

NOTICE OF DECISION

Proposal File #: LUA2024-0021 **Zoning:** C-2 (Freeway Commercial), I (Light Industrial)

Proposal: Liberty Lake Office/Warehouse and Future Hotel

Proposal Description: The project will be in two phases. Phase 1 is the construction of a 65,000 sq ft warehouse/office building. Improvements include utility extensions, paved parking, site access, stormwater management, and landscaping. Phase 2 is the construction of a 100-room hotel. Total project area consists of approximately 4.96 acres.

Site Address: 22415 & 22421 E Appleway Avenue, Liberty Lake, WA 99019

General Location: North of Appleway Avenue, East of Liberty Lake Road, South of I-90, and West of the Liberty Lake Business Park.

Abbreviated Legal Description - Section: 10 **Township:** 25 **Range:** 45

Owner: Malbco Holdings **Phone:** 509-990-4645

Contact: Drew Nelson **Phone:** 509-218-3693

Application Date: 07/16/2024 **Determination of Completeness Issued:** 09/04/2024

Notice of Application Review: 09/09/2024

Notice of Decision Issued: 09/26/2024 **Appeal Closing Date:** 10/10/2024

CITY OF LIBERTY LAKE PLANNING, ENGINEERING & BUILDING SERVICES DECISION:

- Approved w/ Conditions

The above-mentioned proposal is approved with the following conditions: (see attachments)

SEPA THRESHOLD DETERMINATION: Mitigated Determination of Non-Significance (see MDNS issued 09/26/2024)

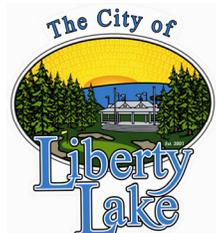
DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal a final decision on a project permit. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to Planning & Building Services by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. An 'open record' appeal to the Hearing Examiner is available on many Type I project permits. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Director.

This Notice of Decision has been provided to the project applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application.

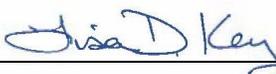
A copy of the SEPA determination has also been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

The complete record in this matter, including this decision, is on file during the appeal period with the review authority listed below. Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

REVIEW AUTHORITY: _____ **PROJECT COORDINATOR:** Lisa D. Key, Director



Planning, Engineering & Building Services
22710 E. Country Vista, Liberty Lake, WA 99019
Phone: (509) 755-6708, Fax: (509) 755-6713, www.libertylakewa.gov
Date Issued: 9/26/2024

Signature: 

MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Proposal File #: LUA2024-0021 **Zoning:** C-2 (Freeway Commercial), I (Light Industrial)

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Proposal Description: The project will be in two phases. Phase 1 is the construction of a 65,000 sq ft warehouse/office building. Improvements include utility extensions, paved parking, site access, stormwater management, and landscaping. Phase 2 is the construction of a 100-room hotel. Total project area consists of approximately 4.96 acres.

Site Address: 22415 & 22421 E Appleway Avenue, Liberty Lake, WA 99019

General Location: North of Appleway Avenue, East of Liberty Lake Road, South of I-90, and West of the Liberty Lake Business Park.

Owner: Malbco Holdings, LLC **Phone:** 509-990-4645

Contact: Drew Nelson **Phone:** 509-218-3693

MDNS Determination Issued: 09/26/2024 **Appeal Closing Date:** 4 pm on 10/10/2024

LEAD AGENCY: CITY OF LIBERTY LAKE

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment; provided the applicant complies with the mitigation measures listed below and the attached conditions. 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 on file with the lead agency. This information is available to the public on request. The complete record in this matter is on file during the appeal period with the review authority listed below and is available to the public upon request.

- There is no comment period for this MDNS; pursuant to WAC 197-11-355(4).
- This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date issued (below). Comments must be received by: _____, if they are intended to alter the MDNS.

MITIGATING MEASURES:

In addition to the plans and specifications submitted for permit and SEPA review, the following mitigation is required:

- a. Participation in the Harvard Rd. Mitigation Plan, as adopted and approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
- b. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction.
- c. A Stormwater Pollution Prevention Plan for the project site is 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.
- d. Development of the site shall comply with City Development Code, Section 10-3H, and the Spokane Regional Stormwater Manual. Stormwater plans and drainage reports, stamped and certified by the engineer of record as being compliant with the Spokane Regional Stormwater Manual, shall be submitted to the City Engineer for review and approval prior to the commencement of construction.
- e. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program

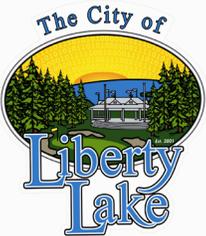
requirements shall be required.

- f. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells) must comply with the ground water quality requirement (non-endangerment standard) at the top of the ground water table.
- g. Dust emissions during demolition, construction and excavation must be controlled. Requirements as detailed by Spokane Regional Clean Air Agency shall be adhered to throughout the course of all construction and construction-related activities associated with this project.
- h. The developer shall be required to complete Cultural Resource Survey prior to any ground disturbing activities. The completed survey should be filed with Washington DAHP and the Tribal Historic Preservation Officer of the Spokane Tribe of Indians.

APPEAL OF THIS DETERMINATION, allowed under City Development Code Section 10-6A-7, subsection "C" shall be filed within fourteen (14) days after the determination has been made and is appealable. Any administrative appeal of a procedural or substantive determination under SEPA issued at the same time as the decision on the project action shall be filed within fourteen (14) days after notice of the decision has been made and is appealable. In order to allow public comment on a MDNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a MDNS for which public comment period is required under the provisions of the City Environmental Ordinance or chapter 197-11 WAC. A notice of appeal must be delivered to Planning Engineering & Building Services by mail or personal delivery and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H and shall follow the procedures outlined in City Development Code Section 10-6A-7, Subsection C for SEPA Appeals and Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Director. **Appeal Closing Date: 4pm on October 10, 2024.**

A copy of this SEPA determination has been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

REVIEW AUTHORITY:



RESPONSIBLE OFFICIAL: **Lisa D. Key, Director**

Planning, Engineering & Building Services

22710 E Country Vista Drive. Liberty Lake WA 99019

Phone: (509) 755-6708

Date Issued: 09/26/2024

Signature: _____

Lisa D. Key

I-90 CORRIDOR

JRA
ARCHITECTURE
& PLANNING
 ■ Coeur d'Alene Office
 2200 West Rosebud Lane
 Coeur d'Alene, ID 83814
 Phone: 208-667-5570
 Fax: 208-730-1111



project title:

Liberty Lake
 Liberty Lake, WA

project phase:

Schematic
 Design

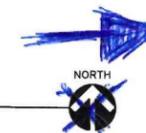
sheet title:

SITE PLAN

revisions:

project no:	sheet no:
drawn: DH	A1.01
checked: DJ	
date: April 1, 2024	

SITE PLAN
 SCALE = 1:20





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

September 19, 2024

Lisa Key
Director of Planning & Engineering
City of Liberty Lake
22710 E. Country Vista
Liberty Lake, WA 99019

Re: Liberty Lake Office/Warehouse and Future Hotel
File: LUA2024-0021

Dear Lisa Key:

Thank you for the opportunity to comment on the Notice of Application and anticipated Determination of Nonsignificance regarding the Liberty Lake Office/Warehouse and Future Hotel Project (Proponent: Malbco Holdings, LLC). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

Hazardous Waste and Toxics Reduction Program

Please keep in mind that during the construction activities associated with the Liberty Lake Office/Warehouse and Future Hotel Project, some construction-related wastes produced may qualify as 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
- Treated wood

Please visit the [Construction and Demolition website](#) for a more comprehensive list and a link to help identifying and designating your wastes.

The applicant, as the facility generating the waste, bears the responsibility for all construction waste. The waste generator is the person who owns the site. Even if you hire a contractor to conduct the demolition or a waste service provider to designate your waste, the site owner ultimately assumes liability. The applicant should diligently research reputable and reliable contractors for this reason.

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 contain dangerous waste. Please visit the [Construction and Demolition website](#), under the Before Demolition: Assess the Building heading for more information on a how to sample and what to test for prior to demolition.

For more information and technical assistance, contact Alex Bergh at (509) 385-5539 or via email at Alexandra.Bergh@ecy.wa.gov.

Water Quality Program

If the applicant can retain all construction-related stormwater onsite, Ecology may not require a Construction Stormwater General Permit.

For more information or technical assistance, please contact Suman Paudel at (509) 601-2124 or via email at suman.paudel@ecy.wa.gov.

Water Resources Program

The water purveyor bears responsibility for ensuring that the proposed use(s) are within the limitations of its water rights. If the proposal's actions differ from the existing water right (source, purpose, the place of use, or period of use), then it is subject to approval from the Department of Ecology pursuant to Sections [90.03.380 RCW](#) and [90.44.100 RCW](#).

For more information, please contact Herm Spangle at (509) 209-3421 or via email at herm.spangle@ecy.wa.gov.

State Environmental Policy Act (SEPA)

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at Cindy.Anderson@ecy.wa.gov.

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.



Date: 9/20/24
To: Lisa Key
RE: Spokane Regional Clean Air Agency Requirements for:
Project Name: Liberty Lake Hotel and Office Warehouse
Permit #:
Site Address: 22421 & 22415 E Appleway
Parcel #:

The following is a list of concerns/issues that may need to be addressed for this project as determined from information received by this office. The list is provided as a brief summary of general requirements and does not relieve the proponent from meeting all local, state, and/or federal regulations. For additional information or clarification, contact Spokane Clean Air at (509) 477-4727. Copies of Spokane Clean Air regulations are available at www.SpokaneCleanAir.org.

Construction related requirements:

- Dust emissions during demolition, construction and excavation projects must be controlled. This may require the use of water sprays, tarps, sprinklers, or suspension of activity during certain weather conditions.
- Measures must be taken to avoid the deposition of dirt and mud from unpaved surfaces onto paved surfaces. If tracking or spills occur on paved surfaces, measures must be taken immediately to clean these surfaces.
- Spokane Clean Air strongly recommends that all traveled surfaces (i.e. ingress, egress, parking areas, access roads, etc.) be paved and kept clean to minimize dust emissions.
- Debris generated as a result of this project must be disposed of by means other than burning.
- If objectionable odors result from this project, effective control apparatus and measures must be taken to reduce odors to a minimum.
- Special attention should be given to proper maintenance of diesel powered construction equipment to reduce the impact of diesel exhaust, a suspected carcinogen.

Additional requirements:

- Spokane Clean Air requires an Asbestos Survey be performed by a certified AHERA Building Inspector prior to most renovation and all demolition projects. The project may also require a formal notification form to be submitted to Spokane Clean Air. Fees and waiting periods apply. Contact Spokane Clean Air at (509) 477-4727 and/or visit www.SpokaneCleanAir.org before renovation or demolition activities begin to avoid potential compliance issues and/or project delays.
- A Notice of Construction and Application for Approval is required to be submitted and approved by Spokane Clean Air prior to the construction, installation, or establishment of an air pollution source. This includes emergency generators rated at 500 hp (375 kW) or higher and natural gas heating equipment units rated at 4 MMBTU/hr or higher (input). Contact Spokane Clean Air for a Notice of Construction application.



**Spokane Tribe of Indians
Tribal Historic Preservation Office**

P.O. Box 100 Wellpinit WA 99040

September 9, 2024

To: Lisa Key, Planner

RE: LUA2024-0021- Liberty Lake Office / Warehouse and Future Hotel

Ms. Key,

Thank you for contacting the Tribe's Historic Preservation Office, we appreciate the opportunity to provide a cultural consent for your project. The intent of this process is to preserve and protect all cultural resources whenever protection is feasible.

After archive research this area has a high potential for encountering cultural resources, and the proposed ground disturbing actions would destroy any cultural resources present.

Recommendation: Cultural resource survey completed before any ground disturbing activity and Inadvertent Discovery Plan (IDP) implemented into the scope of work.

Once the survey is completed, we will do more mitigation of the outcome of the cultural survey.

However, if any artifacts or human remains are found upon excavation activity this office is to be notified and the immediate area ceases. Should additional information become available, or the scope of work changes, our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist us in protecting our shared heritage.

If questions arise, please contact me at (509) 258 – 4222.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer