

RESPONSE TO OPEN HOUSE COMMENTS

PROJECT #36219 – PACIFIC HIGHWAY NON-MOTORIZED CORRIDOR

OVERVIEW: An online Open House was held via Zoom on April 15, 2021 to share background on and the latest progress for the “Pacific Highway Non-Motorized Corridor” project. The Zoom webinar was recorded and a link to the recording was posted on the City website.

The City of Federal Way is working to advance the preliminary project design. This process includes engaging people who live, work, or play in the project area and gather input on preliminary design plans.

The City previously hosted small group meetings with property owners directly along (within 300’) the corridor. These online webinars were split into three categories – residential property owners north of S Dash Point Rd; residential property owners south of S Dash Point Rd; and Commercial/Non-residential properties. This current Open House was intended to reach both these affected property owners we had previously engaged with, as well as the greater Federal Way community.

The Pacific Highway Non-Motorized Corridor Open House webinar was hosted in order to:

- Share information about the project, including anticipated construction schedules and preliminary design.
- Report back to interested parties who were involved in the previous small group meetings and explain how their input was considered and is reflected in the updated design plans.
- Ensure nearby property owners understand potential impacts, gather feedback and answer questions.
- Provide opportunity for the non-motorized advocacy group to provide comments regarding how the project design can best accommodate bicyclists and pedestrians.
- Demonstrate coordination with impacted agencies such as Federal Way Public Schools and the City of Federal Way Parks Department.
- Request feedback about design
- Maintain ongoing communication with neighboring property owners and interested residents of Federal Way to build trust and transparency between the City of Federal Way and project neighbors.

NOTICES & PROMOTION: 146 post card mailings were sent to tax payer addresses (and also to site addresses if different) for all properties located within 300’ of the proposed trail alignment. The postcard was also posted on the project website, along with versions translated into Spanish and Korean. The Open House was published on the front homepage of the City’s website page and also on the City’s Facebook page. It was also promoted in the Surface Water Management newsletter that is sent to all residents of the City.

INTERESTED PARTIES / ATTENDEES: There were 15 individuals who preregistered to attend the online Open House. Of these individuals, 10 individuals logged on and were present for the Open House presentation.

A breakdown of the interested parties is as follows:

	<u>Attendees</u>	<u>RSVP's</u>
Resident of Federal Way (Along Trail)	7	11
Resident of Federal Way (Not Along Trail)	0	1
Cycling Enthusiast / Advisory Group Member ¹	1	1
Federal Way Public Schools	2	2
	<u>10</u>	<u>15</u>

COMMENTS RECEIVED: The City encouraged individuals to provide feedback or questions about the trail project. Comments could be sent to the City in a variety of methods, such as: Webform, email, mailed letter, voicemail. During the two week comment period there were seven comments sent to the City.

Comments received via webform	4
Comments received via email	<u>3</u>
	7

The comments received² covered a range of topics, some of which were mentioned by multiple parties. We have prepared the following matrix of topics so that the City can be concise & responsive to all of the comments received.

	COMMENTS						
	#1	#2	#3	#4	#5	#6	#7
Safety from Homeless, Drug addicts, and Undesirable Individuals	x	x	x		x		x
Trash & Debris	x						x
Fence	x	x					
Lighting			x				
Easement / Property Rights			x				
Impact to Homes along 16 th Ave S				x			
Jiffy Lube property – conflicts with path & cars						x	
Privacy							x
Trees along west side of trail							x
Monitoring of the area							x

SAFETY FROM HOMELESS, DRUG ADDICTS, AND UNDESIRABLE INDIVIDUALS

- Concern with crime & vandalism & theft.

¹ Also a Resident of Federal Way (Not Along Trail)

² Comments received are included in Appendix.

- Concern with trespassing
- Area currently is high traffic for drug dealing
- Concern that trail will bring more foot traffic for drug deals, etc.
- Concerned that criminal behavior will increase with improved trail access

The City understands that adjacent property owners have experienced crime & illegal activity, and there are concerns that this will increase with the addition of the new trail. While the City acknowledges these are legitimate concerns as engaged homeowners wanting to ensure the safety and living conditions within their neighborhood, many studies have shown that by improving areas with trails and bringing in “positive users”, it in effect reduces the number of “negative users”. Individuals who are participating in illicit behaviors typically do not want to be hanging out in well populated areas with a lot of foot traffic.

There have been studies completed which show that this concern that the trail will increase criminal behavior is a common belief, but that it is often not what actually happens. The impact that trails can have on neighborhoods is almost always an overall positive impact.³

The City of Federal Way Police Department investigated the call history in the Marlbrook neighborhood and along the current trail alignment. and they feel that the trail with its positive user base will help curtail illicit activity. The Police are committed to continue to work with the neighborhood and encourage residents to reach out and share concerns.

Construction of the trail will include many aspects which will have a positive effect on the trail and help to reduce negative behaviors along the trail. Components of the design that will positively impact this include, but are not limited to:

- Removal of overgrown vegetation which can serve as shelter or hiding areas
- Addition of pedestrian scale lighting which will help to illuminate the pathway
- Addition of safe-city cameras for monitoring of the area
- Increased traffic by bicyclists, pedestrians, city crews, police, etc.
- Development of the trail within the public right-of-way will eliminate any public open space areas that have previously or could serve as encampment areas for homeless individuals.

TRASH & DEBRIS

- Currently there is a lot of garbage and litter along trail

³ <https://www.americantrails.org/resources/trail-effects-on-neighborhoods-home-value-safety-quality-of-life>

By constructing a new trail and bringing in positive and active users, this will help to reduce some of the undesirable activity including littering and discarded drug paraphernalia that has been occurring in this area. Design details have not been finalized, but there will be trash and recycling receptacles placed at key locations along the trail. There will also be regular maintenance of vegetation by City crews which includes picking up litter from landscaped areas

FENCE

- Request for a chainlink fence with wood slats

The City must take into consideration many things and many various users/individuals when designing projects such as the proposed trail facility. While we recognize that the neighboring properties have indicated they would feel an increased sense of safety if a fence is installed along the trail, a fence does not provide an increased sense of safety for the multitude of trail users. The design team is incorporating CPTED (Crime Prevention through Environmental Design) techniques into the design of the trail improvements. CPTED guidelines indicate that a fence should not be installed along the trail as it would lead to a tunneling effect for the user. If fencing were installed as a method of access control to impede movement, “such strategies may limit the opportunity for crimes, but should not hinder the mobility of potential victims.”⁴ By constructing a fence along the length of the trail, an escape route would not be available if needed. The City will only be installing a fence or railing where it is needed for fall protection.

If property owners choose to install their own fence on their private property, we recommend this be done after construction of the City’s improvements and the finished grade of the trail is established.

LIGHTING

- Concern that lighting will shine into their bedroom

This concern was posed by a property owner along the section of trail north of Redondo Way S. There will be pedestrian scale lighting installed throughout this section. These lights will be directed to illuminate the trail and will not have a significant brightness towards the areas beyond the trail.

EASEMENT / PROPERTY RIGHTS

- Does an easement exist for the trail? How will it impact Lot 27?

⁴ “Crime Prevention Through Environmental Design Guidebook”, National Crime Prevention Council.

This question was posed by a property owner along the section of trail north of Redondo Way S. There is an existing unopened public right-of-way for the southern end of this stretch, and a utility easement through much of the area to the north. The City will be contacting property owners to purchase right-of-way for the trail alignment where right-of-way doesn't already exist. In general, the plan is to purchase property from the parcels on the east side of the trail. Temporary construction easements may be needed from various parcels along the trail to aid in accessibility for construction.

In regards to Lot 27 that was specifically asked about, there is an existing utility easement that runs along the east edge of the private parcel. It is not anticipated that any right-of-way or easements will need to be acquired from this property.

IMPACT TO HOMES ALONG 16TH AVE S

- Will trail extend past current sidewalk width?
- Interested in impact for homes that butt up to the portion of trail running along 16th Ave S, at S 303rd St and S 302nd St. Will there be encroachment upon side yards?
- Interested to know if there will be lighting in this area.
- Impact to driveways / accesses along 16th Ave S that would pass over the trail.

The existing sidewalk in this area is 4' to 5' wide, and the proposed trail in this area will be 12' wide. So, yes, the new trail will extend past the current sidewalk. Construction of the proposed trail project is anticipated to occur entirely within the existing right-of-way in the vicinity of these residential side yards along 16th Ave S (near S 302nd St and S 303rd St). There may be locations where property owners have landscaped or improved beyond their property lines and into the public right-of-ways. There may be impacts to properties such as this when the proposed trail improvements are constructed within the public right-of-way.

Lighting will be added along the trail as needed to ensure it is properly illuminated for pedestrian & bicyclist safety.

The driveways that are existing to the sideyards will be allowed to remain. Design details are still being developed, but there will likely be signs put up to warn trail users of the potential that a vehicle may be crossing the trail in that location.

JIFFY LUBE PROPERTY – CONFLICTS WITH PATH & CARS

- Concern with safety of pedestrians as well as the impact to Jiffy Lube business
- Concern with high school drivers cutting through their lot and across trail at unsafe speeds
- Interested to maximize safety for trail users, while minimizing impact to Jiffy Lube operations. Service bay egress crosses trail.

The City is also concerned with making sure the design is safe and we recognize that there are some unique conflicts between vehicles and non-motorized users at the Jiffy Lube property. It appears that Jiffy Lube has been using the public right-of-way for some of operations of their site (exits from service bays, etc.). The design team will be evaluating this area as the design progresses to come up with creative solutions to maximize safety for the trail users, while attempting to minimize impacts to the business. We will likely reach out to the property owner individually to discuss after the specifics of the design in this area have been analyzed in greater detail.

PRIVACY

- Concern with privacy. Property owner has a deck that looks right at existing trail. Concerned their backyard will not be private.

The new trail will be constructed along an alignment that many people have used over the years. It is an existing utility access road. According to CPTED (Crime Prevention Through Environmental Design) principles, it is actually preferred that some properties will overlook and see the activity on the trail. This helps to reduce the amount of unwanted activities, as people do not want to be watched committing a crime. The City will not be installing tall vegetation or shrubs that would block the trail from view. This would provide potential hiding areas along the trail and would not increase safety for the majority of trail users. Homeowners may desire to plant vegetation or install privacy screening on their private property around their deck as they deem necessary.

TREES ALONG WEST SIDE OF TRAIL

- Request that the trees on the west side be maintained at a reasonable and safe height, which is not currently being addressed

There may be some trees that will require removal to accommodate construction of the trail/path. If trees are located west of the trail alignment, they are likely on private property and are the responsibility of the private property owners to maintain. The City is unaware of any height restrictions for trees in this area.

MONITORING OF THE AREA

- Request for monitoring of the trail area

The trail that is located north of Redondo Way will have Safe City cameras installed along this stretch of trail. Safe City cameras are installed at major intersections and locations throughout the City. They are monitored by police, traffic engineers, and other city staff. They offer a live feed, as well as most cameras are also able to record. These cameras allow

police to remotely monitor an area for unsafe/illegal activity. They also are able to provide evidence in the event a crime is committed. More details on these cameras can be read in articles posted on www.safecityfw.com.

Additionally, it is anticipated that police officers on bicycles/motorcycles may routinely ride along the trail, similar to their monitoring of the BPA trail in other parts of the City.

APPENDIX

COMMENTS RECEIVED FROM INTERESTED PARTIES⁵

COMMENT #1

Problems we have about the maintenance Road / Trail:

Homeless People

Trash, debris and garbage left behind

Two rape kits, hidden ropes, syringes and knock out blocks made of heavy iron and other bricks found under cardboard rocks etc.

On Aug 15th, 2021 I heard two men's voice up on the maintenance road. It appeared that they were the people that set the fire (on purpose or accident). My wife called 911 Fire Department to put it out. I started to put water on the hill that the fire was on in order to help discourage the fire from reaching our house.

*This project is not good for our private neighborhood or our safety because we all feel exposure to this criminal behavior will be increased by an extreme elevated amount. *please see attached pictures of maintenance road fire that burned the area and homeless camping trash left behind. I have picked up garbage and trash on this maintenance road that filled my pickup truck so much I could not shut the canopy hatch closed.*

We like living here so please DO NOT make a change that will cause my family and neighborhood to be at an elevated unnecessary risk for harm so we feel unsafe living here moving forward. We feel this project is not all the way thought-through.

All that being said... We are only asking for a fence to separate us from that trail! A fence with slatted wood woven through the chain link would be perfect!

COMMENT #2

We absolutely agree with our neighbors⁶. We have two small kids under 5 years old and have had to deal with drug addicts (visibly on drugs or other intoxicants) crossing through our property from the hill. We've had a man come down who had a large sword, another man who was drunk and/or high who tried to pick a fight with my husband and our neighbor and countless other incidents. My kids aren't allowed to play on that side of the house alone because I fear for their safety. All of the neighbors here will absolutely stand in solidarity on this and we are all in agreement that a fence is absolutely necessary for the health and safety of our neighborhood. If we have to explore the possibility of securing injunctive relief from the courts to postpone the process while we

⁵ Identifying names & addresses have been removed from comments received from residential property owners.

⁶ Refers to neighbors that submitted Comment #1

sort out whether irreparable harm will result in the City's failure to protect the residents, then that is an action I am prepared to take.

COMMENT #3

I was out of town when you had the follow up meeting with the adjoiners of Tract A, Marlbrook North. I still have the same concerns as voiced at the original meeting but I will reiterate that lighting back there could affect our bedrooms since we are abutting where the path is going to be. The entire neighborhood is concerned about security, we already have a sleeping bag back there by some homeless person.

More importantly the ownership of our Lot 27 is not abutting Tract A, our ownership is to the East side to and including where the path is going to be located. My question regarding that is I don't see an easement to allow the non-motorized trail.

COMMENT #4

Unfortunately I wasn't able to attend the online forum due to connectivity issues. I was wondering what the expected impact will be for the homes that butt up to the portion of this trail running along 16th Ave S, at 303rd S and 302nd S streets? Is there any expected encroachment upon side yards? Will it be extending past the current sidewalk width? Will there be any lighting put in this area? Several of us have parking entrances or a garage that have an entrance I believe would be passing over this new trail. What impact is expected?

COMMENT #5

I have concerns with this trail running along the 16th Ave s portion. That area is high traffic for drug dealing and other crimes because it's secluded. The woods across from our houses has had to have a homeless camp cleared out several times, and the area is littered with needles, trash, drugs, etc. The concern is that this trail will bring even more of this foot traffic into the area, leading to more issues with drugs, security of our property, etc. because the area is so secluded. Federal Way PD is already slow to respond to issues in this area, what will the city be doing to address this?

COMMENT #6

As the property owner at 30509 Pac Hwy S (the Jiffy Lube), we have strong concerns over the safety of pedestrians as well as the impact to our tenant's business with

Alignment Option 1. As we expressed before, high school drivers often cut through from Pac Hwy S to 16th Ave S by cutting through the Jiffy Lube parking lot (and across proposed Alignment Option 1 pathway) at unsafe speeds. In addition, Jiffy Lube customer egress will cut directly across the Option 1 pathway in several places (service bays 1 and 2, as well as the parking lot). If the decision is made to proceed with Option 1, we would like to ensure that proper precautions are put in place to ensure maximum safety and minimal impact to our tenant's operations.

COMMENT #7

We own 2 lots along the trail. We own a business on one lot with residence below. We are concerned about noise, crime, homelessness and zero privacy. We have a deck which looks right at the trail. Our backyard will not be private. We don't want trespassing on our 2 lots. We have valuables which aren't fenced. We have valid concerns about crime, vandalism, and theft. We don't want garbage and litter left on our lots, which is a current issue. We want these issues to be addressed. We would expect the trees on the west side to be maintained at a reasonable and safe height, which is not currently being addressed. We would want monitoring of the area. We have been to Sacagawea Park in Federal Way. The picnic and play area has homeless people lying on the ground. It's not a safe feeling. We recently stopped going there.