

**NOTICE OF DECISION**

**Proposal File #:** LUA2024-0030 **Zoning:** M-2 (Community Center Mixed-Use)

**Proposal:** 21<sup>st</sup> Amendment to BSP 50-96

**Proposal Description:** An amendment to BSP 50-96 to create a 9-lot commercial site that will be accessed by Country Vista Drive and a private road that will serve all secondary lots.

**Site Address:** No Address Yet Assigned, Parcel No. 55161.9178

**General Location:** East of Kramer Pkwy, South of I-90 and North of Country Vista Dr.

**Abbreviated Legal Description - Section:** 16 **Township:** 25 **Range:** 45

**Owner:** Liberty Lake Land Co, LLC **Phone:** N/A

**Contact:** Jon Hester, Ardurra **Phone:** 509-953-5222

**Application Date:** 08/21/2024 **Determination of Completeness Issued:** 08/26/2024

**Notice of Application Review:** 08/10/2024

**Notice of Decision Issued:** 10/4/2024 **Appeal Closing Date:** 10/18/2024

**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 10/4/2024)

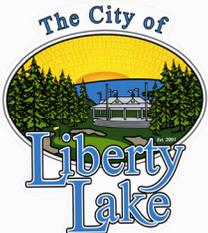
DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal a final decision on a project permit. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to Planning & 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](http://www.libertylakewa.gov)

Date Issued: 10/4/2024

Signature: *Lisa D Key*

## **MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)**

**Proposal File #:** LUA2024-0030 **Zoning:** M-2 (Community Center Mixed Use)

**Proposal:** 21<sup>st</sup> Amendment to BSP 50-96

**Proposal Description:** An amendment to BSP 50-96 to create a 9-lot commercial site that will be accessed by Country Vista Drive and a private road that will serve all secondary lots.

**Site Address:** No Address Yet Assigned, Parcel No. 55161.9178

**General Location:** East of Kramer Pkwy, South of I-90 and North of Country Vista Dr.

**Owner:** Liberty Lake Land Co, LLC

**Phone:** N/A

**Contact:** Jon Hester, Ardurra

**Phone:** 509-953-5222

**MDNS Determination Issued:** 10/4/2024

**Appeal Closing Date:** 4 pm on 10/18/2024

### **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. The developer shall be required to complete Cultural Resource Survey prior to any ground disturbing activities.

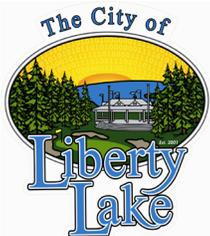
The completed survey should be filed with Washington DAHP and the Tribal Historic Preservation Officer of the Spokane Tribe of Indians.

- h. This project is estimated to generate new trips within an adopted impact fee area in the City of Spokane Valley. The Applicant shall enter into a voluntary mitigation agreement with the City of Spokane Valley to make their contribution towards improvements along the South Barker Corridor and shall pay the mitigation fee defined in the South Barker Corridor Impact Fee Rate Study for Liberty Lake of \$653 per trip for each new PM peak hour trip generated, totaling \$302,992. This value was derived from the Ardurra Expanded TG&D Analysis dated August 19, 2024.
- i. A subarea planning process is currently underway to assess the regional impact of future development in the undeveloped areas between Barker Road and Harvard Road. The result is expected to be a more detailed cost of mitigation surrounding the South Barker Corridor, Barker/I-90 Interchange, Harvard/I-90 Interchange, and associated interconnecting infrastructure. If the project chooses to provide mitigation with each phase of development, then the project shall be subject to the then current mitigation fees as established by the subarea plan and agreed upon by the Cities of Spokane Valley and Liberty Lake at the time of mitigation for each phase.

**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 18, 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: 10/4/2024

Signature: \_\_\_\_\_

*Lisa D Key*





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

P.O. Box 100 Wellpinit WA 99040

August 28, 2024

**To:** Lisa Key, Planner

**RE: City of Liberty Lake LUA2024-0030**

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



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

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

September 9, 2024

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

Re: 21st Amendment to BSP 50-96  
File: LUA2024-0030

Dear Lisa Key:

Thank you for the opportunity to comment on the Notice of Application and anticipated Determination of Nonsignificance regarding the 21st Amendment to BSP 50-96 Project (Proponent: Liberty Lake Land Co). 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 21st Amendment to BSP 50-96 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](mailto: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.

Ecology requires Best Management Practices (BMPs) such as routine inspections and maintenance of all erosion and sediment during construction activities related to the project.

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



**FRANK SOTO JR, FIRE CHIEF**

2120 N. Wilbur  
Spokane Valley, WA 99206  
(509) 928-1700 Main  
(509) 892-4125 Fax  
[spokanevalleyfire.com](http://spokanevalleyfire.com)

September 10, 2024

Lisa Key  
City of Liberty Lake  
22710 E Country Vista Dr.  
Liberty Lake, WA 99019

RE: LUA2024-0010  
21<sup>st</sup> Amendment to BSP 50-96  
~20350 E. Country Vista Dr (Parcel No. 55161.9178)

The Spokane Valley Fire Department has the following conditions of approval for the 21<sup>st</sup> amendment to BSP 50-96:

1. All specific fire department requirements shall be conditioned on future commercial permits.
2. Fire apparatus do not back out onto high traffic roads; they shall be able to pass through the site or turnaround on site.
3. Address future building per SVFD address guidelines.
4. Marking Fire Lanes [IFC D103.6]: No Parking Fire Lane signs shall be provided along portions of the drive aisle where parking stalls are not being provided but unauthorized parking could occur.
5. Secondary access requirements for Commercial and Industrial Developments [IFC D104.2]: Buildings or facilities having a gross building area of more than 62,000sq.ft. shall be provided with two separate and approved fire apparatus access roads (may apply to parcel A).
  - a. The proposed road layout and connection points to Country Vista Dr and the existing drive aisle along the east property boundary of parcel A appear to meet the remoteness (spacing) criteria from IFC D104.3.

Sincerely,

*Austin Morrell*

Austin Morrell  
Fire Protection Engineer (EIT)  
Spokane Valley Fire Department

Cc Liberty Lake Permit Center



September 24, 2024

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

RE: Notice of Application for LUA2024-0030; 21<sup>st</sup> Amendment to BSP50-96  
City of Spokane Valley Traffic Review Comments

Ms. Key:

The City of Spokane Valley (the City) has reviewed Notice of Application (NOA) for the 21<sup>st</sup> Amendment to BSP50-96 with comments noted below. The project was evaluated for transportation impacts as summarized in the Expanded TG&D Analysis (TGDL) dated August 19, 2024 submitted by Ardurra. The transportation impact of the proposed development is important to the City due to the trip volume expected to travel westbound via Appleway Avenue into the City of Spokane Valley and through the Barker Corridor given the documented capacity issues.

As noted in the TGDL, the project is estimated to generate 464 new PM peak hour trips within the South Barker Corridor study area and is recommended to contribute to the mitigation projects of said study. South Barker Corridor is an adopted impact fee area within the City of Spokane Valley. A subset of the impact fee rate study was completed to estimate the impact of development occurring outside of the City limits in Spokane County and in the City of Liberty Lake. The rate studies for the external development areas were adopted by City Council on June 14, 2022 by Resolution 22-012. Given that impacts will occur within Spokane Valley, we believe that contribution to the Capital Improvement Projects on the South Barker Corridor and in the impact fee area is necessary and that the applicant must provide mitigation as such.

As documented in the South Barker Corridor Transportation Impact Fee Rate Study for Liberty Lake and identified in the TGDL for this NOA, development projects located within Liberty Lake transportation analysis zones are estimated to have a fair share cost of \$653 per new PM peak hour trip. This project is estimated to generate 464 new PM peak hour trips, which equates to a fee of \$302,992. This fee and associated rates were developed based on a Transportation Analysis Zone (TAZ) level analysis of impact to the South Barker Corridor and is therefore based on total development trips.

**Notice of Application for LUA2024-0030, the 21st Amendment to BSP 50-96  
COSV Traffic Review Comments; Page 2**

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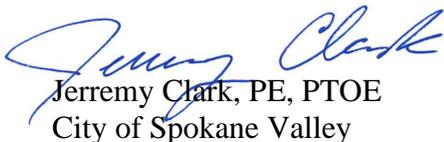
It is understood that, pending the outcome of a subsequent subarea study currently underway for the undeveloped areas between Barker Road and Harvard Road, the mitigation surrounding the South Barker Corridor, Barker/I-90 Interchange, Harvard/I-90 Interchange, and associated interconnecting infrastructure may change in scope and/or cost. The aforementioned mitigation is intended as a path toward approvals and it is expected that conditions of development include reference to the pending subarea study and associated results.

The City requests that you please work with the applicant to include the following conditions in the MDNS to address the transportation impacts of the proposed development:

1. This project is estimated to generate new trips within an adopted impact fee area in the City of Spokane Valley. As noted, the Applicant shall enter into a voluntary mitigation agreement with the City of Spokane Valley to make their contribution towards improvements along the South Barker Corridor and shall pay the mitigation fee defined in the South Barker Corridor Impact Fee Rate Study for Liberty Lake of \$653 per trip for each new PM peak hour trip generated, totaling \$302,992. This value was derived from the Ardurra Expanded TG&D Analysis dated August 19, 2024.
2. A subarea planning process is currently underway to assess the regional impact of future development in the undeveloped areas between Barker Road and Harvard Road. The result is expected to be a more detailed cost of mitigation surrounding the South Barker Corridor, Barker/I-90 Interchange, Harvard/I-90 Interchange, and associated interconnecting infrastructure. If the project chooses to provide mitigation with each phase of development, then the project shall be subject to the then current mitigation fees as established by the subarea plan and agreed upon by the Cities of Spokane Valley and Liberty Lake at the time of mitigation for each phase.

Please do not hesitate to contact me if you have any further questions or comments. I appreciate your feedback.

Thank you,

  
Jeremy Clark, PE, PTOE  
City of Spokane Valley

Cc:  
Bill Helbig, Public Works Director, City of Spokane Valley

**From:** [Clarke, Corey J.](#)  
**To:** [Lisa Key](#)  
**Cc:** [Figg, Greg](#); [Traore, Mohamed](#)  
**Subject:** SEPA for LUA2024-0030 - 21st Amendment to BSP 96-50 - WSDOT Acceptance  
**Date:** Monday, September 30, 2024 4:03:33 PM

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This sender is trusted.

Lisa,

WSDOT has completed its review of the Liberty Lake Corporate Park Expanded Trip Generation and Distribution Analysis, completed by Ardrurra and dated August 19, 2024. After our review, we acknowledge the Trip Generation and Distribution Analysis as complete and have no further comments or requests.

Please let us know if you have any questions regarding this.

Thank you,

**Corey Clarke**  
Transportation Planning Specialist II  
WSDOT – Eastern Region Planning Office  
509-324-6200 | [corey.clarke@wsdot.wa.gov](mailto:corey.clarke@wsdot.wa.gov)  
Typical Hours: M-Th, 7-5:30