacuation of patients in the event of an emergency such as a fire?

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

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c. With the greatly increased traffic coming in and out of the facility, a traffic signal should be installed to handle the extra load for vehicle and pedestrian safety.

Denise Lathrop

Community Development Manager

Planning, Building & Public Works Dept.

21630 11th Ave S. Suite D

City of Des Moines, WA 98198

File Number: LUA2014-0038

Dear Ms. Lathrop,

We are home owners living in the vicinity of this proposed Detox Facility.

We very much appreciate the City's willingness to consider this proposed facility since we all support the need for services and community engagement for vulnerable people seeking to get on with their lives.

We would like to be able to participate in helping people on their path to recovery.

Unfortunately, we will probably be gone before this facility is built.

We have been told we need to move our homes, or at least move our families from our community before August 31, 2016.

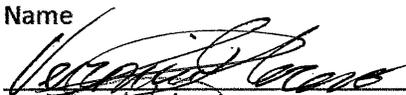
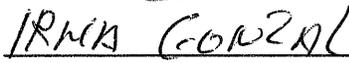
We hope that the City of Des Moines will open its heart and its financial resources to help us too. We have been living and working in Des Moines for many years and our children benefit from the schools in the area. However, all of that will end soon, unless we too can get some help from the City.

Please help us to find affordable housing in the City as you continue to fund housing and supportive services for people in recovery.

Sincerely,

Home owners residing at Puget View Mobile Home Park

CC: King County Council Member Dave Upthegrove

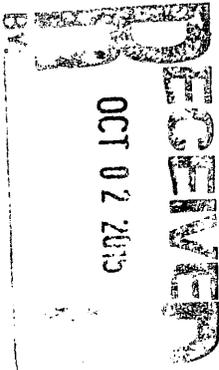
Name	Space Number
	# 40
	# 38
	# 43
	# 44
IRMA GONZALEZ-P	# 15

Name

Space Number

Name	Space Number
Lorraine Stanmore	# 2
Yuliana Sanchez	# 5
Mauricio Nieto C.	# 6
Julian	# 9
Alejandro Lopez	# 12
Carlos Reyes L. Castro	# 13
Arturo Cruz	# 21
Aurelio Vargas	# 25
Maria Rivas Muller	# 51
MARIO-GUZMAN	# 50
Maria Y. Magaña	# 48
Ruben Colmenares	# 49
Teresa E. Romero Caron	# 32
Minam Diego	# 47
John P. P. P.	# 46
Otoniel Oria S.	# 34
Alicia Carmona	# 35
Jessica Cruz	# 36
Adrian Ferral	# 41
Maria Mediano Perez	# 39
Maria Lizarez	# 29
Jose Chavez	# 37
Jose SARAVIA	# 42
Jesus Zepeda	# 3
Yulisa Veyson	# 45

Puget View Mobile Home Owners



Denise Lathrop
Community Development Manager
Planning Building & Public Works Dept.
21636 11th Ave S. Suite D.
City of Des Moines, WA 98198

Dan Brewer

From: Terri DiMartino [girdog2007@gmail.com]
Sent: Friday, October 02, 2015 12:52 PM
To: Denise Lathrop
Cc: girdog2007@gmail.com
Subject: LUA2014-2014-0038

Dear Ms. Lathrop:

I am against the proposed Woodmont Recovery Center for the following reasons:

First, the propose of this business is to help and assist drug addicts, thus it must to relocated at least 10 miles from any elementary school, residential housing community and businesses that serve the community. An appropriate location would be on S. 220th St, west of Pacific Highway South, near the Federal Prison and SCORE facility.

Second, 16th Ave S. cannot accommodate the increased vehicles, trash, needles, and parking issues the Woodmont Recovery Center will bring in.

Third, the City of Des Moines is broke. There is have no money, nor trained police officers to respond to the increased drug problems, crime and vagrants this facility will attract.

Fourth, the City of Des Moines City Manager, Police Chief and council have a duty to protect vulnerable people, in this case, elementary children and their families, Woodmont Elementary staff and those that live in and around the proposed building site. By not relocating this recovery center sends a clear message that the we don't care our Woodmont community.

Sincerely,
Terri K. DiMartino
22540 8th Ave S.
Des Moines, WA 98198

Sent from my iPad

Dan Brewer

From: doviaktj@plu.edu on behalf of Tad Doviak [tubatad@gmail.com]
Sent: Friday, October 02, 2015 1:14 PM
To: Denise Lathrop
Subject: Woodmont Recovery Center Design Review Comments
Attachments: WRC Design Review Comments.pdf

Denise,

I may have submitted my comments improperly and wanted to get a copy to you in PDF form to make sure you have a good copy.

Tad Doviak
253-839-2402

I would like to submit for consideration the comments below. Please note that while this may appear to be the same as comments received from Mary Eun on this same topic, I have added several comments of my own and made some adjustments as well. Our concerns are quite similar, but not identical. Thank you for your time.

From: Tad Doviak

Date: October 1, 2015

To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038

Here are Comments on the Draft Design Review Decision for the Woodmont Recovery Campus.

1. Conflict with Decision Criteria: Des Moines Municipal Code 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

The Evaluation and Treatment Facility will be flushing bodily fluids with high levels of legal and illegal drugs into the waste treatment system. Some patients may also dispose of drugs by flushing them. High levels of potentially dangerous substances will be entering our water and waste treatment systems. Currently no impact study has been provided. This gap needs to be addressed to evaluate risks to aquifers, Puget Sound and our water supply.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.

b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If first responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.

c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.

d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

e. The design neglects to enumerate the type of door controls within the facility. Are they adequate to prevent unwanted patient movement? Are there safeguards in place for the adequate evacuation of patients in the event of an emergency such as a fire?

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.

b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?

c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?

d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?

e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?

f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

4. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the safety of the citizens driving in the area of the proposed facility.

a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.

b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

c. With the greatly increased traffic coming in and out of the facility, a traffic signal should be installed to handle the extra load for vehicle and pedestrian safety.

For these and many more reasons included in public records that confirm the inadequacy of review conducted for a project of this scope, the City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Safety Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

The Design Review process is flawed, and must be postponed until sometime after the Public Safety Impact Agreement has been fully reviewed under SEPA, and approved by the City Council (if at all). To approve the design and any building permits for elements of the Valley Cities' drug treatment campus would

have the effect of foreclosing various mitigation measures and options that might be part of the final Public Safety Impact Agreement, which has not been written, or reviewed under SEPA.

The online SEPA handbook reads as follows:

“SEPA Rules state that no action that would foreclose options shall be taken until SEPA has been completed.”

The Q and A on the website gives an example, that fits the current circumstances, where a project should not be allowed to move forward until a supplemental Environmental Impact Study is complete. See WAC -- 197-11-070.

Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

A mitigation measure that could be part of the Public Safety Impact Agreement could very well be funding and construction of a 24-hour ambulance/Medic One unit onsite, which is not part of the current design, and which could be precluded if the design is approved before the Public Safety Impact Agreement is written, reviewed and approved by the City Council. The same is true for various onsite-police and security personnel and stations or checkpoints at ingress/egress locations on the property. Recent examples of facilities creating separate spaces for men and women, old and young members of the population, or creating substantial separation zones between various populations to prevent adverse impacts, are all things that need to be studied under SEPA, so the final design appropriately identifies and addresses impacts.

Design Review is premature, and an approval would be contrary to applicable SEPA rules, violating SEPA substantive requirements.

The same is true of any City action to approve a Public Service Impact Agreement, Public Safety Impact Agreement, or Good Neighbor Agreement - whatever it's called. As a stand-alone item, which has not even been written yet, the Agreement will require a thorough environmental review before it can be considered for approval. The proposed terms of any agreement and the specific mitigation measures included in such agreement should be subject of a separate

SEPA Checklist, identifying potential impacts, and how the Agreement is written to mitigate them. A separate SEPA comment period and threshold determination should be issued for the proposed Agreement. If a Determination of Significance is issued for the Agreement, a full EIS will be required.

The City Council and vulnerable community residents, including children, are currently walking blind, without any detailed study regarding the public service impacts that need to be addressed in great detail in the Agreement. The emails between city staff earlier this year illustrate the bare-bone, wholly inadequate SEPA review that occurred before the C.U.P. was considered. A "bare bones" environmental review for an action is okay so long as more complete compliance is done for the later, more detailed approval stages. (See SEPA Handbook, citing Cathcart v. Maltby v. Clearview Community Council v. Snohomish County, 96 Wn.2d 201, 634 P.2d 853 (1981)).

Now, the Public Service Impact Agreement is a freestanding action that requires its own SEPA process. The future review and approval of any Public Service Impact Agreement falls squarely within the definition of "Action" covered by SEPA. See WAC 197-11-704. Under WAC 197-11-310, a SEPA threshold determination will be required for any Agreement to be reviewed and approved by the City.

"Impacts" are the effects or consequences of actions. Environmental impacts are effects upon the elements of the environment listed in WAC 197-11-444. Elements of the environment include, but are not limited to :

- v) Movement/circulation of people or goods
- (vi) Traffic hazards
- (d) Public services and utilities
- (i) Fire
- (ii) Police
- (iii) Schools
- (iv) Parks or other recreational facilities
- (v) Maintenance
- (vi) Communications
- (vii) Water/storm water
- (viii) Sewer/solid waste
- (ix) Other governmental services or utilities

The previous SEPA documentation for the C.U.P. failed to address (or merely touched upon) any of these elements of the environment, but saved those matters for another day – via the Public Service Impact Agreement.

Neighboring jurisdictions must be included as part of the SEPA process for the new Public Service Impact Agreement. A city may not act in disregard of

impacts outside of its boundaries; rather it must serve the welfare of the entire affected community. This rule is derived at least in part from the fundamental and inalienable right to a healthful environment which SEPA grants all citizens, including those in adjoining areas. (See SEPA Handbook, citing Save a Valuable Env't v. City of Bothell, 89 Wn.2d 862, 576 P.2d 401 (1978)).

The Public Service Impact Agreement has not been written, so it is impossible for Valley Cities or city staff to argue that such Agreement was the subject of any prior environmental review. The environmental checklist used for the C.U.P. process did not address the Agreement, because the Agreement did not exist, and has yet to be written.

Moving forward with any approvals that could in any way foreclose mitigation measures that might be included in the yet-to-be-written public service impact agreement would constitute a substantive violation of the City's duties under SEPA. By stepping back, and commencing a new SEPA process for the Agreement, the City could avoid future litigation on the topic. The applicant and the public would have a full and fair opportunity to comment upon items addressed in any SEPA study.

Tad Doviak
25747 19th Ave S
Des Moines, WA 98198
253-839-2402

Dan Brewer

From: Doreen Harper [crfancygirl@yahoo.com]
Sent: Friday, October 02, 2015 1:16 PM
To: Denise Lathrop
Cc: Tony Piasecki; Michael Matthias; CityCouncil; Bonnie Wilkins
Subject: LUA2014-0038 Design Review Comments
Attachments: HarperLUA2014-0038DesignReviewComment.pdf

Dear Denise, et al,

Attached is my letter regarding the Woodmont Design Review.

Please verify that this has been received and submitted with the official record.

Thank you,

Doreen Harper

Subject: Comments for the Draft Design Review for the Woodmont Recovery Campus
Project File: LUA2014-0038

To the city of Des Moines Planning, Building and Public Works Department

Contained herein are the Comments for the Draft Design Review for the Woodmont Recovery Campus

1. Conflict with DMMC 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

Addressing the issues of prescription drug disposal along with the added concentration of patient elimination will put additional water quality risk to our ground water and sewer filtration systems. This must be addressed for the safety and quality of our water supply and the runoff into our public water ways.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

- a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.
- b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.

c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.

d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

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The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

- a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.
- b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?
- c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?
- d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?
- e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?
- f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

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The following comments address the safety of the citizens driving in the area of the proposed facility.

a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.

b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

For these and many more reasons included in public records that confirm the inadequacy of review conducted for a project of this scope, the City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Safety Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

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a supplemental Environmental Impact Study is complete. See WAC -- 197-11-070.

Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

A mitigation measure that could be part of the Public Safety Impact Agreement could very well be funding and construction of a 24-hour ambulance/Medic One unit onsite, which is not part of the current design, and which could be precluded if the design is approved before the Public Safety Impact Agreement is written, reviewed and approved by the City Council. The same is true for various onsite-police and security personnel and stations or checkpoints at ingress/egress locations on the property. Recent examples of facilities creating separate spaces for men and women, old and young members of the population, or creating substantial separation zones between various populations to prevent adverse impacts, are all things that need to be studied under SEPA, so the final design appropriately identifies and addresses impacts.

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The City Council and vulnerable community residents, including children, are currently walking blind, without any detailed study regarding the public service impacts that need to be addressed in great detail in the Agreement.

The emails between city staff earlier this year illustrate the bare-bone, wholly inadequate SEPA review that occurred before the C.U.P. was considered. A "bare bones" environmental review for an action is okay so long as more complete compliance is done for the later, more detailed approval stages. (See SEPA Handbook, citing Cathcart - Maltby - Clearview Community Council v. Snohomish County, 96 Wn.2d 201, 634 P.2d 853 (1981)).

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 - (iv) Parks or other recreational facilities
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 - (vi) Communications
 - (vii) Water/storm water
 - (viii) Sewer/solid waste
 - (ix) Other governmental services or utilities

The previous SEPA documentation for the C.U.P. failed to address (or merely touched upon) any of these elements of the environment, but saved those matters for another day – via the Public Service Impact Agreement.

Neighboring jurisdictions must be included as part of the SEPA process for the new Public Service Impact Agreement. A city may not act in disregard of impacts outside of its boundaries; rather it must serve the welfare of the entire affected community. This rule is derived at least in part from the fundamental and inalienable right to a healthful environment which SEPA grants all citizens, including those in adjoining areas. (See SEPA Handbook, citing Save a Valuable Env't v. City of Bothell, 89 Wn.2d 862, 576 P.2d 401 (1978)).

10/02/2015

LUA2014-0038

Woodmont Recovery

The Public Service Impact Agreement has not been written, so it is impossible for Valley Cities or city staff to argue that such Agreement was the subject of any prior environmental review. The environmental checklist used for the C.U.P. process did not address the Agreement, because the Agreement did not exist, and has yet to be written.

Moving forward with any approvals that could in any way foreclose mitigation measures that might be included in the yet-to-be-written public service impact agreement would constitute a substantive violation of the City's duties under SEPA. By stepping back, and commencing a new SEPA process for the Agreement, the City could avoid future litigation on the topic. The applicant and the public would have a full and fair opportunity to comment upon items addressed in any SEPA study.

Submitted for public comment on 10/2/2015 at 1pm Pacific time to dlathrop@desmoineswa.gov

Earl and Doreen Harper
26625 16th Ave. South
Des Moines, WA 98198

Dan Brewer

From: Sally-McLean -ESC [smclean@fwps.org]
Sent: Friday, October 02, 2015 2:25 PM
To: Denise Lathrop
Cc: Bonnie Wilkins; Tammy-Campbell -ESC
Subject: Woodmont Recovery Campus Documents - Design Review Comments
Attachments: Design Review Comments 10.2.15.docx

Dear Ms. Lathrop:

On behalf of Dr. Tammy Campbell, Superintendent for Federal Way Public Schools, I am sending Design Review Decision comments regarding LUA 2014-0038, aka Woodmont Recovery Center.

It is my understanding that comments must be received by 4:30 p.m. October 2, 2015 and that e-mail comments are being accepted.

Thank you,

Sally D McLean
Assistant Superintendent: Finance & Operations Federal Way Public Schools
(253) 945-2042

----- Original Message -----

Hi Sally,

The letter is attached and ready to go!

Karrie McBroom
Executive Administrative Assistant
Office of the Superintendent
Federal Way Public Schools
33330 8th AVE S
Federal Way, WA 98003
P: 253.945.2013
F: 253.945.2011
www.fwps.org

Sally-McLean -ESC writes:

>Karrie,
>This is the document Tammy just reviewed. Can you please place it on letter head and e-sign for me? I have to have it filed no later than 4:30 today.
>
>Thank you!
>
>Sally D McLean
>Assistant Superintendent: Finance & Operations Federal Way Public
>Schools
>(253) 945-2042
>
>

>
>----- Original Message -----
>
>Sally and Tammy,
>
>A draft letter commenting on the 16th Avenue access point is attached. Please let me know if
you have any questions.
>
>Jeff Ganson, Attorney
>PORTER FOSTER RORICK LLP
>T 206.622.0203 • C 425.269.6470
>www.pfrwa.com
>
>-----Original Message-----
>From: Sally-McLean -ESC [<mailto:smclean@fwps.org>]
>Sent: Friday, October 2, 2015 10:48 AM
>To: Jeff Ganson <jeff@pfrwa.com>
>Cc: Tammy-Campbell -ESC <tcampbell@fwps.org>
>Subject: Woodmont Recovery Campus Documents
>
>Jeff,
>I understand that Buzz is out of the office today, so I am sharing with you some documents
that might be helpful in creating a response to the Design Review for the Woodmont Recovery
Campus (due today by 4:30).
>
>I have attached a map, the notice, the Draft Design Review Decision (I can't find the final
on the City's web-site), and a very drafty response.
>
>Thank you,
>
>Sally D McLean
>Assistant Superintendent: Finance & Operations Federal Way Public
>Schools
>(253) 945-2042
>
>
>



October 2, 2015

Denise Lathrop
City of Des Moines, Suite D
21630 11th Avenue, S
Des Moines, WA 98198

Re: LUA2014-0038

Dear Denise,

As Superintendent of the Federal Way School District, I am writing to express concerns regarding the Draft Design Review Decision pertaining to the above referenced application, for the Woodmont Recovery Campus. The District understands the need for the Campus as an essential element in treating those community members with addiction and mental health needs. Yet as a public school district, our primary concern is always the safety and wellbeing of the young people in our community, including those attending our schools.

The Draft Design Review Decision states, on page 5, that “a pedestrian access is provided across the length of the site,” which includes “a pedestrian connection to 16th Ave South.” I am aware that this provision is consistent with Hearing Examiner’s decision, dated April 15, 2015, which includes the following condition at page 14: “To ensure access from 16th Avenue South, Valley Cities shall create and record an access tract through parcel no. 2822049102 prior to issuance of the Certificate of Occupancy.”

Is not clear from either the Hearing Examiner’s decision or the City’s March 27, 2015, Staff Report advocating that condition, why public access to and from the Woodmont Recovery Campus via 16th Avenue South is necessary or appropriate. As all three of these documents clearly recognize, the properties to the West of the Campus are primarily residential, and the District’s Woodmont Elementary School sits just to the North, on 16th Avenue South. Given adequate provision for access to the Campus via Pacific Highway South, there would appear to be no need for additional public access via 16th Avenue South. Indeed, given the nature of the intended uses at the Campus – including detox and methadone dispensing facilities – opening access via a residential neighborhood, very near to a public elementary school, is inconsistent with the need to limit the Campus’s impacts on adjoining areas and uses. That interest is reflected in the City’s design review criteria (e.g., DMMC section 18.235.0100(2)) as well as other City code provisions referenced in the Hearing Examiner’s decision.

The District would prefer that the Campus not provide or invite public access via 16th Avenue South, and that all routine (i.e., non-emergency) auto and pedestrian traffic to and from the Campus be via Pacific Highway South. This would be entirely consistent with the nature of existing development in the



surrounding areas. If the City determines that the Campus must provide access via 16th Avenue South, the District requests that such access be limited or designed in such a way as to discourage casual or unnecessary traffic via that access point, which is remote and not easily monitored from the facilities located on the Campus. In particular, the Campus – including the layout of the buildings and pedestrian access points – should not be designed in such a way as to encourage or facilitate those clients who present the highest risks to the surrounding community to access or leave the Campus on foot via 16th Avenue South, when Pacific Highway South provides ample connections to transit and other transportation.

The Federal Way School District appreciates this opportunity to comment. Please contact me if you have any questions or would like to discuss these concerns further.

Sincerely,

Dr. Tammy Campbell, Superintendent

Dan Brewer

From: Tracey Entler [sappyent@gmail.com]
Sent: Friday, October 02, 2015 2:27 PM
To: Denise Lathrop
Cc: Bonnie Wilkins
Subject: LUA2014-0038 SEPA - Resident comment
Attachments: SEPA.pdf

Dear Ms. Lathrop and Ms. Wilkins,

Attached, please find my comments/response to the SEPA process regarding the proposed Woodmont Recovery Campus.

I would appreciate responses confirming you received this message.

Thank you.

Sincerely,

Tracey Entler

I am a resident of the Woodmont neighborhood. My home, my child's school, her school bus stop next year, and her playground are within 800 feet of the proposed Recovery Campus facility. I am very familiar with the area and continue to completely dispute any idea that full environmental and traffic impact studies are not necessary.

My primary concerns:

A) The entire land parcel is currently grassy woodland. This facility would pave over the entire 7 acre parcel, with the exception of perimeter landscaping. The yards and playground nearby quickly become saturated with any rainfall- the impact of paving over such a large area must be studied.

B) A full traffic study needs to be completed.

On 16th Avenue northbound, there are already 2 areas of left turns crossing traffic in approximately a ¼ mile distance starting at 272nd Avenue. (268th Street and leaving Woodmont Elementary School.) There are already issues with traffic being slowed by turning traffic, and these traffic slowdowns/turning traffic are safety issues for local elderly and school children. The principal of Woodmont recently send out a letter to parents regarding these concerns. Adding a third access to 16th from the proposed WRC in such a short distance would cause significant additional traffic and safety issues. It is my understanding that the Council denied ACE Hardware an exit on to 16th Street over safety concerns- those safety issues are still present.

For both safety and quality of life issues in the neighborhood, the exit from the campus on to 16th Place South must either be removed from the plans or at minimum completely studied prior to any construction beginning.

It is clear that much construction, patient, and EMS traffic would be routed on to 268th Street, which crosses between 16th Avenue South and Pacific Highway South. This is a small residential side street. It is narrow and has no sidewalks. The surface itself was not designed or constructed to withstand the weight of construction and EMS vehicles, which will undoubtedly lead to excessive wear and tear on the surface itself and additional maintenance needs. There are ditches/culverts on both sides. There are low-hanging power lines in several places. This street has heavy pedestrian traffic due to the local KCLS Library branch and middle school/high school bus stops on this street. There is a small change in elevation approximately halfway between 16th and Pacific Highway- this elevation change limits visibility and I have personally seen many near-misses between vehicles and pedestrians. Many construction and EMS vehicles

are too tall to safely navigate the power cables and the risk to pedestrians is significant. Construction and EMS traffic must either be disallowed on 268th St., or the impact on the road itself and neighborhood safety/quality of life must be fully studied.

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The Design Review process is flawed, and must be postponed until sometime after the Public Safety Impact Agreement has been fully reviewed under SEPA, and approved by the City Council (if at all). To approve the design and any building permits for elements of the Valley Cities' drug treatment campus would have the effect of foreclosing various mitigation measures and options that might be part of the final Public Safety Impact Agreement, which has not been written, or reviewed under SEPA.

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Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

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10/2/15

F A X

TO: Des Moines, WA- Building and Planning Departments FROM: Tracey Entler
FAX #: 206-870-6544 FAX #: 206-870-6540
DATE:

Memo:

To attention of Bonnie Wilkins and Denise Lathrop, City of Des Moines.

Attached is my response/concern regarding the SEPA process for the Woodmont Recovery Campus, LUA2014-0038.

Also sent via email.

Thank you.

Tracey Entler
425-988-4398

RECEIVED
OCT 02 2015
BY: _____

I am a resident of the Woodmont neighborhood. My home, my child's school, her school bus stop next year, and her playground are within 800 feet of the proposed Recovery Campus facility. I am very familiar with the area and continue to completely dispute any idea that full environmental and traffic impact studies are not necessary.

My primary concerns:

A) The entire land parcel is currently grassy woodland. This facility would pave over the entire 7 acre parcel, with the exception of perimeter landscaping. The yards and playground nearby quickly become saturated with any rainfall- the impact of paving over such a large area must be studied.

B) A full traffic study needs to be completed. On 16th Avenue northbound, there are already 2 areas of left turns crossing traffic in approximately a ¼ mile distance starting at 272nd Avenue. (268th Street and leaving Woodmont Elementary School.) There are already issues with traffic being slowed by turning traffic, and these traffic slowdowns/turning traffic are safety issues for local elderly and school children. The principal of Woodmont recently send out a letter to parents regarding these concerns. Adding a third access to 16th from the proposed WRC in such a short distance would cause significant additional traffic and safety issues. It is my understanding that the Council denied ACE Hardware an exit on to 16th Street over safety concerns- those safety issues are still present.

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10/2/15

Dan Brewer

From: Theresa Griswold [jamie.theresa.griswold@gmail.com]
Sent: Friday, October 02, 2015 2:36 PM
To: Denise Lathrop; Bonnie Wilkins
Subject: refer to file number LUA2014-0038
Attachments: WRC Design Review Comments.pdf; ATT00001.txt; request for new SEPA checklist.pdf

Good afternoon,

Attached is the WRC design Mary Eun submitted. I do have one comment with regards to #3 f - It should be noted that Woodmont K-8 follows the Federal Way School District calendar. Once a month children will be arriving to school at 1130am due to teacher in-service training. It should also be noted there are days when the school has early dismissal. I suggest Valley Cities close the entrance to 16th during those special early release/late arrival days and have extra police patrols to ensure student safety. The extra police patrols should be paid by Valley Cities.

I have also enclosed a request for a new SEPA checklist as the first review was inadequate and did not disclose the full scale of what this property was to encompass nor the environmental and safety impacts.

I look forward to your response.

Respectfully submitted,
Theresa Griswold
28226 15th Ave S, Federal Way, WA 98003

From: Mary Eun

Date: October 1, 2015

To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038

Here are Comments on the Draft Design Review Decision for the Woodmont Recovery Campus.

1. Conflict with Decision Criteria: Des Moines Municipal Code 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

The Evaluation and Treatment Facility will be flushing bodily fluids with high levels of legal and illegal drugs into the waste treatment system. Some patients may also dispose of drugs by flushing them. High levels of potentially dangerous substances will be entering our water and waste treatment systems. Currently no impact study has been provided. This gap needs to be addressed to evaluate risks to aquifers, Puget Sound and our water supply.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

- a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.
- b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.
- c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.
- d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

- a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.
- b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?
- c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?
- d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?
- e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?
- f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

4. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the safety of the citizens driving in the area of the proposed facility.

- a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.
- b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

I am submitting these comments on behalf of myself and the following persons who have requested their names be added to this comment letter: Doreen Harper, Earl Harper, Candace Urquhart, Glen Urquhart, Harry Callahan, April Chavarria, Jesus Chavarria, Susan White, Martin Metz, Donna Metz, Spencer Hutchins, Kerry Hutchins, Jamie Griswold, Theresa Griswold, Kathleen McAteer Wolf, Toni Kelly, Chris Kelly, Kelly Carlile, John Carlile, Russ Roberts, Leslie Roberts, Sharon Crawford, Fred Crawford, Erica Schindler, John Schindler, Sheryl Hilmon, AnaLee Fluegel, Mark Fluegel, Richard Johnson, Oscar Haynes, Huong Ho, Tho Ho, Kim Pham, Martin Skrivanic, Rita Martin, Hubert Martin, Cheryl Johnson, Edward Harris, Andrea Harris, Leslie Roberts, Russ Roberts.

Sincerely,

Mary Eun

806 S. 273rd Ct, Des Moines, WA 98198

For many reasons included in public records that confirm the inadequacy of review conducted for a project of this scope, the City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Safety Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

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Dan Brewer

From: Anne Kroeker [annek@36524.com]
Sent: Friday, October 02, 2015 2:52 PM
To: Denise Lathrop
Cc: Bonnie Wilkins
Subject: Comments on Draft Design Review Decision for Woodmont Recovery Campus - File LUA2014-0038

Dear Denise and the Des Moines Draft Review Board,

I am a (new) resident in Redondo Beach and only recently heard about the plans for the Valley Cities building proposal and received the Opportunity for Public Comment. (I have lived in Washington State though for over 30 years.)

Having had personal family experience with substance recovery issues, I do understand how traumatic it can be for the patients and clients and their families, and how important it is to have appropriate treatment centers for these patients.

However, there is a right place for them and within a thriving, everyday community is not one of them. The design of the building looks prison-like, and indeed, it has to be somewhat, as these patients need to be contained while they are going through treatment. They are not happy people. Their families are not happy. I don't even know how the caregivers do it. There is no way for the community to participate with any of these operations, as might happen with a nursing home or general medical center, so all we will see is a building with people going in and out with no interaction with others around them. Perhaps they will support the local shopping center, but not with the desire for community interaction but as ones who are waiting to leave it.

In addition, the buildings take up a lot of space and aren't attractive. The campus would be next to the library and near the school, places where people, including children, are walking. If anything, we should be looking at community activities to put there, such as a skate park, a garden, a bowling alley, any kind of gathering place that serves the people around it and nearby. Maybe we could even attract a PCC or other organic and local food store. A replacement hardware store, a mailboxes facility, haircutting shop, juice bar, bike repair, framing shop, even apartments – so many choices are so much better than a recovery center.

To summarize, please don't allow the space to be built in this way. It looks like a prison, it acts like a prison and the comfort level of knowing that we, as neighbors, will always need to be on the lookout for escapees, is not appropriate for our community.

Thank you for listening to my concerns and comments.

Anne Kroeker
27915 10th Ave S., Des Moines

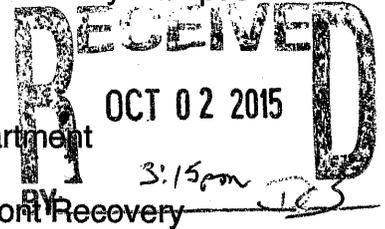
10/02/2015

Subject: Comments for the Draft Design Review for the Woodmont Recovery Campus

Project File: LUA2014-0038

To the city of Des Moines Planning, Building and Public Works Department

Here are the Comments for the Draft Design Review for the Woodmont Recovery Campus



1. Conflict with Des Moines Municipal Code 18.127.060 (7) A minimum of five feet.

Sheet A-1 shows an omission of the five foot setback for the driveway and parking spaces along the North side of the facility and the Single-Family Residential properties. The driveway should to be moved and the parking spaces should to be removed to allow for adequate setback.

2. Conflict with DMMC 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants

Many patients admitted to the Evaluation and Treatment facility will be on Methadone, Suboxone, Percocet, other controlled narcotic and antipsychotic medications. During administration of these medications many times there is a waste (excess medication) needing to be disposed of. These medications are disposed of by flushing down the toilet or in a sink. This facility will house up to 24 patients prescribed these medications multiple times a day. This could overwhelm the filtration system and increase the potential for hazardous drinking water and runoff into the Puget Sound. At this time there is no impact study available. This needs to be addressed due to the increased risk to our ground water and the Puget Sound.

3. Conflict with DMCC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

- a. The Evaluation and Treatment building has no office space planned for security. This is a safety concern for the patients, staff, and citizens of this city. With a facility of this size and type, there will be Code Grey situations. A code grey is a state wide code for violent or combative persons who have the potential to do harm to self or others. This code is used in all hospitals when a show of force is needed to assist the patient or patients back to their room or help deescalate a situation. Currently, Fairfax Behavioral Health, Harborview Inpatient Psychiatry, Swedish - Cherry Hill Behavioral Health Unit and Western State Psychiatric Hospital have security on their campuses. Woodmont Recovery needs to be a secure facility with security officers present 24hrs a day. With a facility of this magnitude, which will be housing involuntary and voluntary psychiatric patients,

on-site security is imperative. Is it the intent of Valley Cities that the Des Moines Police Department will handle each and every one of these situations? It will take the police far too long to respond and arrive at the facility - increasing the chances of harm to patients and staff, and the surrounding community.

- b. On sheet A-6 there is only one seclusion/quiet room. This facility needs to have a minimum of two of these types of rooms to promote safety and peace between patients. Earlier this month, Western State Hospital was featured in the news due to a patient beating of another patient after a confrontation between the two individuals. This facility needs to have the capability to separate and isolate two patients if they are acting inappropriately leading to a dangerous and destructive environment.
- c. On sheet A-6 there is safety concerns pertaining to the layout of the main entrance into the waiting area RM #01 and Reception RM #02. This area needs to be redesigned to include an area of security, a metal detectors and lock down. Each person entering the facility needs to be screened and checked for contraband (sharps/razors, glass items, anything containing alcohol, cigarettes, or medications, etc). People entering the facility at this entrance will have access to RM#1-RM#21, excluding RM#17 putting each and every person in those rooms at risk.
- d. On sheet A-8 each room that has access control doors are listed. The following rooms are not secured with this type of lock and puts people in danger. The plans for access control doors needs to be reviewed fully and make sure all doors that are currently open to the public have the appropriate locks.
 - RM #40 janitor closet
 - RM #22 staff lounge
 - Access into the involuntary patient commons RM #42 by walking through visitor room #37
 - Free public access into the copy RM#03 which connects to the reception RM #02 behind the staff desk.
- e. We ask that these designs be thoroughly review for safety by the City of Des Moines and Valley Cities. This is Valley Cities first involuntary psychiatric facility and it appears they are learning as they go and are not keeping their patients', staff's, or our community's safety and security the top priority.

John and Erica Schindler
Erica.hillmon@gmail.com

Woodmont home owners, parents, and health care professionals

Submitted on October 2, 2015

Dan Brewer

From: John n Laura Castronover [castrolnj@hotmail.com]
Sent: Friday, October 02, 2015 3:45 PM
To: Denise Lathrop
Cc: Bonnie Wilkins; John n Laura Castronover
Subject: Objections to LUA2014-0038 Design Review
Attachments: 1960_001.pdf

Please see my attach document with my questions and concerns with the Design Review process. Please keep me informed of the status of this review.

Laura Castronover

Send

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information and/or protected health information (PHI) subject to protection under the law, including the Health Insurance Portability and Accountability Act of 1996, as amended (HIPAA). If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error and that any use, disclosure, distribution, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately and destroy all copies of the original message.

I Laura Castronover is submitting my concerns of the Design Review Process for Project File No. LUA2014-0038

FINDINGS OF FACT

1. Application Process

Issues I have with the application process, no where does it indicate the security design plans nor that security designs be reviewed by the Des Moines Police Department for approval. Since it does house individuals that will be a threat to themselves and others should also be reviewed by the federal/state official levels.

As for the traffic study completed it did not take into consideration of Woodmont Elementary traffic as it impacts 16th Avenue when school begins and ends. This will cause major traffic congestion if access to this facility is granted to 16th Avenue.

The hearing report did not address the close proximity of Woodmont Elementary as it is only 633 feet from this proposed facility. It is only mentioned on the side of the report written in but no one addresses about this. This needs to be in writing that they had no issues with the close proximity of a facility that will house individuals that will be a threat to themselves and others so close to an elementary school where 5 year olds will be walking pass this facility to and from school.

2. Project Submittal

g. 6 foot sight obscuring cedar fence adjacent to residential zones is inappropriate for this type of facility. It could be scaled over or kicked through as this facility will be dealing with individuals that can be a threat to themselves or to others.

k. The design process needs to be compliant with Federal and State agencies as this facility will be assisting individuals that can be a threat to themselves or others. Involuntary confinements and dispersing narcotics via in-patient and out-patient. Department of Waste Hazard and Water should have design protocols dealing with hazardous waste and flushing of narcotics in our water system. This needs to be addressed during the design process.

ANALYSIS

1. DMMC 18.235.100(1), Relationship to Building Site:
 - a. How is hostile landscaping going to deter loitering around buildings? We have homeless individuals living in the field areas. Loitering needs to be addressed fully as this will NOT be deterrence.

Please notify me of this process going forward.

Laura Castronover

1319 South 251 Place

Des Moines WA 98198

(206) 436-4806

castrolnj@hotmail.com

Dan Brewer

From: Sheila Brush [shebrush@gmail.com]
Sent: Friday, October 02, 2015 4:07 PM
To: Tony Piasecki; Denise Lathrop; Bonnie Wilkins; Dan Brewer; Melissa Musser; Matt Pina; Jeremy Nutting; Vic Pennington; Dave Kaplan; Luisa Bangs; Bob Sheckler
Subject: LUA2014-0038 VALLEY CITIES DESIGN REVIEW
Attachments: Sheila Brush, Design Review, SEPA.pdf

See attached PDF, Comment for Consideration by Decision Makers

Kind Regards -

Sheila Brush

To: Dan Brewer, Planning, Building, and Public Works Director
and/or staff responsible for Valley Cities Design Review Decision

From: Sheila Brush
Address: 24614 8th Ave South
Des Moines, Wa 98198

Email: shebrush@gmail.com

Re: LUA2014-0038, Valley Cities' Design Review
Comments for Consideration by Decision Makers

Date: October 2, 2015

The following comments are for consideration by city staff before a final Decision is issued on the Design Review submittal from Valley Cities, under project file LUA2014-0038.

As explained below, I believe that the design review process is premature, and a denial must be issued, until or unless a final, binding Public Service Impact Agreement is approved by the City, if at all.

An email from Nikole Coleman dated January 15, 2015, outlines how her direct intentions were to fast track and take short cuts that are clearly not supported by SEPA's own handbook. The email then repeats all over the place, forwarded or responded to by others, and none of her superiors stepped in, nor did legal research as I have done, finding that SEPA is clearly violated if you move too fast and approve things before you even know what the mitigation measures might be.

The email string is significant, and supports a SEPA challenge, because the principal staff person conducting the SEPA review laid out the options. Options 2 and 3 were not selected, and each of them would have "includ[ed] conditions related to public services" or included "all language". She punted. She chose Option 1, which was the MDNS with an unspecified, Public Service Impact Agreement, to be hammered out later. She makes no mention of "including conditions" like in option 2, or issuing it with "all language" as in option 3.

Her email (and the emails surrounding it) demonstrates that the City specifically selected a process that **REQUIRES** a **SECOND STEP**— one that was not identified with specifics, was not written, so it could not have been reviewed under SEPA. The potential impacts were not identified, or studied.

Design Review should be denied at this time, and the MDNS should be withdrawn for the entire project, because the SEPA review documents clearly identify the Public Service Impact Agreement as an item that would require further evaluation to create. The other two options were rejected, and they were the two options that would have included

specifics. Under RCW 43.21C.080(2)(b), the MDNS should be set aside, based on staff's earlier detailed statement that confirms that the Public Service Impact Agreement would be something that requires further environmental evaluation.

I am giving you every chance to make it right, correct the mistakes. I am once again seeking to exhaust all remedies, to save the city and we the taxpayers the money it will cost if a lawsuit ever arises from any side. It could be a lawsuit for tremendous damages if a Child is harmed by a Valley Cities customer of any of their assorted services.

How on earth can the city council or any staff person tell the public that they have a full understanding of what specific items should be included in the Public Service Impact Agreement — because the Public Service impacts from a project of this scope and scale have never been analyzed. Valley Cities admits that the facility is a first of its kind in combining so many services and potentially conflicting customers into one single site. Valley Cities referenced “like” facilities in their application, I have searched all over this collection of services in one site, and have yet to find one. This is a Non-Profit setting up a Profitable Venture that will destroy our community and leave a lasting negative impact on the small children who will be subjected to this 5 days a week, at the very least.

In Colorado, the largest Involuntary treatment facility has gone as far as to have it in separate built sites across the region, with one for women, one for seniors, one for males and even one for registered sex offenders. I am actively searching the Nation for a substantially similar 8 acre Campus that has a host of treatment buildings and services, that are not a Hospital and so far, it seems that it does not exist anywhere else. That should tell us something: it's not a good idea to put all of these vulnerable people on one site, with no consideration for conflicts. And, common sense seems thrown out the window here, where we are being asked to approve a project to be built and operated by a first timer, located in a severely under-staffed police jurisdiction, in a City that is fiscally under water, and in the middle of reducing their own staff to stay within a slimmed down budget.

Please do the right thing, you have the power to do so and now proceed with the proper SEPA procedures that are clearly within the law and required before allowing any further approvals. Here is your road map:

The Valley Cities' pending request for city Design Review approval should be denied at this time, because a critical condition of approval, the Public Service Impact Agreement, has not even been written, so it cannot be applied or enforced through the project design aspects. Until or unless a final Public Service Impact Agreement is approved by the City, there is inadequate mitigation for the project, meaning that the MDNS should be withdrawn, and a new threshold determination is required under SEPA. If Valley Cities withdraws its pending Design Review submittal, and postpones its review until sometime after the Public Service Impact Agreement is complete and approved by the City, then the MDNS conditions will be in place, and would be capable of being accomplished through the design review and other building permit review processes. The following provisions of the city and state law support denial of the Design Review at this time,

because the Public Service Impact Agreement required as a mitigation condition in the MDNS and the C.U.P. have not been written as of this date.

DMMC 16.05.310 Substantive authority – Conditions – Denial – Policies, reads in relevant part:

(4)(e) *It is the City's policy to protect its residents and businesses from the long-term consequences of successive incremental negative environmental impacts associated with a specific proposal or its connected action(s). Accordingly, the City may condition or deny proposals in order to mitigate or prevent such long-term impacts.*

(f) *Unusual circumstances related to a site, a proposal, or a connected action, as well as probable significant adverse environmental impacts not capable of adequate mitigation using the foregoing provisions, may be cause for denial of a proposal or development of site-specific or project-specific SEPA mitigation.*

DMMC 16.05.140 Mitigated DNS, reads as follows:

(7) *Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the City.*

(8) *If the City's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the City should evaluate the threshold determination to assure consistency with WAC 197-11-340(3)(a) (withdrawal of DNS).*

Here, with the pending Valley Cities Design Review submittal, the city's draft approval is in error, and should be modified to be a denial at this time, because the Public Service Impact Agreement mitigation measure cannot possibly be included as part of the Design Review approval, because it's not even written as of this time. You cannot incorporate mitigation measures into a design approval, if you don't even know what they will be. The Design Review approval must wait until sometime after a Public Service Impact Agreement is written and approved by the parties.

As of this date, Valley Cities is asking the city to approve its design without any knowledge or reference to specific design conditions that are likely to be included in a Public Service Impact Agreement. By seeking approval without such Agreement in place, Valley Cities is substantially changing the proposal, asking for its approval without one of the key mitigation measures that supported issuance of the MDNS and C.U.P. Without this mitigation measure, the project is, in fact, being changed so that the proposal is likely to have a significant adverse environmental impact on Public Safety and Public Services.

Again, if Valley Cities wants their Design Review packet approved without waiting for a Public Service Impact Agreement to be in place, then the City should withdraw its MDNS, because it's missing the "M", and instead make a new threshold determination. A Determination of Significance should then be issued, requiring preparation of a full

Environmental Impact Statement. If a DS is issued, each agency with jurisdiction shall commence action to suspend, modify, or revoke any approvals until the necessary environmental review has occurred (see also WAC 197-11-070).

WAC 197-11-340(3)(a) reads as follows:

The lead agency shall withdraw a DNS if:

(i) There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts;

(ii) There is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or

(iii) The DNS was procured by misrepresentation or lack of material disclosure; if such DNS resulted from the actions of an applicant, any subsequent environmental checklist on the proposal shall be prepared directly by the lead agency or its consultant at the expense of the applicant.

(b) Subsection (3)(a)(ii) shall not apply when a nonexempt license has been issued on a private project.

(c) If the lead agency withdraws a DNS, the agency shall make a new threshold determination and notify other agencies with jurisdiction of the withdrawal and new threshold determination. If a DS is issued, each agency with jurisdiction shall commence action to suspend, modify, or revoke any approvals until the necessary environmental review has occurred (see also WAC 197-11-070).

As other comments have explained, public records now confirm the inadequacy of review conducted for a project of this scope. The City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Service Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

The Design Review process is flawed, and must be postponed until sometime after the Public Service Impact Agreement has been fully reviewed under SEPA, and approved by the City Council (if at all). To approve the design and any building permits for elements of the Valley Cities' drug treatment campus would have the effect of foreclosing various mitigation measures and options that might be part of the final Public Service Impact Agreement, which has not been written, or reviewed under SEPA.

The online SEPA handbook reads as follows:

“SEPA Rules state that no action that would foreclose options shall be taken until SEPA has been completed.”

The Q and A on the website gives an example, that fits the current circumstances, where a project should not be allowed to move forward until a supplemental Environmental Impact Study is complete. See WAC 197-11-070.

Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

A mitigation measure that could be part of the Public Service Impact Agreement could very well be funding and construction of a 24-hour ambulance/Medic One unit onsite, which is not part of the current design, and which could be precluded if the design is approved before the Public Service Impact Agreement is written, reviewed and approved by the City Council. The same is true for various onsite-police and security personnel and stations or checkpoints at ingress/egress locations on the property. Recent examples of facilities creating separate spaces for men and women, old and young members of the population, or creating substantial separation zones between various populations to prevent adverse impacts, are all things that need to be studied under SEPA, so the final design appropriately identifies and addresses impacts.

Design Review is premature, and an approval would be contrary to applicable SEPA rules, violating SEPA substantive requirements.

The same is true of any City action to approve a Public Service Impact Agreement, Public Safety Impact Agreement, or Good Neighbor Agreement – whatever it's called. As a stand-alone item, which has not even been written yet, the Agreement will require a thorough environmental review before it can be considered for approval. The proposed terms of any agreement and the specific mitigation measures included in such agreement should be subject of a separate SEPA Checklist, identifying potential impacts, and how the Agreement is written to mitigate them. A separate SEPA comment period and threshold determination should be issued for the proposed Agreement. If a Determination of Significance is issued for the Agreement, a full EIS will be required.

The City Council and vulnerable community residents, including children, are currently walking blind, without any detailed study regarding the public service impacts that need to be addressed in great detail in the Agreement. The emails between city staff earlier this year illustrate the bare-bone, wholly inadequate SEPA review that occurred before the C.U.P. was considered. A "bare bones" environmental review for an action is okay so long as more complete compliance is done for the later, more detailed approval stages. (See SEPA Handbook, citing Cathcart v. Maltby v. Clearview Community Council v. Snohomish County, 96 Wn.2d 201, 634 P.2d 853 (1981)).

Now, the Public Service Impact Agreement is a freestanding action that requires its own SEPA process. The future review and approval of any Public Service Impact Agreement falls squarely within the definition of "Action" covered by SEPA. See WAC 197-11-704. Under WAC 197-11-310, a SEPA threshold determination will be required for any Agreement to be reviewed and approved by the City.

"Impacts" are the effects or consequences of actions. Environmental impacts are effects upon the elements of the environment listed in WAC 197-11-444. Elements of the environment include, but are not limited to :

- v) Movement/circulation of people or goods
- (vi) Traffic hazards
- (d) Public services and utilities
 - (i) Fire
 - (ii) Police
 - (iii) Schools
 - (iv) Parks or other recreational facilities
 - (v) Maintenance
 - (vi) Communications
 - (vii) Water/storm water
 - (viii) Sewer/solid waste
 - (ix) Other governmental services or utilities

The previous SEPA documentation for the C.U.P. failed to address (or merely touched upon) any of these elements of the environment, but saved those matters for another day – via the Public Service Impact Agreement.

Neighboring jurisdictions must be included as part of the SEPA process for the new Public Service Impact Agreement. A city may not act in disregard of impacts outside of its boundaries; rather it must serve the welfare of the entire affected community. This rule is derived at least in part from the fundamental and inalienable right to a healthful environment which SEPA grants all citizens, including those in adjoining areas. (See SEPA Handbook, citing Save a Valuable Env't v. City of Bothell, 89 Wn.2d 862, 576 P.2d 401 (1978)).

The Public Service Impact Agreement has not been written, so it is impossible for Valley Cities or city staff to argue that such Agreement was the subject of any prior environmental review. The environmental checklist used for the C.U.P. process did not address the Agreement, because the Agreement did not exist, and has yet to be written.

Moving forward with any approvals that could in any way foreclose mitigation measures that might be included in the yet-to-be-written public service impact agreement would constitute a substantive violation of the City's duties under SEPA. By stepping back, and commencing a new SEPA process for the Agreement, the City could avoid future litigation on the topic. The applicant and the public would have a full and fair opportunity to comment upon items addressed in any SEPA study.

Thank you for your time and consideration.

Sheila Brush

Dan Brewer

From: Jenny He [jyh723@hotmail.com]
Sent: Friday, October 02, 2015 4:17 PM
To: Denise Lathrop
Cc: Bonnie Wilkins
Subject: Comments regarding Proposed Woodmont Rehab Plans
Attachments: Woodmont.pdf

Hello,

Attached is my letter regarding file number LUA2014-0038.

Thank you for your consideration,
Yijing (Jenny) He
27318 10th Pl S

From: Yijing (Jenny) He

Date: October 2, 2015

To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038

Here are Comments on the Draft Design Review Decision for the Woodmont Recovery Campus.

1. Conflict with Decision Criteria: Des Moines Municipal Code 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

The Evaluation and Treatment Facility will be flushing bodily fluids with high levels of legal and illegal drugs into the waste treatment system. Some patients may also dispose of drugs by flushing them. High levels of potentially dangerous substances will be entering our water and waste treatment systems. Currently no impact study has been provided. This gap needs to be addressed to evaluate risks to aquifers, Puget Sound and our water supply.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.

b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.

c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.

d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

- a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.
- b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?
- c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?
- d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?
- e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?
- f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

4. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the safety of the citizens driving in the area of the proposed facility.

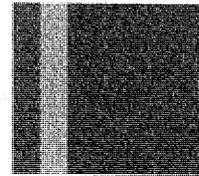
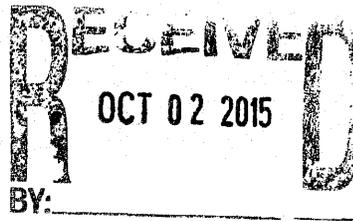
- a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.
- b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

I am submitting these comments to show agreement with the comments of fellow community member Mary Eun and would like to review the responses to these comments and questions. Also, will all patients and visitors of the rehab facility be required to undergo criminal background checks? For example, if any of them are registered sex offenders, would the close proximity of the facility to an elementary school preclude them from being able to use the facility?

Sincerely,
Jenny He

27318 10th P I S

Chad and Jayme Wagner
26212 17th Ave S Des Moines WA 98198



4:20 p.m. JG

October 2, 2015

TO: City of Des Moines Planning, Building, and Public Works Department

In regards to Design Review of LUA2014 -0038.

I have serious concerns with the design of this Proposal.

- **16th Ave access :** With the inaccurate traffic assessment (The wrong times of day were taken into consideration with this traffic study) the additional traffic on this small already overloaded road would be unfair and dangerous to the community. Is there going to be a NO LEFT TURN sign? Is there going to be a WATCH FOR PEDESTRIANS sign (This is a route that children use to and from school). This entrance per the plans looks more like a service access point (6' wood fence REQUIRED on the residential property & chain link on the commercial property), could this be Emergency access only? Dangerous Situation for pedestrians cutting through the Property kind of a dark alley situation. Has this Proposed Easement been APPROVED? If not I am opposed to this easement being Granted to Valley Cities or any of their Associate's
- **Off Street Parking :** It does not appear that the required amount of off street parking requirements of Ordinance 1618-A have been met of one parking space per 300 square feet of gross floor area. This will result in excess parking turning to the local neighborhoods, local businesses and Library to accommodate the oversight in this design.
- **Windows :** Windows at the exterior of the units are called out as Fiberglass Pella windows with laminated glass on the unit side of the window glazing. Pella offers two laminated glass windows neither of which are offered in a fiberglass frame. Wood or Vinyl are the options. 2 types of Laminated Glass are offered: laminated glass for STC ratings and Hurricane Resistant windows. Given the clientele of the proposed project I believe the specific model and testing should be submitted as part of the design review process. If used as a security measure, have they been tested in this application of containing involuntary patients?
- **Fire Rated Walls :** Wall type 7 per the architectural plans Ref. to GA file WP 1049 with Tough Rock, manufactured by Georgia Pacific Corp. Here is the problem I see with this, GA File WP 1049 is a PROPRIETARY System which does not allow substitution of materials to accomplish required 1 Hour Fire Rating. If Tough Rock was called as a security measure this needs to be addressed as to what will be used to accomplish both. Using required National Gypsum Company products that satisfies WP-1049 and testing data for security. If used as a security measure, have these materials been tested in this application of containing involuntary patients? Also there should be GA files for other walls that are fire rated for code compliance review this is a life safety issue that could potentially endanger the clientele not to mention our local fire fighters in the event of a fire. This is something that should be resolved before design review is approved.
- **Building Height :** LUA2014-0038 this permit is C-C Community Commercial which per Chapter 18.110.060 Dimensional standard section (1) Maximum building height is 35 feet. I cannot find where a height variance has been granted to this permit number. So I am wondering how a permit that allows buildings maximum height of 35 feet is even being considered for a 50 foot building. I do understand that the Property is zoned for a 50 foot building, but this is irrelevant considering the fact that the permit that has been bought, paid, for and accepted by the city as a LAND USE APPLICATION can simply not conform to their permit requirements. It seems that the permit should be what matches the building type not the property zoning.
- For these and many more reasons included in public records that confirm the inadequacy of review conducted for a project of this scope, the City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Safety Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

The Design Review process is flawed, and must be postponed until sometime after the Public Safety Impact Agreement has been fully reviewed under SEPA, and approved by the City Council (if at all). To approve the design and any building permits for



elements of the Valley Cities' drug treatment campus would have the effect of foreclosing various mitigation measures and options that might be part of the final Public Safety Impact Agreement, which has not been written, or reviewed under SEPA.

The online SEPA handbook reads as follows:

"SEPA Rules state that no action that would foreclose options shall be taken until SEPA has been completed."

The Q and A on the website gives an example, that fits the current circumstances, where a project should not be allowed to move forward until a supplemental Environmental Impact Study is complete. See WAC -- 197-11-070.

Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

A mitigation measure that could be part of the Public Safety Impact Agreement could very well be funding and construction of a 24-hour ambulance/Medic One unit onsite, which is not part of the current design, and which could be precluded if the design is approved before the Public Safety Impact Agreement is written, reviewed and approved by the City Council. The same is true for various onsite-police and security personnel and stations or checkpoints at ingress/egress locations on the property. Recent examples of facilities creating separate spaces for men and women, old and young members of the population, or creating substantial separation zones between various populations to prevent adverse impacts, are all things that need to be studied under SEPA, so the final design appropriately identifies and addresses impacts.

Design Review is premature, and an approval would be contrary to applicable SEPA rules, violating SEPA substantive requirements.

The same is true of any City action to approve a Public Service Impact Agreement, Public Safety Impact Agreement, or Good Neighbor Agreement - whatever it's called. As a stand-alone item, which has not even been written yet, the Agreement will require a thorough environmental review before it can be considered for approval. The proposed terms of any agreement and the specific mitigation measures included in such agreement should be subject of a separate SEPA Checklist, identifying potential impacts, and how the Agreement is written to mitigate them. A separate SEPA comment period and threshold determination should be issued for the proposed Agreement. If a Determination of Significance is issued for the Agreement, a full EIS will be required.

The City Council and vulnerable community residents, including children, are currently walking blind, without any detailed study regarding the public service impacts that need to be addressed in great detail in the Agreement. The emails between city staff earlier this year illustrate the bare-bone, wholly inadequate SEPA review that occurred before the C.U.P. was considered. A "bare bones" environmental review for an action is okay so long as more complete compliance is done for the later, more detailed approval stages. (See SEPA Handbook, citing Cathcart - Maltby - Clearview Community Council v. Snohomish County, 96 Wn.2d 201, 634 P.2d 853 (1981)).

Now, the Public Service Impact Agreement is a freestanding action that requires its own SEPA process. The future review and approval of any Public Service Impact Agreement falls squarely within the definition of "Action" covered by SEPA. See WAC 197-11-704. Under WAC 197-11-310, a SEPA threshold determination will be required for any Agreement to be reviewed and approved by the City.

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- v) Movement/circulation of people or goods
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The previous SEPA documentation for the C.U.P. failed to address (or merely touched upon) any of these elements of the environment, but saved those matters for another day – via the Public Service Impact Agreement.

Neighboring jurisdictions must be included as part of the SEPA process for the new Public Service Impact Agreement. A city may not act in disregard of impacts outside of its boundaries; rather it must serve the welfare of the entire affected community. This rule is derived at least in part from the fundamental and inalienable right to a healthful environment which SEPA grants all citizens, including those in adjoining areas. (See SEPA Handbook, citing Save a Valuable Env't v. City of Bothell, 89 Wn.2d 862, 576 P.2d 401 (1978)).

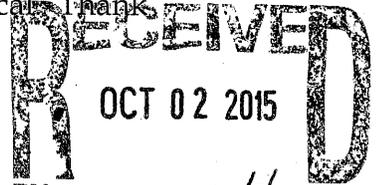
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Moving forward with any approvals that could in any way foreclose mitigation measures that might be included in the yet-to-be-written public service impact agreement would constitute a substantive violation of the City's duties under SEPA. By stepping back, and commencing a new SEPA process for the Agreement, the City could avoid future litigation on the topic. The applicant and the public would have a full and fair opportunity to comment upon items addressed in any SEPA study.

~~X~~ ~~Chad Wagner~~ 10-2-15 X Jayme R Wagner 10-2-15
Chad Wagner Jayme Wagner
Concerned Citizen Concerned Citizen



I would like to submit for consideration the comments below. Please note that while this may appear to be the same as comments received from Mary Eun on this same topic, I have added several comments of my own and made some adjustments as well. Our concerns are quite similar, but not identical. Thank you for your time.



From: Tad Doviak
Date: October 1, 2015

To: The city of Des Moines Planning, Building, and Public Works Department

Subject: Comments on the Draft Design Review Decision for the Woodmont Recovery Campus

Project file: LUA2014-0038

10/2/15
4:28 pm

Here are Comments on the Draft Design Review Decision for the Woodmont Recovery Campus.

1. Conflict with Decision Criteria: Des Moines Municipal Code 18.127.050 (1) (a) Environmental performance standards and limitations: no use shall be permitted that creates pollutants.

The Evaluation and Treatment Facility will be flushing bodily fluids with high levels of legal and illegal drugs into the waste treatment system. Some patients may also dispose of drugs by flushing them. High levels of potentially dangerous substances will be entering our water and waste treatment systems. Currently no impact study has been provided. This gap needs to be addressed to evaluate risks to aquifers, Puget Sound and our water supply.

2. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

On sheet A-5 of architectural plans, the following explanation is given for why emergency escape and rescue windows in resident sleeping rooms are not required: "3. In residential treatment facilities licensed by the state the building must provide a safe environment which includes, but is not limited to, elopement control, passing of contraband and other activities that do not provide desirable outcomes for the individual, facility, and the community." The following comments are in light of this requirement to promote safety while addressing elopement control and passing of contraband.

a. Sheet A-5 shows a single 10 foot tall (10') CMU wall surrounding the exterior court yard. This height is inadequate. A 10' CMU wall can be scaled easily with the help of another patient. A 10' wall can be scaled alone by a skilled athlete.

b. Sheet A-5 shows 15 second delayed egress from the exterior court yard. This 15 second delayed egress is inadequate. If first responders are occupied with other patients and cannot reach the gate in 15 seconds, then the community is at risk.

c. Window widths in involuntary patient rooms are 3' 4" wide. These are large enough to be exited through if broken. Windows are on the first floor and may be broken from inside or outside the building. The windows should be 4" wide to ensure security.

d. Wall sections on A-14 show 5/8" gypsum wall board on each side of wall. This type of wall construction is easy to kick through and poke holes through, providing access from one unit to another for passing contraband. The wall materials should be plywood, CMU or similar.

e. The design neglects to enumerate the type of door controls within the facility. Are they adequate to prevent unwanted patient movement? Are there safeguards in place for the adequate evacuation of patients in the event of an emergency such as a fire?

3. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the public health, safety, and general welfare of the citizens in immediate proximity to the proposed facility.

a. The north facing windows (elevation 7'6") from patient rooms 88-92 are above the level of the 6' fence proposed. Patients would have a clear view into the backyards of residences. The 6' fence should be a 10' CMU wall.

b. The light fixtures on the north elevation are above the proposed 6' fence abutting the residential neighborhood. What is the effect of light pollution on the residences without further mitigation?

c. What is the reflectivity of the metal siding used? Will it reflect sunlight into the residences to the north?

d. A 26' tall building so close to the residences will block sunlight significantly. What effect will this have on heating and cooling for the residences to the north? What is the proposed mitigation for this? Do any of the residences rely on southern exposure sunlight in their backyard to grow food in a garden?

e. The 24' wide entrance /exit onto 16th Avenue South has a proposed easement. Will it be gated with a guard house?

f. The entrance/exit onto 16th Avenue South should be closed in the morning and afternoon during times kids are coming and going to school. Currently a yellow flashing light indicates times when kids are coming and going to school. Monitored security cameras should be reviewed to ensure proper operation.

4. Conflict with Decision Criteria: DMMC 18.235.030 Purpose of the regulations (1) to promote the public health, safety, and general welfare of the citizens of the City.

The following comments address the safety of the citizens driving in the area of the proposed facility.

a. It's currently unclear whether taxis and private shuttle buses will enter the facility to drop off patients or whether patients will be dropped off at the curb, or a combination of both. We cannot have lanes blocked in the morning and the afternoon on either 16th or Pacific Highway. This omission needs to be addressed.

b. Traffic Assessment by Heath & Associates projects 54 trips per hour in and out of 16th Avenue South entrance during afternoon peak hours. Should the entrance be closed during busing hours, the additional traffic would flow to the Pacific Highway entrance. An updated study evaluating impact of these trips should be made and its results evaluated for potential impact to this high traffic corridor.

c. With the greatly increased traffic coming in and out of the facility, a traffic signal should be installed to handle the extra load for vehicle and pedestrian safety.

For these and many more reasons included in public records that confirm the inadequacy of review conducted for a project of this scope, the City's SEPA official should require the project applicant to submit a new SEPA Checklist, followed by full SEPA notices and comment periods, and a new Threshold Determination under SEPA for the future action that will be required by the City Council to approve the Public Safety Impact Agreement that was not written or even outlined in any fashion when the C.U.P. was approved.

The Design Review process is flawed, and must be postponed until sometime after the Public Safety Impact Agreement has been fully reviewed under SEPA, and approved by the City Council (if at all). To approve the design and any building permits for elements of the Valley Cities' drug treatment campus would

have the effect of foreclosing various mitigation measures and options that might be part of the final Public Safety Impact Agreement, which has not been written, or reviewed under SEPA.

The online SEPA handbook reads as follows:

“SEPA Rules state that no action that would foreclose options shall be taken until SEPA has been completed.”

The Q and A on the website gives an example, that fits the current circumstances, where a project should not be allowed to move forward until a supplemental Environmental Impact Study is complete. See WAC -- 197-11-070.

Here, that is especially true, because some aspects of mitigation could significantly alter the design or scope of the project, or require substantial funding resources to be implemented. By way of example, there has been no study or analysis of the emergency medical response impacts this facility could have on the local first responders. A national review is required, because the applicant must concede that there is no local or state facility with a combination of services like this anywhere they can use as a reliable example to address or identify potential public safety impacts.

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Tad Doviak
25747 19th Ave S
Des Moines, WA 98198
253-839-2402

Dan Brewer

From: candace [candace@bellamaterna.com]
Sent: Friday, October 02, 2015 4:29 PM
To: Bonnie Wilkins; Denise Lathrop; Dan Brewer; CityCouncil; City Clerk; Tony Piasecki
Cc: Doreen Harper
Subject: Design Review Comments for LUA2014-0038.

Dan Brewer, Denise Lathrop, City Council and all others,

Design Review Comments for LUA2014-0038.

I am requesting the hiring of the following for assisting Dan Brewer and all other parties involved in approving/denying the above design permit.

- 1) A arbitration Lawyer to assist and guide the following experts.
 - a) Wastewater treatment specialist hopefully one versed with the disposal of medical waste.
 - b) Architectural firm specializing in secure facilities particularly involuntary patient facilities.
 - c) Architectural firm specializing in hospitals.
 - d) Traffic study specialist as the one used in the prior application did NOT EVEN address the Woodmont School's peak times for drop off and pick up.

Candace Urquhart
25665 Marine View Dr S
206-949-1001