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119 West First Street
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Stamp & initial

# PRELIMINARY SUBDIVISION APPLICATION

*"Subdivision" means of a division of any tract or parcel of land into ten or more lots, tracts, parcels, sites or other divisions of land for the purpose, whether immediate or future, of transfer of ownership, sale or lease or for building development See **CEMC 16.12A** for more information.*

| OFFICAL USE ONLY | |
|---|---|
| **Permit #:** | SUB-20 - |
| **Staff Person:** | |
| **Fee Total:** | |
| **Associated Permits:** | |

| **Applicant** | |
|---|---|
| Name: City Heights Holdings, LLC Contact: Barbara Rodgers | |
| Mailing Address: 405 NW Gilman Blvd. Ste 102 Issaquah, WA 98027 | |
| Email: barbara@thetrailsidegroup.com | Phone Number: 425-923-9610 |
| **Property Owner** | Same as Applicant ☒ |
| Name: | |
| Mailing Address: | |
| Email: | Phone Number: |
| **Property Information** | |
| Project Name: City Heights Phase 3 | |
| Address: N/A-In vicinity of current TPN 956734 north of Sixth, west of Summit View | |
| Assessor's Parcel No.: TBD - See attached project description for details. | Zoning: Planned Mixed Use - PMU |

Description of Project: The project, and the larger site within which the project is situated, is subject to a Developer's Agreement, executed on November 8, 2011 and the Planned Action Ordinance 1352, which designated City Heights as a planned action under SEPA and approved the Master Site Plan and PMU as the zoning district.
Phase 3 is a planned action/implementing proposal of the City Heights master planned mixed use development. The project will subdivide approximately 2.14 Ac known as Tracts A,R and T of the pending City Heights Phase 2 Final Plat into 19 residential lots with tracts for open space/trail access and right of way for roads and utilities. See attached Project Description for further info.

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| **Application Criteria**[1] | | |
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| 1. | Two hard copies and one electronic copy (PDF) of the proposed preliminary plat including the following information: | |
| | a. | Drawn in ink to a scale that is no greater than one inch by one hundred feet and in all cases shall be a standard drafting scale. |
| | b. | Name of subdivision, which shall not be the same or similar name of any other subdivision in the county. |
| | c. | Legal description. |
| | d. | Scale, date, north arrow. |
| | e. | Basis of bearings. |
| | f. | Boundary lines of the property including length and bearing lines. |
| | g. | The relationship of the subdivision to section and half-section lines and to any adjacent city boundary lines and monuments; |
| | h. | The location, widths, and names of streets or other public ways, easements, railroad and utility rights-way within or adjacent to the property plat; |
| | i. | The name and location of adjacent subdivisions and the location and layout of existing or proposed streets which are adjacent to or across contiguous right-of-way from the proposed development. |
| | j. | The location and dimension of proposed lots, tracts, reserve areas and any public dedications, and lot and block numbers. |
| | k. | The location, dimensions, and cross sections of all proposed streets. |
| | l. | A preliminary stormwater plan. |
| | m. | A preliminary utility plan |
| | n. | Proposed contour with intervals of five feet or less. |
| | o. | Proposed contour intervals of five feet or less. |
| | p. | The names and addresses of the owner, developers and surveyor or engineer who designed the plat. |
| | q. | Phasing plan, if phasing of the final plat is proposed. |
| | r. | Other information that maybe necessary to determine compliance with city standards |
| 2. | A written narrative including information on how the proposed division meets the approval standards | |
| 3. | A complete SEPA checklist | |

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| 4. | A legal description of the subject property supplied by Kittitas County, a title company or surveyor licensed and registered in the state of Washington, and a current county assessors map(s) showing the property(ies) subject to the application; | |
| 5. | A statement of how the proposed preliminary plat complies with the approval criteria. | |
| | a. | The subject property boundaries, dimensions and size, |
| | b. | Current structural or landscape setbacks |
| | c. | Location of existing on-site driveways and access points within 100 feet of the subject site; |
| | d. | Location and dimension of any on-site structures |
| | e. | Location of nearest utilities and their size and type |
| | f. | Location of the nearest fire hydrant |
| | g. | Location of existing structures within 100 feet of the site |
| | h. | Locations and dimensions of adjacent public or private roads and right-of-way or easements |
| | i. | Designated shorelines and FEMA designated floodway, floodplains and flood fringe areas |
| | j. | Approximate location of significant natural features including slopes over 25%, water bodies, rock outcrops, wetland areas, areas of significant vegetation, the location of trees or groups of trees over six inches in diameter, and the location of any critical areas |
| 6. | Payment of a fee that is consistent with the City of Cle Elum's fee schedule. | |
| **Decision Criteria** | | |
| 1. | The preliminary plat is in the public interest. | |
| 2 | The subject preliminary plat is consistent with the comprehensive plan. | |
| 3. | The preliminary plat shall conform to the applicable requirements of the zoning district in which it is located including but not limited to requirements for area, dimensions, use and density. | |
| 4. | The preliminary plat conforms to the applicable standards in CEMC 18.01, Maintenance, Enhancement and Preservation of Critical Areas of this code. | |
| 5. | For those preliminary plats located within a designated floodplain, conformance with the applicable requirements of CEMC 15.24. | |
| 6. | The preliminary plat includes appropriate provisions for public, health, safety and welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways including trails, transit stops, potable water, sanitary waste disposal, parks and recreation, playgrounds, schools, sidewalks and safe walking conditions for those students who will only walk to school. | |

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| 7. | The preliminary plat conforms or can conform to adopted standards for the construction of all public facilities including streets, sidewalks, stormwater control, sewer systems, water systems and street lighting. |
| 8. | Every proposed lot, tract or area in the preliminary plat has an approved access to a public right-of-way. |
| 9. | The proposed preliminary plat conforms to the established design requirements. |
| 10. | The proposed preliminary plat will not cause the level of service of public facilities or services to drop below established limits. |
| 11. | The proposed preliminary plat is consistent with any other applicable city regulations, and development or other agreements specific to the subject property. |
| 12. | The proposed subdivision is meets all of the development standards listed in CEMC 16.12A.060. |

**Authorization**

*The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient for denial of the request. This application gives consent to the City to enter the properties listed above for the purposes of inspecting and verifying information presented in this application. The applicant further agrees to pay all fees specified in the City's fee schedule for the permit and expenses associated with the review of the application. The applicant gives consent to the City to enter the property(s) listed above for the purpose of inspecting and verifying information presented in this application.*

| | |
|---|---|
| Applicant Signature: Barbara Rodgers (Docusigned by: 406BCDCADDEA429...) | Date: 1/19/2023 |

1. The application will not be processed and deemed incomplete if not all required criteria is not attached to application on the day of submission. The Planner may chooses to wave some of the required criteria. If any of the required criteria is provided in another permit please cite that permit.

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BLUELINE

# MEMORANDUM

DATE: **January 18, 2023**

TO: **City of Cle Elum**

FROM: **Blueline**

RE: **Project Description: City Heights-Phase 3 Preliminary Plat**

## Overall City Heights Background

City Heights is a 358-acre master planned mixed use development in the City of Cle Elum with approvals to include more than 900 residences including single family detached, single family attached and multi-family residences. Two neighborhood commercial spaces are proposed with 20,000 sq ft of floor space. The community is intended to be built out in phases and will include a series of public parks and amenity areas joined by trail systems planned to allow for pedestrian corridors throughout the site. The project will set aside at least 125 acres for parks, open space, natural areas, recreational areas, village greens, commons or otherwise undeveloped space.

The City issued a Draft Environmental Impact Statement (DEIS) for the City Heights Development Agreement and corresponding Master Site Plan on April 23, 2010. The Final Environmental Impact Statement (FEIS) was issued on November 12, 2010. On November 8, 2011, City Council passed Ordinance 1352 ("Planned Action Ordinance") designating City Heights as a planned action under SEPA. In addition to adopting the ordinance on November 8, 2011, the City and the proponent of City Heights executed a Development Agreement (DA) for City Heights. The DA sets forth certain development standards that affect the environment and incorporates mitigation measures identified in the DEIS as "Mitigation Measures Included in Development Proposal."

The City has all background project documents on file, both electronic and hard copies including: Draft EIS, Final EIS, Final Technical Reports, Approved Annexation, Development Agreement, adopted Planned Action Ordinance, and the vested Cle Elum Municipal Code (CEMC). If at any point in time staff has difficulty locating the background files, Blueline will promptly provide additional copies upon request.

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BLUELINE

**Phase 3 Preliminary Plat**

Project Description:
The planned action (Phase 3 Preliminary Plat) is part of the aforementioned City Heights Master Planned Mixed Use Development. Phase 3 consists of subdividing approximately 2.14 acres into 19 residential lots with tracts for open space and trail access with right of way for public road and utilities.

Existing Parcel Description
The Phase 3 boundary is consistent with Tracts A, R and T shown on the pending Phase 2 Final Plat map on file with the city. The Project Sponsor intends to record the phase 2 final plat prior to recording the Phase 3 final plat. Since Phase 2 final plat has not yet recorded there is not an approved legal description or assigned tax parcel number(s) for the phase 3 property at this time. To keep things simple, the consulting City Planner has agreed it is acceptable to describe and depict the underlying parcels of Phase 3 as Tracts A,R and T of the pending Phase 2 final plat.

Critical Areas:
N/A - Phase 3 does not contain streams, wetlands, slopes in excess of 35% or their buffers.

Abandoned Mine Features:
N/A – Phase 3 does not contain known/observable abandoned mine features.

Access and Drainage:
Lots 1-9 will take access off a private access and utilities tract established as part of the Phase 2 final plat (known as Mountaineer Way). Lots 10-19 will take access off proposed public right of way that connects to the road system approved for Phase 2.

Storm water runoff from the Phase 3 area was accounted for in the design of conveyance, detention and water quality facilities approved with Phase 2.

Sewer (DA Appendix D)
As outlined in Appendix D of the approved Development Agreement, The City owns the Regional Waste Water Treatment Facility (RWWTF) and related system subject to the terms of the RWWTFA. Per the DA, the first 140 ERUs constructed within City Heights will be allowed to connect to the existing facilities as part of the City's allocated capacity. For ERUs in excess of 140 the physical capacity of the existing facilities may or may not exist depending on if and when each of the parties to the RWWTFA actually achieve and utilize ERU's that were contemplated in the RWWTFA.

Previous phases of City Heights were approved for approximately 125 ERUs (phase 1 with Outfitter Building plus phase 2). The submittal of Phase 3 brings the City Heights ERU total to 144 which triggers the necessity for the City to discuss with the Project Sponsor whether or not existing facilities have capacity to serve ERUs in excess of 140, at what ERU threshold is

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the capacity of the existing facilities exceeded, and what steps need to be taken to plan for future improvements or expansion of the existing system to accommodate additional ERUs at City Heights.

Water (DA Appendix E)

As Outlined in Appendix E of the approved Development agreement, the City shall provide water rights and water supply necessary to serve the first 140 ERUs constructed at City Heights (not counting ERUs assigned to affordable units and defined open spaces). The project sponsor obtained permits for phases 1 and 2 which, when the two affordable units proposed with Phase 1 are considered, brings the ERU total to 123. With the submittal of Phase 3 the ERU total increases to approximately 141 which exceeds 140 ERUs and triggers the need for the Project Sponsor to either convey existing water rights to the City OR pay a fee in lieu of conveying water rights prior to final plat approval. This ERU threshold also triggers the need for the city to discuss with the Project Sponsor whether or not the capacity of the existing water supply infrastructure (WSI) and Water Treatment Plant (WTP) are adequate to supply water for the contemplated ERUs, at what ERU level will the capacity of the existing WSI & WTP be exceeded, and what are the next steps to determine what, if any, incremental improvements to the WSI and/or WTP are necessary to serve City Heights. It is imperative that collaboration between The City and the Project Sponsor occur on this topic to allow the City Heights project to proceed as contemplated under the terms of the DA.

Note: The Project Sponsor initiated discussions related to sewer and water facilities for ERUs in excess of 140 in mid 2022 however City Staff later indicated they were given direction to defer discussion on this topic until a later date. It is imperative that collaboration between The City and the Project Sponsor occur on this topic to allow the City Heights project to proceed as contemplated under the terms of the DA.