



The City of Othello

500 East Main Street OTHELLO, WASHINGTON 99344 Telephone (509) 488-5686
Fax (509) 488-0102

November 13, 2018

Todd McLaughlin
Avista Corporation
PO Box 3727 MSC-21
Spokane, WA 99220-3727

Re: E. Lee Road Parcel Rezone (revised application) – Notice of Completeness

Dear Todd:

As the applicant for this project, all correspondence will be directed to you.

We have reviewed the submittals for this project, and have determined it complete for further review as of the date of this letter. This Notice of Completeness does not preclude the City from requesting additional information during the review process.

Now that the application has been determined to be complete, the next steps in the process are to post a notice board on-site, mail notice to property owners within 300', notify relevant agencies and departments, and publish notice in the newspaper and at City Hall. The applicant is responsible for posting the notice board. As we discussed, you already have a notice board checked out to you, and you have local staff who will post the new notice on it. An affidavit of posting is required at least seven days before the end of the comment period. The public hearing is scheduled for January 10 at 2:00 PM.

If you have any questions, feel free to contact me at ahenning@othellowa.gov or 509-331-2710.

Cordially,

Anne Henning
Community Development Director

Note: The Laminated Notice of Application for Notice Board Posting (4 pages) & Affidavit of Posting will be available for your local staff to pick up.

cc: P.J. Taggares Co, 1567 Highlands Dr. NE, Ste. 110, Issaquah, WA 98029-6256
Alfred & Jodi Ochoa, 850 N. Broadway, Othello, WA 99344



The City of Othello

500 East Main Street OTHELLO, WASHINGTON 99344 Telephone (509) 488-5686
Fax (509) 488-0102

Notice of Development Application/Optional DNS/Public Hearing

The City of Othello Community Development Department has received an application for development review, as described below. You are invited to comment on this proposed project, receive notice of and participate in any hearings, and request a copy of the decision once made.

Project Name: East Lee Road Parcel Rezone

Date Application Submitted	Nov. 9, 2018	Date Determined Complete	Nov. 13, 2018
Notice of Application	Nov. 13, 2018		
Comment Due Date	Nov. 30, 2018	Public Hearing	Jan. 10, 2018

Project Description: Rezone 40 acres from Open Space Reserve to I-1 Industrial. (This is a revised application; the earlier submittal was to rezone a smaller total area.)

Project Location: South of Lee Road and west of 7th Avenue. Parcel A is 20.1 acres and described as 300 E. Lee Road, Tax #2599 out of Tax #1076, Othello Tracts, Parcel #1529030682599. The site contains 2 large potato cold storage buildings. Parcel B is 20.1 acres between Parcel A and 7th Avenue. It is described as Tax #2600 out of Tax #1076, Othello Tracts, Parcel #1529030682600. This site is currently farmed but a portion is proposed to be redeveloped in the future as a substation for Avista Utilities. The substation and any other future development will be separate applications.

Project Applicant: Todd McLaughlin, Avista Utilities, Spokane

Environmental Review: The City of Othello has reviewed the proposed project for probably adverse environmental impacts and expects to issue a Determination of Non-Significance (DNS) for this project. The optional DNS process in WAC 197-11-355 and Othello Municipal Code (OMC) 19.09.040(b) is being used. **This may be your only opportunity to comment on the environmental impacts of the proposed project.**

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. Comments must be submitted by the date noted above to City Hall, 500 E. Main Street, Othello, WA 99344 or via e-mail at ahenning@othellowa.gov.

As lead agency, the city expects that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development

regulations and comprehensive plan, and in other applicable local, state, or federal laws and rules, as provided by RCW 43.21, WAC 197-11-355, and OMC 13.04. No additional mitigation under SEPA is expected to be required.

Required Permits: The following local, state, and federal permits/approvals are needed for the proposed project: Rezone. The future substation will go through a separate permit process when it is proposed.

Required Studies: None

Existing Environmental Documents: None

Consistent with the Comprehensive Plan Yes No

Preliminary determination of development regulations that will be used for project mitigation and consistency: 13.04 (SEPA); Title 17 (Zoning); Title 19 (Development Code); and the City of Othello Comprehensive Plan.

Public Hearing: Thursday, January 10, 2:00 PM; City Council Chambers, Othello City Hall

Information regarding this application can be obtained by contacting city staff at the contact listed below or in person at City Hall, 500 E. Main Street, Othello, WA 99344.

Public Comment

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

Written comments may be submitted in person or by mail at City Hall, 500 E. Main Street, Othello, WA 99344 or via e-mail at ahenning@othellowa.gov.

An accurate mailing address for those mailing comments must be included or they will not qualify as a party of record and, therefore, may not have standing to appeal the decision.

Public Comment Deadline: November 30, 2018

SEPA Options

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], the City of Othello must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS – Determination of Significance:** The impacts cannot be mitigation through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS – Mitigation Determination of Non-Significance:** The impacts can be addressed through conditions of approval, or;

- **DNS – Determination of Non-Significance:** The impacts can be addressed by applying the Othello Municipal Code.

If no substantive comments which warrant the changing of the SEPA determination stated above, the **SEPA Determination Date will be December 3, 2018** (the next business day after the comment period ends).

Responsible Official: Anne Henning, Community Development Director

APPEALS

The City’s procedural compliance with SEPA may be appealed to the Hearing Examiner by the applicant or any “Party of Record”. To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Per WAC 197-11-680(3)(iii), appeals on SEPA procedures are limited to review of the final threshold determination and final EIS (if any).

An accurate mailing address for those submitting comments must be included or they will not qualify as a “Party of Record” and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal to the Hearing Examiner within 14 calendar days after the notice of the decision is made available.

Attachments

- Appendix A: Maps (Parcel Map & Location within Zoning & Growth Area Map)
- Environmental Checklist

Review copies have been routed to:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Building | <input checked="" type="checkbox"/> Avista Energy | <input checked="" type="checkbox"/> DAHP |
| <input checked="" type="checkbox"/> Public Works | <input checked="" type="checkbox"/> Big Bend Co-op | <input checked="" type="checkbox"/> Dept. of Ecology |
| <input checked="" type="checkbox"/> Othello Police | <input checked="" type="checkbox"/> Communications Company | <input checked="" type="checkbox"/> WDFW |
| <input checked="" type="checkbox"/> Varela | <input checked="" type="checkbox"/> Gas Company | <input checked="" type="checkbox"/> WSDOT |
| <input checked="" type="checkbox"/> ACFD #5 | <input checked="" type="checkbox"/> Telephone Company | <input checked="" type="checkbox"/> US Fish & Wildlife |
| <input checked="" type="checkbox"/> County Assessor | <input checked="" type="checkbox"/> Bureau of Reclamation | <input checked="" type="checkbox"/> Yakama Nation |
| <input type="checkbox"/> County Bldg/Planning | <input checked="" type="checkbox"/> Irrigation District | <input checked="" type="checkbox"/> Nez Perce Tribe |
| <input type="checkbox"/> County Public Works | <input checked="" type="checkbox"/> Port of Othello | <input checked="" type="checkbox"/> Wanapum Tribe |
| <input checked="" type="checkbox"/> Health District | <input checked="" type="checkbox"/> ACDC | |

Anne Henning

From: Anne Henning
Sent: Tuesday, November 13, 2018 3:22 PM
To: Tim Unruh (tunruh@othellowa.gov); Terry Clements (tclements@othellowa.gov); Phil Schenck (pschenck@othellowa.gov); Ethan Porter; Gary Lebacken (glebacken@acfd5.com); Sherri Brewer (sherrib@co.adams.wa.us); Sandy Burchell; Timm Taff; Ian Eccles (ian.eccles@avistacorp.com); Mark Hay; Big Bend Electric Cooperative (kmesserschmidt@bbec.org); Shane Sisson (Shane.sisson@centurylink.com); Scott Nichols (snichols@nctv.com); Sam Grant (sam.grant@cngc.com); Downs, Lindsay; 'Clyde Lay'; Robin Armacost-Felton; 'Chris Faix'; Janis Rountree (janis@growadamscounty.com); (sepa@dahp.wa.gov); SEPA Register (SEPARegister@ecy.wa.gov); Eric Pentico (Eric.Pentico@dfw.wa.gov); Bill Gould (gouldw@wsdot.wa.gov); US Fish & Wildlife - Columbia National Wildlife Refuge (mcriver@fws.gov); Johnson (johnson@yakama.com); Kate Valdez (kate@yakama.com); Keith P Baird (keithb@nezperce.org); (rbuck@gcpud.org)
Subject: E. Lee Road Parcel Rezone (revised application) - Notice of Application with Optional DNS
Attachments: Avista Rezone NOA optional DNS. Revised Nov 2018.pdf; Avista rezone Appendix A Maps.pdf

Attached is a Notice of Application to rezone 40 acres from Open Space Reserve to I-1 Industrial. This is a larger version of a rezone that was routed Aug. 28. The location is south of Lee Road and west of 7th Avenue, Othello.

The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

The comment period ends November 30, 2018. If we have not received any comments from you by then, we will assume you have no comments.

Please let me know if you need any additional information.

Anne Henning

Community Development Director

City of Othello

ahenning@othellowa.gov

509-331-2710





PUBLIC NOTICE REQUIREMENT AFFIDAVIT OF POSTING

Othello Municipal Code 19.07.070, *Notice of Application*, requires that the property be posted by the applicant, with a land use sign having specific information, and the sign be maintained at least 15 days prior to end of the comment period.

I Todd McLaughlin declare that on 11/19/18, the property was posted with a land use sign and said sign has been maintained with the required information posted through the end of the comment period.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

This document is hereby signed and submitted as evidence for the file.

Signature

Todd McLaughlin
(Please print name)

Avista Corp.

Anne Henning

From: Anne Henning
Sent: Tuesday, November 13, 2018 3:26 PM
To: Legal Notices (legals@columbiabasinherald.com)
Subject: Avista Rezone revised - Newspaper notice
Attachments: Avista Rezone Newspaper Notice. Revised application.doc

Please publish the attached one time in the legal notices of the **Othello Sun Tribune**.
Per our communication earlier today, the next possible publication date is November 21.

Thanks,

Anne Henning

Community Development Director
City of Othello
ahenning@othellowa.gov
509-331-2710



Notice of Public Hearing & Notice of Application with Optional DNS

City of Othello Hearings Examiner – E. Lee Road Parcel Rezone

Avista submitted an application Nov. 9 to rezone 40 acres from Open Space Reserve to I-1 Industrial, south of Lee Road and west of 7th Ave. The application was determined complete and notice of application was issued Nov. 13. A rezone application is the only permit required. The City of Othello has reviewed the proposal for probable adverse environmental impacts and expects to issue a Determination of Non-Significance (DNS). All impacts are expected to be mitigated by existing regulations. The options DNS process in WAC 197-11-355 is being used. **This may be your only opportunity to comment on the environmental impacts of the proposed project.** The application may be reviewed and written comments accepted until 5:00 PM on Nov. 30 at City Hall, 500 E. Main Street, Othello.

Public Hearing: The City of Othello Hearing Examiner will hold a public hearing on the zone change request Thurs. Jan. 10 at 2:00 PM at Othello City Hall, Council Meeting Room, 500 E. Main Street, Othello, WA.

The Council Meeting Room is handicap accessible. Arrangements to reasonably accommodate special needs, including accessibility or an interpreter, will be made with 24-hour advance notice.

For additional information contact the City of Othello at 509-488-5686.

Publish: 11-21-18

Anne Henning

From: Cecilia Suarez <csuarez@columbiabasinherald.com>
Sent: Tuesday, November 13, 2018 3:50 PM
To: Anne Henning
Subject: Re: Avista Rezone revised - Newspaper notice
Attachments: image001.jpg

Good Afternoon Anne

Received Thank you I have this scheduled for November 21, 2018 in the Sun Tribune

Cecilia Suarez
Legal/Obituary Coordinator
Columbia Basin Herald
509-765-4561 ext.100

On Tue, Nov 13, 2018 at 3:29 PM Anne Henning <ahenning@othellowa.gov> wrote:

Please publish the attached one time in the legal notices of the **Othello Sun Tribune**.

Per our communication earlier today, the next possible publication date is November 21.

Thanks,

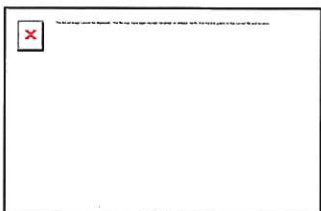
Anne Henning

Community Development Director

City of Othello

ahenning@othellowa.gov

509-331-2710



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- 2018 Land Use Notices
 - o 03-02-18 - Lineage Cold Storage Expansion - Notice of Application
 - o 03-09-18 - Pk a Pop Rebuild - Notice of Application
 - o 03-22-18 - Lineage Cold Storage Expansion DNS
 - o 03-29-18 - Pk a Pop rebuild MIDNS
 - o 05-03-18 - Momentum Short Plat - Notice of Application
 - o 08-06-18 - Octava Short Plat - Notice of Application
 - o 08-17-18 - Sagehills Final Plat - Notice of Application
 - o 09-21-18 - Sagesstone 8 Final Plat - Notice of Application
 - o 10-08-18 - Lee & 14th Short Plat - Notice of Application
 - o 10-18-18 - Momentum Final Plat - Notice of Application
 - o 11-09-18 - Olympia Utility Extension DNS
 - o 11-13-18 - East Lee Road Parcel Rezone - Notice of Application
 - o 12-06-18 - Well 10 & Reservoir DNS
 - o 12-07-18 - East Lee Road Parcel Rezone DNS

City of Othello, Washington
500 E Main Street
Othello, WA 99344
509-488-5685

connect with us





The City of Othello

500 East Main Street OTHELLO, WASHINGTON 99344 Telephone (509) 488-5686
Fax (509) 488-0102

Public Hearing Notice

The City of Othello Hearing Examiner will hold a public hearing on the following project Thursday, January 10, 2019, 2:00 PM; City Council Chambers, Othello City Hall.

Project Name: East Lee Road Parcel Rezone

Project Description: Rezone 40 acres from Open Space Reserve to I-1 Industrial.

Project Location: South of Lee Road and west of 7th Avenue.

- Parcel A is 20.1 acres and described as 300 E. Lee Road, Tax #2599 out of Tax #1076, Othello Tracts, Parcel #1529030682599. The site contains 2 large potato cold storage buildings.
- Parcel B is 20.1 acres and is currently described as Tax #2600 out of Tax #1076, Othello Tracts, Parcel #1529030682600. This site is currently farmed. In the future, a portion may be redeveloped as a substation for Avista Utilities.

More Information

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Public Comment

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An accurate mailing address for those mailing comments must be included or they will not qualify as a party of record and, therefore, may not have standing to appeal the decision.

Public Comment Deadline: January 10, 2019, 2:00 PM

Tagg Investments LLC
C/O Taggares, Peter J III
39060 W 43rd Ave
Kennewick, WA 99337

Terra Gold Farms INC
805 N Broadway Ave
Othello, WA 99344

Othello School District
1025 S 1st Ave
Othello, WA 99344

Palos Verdes LLC
C/O Angel & Yolanda Garza
PO Box 464
Othello, WA 99344105

Taggares CO, PJ
1567 Highlands DR NE, Ste 110 #3
Issaquah, WA 98209

McCain Foods Inc.
Oakbrook Terrance Tower
One Tower Ln, 11th Floor
Oakbrook Terrace, IL 60181

