CITY OF SEQUIM

152 W. Cedar Street, Sequim, WA 98382
PH (360) 683-4908 FAX (360) 681-0552

CITY OF SEQUIM
NOTICE OF APPLICATION
AND TENTATIVE PUBLIC HEARING DATE

DATE: 10/9/2023

PROJECT NAME: South Olympic View Condominiums

FILE NO: BSP-23-001 & CDR-23-001

LOCATION: The 0.78-acre project site is positioned between N 5th Ave and Garry Oak Dr in the SW corner of the Thompson Planned Unit Development. The subject property is all within Section 19, Township 30 N. Range 3 W., W.M. Clallam County, Washington; identified as Clallam County Assessor's Parcels No. 033019-840060.

PROPONENT: Caleb Grubb, Pointer Properties, 234 W Hammond St, Sequim, WA 98382

PROJECT LEAD: Same as proponent.

PUBLIC HEARING: An open record public hearing before the Hearing Examiner is tentatively scheduled for 1:00 pm, December 28, 2023. Additional public notice will be provided no more than 30 days and no less than 10 days before the open record public hearing.

PROJECT DESCRIPTION: The applicant proposes constructing two 5-unit attached single family residential structures as condominiums or townhomes through the Binding Site Plan process. Subject parcels will undergo Design Review and will be developed in accordance with the Lifestyle District (LD) Zoning regulations as outlined in SMC 18.20.130.

CONSISTENCY W/APPLICABLE CITY OF SEQUIM PLANS & REGULATIONS: The proposal will be reviewed for compliance with all applicable codes and standards, including the Comprehensive Plan & Sequim Municipal Code.

COMMENTS: Persons wishing to comment on the project should submit written comments no later than 4:00 PM on October 29, 2023, to the City of Sequim, Department of Community Development (DCD), c/o Planning, 152 West Cedar Street, Sequim, WA – dcdpubliccomment@sequimwa.gov. However, public comments will be accepted up to, and any time prior to, the closing of the open record public hearing, but written comments received after October 29, 2023 might not be included in the staff report. Public comments should be as specific as possible and submitted to the City as early in the review process as possible. Any person may comment on the application, receive notice of and participate in any hearings, and request a copy of the decision. Public comments may be mailed or emailed to the City.

CURRENTLY EXHIBIT 17 (P. 1)

PERMITS & STUDIES:

- On-Site Soils Analysis for Infiltration, November 2, 2022; prepared by Zenovic & Associates, Inc.
- Technical Information Report and Hydrology Calculations, June 25, 2023; prepared by Sisul Engineering
- Stormwater Plan, June 2023; prepared by Sisul Engineering

LEAD AGENCY: The City of Sequim assumes lead agency status for this project (BSP-23-001 & CDR-23-001).

SEPA THRESHOLD DETERMINATION: The SEPA Responsible Official anticipates issuing a Threshold Determination following the close of the application comment period on October 29, 2023. Based on the checklist submitted and associated studies, listed above, the adopted City Comprehensive Plan and development regulations it was determined that a threshold determination resulting in a Determination of Non-Significance (DNS) would be issued for this project per WAC 197-11-158. An environmental impact statement (EIS) under RCW 43.21(C).030(2)(c) was not required.

SEPA RESPONSIBLE OFFICIAL: Charisse Deschenes, Deputy City Manager, Community & Economic Development Director.

DATE OF PERMIT APPLICATION: July 28, 2023
DATE OF DETERMINATION OF COMPLETENESS: September 25, 2023
DATE OF NOTICE OF APPLICATION: October 9, 2023
PUBLIC COMMENT DUE DATE: October 29, 2023

If you have any questions or concerns regarding this matter, please contact the Department of Community Development, City of Sequim DCD, at 152 W. Cedar St., Sequim, WA 98382. Phone: (360)683-4908.

Detailed information and copies of this proposal are available for review at the DCD office and on the City's DCD Current Projects webpage at: https://www.sequimwa.gov/471/Current-Projects.

CURRENTLY EXHIBIT 17 (P. 2)

CITY OF SEQUIM

152 West Cedar Street Sequim, WA 98382
City Hall (360) 683-4139 FAX (360) 681-3448
Public Works (360) 683-4908 FAX (360) 681-0552

September 25, 2023

Caleb Grubb
243 W Hammond St
Sequim, WA 98382

Subject: Notice of Complete Application – Preliminary Binding Site Plan and Design Review Application Nos. BSP-23-001 and CDR-23-001.

Caleb,

This letter is your official notice that your applications for preliminary binding site plan and design review, which we received on September 8, 2023, have been determined complete in accordance with SMC 20.01.130 as of May 30, 2023. This Determination of Completeness does not preclude the City from requiring additional information for purposes of completing adequate review or requiring new information relative to corrected plans or studies performed at any time per SMC 20.01.130(I).

Pursuant to SMC 20.01.135 and RCW 58.17.140, a final decision on this development proposal subject to a Type C-2 action shall be made within 90 days of this determination of completeness notwithstanding any exclusions to this timeframe provided in SMC 20.01.135(B) 1-6. Therefore, a decision on your application is tentatively due no later than December 24, 2023, which is 90 days from this date of completeness.

The next step in the process will include public notice, public review and comment periods as required by Chapter 20.01, SMC. Please see the attached summary of public notice procedures.

If you have any questions or concerns regarding this matter, please contact the City of Sequim Department of Community Development at (360) 683-4908 or email me at tsimmons@sequimwa.gov. Our business hours are 7:30 a.m. - 4:00 p.m., Monday through Friday.

Sincerely,

Travis Simmons, Assistant Planner

CURRENTLY EXHIBIT 18 (P. 1)

PUBLIC NOTICE DETAILS

Public notice for the application requires coordinated timing between the applicant and City Staff. The public notice responsibilities are summarized below:

- Sign posting
    - Staff sends applicant the sign content and design criteria.
    - Applicant responsible for having the sign made with the real estate box and posting it onsite.
    - Applicant shall inform Staff of the date the sign will be installed
    - Staff creates notice information sheets for the real estate boxes and emails it to the applicant.
    - Applicant responsible for keeping the real estate information box full of the notice information sheets during the public notice
- Notice to property owners within 300'
    - Staff drafts notice of application & public hearing and mails to property owners within 300 feet. Envelopes provided by the applicant will be used to send letters to neighbors.
- Notice in the Peninsula Daily News (PDN)
    - Staff drafts the public notice and sends to the PDN staff.
- Staff places the public notice on the City website under Current Development Projects at http://www.sequimwa.gov/index.aspx?nid=471.
- Staff sends notice to affected agencies/agencies with jurisdiction for review.

CURRENTLY EXHIBIT 18 (P. 2)

DocuSign Envelope ID: 77ACB021-2C49-4AB0-BE96-3842021D4E64

Easement Agreement for Parking Area

This Easement Agreement ("Agreement") is made and entered into on the 28th day of November 2023 by and between Pointer Properties, Inc. ("Pointer") and Nikola Engineering, Inc., doing business as Nikola Broadband ("Nikola").

Recitals
WHEREAS, this Agreement pertains to the parking area known as "Easement D", recognized by the City of Sequim and the Superior Court of the State of Washington (Stipulated Judgment 08-2-00036-5);

Background
The dispute between the City of Sequim (Plaintiff) and Baritelle Vineyards (Defendant) concerning Easement D was resolved, establishing:

New parking spaces within Easement D or improvements thereof shall be funded by the lot owner who creates them, with the understanding that usage will be common to all parcels.

Each parcel within the Planned Unit Development (PUD) shall maintain its portion of Easement D in a condition not less than that on February 22, 2011.

Agreement
Pointer and Nikola hereby agree that the parking area adjacent to the rear of Nikola's building, consisting of eight existing spaces, shall be for Nikola's use.
The existing paved access along the south side of Nikola's structure will remain unencumbered.
Other than these modifications, the stipulations of Judgment 08-2-00036-5 shall remain in effect.
This agreement is between Nikola and Pointer. This agreement will no longer apply if Nikola sells the property. In this case, the original 2011 PUD ruling will apply.

Maintenance and Repairs
Pointer shall be responsible for maintaining the parking area, including the eight spaces adjacent to Nikola's western property boundary, in accordance with the standards set forth in the Judgment.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

Robert Zeff, Nikola Engineering, Inc. [Signature] DocuSigned by: ROBERT ZEFF 6C7... Date: 11/28/2023

Brent Waddell, Nikola Engineering, Inc. [Signature] DocuSigned by: BRENT WADDELL DocuSigned by: 6A... Date: 11/28/2023

Caleb Grubb, Pointer Properties, Inc. [Signature] DocuSigned by: Caleb Grubb 21B500C5CF404E5... Date: 11/28/2023

EXHIBIT 25 - PARKING AGREEMENT
(UPLOADED AFTER HEARING)

From:	Emily Coler
To:	anita.mcmillan@dfw.wa.gov; paoteam@nws02.usace.army.mil; donella.clark@clallamcountywa.gov; danielle.zitomer@dfw.wa.gov; reviewteam@commerce.wa.gov; ataylor@jamestowntribe.org; lstrong@jamestowntribe.org; Jesse Waknitz; kmclain@agr.wa.gov; Kevin Gallacci; landdivisions@clallampud.net; landdivisions@clallampud.net; Lisa Monrow; aaron.manley@orcaa.org; sepa@dahp.wa.gov; SEPA DNR; darin.klein@doc1.wa.gov; sepa.reviewteam@doh.wa.gov; OR-SEPA-REVIEW@wsdot.wa.gov; larry.covey@dshs.wa.gov; shelly.ament@dfw.wa.gov; R6CSplanning@dfw.wa.gov
Subject:	City of Sequim Public Comment Period for SEPA DNS
Date:	Monday, November 6, 2023 3:29:00 PM
Attachments:	image001.jpg BSP-23-001-DNS Determination.pdf Environmental-SEPA-Checklist- Garry Oak.pdf

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Good afternoon,
Comments are due for the South Olympic View Condominiums project at parcel #033019840060 on November 17.
Please see attached documents, and you can also view on the SEPA Register: 202305290 - Sequim City of (wa.gov)

Thank you,

Emily Coler
Community Development Specialist/Code Enforcement
ICC Certified Permit Technician
Department of Community Development
(360)582-2450
ecoler@sequimwa.gov

NOTICE: This email and any attachments may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56.

EXHIBIT 26 - SEPA DNS NOTIFICATION LIST
(UPLOADED AFTER HEARING)

Classified Proof

Client	PDN4900094 - CITY OF SEQUIM/LEGAL	Phone	(360) 683-4139
Address	152 W CEDAR ST	E-Mail	cdeschenes@sequimwa.gov
	SEQUIM, WA, 98382	Fax	(360) 681-3448

Order#	989598	Requested By	CHARISSE DESCHENES	Order Price	$101.12
Classification	9933 - City of Sequim Legals	PO #	BSP-23-001 & CDR-23-	Tax 1	$0.00
Start Date	01/06/2024	Created By	1209	Tax 2	$0.00
End Date	01/06/2024	Creation Date	01/03/2024, 01:12:43 pm	Total Net	$101.12
Run Dates	1			Payment	$0.00
Publication(s)	Peninsula Daily News				

Sales Rep	1209 - Clenard, Linda	Phone	(360) 683-3311
		E-Mail	lclenard@sequimgazette.com
		Fax	

EXHIBIT 27 - CLASSIFIED PROOF OF HEARING DATE, RAN IN PDN ON 1/6/2024 (UPLOADED AFTER HEARING) (P.1)

Classified Proof

CITY OF SEQUIM
NOTICE OF PUBLIC HEARING
PROJECT NAME
Binding Site Plan BSP-23-001 & Design Review
CDR-23-001

NOTICE IS HEREBY GIVEN, that the City of Sequim received the following permit application and determined that it was complete for processing as of September 25, 2023. The hearing is scheduled for 1:00 pm on January 16, 2024 and will be conducted by the Hearing Examiner.

PROJECT DESCRIPTION: The applicant proposes constructing two 5-unit attached single family residential structures as condominiums or townhomes through the Binding Site Plan process on an undeveloped parcel within an existing Planned Unit Development. The project will undergo Design Review and will be developed in accordance with the Lifestyle District (LD) Zoning regulations as outlined in SMC 18.20.130.

PROPONENT & PROJECT LEAD: Caleb Grubb, Pointer Properties, 234 W Hammond St, Sequim, WA 98382

LOCATION: The 0.78-acre project site is positioned between N 5th Ave and Garry Oak Dr in the SW corner of the Thompson Planned Unit Development. The subject property is all within Section 19, Township 30 N. Range 3 W., W.M. Clallam County, Washington; identified as Clallam County Assessor's Parcels No. 033019-840060.

PUBLIC HEARING TIME AND LOCATION: The public hearing will be held will be held virtually via Zoom.

The public can attend the J**anuary 16, 2024, Public Hearing** starting at 1pm online via the following options below:

Website for Audio Streaming: https://sequimwa-gov.zoom.us/j/87879918491.

People may also join by calling (253) 215-8782 and using ID# 886 5390 8196

If you cannot attend online you may attend in person at the Civic Center Council Chambers located at 152 W Cedar St.

CONSISTENCY W/APPLICABLE CITY OF SEQUIM PLANS & REGULATIONS: The proposal will be reviewed for compliance with all applicable codes and standards, including the Comprehensive Plan & Sequim Municipal Code.

COMMENTS / APPEALS: Any person has the right to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and may appeal the decision. Public comments will be accepted until the close of the public hearing scheduled for January 16, 2024. Comments may be submitted in person via hardcopy at the Civic Center (address noted above), or by U.S. Mail. Comments may also be submitted electronically to dcdpubliccomment@seq

CLASSIFIED PROOF OF HEARING DATE, RAN IN PDN ON 1/6/2024 (UPLOADED AFTER HEARING) (P.2)

uimwa.gov. The application materials are available on the City of Sequim's website at https://www.seq uimwa.gov/471/Current-Projects.
STAFF CONTACT: (360)683-4908
PDN.: January 6, 2024
Legal No. 989598

CLASSIFIED PROOF OF HEARING DATE, RAN IN PDN ON 1/6/2024 (UPLOADED AFTER HEARING) (P.3)

Classified Proof

Client	PDN4900094 - CITY OF SEQUIM/LEGAL	Phone	(360) 683-4139
Address	152 W CEDAR ST	E-Mail	tsimmons@sequimwa.gov
	SEQUIM, WA, 98382	Fax	(360) 681-3448

Order#	985384	Requested By	TRAVIS SIMMONS	Order Price	$150.10
Classification	9933 - City of Sequim Legals	PO #	BSP-23-001 & CDR-23-	Tax 1	$0.00
Start Date	10/07/2023	Created By	1209	Tax 2	$0.00
End Date	10/07/2023	Creation Date	10/05/2023, 12:48:44 pm	Total Net	$150.10
Run Dates	1			Payment	$0.00
Publication(s)	Peninsula Daily News				

Sales Rep	1209 - Clenard, Linda	Phone	(360) 683-3311
		E-Mail	lclenard@sequimgazette.com
		Fax	

EXHIBIT 28 - CLASSIFIED PROOF, NOTICE OF APPLICATION, RAN IN PDN ON 10/7/2023 (UPLOADED AFTER HEARING) (P.1)

Classified Proof

CITY OF SEQUIM
NOTICE OF APPLICATION
AND TENTATIVE PUBLIC HEARING DATE

DATE: 10/9/2023

PROJECT NAME: South Olympic View Condominiums

FILE NO: BSP-23-001 & CDR-23-001

LOCATION: The 0.78-acre project site is positioned between N 5th Ave and Garry Oak Dr in the SW corner of the Thompson Planned Unit Development. The subject property is all within Section 19, Township 30 N. Range 3 W., W.M. Clallam County, Washington; identified as Clallam County Assessor's Parcels No. 033019-840060.

PROPONENT: Caleb Grubb, Pointer Properties, 234 W Hammond St, Sequim, WA 98382

PROJECT LEAD: Same as proponent.

PUBLIC HEARING: An open record public hearing before the Hearing Examiner is tentatively scheduled for 1:00pm, December 28, 2023. Additional public notice will be provided no more than 30 days and no less than 10 days before the open record public hearing.

PROJECT DESCRIPTION: The applicant proposes constructing two 5-unit attached single family residential structures as condominiums or townhomes through the Binding Site Plan process. Subject parcels will undergo Design Review and will be developed in accordance with the Lifestyle District (LD) Zoning regulations as outlined in SMC 18.20.130.

CONSISTENCY W/APPLICABLE CITY OF SEQUIM PLANS & REGULATIONS: The proposal will be reviewed for compliance with all applicable codes and standards, including the Comprehensive Plan & Sequim Municipal Code.

COMMENTS: Persons wishing to comment on the project should submit written comments no later than 4:00 PM on October 29, 2023, to the City of Sequim, Department of Community Development (DCD), c/o Planning, 152 West Cedar Street, Sequim, WA – dcdpubliccomment@sequimwa.gov. However, public comments will be accepted up to, and any time prior to, the closing of the open record public hearing, but written comments received after October 29, 2023 might not be included in the staff report. Public comments should be as specific as possible and submitted to the City as early in the review process as possible. Any person may comment on the application, receive notice of and participate in any hearings, and request a copy of the decision. Public comments may be mailed or emailed to the City.

PERMITS & STUDIES:

- On-Site Soils Analysis for Infiltration, November 2, 2022; prepared by Zenovic & Associates, Inc.
- Technical Information Report and Hydrology Calculations, June 25, 2023; prepared by Sisul Engineering

CLASSIFIED PROOF, NOTICE OF APPLICATION, RAN IN PDN ON 10/7/2023 (UPLOADED AFTER HEARING) (P.2)

• Stormwater Plan, June 2023; prepared by Sisul Engineering

LEAD AGENCY: The City of Sequim assumes lead agency status for this project (BSP-23-001 & CDR-23-001).

SEPA THRESHOLD DETERMINATION: The SEPA Responsible Official anticipates issuing a Threshold Determination following the close of the application comment period on October 29, 2023. Based on the checklist submitted and associated studies, listed above, the adopted City Comprehensive Plan and development regulations it was determined that a threshold determination resulting in a Determination of NonSignificance (DNS) would be issued for this project per WAC 197-11-158. An environmental impact statement (EIS) under RCW 43.21(C).030(2)(c) was not required.

SEPA RESPONSIBLE OFFICIAL: Charisse Deschenes, Deputy City Manager, Community & Economic Development Director.

DATE OF PERMIT APPLICATION: July 28, 2023

DATE OF DETERMINATION OF COMPLETENESS: September 25, 2023

DATE OF NOTICE OF APPLICATION: October 9, 2023

PUBLIC COMMENT DUE DATE: October 29, 2023

If you have any questions or concerns regarding this matter, please contact the Department of Community Development, City of Sequim DCD, at 152 W. Cedar St., Sequim, WA 98382. Phone: (360)683-4908. Detailed information and copies of this proposal are available for review at the DCD office and on the City's DCD Current Projects webpage at: https://www.sequimwa.gov/471/Current-Projects

PDN.: October 7, 2023

Legal No. 985384

CLASSIFIED PROOF, NOTICE OF APPLICATION, RAN IN PDN ON 10/7/2023 (UPLOADED AFTER HEARING) (P.3)

Classified Proof

Client	PDN4900094 - CITY OF SEQUIM/LEGAL	Phone	(360) 683-4139
Address	152 W CEDAR ST	E-Mail	cdeschenes@sequimwa.gov
	SEQUIM, WA, 98382	Fax	(360) 681-3448

Order#	986701	Requested By	EMILY COLER	Order Price	$74.26
Classification	9933 - City of Sequim Legals	PO #	DNS WAC 197-11-340	Tax 1	$0.00
Start Date	11/03/2023	Created By	1209	Tax 2	$0.00
End Date	11/03/2023	Creation Date	10/31/2023, 08:15:29 am	Total Net	$74.26
Run Dates	1			Payment	$0.00
Publication(s)	Peninsula Daily News				

Sales Rep	1209 - Clenard, Linda	Phone	(360) 683-3311
		E-Mail	lclenard@sequimgazette.com
		Fax	

EXHIBIT 29 - CLASSIFIED PROOF, DETERMINATION OF NONSIGNIFICANCE, RAN IN PDN ON 11/3/2023 (UPLOADED AFTER HEARING) (P.1)

PUBLIC NOTICE
DETERMINATION OF NONSIGNIFICANCE
(DNS)- WAC 197-11-340
South Olympic View Condominiums
File No. BSP-23-001 & CDR-23-001

Description of proposal: The applicant proposes constructing 10 attached single family residential units as condominiums or townhomes, subject parcels to be developed in accordance with the Lifestyle District (LD) Zoning regulations as outlined in SMC 18.20.130 and will be completed as a Binding Site Plan which is detailed in SMC 17.24.

Applicant: Caleb Grubb, Pointer Properties, Inc., 51 Mainers Dr, Sequim, WA 98382.

Location of Proposal: The 0.78-acre project site is positioned northeast of the intersection of Garry Oak Dr and Eureka Way. The subject property is located within Section 19, Township 30 N. Range 3 W., W.M. Clallam County, Washington; identified as Clallam County Assessor's Parcels No. 033019-840060.

Lead Agency: City of Sequim

The lead agency for this proposal has determined that it does not pose a probable significant adverse environmental impact. Therefore, 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 submitted by the applicant and on file with the lead agency. This information is available to the public upon request. This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by November 17, 2023.

Responsible Official: Charisse Deschenes
Address: City of Sequim, 152 W. Cedar Street, Sequim, WA 98382 Phone: 360-681-3432
Date Issued: October 30, 2023

You may appeal this determination in writing to the responsible official listed above no later than 14 calendar days from the date of this notice. You should be prepared to make specific factual objections. Contact the responsible official to read or ask about procedures for SEPA appeals.

PDN.: November 3, 2023
Legal No. 986701

CLASSIFIED PROOF, DETERMINATION OF NONSIGNIFICANCE, RAN IN PDN ON 11/3/2023 (UPLOADED AFTER HEARING) (P.2)

STATEMENT UNDER PENALTY OF PERJURY
REGARDING MAILING OF PUBLIC NOTICE

Re: Mailing of Public Notice for Public Hearing for **South Olympic View Condominiums; Binding Site Plan & Design Review**

COMES NOW the undersigned, and hereby certifies (or declares) under penalty of perjury that the below statements are true and correct, to the best of my knowledge and belief.

1. My name is Travis Simmons, and I am over the age of 18 and competent to testify herein.
2. I am authorized to represent the City of Sequim on the above-referenced applications.
3. The public notice letters were mailed via United States Postal Service on Friday, October 9th, 2023 in accordance with the requirements of SMC 20.01.140.

Signed, under penalty of perjury under the laws of the State of Washington, at Sequim, Washington, on 10/9/23.
Date

Travis Simmons
Name

Assistant Planner
Title

EXHIBIT 30 - PROOF OF MAILING PUBLIC NOTICE (UPLOADED AFTER HEARING)

STATEMENT UNDER PENALTY OF PERJURY
REGARDING MAILING OF PUBLIC NOTICE

Re: Mailing of Public Notice for Public Hearing for **South Olympic View Condominiums; Binding Site Plan & Design Review**

COMES NOW the undersigned, and hereby certifies (or declares) under penalty of perjury that the below statements are true and correct, to the best of my knowledge and belief.

1. My name is Travis Simmons, and I am over the age of 18 and competent to testify herein.
2. I am authorized to represent the City of Sequim on the above-referenced applications.
3. The public notice letters were mailed via United States Postal Service on Friday, January 5, 2024 in accordance with the requirements of SMC 20.01.140.

Signed, under penalty of perjury under the laws of the State of Washington, at Sequim, Washington, on 1/5/2024.
Date

Travis Simmons
Name

Assistant Planner
Title

EXHIBIT 31 - PROOF OF MAILING PUBLIC NOTICE (UPLOADED AFTER HEARING)