

Transcription Excerpt:
Neil Latta closing comments, Timber Ridge Estates'
(continued) March 3, 2005 John Galt hearing
(This was a continuation of the 2/28/05 T.R. hearing)

[Mr. Latta's closing comments on Timber Ridge. In order that Mr. Latta's statement be balanced and within context, we have transcribed it in its entirety, rather than his comments related solely to the incursion of Timber Ridge's northernmost (private, dead-end) road which will exit onto, and near, Sultan Basin Road's crest, but also in responding to my recommendations that T.R. should be redesigned for that uppermost private road could be connected with the southern, main roadway of Timber Ridge. The latter configuration would not only reduce incursions onto SBR, but would increase the safety for all users of SBR. Note also Mr. Latta's comments related to the high density of homes for this community at the beginning of his statement which infers that he – and perhaps all other developers – are magnanimous benefactors of the greater good, rather than being a for-profit corporate entity. While there's no doubt that Mr. Latta, Garth York, Barclays North and other residential land developers provide a product that many young families need, the proof of the benefits they provide, or the problems they create, lies in what they leave behind after they have developed a community and move on.]

Mr Latta's comments:

I'd just like to briefly overview the rebuttals that were made today by the – first of all, Mr. Heydrick. And I'll just discuss them in the order he brought them up.

One of the essence(s) of what I believe good planning and management does is to try and provide housing consistent with the state's Growth Management Act, which essentially states, from my interpretation, is provide density within urban environments that will provide housing that will serve people. That's a very crude breakdown. We try as engineers to develop projects with the highest density we can obtain for a number of reasons, and not because a lot of times 100 lots means we're all billionaires. Small lots, the smaller homes, provide housing for people, frankly, outside of this room: Small, young families, starter homes. So the concept of a small box on a small lot is a negative, I take exception to that and say that's a very positive -- that serves this community in a way that's consistent with [what] the state contends.

We find developments that when -- I think you'll find [when] this one is completed, it will be a beautiful development in harmony with the goals of what we've intended, meeting the objectives of Growth Management, providing a cluster of density within an otherwise constrained project. The densities Mr. Ingrahm's¹ talked about was based upon the overall density within the city zoning areas. So these are objectives that we strive to achieve, not just from a financial point of view, but something that is related to finance, is marketable to people that can afford to live and own their home. It's the whole basis of our communities.

¹ Paul Ingrahm of Berryman & Heniger, who was the city's "proxy" consultant on this project.

The second part with the street tree issues, they're not going to be in front yards, they're going to be within the right-of-way. The profile, the proposed section we proposed, we did not make up. We based it exactly for the City of Everett, which has some density issues and it's a template directly from their standards. Mr. Galt has identified the developments within the city didn't have detailed drawings, per se, that's based on detailed drawings and engineering standards of the City of Everett.

The next item which Ms. Storm also addressed, were the comments by Mr. Lezzi² (sic). Mr. Lezzi (sic) is a geomorphologist that looks at protecting streams from the point of view of fish habitat. He stated to me that his typical approach is to look at projects from a forest practices process, where stricken vegetation and runoff is a very extreme hazard he wants to look at. The description of the project in terms of pistlebutt (sic) trees and block failures and deep-seated failures, that is not my interpretation of the area we're developing in this project at all. If you look at the northern portion of the project -- which is shown as open space in the upper right corner -- that was the area that Mr. Lezzi (sic) and his assistant were most concerned with. We're not proposing to change or alter this area one bit. And in fact, the stream channel he was most concerned with, which he cited between 69 and 87 -- (and by the way, really poor math on my part of throwing out 15 *[unintelligible]* 19 lots) -- that is the stream section he's most concerned with. This is the section of stream that we're focusing our targeted mitigation plan [on] as outlined in our submittal today, stormwater management, removal of culverts, additional planning to enhance this stream that, in my opinion and the follow-up correspondence from Mr. Lezzi (sic) [indicates], he was pleased with as mitigation that would include that stream corridor. [\[Link to Mr. Luzi's Letter and other agency letters re this development\]](#)

Mr. Pfeifer's *[a Washington State Dept. of Fish & Wildlife representative]* [Letter](#) *[links to his, city's and Latta's communication on these subjects]* and the reason he – Mr. Heydrick – brought up, the reason he removed – he said disregard that letter – is when he said, “one drainage off,” he meant he was on a drainage channel on a property to the north, not on this project. He was completely on the wrong stream channel. So while his comments in general are typically, you know, relevant for urban stream environments, it's completely irrelevant and it was withdrawn because it was in the wrong place. I want to make that clear. He was quite pleased that we're offering to remove that culvert and [make] these other improvements to the stream channel, and those are positive net benefits to this stream channel.

The site distance issue that was raised and the qualifications of different experts disagree[ing], while experts disagree on interpretive issues, this is not an interpretive issue. This is an absolute, value-oriented – “it is what it is” – based on not a document that we make up, but the Traffic Institute is the bible. These are physical, engineered

² His correct name is David Luzi (pronounced, “Lutz-zee”), the Tulalip Tribe's expert geomorphologist. “Morphology is a branch of that deals with the form and structure of animals and plants, and geomorphology is the study of water flow over, and under, the ground. [More info on Luzi's and Latta's expertise.](#)

constraints. It's a function of slope and whatever design speed is. The only issue we're looking at is what was the appropriate speed. And we've done the study to confirm it. However, the odd guy that goes 100 miles an hour down a hill, the Institute has a methodology of approving the – of picking that, based on percentiles. The 85 percentile is the speed from the study that was chosen. That's how we arrived at that. That issue is not ongoing. It's, it's resolved – we're going to mitigate it, and that's the proposal we've come up with.

This traffic circle issue uh -- I was not trying to be misinterpretive (sic) there. I didn't understand the initial staff comment. I thought it was a round-about. If anybody's seen a round-about, they're enormous alternatives to, to, uh controlled intersections. That is what I was referring to would not fit on this, on [this] project and would not be appropriate. A traffic circle is a small 12-foot -- plus or minus -- diameter circle at an intersection. Its goal is to be a pain in the neck for people traveling, especially people in trucks. They avoid them because they can't pass. That's the objective. That's what we've said. We understand them. That's documented in our response letter.

With regards to the rebuttal [of my] comments of a \$50,000 engineering study [and] we don't want to spend the money, what I, what I – let me put that in context. What I was trying to say was a response to Ecology's comment on the **northern road being shifted to the south**. For me to say I'll move it 30 feet, 20 feet, 100 feet, requires detailed engineering of that roadway to see where that slope impact would balance in-between the two facilities. We will absolutely shift it as far south as we can, based on the detailed design of the roadway. At a preliminary application stage, it's not feasible to enter into \$50,000 worth of a design study for a conceptual review and application. That's the process that we go through. We did a considerable analysis of this, which resulted in this, uh, in this, this, this application.

That leads me to the next Ms. Storm's couple of comments. And I don't think...I don't think maybe understand what we were trying to state there. **The slope – the reason we cannot collect the upper roadway and access to the low [southern] roadway is because the constraint elevation of going directly from the upper road down to the lower road, is too steep. It's approximately 2 ½ times as steep as Sultan Basin Road. That is not feasible. We have to access to the Sultan Basin Road to get access to those lots [on the north]. That roadway is not a steep roadway. If you envision walking a trail across a slope, you work perpendicular or parallel to the contours. That's the type of slope on these roads you'll see, not steep roadways, [but] roadways balanced in with the contours. We looked very hard and met with the city on a number of occasions and showed them what profiles require a variance to make that access would exceed 20%. That is the type of conditions Ms. Storm is talking about³ would be dangerous that we're not proposing.**

³ That is not what I was suggesting. Many creative designs could have been devised for this plat which would have avoided two roadway incursions onto Sultan Basin Road. [Here are written comments I made](#) during the third hearing on the Timber Ridge Estates project, an applicant reconsideration hearing on May 12, 2005, related to these issues.

[end of transcription]