



March 5, 2014



Craft, LLC

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City of Snohomish

In response to the additional questions offered last week at the Conditional Use Permit No 17-13-CUP hearing by Mr. Rich Softye, the applicant offers the following responses. We reiterate Approval #19-08 was granted December 2008' for a similar project and since that time, the facts have NOT changed. The testimony and concerns expressed of this past application are the same comments being made today. Therefore, any new conditions to this application should be limited to Land Use recommendations as a result of changes to City codes. Conditions should NOT be impractical/unreasonable and cost prohibitive; therefore preventing experienced operators such as Ms. Maria Morrow (Evergreen Park Residential Living) from providing exceptional, but affordable care or contradict State/Federal guidelines. With longer life spans, changing life styles and Federal Fair Housing Laws, an Operator must have flexibility to provide residents the best care, without imposing on neighbors.

*1. Who from Snohomish will be responsible for monitoring the conditions of use?*

It is presumed that City staff will monitor the conditions of approval per standard protocol.

*2. Since the application does not specify frail and elderly, is there an expectation that seniors can be anyone 55 and older?*

In the applicant's view, yes. During the hearing, Planning Director Dennison stated that the City would consider 62 or older as Senior. The applicant will accept whatever definition is offered by the City assuming it does not conflict with state/federal guidelines.

*3. Will the CUP include verbiage to include "no cars allowed for residents?"*

As discussed in the hearing, actual staffing levels may vary depending on the final operator. In the applicant's view, it seems prudent to only restrict the overall facility to no more vehicles (staff, resident, or visitor) than can be provided on site. Requiring no cars for residents should be an operational decision within that framework, not a condition for approval.

*4. Since the "new section" was not completed when the last CUP was approved, will all of the newly (associated with the 2008 CUP) constructed materials be removed and built to current building standards?*

The work started after the 2008 CUP approval was based on a building permit submittal and approval for that work. No new construction should be required to be removed. Damaged materials may be replaced during construction under a subsequent building permit if deemed necessary. In matching

historical design review guidelines and completing an environmentally friendly project, existing materials should be used wherever possible.

*5. Does an environmental assessment have to be done to establish habitability of such an old and unused structure and concerns for the rain-soaked and moldy newer construction?*

No environmental assessment is necessary. As detailed in response to question 4, damaged materials may be replaced during construction under a subsequent building permit to conditional use approval.

*6. Current Comprehensive Plan (CP) identifies quietness and stability. How is this possible with a commercial facility?*

The anticipated demography of the residents living in this facility is NOT one of noise and disturbance. This is still a residential project in a residential neighborhood. In addition to the 5-plex across the street and a recently expanded high school within 2 blocks, there are numerous UNAPPROVED 'mother-in law' units adding more people, traffic and parking here.

This project is practically identical to that which was approved December 2008'

*7. Current CP SF 4.2 identifies 6 units per acre. How can we accommodate this large building on such a small lot?*

The building is existing and has been on that lot for many years and was approved December, 2008. The applicant is not proposing expansion of the existing building and in fact will remove a portion.

*8. Issue of Mass and Scale. This building is completely out of scale with the single family surrounding homes. How can this be resolved?*

Please see response to question 7.

*9. Mass and Scale. The current building is huge compared to surrounding single family houses. With provisions to accommodate the on-site parking, ramps and covered area such as employee smoking areas, will this not increase the size even more?*

No expansion is proposed and in fact a portion of the existing structure will be removed to accommodate parking

*10. Additional parking will take up more open space on the lot. Does this need to be taken into consideration?*

As proposed, the project meets open space requirements as previously approved.

*11. Current CP SF 4.10 Assisted living, low density MAY be allowed as nursing home or managed care on 3 acres. How do we justify such a large building on such a small lot?*

This is not a current land use requirement to be met. Also see responses to questions 7, 8, 9 and 10.

*12. Current CP SF 4.65 Adequate Streets. Assuming this includes City maintained alley ways, how does this affect the entire alley way between 4<sup>th</sup> and 5<sup>th</sup> streets? Paving? Widening?*

The requirements for street improvements have been listed as conditions of approval by City staff. Ms. Carole Barnes testified she prefers the alley remain unimproved and as-is, to discourage more use.

*13. Concerns for the continued use of the building. Current Senior Care facilities such as Emeritus have a vacancy rate of \_\_\_\_\_. Once established and the business can't survive economically, can the owners change its purpose/designation?*

The Snohomish Municipal Code specifies how and when changes can be made, including expiration of conditional use approvals granted.

*14. Who will be able to monitor the conditions of operations and any conditions of this "unique" business with the current size of city government?*

See response to question 1.

*15. Are there any Americans with Disability Act provisions that need to be incorporated into this CUP?*

Not as part of the Conditional Use Permit specifically. The Americans with Disability Act must be complied with in the construction and operation of the building.

*16. Parking on surrounding streets: Parking restrictions in the local area currently are only enforced when a citizen calls the police. How will any limitations of vehicles on the surrounding streets be monitored and enforced?*

The applicant assumes that the law will be enforced equally on all parties in the neighborhood.

*17. Parking on surrounding streets: Currently there is a grandfathered 5-plex diagonally across the intersection. There are up to 13 vehicles parking on the street and behind the house. Should additional parking use in the surrounding area be considered when deciding this CUP?*

On street parking is not allowed in the calculations for any parking needs, therefore, availability or not of such parking does not affect the review and approval of this proposal.

Should this project generate additional parking, we have suggested that it would be mutually beneficial to the high school's after school activities fund and environment to rent excess parking spots to the project.

*18. Has the city sought the expertise of the fire department on how they will be able to access the alley side of the building in the event of a fire?*

The fire department will review the building plans as part of normal building permit review.

*19. Citing what happened in Quebec in January, 2014, will the staff be able to evacuate all of the occupants in an expeditious manner in the event of a fire?*

Occupant safety is determined by building code, inspection, and licensing by the State. There is no review necessary at this point for the requested Conditional Use Permit.

*20. Will emergency egress plans be required for this CUP?*

No specific building plans are required for a Conditional Use Permit.

*21. There appear to be more power outages in this section of the city. (This must be verified) Will there be emergency generators required for this type of facility?*

The provisions for emergency power will be dictated by State licensing requirements.

*22. If the applicant is planning on frail and elderly to occupy the building, why should proximity to bus lines be used as an argument to approve this CUP? Bus service one block away is very infrequent.*

Any residents without vehicles should have access to public transportation if desired. This transportation is limited in all of Snohomish, but one of the best corridors for such transportation is Avenue D which is in close proximity to this property. The City's code/policy encourages a Land Use as proposed in close proximity to public transportation and downtown, so people can walk and do NOT need to use cars. This is good for the environment. If more people use the bus, bus service will increase.

*23. With the current use of alley ways by residents and garbage trucks, will there be an additional city maintenance plan for the alley? (The potholes in the alley between D and E are an indication of what additional daily commercial vehicle usage can do.)*

Scheduled maintenance of the alleys in town is at the discretion of City staff. Ms. Carole Barns wrote and testified preferring the alley as-is, because it slowed traffic down and would NOT invite greater use.

*24. Will a caretaker be allowed to reside on the property?*

The operator and state licensing requirements should be allowed to make the decision on how the facility is staffed in order to provide exceptional, affordable care for residents.

*25. Will visitor's parking spaces be designated on site?*

Please see response to question 3.

*26. Will deliveries be restricted to certain hours and only during workdays?*

As proposed, hours and days of deliveries will be restricted.

*27. Will lighting be designed and verified to have no impact on the surrounding neighborhood?*

Yes.

*28. Will there be opportunities to re-open the hearing to allow consideration of additional conditions to mitigate specific impacts to the surrounding community since this is a very unusual large business to place in a single family neighborhood?*

If warranted and at the discretion of the hearing examiner and City staff.

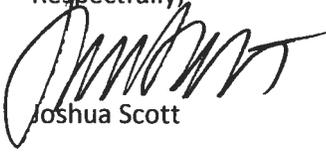
*29. Are there any restrictions on the current owner on how long he must maintain this business before it can be sold?*

No restrictions apply. The use carries with the property, not the specific business associated with the use.

*30. Will the city or the state be responsible for monitoring the operations of this business, i.e. occupants well-being, employee administration, sanitation, building and grounds maintenance, health, fire and safety aspects?*

Most likely, both parties will be responsible for monitoring the different aspects as itemized.

Respectfully,

A handwritten signature in black ink, appearing to read "Joshua Scott", written over the printed name.

Joshua Scott

Craft, LLC