



**DETERMINATION OF NONSIGNIFICANCE
NOTICE OF ADMINISTRATIVE APPROVAL**
(CPMC 19.12.020)

Community Development Department
625 South College Avenue
College Place, WA 99324
509-394-8524

DESCRIPTION OF PROJECT: The PROJECT proposal includes demolition of the existing residence at 942 NE Spitzenburg Street to make way for construction of five two-story apartment buildings containing four dwelling units per floor for a total of 40 dwelling units with 60 parking stalls.

PROPONENT: Thad Sirmon Real Estate LLC, 54 W Reese Ave., Walla Walla WA 99362, 509-301-3300

DATE OF APPLICATION: October 16, 2018

LOCATION OF PROJECT: 942 NE Spitzenburg Street, College Place, WA 99324

DETERMINATION OF CONSISTENCY: The College Place Comprehensive Plan designates the subject property as Multiple Family Residential. The proposal has been reviewed and is determined to be consistent with that designation and the goals and policies of the Comprehensive Plan. The property is zoned MFR – Multi-Family Residential. The purpose of the MFR district is to accommodate multifamily residences in the vicinity of existing high density residential areas, institutions, commercial areas and major transportation routes, in general. In addition, the RM district encourages efficient residential use while still maintaining a desirable living environment for its inhabitants. The project proposes a permitted use and therefore complies with the requirements of the Zoning Code.

LEAD AGENCY: City of College Place

PERMITS REQUIRED: Grading Permit; Building Permit; Right-of-Way Permit; Sewer Permits; Notice of Intent (NOI) application for Construction Stormwater General Permit (DOE). All engineering architectural, and landscaping plan submittals are required to be stamped by a professional licensed in Washington State.

SEPA DETERMINATION: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is therefore not required under RCW 43.21.C.030 (2) (c). The City of College Place has adopted existing environmental documents authorized under the State Environmental Policy Act (SEPA) authorized by WAC 197-11-600. A copy of the SEPA determination on the proposal may be obtained upon request.

The environmental documents used to evaluate this proposal include the following:

1. The 2018 City of College Place Comprehensive Plan and subsequent updates;
2. Preliminary Site Plan and Conceptual Utility Layout by PBS, dated September 2018;

3. Storm Memorandum by PBS, dated September 19, 2018;
4. DNS issued December 24, 2018;
5. Environmental Checklist, dated October 16, 2018;
6. Traffic Impact Analysis Report by PBS, dated October 2, 2018;
7. Geotechnical Report by PBS, dated July 6, 2018;
8. Fire Flow Letter – City of College Place Public Works & Fire Marshal, dated January 17, 2019.

FINDINGS OF FACT

Upon consideration of all the evidence, testimony, codes, policies, regulations, and other information contained in the file, the undersigned Director issues the following findings, conclusions and Decision approving the site plan application as set forth below.

1. Any statements in previous or following sections of this document that are deemed findings of fact are hereby adopted as such and incorporated by this reference;
2. Application filing date: October 16, 2018;
3. The application was determined to be substantially complete on December 3, 2018;
4. Notice of the application was provided on December 24, 2018 in accordance with the requirements of CPMC Chapter 19.12;
5. On December 24, 2018, the following methods of notification were utilized. Notice of application was sent to surrounding property owners within 300 feet, public agencies and utility companies. The notice was posted on the property; posted in three public places (City Hall, Fire Department, and Annex building); posted on the City Website and published in the Walla Walla Union Bulletin. The SEPA determination was also posted in the SEPA Register;
6. The City issued a DNS – Determination of Nonsignificance on December 24, 2018;
7. Public comment were received during the comment period and are listed exhibits attached to this decision:

Exhibit:

- I. Cascade Natura Gas – December 26, 2018;
 - II. David Corbett – 1042-1062 NE Spitzenburg property owner, December 31, 2018;
 - III. Gary McCracken, Secretary – Green Tank Irrigation District, January 2, 2019;
 - IV. Department of Ecology – January 4, 2019;
 - V. Joanna Cowles Cleveland – 1000 NE Spitzenburg St. resident, January 7, 2019;
 - VI. Walla Walla County Conservation District – January 7, 2019;
8. Land use designation of the site is Multiple Family Residential according to the 2018 College Place Comprehensive Plan;
 9. The project site is zoned MFR Multi-Family Residential. The proposed use is permitted;

10. Storm water management is addressed in the Stormwater Memo. A full stormwater report shall be submitted as part of the civil plan review in accordance with the Stormwater Management Manual for Eastern Washington;
11. Transportation mitigation is not required for this project. A Traffic Impact Analysis was performed by PBS. Traffic improvements beyond frontage improvements proposed by the applicant are not warranted by this development;
12. Critical Areas Protection shall be in accordance with CPMC Chapter 18.10 Critical Area Protection;
13. The City of College Place is the service provider for wastewater. Connection charges are based on the total number of units;
14. The director visited the project site with local wildlife expert Mike Denny and observed, perched in the crown of one of the large sycamores, an adult Red-tailed Hawk, and in the other tree was a squirrel dray (nest) that had been confused with a hawk nest platform. There is no raptor nest on the property.
15. Throughout the process, no one presented any substantive or credible basis in fact or law that would serve as a basis to deny the pending project application. No one presented credible or convincing evidence or testimony sufficient to rebut the City's determination that the proposed project meets applicable development standards and comprehensive plan policies.
16. Except as modified in this Decision, all Findings of Fact, Conclusions and statements of fact are incorporated herein by reference as Findings of the undersigned Director, supporting this Decision and Conditions of Approval.
17. The record demonstrates that the City satisfied its SEPA review process through compliance with applicable review and notice procedures, and that the DNS for the proposal is reasonable, supported by evidence in the record, and capable of being accomplished.
18. Based on all evidence, exhibits and testimony in the record, the undersigned Director specifically finds that the proposed project, as conditioned below, makes appropriate provision for the considerations detailed in applicable law, including without limitation CPMC Title 17, 18 & 19, and that the public use and interest will be served by the proposed project and associated improvements.

CONCLUSIONS OF LAW

1. The project meets the intent of and is consistent with the Goals and Policies of the 2018 Comprehensive Plan and Land Use Map.
2. The project conforms to the requirements of the MFR – Multi-Family Residential zoning district in which it is proposed to be located.
3. The project, with conditions as noted herein, meets the required College Place Development Standards.

4. The project, with conditions as noted herein, does not lower the level of service standard for the affected transportation corridors.
5. The project does not lower the level of service standard for water, sewer or public safety.
6. Based on the Findings as summarized above, the undersigned Director concludes that the proposed project, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the project development meets the standards necessary to obtain approval by the City.
7. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions of Law are hereby adopted as such and incorporate herein by reference.

DECISION

The Development Code Administrator (Director) has confirmed that the site plan submitted for the above described project conforms to the development regulations contained in the College Place Municipal Code, the College Place Standard Specifications, the College Place 2018 Comprehensive Plans, 2014 College Place Water System Plan, Capital Facilities Plan, MUTCD Traffic Standards and has granted preliminary approval of such development plan with conditions. Conditions of approval are those conditions set forth above as well as other conditions respecting grading and drainage, building area, parking, circulation, pedestrian facilities, light and noise, location of water and sewer facilities, building elevations, signage, demolition plans, erosion and sedimentation control, landscaping and irrigation, and other conditions of approval. Further information respecting the Notice of Development Application, Site Plan, and conditions of approval may be obtained from the City of College Place Planning Department at 625 S. College Avenue, College Place, Washington.

The determination of the Director will become final, unless an appeal from a party of record, requesting a public hearing is filed within 14 days of this notice as provided in the College Place Municipal Code 19.15.

Parties with appropriate standing may appeal to the Hearing Examiner of the City of College Place regarding the Lead Agency's decision to enter its Determination of Nonsignificance or the Director's decision to grant administrative approval of the site plan with conditions or both by filing a written Notice of Appeal with the Director at the Community Development Department, City of College Place, 625 S. College Ave., College Place, WA 99324, within fourteen (14) days from the date of this notice. (Closing February 28, 2019 at 5:00 PST) The notice of appeal must contain a concise statement identifying: (1) the decision being appealed; (2) The name and address of the appellant and the appellant's interest(s) in the matter; (3) The specific reasons why the appellant believes the decision (s) to be wrong; (4) The desired outcome or changes to the decision; and (5) The appeal fee in accordance with the adopted fee schedule. CPMC 19.15

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the Director's site visit, the undersigned Director APPROVES **The Sirmon Apartment Complex**, subject to the attached Conditions of Approval.

Decision Issued: February 14, 2019

Jonathan J Rickard
Community Development Director

City of College Place
625 South College Avenue
College Place, WA 99324

CONDITIONS OF APPROVAL

1. The development shall conform to the development regulations contained in the College Place Municipal Code, the College Place Standard Specifications, College Place 2018 Comprehensive Plans, 2014 College Place Water System Plan, Capital Facilities Plan and the MUTCD Traffic Standards. Conditions of approval are those conditions set forth above as well as other conditions respecting grading and drainage, building area, parking, circulation, pedestrian facilities, light and noise, location of water and sewer facilities, building elevations, signage, demolition plans, erosion and sedimentation control, landscaping and irrigation, and other conditions of approval;
2. Building. Building plans have not been reviewed. Building plans shall be designed and reviewed in accordance with the 2015 IBC, 2015 WSEC, 2015 UPC, & 2015 IMC. A design professional, licensed under the provisions of RCW 18.08, WAC 308-12 or RCW 18.43 must prepare or oversee the preparation of *plans*;
3. Fire. The development will meet Fire Department Turnaround requirements (*IFC Section 503*) and requirements for fire flow and suppression as required by CPMC 15.04 and the most recently adopted International Fire Code Edition as required by the State of Washington;
4. Civil Plans. Civil Plan Review is not complete. Final site plan layout including building and parking lot sizes, configuration and orientation shall be adjusted as necessary to ensure conformance with final stormwater design, final traffic/circulation studies and city code and standards. All designs shall be made by or under the supervision of a state registered professional engineer who shall stamp and sign all *plans*, profiles and specifications, licensed under the provisions of RCW 18.43 or WAC 196;
5. Spitzenburg St. Frontage Improvements. Approximately 250' of Half street frontage improvements shall be designed and constructed to include a complete cross section rebuild which includes, asphalt paving, stormwater, curb/gutter, and sidewalk. Dedication of right-of-way may be required to accommodate said improvements within the public way;

6. Stormwater. All stormwater facilities shall be designed to meet the guidelines and recommendations of the most recent version of the Stormwater Management Manual for Eastern Washington. Stormwater facilities shall be private and shall serve the full area of the site for the 25-year, 24-hour storm. Lot layout/configuration and lot coverage may be adjusted as necessary to provide stormwater facilities compliant with the Stormwater Management Manual for Eastern Washington Stormwater. All designs shall be made by or under the supervision of a state registered professional engineer who shall stamp and sign all *plans*, profiles and specifications, licensed under the provisions of RCW 18.43 or WAC 196;
7. Landscaping. A landscaping plan has not been provided. Landscaping shall be distributed throughout the parking area and site in a pattern that reduces the barren appearance of the parking lot. The landscaping shall be perpetually maintained and irrigated. The City recommends the use of native plants where feasible. A design professional, licensed under the provisions of RCW 18.96, WAC 308-13 must prepare or oversee the preparation of plans;
8. Critical Areas. There is one identified critical areas on the site. Geologically Hazardous Areas with *moderate to high* liquefaction: City of College Place Best Available Science, Figure 5.3-1, 2008. The Geotechnical Report shall account for liquefaction potential;
9. Directional Lighting. Lighting shall be provided at the driveway to Spitzenburg and throughout the parking lot area. Exterior lighting shall be designed to including the following requirements:
 - a. Maximum illumination at neighboring properties shall not exceed 0.5 foot candles at grade level;
 - b. Luminaries shall be aimed and shielded in a manner that shall not direct illumination on adjacent properties;
 - c. Full cutoff shielding is required for all luminaries to prevent wasted light up into the dark sky and prevent glare from normal viewing angles;
 - d. Shielding is required for luminaries located along property lines to prevent spill light onto adjacent properties;
 - e. Photometric plan to include all existing and proposed exterior lighting (include exterior building lighting in photometric plan);
10. Refuse and recycling containers shall be screened with a six ft. in height minimum sight obscuring fence. Fencing shall be perpetually maintained in an attractive and structurally sound condition. CPMC 17.45 and 17.51;
11. Pedestrian facilities will be provided with this project from the right-of-way to the buildings as required by CPMC 16.24.230. Americans with Disabilities Act (ADA) standards shall be observed for all pedestrian facilities;
12. Parking. Paved parking shall be provided at a ratio 1.5 stall per dwelling unit and designed in accordance with the provisions of Chapter 17.48;
13. Maximum building height in the MFR zone is 35 feet in accordance with CPMC Table 17.42.020;
14. Setbacks. Front yard – 20 feet; Side yard – 5 feet; Rear yard – 15 feet. Setbacks have been satisfied;

15. Construction noise will be restricted to daylight hours between 7:00 a.m. and 11:00 p.m. The contractor will be responsible for the management of noise during construction using best management practices. CPMC 8.20;
16. Vibrations/concussions: No use-activity or use shall cause earth vibrations or concussions detectable without the aid of instruments beyond its lot lines, with the exception of the temporary vibration produced as a result of construction activity. Such temporary construction activity shall be restricted to the hours between 7:00 a.m. and 8:00 p.m. CPMC 17.51.020.C.3;
17. Dust control will be required during construction using best management practices, including minimizing ground disturbances, seeding and watering;
18. Erosion Control will use best management practices to control erosion, including diversion ditches, silt fencing, and/or compaction. A Construction Stormwater General Permit is required from the State of Washington Department of Ecology. On site documentation to include State of Washington Department of Ecology Permit Coverage Letter, Construction Stormwater General Permit, Site Log Book, and the Stormwater Pollution Prevention Plan (SWPPP);
19. All utilities are to be placed underground in identified private or public utility easements;
20. The City of College Place is the service provider for wastewater. Connection charges are based on the total number of units;
21. Fire flow testing. A certified fire flow test is required in accordance with the letter from Paul Hartwig and John Boose dated January 17, 2019. The apartment buildings shall be outfitted with either a NFPA 13 or NFPA13R sprinkler system, depending on the results of the fire flow test;
22. Public disturbance noises. Public disturbance noise regulations shall be observed. Public disturbance noises shall include, but shall not be limited to, the following loud, disturbing and/or unnecessary sounds or combination of sounds: Sounds characterized as yelling, shouting or the creation of any unnecessary noise or racket, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place which may annoy or disturb the quiet, comfort or repose of any person anywhere within the boundaries of receiving property outside the origination of such sound, noise or racket. No noise, whether classified as a public disturbance noise or otherwise, shall exceed the maximum allowable sound levels adopted by the Washington State Department of Ecology pursuant to RCW Ch. 70.107 and contained in WAC 173-60-040. WAC 173-60-040 and any subsequent amendments and modifications thereof are adopted by reference.

Exhibit I

Jon Rickard

From: Barber, Philip <Philip.Barber@cngc.com>
Sent: Wednesday, December 26, 2018 11:35 AM
To: Jon Rickard
Cc: Thad Sirmon
Subject: RE: Sirmon NOA Spitzenburg DNS

CNG has a gas service at 942 NE Spitzenburg that will need to be retired.

Thanks

From: Jon Rickard [mailto:JRickard@cpwa.us]
Sent: Thursday, December 20, 2018 1:03 PM
To: Andrea Weckmueller-Behringer <abehringer@wwvmpo.org>; Barbara McKinney (bmckinney@wwcountyyroads.com) <bmckinney@wwcountyyroads.com>; Bill Clemens (william.clemens@pacificorp.com) <william.clemens@pacificorp.com>; Bob Hubenthal (hubenbj@dshs.wa.gov) <hubenbj@dshs.wa.gov>; Bryan Maas (bmaas@columbiarea.coop) <bmaas@columbiarea.coop>; Carl Merkle (CarlMerkle@ctuir.org) <CarlMerkle@ctuir.org>; Catherine Dickson (catherinedickson@ctuir.org) <catherinedickson@ctuir.org>; Chris Walker (cwalker@noanet.net) <cwalker@noanet.net>; Christine Collins (christine.collins@doh.wa.gov) <christine.collins@doh.wa.gov>; Dale Bambrick (dale.bambrick@noaa.gov) <dale.bambrick@noaa.gov>; Dave Karl (david.karl@dfw.wa.gov) <david.karl@dfw.wa.gov>; Deborah Ferraro (Deborah.Ferraro@PacifiCorp.com) <Deborah.Ferraro@PacifiCorp.com>; Dept of Natural Resources (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; Dick Fondahn (dick@valleytransit.com) <dick@valleytransit.com>; Don Gibbard (dgibbard@pocketinet.com) <dgibbard@pocketinet.com>; Elaine Dawson (edawson@wwvmpo.org) <edawson@wwvmpo.org>; Elizabeth Chamberlain (echamberlain@wallawallawa.gov) <echamberlain@wallawallawa.gov>; Emergency Management Dept (emd@co.walla-walla.wa.us) <emd@co.walla-walla.wa.us>; George Bennett (george.bennett@wallawalla.edu) <george.bennett@wallawalla.edu>; Grant Glaus (gglaus@columbiarea.com) <gglaus@columbiarea.com>; Green Tank Water Dist. # 11 (glmccracken@hotmail.com) <glmccracken@hotmail.com>; Hallie Ladd (hlad461@ecy.wa.gov) <hlad461@ecy.wa.gov>; Harvey Crowder (HCrowder@cpwa.us); Jacob Prilucik (PrilucJ@wsdot.wa.gov) <PrilucJ@wsdot.wa.gov>; Jeff Murphy (jeff.murphy@pacificorp.com) <jeff.murphy@pacificorp.com>; John Boose (JBoose@cpwa.us); Jonathan D. Maland (jmaland@wallawallawa.gov) <jmaland@wallawallawa.gov>; kbealey@ci.walla-walla.wa.us; Kelly Cooper (Kelly.Cooper@DOH.WA.GOV) <Kelly.Cooper@DOH.WA.GOV>; Kenneth Hutchinson (khutchinson@bpa.gov) <khutchinson@bpa.gov>; Kevin Tureman (ktureman@co.walla-walla.wa.us) <ktureman@co.walla-walla.wa.us>; Larry Bohlman (LBohlman@cpwa.us); Lauren Prentice (lprentice@co.walla-walla.wa.us) <lprentice@co.walla-walla.wa.us>; Mark Eberlein (mark.eberlein@dhs.gov) <mark.eberlein@dhs.gov>; Mark Grandstaff (Mark.Grandstaff@dfw.wa.gov) <Mark.Grandstaff@dfw.wa.gov>; Michael Rizzitiello (MRizzitiello@cpwa.us); Eutsey, Mike <mike.eutsey@mdu.com>; Mike Jackson (mjack5051@gmail.com) <mjack5051@gmail.com>; Pat Reay (pr@portwallawalla.com) <pr@portwallawalla.com>; Paul Gonseth (Gonsetp@wsdot.wa.gov) <Gonsetp@wsdot.wa.gov>; Paul Hartwig (PHartwig@cpwa.us); Barber, Philip <Philip.Barber@cngc.com>; Randy Kline (randy.kline@parks.wa.gov) <randy.kline@parks.wa.gov>; Reviewteam (reviewteam@cted.wa.gov) <reviewteam@cted.wa.gov>; Rob Whitlam (Rob.Whitlam@dahp.wa.gov) <Rob.Whitlam@dahp.wa.gov>; Robert Gordon (RGordon@cpwa.us); Sandy L Shelin (Sandy.L.Shelin@usace.army.mil) <Sandy.L.Shelin@usace.army.mil>; sepa@dahp.wa.gov; SEPADesk (DFW) <SEPADesk@dfw.wa.gov>; Sepaunit (sepaunit@ecy.wa.gov) <sepaunit@ecy.wa.gov>; Tim Erkel (Tim.R.Erkel@usace.army.mil) <Tim.R.Erkel@usace.army.mil>; Tim Payne (tpayne@cpps.org) <tpayne@cpps.org>; Tina Fisher (tina.c.fisher@usps.gov) <tina.c.fisher@usps.gov>; Tobias Mears (Tobias.Mears@centurylink.com) <Tobias.Mears@centurylink.com>; Todd Brandenburg (todd@PocketiNet.com) <todd@PocketiNet.com>; Tom Glover (tglover@co.walla-walla.wa.us) <tglover@co.walla-walla.wa.us>; Tom Schirm (Thomas.Schirm@dfw.wa.gov) <Thomas.Schirm@dfw.wa.gov>; Walla Walla County Department of Community Health (health@co.walla-walla.wa.us) <health@co.walla-walla.wa.us>; Bloom, William <William.Bloom@cngc.com>; WSDOT SEPA Notice

Exhibit II

Jon Rickard

From: David Corbett <david@lloydsinsurance.net>
Sent: Monday, December 31, 2018 2:51 PM
To: Jon Rickard
Subject: Spitzenburg Apartment proposal by Sirmon

John,

I am writing this missive about the letter we received regarding the proposed apartment complex coming off from Spitzenburg.

Albeit, the property may be capable of handling that many units, I am concerned about the infrastructure supporting the units themselves. Has Green Tank Water District been able to address their ability to provide ample water? Most concerning is the road width and lack of pedestrian walk ways and cross walks to safely navigate through the traffic on Spitzenburg and Myra. The increased traffic from the Walla Walla Town Center, in addition to the Myra Road extension, has put increased pressure on Spitzenburg. Without a traffic signal at that intersection, motorists often take Spitzenburg as a short cut to avoid the "C" Street intersection that feeds into Home Depot. Property owners along Spitzenburg have had a lot of speeding drivers try and beat the traffic by this little trick. Inasmuch, the cars fly through that corner on Myra and turn right just past Wenzels nursery. If someone is parked along that side of the street, they come very close to being struck by traffic whipping around that corner. One vehicle earlier this year, wiped out a street light in the parking strip along the front of my Myra Road property. Not sure if they were wanting to turn and missed or what really happened. The Street light has yet to be replaced. The Ogilvie family, run a facility that gives respite care to families of folks with special needs. Some of which are in wheel chairs and cannot move real rapidly. Hence, Mr. and Mrs. Ogilvie have concerns as well. They wanted to come in and visit last week, when I left you a message.

I do support the kind of development that Mr. Sirmon is proposing. He does a nice job. I do feel that the number of units being proposed , exceeds the limits of the infrastructure that can support it properly and safely. I look forward to hearing from you, as some of these concerns may have already been addressed.

Cordially,

David W. Corbett
Broker, Lloyd's Inc.
509-386-8550



PO Box 1318 • 103 S. Second • Walla Walla, WA 99362
509.525.4110 • Fax 509.525.4465 • Free 800.962.8095
www.lloydsinsurance.net

Exhibit III

Jon Rickard

From: Gary McCracken <glmccracken@hotmail.com>
Sent: Wednesday, January 02, 2019 11:53 AM
To: Jon Rickard
Subject: Re: Sirmon NOA Spitzenburg DNS

Hello Jon,

I've been trying to get a hold of you at the number listed for a couple of weeks now without any luck. I will send you an email to bring you in line with Green Tanks thoughts on this project. Green Tank has never been able to supply Commercial Fire Flow (4,000 gallons per minute) and will never be able to with 8" lines within the District. If Mr. Sirmon is dead set on building 8 plexes the District will have to be reconstructed with a storage tank able to provide at least 1 million gallons with a booster pump. This will place an additional stress on pipes in Wallula Road and they will need to be replaced also. Estimated cost to complete this will be around 2 to 2 1/2 million. The district has worked with the Department of Health for 8 to 9 years to get hook ups necessary for development within. Currently we allow duplexes to connect within our district with a single 3/4 " line. 8 Plexes will have to have a hook up for each individual unit being eight per unit or 40 hook up in total. At this time the District is able to provide these connections at \$2,500 per connection or \$100,000 and a annual usage cost of \$27,480. If they decide to go with 1 1/2 " hook up the connection fee drops to \$55,000 and a annual usage cost of \$17,880 for 200,000 gallons per unit.

At this time the board has not discussed the possibility of allowing the City of College Place to enter within the district for the purpose of providing additional fire flow. The board does meet on January 8 at 7:00 pm. If there is anything you would like to present at this time let me know.

Sincerely,

Gary McCracken
Secretary

From: Jon Rickard <JRickard@cpwa.us>
Sent: Thursday, December 20, 2018 1:02 PM
To: Andrea Weckmueller-Behringer; Barbara McKinney (bmckinney@wwcountyroads.com); Bill Clemens (william.clemens@pacificorp.com); Bob Hubenthal (hubenbj@dshs.wa.gov); Bryan Maas (bmaas@columbiarea.coop); Carl Merkle (CarlMerkle@ctuir.org); Catherine Dickson (catherinedickson@ctuir.org); Chris Walker (cwalker@noanet.net); Christine Collins (christine.collins@doh.wa.gov); Dale Bambrick (dale.bambrick@noaa.gov); Dave Karl (david.karl@dfw.wa.gov); Deborah Ferraro (Deborah.Ferraro@PacifiCorp.com); Dept of Natural Resources (sepacenter@dnr.wa.gov); Dick Fondahn (dick@valleytransit.com); Don Gibbard (dgibbard@pocketinet.com); Elaine Dawson (edawson@wwvmpo.org); Elizabeth Chamberlain (echamberlain@wallawallawa.gov); Emergency Management Dept (emd@co.walla-walla.wa.us); George Bennett (george.bennett@wallawalla.edu); Grant Glaus (gglaus@columbiarea.com); Green Tank Water Dist. # 11 (glmccracken@hotmail.com); Hallie Ladd (hladd461@ecy.wa.gov); Harvey Crowder; Jacob Prilucic (PrilucJ@wsdot.wa.gov); Jeff Murphy (jeff.murphy@pacificorp.com); John Boose; Jonathan D. Maland (jmaland@wallawallawa.gov); kbealey@ci.walla-walla.wa.us; Kelly Cooper (Kelly.Cooper@DOH.WA.GOV); Kenneth Hutchinson (khutchinson@bpa.gov); Kevin Tureman (ktureman@co.walla-walla.wa.us); Larry Bohlman; Lauren Prentice (lprentice@co.walla-walla.wa.us); Mark Eberlein (mark.eberlein@dhs.gov); Mark Grandstaff (Mark.Grandstaff@dfw.wa.gov); Michael Rizzitiello; Mike Eutsey (Mike.Eutsey@cngc.com); Mike Jackson (mjack5051@gmail.com); Pat Reay (pr@portwallawalla.com); Paul Gonseth (Gonsetp@wsdot.wa.gov); Paul Hartwig; Phil Barber (philip.barber@cngc.com); Randy Kline



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

January 4, 2019

Mr. Jonathan Rickard
Planning Director
City of College Place
625 S College Ave
College Place, WA 99324

Re: Spitzenburg Apartments

Dear Mr. Rickard:

Thank you for the opportunity to comment on the Determination of Nonsignificance regarding demolition of the existing residence to make way for construction of five 2-story apartment buildings containing four dwelling units per floor for a total of 40 dwelling units with 60 parking stalls (Proponent: Thad Sirmon Real Estate, LLC). The Department of Ecology (Ecology) has reviewed the documents and submits the following comments:

Hazardous Waste and Toxics Reduction Program-Andrew Maher (509) 329-3612

Wastes produced during construction or remodeling can be dangerous wastes in Washington State. Some of these wastes include absorbent material, aerosol cans, asbestos-containing materials, lead-containing materials, PCB-containing light ballasts, waste paint, waste paint thinner, sanding dust and treated wood.

The Common Construction and Demolition Wastes website has a more comprehensive list and a link to identifying and designating your wastes. You can find this information on line at http://www.ecy.wa.gov/programs/hwtr/dangermat/common_demo_wastes.html

Responsibility for construction waste generated at a facility is the responsibility of the facility that generates the waste. You can find more information about who is responsible for properly managing construction debris at http://www.ecy.wa.gov/programs/hwtr/dangermat/demo_responsibility.html

In order to adequately identify some of your construction and remodel debris, you may need to sample and test the wastes generated to determine whether they are dangerous waste. You can find this information about how to sample and what to test for at <http://www.ecy.wa.gov/programs/hwtr/dangermat/samplingDemoDebris.html>.

For more information and technical assistance with determining whether wastes are dangerous wastes in Washington, contact John Blunt at (509) 329-3525 or via email at john.blunt@ecy.wa.gov.

Water Quality Program-Shannon Adams (509) 329-3610

A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.

Proper disposal of construction debris must be in such a manner that debris cannot enter the natural stormwater drainage system or cause water quality degradation of surface waters. Dumpsters and refuse collection containers shall be durable, corrosion resistant, nonabsorbent, nonleaking, and have close fitting covers. If spillage or leakage does occur, the waste shall be picked up immediately and returned to the container and the area properly cleaned.

The operator of a construction site that disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.

Owners of sites where less than one acre of total land area will be disturbed must also apply if the construction activity is part of a larger plan of development or sale in which more than one acre will eventually be disturbed. Discharge of stormwater from such sites without a permit is illegal and may be subject to enforcement action by the Department of Ecology.

If any soil or ground water contamination is known to be on the site, additional information is needed. The applicant may be required to submit additional studies and reports including, but not limited to, temporary erosion and sediment control plans, a stormwater pollution prevention plan, a site map depicting sample locations, a list of known contaminants with concentrations and depths found and other information about the contaminants.

Application should be made at least 60 days prior to commencement of construction activities. A permit application and related documents are available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>, or by contacting the Water Quality program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600; (360) 407-6401.

Mr. Jonathan Rickard
January 4, 2019
Page 3

State Environmental Policy Act (SEPA)

Ecology bases comments upon information submitted for review. As such, they do not constitute an exhaustive list of the various authorizations you must obtain, nor legal requirements you must fulfill in order to carry out the proposed action.

Please contact the appropriate staff listed above if you have any questions or would like to respond to these comments,

Department of Ecology
Eastern Regional Office
(Ecology File #: 201807158)

cc: Thad Sirmon, Thad Sirmon Real Estate, LLC

Exhibit V

City of College Place

January 7, 2018
Joanna Cowles Cleveland
1000 NE Spitzenburg St
College Place, WA 99324
Re: 942 NE Spitzenburg Street Proposal

JAN 7 2019

Received

Jon Rickard,

I am writing this in response to the request for public comment on the proposed work to be done at 942 NE Spitzenburg St. My major concerns with the proposal include the environmental impact of the proposed construction and transportation issues. I also have concerns about the proposed structures blocking our potential for solar and the amount of light pollution the parking area will cause. I have covered these issues individually below.

Environmental Impact

- Endangered species: On the SEPA (5B) the applicant does not identify any threatened or endangered species located on or near the site. However, the Washington Department of Fish and Wildlife identifies the township where the site is located as a priority breeding area for the State threatened ferruginous hawk (*Buteo regalis*). <http://apps.wdfw.wa.gov/phsontheweb/>
- Critical areas: there are no critical areas identified on the SEPA document, however there are two identified by Walla Walla County.
- An active red tailed hawk nest is located in one of the large sycamore trees present on the property and a fledgling was successfully raised during the spring of 2018. This was not identified on the SEPA environmental review. Red tailed hawks and their nests are protected under the US Migratory Bird Treaty Act 16 USC 703-712. Nesting locations are typically reused annually and removal of the tree will destroy the nest site. If done during the spring it may destroy an inhabited nest with red tailed hawk eggs and/or young.
- A small herd of deer frequent the property and can often be seen resting under the trees. They move between Fort Walla Walla and the northern portions of town, utilizing this and connected properties as a resting area and corridor to other open areas. Under the Walla Walla County Comprehensive plan 2.1.2 item 11.11 all jurisdictions are called on to minimize habitat fragmentation and protect interconnecting wildlife corridors.

Transportation

- A Traffic Impact Analysis identified under 14f of the SEPA document indicates an increase in average weekday trips of 266. Spitzenburg already receives a fair amount of traffic due to the number of vehicles that access Myra Rd by driving down Della Ave and Spitzenburg St in an effort to avoid the traffic light at the intersection of Myra and NE C St. This creates a bottleneck of traffic at the intersection of Spitzenburg and Myra, particularly during peak traffic hours. It is especially difficult to make a left turn onto Myra and can be hazardous when road conditions are poor and traffic openings are limited. Increased traffic on Spitzenburg will only make this problem worse.
- Road condition: There is already significant damage to the pavement and multiple potholes along the length of Spitzenburg. The SEPA review mentioned asphalt improvements (14d) but seemed to indicate they would only occur directly in front of the property in question. Due to the increase in traffic the road should be repaired along the length of Spitzenburg.

January 7, 2018
Joanna Cowles Cleveland
1000 NE Spitzenburg St
College Place, WA 99324
Re: 942 NE Spitzenburg Street Proposal

(Transportation continued)

- Sidewalks and pedestrian safety: Neighborhood children frequently ride their bikes along Spitzenburg St during the spring and summer. The SEPA review document identifies additional sidewalk to be installed directly in front of the project site, however the increased traffic and lack of sidewalk along much of the street will create a safety issue for pedestrians, particularly kids riding their bikes.

Solar

- The SEPA document states that the proposed structures will not impact the potential for solar energy on any adjacent properties (6b), however the designs show the buildings within 5 ft of our property line. We are interested in pursuing solar energy and have concerns that the height and proximity of the buildings (SW of our house) would interfere with any future solar array installations.

Light pollution

- The application (11a) identifies light fixtures in the parking area as a source of light and states that this would be present during the evening hours. Our concern is that the light will be constant throughout the night, not just the evening hours and will create a significant amount of light pollution on our property. The bedrooms in our house are located on that side and we have concerns about sleep quality. We would appreciate having lights placed and directed in such a way as to minimize the impact to surrounding property as much as possible.

Please let me know if I can clarify any of my concerns.

Thank you for your consideration,

Joanna Cowles Cleveland



Exhibit VI

Walla Walla County Conservation District
325 North 13th Avenue, Walla Walla, WA 99362-9526
Phone (509) 956-3777

City of College Place

JAN 7 2019

Received

Attn: Jon Rickard
City of College Place
Community Development Department
625 South College Avenue
College Place, WA 99324

RE: Notice of Application for 942 NE Spitzenburg St, College Place WA

To whom it may concern,

Thank you for this opportunity to provide public comment. Preparation of this letter included a review of the Determination of Non-significance, the SEPA checklist, and Notice of Application for the Sirmon multi-residential development proposal.

The Walla Walla County Conservation District *5 Year Plan* states the values that drive our actions, including maintaining "involvement in the State Environmental Policy Act (SEPA) review process." The Walla Walla County Conservation District is also the technical lead of the Voluntary Stewardship Program (VSP) in Walla Walla County. The VSP involves critical areas and agricultural activities.

Per the SEPA environmental checklist provided, the applicant stated there are no known critical areas designated by the city or county located on the site (question 8h). However, Walla Walla County identifies two critical areas on the site as per their critical area designation maps.

- Critical Aquifer Recharge Areas: gravel aquifer: Walla Walla County Draft Comprehensive Plan, June 2018 – Section 2.2.5 (page 2-10)
- Geologically Hazardous Area with "moderate to high" liquefaction potential: Walla Walla County Draft Comprehensive Plan, June 2018 – Section 2.2.4 (page 2-9).

Maps of each can be accessed through the Walla Walla County Dept. of Community Development or directly through our website at <http://www.wcccd.net/resources-and-information>.

If you have questions, please contact me at 509-956-3756.

Thank you,

Renee M. Hadley
Licensed Geologist & District Manager