

## Appendix A

January 29, 2024 Hearing Transcript

### Puyallup School District No. 3 Kessler Center Parking Lot Expansion Conditional Use Permit

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Hearing Examiner Olbrechts (00:02):

Okay, well I think, yeah, my clock says 9:59. I think we're about a couple seconds off, so let me just get rolling here. For the record, it is January 29th, 2024, 10:00 AM I'm full of our hearing examiner for the City of Puyallup this morning. We have a conditional use permit application for bus parking facility. This is P-L-C-U-P 2022 -128 and it looks like Rachel Brown is the lead staff on this. Is that correct? Yes. Okay, perfect. So Ms. Brown, we'll start off today's hearing by giving us an overview of the project. Once she's done, we'll move on to the applicant's if they want to say anything. You don't have to, but now's your chance. If you do, after you do that, then we'll get on with the purpose of the hearing, which is to hear from the public. If anyone is participating today. I know we did get one public comment letter. So let's see. Ms. Hannah, do we have any members of the public with us today?

Ms. Hannah (01:02):

We have a list in the attendees room. Scott Smith and Donna Person Smith. I believe they're the neighbors that want to comment.

Hearing Examiner Olbrechts (01:11):

Okay, great.

Ms. Hannah (01:12):

Other than that, it looks like city staff and maybe a few other members of the applicant team.

Hearing Examiner Olbrechts (01:18):

Okay, great. Alright, so when the applicant's done commenting we'll let any members of the public comment who wish to, and we'll explain how they can participate at that point. Once we're done with public comments, we go back to Ms. Brown to answer any questions, provide rebuttal evidence if she thinks that's necessary, and then applicant gets final word. I get 10 business days to issue a final decision. Now by state law, I'm only allowed to consider evidence that's put in the record today and the record is composed of all the testimony that's provided. And then any exhibits admitted into the record. I wasn't allowed to speak to staff about the project or anybody else. Everything I know about this project will be from what's put in the record this afternoon. Ms. Brown did put together some documents we call 'em exhibits that she wants to be made part of the record. I'm going to share that now, so we'll get to see what that is. Let's see if I find that. Where'd that go? I think that should be it. Hopefully that's the right exhibit list. Okay. Do you all see an exhibit list that starts with Exhibit A?

Speaker 2 ([02:27](#)):

Yes.

Hearing Examiner Olbrechts ([02:27](#)):

I see. Perfect. These are the exhibits that Ms. Brown put together that she gave me in advance of the hearing, wanted me to take a look at Before we get started, this is an addition to the staff report. So we have the application form applicant comment response. We have critical area review, vicinity maps, narrative application, site plans. We have the stormwater plan, traffic worksheets, traffic information. We had a geotech report done, a landscape plan, an ARBORS report, traffic impact. A lot of analysis went into this thing. SEPA checklist, that's where the assessment comes from. Whether an environmental impact statement is necessary or mitigation measures are necessary to avoid that. EIS in this particular case and environmental impact statement, it was not found necessary. Development review team letters, that's where the public works engineering reviews the project to make sure it meets the city's public works and development standards.

([03:24](#)):

And then we got our public comments from the Nisqually Tribe and the Smiths. And that's SEPA environmental determination of non-significance. That's the decision and environmental impact statement is not necessary and a stormwater overflow agreement. So if anyone needs to see any of these documents or has any objections to their entry in the record, just hit the raised hand button at the bottom of your screen or say, I object if you're not muted. And let's see, I do see one raised hand there. Let's see, who's that? Let's see. Those are from the Smiths. Okay. You asked the Smiths, did you object to any of these documents or see Michelle, can we make 'em audible? I don't know if they're,

Ms. Hannah ([04:10](#)):

There we go.

Hearing Examiner Olbrechts ([04:11](#)):

Okay.

Ms. Smith ([04:13](#)):

Hi, can you hear me?

Hearing Examiner Olbrechts ([04:14](#)):

Yes.

Ms. Smith ([04:16](#)):

We want to see copies of these documents. We made a request for all the reports and documents that would be a part of this hearing and we made a public records request, but we won't get those until sometime next month. Oh geez. So how do we get copies of all this? So we can see this, we have a lot of concerns in particular about stormwater runoff. We want to see what these are because this is going to impact our property.

Hearing Examiner Olbrechts ([04:44](#)):

Okay. Ms. Hannahs, can you give them the link to those documents? The one that you gave me?

Ms. Hannah (04:54):

Yes. I believe we can do that. I can talk with Rachel after the hearing and we can get that.

Ms. Smith

Well, how does that help me if there's a public hearing?

Hearing Examiner Olbrechts (05:04):

Yeah, hold on. I will be leaving the record open to give you time to look that over. Just give us a chance to do that. Okay. So, alright. Okay. So let Smith just go ahead and in the chat section, go ahead and email your email address to Ms. Hannah. She'll get that link to you and then at the end of the hearing we'll discuss leaving the record open.

Ms. Smith (05:25):

So I don't have the chat section. All I have is I can raise my hand and lower my head. That's all I can see on my end.

Hearing Examiner Olbrechts (05:32):

Okay. Let's see here.

Ms. Hannah (05:37):

Rachel, do you have contact info for the Smiths? Yes, I do. Okay.

Hearing Examiner Olbrechts (05:43):

Okay.

Planner Brown (05:44):

We have their email.

Hearing Examiner Olbrechts (05:45):

Okay. So you can email them. Okay. Alright. Yeah, so as I mentioned Ms. Smith, when we get to the end of the hearing, we'll figure out how to leave the record open so you have time to review the documents and comments and all that kind of thing. So I'll admit those documents provisionally, subject to the right of the Smiths to object. And then we will deal with the objections once they're made. So if those exhibits A through Y are admitted along with the staff report. So with that, Ms. Brown, let me swear in, just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Planner Brown

Yes.

Hearing Examiner Olbrechts

Okay, great. Go ahead.

Planner Brown (06:26):

All right. So Rachel Brown with the planning division here as the review planner for the project, I'll go ahead and share my screen and present a brief overview of the proposed project. Okay. Can everyone see the screen?

Hearing Examiner Olbrechts (06:53):

Yes.

Planner Brown (06:54):

Okay. Alright. So yes, here to present a conditional use permit application for a project presented by the op school district for an expansion of a parking lot at what they call the South Hill site. This is case ID PL DUP 20 22 0 1 28. The proposed project, again proposed by the Puyallup School District, intends to convert a newly acquired piece of land that is approximately 4.5 acres. Inside the proposal is to convert this vacant piece of land to a parking lot to accommodate a small bus fleet that is currently located at a downtown district campus that's approximately 60 vehicles of school bus fleet vehicles. The proposal is to also provide parking for bus drivers who also currently report to that downtown campus. The applicant, the school district also requests the maximum allowed CUP expiration period of six years in order to accommodate a phased approach to construction of this project.

(08:15):

The key features of this project are that it's approximately actually five acres of development area. The five acres is because the proposal is for a 4.5 acres site, but there is a little bit of development on the adjacent, already existing parcel of op school district land for access to via that western parcel. The total new parking stalls that are proposed are 125 stalls and the total school bus storage area proposed is approximately 1.2 acres an area. The proposed project also includes landscaping area and stormwater improvements. The applicant is Jolene Jones on behalf of the School District. The site's located at 1501 39th Avenue Southwest. It's zoned community business and it's a DNS was issued by the school district on November 22nd, 2022.

(09:22):

The timeline of the application, it was proposed and submitted to the city for review. On August 8th, 2022, the city issued a notice of applications to adjacent property owners on August 19th, 2022. The city then undertook development review of that proposal. We issued correction review letters to the applicant December 2nd, 2022, May 1st, 2023, September 14th, 2023. And then we issued a final review letter December 21st, 2023, letting the applicant know that their latest application had satisfied the city's requirements and they could move forward with scheduling a hearing with the hearing examiner. At that point, the city issued a notice of hearing to adjacent property owners on January 12th, 2024.

(10:14):

During the course of those notices, we received no substantive public comments for our notice of application back in August, 2022 except for a non-substantive comment letter from the Nisqually Indian tribe. During the notice of hearing, however, we did receive a substantive comment from an adjacent property owner. The comments are Donna Person Smith expressed concerns about stormwater runoff dust and construction noise impacts to the adjacent property at 37 0 8 14th Street Place Southwest. Some important exhibits that were provided were the staff reports, which goes over the staff's analysis of whether or not the project conforms to the CUP criteria, the CUP application, a South Hill narrative, and a full site plan set, a full landscape set and updated traffic impact analysis as well as the final DHG

letter. This is just a list of development review team staff that reviewed the project, including myself, Anthony Hulse, Brian Roberts, Ray Cochran, and David Drake.

(11:32):

This is a site plan or vicinity map. I'm sorry, just showing the vicinity of the project where it's located in the city. This map shows the zoning of the property. Again, the zoning is community business. The adjacent property that is also owned by the district is owned public facility is the site plan of the property. You can see that the access will come from an adjacent property to the west. As it then leads to the development site, which is again a bus storage area and then parking area for Puyallup school district staff bus drivers.

(12:18):

Since we received a comment with concerns about stormwater, I wanted to include a brief description of the stormwater plan as I understand it. The plan here, again, it's just a brief review of the stormwater plan. I did invite Anthony Hulse here who did review the stormwater design, if you have any further questions about it. So I've highlighted there's an existing catch basin at 14th Street Place Southwest that's circled. And then that catch basin then leads through a stormwater pipe to an existing infiltration pond that's owned by Costco, which is a property owner immediately to the east of the site that's also circled in yellow on this stormwater site plan. The improvements to this site would include adding several new stormwater pipes as well as other infiltration ponds. But what I've highlighted here is the new route added for this existing catch basin that a diverse water from 14th Street Place Southwest. So that catch basin currently goes through an existing pipe along some existing properties, and then my understanding is it just ends there and maybe pooling water from what I understand. And the new proposal would be to then add piping that would then carry that water further along the piping that I have highlighted in yellow here. And then up to the existing storm stormwater infiltration pond that is owned by a Costco, again circled to the north there on this site plan.

(14:14):

I did want to mention too that the city's conclusion from our review of the stormwater plan is that the storm water in this area should be better draining as a result of these improvements. Okay, so this is a conditional use permit application. There are criteria that the hearing examiner needs to consider when reviewing a conditional use permit application. I will outline them here. The first criteria is the proposed use consistent with zoning. The staff analysis is yes, a public service use, which is what this would be classified as. Is conditionally permitted in the community business zone?

(15:01):

Would issuing a criteria is issuing conditionally permit, would it be detrimental to the public health, safety, comfort, convenience, and general welfare in the area? Staff analysis is that the CP proposal will not be detrimental to any of those items in the area. The next criteria is will the CP create an undue burden and impact on facilities and streets? As you saw in our submitted documents, the city did do substantial analysis of the impact not only on stormwater, but also a traffic impact analysis was done. And the conclusion was that while there would be some additional trips to the site as a result of these improvements, it would not be a substantial burden on adjacent streets and intersections. So the conclusion is that no undue burden would be created as a result of the CUP. The next criteria is the site of sufficient size to accommodate all required futures and meets all requirements of the city's development regulations. Again, the city completed several rounds of development review and has concluded that yes, the site is of sufficient size and meets all other development criteria of the city's current codes and standards for approval. And then the CUP cannot be contrary to any adoptive comprehensive plan or any objective, any code or ordinance. And that,

Hearing Examiner Olbrechts ([16:29](#)):

Oh, did we lose Ms. Smith or Ms. Brown? Sorry, Ms. Hannah, do you know, did we lose Ms. Brown? Looks like it

Ms. Hannah ([16:48](#)):

Looks that way. Can we pause for a moment?

Hearing Examiner Olbrechts ([16:52](#)):

Yeah, why don't we take a five minute break till 10:25 and Okay. Yeah, we'll see you then.

Speaker 3 ([16:58](#)):

Okay.

Hearing Examiner Olbrechts ([19:10](#)):

Okay. Back on the record. All right. This brown was just getting near the end of her staff presentation, I believe, and we lost her that internet connection. But she's back with us. This is January 29th, 2024 on conditional use permit for the bus parking facility. So Ms. Brown, you'll go ahead and continue. Ms. Brown, you are muted. Oh, there we go.

Planner Brown ([19:37](#)):

Thank you. Sorry for that interruption. Okay. So as I was saying, the next standard is that the review criteria states that the CUP will not be contrary to an adopted comprehensive plan or to an objective accord or ordinance. We reviewed the policies and the comprehensive plan and found no identifying consistencies with our comp plan. So staff recommendation is approval as proposed, but the maximum six year expiration period, and that's all.

Hearing Examiner Olbrechts ([20:21](#)):

Okay. Ms. Brown, could you go back to an aerial photograph of the project side? I think you had that early on in your presentation. Yeah. So first of all, I mean, which parts of this project area going to have the improvements made? Couldn't quite

Planner Brown ([20:37](#)):

Right here to the east. Okay. Yeah.

Hearing Examiner Olbrechts ([20:42](#)):

And your staff report noted surrounding uses, it didn't identify any residential uses and it is from the Smith's letter that they live next to the project or close to it. Could you, I mean, are there adjoining residential uses to the project area?

Ms. Brown ([20:58](#)):

So when I selected this parcel, which I believe is their parcel, I believe that I identified it as a law office. But I would be interested to hear from them if that's possibly incorrect.

Hearing Examiner Olbrechts ([21:12](#)):

Oh, I see. Okay. Alright.

Ms. Smith ([21:14](#)):

I heard that - we do operate a law office out of our parcel, but the adjacent, the next door neighbor that is residential.

Hearing Examiner Olbrechts ([21:22](#)):

Okay. Alright. And Ms. Smith? Yeah, please only speak in turn. You'll have an opportunity to speak when it's your turn just for keeping order in the proceeding. So, alright. So, okay, Ms. Brown, thank you for that. Now, and then you mentioned that the city stormwater engineer, someone from Public Works is here to answer questions?

Engineer Hulse ([21:43](#)):

Yes. Anthony Hulse.

Hearing Examiner Olbrechts ([21:44](#)):

Okay, Mr. Hulse, can you come on up? Let's see, do we have Mr. Hulse with us?

Speaker 3 ([22:00](#)):

He may need to be made a presenter.

Hearing Examiner Olbrechts ([22:02](#)):

Okay, Ms. Hannah, can you bring him on up Over?

Ms. Hannah([22:05](#)):

Sorry, there it is.

Hearing Examiner Olbrechts ([22:24](#)):

Okay, Mr. Hulse let me swear in. Just raise your right hand. Do you swear affirm tell the truth nothing but the truth in this proceeding? Can't hear you though. That's odd because you're not muted, I don't think Ms. Hannah, do you know? Oh, there he is. Now we hear you. Okay, perfect. Okay. Alright. And Mr. Hulse, your last name is spelled H-U-L-S-E, is that correct? For the record? Correct, yes. Okay. And what's your position with the city?

Engineer Hulse ([22:55](#)):

Civil Review Engineer Development Services.

Hearing Examiner Olbrechts ([22:57](#)):

Okay, and is one of your areas of expertise stormwater controls?

Engineer Hulse ([23:03](#)):

It's, yes.

Hearing Examiner Olbrechts ([23:04](#)):

Alright. Okay. I just want to get some background information from you to start off with and then I'm going to allow dismiss to ask you questions once I'm finished as well since you're with us today. First of all, I take it that the city has a, which stormwater manual has the city adopted? Is it the Western Washington Department of Ecology Manual?

Engineer Hulse ([23:24](#)):

That's correct, yeah, the 2019 version.

Hearing Examiner Olbrechts ([23:26](#)):

Okay. And my understanding of the manual requirements is that one of the basic requirements except for small projects, is that development not be allowed to increased stormwater flows beyond that found in the vacant conditions of the project side. Is that correct?

Engineer Hulse ([23:42](#)):

That is correct, Yes.

Hearing Examiner Olbrechts ([23:43](#)):

Okay. And how is that in cases like this, what's done in the stormwater report to establish that the project's not going to create offsite stormwater flows like to the Smith's property?

Engineer Hulse ([23:55](#)):

Sure, there's a couple different mechanisms. The first is based on the size of the project, 2000 square feet is the minimum threshold of triggering stormwater mitigation, and then 5,000 square feet or more, which is this case. There's more stringent requirements such as pollution treatment, run of flow control, like you've mentioned back to the forest, that conditions and then like wetland protection, which is not an issue of this case. So the stormwater requires mitigation, preferably onsite if at all possible, and requires infiltration testing and groundwater monitoring from a licensed professional geotechnical engineer. And so Affirm was hired for this project to do that testing and that testing does meet the 2019 to Ecology requirements.

Hearing Examiner Olbrechts ([24:43](#)):

And then I take it, then there's some mathematical modeling done to kind of establish predicted flows and where it's going to go. Is that made part of the stormwater report?

Engineer Hulse ([24:53](#)):

Correct, yeah. What they used was WIM modeling. It's continuous modeling that's used. It's adopted by the Ecology Manual and it's used to size infiltration BMPs such as best management practices, what A BP is.

Hearing Examiner Olbrechts ([25:08](#)):

And my understanding is that the waters are going to be diverted to a Costco infiltration site, is that correct? Piped over there relatively



Engineer Hulse ([25:15](#)):

So there's an infiltration trench that's been sized. It's 12 feet deep at an infiltration rate of five inches per hour from that geotechnical engineer. And then any overflows from that infiltration trench would then be routed to the Costco pond, which would be the natural drainage path of this site.

Hearing Examiner Olbrechts ([25:33](#)):

Oh, I see. Okay. So it's going to be an infiltration onsite and if there's overflow, then it's conducted offsite. Is that what's going on?

Engineer Hulse

Correct.

Hearing Examiner Olbrechts

Okay. And so did you read the Smiths letter?

Engineer Hulse ([25:44](#)):

I did, yes. And I responded via email.

Hearing Examiner Olbrechts ([25:47](#)):

Oh, you did? To them. Oh, okay.

Engineer Hulse ([25:48](#)):

Yeah, that was I believe, two weeks ago.

Hearing Examiner Olbrechts ([25:50](#)):

Oh, okay. Ms. Brown, is that part of the record? Mr. Hulse's response? I don't recall seeing it.

Planner Brown ([25:57](#)):

It's not, I didn't think to provide it, but I can.

Hearing Examiner Olbrechts ([25:59](#)):

Okay. Yeah, let's put that in the record. I can't, what's our exhibit number, Ms. Hannah? What's the exhibit number we were at right now?

Ms. Hannah ([26:10](#)):

No, I'm not sure. Michelle, do you know which exhibit number we're at?

Hearing Examiner Olbrechts ([26:13](#)):

I can look up, hold on a sec. Let's, let's see, ([26:19](#)):

Planner Brown

I'm sorry, I do not have the exhibit list pulled up.

Hearing Examiner Olbrechts ([26:21](#)):

Okay, let me, yeah, I've got it here someplace. Hold on a second. And oh, here it is. Almost there. Oh, that would be Exhibit Z. So like I said, I know the Smiths are going to have a chance to look at all the exhibits after the record. I'll admit it provisionally subject to their objection then. So I haven't seen it myself. So Mr. Hulse, they threw out, I think it was a number of 1.1 and inches and five inches. I couldn't find those figures in the stormwater report. Did you know what they were referencing and what that was about?

Engineer Hulse ([27:00](#)):

Yeah, there's two soil layers that the geotech determined at that site. So the shallower soils are a 1.1 inch per hour infiltration rate, but then they determined at a rate or a depth of 12 feet or more, you could infiltrate at a rate of five inches per hour. So due to those different soils, the infiltration rate had changed. So they're proposing to infiltrate into those deeper soils 12 feet deep. And the trench, I believe is four foot in depth.

Hearing Examiner Olbrechts ([27:26](#)):

Oh, I see. Okay. So the trench is going to be deep enough to get to that faster infiltration layer is what you're saying? Yes. Okay. Alright. Okay. And Mr. Hulse, you maybe could you make yourself available to the Smiths once they've had a chance to read over the report to call you and ask some questions?

Engineer Hulse ([27:44](#)):

Yes, I can.

Hearing Examiner Olbrechts ([27:45](#)):

Okay, great. Alright. Okay. With that, I'll just allow the Smiths to ask any questions they want of Mr. Hulse at this time

Ms. Smith ([27:54](#)):

Without seeing the report. I guess a couple questions I might have is, as a practical matter, once this piping goes in, who maintains it? If there's problems with the water backup, who's maintaining those pipes?

Engineer Hulse:

So on the private property, the Puyallup school district would maintain it on their private property. So currently I believe there's an easement from 14th place through your current property that's been in place when Costco was built back in the early eighties, I believe.

Ms. Smith:

I don't believe there's any easement in our property that I'm aware of. And I guess my concern is we have issues with the water runoff now, and my concern is this piping system in place, if nobody is maintaining it and it's backing up under our property, it becomes our problem. So I have serious concerns about the maintenance of that pipe.

Engineer Hulse:

Sure. So very good question. So in the proposed conditions, the Puyallup school district would be collecting that runoff because right now it's my understanding that that runoff just gets discharged just to the north of your property and then ponds for a little bit and then probably gets back into your property based on the email exchange that I saw. But in the proposed condition, the school district would be taking that pipe and collecting it and rerouting it to Costco's ponds such that there shouldn't be any water ponding at this location any further.

Ms. Smith:

And then I guess the other question I have is, I'm looking behind me here and it's clear there's going to have to be a lot of dirt movement to make this into parking stalls, both filled dirt behind us and that hill would need to come down. So have they looked into what will happen to our property if fill dirt is brought in behind us as far as the water, again, pooling up on our property?

Engineer Hulse

So in the current preliminary plans, they don't show any fill in coming into the site. There is a mound in the center of that thought that will be cut down and then be leveled out, but there shouldn't be any erosion or any issues with stormwater then collecting at your property.

Ms. Smith:

So I mean we're still in the go ahead. I'm sorry. I mean, I can tell you with a hundred percent certainty, they're going to have to fill in behind my property to get parking spots back there. So they may not bring fill dirt in, but they're going to move dirt. And so I think it will make a higher, the elevation will be now higher behind us where now it dips down where the water can run off. So has that been taken into consideration?

Engineer Hulse:

So at this stage we're in the preliminary site plan stages, so not all the final details have been ironed out. And what the current plan shows is that they're at an elevation of roughly just to the north of your property 361 feet. And they don't show that to be changing. So at the time of civil application, that's where we really get into the fine details of what's going to be occurring for the project. So at this stage in the preliminary stages, they're not showing a bunch of fill in that area, but there may be some sort of wall or some sort of transition. But the city does have requirements, that's what the max slope can be for any slope for landscaping, typically that's a three to one slope.

Ms. Smith:

So I guess the water is still, if they raise the level back there, I'm looking out the window, I can see where this is going to take place. They're going to have to raise the level back there to do this. So I guess you are the engineer that I would come to will that impact my property as far as water runoff is if they raise the elevation behind us,

Engineer Hulse:

it should not. No. Through the Department of Ecology's regulations and city standards, that should not be the case. That should be mitigated as part of the project development.

Ms. Smith:

And I did want to make a record that we did not receive any notice about this project until the December, 2023 notice came out. So I would want somebody, I don't know if there's any proof on the notice that allegedly went out on August 19th, 2022, but we did not receive it. So our first notice of this project was December of 2023.

Hearing Examiner Olbrechts ([32:29](#)):

Okay. Alright, thanks Ms. Smith. And you'll still have an opportunity to testify when we get to the public comment portion, which I suspect we're going to be getting to real quick here anyway. And then like I said, I will be leaving the record open so you have an opportunity to read over the stormwater report. And Mr. Hulse has also said that he'll be available to answer questions if it, then after all that you then submit written comments and then I'll give staff an applicant a chance to respond. If it appears from what you've read that you need additional cross-examination on the record, I'll also allow that. But we'll set all that up at the end of the hearing. Thank you. Sure. Alright. Okay, so Ms. Brown, is that it from the staff presentations? Yes. Okay. Mr. Hulse, thank you very much for your participation today. It's been really helpful. I'm really happy you could join us today because I think that's the major issue is stormwater in this project it sounds like. So with that move on to applicant comments, is there anyone here who wants to speak on behalf of the applicant? Don't have to, but now's your chance.

Mr. Devereux ([33:40](#)):

I wouldn't mind saying a few words.

Hearing Examiner Olbrechts ([33:42](#)):

Okay. And that's Mr. Devereux, is that correct?

Mr. Devereux ([33:45](#)):

That is. My name's Brian Devereux, I'm a director of facilities planning for Puyallup Schools.

Hearing Examiner Olbrechts ([33:50](#)):

Okay. And for the record, your last name is spelled D-E-V-E-R-E-U-X is that correct?

Mr. Devereux:

That's correct.

Hearing Examiner Olbrechts:

Okay, sir, let me swear you in. Do you swear affirm tell the truth, nothing but the truth in this proceeding?

Mr. Devereux ([34:01](#)):

I do.

Hearing Examiner Olbrechts ([34:01](#)):

Okay, great. Go ahead.

Mr. Devereux ([34:03](#)):

Well, I just wanted to share the purpose of why we're doing this. We recently acquired the property that we are looking to develop, the area that we're talking about today within the last year and a half or so. And we see this as a critical component of the continuing build out of the South Hill support campus site. As you saw in some of the materials that were submitted, we're looking to do some consolidation. So there is some addition happening here, but what you're not seeing on the flip side is that we're not adding staff, we're not adding buses in the district. As a part of this proposal, we are relocating from an existing downtown site, near Third Street, excuse. Yeah, near third Street, south, Northwest and 12th Street Northwest our downtown transportation site. So currently a lot of our SPED buses are our special education focused transportation buses are located here in the downtown location.

([35:14](#)):

And we would be relocating them there. There's some really good reasons I won't go into all of them as to why we would want to do this, but there's a lot of efficiency and being able to house more of our staff and our buses on one site here at the South Hill support campus. The site is very centrally located within our district and has fairly easy access to the freeways and if the buses need to take those to go to City of Edgewood, which is North Hill area where we also have jurisdiction and portions of that city. And we have jurisdiction all the way down past 176 in the Jim Heights Silver Creek and the Sunrise Master plan areas. And so this site is very well centrally located and we've been focused, as you can see, we've been working on this for a while. We've had early conversations with Costco to make that this current plan work that to have the authorization, the permission to be able to provide that daylighting of overflow of the stormwater there.

([36:27](#)):

Again, this is an infiltration system, but to have that overflow flow is really a key component of this that we've been working on for a while. And in terms of against stormwater, the land generally slopes from the south to the north, so everything is generally flowing towards that Costco property as it is currently graded now. And that has historically been the case here in this area. Transportation, we looked early on about possibly having a connection from 14th Street Place Southwest to this site, but fairly early on determined that that was not going to be in the best interest of the community and the school district. So again, we are going to be utilizing existing accesses both from 39th Avenue, Southwest and 17th Street Southwest for access. So there won't be any vehicular increases here. And again, we have a full TIA traffic impact analysis that demonstrates, again, impacts and we've been working on that for quite a long time and again, ready to move forward with that.

([37:43](#)):

But I want to just emphasize overall this is a good thing for the Puyallup school district. It's a good thing for our kids. It's a good thing for our community. We see this reducing the overall citywide traffic from transportation, not having to go back and forth quite as much as we do now. So with that, I will mention that we have several staff members that have been part of this project, both district staff and consultants that are joining us today, including Justin Jones from GMJ team that helped work on our civil. So Justin, I don't know if you have any comments in regards to this, but I would like to extend at least the invitation for Justin to provide the information he has. Okay.

Hearing Examiner Olbrechts (38:28):

Mr. Jones, did you want to add anything?

Ms. Hannah (38:32):

And I'm not sure if he was made a presenter or not.

Hearing Examiner Olbrechts (38:34):

It looks like he got on So, and Mr. Jones, we're not getting your video. You don't have to participate by video, but just wanted to let you know if that was your intent and you'll have to unmute yourself. Let see. Where do you go? There he is. Okay. Mr. Jones, let me swear in. Just raise your right hand. Do you swear affirm tell the truth, nothing but the truth in this proceeding?

Mr. Jones (39:01):

I do.

Hearing Examiner Olbrechts (39:01):

Okay, great. Go ahead.

Mr. Jones (39:03):

Great, thanks Brian. Yeah, I would just echo what was said by Mr. Hulse regarding the stormwater approach of this project. Fully infiltrating stormwater onsite following the Department of Ecology manual modeling to the a hundred year storm event to fully infiltrate and then having any overflow go downstream to the Costco pond in addition to picking up portion of the city's right of way on the cul-de-sac when it'll tightline that storm water directly to the Costco pond. Also add with this site, this site will be developed out as a kind of a traditional parking lot that's curved to prevent water from running off of it and will all be collected on site and treated through bioretention cells to meets enhanced treatment of the Department of Ecology and then take to infiltration. So that'll prevent any stormwater from leaving the site. And there is some perimeter landscaping as you can see in the plans that'll have the proper soil makeup as well that adjoins the neighboring properties.

Hearing Examiner Olbrechts (40:20):

Well first of all, Mr. Jones, what's your background and expertise? Are you a civil engineer, is that your

Mr. Jones (40:26):

Civil, professional engineer, consulting engineer.

Hearing Examiner Olbrechts (40:30):

And is your expertise stormwater or what do you focus on these project?

Mr. Jones (40:34):

It's site development and stormwater is a big part of that,

Hearing Examiner Olbrechts (40:37):

Yes. Okay. Okay. And have you heard Ms. Smith's concerns about the need for fill in that area? I mean, at this point, do you anticipate needing to fill in there and how would runoff on her property be addressed in that case?

Mr. Jones ([40:48](#)):

Sure, sure. Absolutely. I can answer that. So there is a preliminary grading plan as part of the documents and there is earthwork that will happen on site to essentially flatten the site. It will be sloped generally from south to north away from the Smith's property. There will be a landscape buffer between their property as well, that'll have some different slopes to it. But the parking lot will completely slope away and be contained with curving and catch basins that then will go to the water quality treatment and then infiltrate and then have an overflow to the Costco pond that would prevent any backing up of stormwater onto the site.

Hearing Examiner Olbrechts ([41:47](#)):

Okay. Ms. Smith, did you have any additional questions of Mr. Jones?

Ms. Smith ([41:52](#)):

Yeah, well my husband's here as well. He has a question about,.

Hearing Examiner Olbrechts ([42:04](#)):

Go ahead Mr. Smith.

Mr. Smith ([42:21](#)):

I might need to get closer to the microphone. There you go. Hello. So if the parking lot is being sloped from the south to the north, the water filled up coming from the south properties, where's that going to hit at? Is they're going to be a curb, like you said, is the water going to start building up there from our property onto that parking lot?

Mr. Jones:

So you're asking if runoff from your property leaving your site and what will happen with that?

Mr. Smith:

Correct, because the water runs down the cul-de-sac, it runs across our parking lot and it does pool up where you are going to now raise the elevation for the parking stalls, by doing the grading work. So if that then comes up and your parking lot normally would drain down, it's going to pool up back here. So we have very serious concerns about water issues and storm runoff if that gets raised. So how is that going to work?

([43:27](#)):

Mr. Jones:

Just to make sure, so you're talking about stormwater running off, not from the city's right of way, but from your private?

Mr. Smith:

Yes, from the city's right of way, which comes onto our property, we're at the end of the cul-de-sac. All that water comes down to our property because there's an existing pipe. Now that's not sufficient to handle this, it's at the level where it was the 1.1 inches of filtration or whatever. So the city is saying, and Puyallup schools are saying they're going to go 12 feet down or whatever, but we still catch all that water. If they raise the level of this parking lot on the backside of our property, we're still catching all the water that comes down the road. How will that be addressed? Because number one, we're concerned about pooling of water on our property, and number two, we're concerned about how this piping system is going to work and what happens if there's issues with that.

[\(44:26\)](#):

Mr. Jones:

Okay, so I am hearing two different items. One being the catch basin that's in the city's right of way that runs to the district's property either through your property or the neighboring multifamily property. And that currently daylight onto the district's property and just ponds essentially that will be connected to the new system that the district will put in that will directly take that stormwater to the Costco's pond and that will bypass all that stormwater and will prevent any stormwater from backing up in that area. I'm also hearing a comment about there might be other stormwater that is bypassing the city's catch basins. It's coming from the city right of way and flowing onto your property.

Mr. Smith:

That is correct. And it does. I have documentation and pictures of it where it is eroding soil there now, and then it comes down just, and actually roads back our property onto this now I guess the city's property.

[\(45:42\)](#):

Mr. Jones:

So we did not analyze that as that was not part of our project. But I do think that potentially the city maybe could talk to or provide additional information outside of this about maybe other projects that are potentially happening or what their plan is with their right of way.

Mr. Smith:

Well, since you're developing that property and you're the one that's responsible for the water went up, I believe it's on your shoulders now to address it. Okay. You can't just say, I'm only concerned with this property only when everything's been discharging under that property for a hundred years.

Mr. Jones:

Probably, I don't know. Maybe while, but it is an issue.

Mr. Smith:

So now you're saying it's not my issue at all. But you know what, maybe down the road they have some other stuff planned for that. In the meantime, we have property damage that could back up into our lower offices. I know that Sherry has a continuous pump next door pumping water out of her basement where they live because it hasn't been addressed, but we're addressing it now. And so you may have to,



well, I can't say that, but it is something that we want on record because you guys are developing the property behind this and you're affecting that water.

Hearing Examiner Olbrechts ([46:58](#)):

Mr. Jones, did you want to respond to any of that or I can ask Mr. Hulse?

Mr. Jones ([47:01](#)):

I guess all that I can say is that what we analyze is the piped runoff that is currently coming onto to the property. And so I think I'd let Mr. Hulse talk about the city right of way if there's other areas that are coming onto their property.

Hearing Examiner Olbrechts ([47:25](#)):

Okay. Mr. Hulse? Yeah, maybe you could respond to that and just kind of checking, my understanding here is there's water flowing across the Smith's property and they're concerned that by raising the elevation of the project site, that's going to cause more pooling on their property. And how do you stop that from happening?

Engineer Hulse ([47:47](#)):

Sure. So I think Justin Jones is correct. I think some of this water is bypassing. So it sounds like the issue here, and I did a little kind of research on this Google Earth view, is that there's not, there's a wedge curve instead of a vertical curb. So it sounds like there's some water that's going from 14th Street place through the driveway and then go into the backyard, which is now the concern. So that's something that we'd have to look into. It's interesting that it would be a part of this project scope, but I could definitely see that side that you've got runoff that is now going to be mounted if there is now some sort of extra landscaping. So that is something that would probably need to be mitigated as part of potentially the product scope, but it might be something not exactly tied to this project.

Hearing Examiner Olbrechts ([48:37](#)):

So I mean, how would you mitigate it? I mean, it sounds like this project would be exacerbating a problem on their property and of course through this process we're supposed to mitigate any project impacts. I mean, what could be done to mitigate this situation?

Engineer Hulse ([48:54](#)):

One potential solution would be to have vertical curb set in place or put in an approach that then provides all that water to then actually get into that catch basin. So my understanding is it sounds like some of this water is bypassing the catch basin, which then goes into the rear yard of the Smiths rather than being discharged through that pipe that the Puyallup school district would then be tying into and then rer that to the pond.

Hearing Examiner Olbrechts ([49:19](#)):

So when you're talking about vertical curbing, you're talking about on the city right of way then just to prevent it from getting off the city right-of-way?

Engineer Hulse:

Correct. Yeah, in 14th, right. Basically it's like a small little wedge. It's probably a couple inches tall rather than three to six inches. So some of that water is just getting over that little wedge curb. So it's not a standard city standard curb in gutter in this case.

Hearing Examiner Olbrechts ([49:40](#)):

Okay. Okay. So is this, I mean, in a sense, kind of a problem with the city system as opposed to the applicant's property? Is this how the city views it or, I mean, I don't know, maybe we shouldn't go down

Engineer Hulse ([49:52](#)):

Potentially. It hasn't been concern up until this point, so this is the first time it's been brought to my attention.

Hearing Examiner Olbrechts ([50:00](#)):

Okay. I mean, can we say for sure something's going to be done about it? I little, it sounded a little equivocation on your part that maybe we can make the applicant take care of it, but is there a scenario where it's not going to be taken care of? And this is going to get worse for the Smiths?

Engineer Hulse ([50:18](#)):

So this is the natural drainage path of the site from south to north. And so the Department of Ecology manual requires that you can't change the discharge location of a site. But I mean, hard to say,

Hearing Examiner Olbrechts ([50:32](#)):

But you're changing the natural flow. Then if you're raising the elevation of the parking lot, then you are changing the natural flow because you're causing it to pool instead of enabling it to continue flowing.

Engineer Hulse [50:43](#)):

Right. So it would have to continue further to the north. So if it does pond, that would be an issue and it'd have to be mitigated in some sort of mechanism.

Hearing Examiner Olbrechts ([50:51](#)):

So it will have to be mitigated if that's the case. Yes. Okay. Alright. Okay, Ms. Smith, do you have any questions?

Ms. Smith ([50:59](#)):

No, I just want to make it clear this is an issue and I think you're understanding what we're saying. You raise that elevation, it's going to get much, much, much worse for us.

Hearing Examiner Olbrechts ([51:09](#)):

Okay. Sounds good. Alright, thank you again Mr. Hulse. Mr. Jones, for your questions. And as I said after Smith, you have a chance to read the stormwater report. Mr. Hulse will be talking to you on you'll, we can do more cross if necessary later. So, okay. With that, I think we're Mr. Devereux, is that everything on behalf of the applicant?

Mr. Devereux ([51:31](#)):

I believe it is.

Hearing Examiner Olbrechts (51:32):

Okay. I guess now is public comment period. So we can start off with the Smiths. I saw Mr. Smith get up and leave. I don't know. Ms. Smith, did you want to,

Ms. Smith (51:42):

I don't know that I have anything more to add. That was, we have issues with the water and we were not aware of this until December. So like I said, it did not get the initial notice and so it was a little bit alarming to us because we could see what's happening with the water and so we were trying to get as much of the information as possible. I was told some of it I would've to make a public records request, so we did that. But if they can simply cooperate and provide all that information to me, we will look at it and then I will give you a written submission.

Hearing Examiner Olbrechts (52:16):

Okay. No I didn't, hadn't sworn you in because it was just cross-examination time. Mind if I swear you in for what some of what you said was testimony, do you swear affirm that the testimony you provided thus far today and will provide in this hearing is true to the best of your ability?

Ms. Smith (52:31):

I do.

Hearing Examiner Olbrechts (52:31):

Okay, great. Thank you very much. Alright, thank you. Okay, let's move on to anyone else want to speak out there, members of the public. I don't think we have anybody else out there. Yeah, it looks like that's just part of the applicant team. So anybody out there want to say anything? Just hit the raise hand button. Okay. Not seeing any takers. Ms. Brown, any final comments on behalf of staff? Alright, applicants, anything before we get onto how we're going to leave the record open? Nope. Okay. I don't think we need to go there. Alright, so I think at this point, and Ms. Smith, you can interject anytime, but what I'll do is I'll leave the record open unless there are objections for a week until next Monday at 5:00 PM we get the link, Ms. Hannah over to the Smiths so they can review the documents. And Mr. Hulse, like you said, you'll be available to answer questions and the Smiths if they have any as they read through those documents and if the Smiths submit anything in writing. I'll the, let's see the city until the seventh I guess to submit some written response. Mr. Hulse, did that work for the city?

Engineer Hulse (53:37):

Yes, that will work.

Hearing Examiner Olbrechts (53:38):

Okay. And then applicants until the ninth. Does that work for you?

Speaker 2 (53:43):

Okay. Oh, sorry.

Hearing Examiner Olbrechts (53:45):

Alright.

Speaker 2 ([53:46](#)):

And will I get the documents today? Is there a deadline on when they have to provide those

Hearing Examiner Olbrechts ([53:50](#)):

To me? Ms. Hannah, can you send the link over today?

Speaker 2 ([53:53](#)):

Absolutely.

Hearing Examiner Olbrechts ([53:54](#)):

Okay. And then Ms. Smith, also by the fifth, if you decide that you need an additional opportunity for cross-examination on the record, just let us know by the fifth and we'll set that up. And anyone else who's listening today who wants to get notice of that reopen hearing, ask Ms. Hannah to get email notification and she'll get that out to you. Is that correct, Ms. Hannah? Can we set that up that way?

Ms. Hannah:

Yes.

Hearing Examiner Olbrechts:

Okay. Yeah, and I think all we have today is basically Ms. Smith and the applicant team in the city, so that shouldn't be too hard to do. So if there aren't any other questions, I think we can adjourn for today. Is everyone clear on what we're doing? Okay, sounds good. All right, all, thanks you very much for participating and we're adjourned for this morning. Have a great day.

Planner Brown ([54:36](#)):

Thank you.