

Meeting Minutes.

Meeting Descriptions: The following meeting minutes represent my interpretation of the meeting content, decisions, and notable responsibilities. The below is not intended to represent the full content and dialog of the meetings.

Date: February 21, 2017

STAFF MEETING		
Public Works Director	Terry Clements	tclements@othellowa.gov
City Administrator	Wade Farris	wfarris@othellowa.gov
Wastewater Supervisor	Jim Laird	jlaird@othellowa.gov
Com. Dev. Director / Building Official	Travis Goddard	tgoddard@othellowa.gov
Water Supervisor	Dan Quick	dquick@othellowa.gov
City Engineer (Varela)	Kurt Holland	kholland@varela-engr.com

**Attend
ees**

General discussion points were to prepare the dialog for meetings in the afternoon with CBHA and Angel Garza.

Meeting specific notes are intermixed were necessary to convey the topic, otherwise they are broken out and noted in minutes following the below.

- I. Storm water: City staff have initiated steps to begin a stormwater utility. This process will include some decisions regarding storm flows and development expectations regarding such: should the conveyance system be sized for peak flow or should development be responsible for reducing some of the peak flows via storm ponds or other.
- II. Irrigation Utility (non-potable water system). KH noted that Varela and the City attorney have been crafting language for non-potable water system – ordinances, standards, and noted some complications with the proposed system if it was going to be pressurized, etc. DQ noted the system should not be pressurized – full pipe gravity flow – individual systems would have to pump if necessary.
- III. Angel Garza: Mr. Garza is proposing a phased development in the southern ¼ section confined by 7th and 14th Avenues and Lee and Olympia Roads. The property is currently irrigated farmed land. Phase I of the project is believed to be 27 +/- homes along Olympia.

City Infrastructure:

Water Mains:

The water main on Olympia between 11th and 7th needs to be replaced: it is AC and not conveniently located on the south edge of the ROW. There was some discussion about locating a reservoir near the north end of the site and potentially leveraging water money on Lee Road repairs.

Storm Sewer:

Overall: stormwater will have to be extended west on Olympic to Broadway and down Broadway to the intersection of Fir. It is likely the existing piping in Broadway from Fir to Main Street would have to be replaced (upsized).

Phase I: install the storm system in Olympia and improve up-gradient conditions for non-degradation to existing facilities to the south and west. This may or may not include the intersection of Olympia and 7th.

Sanitary Sewer:

Overall: the future sanitary sewer collection system will have to be extended along the Olympia alignment from 7th to Broadway. It is not known at this time if the piping in Broadway is of sufficient size for the proposed development and potential high school just north of the Garza project.

Phase I: it would appear most of the assumed phase I lots could be gravity served from 9th Street. Kurt indicated the system had capacity for the proposed 27+/- lots, City staff noted agreement for the initial phase of the project.

Purple Piping System:

Overall: there will be a new turnout deeded over to the City at the intersection of Lee and 14th. Phase I work will have to include the infrastructure to get the non-potable (irrigation) from the turnout to the site.

Roads:

The City's preference would be to have 9th, 11th, and 13th Avenues be continuous through the project.

Potential City Infrastructure Improvement Projects:

Broadway Improvements: full length reconstruction of Broadway from Main Street to Lee Road – update the associated infrastructure, realign road, etc. Notable improvements include:

- Water: replace +/- 1,000 feet of existing AC water main
- Storm sewer: extend sewer north from Fir Street, upsize the existing infrastructure from Fir to Main.
- Sanitary Sewer?
- Purple Pipe – probably not.

Funding –

TIB for the street repairs and storm system improvements.

Industrial contributions (s)

Garza and High School latecomers (?)

Lee Road Reconstruction: full length road reconstruction of Lee Road from Broadway to 14th Avenue, and improvements to include turning and acceleration lanes. Other notable improvements include:

- Storm system improvements
- Raising road grades
- Wrap improvements down 14th and 7th Avenues
- Water on 7th Avenue
- Sanitary on 7th



MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Project Name: Sand Hill Estates

Description of Proposal: Subdivide 10 acres into 30 residential lots in the R-1 and R-2 Zones. This is the first phase of a project with approximately 248 lots at full build out. Improvements to Olympia, 7th, 9th, 11th, 13th, and 14th Avenue will be constructed in this first phase.

Proponent: Angel Garza, Sand Hill Estates LLC, Othello, WA

Location: North of Olympia Street, from 7th Avenue to 14th Avenue. Street stubs for continuing 9th, 11th, and 13th Avenues to the north will be constructed in this first phase.

Lead Agency: City of Othello

The lead agency for this proposal has determined that it does not have a probably significant adverse impact on the environment provided the mitigation measures listed below are complied with. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Mitigation Requirements:

1. During construction, any release of oil, hydraulic fluids, fuel, other petroleum products, paints, solvents, or other deleterious materials must be contained and removed in a manner that will prevent their discharge into water or soil. The cleanup of spills shall take precedence over other work on the site.
2. The proponent shall use best management practices for controlling and treating stormwater in compliance with the water quality and quantity standards of the Stormwater Management Manual for Eastern Washington and shall meet the state's non-endangerment standard for groundwater. Drywells and other underground injection control devices for managing stormwater are required to be registered with the Department of Ecology and comply with Ecology Publication 05-10-067, "Guidance for UIC Wells that Manage Stormwater." Documentation of compliance with the Manual and Publication 05-10-067 and of how the non-endangerment standard will be met for street drainage shall be submitted to the Public Works Department before street construction plans are approved.
3. The proponent must apply for coverage under the Department of Ecology's Construction Stormwater General Permit at least 60 days prior to start of construction, unless determined by Department of Ecology to not be required. Whether or not an Ecology

permit is required, construction stormwater must be treated before it contacts the municipal stormwater system, to prevent contamination with sediment and other pollutants.

4. The proponent shall retain sediment on site and employ measures to prevent tracking of materials onto City streets during construction, through measures such as an appropriately-sized and designed construction entrance. The proponent shall submit a proposal to the Public Works Director for review and approval before construction begins.
5. Where fills are placed, including fill from on-site grading, the fill shall be placed in accordance with accepted engineering practice. All fill materials shall be limited to clean soil and gravel or other similar materials. Before building permits are issued for any location with fill, the proponent shall submit a soil investigation report and compaction report, both acceptable to the Building Official, in the location of the footings for any new structures.
6. Since ground disturbance leads to weeds and dust, the portions of the site not proposed for development at this time shall remain undisturbed as much as possible. Disturbed areas that will not be built on, paved, or landscaped for more than 90 days shall be stabilized through long-term methods such as establishing dryland grasses or native shrub/steppe. The proponent shall ensure that nuisances, such as weeds and dust, do not develop. If the erosion control measures proposed by the applicant are found to be insufficient during the course of the project, the applicant shall immediately implement further erosion control measures.
7. To facilitate orderly flow of traffic, provide safe pedestrian facilities, and provide sufficient utility connections, the developer shall construct full-width street and utility improvements to Public Works Standards for all streets within and abutting the plat, and shall connect the streets and utilities to existing improved streets and utilities. Improvements shall be constructed and accepted by the City Council or a form of security acceptable to the City Attorney shall be provided before the final plat is submitted for review.
8. The existing sanitary sewer system has adequate capacity for the first 30 lots as proposed. However, future phases will exceed the existing sewer capacity of the area. Therefore, the proponent will be responsible for a portion of the cost of additional mains and/or increased pipe diameter to increase the capacity of the system.
9. In order to avoid impacts to the public caused by needing to reconstruct the streets and utilities twice, the developer shall plan the utilities for whole development now to avoid having to tear up the streets again in the near future to install utilities for the future phases. The developer shall submit the overall plan before the street and utility improvement plans for the current phase are approved.
10. To provide adequate irrigation infrastructure and decrease impacts caused by irrigating with scarce drinking water, the proponent shall install irrigation mains and services as specified by the Public Works Director. The proponent shall include the irrigation mains and services on the street and utility construction plans.
11. Due to the large influx of traffic on the existing infrastructure caused by the addition of approximately 248 dwelling units at full build out of future phases, traffic impacts will need to be analyzed and mitigated. The developer shall provide a Traffic Impact Analysis that meets the requirements of the City, as part of the complete application for the second

phase of the development. The traffic analysis shall address current traffic, projected traffic from the proposed development at full build out as well as other known and likely proposed developments in the area, turning movements, and evaluate mitigation measures. The developer shall consult with the City to determine the scope of the analysis. The developer should be aware that the analysis may identify mitigation that should have been done during the first phase, as part of the construction of the internal or abutting streets. This mitigation will still be required, even if the construction has been completed; i.e. the developer may need to remove and replace improvements constructed before the traffic study was completed. The developer will be responsible for these costs.

12. Fire hydrants are required and must be installed by the developer and be operational prior to the arrival of combustible material on site. Hydrant spacing and locations shall be as approved by Public Works and the Adams County Fire Department.
13. RCW 58.17 requires that subdivisions make adequate provisions for parks and recreation. Per OMC 16.20, residential developments including subdivisions shall include as a condition of approval either a portion of the site to be developed as open space for public purposes or the payment of a fee in lieu of dedication, or a combination of both. Required area of land dedication is 5% of the gross area and must be qualified open space that meets the requirements of OMC 16.20. For this 10-acre project, required dedication would be 0.5 acres. The fee in lieu of dedication is 5% of the value of the gross area of the development and is calculated as follows: Assessed value of residential lots in the surrounding area is approximately \$30,000/lot. (The somewhat larger lots to the south of the current development are assessed at \$31,300 each, except that substantially larger lots are assessed higher. Lots fronting Olympia west of 7th Avenue range from \$27,300 to \$30,600, but are smaller than the proposed Sand Hill lots. Therefore, an in-between number of \$30,000 was assigned to the Sand Hill lots). The Sand Hill Estates parcel can be divided into 30 lots as shown on the preliminary plat. Therefore the value of the parcel is $30 \times \$30,000 = \$900,000$. Five percent of is \$900,000 is \$45,000. The developer shall either dedicate the required amount of qualified open space on the final plat or pay the fee in lieu of dedication to the City of Othello before the final plat is recorded with the County. If the number of lots or area being subdivided changes before the plat is recorded, the amount of land to be dedicated or the fee in lieu of dedication may be recalculated.
14. Per OMC 16.05.080, the owner of a new subdivision shall assign and transfer to the City any perfected application, certificate, permit, or right of withdrawal of ground or surface waters, or such other water rights as may be appurtenant to such property in such quantity as is sufficient to serve the property. This assignment and transfer shall not apply to properties which receive sufficient irrigation water services provided under a perfected water right from a city-approved irrigation service provider. In the event there are no water rights, the property owner shall pay to the City, in lieu thereof, a water rights acquisition fee as established by the City Council. Such fee may be waived by implementation of a soil additive program, approved by the City, that provides for the retention of 30% or more of the applied irrigation water. The transfer or payment shall be completed before the plat is recorded.
15. The proponent shall ensure that all contractors and sub-contractors are aware of the relevant conditions.

Comment Period: This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS.

Responsible Official: Anne Henning, Community Development Director
500 E. Main Street, Othello, WA 99344; 509-488-5686

Date: August 15, 2017

Signature:



Appeals: Procedural appeals of compliance with WAC 197-11 may be made no later than August 29, 2017 by writing to the Responsible Official at the above address. You should be prepared to make specific factual objections. Contact Anne Henning to read or ask about the procedures for SEPA appeals.

for a 1- and 2-Family Subdivision is a 5'-wide Type III buffer. A Type III buffer for a residential subdivision consists of a mix of trees, with one tree for each 40 lineal feet of frontage, and ground cover (OMC 14.57.050(c)(1). In addition, OMC 14.57.040(c) requires the required front yard setback of all residential uses to be landscaped within one year of occupancy and maintained.

Conclusion (Land Use): Staff concludes that as conditioned, the proposed project can meet applicable OMCs, the City's Comprehensive Plan, and makes adequate provisions for public health, safety, and welfare.

Public Works and Engineering:

Finding 1 – The right-of-way for Olympia is proposed at 68 feet, 35' on the project side and 33' on the existing developed side. The standard for a Collector is 70' as shown on the City of Othello Public Works Design Standards, Figure S1, Minimum Street Standards. The development is meeting the right-of-way width standard for its half of the street, and an appropriate street can be built in the slightly smaller right-of-way proposed. 7th Avenue is shown as 40' on the development side, which would match with an 80' Arterial street. The developer is dedicating 10' of additional right-of-way to get the Arterial width on 7th Avenue. 14th Avenue is shown as 38' on the development side. 14th Avenue is complicated by the existence of a canal on the east side. Total right-of-way width for 14th is proposed as 70' rather than the 80' standard for an Arterial; however, parking and sidewalks will not be needed on the east (canal) side, reducing the right-of-way required. Staff and the developer are working on a striping plan for 14th Avenue. 9th, 11th, and 13th Avenues show 66' of right-of-way, which meets the standard for a Neighborhood Street.

Finding 2 - Chapter 16.29 "Design Standards" – Full width street improvements are required by Chapter 16.29.140 along the boundary of a subdivision. In this case where the streets are existing and being used, even in their substandard condition, it is appropriate for the City to participate in the cost to improve the existing portions of the streets. A development agreement is in progress. The end result will be streets to current standards, with slight modifications where existing conditions (such as the canal east of 14th and the houses south of Olympia) preclude 100% compliance. Street lighting will be provided in accordance with OMC 16.17.030(b)(7)(P)(i).

Finding 3 – Sidewalks – 7th and 14th Avenues will likely be constructed without sidewalks on the sides not abutting the development (west side of 7th, east side of 14th). The sidewalks on 7th would be required when the abutting property is developed. Sidewalks on the canal side (east) of 14th are not needed.

Finding 4 – Because this plat is the first phase of a much larger development, additional utility connections will be needed in the future, to support the additional development. As a result, the MDNS includes a condition that the utilities for full build-out of the development be planned before utilities are installed for this first phase, so that the streets are not torn up a second time to install the utilities needed for the additional development. The most likely change needed is a deeper sewer main crossing 7th Avenue, to connect to

a future sewer main to the west, eventually connecting to Broadway. The existing system in the area does not have the capacity to serve full build-out of the development.

Finding 5 – The additional right-of-way abutting the plat side of both 7th and 14th Avenues is needed for the irrigation mains. The 10' public utility easement abutting the right-of-way is used for other utilities such as gas, fiber, telephone, and electric. In order to extend these utilities, including irrigation, the property owner may need to grant easements and/or right-of-way on his property to the north, and may need to acquire additional right-of-way and/or easements to the north.

Finding 6 – The location of fire hydrants is subject to review and approval by the Fire Chief, but must also meet the minimum requirement of OMC 16.33.030, spacing at 500' intervals.

Finding 7 – Construction Plan Review – Prior to construction, plans and profiles of the proposed infrastructure shall be submitted to the City. Plans must meet the Public Works Design Standards.

Conclusion (Public Works and Engineering): As conditioned, the proposed project is able to meet the standards set forth in the applicable Othello Municipal Code and Public Works Standards.

Fire Protection:

Finding 1 – Hydrants taken out of service temporarily shall be bagged; the outages shall be kept to a minimum.

Finding 2 – Emergency vehicle access to existing homes shall be maintained.

Finding 3 – Future development to the north of the proposed 30 lots in this plat will require additional access and fire flow.

Finding 4 – A temporary firebreak shall be created and maintained by the developer at the north side of Lots 1-30; this firebreak is temporary and will be redeveloped with future development. The firebreak shall consist of land at least 10' wide that has been cleared, plowed, or planted with fire-resistant vegetation to prevent a fire from spreading.

Conclusion (Fire Protection): Provided the recommended conditions of approval are included in the decision, Adams County Fire District #5 concludes the proposed development can meet the standards necessary for an approval of the project.

Bureau of Reclamation:

Finding 1 – This project is located within Farm Units 87 and 88 in Block 45, Othello. The Bureau of Reclamation currently has surface and ground water irrigation facilities (EL68 and EL68M laterals and the EL68M Wasteway). The facilities are in close



MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Project Name: Sand Hill Estates #6 Short Plat & Multi-Family Development

Description of Proposal: Create a 1-lot short plat of 9.3 acres in the R-4 Residential District, and construct the first phase of an apartment project, including 2 buildings with 24-units each, and a 1600 SF office/storage building for the complex. Apartment development in this phase is approximately 3.3 acres. Full build-out in future phases is proposed as 10 apartment buildings, 240 units total. The site will be accessed off 8th Avenue, which connects to Cascade Street. There will be emergency access off 7th Avenue, and future access off 11th Avenue.

Deferrals were requested to delay extending sewer and water mains through the development, dedicating easements for those utilities, and street and utility improvements for 11th Avenue.

Proponent: Angel Garza, Palos Verdes LLC, PO Box 464, Othello, WA 99344

Location: North of Sand Hill Estates #4, north of Cascade Street, between 7th and 11th Avenues. The project includes most of Revised Tax #2661 and a small portion of Revised Tax #2660, Parcel #1529030682661 & -2660.

Lead Agency: City of Othello

The lead agency for this proposal has determined that it does not have a probably significant adverse impact on the environment provided the mitigation measures listed below are complied with. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Mitigation Requirements:

1. During construction, any release of oil, hydraulic fluids, fuel, other petroleum products, paints, solvents, or other deleterious materials must be contained and removed in a manner that will prevent their discharge into water or soil. The cleanup of spills shall take precedence over other work on the site.
2. The proponent shall use best management practices for controlling and treating stormwater in compliance with the water quality and quantity standards of the Stormwater Management Manual for Eastern Washington and shall meet the state's non-endangerment standard for groundwater. Drywells and other underground injection control devices for managing stormwater are required to be registered with the

Department of Ecology and comply with Ecology Publication 05-10-067, "Guidance for UIC Wells that Manage Stormwater." Documentation of compliance with the Manual and Publication 05-10-067 and of how the non-endangerment standard will be met for street drainage shall be submitted to the City Engineer before street construction plans are approved.

3. The proponent must apply for coverage under the Department of Ecology's Construction Stormwater General Permit at least 60 days prior to start of construction, unless determined by Department of Ecology to not be required. Whether or not an Ecology permit is required, construction stormwater must be treated before it contacts the municipal stormwater system, to prevent contamination with sediment and other pollutants.
4. The proponent shall retain sediment on site and employ measures to prevent tracking of materials onto City streets during construction, both of streets/utilities and individual houses.
5. Where fills are placed, including fill from on-site grading, the fill shall be placed in accordance with accepted engineering practice. All fill materials shall be limited to clean soil and gravel or other similar materials. Before building permits are issued for any location with fill, the proponent shall submit a soil investigation report and compaction report, both acceptable to the Building Official, in the location of the footings for any new structures.
6. Since ground disturbance leads to weeds and dust, the portions of the site not proposed for development at this time shall remain undisturbed as much as possible. Disturbed areas that will not be built on, paved, or landscaped for more than 90 days shall be stabilized through long-term methods such as establishing dryland grasses or native shrub/steppe. The proponent shall ensure that nuisances, such as weeds and dust, do not develop. If the erosion control measures proposed by the applicant are found to be insufficient during the course of the project, the applicant shall immediately implement further erosion control measures.
7. To facilitate orderly flow of traffic, provide safe pedestrian facilities, and provide sufficient utility connections, the developer shall construct full-width street and utility improvements to Public Works Standards for all streets within and abutting the plat, and shall connect the streets and utilities to existing improved streets and utilities. Improvements shall be constructed and accepted by the City Council or a form of security acceptable to the City Attorney shall be provided before the final plat is submitted for review.
8. Because this portion of the project with 48 multi-family units will not likely generate more traffic than the 60 single-family units expected when the traffic study was completed, no update to the traffic study is being required at this time. However, future phases of the multi-family development and/or any development of the remaining vacant land to the east will require an update of the traffic study and may require mitigation.
9. Because this portion of the project with 48 multi-family units will not likely generate more sewage flow than the 60 single-family units expected when the Sand Hill Estates development was reviewed, no study of sewer capacity is being required at this time. However, future phases of the multi-family development and/or any development of the remaining vacant land to the east will require analysis of sewer capacity and may require mitigation if capacity is not adequate.

10. Fire hydrants are required and must be installed by the developer and be operational prior to the arrival of combustible material on site. Hydrant spacing and locations shall be as approved by Public Works and the Adams County Fire District #5.
11. RCW 58.17 requires that subdivisions make adequate provisions for parks and recreation. Per OMC 16.20, residential developments including subdivisions and apartments shall include as a condition of approval either a portion of the site to be developed as open space for public purposes or the payment of a fee in lieu of dedication, or a combination of both. For multi-family development, the required area of land dedication is 10% of the gross area and must be qualified open space that meets the requirements of OMC 16.20. For this 9.3-acre project, required dedication would be 0.93 acres. The fee in lieu of dedication is 10% of the value of the gross area of the development and is calculated as follows: Assessed land value of the most recent nearby development with assessments, Sand Hill Estates #3, is \$1,173,000 for all the lots on the portion west of 11th Avenue, which is very similar in size and location to the subject property. Ten percent of \$1,173,000 is \$117,300. The developer shall either dedicate the required amount of qualified open space on the final plat, pay the fee in lieu of dedication to the City of Othello before the final plat is recorded with the County, or pay the proportionate amount (\$11,730, assuming 10 apartment buildings total) as each building permit is issued. If the number of buildings developed or area being subdivided changes, the amount of land to be dedicated or the fee in lieu of dedication may be recalculated.
12. Per OMC 16.05.080, the owner of a new subdivision shall assign and transfer to the City any water rights appurtenant to the property. If there are no water rights, the property owner shall pay to the City, in lieu thereof, a water rights acquisition fee. Per Resolution 2007-05, the fee in lieu of assignment of water rights is \$1500 per acre platted. For this plat of 9.3 acres, the fee is $9.3 \times \$1500 = \$13,950$. The transfer or payment shall be completed before the plat is recorded, or a proportionate share (\$1395, assuming 10 apartment buildings) may be collected with each building permit. If the number of buildings developed or area being subdivided changes, the fee in lieu of dedication may be recalculated.
13. The proponent shall ensure that all contractors and sub-contractors are aware of the relevant conditions.

Comment Period: This MDNS is issued after using the Optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Anne Henning, Community Development Director
500 E. Main Street, Othello, WA 99344; 509-488-5686

Date: April 4, 2024

Signature:



Appeals: Procedural appeals of compliance with WAC 197-11 may be made no later than April 18, 2024 by writing to the Responsible Official at the above address. You should be prepared to make specific factual objections. Contact Anne Henning to read or ask about the procedures for SEPA appeals.