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Published: Monday, April 14, 2014, 9:27 p.m.

## Rules relaxed for Point Wells development project

By [Noah Haglund](#), Herald Writer

WOODWAY — A state Supreme Court majority ruled last week that high-rise condos proposed for Point Wells can be built under more lenient development rules.

The 6-3 decision reached April 10 handed a victory to Snohomish County and developer Blue Square Real Estate. On the losing end are the town of Woodway and a community group seeking to limit the size of the waterfront project.

“It’s good to have our view of things validated,” said Gary Huff, a Seattle attorney representing Blue Square. “It means nothing will change” in the permitting process.

Woodway Mayor Carla Nichols said she and other plaintiffs were “disappointed by the decision, but we’re not surprised.

“As noted in the court’s dissenting opinion, this is an issue where reasonable minds can differ,” Nichols said.

Point Wells covers 61 acres in unincorporated Snohomish County. The project calls for up to 3,081 apartments plus more than 100,000 square feet of commercial space. Under the current plan, buildings could reach up to 180 feet tall. Historically, Point Wells has been used for fuel distribution and for making asphalt. The only public road to the area is two-lane Richmond Beach Drive through Shoreline.

Years of work remain before construction can get underway. Building the development itself is expected to take a couple of decades.

Completing an environmental impact statement could take through the end of 2014, Huff estimated. After that, Blue Square must seek approval from the county hearing examiner. The industrial site of more than a century also would need to undergo environmental cleanup before residential development could begin.

Blue Square, operating locally as [BSRE Point Wells](#), is part of Alon Group, a petroleum and real estate company with holdings in Israel, Europe and the United States. Alon’s primary shareholder, billionaire [Shraga Biran](#), issued a statement saying the Supreme Court decision on Point Wells will help his company realize “an exemplary, environmentally-conscious community the entire region will take great pride in.”

Biran has been laying the groundwork for the project since at least 2006, when his representatives

asked the county to change the Point Wells' zoning.

In early 2011, the developer submitted permit applications under the county's urban centers rules. After the permits had been accepted by the county, a state board deemed the urban centers rules flawed and ordered the county to rewrite them.

In 2011, [Woodway](#) and the [Save Richmond Beach](#) community group sued in King County Superior Court to make the project adhere to the rewritten rules, which would have restricted density.

A King County Superior Court judge in late 2011 sided with the plaintiffs, but a state appellate court [overturned](#) the lower court decision a little over a year later.

With the legal fight over the building regulations concluded, critics of the Point Wells plan are switching focus to the environmental impact statement.

"We're going to continue to work with the county and the developer to review all of the issues related to the environmental impact statement," Nichols said. "We still have concerns on how big the development will be and the impact on traffic."

Woodway, Save Richmond Beach, the city of Shoreline and groups have submitted letters to the county suggesting impacts, in addition to traffic, that the county should study. They include: landslide risks from the 200-foot bluff to the east of the proposed development; whether the loose soils along the beach would cause increased dangers during an earthquake; how to conduct an emergency evacuation in an area with only one road in and out; and the potential for hazardous material spills along the Burlington Northern Santa Fe railroad tracks that run through the property.

"Some of them may be so critical that they'll cause the project to be scaled down or stopped," said Tom Mailhot, president of Save Richmond Beach.

The city of Shoreline and Blue Square have been conducting a series of [community meetings](#) to gauge likely traffic impacts from the estimated 12,000 or more daily car trips to the development could add to local roads. Huff expected a formal recommendation to reach the Shoreline City Council in about two months.

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