

**From:** [Edward Sheets](#)  
**To:** [PRC](#)  
**Cc:** [Mary Bernson \(marybernson@gmail.com\)](mailto:marybernson@gmail.com)  
**Subject:** FW: Project #3035906-LU, the proposed building at 4529 Sand Point Way NE  
**Date:** Wednesday, August 11, 2021 10:39:42 AM

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**CAUTION: External Email**

Please include this letter in the file for Project #3035906-LU, the proposed building at 4529 Sand Point Way NE.

Thank you.

Edward Sheets

4545 Sand Point Way NE, #801  
Seattle, WA 98105

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**From:** Edward Sheets  
**Sent:** Wednesday, August 11, 2021 9:43 AM  
**To:** dean.griswold@seattle.gov; Greg.Johnson@seattle.gov  
**Cc:** Alex.Pedersen@seattle.gov; Thaler, Toby <Toby.Thaler@seattle.gov>; Mary Bernson (marybernson@gmail.com) <marybernson@gmail.com>; Liz Dodds <liz.dodds@gmail.com>; Howie Colman <rtsfotog@protonmail.com>  
**Subject:** Project #3035906-LU, the proposed building at 4529 Sand Point Way NE

August 11, 2021

Mr. Greg Johnson and Dean Griswold  
SDCI

Via email

Dear Mr. Johnson and Mr. Griswold:

I am writing regarding project #3035906-LU, the proposed building at 4529 Sand Point Way NE. I am a Party of Record and have filed comments at each stage of this process. This is an addendum to my comments to address a correction letter regarding the shoring and foundation for the proposed building.

On May 12, 2021, Mr. Dean Griswold issued Correction Notice #1 for ECA GEOTECH. The project number for this review was #6764723-CN for the proposed building at 4529 Sand Point Way NE. Under the section on "Protection of Adjacent Properties" the letter addresses two shoring issues.

The developer has provided some information that was not responsive. I urge SDCI to issue a revised correction letter based on my comments below and seek detailed plans from the developer that demonstrate how they will address these important concerns. The correction letter should insist on written approval of any plans by the Laurelhurst Condominium

Association.

## **1. Property to the north of 39<sup>th</sup> Avenue**

The Correction letter states:

Upload to the document portal written permission from the owner of the property to the north of 39<sup>th</sup> Avenue NE, allowing the installation of ground anchors within their property, with the condition that the ground anchor will be de-tensioned once the associated lateral support from the ground anchors is no longer needed.

...

If written permission for ground anchors onto the property at 3626 NE 45<sup>th</sup> Street cannot be obtained, modify the shoring system such that no ground anchors encroach upon that property.

The area immediately north of the site is 39<sup>th</sup> Avenue, a public right of way. The parcel north of the right of way is a parking area owned by the building at 3626 NE 45<sup>th</sup> Street. As shown in the Mead Gilman land survey (PDF page 8/35 of the Plan Set), the freshwater water main for our condominium building is located under the right of way on 39<sup>th</sup> Avenue and very close to the property line of the proposed building.

A shoring system that would extend under 39<sup>th</sup> could damage or break our water main and cause significant damage and disruption to the 80 residents that live in our building.

The correction letter should be revised to recognize the location of the water main and require our Association's permission for any activity that could affect this critical piece of our building's infrastructure. While I do not speak for our Association Board, I am certain that it would not approve any shoring system that could damage our water main. The plans should clearly demonstrate how the shoring system will be modified to avoid any encroachment or damage to our water main. The construction plan should also address continued access to our back parking lot from 39<sup>th</sup> Avenue during construction.

## **2. Protection of adjacent property at 4545 Sand Point Way**

The correction letter states:

Create a construction record for the adjacent property to the northeast, the condominium property, upon which soldier piles are shown on the shoring drawings. Upload to the document portal for the adjacent property a set of plans that show the construction activity proposed for that property.

Include on the shoring plans for 6764723-CN reference to the Construction Record for 4545 Sand Point Way NE for the portion of the shoring system to be constructed on that property.

...

If you are not able to create a construction record for the adjacent property at 4545 Sand Point Way NE, then modify the plans and shoring system so that the shoring and project remain on the subject property, and demonstrating that the property at 4545 Sand Point Way NE will be protected during construction.

The Mead Gilman land survey shows two natural gas lines under the 4529 property. One that

was connected to the bike shop that used to be on the property, the other natural gas line serves our condominium building. The gas line would be damaged by any foundation or shoring work associated with the proposed building. I am sure that residents in our building will not support any proposals that affects our natural gas line.

The survey also shows the easement our Association has given to the 4529 property (#20070807001134, recorded on August 7, 2007). It is important to note that that easement states:

The Easement Area is currently used for parking, loading, and unloading. This easement is limited solely to its current uses as described in the preceding sentence, and shall be used for no other purpose.

The easement clearly states that it cannot be used for any other purpose. The plans need to be revised so this area is used for parking, loading, and unloading. The easement clearly does not allow a shoring system or any construction activity.

If there is any other use for this area, I assume our Condominium would revoke the easement. The easement clearly states that: "In the event Grantee causes or allows any other use in the Easement Area, this easement shall terminate provided that Grantor gives Grantee written notice of termination with a sixty (60) day right to cure." I would expect that our Association would not agree to any changes in the activities permitted on or under our easement property.

The survey does not show the carport parking lot for our building that is located next to and several feet below the level of the 4529 property. The survey does not show our underground parking garage that is one level below the carport. These structures could be damaged by any shoring systems near our property, and I expect that our Association Board would not approve any construction or shoring systems that could damage our garages.

The survey does not clearly show the structural wall between our building and the proposed building. I expect that our Association Board would not approve any construction or shoring activity that could damage that structural wall.

The photograph below shows the structural wall and the carport next to the 4529 property.



**Conclusion:** I request that the correction letter be modified to address the protection of our building's water main, natural gas line, parking garages, structural wall, and easement. The developer should revise the plans to provide sufficient setbacks on 39<sup>th</sup> Avenue and our property line so any foundation or shoring system does not have any effect on our property or critical infrastructure. The plan should include how the easement will be used for "parking, loading, and unloading". The developer needs to describe in detail the cantilever scheme being proposed. My neighbors and I will oppose any foundation, shoring, or construction plan that does not fully address all of these issues and provide sufficient setbacks to protect our property.

Sincerely,

Edward W. Sheets  
4545 Sand Point Way NE, #801  
Seattle, WA 98105

cc: Alex Pedersen  
Toby Thaler  
Mary Bernson  
Liz Dodds  
Howard Colman