

City of Cle Elum
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Date: June 14, 2021

To: Brett Pudists, The Blueline Group
Andrew Miller, Westward Development Group

From: Gregg Dohrn, Designated City Heights Project Manager

Subject: City Heights Phase 2 Completeness Review

The City of Cle Elum has finished the preliminary review of the City Heights Phase 2 application materials submitted on May 24th. We appreciate the extra week that you afforded us to complete our review. As I mentioned last Friday, we have determined the Phase 2 application to be complete, but that we need additional information before we may proceed with processing it. The additional information is necessary for us to determine if the proposed Phase 2 activities comply with the provisions of the City Heights Development Agreement and the Cle Elum Municipal Code. Specifically, we will need the following information:

1. **Phasing.** The Phase 2 application materials make numerous references to the partial development of Pods B-3, B-4, and B-5. However, Paragraph 7 of the City Heights Development Agreement requires that each phase of development include complete development pods:

The Ridge Entities may proceed with development of the Property according to whatever phasing or parcel development plan the Ridge Entities deem appropriate, provided that: (a) any phase of development includes a complete Development Pod, (b) prior to final plat approval of any plat of or within a Development Pod, a Collector Road sufficient to access the Development Pod from outside of the Project has been completed or adequate financial assurances given therefore; and (c) prior to final plat approval of a Development Pod or Development Area, the off-site utility infrastructure improvements necessary to serve the Development Pod or Development Area at issue have been completed or adequate financial assurances given therefore in accordance with applicable CEMC provisions for sureties and financial assurances. (Emphasis added.)

Please submit a request for a proposed modification of the Development Agreement and/or revise the application documents to include complete plans for each Development Pod included in Phase 2.

2. **Interim Access Route.** Appendix I to the City Heights Development Agreement provides that all roads within City Heights that connect Development Pods to the general street network are “Collector Roads” and shall have 28’ of hard surface. There are no provisions in the Development Agreement for “interim” gravel collector roads as proposed in the Phase 2 application materials. Also, please note that the City Heights EIS did not address the impacts associated with the construction or use of an “interim” collector road for an indefinite period. As a result, please expand the analysis in the SEPA Checklist and submit an application for a proposed modification, and/or revise the application materials accordingly.
3. **Access to Lots.** Appendix B to the City Heights Development Agreement provides that all lots abut an improved public road, but it appears that at least one lot (Lot 59) does not meet this requirement. Further description of the private access tracts is also required to determine if they comply with the Development Agreement. In addition, please provide additional documentation regarding the compliance of Road K with the Internal Road standards in the City Heights Development Agreement Appendix I
4. **Applicant Elections.** Please identify the Applicant Elections included in the Phase 2 application so that we can verify whether they meet the criteria in the City Heights Development Agreement Appendix R.
5. **Minor Modifications.** Please identify the proposed Minor Modifications included in the Phase 2 application so that we can verify whether they meet the criteria in the City Heights Development Agreement Appendix R.
6. **Water Main Extension.** The SEPA Checklist notes that the proposed water main extension will be installed adjacent to coal mine waste piles that contain contaminants that may pose a risk for direct human contact. It is not clear what measures are proposed to reduce or control this environmental health hazard. Please provide additional information.
7. **Affordable Housing.** The Phase 2 application does not address the affordable housing requirements found in paragraph 6.8 of the Development Agreement. Please include provisions to meet this requirement or provide an appropriate financial guarantee.
8. **Phasing Plan.** The Phase 2 application materials provide a Phasing Map, but no narrative that describes the proposed phasing or completion schedules. This narrative should also assess the projected public revenues and expenditures consistent with the proposed phasing in accordance with the provisions of CEMC 17.45.080. The Phase 2 application should also address the dedication issues raised by the City during the review of the Phase 1 Preliminary Plat application.
9. **Inconsistencies.** There are numerous inconsistencies in the application materials and/or there are provisions that are difficult to understand. For instance, the Traffic

Report refers to Phases 2 and 3, but the other materials only address Phase 2. If a Phase 3 application is likely to be submitted soon, a description of where and what that phase would entail would provide helpful context for our review. Page 1 of the Preliminary Plat drawings is slightly different than the Civil Drawings, and the Civil Drawings do not clearly identify the Phase 1 development. The documents also frequently reference outdated stream classification terminology. Please review and revise all application materials to make sure that they are up to date, internally consistent, and easy to follow.

We hope this information is helpful. In an effort to expedite submittal of a complete Phase 2 application, we would be happy to schedule a meeting to go over the Phase 2 application materials in more detail and discuss the additional information that we'll need in order to process your application in a timely manner.