



City of Leavenworth
Department of Development Services

**Combined Notice of Complete Application,
Notice of Application, Notice of Hearing and Preliminary SEPA Determination**

Project Name/File Number: Garten Haus Expansion / SSDP2020-017

Physical Address of Property: 1300 Commercial Street
Leavenworth, WA 98826

Applicant: ZBA Architecture
421 W Riverside Ave, Suite 860
Spokane, WA 99201

Owner: CCWHA
1555 Methow Street
Wenatchee, WA 98801

Date of Public Notice: July 16, 2020
Date of Application Submittal: May 26, 2020
Date of Notice of Incomplete: June 8, 2020
Date of Resubmittal: July 2, 2020
Date of Notice of Completeness: July 16, 2020

Comment Due Date: August 17, 2020

Date & Location of Public Hearing: Thursday, August 27, 2020 at 10:00 a.m.
Leavenworth City Hall, 700 Hwy 2, Leavenworth, WA 98826 (Via Zoom)

Join Zoom Meeting using the link:

<https://us02web.zoom.us/j/82110577541?pwd=L29EaldqL3RkdXlUdG9lcHpBUVdFZz09>

Or Meeting ID: 821 1057 7541 Password: 002321

Or the call-in phone number: 1-253-215-8782

Alternative call-in phone numbers may be used, visit zoom website for more information:

<https://us02web.zoom.us/j/82110577541?pwd=L29EaldqL3RkdXlUdG9lcHpBUVdFZz09>

The public is encouraged to attend via zoom; however, City Hall will be open for the public wanting to attend the hearing in person. Social distancing will be required for those in attendance and space may be limited. Staff will open the zoom hosting site approximately 10 minutes prior to the meeting for people to assemble. The public is encouraged to submit written comments prior to the hearing

Project Location: The project site is located at 1300 Commercial Street, Leavenworth, Washington. The property is identified by Assessor's Parcel Number: 24-17-01-675-200 and legally described as Block B, Second Addition to Leavenworth. The subject site is located within the Multifamily Residential (MR) zoning district and the "Shoreline residential" environmental designation of the Wenatchee River, a shoreline of statewide significance.

Project Description: A shoreline substantial development permit for the renovation and expansion of an existing two-story apartment building. Floors one and two will be renovated and a new lower floor will be added to the facility. The new addition will be approximately 6,683 square feet and will include six (6) one-bedroom units and two (2) two-bedroom units, a game room, and storage/maintenance areas. The number of units will increase from thirty-two (32) to forty (40) units. The new addition will be located landward of the 100-year flood zone and will be setback 71'-9" from ordinary high water mark (OHWM).

Determination of Completeness: The application for the project as described above has been reviewed by the City of Leavenworth and has been determined to be **complete**, as it meets the procedural submission requirements of the City and is sufficient for continued processing. This Determination of Completeness shall not preclude the City of Leavenworth from requesting additional information, corrections, studies, mitigation and/or requirements, either at the time of the Notice of Completeness or subsequently, if new information is necessary, corrections are needed, and/or substantial changes in the proposed action occur.

SEPA Review: This project is subject to the State Environmental Policy Act (SEPA) as it exceeds the flexible thresholds for categorical exemption of 20 residential dwelling units, pursuant to LMC 16.04.100 and is located within shoreline jurisdiction. The City of Leavenworth, lead agency and permitting authority for this proposal, has reviewed the proposed project for probable impacts and expects to issue a Determination of Non-significance (DNS). The Optional DNS process in WAC 197-11-355 is being used. Agencies, tribes and the public are encouraged to review and comment on the proposed project and its probable impacts. This may be the only opportunity to comment on the environmental impacts of the proposal.

Statement of Preliminary Determination, Compliance Review: This project has been reviewed for compliance with Leavenworth Municipal Code and SEPA regulations, including but not limited to:

1. The proposal is subject to review under the provisions of LMC 16.04, State Environmental Policy Act. *The proposed expansion exceeds the flexible thresholds established by the City, pursuant to LMC 16.04.100 and the expansion area is located within shoreline (200 feet from OHWM of the Wenatchee River) and is therefore not exempt from SEPA.*
 - a. *A preliminary determination of non-significance has been made by the City.*
2. The proposal is subject to review under the provisions of SMP Appendix B, Critical Areas.
 - a. *The subject property is located within a geologically hazardous area, and subject to Article VI, Geologically Hazardous Area.*
 - i. *The applicant has submitted Geotechnical Engineering Evaluation and Infiltration Analyses, dated April 20, 2020. Compliance with the recommendations of this report will be required for the proposed development.*
 - b. *The subject property is located within the Wenatchee River's shoreline jurisdiction and subject to Article IV, Fish and Wildlife Habitat Conservation Areas.*
 - i. *The applicant has provided a landscape/revegetation plan as mitigation for the impacts of the proposed expansion. This plan is subject to review and approval by WDFW.*
 - ii. *Staff has prepared a PHS data report, dated 6/8/2020, which shows generalized locations of priority habitats and species. The proposal does not significantly impact any known habitats or species in the area.*
3. The proposal is subject to review under the provisions of LMC 16.12, Shoreline Master Program. *The subject site is located within the Shoreline Jurisdictional Boundary, shoreline residential designation. The proposed expansion of the multifamily facility is authorized as substantial development, pursuant to SMP 3.2.7, Table 1.*
 - a. *The proposal requires justification of buffer reduction, pursuant to SMP Section 4.5.2(S). The applicant has provided a landscape mitigation plan to reduce the buffer by 25 percent.*
 - b. *The proposal requires compliance with landscape standards, pursuant to SMP Section 4.5.2(T). As stated above, the applicant has provided a landscape mitigation plan.*
4. The proposal is subject to review under the provisions of LMC Chapter 18.22, Multifamily Residential District. Multifamily dwellings, including rental apartments, are a permitted use in this zone, subject to development standards. *Based on current lot size, the property is authorized up to 41 units (1 unit per 2,000 sq ft). All development is subject to development standards such as setbacks, building height, lot coverage, landscaping, parking, stormwater, utilities, etc., which will be addressed during building permit review.*

5. Pursuant to LMC Chapter 21.09, shoreline permits issued pursuant to Chapter 90.58 RCW are subject to “Quasi-Judicial Review” including noticing pursuant to LMC 21.07 and SMP Section 7.3.

Additional Mitigation of Environmental Impacts: This application appears consistent with the regulations contained within the Leavenworth Municipal Code (LMC) and shall be required/conditioned to comply with Titles 14, 15, 16, 18 and 21, with the Leavenworth Comprehensive Plan, and with the Leavenworth Shoreline Master Program. Pursuant to WAC 197-11-158, the lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA for this project.

Existing Environmental Documents: The application includes a SEPA checklist, JARPA, Geotechnical Engineering Evaluation and Infiltration Analyses, Landscape Plan, and Erosion and Sediment Control Plan.

Required Permits: This Notice of Application is for the required Shoreline Substantial Development Permit. The applicant will be required to obtain a building permit for the expansion of the facility.

Public Notice: This Notice of Application shall be posted at the project site and in three (3) places at City Hall and on the subject site for the duration of the comment period, per Leavenworth Municipal Code Section 21.07.070(B). This Notice of Application shall also be emailed to other agencies with jurisdiction.

Public Comment / Review / Appeals: The public and other agencies with jurisdiction are encouraged to review and comment on the proposed project and its probable impacts.

It is the right of any person to comment on the above noted application, to receive notice of and participate in any hearings, and request a copy of the decision once it is made, or to appeal such decision subject to the requirements outlined in Title 21 of the Leavenworth Municipal Code. Interested persons must submit written comments and/or requests within fourteen days following the date of publication of this notice. **The comment period ends August 17, 2020 at 5:00 pm.**

Notice of Hearing: A Public Hearing has been scheduled before the City of Leavenworth Hearing Examiner on Thursday, August 27, 2020, at 10:00 am, online via Zoom, for the above referenced application. This notice is in conformance with Leavenworth Municipal Code 21.09.050 (B) (3) which requires notice at least 10-days prior to the date of the hearing.

A complete project file is available for review by appointment at Leavenworth City Hall at 700 Highway 2, Leavenworth, Washington, online on the City’s Public Portal at <https://bit.ly/2RMadlw> (search LUA2020-017 or by address 1300 Commercial) or by contacting Maggie Boles, City Planner.

Staff Contact:

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