

ORDINANCE NO. 722

AN ORDINANCE relating to local improvement districts; approving and confirming the assessment roll certified to the City Council on September 16, 2019, for the cost of the improvements in Local Improvement District 1109 (Panattoni Woodbrook Development) in the City of Lakewood, pursuant to Ordinance No. 717, adopted on September 16, 2019; and levying and assessing the amount thereof against the lots, tracts, parcels of land and other property shown on the assessment roll; providing for the prepayment of assessments; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS, an assessment roll levying special assessments against the properties located in LID No. 1109 (Panattoni Woodbrook Development) (the "LID"), in the City of Lakewood, Washington (the "City"), created under Ordinance No. 671, was filed with the City Clerk as provided by law; and

WHEREAS, the City Council (the "Council") fixed the time and place for a public hearing on the assessment roll for October 17, 2019, at 10:00 a.m., in the Council Chambers in Lakewood City Hall, 6000 Main Street SW, in the City of Lakewood, and designated its Hearing Examiner to conduct the hearing; and

WHEREAS, notice of the time and place of the hearing on and of making objections to the assessment roll was duly published at the times and in the manner provided by law and duly mailed to each property owner on the assessment roll; and

WHEREAS, at the time and place fixed and designated in the notices, the hearing on the assessment roll was duly held, as provided by the Hearing Examiner; and

WHEREAS, the Hearing Examiner issued his Findings, Conclusions and Recommendations on November 1, 2019, attached hereto, noting that no objections have been made to the LID; and

WHEREAS, the Hearing Examiner recommended that the City Council adopt an ordinance approving and confirming the assessments and assessment roll as shown in Exh. C-15, attached to the Hearing Examiner's decision, for the construction of certain street improvements as provided by Ordinance No. 671, and levying and assessing the cost and expense thereof against the parcels of land as shown on the final assessment roll; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Council accepts, approves and adopts the Hearing Examiner's Findings, Conclusions and Recommendations. The Council finds that the special

benefit/proportionate assessment approach to establishing assessments for the LID is valid and supported by the Hearing Examiner's Findings, Conclusions and Recommendations and that it more fairly, equitably and accurately reflects the benefits to property resulting from the improvements in the LID than other methods.

Section 2. The final assessment roll shall be prepared in the total amount of \$940,137.70 and filed with the City Clerk. The Council hereby finds that this final assessment roll is just and equitable and that no assessment against property within the LID is greater than the special benefits to be derived from the improvements. Accordingly, this final assessment roll is hereby approved and confirmed, and the assessments set forth therein are hereby levied against each lot, tract and parcel of property described in the roll.

Section 3. The City Clerk is hereby directed to place in the hands of the Assistant City Manager of Administrative Services for collection the final assessment roll for the LID, when received as provided in Section 2 of this ordinance. Upon such placement, the amount of each assessment set forth in the roll and any interest or penalty imposed from time to time, will become a lien against the property so assessed. The lien will be paramount and superior to any other lien or encumbrance whatsoever, theretofore or thereafter created, except a lien for general taxes.

Section 4. Upon receipt of the final assessment roll for the LID, the Assistant City Manager of Administrative Services is hereby directed to publish notice at the times and in the manner required by RCW 35.49.010, stating that the roll is in her hands for collection and that such assessments or any portion thereof may be paid to the City at any time within thirty (30) days from the date of the first publication of such notice, without penalty, interest or costs.

Section 5. The amount of any assessment, or any portion thereof, against property in the LID not paid within the thirty (30) day period from the date of the first publication of the Assistant City Manager of Administrative Service's notice is payable in thirteen (13) equal annual installments, together with interest on the diminishing principal balance thereof at an estimated rate not to exceed 6 % per annum, with the exact interest rate to be fixed in connection with the issuance and sale of the local improvement bond that will provide the balance of financing for costs of the LID. Interest shall begin accruing on the thirtieth (30th) day following first publication of such notice. The first installment shall become due and payable one year from the expiration of the thirty (30) day prepayment period. Annual installments, including interest and any penalty, must be paid in full when due. Assessments shall be deposited into the special fund(s) created for this purpose.

Section 6. Any installment not paid when due shall thereupon become delinquent. As provided in Lakewood City Code Section 12.17.030, all delinquent installments shall be subject to a penalty from the date of the delinquency until paid. Whenever any installment shall become delinquent, each such delinquent installment

remaining unpaid at the date of delinquency shall have added thereto a penalty equal to the not to exceed rate of interest provided by in the ordinance (6.00%) authorizing the issuance and sale of the bonds to finance the LID improvements plus five percent (e.g. an interest rate of 11.00%).


Section 7. The lien of any assessment may be discharged at any time after the thirty (30) day prepayment period by payment of the entire principal amount of the assessment remaining unpaid together with interest thereon to the due date of the next installment.

Section 8. If a court of competent jurisdiction declares any provision of this ordinance to be contrary to law, then that provision will be null and void and will be deemed severable from the remaining provisions of this ordinance and will in no way affect the validity of the other provisions of this ordinance.

Section 9. This ordinance will be in full force and effect five days after its passage and publication as provided by law.

PASSED by the City Council this 18th day of November, 2019.


CITY OF LAKEWOOD


Don Anderson, Mayor

Attest:


Briana Schumacher, City Clerk

Approved as to form:


Heidi Ann Wachter, City Attorney

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Testimony

Greg Vigoren, Lakewood Engineering Services Manager, confirmed that no objections had been filed against the final assessment.

Exhibits

The following exhibits were admitted into the final assessment roll hearing:

- C-1 Petition to City to form LID from YKC Investment LLC
- C-2 Determination of Non-Significance for Panattoni warehouse project
- C-3 Resolution No. 2017-08 intending to form LID No. 1109; and setting time and place of formation hearing
- C-4 Affidavit of Publication for Resolution No. 2017-08
- C-5 Mailed Formation Hearing Notice with Certification of Mailing
- C-6 Preliminary assessment roll
- C-7 Hearing Examiner’s Report on formation
- C-8 Ordinance No. 671 establishing LID No. 1109
- C-9 Affidavit of Publication for Ordinance No. 671
- C-10 Pictures of typical Improvements
- C-11 Affidavit of Publication of bid advertisement
- C-12 Engineer’s bid tabulation
- C-13 Council minutes showing contract award
- C-14 Final cost estimate
- C-15 Final assessment roll
- C-16 Ordinance No. 717 setting the date for final assessment roll public hearing
- C-17 Affidavit of Publication for Ordinance No. 717
- C-18 Mailed Final Assessment Hearing Notice with Certification of Mailing
- C-19 Final Assessment Roll Hearing Examiner Staff Report

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3 **Findings of Fact**
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5 1. Formation Ordinance. LID No. 1109 was formed June 19, 2017 by Ordinance No. 671.
6 Exhibit A to Ordinance No. 671 identified the parcels subject to LID No. 1109 as Pierce County Tax
7 Parcel Numbers 219221162, 219221163, 219221164, and 219221165. Section 2 of Ordinance No. 671
8 identified the required improvements as follows:

9 *The City Council orders the design, construction and carrying out of the*
10 *Improvements, including installing half-street improvements consisting of curb, gutter,*
11 *sidewalk, asphalt pavement widening (including a two-inch full street width asphalt*
12 *overlay), storm drainage, street lighting, landscaping and other associated*
13 *improvements along the street frontages of portions of 150th Street SW and 146th*
14 *Street SW, and a full-width two-inch asphalt pavement overlay located on portions of*
15 *Spring Street SW. All of the foregoing shall be in accordance with the plans and*
16 *specifications therefor approved and/or prepared by the City's Public Works*
17 *Department, and may be modified by the City Council as long as such modification*
18 *does not affect the general purposes of the Improvements.*

19 (Collectively “The LID Improvements”)

20 2. Property Ownership. All four parcels comprising LID No. 1109 are currently (as of the date of
21 the October 17, 2019 final assessment hearing) owned by TA Tacoma Gateway LLC. The property
22 owner at the time of LID formation, YKC Investments LLC, petitioned (Ex. C-1) the City to form LID
23 No. 1109 on behalf of the future owner, Panattoni Development Company, to facilitate construction of
24 frontage improvements required as a condition of developing the property with a 475,000 square foot
25 warehouse.

26 3. Bid and Award. The LID Improvements were put to public bid and the City Council awarded
the construction contract to Rodarte Construction, Inc. in the amount of \$804,613 by Motion 2017-41
on August 7, 2017. Ex. C-13.

4. Final Cost. Final Cost of the LID Improvements was \$940,137.70 as shown in the Final Cost
Estimate. Ex. C-14.

5. Assessment Method. RCW 35.44.040 authorizes LID assessments to be levied proportionally
based on property square footage. Staff determined this method fairly reflected the benefits resulting
from the improvements and the method was employed to formulate the assessment amounts imposed
by the final assessment roll, Ex. C-15.

6. Setting Assessment Roll Hearing. The City Council set the date for the hearing to be held by

1 the hearing examiner to consider the final assessment roll for LID No. 1109 in Ordinance No. 717,
2 approved September 16, 2019. Notice of the Final Assessment Roll Hearing for LID No. 1109, along
3 with a copy of Ordinance No. 717, which set the hearing date, were mailed via Certified Mail to the
4 property owner of all LID 1109 property as shown on the Pierce County Assessor-Treasurer website
(TA Tacoma Gateway LLC). Ex. C-18.

5 7. Assessment Roll Hearing. As directed by Ordinance No. 717, the hearing examiner held a
6 hearing on the final assessment roll on October 17, 2019. No objections to the final assessment roll
hearing were held prior to or at the hearing. No one attended the hearing except for City staff.

7 8. Benefit Conferred. Based upon proper application of the property square footage assessment
8 method as demonstrated in Ex. C-15, it is determined that all of the parcels within the LID were
9 specially benefited by the LID Project in an amount greater than or equal to their LID assessment, that
10 the assessment method used by the City—special benefit analysis--was fair and equitable, and that it
11 resulted in each property's assessment share being proportionate in relation to other parcels in the LID.

12 **Conclusions of Law**

13 1. Authority. The hearing examiner was directed by Ordinance No. 717 to conduct the final
14 assessment roll hearing and to report a recommendation to the City Council. The hearing examiner is
authorized to conduct such hearings by LMC 1.36.128(A) and RCW 35.44.070.

15 2. Burden of Proof. It is presumed that all property in the assessment area is specially benefitted
16 by the improvement in an amount at least equal to the assessment contained in the final assessment
17 roll, and that the assessments in the final assessment roll are imposed on each property equitably and in
18 proportion to all other property in the assessment area. *Seattle v. Rogers Clothing*, 114 Wn.2d 213, 229
(1990). Competent evidence of appraisal values and benefits is necessary to rebut these presumptions.
Id. at 229-230.

19 3. Assessment Roll Procedures. All procedures required prior to confirmation of the final
20 assessment roll by RCW Chapters 35.43 and 35.44, the Lakewood Municipal Code and the Ordinances
and Resolutions of the City relating to LID No. 1109 have been followed.

21 4. Benefit. all of the parcels within the LID were specially benefited by the LID Improvements in
22 an amount greater than or equal to their LID assessment, that the assessment method used by the
23 City—special benefit analysis--was fair and equitable, and that it resulted in each property's
assessment share being proportionate in relation to other parcels in the LID.

24 5. Any Finding of Fact that should be denominated a Conclusion of Law shall be deemed to be a
25 Conclusion of Law. Any Conclusion of Law that should be denominated a Finding of Fact shall be
deemed to be a Finding of Fact.


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Recommendation

Based upon the foregoing findings and conclusions, it is recommended that the City Council adopt an ordinance approving and confirming the assessments and assessment roll as shown in Ex. C-15 of LID No. 1109 for the construction of certain street improvements as provided by ordinance no. 1909, and levying and assessing the cost and expense thereof against the parcels of land as shown on the final assessment roll.

DATED this 1st day of November, 2019.



Phil A. Olbrechts

Hearing Examiner for Lakewood

Exhibit 'C-1'

February 17, 2017

Mr. Don Wickstrom, Public Works Director
City of Lakewood
6000 Main Street SW
Lakewood, WA 98499

Project: Tacoma Gateway
Subject: Request to form LID for frontage improvements

Dear Don Wickstrom:

I am currently under contract with Panattoni Development Company for purchase of my property in Lakewood for purpose of ground-up development of an industrial warehouse building. The extent of my decisions made to proceed with city improvements adjacent to my property will be a result of Panattoni's decisions. In the event Panattoni elects to terminate the purchase contract on my property, I will reserve the right to elect, upon my sole decision, to move forward with any city improvements.

I would like to formally request the formation of a Local Improvement District (LID) for the construction of frontage improvements along my property. I anticipate that I will likely be the only member/participant in the LID. My property includes parcel numbers 0219221162, 0219221163, 0219221164, and 0219221165.

The proposed improvements include frontages on 146th Street SW and 150th Street SW as described in the Determination of Non-Significance (DNS) for the proposed Tacoma Gateway project (formerly known as Thorne Lane Logistics). The frontage improvements include widening, curb, gutter, sidewalk, and a full width overlay. Also included in the proposed LID would be a full width 2" overlay to Spring Street SW between 150th Street SW and 146th Street SW.

I also anticipate entering into two separate No Protest Local Improvement District Covenant Agreements. The first No Protest LID Agreement will be for an overlay to 146th Street SW west of Spring Street SW as described in the DNS. The other No Protest LID Agreement will be for completion of the full improvements to Spring Street SW as required in the DNS. Both No Protest LID Agreements are for future LIDs and are separate from the proposed LID described above.

The project developer, Panattoni Development, plans to donate to the City the full design of the LID improvements. We expect that the construction of the LID improvements would take place concurrent with onsite construction of the Tacoma Gateway project. The project developer will be providing a detailed cost estimate for the improvements in order to start the LID formation process.

Sincerely,

Tuij - Lij Zeh
2/22/2017



Exhibit 'C-2'

CITY OF LAKEWOOD DETERMINATION OF NON-SIGNIFICANCE

APPLICATION NO.: LU-16-00138

PROJECT NAME: Thorne Lane Logistics

SITE ADDRESS: 14801 Spring ST SW, Lakewood WA. The project will span over 4 parcels which will be combined through a Boundary Line Adjustment. (APN# 0219221162, -63, -64, -65)

ACTION: Construction of a new 471,300sf warehouse and distribution facility with associated parking, loading dock(s) and landscaping.

PROJECT APPLICANT: Contour Engineering, LLC
PO Box 949
Gig Harbor, WA 98335

PROPOSAL:

The Lakewood Community Development Department received a SEPA Environmental Review application from Contour Engineering LLC for a project that includes the construction of a new 471,300sf warehouse and distribution facility with associated parking, loading dock(s) and landscaping to be located at 14801 Spring ST SW. The property, which is part of the *Industrial Business Park* (IBP) zoning district, currently consists of 4 parcels which will be combined through the Boundary Line Adjustment process. All existing structures currently existing on-site will be demolished prior to construction activities. The project will also include on and off site improvements as required by the City of Lakewood Public Works Department including curb, gutter sidewalks and road improvements. The application was deemed complete on August 17, 2016.

The project submittal includes the following environmental information:

1. SEPA Checklist prepared by Stephen Bridgeford with Contour Engineering, LLC.
2. Geotechnical Engineering Study dated September 27, 2012 prepared by Earth Solutions NW, LLC.
3. Traffic Impact Analysis dated September 2016 prepared by Heath & Associates, Inc.
4. Project Plans dated July 2016, prepared by Contour Engineering.

PUBLIC NOTICE AND AGENCY COMMENTS:

As a part of the SEPA process, the City of Lakewood issued a Notice of Application on September 8, 2016, with a 15-day comment period and contacted other agencies and City departments to determine if the proposal would have impacts on environmental conditions, existing service levels or need additional review. No public comments were received about the project. Agency

comments were received from the City of Lakewood Public Works Department and the Washington State Department of Ecology:

1. Comments from the Washington State Department of Ecology, dated September 22, 2016 discuss toxic cleanup, waste removal related to demolition, and water quality. More specifically, if contamination is suspected, discovered, or occurs during the proposed construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, Ecology must be notified. With relation to waste removal, if greater than 250 cubic yard of inert, demolition, and/or wood waste if used as fill material, a Solid Waste Handling permit may be required pursuant to WAC 173-350-990. The applicant is required to consult with the Tacoma Pierce County Health Department regarding waste removal regulations and permitting requirements. Ecology suggests that the applicant review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website. Lastly, erosion control measures must be in place prior to any clearing, grading or construction. Certain construction activities may require coverage under the Construction Stormwater General Permit. If there are known soil/ground water contaminants present on-site, additional information will be required to be submitted. See Exhibit B for more detailed information.
2. Comments received from the City of Lakewood Public Works Department, dated November 23, 2016 indicate that a Site Development Permit and Drainage Review shall be required and approved prior to the issuance of building permits for the project. All other details and specific requirements can be reviewed in Exhibit C.

FINDINGS:

The Responsible Official of the City of Lakewood hereby makes the following findings and conclusions based upon a review of the environmental checklist, other information on file with the City of Lakewood, and the policies, plans, and regulations designated by the City as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act pursuant to RCW 43.21C.060.f

1. YKC Investment LLC has proposed the development of a 471,300sf industrial warehouse facility at 14801 Spring ST SW. The proposal will utilize the main property on Spring ST SW and 3 smaller adjacent properties, APN#0219221163, -64, -65.
2. The subject property is zoned *Industrial Business Park* (IBP). The IBP zoning district provides for a coordination of uses and design to facilitate an active integration of employment, services, and business/light industrial uses.
3. The surrounding area is developed with a variety of different use types. Properties to the north and east are developed with mostly single family and multi-family residential uses. Properties to the south are mostly vacant and the large property to the west remains Woodbrook Middle School.
4. The following permits are required for the proposal: Boundary Line Adjustment, Design Review, Tree Removal Permit, Conditional Use Permit, Site Development Permit, Drainage

Review, New Commercial/Industrial Building Permit, Plumbing Permit, Mechanical Permit and possible Tenant Improvement Permit from the City of Lakewood.

5. The existing site is relatively flat with slopes ranging between 2-10% and soils consisting of loose to medium dense sand with gravel. The site is not located in a geologically hazardous or critical area.
6. According to the SEPA Checklist, approximately 93.8% of the site will be covered with impervious surfaces.
7. The project will be reviewed by the City's Public Works Department for consistency with state and local regulations for temporary and permanent erosion and sediment control, and storm water quantity and treatment.
8. According to the SEPA Checklist, the proposed building will not exceed a height of 60ft. The principal building materials will be concrete, metal, and glass.
9. A Traffic Impact Analysis (TIA) prepared by Heath & Associates, Inc., in September 2016, indicates that the proposal, designated as a *High-Cube Warehouse/Distribution Center*, is anticipated to generate an average of 792 Average Weekly Daily Trips (AWDT), and 52-57 AM and PM peak-hour trips.
10. Based on traffic and additional independent analysis, off-site improvements and other requirements set forth by the City of Lakewood Public Works Department are detailed in Exhibit C, attached.
11. Application packets were sent to various agencies with jurisdiction for review once the application was deemed complete. Comments were received from Lakewood Public Works Department, and Washington State Department of Ecology (Exhibit B and C).
12. The City of Lakewood issued a Notice of Application for the proposal with a 15-day comment period on September 8, 2016. The notice was mailed to property owners within 100 feet of the project site, published in *The News Tribune*, and posted near the property frontage in accordance with notice requirements provided in Lakewood Municipal Code Section 18A.02.545. The City received no comments from the general public.
13. The City of Lakewood has utilized the optional DNS process outlined in WAC 197-11-355 to provide public notice for this project. This threshold determination will be final upon issuance, and no additional comment period will be provided.

CONCLUSIONS OF RESPONSIBLE OFFICIAL:

The Responsible Official concludes that all potentially significant environmental impacts will be mitigated through adherence to state, fire, building, and local code regulations and policies. Pursuant to WAC 197-11-350 (3), a Determination of Non-Significance (DNS) is hereby issued. This conclusion is based on staff review of the environmental checklist and application materials. The DNS is supported by plans, policies, and regulations adopted by the City of Lakewood for the exercise of substantive authority under SEPA.

The applicant shall comply with requirements specified in the correspondence from Washington State Department of Ecology dated September 22, 2016, and Lakewood Public Works Department memo dated November 23, 2016 (Exhibits B and C).

EXHIBITS:

- A. SEPA Checklist prepared by Stephen Bridgeford with Contour Engineering, LLC
- B. Comments from Washington State Department of Ecology dated September 22, 2016
- C. Comments from City of Lakewood Public Works Department dated November 23, 2016

Agency: City of Lakewood
Community Development Department
6000 Main Street SW
Lakewood, WA 98499

Date of Issue: November 30, 2016

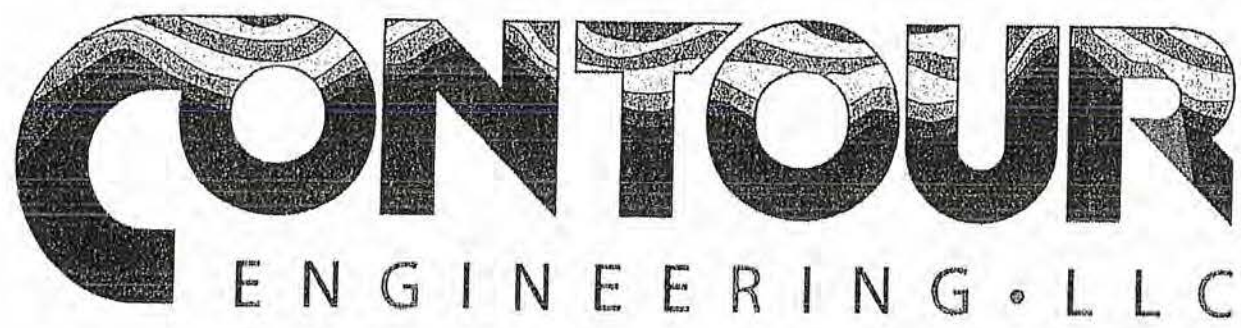
Appeal Deadline: December 14, 2016



SEPA Responsible Official:
Frank Fiori
Planning Manager

NOTE: This DNS will become final on the Date of Issuance. Pursuant to WAC 197-11-340, RCW 43.21C.075, LMC 14.02.200 and LMC 18A.02.740, decisions of the Responsible Official may be appealed to the City of Lakewood Hearing Examiner. The decision of the Hearing Examiner in any such appeal will be final. A written notice identifying the grounds for the appeal must be filed with the City Clerk within 14 days of the date the Determination of Non-Significance becomes final. Appeals are filed with a four-hundred and fifty (\$450.00) fee at the Community Development Department, located at the above address.

NOTE: The issuance of this Determination of Non-Significance does not constitute project approval. The applicant must comply with all other applicable requirements of City of Lakewood Departments and/or the Hearing Examiner prior to beginning construction.



SEPA CHECKLIST
FOR
THORNE LANE LOGISTICS CENTER

CITY OF LAKEWOOD, WASHINGTON

JULY 2016

Prepared For:
Panattoni Development Company
Travis Hale
900 SW 16th Street, Suite 330
Renton, WA 98057

Prepared By:
Stephen Bridgeford, Land Planner

Reviewed By:
Jeremy F. Haug, P.E., Project Engineer

Contour Project #: 16-142

A. Background

1. Name of proposed project, if applicable:

Thorne Lane Logistics Center

2. Name of applicant:

Stephen Bridgeford, Land Planner, Contour Engineering LLC

3. Address and phone number of applicant and contact person:

**PO Box 949
Gig Harbor, WA 98335**

4. Date checklist prepared:

June 2016

5. Agency requesting checklist:

City of Lakewood

6. Proposed timing or schedule (including phasing, if applicable):

Work will begin after all necessary permits are obtained. It is anticipated that all work will be done in a single phase.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Geotechnical Engineering Study, Earth Solutions NW LLC, Sept. 2012 (Appendix B)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Yes, the subject site is involved in an area wide map amendment.

10. List any government approvals or permits that will be needed for your proposal, if known.

**City of Lakewood: SEPA Review, Site Development Permit, Building Permits,
Pierce County Utilities: Sewer Connection Permits
Department of Ecology: NPDES**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The project is to include new construction of an approximately 471,300 sf single story warehouse/distribution use facility with the possibility of a manufacturing use utilized as markets dictate. The subject site is 950,794 sq. ft. or 21.8 acres.

Please see Appendix A for the Site Plan and preliminary grading and utility exhibits.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**The site is located on Spring St SW between 146th & 150th St. SW, Lakewood, WA 98439
NE ¼ of Section 22, Township 19 N Range 2 E
Tax parcels: 021922-1162, -1163, 1164 and 1165.**

Please see Appendix A for the vicinity map

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site:
(underline one): Flat, rolling, hilly, steep slopes, mountainous, other

The site is generally flat to gently sloped with a section of 10% slope for approx. 100-ft.

- b. What is the steepest slope on the site (approximate percent slope)?

2 to 10 percent

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The USDA Natural Resource Conservation Service (NRCS) Web Soil Survey for does not provide mapping of this area. Per the Geotechnical Engineering Study prepared for the project, see Appendix B, underlying the native topsoil layer is loose to medium dense sand with gravel and gravel with sand soils to the extent of the test pits.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None visible or noted in the Geotechnical Engineering Report of Appendix B

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Proposed grading of the site will consist of excavating and reworking the existing earth materials with excavations for building footings, stormwater systems and site utilities. Exact earthwork quantities are on known at this time, however it is anticipated that up to 150,500 cubic yards of material will be moved during the grading operations with a estimated net cut of 20,000 cubic yard. The source of all fill materials has not been determined to date. Fill materials will likely include materials typical with site development like structural fill, top soil, and gravels.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

As with any construction site, erosion can occur but an appropriate Temporary Erosion and Sediment Control (TESC) plan will be implemented during construction activities. There are no sources of erosion from the final use.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 93.8% of the site will be covered with impervious surfaces

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

A Construction Stormwater Pollution Prevention Plan (SWPPP) along with a Temporary Erosion and Sediment Control (TESC) Plan will be approved by the City of Lakewood and implemented for those.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During construction, there will be vehicle exhaust emissions from construction equipment, and some dust can be expected from various construction operations. The post-construction project will have emissions from trucks and automobiles similar to that of other comparable sized and use projects.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not to our knowledge

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

During construction, dust control BMPs will be utilized as needed

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface water bodies on or adjacent to the project site. Emerson Lake is north of the site approximately 250-ft from the sites northern property line.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

The will be no fill or dredge material associated with the proposed

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

There will be no discharge, the site will be served by public sanitary sewer. All existing septic systems will be decommissioned and removed as part of this project per current Tacoma-Pierce County Health Department and Department of Ecology standards and guidelines.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater runoff will be collected and conveyed from paved areas and roof drains via a tight-lined conveyance system to an infiltration facility. Stormwater from paved areas will be treated for water quality prior to being infiltrated.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Collection, conveyance and appropriate treatment of stormwater per the current City Stormwater Management guidelines with the on-site infiltration of generated stormwater

4. Plants

- a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.
 wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation: Bramble

- b. What kind and amount of vegetation will be removed or altered?

The vast majority of the site will be graded and therefore the majority of the existing vegetation will need to be removed.

- c. List threatened and endangered species known to be on or near the site.

None known

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

A landscape design plan will be prepared to comply with the requirements of the City of Lakewood Municipal Code

- e. List all noxious weeds and invasive species known to be on or near the site.

Himalayan blackberry are classified as a Class C Noxious Weed by the Washington State Weed Control Board and are listed as a Non Regulated Weed by the Pierce County Noxious Weed Control Board.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other

- b. List any threatened and endangered species known to be on or near the site.

None known

- c. Is the site part of a migration route? If so, explain.

To our knowledge, the site is not a part of a migration route. However, as with the rest of Western Washington State, the project site is located within the Pacific flyway.

- d. Proposed measures to preserve or enhance wildlife, if any:

None Proposed

- e. List any invasive animal species known to be on or near the site.

None Known

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity will be used for lighting, air conditioning, possible equipment use and/or re-charge, etc. It is anticipated that natural gas will be used for the buildings heating needs.

If a manufacturing use is utilized, manufacturing equipment would most likely use electricity however any specifics at this time are unknown.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No, not to our knowledge

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The project will comply with applicable Energy Code requirements

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not known at this time. It is unknown at this time what will be housed, stored, distributed, etc. at the facility or what will be manufactured or used in the manufacturing process if that use is utilized. Any such environmental hazards will be mitigated through the appropriate permitting process to ensure all appropriate BMPs are used and safety measures are adhered to.

- 1) Describe any known or possible contamination at the site from present or past uses.

There are no known contamination onsite from present or past uses.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known hazardous chemicals or conditions that might affect the project development and design. As mentioned above it is unknown at this time what will be housed, stored, distributed, etc. at the facility or what will be manufactured or used in the manufacturing process if that use is utilized. Any such environmental hazards will be mitigated through the appropriate permitting process to ensure all appropriate BMPs are used and safety measures are adhered to.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

There are no known hazardous chemicals that might be stored or used during the projects development.

- 4) Describe special emergency services that might be required.

No special services are foreseen at this time. The building will likely have a sprinkler or other fire suppression system

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None foreseen as needed at this time

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Vehicle and airplane traffic noise from JBLM

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

In the short-term, there will be noise associated with grading and construction equipment. Hours of construction activities will be restricted to those allowed by City of Lakewood codes and regulations.

In the long-term, post-construction, noise will be generated from the truck and automobile traffic. The working hours of the facility are not known at this time.

- 3) Proposed measures to reduce or control noise impacts, if any:

Hours of construction activities will be restricted to those allowed by City of Lakewood codes and regulations.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The project site consists of 4 tax parcels, some vacant and some with SFR. Adjacent to the site to the north is 146th St. SW, to the south is 150th St. SW and to the west is Spring St. and a public school. The site borders single family and multi-family residences to the east.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not to our knowledge

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

There are no known farm or forest land in the vicinity of the subject property.

c. Describe any structures on the site.

There are currently multiple single family residences and associated assessor structures like garages and sheds.

d. Will any structures be demolished? If so, what?

All existing structures will be removed

e. What is the current zoning classification of the site?

Business Park (IBP) but the subject parcels are part of an Area Wide Map Amendment to enhance Industrial Uses

f. What is the current comprehensive plan designation of the site?

Industrial

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

It is unknown how many people will work at the completed project but it can be estimated at approximately 50-100 full and part time. This estimate will also adjust depending on utilization of a warehouse/distribution use or that of a manufacturing.

j. Approximately how many people would the completed project displace?

The project would remove the capacity to house approximately 22 people

k. Proposed measures to avoid or reduce displacement impacts, if any:

The are no proposed measures

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed will be developed and designed to comply with all applicable City of Lakewood codes and regulations

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Not applicable

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest height of any proposed portion of the building will be no more than 60 feet. The principle building materials will be concrete, metal and glass

- b. What views in the immediate vicinity would be altered or obstructed?

None

- c. Proposed measures to reduce or control aesthetic impacts, if any:

The proposal will comply with all applicable commercial development standards, specific use design standards, landscaping, and sign requirements for the City of Lakewood.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Some area and parking lighting around the perimeter will occur during night-time hour. Glare is not expected to be an issue but could occur of some windows depending on time of day and weather conditions.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None known

d. Proposed measures to reduce or control light and glare impacts, if any:

All exterior lighting and/or illumination of the site and structure will be directed downward and contained on the site to avoid spillage onto abutting properties.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

There are none in the immediate vicinity of the project. The closest park is Harry Todd Park on the other side of Interstate 5, approximately 0.8 miles to the NW as the crow flies. There are several private equestrian facilities located to the east along 150th St SW.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

There are none proposed with this application

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

To our knowledge, there are no buildings, structures, or sites listed in or eligible for listing in national, state, or local preservation registers on or within 300-feet of the site

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not to our knowledge

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Department of Archaeology & Historic Preservation WISAARD online Database

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

If any archaeological sites, Traditional Cultural Properties (TCPs), or historic buildings are identified within or adjacent to the project area that are eligible for national, state, or local registers, additional coordination with the City of Lakewood, Department of Archaeology and Historic Preservation, and the Puyallup or Nisqually Tribes (if applicable) will be necessary. Potential mitigation measures for controlling impacts would be to avoid the resource and/or minimize impact to the resource by conducting additional archaeological testing, a TCP study, and/or further documentation of the historic

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

See Site Plan exhibit as Appendix A. The site is served by primarily 150th St. SW and 146th St SW with access to the site from both these streets as well as Spring St. which connects them both.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Pierce Transit Route 206 currently serves the site. Route 206 loops around 146th St SW and 150th St SW. The nearest stop is at the intersection of 150th St SW and Spring St.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

No parking spaces will be eliminated. 239 spaces are proposed.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No new roads or streets are required.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

It is anticipated that the warehousing (high-cube)/distribution use will generate an AWDT total of 1610 vpd with the manufacturing use generating an AWDT total of 652 vpd.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- h. Proposed measures to reduce or control transportation impacts, if any:

None Proposed.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None Proposed

16. Utilities

- a. Underline utilities currently available at the site:

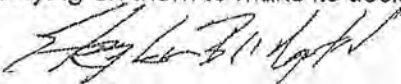
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Utility services proposed for the project include water and fire provided by the Lakewood Water, communication and cable provided by Comcast and/or CenterLink, sanitary sewer provided by Pierce County Utilities, and natural gas and power provided by PSE.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee STEPHEN BRIDGEMAN

Position and Agency/Organization CONTOUR ENGINEERING LLC

Date Submitted: 2016-07-18



EXHIBIT # B

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

September 22, 2016

Andrea Bell, Assistant Planner
City of Lakewood
Community Development Department
6000 Main Street
Lakewood, WA 98499

Dear Ms. Bell:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the Thorne Lane Logistics Center Project (LU1600138) located at 14801 Spring Street Southwest as proposed by Stephen Bridgeford, Contour Engineering, LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

TOXICS CLEANUP: Eva Barber (360) 407-7094

This property is within a quarter mile of one contaminated site. The site is PSE Transformer at Meadowbrook Apts., Facility Site ID (FSID) 17519. To search and access information concerning this site, visit Ecology's website at: <http://www.ecy.wa.gov/fs/> and <https://fortress.wa.gov/ecy/gsp/SiteSearchPage.aspx>. If contamination is suspected, discovered, or occurs during the proposed construction of a warehouse and a distribution facility with associated parking, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Eva Barber with the SWRO, Toxics Cleanup Program at the phone number given above.

WASTE 2 RESOURCES: Beth Gill (360) 407-6380

If greater than 250 cubic yards of inert, demolition, and/or wood waste is used as fill material, a Solid Waste Handling permit may be required (WAC 173-350-990). Check with your local jurisdictional health department for any permitting requirements that may be required.

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. Also, be aware that PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at:

www.ecy.wa.gov/programs/hwtr/dangermat/demo_debris_constr_materials.html.

WATER QUALITY: Chris Montague-Breakwell (360) 407-6364

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
 - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
 - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
 - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.

Andrea Bell, Assistant Planner

September 22, 2016

Page 3

You may apply online or obtain an application from Ecology's website at:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> - Application. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM:16-4940)

cc: Eva Barber, TCP
Beth Gill, W2R
Chris Montague-Breakwell, WQ
Stephen Bridgeford, Contour Engineering, LLC (Applicant)



Memorandum

Date: November 23, 2016

To: Andrea Bell, Assistant Planner

From: Don Wickstrom, Public Works Director

RE: SEPA Review for Thorne Lane Logistics Center on Spring St SW between 146th St SW and 150th St SW

The Public Works Department has reviewed the SEPA application for the Thorne Lane Logistics Center project located between 146th St SW and 150th St SW. The submitted documents are complete enough for this department to provide review comments and conditions of approval as follows:

Site Development and Site Stormwater

1. A Site Development Permit and Drainage Review will be required and shall be reviewed and approved prior to any building permits being issued. The submittal requirements can be found in Lakewood Municipal Code 12A.04.040 and 12A.10.080 and the City of Lakewood Engineering Standards Manual (ESM). The City of Lakewood utilizes the Pierce County Stormwater Management and Site Development Manual or the Stormwater Management Manual for Western Washington (DOE Manual) for storm water requirements and designs.
2. Storm water runoff from all pollution generation impervious surfaces shall be collected and receive water quality/quantity treatment per *LMC12A.11* and Figure 11.2.
3. There are several encumbrances of the subject property identified in the title report that affect the future development of the site (easements, agreements, etc). Prior to any building and/or site development permit issuance, the applicant shall provide documentation to the satisfaction of the Public Works Department, that these encumbrances have been eliminated or modified to accommodate the development.
4. A Title Report shall be provided that is current within the last 6 months.

Traffic

The Public Works Department reviewed the Traffic Impact Analysis (TIA) completed by Heath & Associates, Inc. dated February 13, 2013 as well as the traffic report dated September 29, 2016. In addition, the City utilized its on-call consultant, Transpo Group, to evaluate the traffic operations at the Thorne Lane interchange and for consistency with the citywide traffic model and Woodbrook

Business Park Development Study 2009. The current designated level of service threshold on Murray Road at the interchange is LOS F. Based on the results of the TIA and additional independent analysis, the off-site improvements below shall be considered adequate mitigation for the proposed development.

Off Site Improvements

According to the Lakewood Municipal Code 12A.09 street frontage improvements and other road improvements are required as follows:

1. 146th Street SW, Spring Street SW, and 150th Street SW Frontage Improvements shall be constructed per the following:
 - a. 146th Street SW and Spring Street SW: Widen the roadways eighteen (18') feet as measured from the existing centerline to face of curb. The roadway section shall be based on an approved pavement design but not less than a minimum of 6" hot mix asphalt (HMA) / 4" crushed surfacing top course (CSTC). Note: the exiting road pavement was recently totally reconstructed in 2011 and is 4" of hot mix asphalt (HMA) over 4" of crushed surfacing top course (CSTC). As such it does not need to be reconstructed and thus bulk of the road widening work will occur between the existing gutter line of the asphalt swale and the alignment of the new concrete curb and gutter section. Said minimum new widen road section shall be no less the 5' wide as noted in condition 1.h. below. Further the new curb and gutter section will be held 2" higher than the 4" of hot mix asphalt over 4" of crushed surfacing top course to allow for a 2" overlay of the both the existing pavement and new widen section thereof.
 - b. 150th Street SW: Widen the roadway twenty-three (23') feet as measured from the existing centerline to face of curb, except as noted below to accommodate the left turn lanes and other improvements. This half street includes a six (6') foot Two Way Left Turn Lane (TWLTL), twelve (12') foot travel lane, and five (5') foot bike lane. The roadway section shall be based on an approved pavement design but not less than a minimum 6" HMA / 4" CSTC. Note: the exiting road pavement was recently totally reconstructed in 2011 and is 4" of hot mix asphalt (HMA) over 4" of crushed surfacing top course (CSTC). As such it does not need to be reconstructed and thus the bulk of the road widening work will occur between the existing gutter line of the asphalt swale and the face of the new concrete curb and gutter section. Further the new curb and gutter section will be held 2" higher than the 4" of hot mix asphalt over 4" of crushed surfacing top course to allow for a 2" HMA overlay as noted in condition #2 below of the both the existing pavement and new widen section thereof.
 - c.
 - i. Dedicate a minimum five (5') feet of additional right-of-way along the property frontage. Additional right-of-way may be necessary to accommodate other required improvements as noted below.
 - d. Install concrete vertical curb and gutter.
 - e. Install seven (7') foot concrete sidewalks (attached).

- f. Install landscaping behind the sidewalk in accordance with Planning Department requirements.
 - g. Install city standard driveway approaches at the proposed locations. The wider driveways as shown on the site plan are acceptable, provided that adequate signing and striping are submitted for review and approval.
 - i. The northernmost driveway on Spring Street shall be relocated away from the intersection of 146th Street SW to the satisfaction of the Public Works Department.
 - ii. The southernmost driveway on Spring Street shall be relocated away from the intersection of 150th Street to accommodate the required turn pockets.
 - h. Road restoration shall include a minimum five (5) feet full asphalt replacement measured from sawcut line to face of new curb and an overlay of the asphalt pavement as noted below.
 - i. Install storm drainage system to include catch basins, infiltration system, etc., as required by the Civil Engineer's design.
 - j. All new utility services shall be placed underground with existing utility poles relocated, as needed to behind physical improvements (i.e. sidewalk, pavement, etc.).
 - k. Install street lighting per the Engineering Standards Manual (ESM).
 - l. Roadway widening shall also include adequate tapers from the frontage to transition to the existing roadway in accordance with the ESM.
2. The applicant shall provide a full road width HMA overlay of 146th Street SW, Spring Street SW, and 150th Street SW along the property frontage and tapers based on an approved pavement design. The depth of the overlay shall be consistent with the approved pavement design but not less than 2" and a total pavement thickness of not less than 6". The existing wedge curbs shall be removed and replaced to accommodate the overlay and a two (2') foot crushed rock (CSTC) shoulder shall be placed behind the wedge curb on the opposite side of the roadway from the subject property.
 3. 146th Street SW west of Spring Street SW is not suitable for heavy truck traffic associated with the proposed development. The applicant shall restrict truck traffic from traveling along 146th Street from Spring Street to Murray Road and direct them to 150th Street through a combination of measures to the satisfaction of the City Engineer as listed below. If truck traffic is adequately restricted, no additional off-site improvements along this section of 146th Street are required. Truck traffic restriction measures include:
 - a. Signage will be appropriately placed at the 146th Street SW and Spring Street driveways stating that 'no truck traffic is allowed onto 146th Street SW', with 'left turn only' signage for trucks on the Spring Street driveways.
 - b. A covenant restriction will be recorded on the properties title that restricts truck traffic onto 146th Street SW. This will be written so to be transferred to any future property ownership.

To ensure the above conditions are effective in preventing truck from utilizing this section of roadway, the property owner (applicant) shall enter into a No Protest Local Improvement District (LID) Covenant Agreement that is executed and runs with the property. This

agreement assures the City that there is a financing mechanism in place to pay for improvements to 146th St from Spring St to Murray Rd should in the City's sole judgment the above condition prove ineffective. Upon the City's determination that improvements are necessary to 146th Street said improvements shall include, but not limited to, a full width, 2-inch asphalt overlay of 146th street from Spring Street to Murray Road, removal and replacement of the existing wedge curb, crushed rock shoulders, and widening of 146th Street at the intersection of Murray Road to accommodate truck traffic right turns on to Murray Road. Upon the City determining said improvements are needed the property owner (applicant) shall complete same within 6 months of the City's notice to do so. Failure to do so shall be cause for revocation of permits and forfeiture of all rights to occupy or otherwise use the identified development. The exact terms, conditions and language contained in the LID Covenant agreement shall be subject to the review and approval of the City Engineer. It's the intent that the agreement shall run for no longer than 10 years on the property for which during that time should the City not notify the property that said improvements on 146th Street from Spring Street to Murray Road are required, the LID Covenant Agreement shall lapse along with the property owners obligation for same.

4. The applicant shall provide a left turn pocket on 150th Street to serve the driveway on 150th Street. Tapers and the turn pocket length shall meet the Engineering Standards Manual.
5. The applicant shall ensure right turns from the 150th Street driveway and Spring Street SW onto 150th Street can be made without impacting on-coming traffic. Turning templates will be allowed to demonstrate that trucks will not cross the roadway centerline. Additional widening may be necessary to accommodate.
6. The applicant shall widen Spring Street SW at the intersection of 150th Street SW to allow for a separate dedicated right turn only lane and left turn only lane. The length of turn lanes shall be per current City and AASHTO standards to the satisfaction of the Public Works Department. Additional right-of-way on the subject property will be required to accommodate these improvements.
7. The applicant shall be required to make signage improvements to the 146th Street SW and Spring Street SW intersection as determined acceptable by the City Engineer. This may include advanced warning signs, stop sign, striping, etc. as recommended through a report prepared and stamped by a professional engineer licensed to practice within the State of Washington. This report shall be prepared to include the specific project proposal at the time of building permit application.

NOTE: City's Standard Details, Engineering Standards Manual (ESM), Lakewood Municipal Code could be found at City's website: <http://www.cityoflakewood.us>

The plans for all work within the public right-of-way shall be prepared by a professional engineer licensed to practice within the State of Washington. The plans shall be submitted and approved prior to work beginning in the right-of-way. Right of way permit shall be obtained by the contractor for any work in a public right of way.

If you have any questions or comments, please contact Kent T Smith at 253-983-7787 or ksmith@cityoflakewood.us

Exhibit 'C-3'

RESOLUTION NO. 2017-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of Local Improvement District No. 1109 (Panattoni Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and

WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:

(a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and

(b) A full-width two-inch asphalt pavement overlay located on portions of Spring Street SW.

All of the foregoing improvements shall be in accordance with the plans and specifications therefor prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.

Section 2. The total cost and expense required to make a complete improvement, including legal, engineering, surveying, administrative, printing, acquisition and all other expenses of every kind, is estimated to be \$1,020,000.00. Upon adoption of an ordinance ordering the local improvements described in Section 1, such cost and expense shall be paid from special assessments against the property specially benefited by the local improvements and from other funds legally available to the City for such purpose, and a local improvement district to be designated "Local Improvement District No. 1109 (Panattoni Woodbrook Development)" shall be established as embracing as near as may be all the property specially benefited by such local improvements, which property shall be assessed to pay all of the cost of such local improvements under the mode of payment of bonds.

Section 3. Actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement, or street lighting, adds to the property.

Section 4. The Hearing Examiner of the City of Lakewood is hereby designated to conduct a public hearing to consider the creation of the proposed local improvement district described herein. The hearing shall be held in the Council Chambers, 6000 Main Street SW, Lakewood, Washington, on May 18, 2017 at 10:00 a.m. All persons who may desire to object to the making of the improvement or the formation of the local improvement district shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on May 11, 2017, or shall appear and present their objections at the hearing. Upon completion of the public hearing, the Hearing Examiner shall report recommendations to the City Council for final action.

Section 5. The Director of the Public Works Department shall certify to the City Council and submit to the Hearing Examiner on or at a date prior to May 11, 2017, the estimated cost and expense of the proposed improvement, a description of the boundaries of the proposed local improvement district (including a diagram or print showing the lots, tracts or parcels of lands or other property which will be specially benefited by the proposed improvement), and a statement of the portion of the total cost and expense of the proposed improvement that should be borne by the property within the proposed local improvement district.

Section 6. The City Clerk shall publish this Resolution in at least two consecutive issues of the official newspaper of the City of Lakewood, the first publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Resolution.

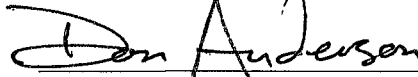
Section 7. The Director of the Public Works Department shall give notice by mail at least 15 days before the day fixed for the hearing to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the Pierce County Assessor, directed to the address thereon shown. The notice shall set forth the nature of the proposed improvement, the estimated cost, a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement (or street lighting) adds to the property, and the estimated benefits of the particular lot, tract or parcel.

Section 8. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 9. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD



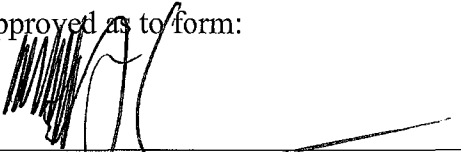
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

Approved as to form:



Heidi Ann Wachter, City Attorney

m. Kamm, Asst. City Atty

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003033616	RESOLUTION NO. 2017-08 A RESOLUTION of	RES 2017-08	\$1,623.71	1	150

Attention: ALICE BUSH
 CITY OF LAKEWOOD
 6000 MAIN ST SW
 LAKEWOOD, WA 984995027

RESOLUTION NO. 2017-08
 A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of local improvement district No. 1109 (Panatieri Woodbrook Development).
 WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and
 WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and
 WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established.
 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:
 Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:
 (a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and
 (b) A full-width two-inch asphalt pavement overlay located on portions of Spring Street SW.
 All of the foregoing improvements shall be in accordance with the plans and specifications therefor prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.
 Section 2. The total cost and expense required to make a complete improvement, including legal, engineering, surveying, administrative, printing, acquisition and all other expenses of every kind, is estimated to be \$1,020,000.00. Upon adoption of an ordinance ordering the local improvements described in Section 1, such cost and expense shall be paid from special assessments against the property specially benefited by the local improvements and from other funds legally available to the City for such purpose, and a local improvement district to be designated "Local Improvement District No. 1109 (Panatieri Woodbrook Development)" shall be established as embracing as near as may be all the property specially benefited by such local improvements, which property shall be assessed to pay all of the cost of such local improvements under the mode of payment of bonds.
 Section 3. Actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement, or street lighting, adds to the property.
 Section 4. The Hearing Examiner of the City of Lakewood is hereby designated to conduct a public hearing to consider the creation of the proposed local improvement district described herein. The hearing shall be held in the Council Chambers, 6000 Main Street SW, Lakewood, Washington, on May 18, 2017 at 10:00 a.m. All persons who may desire to object to the making of the improvement or the formation of the local improvement district shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on May 11, 2017, or shall appear and present their objections at the hearing. Upon completion of the public hearing, the Hearing Examiner shall report recommendations to the City Council for final action.
 Section 5. The Director of the Public Works Department shall certify to the City Council and submit to the Hearing Examiner or at a date prior to May 11, 2017, the estimated cost and expense of the proposed improvement, a description of the boundaries of the proposed local improvement district (including a diagram or print showing the lots, tracts or parcels of lands or other property

ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

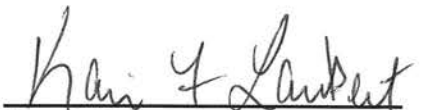
2 Insertions

Published On:
 April 20, 2017, April 27, 2017


 (Principal Clerk)

Subscribed and sworn on this 27th day of April in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.




 Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

which will be specially benefited by the proposed improvement, and a statement of the portion of the total cost and expense of the proposed improvement that should be borne by the property within the proposed local improvement district.

Section 6. The City Clerk shall publish this Resolution in at least two consecutive issues of the official newspaper of the City of Lakewood, the first publication being at least 15 days before the day fixed for the public hearing, to be held in accordance with this Resolution.

Section 7. The Director of the Public Works Department shall give notice by mail at least 15 days before the day fixed for the hearing to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the Pierce County Assessor, directed to the address thereon shown. The notice shall set forth the nature of the proposed improvement, the estimated cost, a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement (or street lighting) adds to the property, and the estimated benefits of the particular lot, tract or parcel.

Section 8. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 9. This resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD
Don Anderson, Mayor

Attest:
Alice M. Bush, MMC, City Clerk
Approved as to form:
Heidi Ann Wachter, City Attorney



Exhibit 'C-5'

Don Anderson
Mayor

May 18, 2017

Jason Whalen
Deputy Mayor

CERTIFICATION OF MAILING

Mary Moss
Councilmember

I, WESTON OTT, for the City of Lakewood, Washington, do hereby certify that on 21st day of APRIL, 2017, the undersigned mailed the attached Notice of Public Hearing on Local Improvement District 1109.

Michael D. Brandstetter
Councilmember

John Simpson
Councilmember

NAME WESTON OTT
TITLE TRANSPORTATION DIVISION MANAGER
Attachment

Marie Barth
Councilmember

Paul Bocchi
Councilmember

John J. Caulfield
City Manager

CITY OF LAKEWOOD, WASHINGTON

NOTICE OF PUBLIC HEARING

You are listed on the rolls of the Pierce County Assessor as the owner of the following described properties located within the proposed City of Lakewood Local Improvement District No. 1109.

Property address: 14801 Spring St SW, Lakewood, WA
Parcel No.: 0219221162
Property address: 7360 146th St SW, Lakewood, WA
Parcel No.: 0219221163
Property address: 7345 150th St SW, Lakewood, WA
Parcel No.: 0219221164
Property address: 7335 150th St SW, Lakewood, WA
Parcel No.: 0219221165

NOTICE IS HEREBY GIVEN that pursuant to Resolution No. 2017-08 (Exhibit A) adopted April 17, 2017, the City of Lakewood declared its intention to initiate the formation of Local Improvement District No. 1109 to construct half street improvements including but not limited to road widening, curb, gutter, sidewalk, storm drainage, street lighting, landscaping and associated improvements along 146th St SW and 150th St SW and a 2 inch thick full width asphalt overlay of Spring St SW within said local improvement district boundaries (Exhibit B, B1) and to proportionally assess benefited properties for said improvements.

The total cost of the proposed improvements is estimated to be \$1,020,000 which shall be borne and assessed against benefited properties within the local improvement district.

The actual assessment may vary from the estimated assessment as long as it does not exceed a figure equal to the increased true and fair value the improvements add to the property. The benefits to, and assessment against, the property herein listed is estimated as shown on the attached Preliminary Assessment Roll (Exhibit C).

The public hearing upon the proposed formation of Local Improvement District No. 1109 will be held before the City of Lakewood Hearings Examiner in the Council Chambers located at 6000 Main Street SW, Lakewood, Washington on May 18, 2017 at 10:00 a.m.

Those persons wishing to comment on the proposed improvements and the formation of Local Improvement District No. 1109 must either file a written response with and received by the City Clerk (6000 Main St SW, Lakewood, WA) by 5:00 p.m. on May 11, 2017, or appear and present their testimony at the hearing. No other responses will be considered. If the City Council elects to pass an ordinance forming the local improvement district, the owner(s) of property within the local improvement district subject to 60 percent or more of the total cost of the improvement shall have 30 days from and after the passage of such ordinance to file a written protest with the City Clerk to the ordering of such improvements. The protest shall be signed by the property owner(s) and identify the property by address or other appropriate description.

Dated this 21st day of April, 2017.

Exhibit A

RESOLUTION NO. 2017-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of Local Improvement District No. 1109 (Panattoni Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and

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PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD



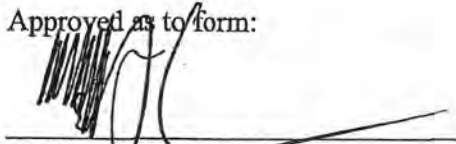
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

Approved as to form:

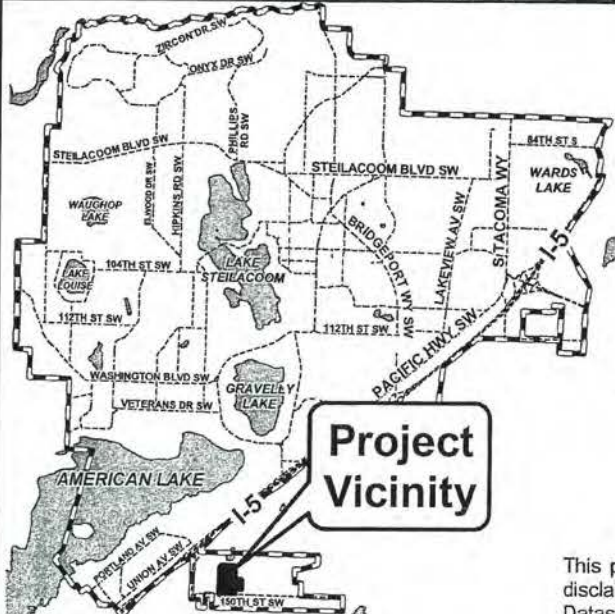
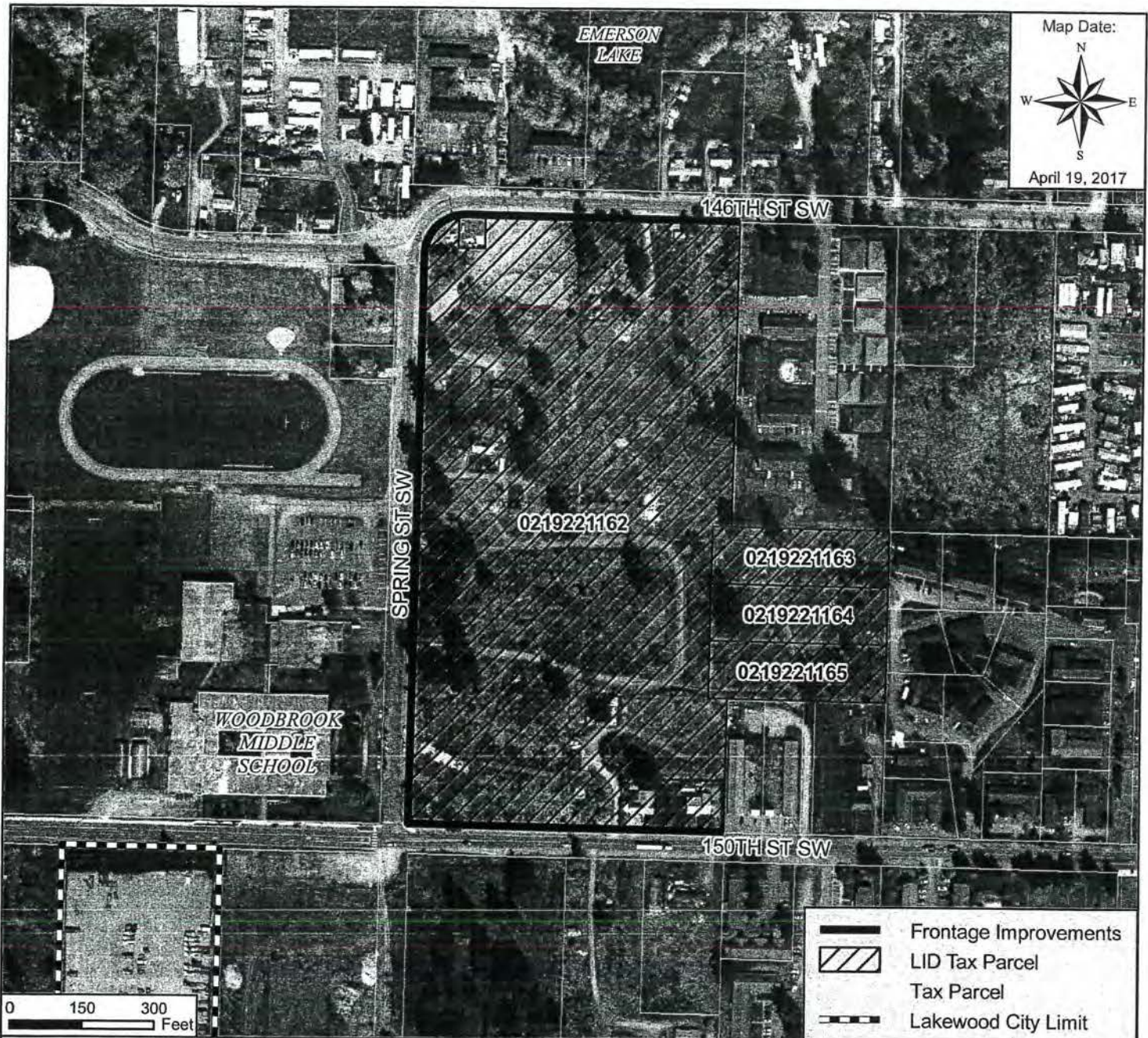

Heidi Ann Wachter, City Attorney

M. Kern, Asst. City Atty

Map Date:



April 19, 2017



City of Lakewood Public Works

Exhibit B LID 1109

Woodbrook Development

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.

EXHIBIT B1
Legal Descriptions

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221164:

Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221165:

Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

City of Lakewood
EXHIBIT C
PRELIMINARY ASSESSMENT ROLL
LID No. 1109 Panattoni Woodbrook Development
4/5/2017

PARCEL NO.	LEGAL OWNER	Zone & Termini Units	Cost/Weighted Unit	ASSESSMENT
0219221162	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	1,625,136	\$0.58	\$943,724.41
0219221163	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221164	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221165	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	44,030	\$0.58	\$25,568.44
	Total	1,756,486		\$1,020,000.00

Exhibit 'C-6'

City of Lakewood
EXHIBIT C
PRELIMINARY ASSESSMENT ROLL
LID No. 1109 Panattoni Woodbrook Development
4/5/2017

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Exhibit 'C-6'

City of Lakewood
EXHIBIT C
PRELIMINARY ASSESSMENT ROLL
LID No. 1109 Panattoni Woodbrook Development
4/5/2017

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Exhibit 'C-7'

BEFORE THE HEARING EXAMINER FOR THE CITY OF LAKEWOOD

RE: Local Improvement District No. 1109	}	FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION
150th St SW, Spring St and 146th St.		
SW Street Improvements		
Formation Hearing		

Summary

It is recommended that the City Council adopt an ordinance forming Local Improvement District (“LID”) No. 1109. The LID will finance a full-width overlay and half-street improvements to 150th St SW and 146th St. SW and a full-width overlay along Spring Street. The improvements will be limited to the street frontages of four contiguous parcels of property. No objections have been made to the formation of the LID. The owner of the four parcels requested the formation of the LID and the four parcels comprise all the properties that will be assessed by the LID. Since the LID improvements will improve the City’s public roads at the sole expense of a property owner who requested the LID, it serves the public health, safety and welfare to approve an ordinance forming LID No. 1109.

Adoption of a formation ordinance will form the LID and set the boundaries of benefitted properties that would be assessed for the LID improvements. Once the LID is formed, a second final assessment roll hearing will be held to give benefitted property owners an opportunity to contest the amounts they will be assessed. A hearing on the proposed formation was held by the City of Lakewood Hearing Examiner on May 18, 2017. No one except staff testified at the hearing.

Testimony

Matthew Kaser, Assistant City Attorney, summarized the LID proposal. He noted that no objections

1 had been filed for the proposal.

2 Weston Ott, City of Lakewood Public Works Transportation Division Manager, noted that the LID
3 improvements are very straightforward. The benefitted property is surrounded on three sides by public
4 right of way, specifically 150th St SW, Spring St and 146th St. SW. The LID will fund half street
5 improvements on all three sides, which includes curb and gutter, sidewalks, storm drainage and street
6 lighting. Spring street will only need a two-inch overlay. In response to examiner questions, Mr. Ott
7 responded that 146th St. SW does not have full street improvements on both sides, so that half of the
8 street will still not be fully improved upon completion of L ID improvements.

9 **Exhibits**

10 The 17 exhibits identified at page 6 of the revised January 18, 2017 Staff Report were admitted into
11 the record during the January 18, 2017 hearing.

- 12 1. March 6, 2017 Memo from Wickstrom to Mayor and Council re LID
- 13 2. Affidavit of Publication of Notice of LID Hearing
- 14 3. Preliminary Assessment Role
- 15 4. LID Project Design
- 16 5. February 17, 2017 letter from property owner requesting LID
- 17 6. Resolution of Intent
- 18 7. Aerial Photograph of LID site
- 19 8. Notice of Hearing
- 20 9. Certificate of Mailing for Hearing Notice
- 21 10. June 2, 2017 Letter from City Requesting Supplementation of Record
- 22 11. June 2, 2017 Letter from Panattoni Noting Full Width Overlay
- 23 12. June 5, 2017 email string from M. Kaser to Examiner re RE: *LID 1109 Hearings Examiner*
24 *Report*, with attachments

25 **Findings of Fact**

26 **Procedural:**

- 27 1. Resolution of Intent. On April 17, 2017, the City of Lakewood City Council adopted Resolution
28 No. 2017-08. The resolution declared an intention to form LID No. 1109 and set a date for a hearing
29 on its formation for May 18, 2017.
- 30 2. Hearing. The hearing examiner held a hearing on the formation of the LID on May 18, 2017.
31 No one except staff chose to testify at the hearing. No objections to the formation of the LID were
32 filed in advance of the hearing or voiced at the hearing.

1 2.5. Supplementation of Record with Ex. 10, 11 and 12. After the close of the hearing, City staff
2 submitted a request to supplement the record (Ex. 10) with a letter from Panattoni (Ex. 11), correcting
3 the record and stating that the street overlays along 146th St. SW and 150th St. SW will be full width
4 overlays, correcting testimony at the LID formation hearing that overlays would only be half-width.
The supplementary exhibits are admitted and the record is corrected to reflect that the LID involves
full width overlays along the street frontages identified in Finding of Fact No. 3 below.

5 Panattoni assumed ownership of the property subject to the LID from YKC Investments LLC the day
6 after the LID formation hearing on May 19, 2017. While in the process of purchasing the property, it
7 had requested YKC Investments LLC to ask the City to form the LID. YKC Investments submitted
8 this request to the City via Ex. 5. Exhibit 12 evidences current ownership of Panattoni¹. The full
9 width overlay is included in the cost estimate of the project and was identified in construction plans
10 submitted to the City. Given that the current owner initiated the request for the full width-overlays
and that no one except City staff testified at the formation hearing, it is determined that no one will be
prejudiced by the addition of Ex. 10, 11 and 12 and they are admitted into the record.

11 **Substantive:**

12 3. LID Improvements. LID improvements will be composed of half-street improvements
13 consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street
14 overlay), storm drainage, street lighting, landscaping and other associated improvements along the
15 street frontages of portions of 150th Street SW and 146th Street SW. Additionally, a full-width two-
16 inch asphalt pavement overlay located on portions of Spring Street SW and full width overlays will be
17 added along 146th St. SW and 150th St. SW frontages. According to Resolution No. 2017-08, the total
18 cost and expense required to make a complete improvement, including legal, engineering, surveying,
19 administrative, printing, acquisition and all other expenses of every kind, is estimated to be
20 \$1,020,000.00. The identified improvements will be located along the street frontages of Tax Parcel
21 No. 0219221162, 0219221163, 0219221164, and 0219221165.

18 4. LID Boundaries and Preliminary Assessment. The preliminary assessment role, Ex. 3,
19 submitted by City staff identifies four parcels as located within the LID. All four parcels are owned by
20 YKC Investment LLC. The preliminary assessment roll assesses the entire \$1,020,000 cost of LID
improvements upon the four parcels.

21 5. Public Benefit. The proposed LID will improve public roads at the sole expense of the property
22 owner who requested the LID. See Ex. 5. Staff did not express any concerns over the proposed LID
23 and no objections were filed or voiced over formation of the LID. For these reasons, it is determined

24 ¹ Ex. 12 is an email that contains a statement from Travis Hale, who represents Panattoni, that Panattoni assumed
25 ownership of all the property subject to the LID on May 19, 2017, the day after the LID formation hearing. Mr. Hale
26 attached closing documents to Ex. 12 showing transfer of property, but the purchaser of the property is identified in
those documents as Tacoma Gateway Lakewood LLC. City staff should ensure that Tacoma Gateway Lakewood
LLC is properly notified for the final assessment roll hearing.

1 that approval of the proposed LID will serve the public health, benefit and welfare.

2 3 **Conclusions of Law**

4 1. Authority. The hearing examiner was directed by Resolution No. No. 2017-08 to conduct the
5 formation hearing and to report a recommendation to the City Council. The hearing examiner is
6 authorized to conduct such hearings by LMC 1.36.127(A) and RCW 35.43.140.

7 2. Formation Hearing Requirements. City staff have complied with all requirements for an LID
8 formation hearing.

9 RCW 35.43.140 authorizes the formation of an LID to be commenced by a resolution declaring the
10 City's intent to form the LID. The resolution must set a date for a hearing to be held on the formation
11 of the LID. Resolution No. 2017-08 served this purpose. RCW 35.43.140 requires the resolution to be
12 published in at least two consecutive issues of the official newspaper of the city, with first publication
13 at least 15 days prior to the hearing. Ex. 2, an affidavit of publication, establishes compliance with this
14 requirement by publication in the Tacoma News Tribune on April 20 and April 27, 2017. Upon the
15 adoption of a resolution, RCW 35.43.130 requires the preparation of a preliminary assessment roll.
16 That roll has been completed and entered into the record as Ex. 3. RCW 35.43.150 requires notice of
17 the formation hearing to be provided to all owners of benefitted properties to be provided by mail 15
18 days in advance of the formation hearing. Ex. 8 and 9 establish compliance with the notice
19 requirements of RCW 35.43.150, evidencing that notice of the hearing was mailed to the benefitted
20 property owner on April 21, 2017.

21 **Recommendation**

22 It is recommended that the City Council adopt an ordinance approving the formation of LID No. 1109. As
23 noted in the Findings of Fact, adoption of the LID would further public health, safety and welfare since the
24 LID provides for public road improvements at the request and expense of the sole benefitted property
25 owner and no objections have been voiced or filed against the LID. As determined in the Conclusions of
26 Law, the formation hearing was held in conformity with applicable procedural requirements.

DATED this 6th day of June, 2017.



Phil A. Olbrechts

Pro Tem Hearing Examiner for Lakewood

Exhibit 'C-8'

ORDINANCE NO. 671

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing Local Improvement District No. 1109 (Panattoni Woodbrook Development); ordering certain improvements within the local improvement district; creating a local improvement district fund; providing for the issuance and sale of local improvement district warrants or other short-term financing for the improvements; and approving certain matters related thereto.

WHEREAS, by Resolution No. 2017-08, adopted April 17, 2017, the City Council of the City of Lakewood, Washington (the "City") declared its intention to order the improvement of certain property located in the City including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW (collectively, the "Improvements"), and to create a local improvement district to finance those Improvements, and fixed May 18, 2017, at 10:00 a.m., local time, in the Council Chambers of City Hall at 6000 Main Street SW, in Lakewood, Washington, as the time and place for hearing all matters relating to the proposed improvements and all comments thereon and objections thereto; and

WHEREAS, the Public Works Director of the City caused an estimate to be made of the cost and expense of the Improvements and certified that estimate to the City Council, together with all papers and information in his possession relating thereto, a description of the boundaries of the proposed local improvement district and a statement of what portion of the cost and expense of the Improvements should be borne by the property within the proposed district; and

WHEREAS, that estimate was accompanied by a diagram of the Improvements showing thereon the lots, tracts, parcels of land, and other property which will be specially benefited by the Improvements and the estimated cost and expense thereof to be borne by each lot, tract and parcel of land or other property; and

WHEREAS, after due notice by mailing and publication to affected property owners within the proposed district, as required by law, a hearing was held on the formation of such proposed district, before Phil Olbrechts, as Hearing Examiner, on May 18, 2017, at the appointed time and place, and all persons wishing to be heard were heard; and

WHEREAS, the report of the Hearing Examiner containing Findings of Fact, Conclusions of Law and Recommendation dated June 6, 2017, was duly filed with the City and has been made available to the public and members of the City Council and staff; and

WHEREAS, the City Council has determined it to be in the best interests of the City that the Improvements be carried out and that the proposed local improvement district be created in connection therewith; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. Council Findings. Having reviewed the record of the hearing and considered the report of the Hearing Examiner, and being otherwise fully informed and advised, and after due consideration, the City Council finds and declares as follows:

(a) The Findings of Fact, Conclusions of Law and Recommendation are approved and adopted;

(b) The carrying out of the Improvements and formation of the proposed local improvement district is found to be in the public interest and should be ordered;

(c) No persons have protested or objected to creation of the proposed local improvement district to finance the Improvements and

(d) The assessments within the proposed local improvement district should be determined on the basis of the benefit of its Improvements as a whole to the properties within the entire district.

Section 2. Ordering of Improvements. The City Council orders the design, construction and carrying out of the Improvements, including installing half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW. All of the foregoing shall be in accordance with the plans and specifications therefor approved and/or prepared by the City's Public Works Department, and may be modified by the City Council as long as such modification does not affect the general purposes of the Improvements.

Section 3. Creation of Local Improvement District. The City Council orders the creation of a local improvement district to be known as "Local Improvement District No. 1109 (Panattoni Woodbrook Development) (the "District"). The boundaries of the District shall be as described in Exhibit A attached hereto and incorporated herein by this reference. It is hereby found that the boundaries of the District embrace as nearly as practicable all of the property specially benefitted by the Improvements.

Section 4. Estimated Costs and Assessments. The total estimated cost and expense of all of the Improvements is declared to be \$1,020,000.00, which amount does not exceed the estimated increase in the true and fair value of all property specially benefitted by the Improvements. All of such cost and expense shall be borne by and assessed against the property specially benefitted by such Improvements included in the District which embraces as nearly as practicable all property specially benefitted by such Improvements, plus debt issuance expenses.

Section 5. Assessment Methods. In accordance with the provisions of RCW 35.44.047, the City may use any method or combination of methods to compute assessments which may be deemed to most fairly reflect the special benefits to the properties being assessed.

Section 6. Interim Financing Authorized. The City may, for the purpose of meeting any and all costs and expenses of constructing the Improvements for which funds are not otherwise available, issue warrants against the hereinafter established Local Improvement Fund. Each such warrant shall bear interest from the date of issuance at a rate to be established hereafter by the Assistant City Manager – Administrative Services, as issuing officer. Such interim warrants, together with the interest due thereon, shall be redeemed from proceeds of the sale of local improvement district bonds or other obligations or the prepayment of assessments collected within the District. In the alternative, the City hereafter may provide for internal City financing by means of interfund loans or the issuance of other short-term obligations pursuant to chapter 39.50 RCW. Such warrants, loans or obligations shall be issued in an aggregate principal amount not in excess of the cost and expense of the Improvements, plus debt issuance expenses. Any warrants, bonds, or other obligations shall contain the language required by RCW 35.45.070.

The City may authorize expenditures to be made for the Improvements (other than for any cost or expenses expected to be paid by the City) prior to the date that any tax-exempt short term obligations or local improvement district bonds are issued to finance costs of the Improvements (such as from proceeds of interfund loans or other available resources of the City). The City hereby declares its official intent pursuant to Treasury Regulation Section 1.150-2(e), that those expenditures, to the extent not reimbursed with prepaid special benefit assessments, are to be reimbursed from proceeds of tax-exempt obligations to be issued in an

expected maximum principal amount of \$1,020,000.00 to finance or refinance the cost of the Improvements.

The City is authorized to issue local improvement district bonds for the District which shall bear interest at a rate and be payable on or before a date to be hereafter fixed by ordinance. The bonds shall be issued in exchange for and/or in redemption of any and all revenue warrants, interfund loans or other short-term obligations hereafter authorized and not redeemed from the prepayment of special assessments within twenty days after the expiration of the thirty-day period for the cash payment without interest of assessments on the assessment roll for the District. The bonds shall be paid and redeemed by the collection of special assessments to be levied and assessed against the property within the District, payable in annual installments, with interest at a rate to be hereafter fixed by ordinance. The exact form, amount, date, interest rate and denominations of such bonds hereafter shall be fixed by ordinance of the City Council. Such bonds shall be sold in such manner as the City Council hereafter shall determine.

Section 7. Competitive Bids for Improvements. In all cases where the work necessary to be done in connection with the making of such Improvements is carried out pursuant to contract upon competitive bids (and the City shall have and reserves the right to reject any and all bids), the call for bids shall include a statement that payment for such work will be made in cash warrants drawn upon the hereinafter created Local Improvement Fund.

Section 8. Local Improvement Account Created. An account for the District is hereby created and established in the office of the Assistant City Manager – Administrative Services, within the LID Debt Service Fund. The proceeds from the sale of revenue warrants, interfund loans or other short-term obligations drawn against such funds which may be issued and sold or made by the City and the collections of special assessments, interest and penalties thereon shall


be deposited in this Local Improvement Fund. Any cash warrants issued to the contractor or contractors in payment for the work to be done by them in connection with the Improvements, and cash warrants in payment for all other items of expense in connection with the Improvements shall be issued against this fund.

Section 9. Filing and Posting of Preliminary Assessment. Within 15 days of the passage of this ordinance there shall be filed with the Assistant City Manager – Administrative Services the title of the Improvements and the respective District number, a copy of the diagram or print showing the boundaries or territorial extent of the District and the preliminary assessment roll or abstract of each such roll showing thereon the lots, tracts and parcels of land that will be specially benefited thereby and the estimated cost and expense of the Improvements to be borne by each lot, tract or parcel of land. The Assistant City Manager – Administrative Services immediately shall post the proposed assessment roll upon their index of local improvement assessments against the properties affected by the Improvements.

Section 10. Ratification. All actions previously taken consistent with or in furtherance of the provisions and purposes of this ordinance are ratified and confirmed.

Section 11. Effective Date. This ordinance shall take effect and be in full force from and after its passage and five (5) days following its publication as required by law.

ADOPTED by the City Council this 19th day of June, 2017.

A handwritten signature in blue ink that reads "Don Anderson". The signature is written in a cursive style with a large initial "D".

Don Anderson, Mayor

Attest:

A handwritten signature in blue ink that reads "Alice M. Bush". The signature is written in a cursive style.

Alice M. Bush, MMC, City Clerk

Approved as to Form:

A handwritten signature in blue ink that reads "Heidi Ann Wachter". The signature is written in a cursive style.

Heidi Ann Wachter, City Attorney

EXHIBIT A
Legal Descriptions

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221164:

Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

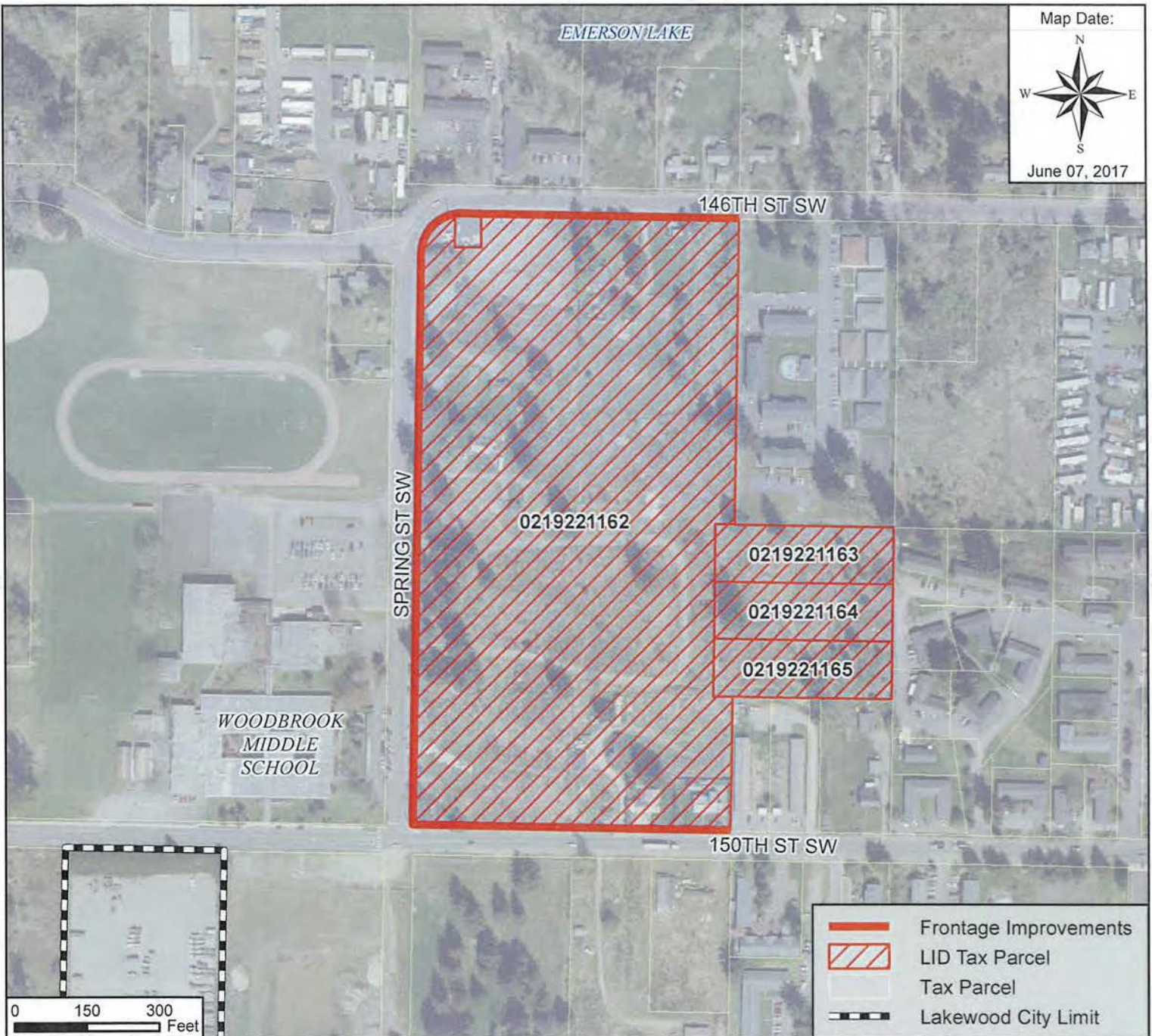
Parcel 0219221165:

Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Map Date:

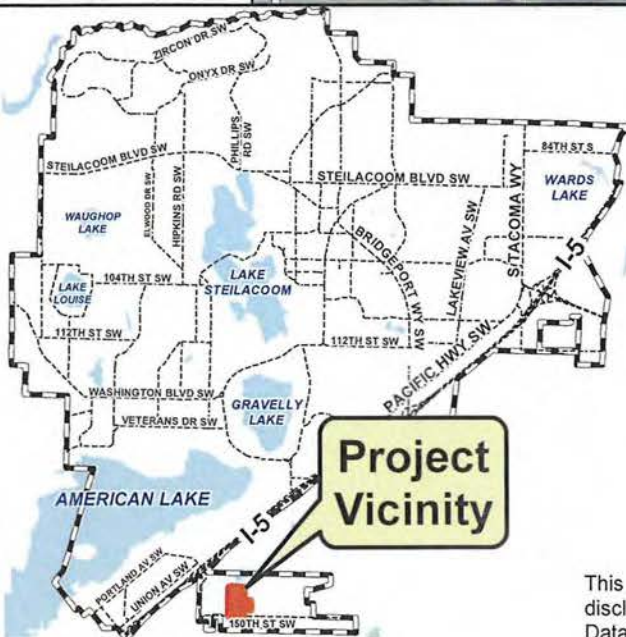


June 07, 2017



City of Lakewood Public Works

Exhibit A LID 1109 Woodbrook Development



:\Projects\Eng\Maps\LID1109_ExA.mxd

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.

CERTIFICATION

I, the undersigned, City Clerk of the City of Lakewood, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 671 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on June 19, 2017, as that ordinance appears on the minute book of the City; and the Ordinance will be in full force and effect five days after publication in the official newspaper of the City.

2. A quorum of the members of the City Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of June, 2017.

CITY OF LAKEWOOD, WASHINGTON



Alice M. Bush, MMC, City Clerk

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
258525	0003134538	City of Lakewood Lakewood City Hall 6000 Main :	ORD 671	\$199.01	1	33

Attention: BRIANA SCHUMACHER

CITY OF LAKEWOOD
6000 MAIN ST SW
LAKEWOOD, WA 984995027

City of Lakewood
 Lakewood City Hall
 6000 Main Street SW
 Lakewood, WA 98499
 (253) 589-2489

(Legal Notice)
 June 20, 2017

**NOTICE OF ORDINANCE PASSED
 BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 19th day of June, 2017.

ORDINANCE NO. 671.
 AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing Local Improvement District No. 1109 (Paradise Woodbrook Development); ordering certain improvements within the local improvement district; creating a local improvement district fund; providing for the issuance and sale of local improvement district warrants or other short-term financing for the improvements; and approving certain matters related thereto.

This ordinance shall take effect and be in full force from and after its passage and five (5) days following its publication as required by law.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk
 Published in the Tacoma News Tribune: June 22, 2017

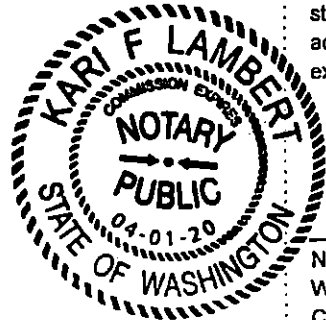
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

1 Insertions

Published On:
 June 22, 2017

Elizabeth Brown
 (Principal Clerk)

Subscribed and sworn on this 22nd day of June in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Kari F Lambert
 Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
258525	0003134538	City of Lakewood Lakewood City Hall 6000 Main :	ORD 671	\$199.01	1	33

Attention: BRIANA SCHUMACHER

CITY OF LAKEWOOD
6000 MAIN ST SW
LAKEWOOD, WA 984995027

City of Lakewood
 Lakewood City Hall
 6000 Main Street SW
 Lakewood, WA 98499
 (253) 589-2489

(Legal Notice)
 June 20, 2017

**NOTICE OF ORDINANCE PASSED
 BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 19th day of June, 2017.

ORDINANCE NO. 671.
 AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing Local Improvement District No. 1109 (Parsonoi Woodbrook Development); ordering certain improvements within the local improvement district; creating a local improvement district fund; providing for the issuance and sale of local improvement district warrants or other short-term financing for the improvements; and approving certain matters related thereto.

This ordinance shall take effect and be in full force from and after its passage and five (5) days following its publication as required by law.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk
 Published in the Tacoma News Tribune: June 22, 2017

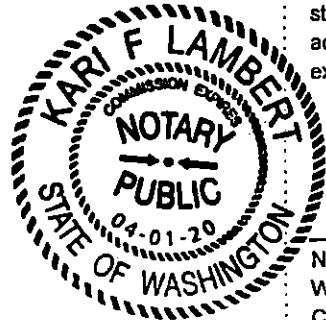
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

1 Insertions

Published On:
 June 22, 2017

Elizabeth Brown
 (Principal Clerk)

Subscribed and sworn on this 22nd day of June in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Kari F Lambert
 Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

EXHIBIT 'C-10'



Looking west on 150th Street SW toward Spring Street SW



Looking north on Spring St SW toward 146th Street SW



Looking west on 146th Street SW toward Spring Street SW

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003180732	ADVERTISEMENT FOR BIDS Tacoma Gateway	TACOMA GATEWAY LID 302.01	\$884.33	1	81

Attention: BRIANA SCHUMACHER

**CITY OF LAKEWOOD
 6000 MAIN ST SW
 LAKEWOOD, WA 984995027**

ADVERTISEMENT FOR BIDS

Tacoma Gateway
 Local Improvement District No. 1109
 City Project Number: 302.0064

Sealed bids will be received by the City of Lakewood at the office of the City Clerk at 6000 Main Street SW, Lakewood, Washington 98499-5027, until 2:30 p.m. on Tuesday, August 1, 2017, and not later, and will then be opened and publicly read aloud in the Mt. Rainier Room (3rd floor).

This contract provides for the construction of improvements along portions of 148th St SW, Spring St SW, and 150th St SW in the Woodbrook neighborhood of Lakewood. Improvements consist of: road widening, installation of a storm water infiltration system, construction of curb, gutter, sidewalks, paving, and all other work necessary to complete the project as specified and shown in the Contract Documents.

Plans, specifications, addenda, and plan holders list for this project are available on-line through Builders Exchange of Washington, Inc. at <http://www.bewa.com>. Click on: "Posted Projects"; "Public Works"; "City of Lakewood, WA." Bidders are encouraged to "Register as a Bidder", in order to receive automatic email notification of future addenda and to be placed on the "Bidders List". Contact Builders Exchange of Washington at (425) 258-1303 should you require further assistance. Informational copies of any available maps, plans, and specifications are on file for inspection in the office of the Lakewood Public Works Director (253) 589-2489.

Bidders shall be qualified for the type of work proposed. A Bidder's Construction Experience form is included in the Contract Provisions.

All bids shall be submitted on the prescribed Bid Forms and in the manner as stated in this advertisement and in the Bid Documents, and said bids shall be accompanied by a bid deposit in the form of cash, cashier's check, certified check, postal money order, or a surety bond to the City of Lakewood in the amount of five percent (5%) of the total amount of the bid. Faxed bids and/or surety bonds will not be accepted.

Bids must be submitted in a sealed envelope with the outside clearly marked with the bid opening date and time, the project name and number as it appears in this advertisement and the name and address of the bidder. Bids shall be addressed to the City Clerk, City of Lakewood, 6000 Main Street SW, Lakewood, Washington 98499-5027 or hand delivered to the first floor receptionist.

The City of Lakewood reserves the right to determine and may waive any informalities or minor defects or reject any and all bids. The City of Lakewood reserves the right to determine the lowest responsible bidder based on factors other than price, including but not limited to the following: liability exposure, references and past performance, history of claims with other agencies on similar projects, inadequate or ambiguous specifications, specifications have been revised, lowest responsible bid deemed not best price obtainable, bids not independently arrived or submitted in bid faith (i.e. price fixing), a determination made that all the necessary requirements of bid process have not been met, insufficient competition, and other claims or other indications that cancellation or rejection of all bids is clearly in the best interest of the City. The City of Lakewood expressly reserves the right to accept the bids and award contracts to responsible bidders which are in the best interest of the City to postpone the acceptance of bids and the award of the contracts for a period not to exceed 30 days, or to reject any and all bids received and to waive irregularities in the bid or in the bidding.

Alice M. Bush
 City Clerk
 Daily Journal of Commerce
 Publish: July 18, 2017 and July 25, 2017
 Tacoma News Tribune
 Publish: July 18, 2017 and July 25, 2017

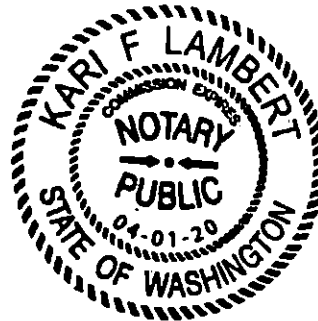
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

2 Insertions

Published On:
 July 18, 2017, July 25, 2017

Elizabeth Brown
 (Principal Clerk)

Subscribed and sworn on this 25th day of July in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Kari F Lambert
 Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003180732	ADVERTISEMENT FOR BIDS Tacoma Gateway	TACOMA GATEWAY LID 302.01	\$884.33	1	81

Attention: BRIANA SCHUMACHER

**CITY OF LAKEWOOD
 6000 MAIN ST SW
 LAKEWOOD, WA 984995027**

ADVERTISEMENT FOR BIDS

Tacoma Gateway
 Local Improvement District No. 1109
 City Project Number: 302.0064

Sealed bids will be received by the City of Lakewood at the office of the City Clerk at 6000 Main Street SW, Lakewood, Washington 98499-5027, until 2:30 p.m. on Tuesday, August 1, 2017, and not later, and will then be opened and publicly read aloud in the Mt. Rainier Room (3rd floor).

This contract provides for the construction of improvements along portions of 148th St SW, Spring St SW, and 150th St SW in the Woodbrook neighborhood of Lakewood. Improvements consist of: road widening, installation of a storm water filtration system, construction of curb, gutter, sidewalks, paving, and all other work necessary to complete the project as specified and shown in the Contract Documents.

Plans, specifications, addenda, and plan holders list for this project are available on-line through Builders Exchange of Washington, Inc. at <http://www.bewa.com>. Click on: "Posted Projects"; "Public Works"; "City of Lakewood, WA." Bidders are encouraged to "Register as a Bidder", in order to receive automatic email notification of future addenda and to be placed on the "Bidders List". Contact Builders Exchange of Washington at (425) 258-1303 should you require further assistance. Informational copies of any available maps, plans, and specifications are on file for inspection in the office of the Lakewood Public Works Director (253) 589-2489.

Bidders shall be qualified for the type of work proposed. A Bidder's Construction Experience form is included in the Contract Provisions.

All bids shall be submitted on the prescribed Bid Forms and in the manner as stated in this advertisement and in the Bid Documents, and said bids shall be accompanied by a bid deposit in the form of cash, cashier's check, certified check, postal money order, or a surety bond to the City of Lakewood in the amount of five percent (5%) of the total amount of the bid. Faxed bids and/or surety bonds will not be accepted.

Bids must be submitted in a sealed envelope with the outside clearly marked with the bid opening date and time, the project name and number as it appears in this advertisement and the name and address of the bidder. Bids shall be addressed to the City Clerk, City of Lakewood, 6000 Main Street SW, Lakewood, Washington 98499-5027 or hand delivered to the first floor receptionist.

The City of Lakewood reserves the right to determine and may waive any informalities or minor defects or reject any and all bids. The City of Lakewood reserves the right to determine the lowest responsible bidder based on factors other than price, including but not limited to the following: liability exposure, references and past performance, history of claims with other agencies on similar projects, inadequate or ambiguous specifications, specifications have been revised, lowest responsible bid deemed not best price obtainable, bids not independently arrived or submitted in bid faith (i.e. price fixing), a determination made that all the necessary requirements of bid process have not been met, insufficient competition, and other claims or other indications that cancellation or rejection of all bids is clearly in the best interest of the City. The City of Lakewood expressly reserves the right to accept the bids and award contracts to responsible bidders which are in the best interest of the City to postpone the acceptance of bids and the award of the contracts for a period not to exceed 30 days, or to reject any and all bids received and to waive irregularities in the bid or in the bidding.

Alice M. Bush
 City Clerk
 Daily Journal of Commerce
 Publish: July 18, 2017 and July 25, 2017
 Tacoma News Tribune
 Publish: July 18, 2017 and July 25, 2017

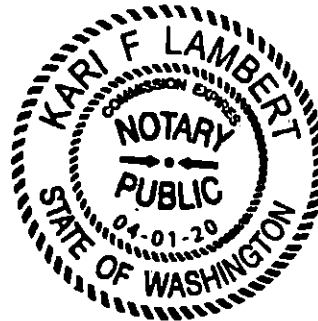
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

2 Insertions

Published On:
 July 18, 2017, July 25, 2017

Elizabeth Brown
 (Principal Clerk)

Subscribed and sworn on this 25th day of July in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Kari F Lambert

Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

Exhibit 'C-12'

BID TABULATIONS

PROJECT NAME: Tacoma Gateway Local Improvement District
 PROJECT NO.: 302.0064 - LID No. 1109
 BID OPENING DATE: 8/1/2017

Note: We hereby certify that these tabulated bids represent all bids received and that the additions of all prices shown have been checked and corrected.

				ENGINEER'S ESTIMATE		RODARTE CONSTRUCTION		MILES RESOURCES, LLC		PIVETTA BROTHERS CONSTRUCTION		SOUND PACIFIC CONSTRUCTION	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Minor Change	1	FA	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2	SPPC Plan	1	LS	\$8,000.00	\$8,000.00	\$250.00	\$250.00	\$900.00	\$900.00	\$513.00	\$513.00	\$1,000.00	\$1,000.00
3	Mobilization	1	LS	\$75,000.00	\$75,000.00	\$72,000.00	\$72,000.00	\$64,200.00	\$64,200.00	\$86,200.00	\$86,200.00	\$88,000.00	\$88,000.00
4	Project Temporary Traffic Control	1	LS	\$80,000.00	\$80,000.00	\$30,000.00	\$30,000.00	\$91,000.00	\$91,000.00	\$90,000.00	\$90,000.00	\$80,000.00	\$80,000.00
5	Clearing, Grubbing and Roadside Cleanup	1	LS	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$5,800.00	\$5,800.00	\$28,600.00	\$28,600.00	\$9,000.00	\$9,000.00
6	Sawcutting	5,460	LF	\$3.50	\$19,110.00	\$2.25	\$12,285.00	\$1.75	\$9,555.00	\$1.75	\$9,555.00	\$4.00	\$21,840.00
7	Removal of Structures and Obstructions	1	LS	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$43,350.00	\$43,350.00	\$13,755.00	\$13,755.00	\$12,000.00	\$12,000.00
8	Utility Potholing	10	EA	\$500.00	\$5,000.00	\$500.00	\$5,000.00	\$330.00	\$3,300.00	\$260.00	\$2,600.00	\$400.00	\$4,000.00
9	Roadway Excavation Incl. Haul	1	LS	\$20,000.00	\$20,000.00	\$38,500.00	\$38,500.00	\$29,850.00	\$29,850.00	\$71,250.00	\$71,250.00	\$25,000.00	\$25,000.00
10	Shoring or Extra Excavation Class B	1	LS	\$9,500.00	\$9,500.00	\$500.00	\$500.00	\$2,360.00	\$2,360.00	\$525.00	\$525.00	\$500.00	\$500.00
11	Crushed Surfacing Top Course	250	TON	\$40.00	\$10,000.00	\$35.00	\$8,750.00	\$51.00	\$12,750.00	\$41.50	\$10,375.00	\$49.00	\$12,250.00
12	Planing Bituminous Pavement	1,100	SY	\$3.00	\$3,300.00	\$10.00	\$11,000.00	\$8.30	\$9,130.00	\$8.60	\$9,460.00	\$6.00	\$6,600.00
13	HMA Cl. 1/2 In. PG 64-22	1,690	TON	\$125.00	\$211,250.00	\$92.00	\$155,480.00	\$71.25	\$120,412.50	\$91.20	\$154,128.00	\$90.00	\$152,100.00
14	Ductile Iron Sewer Pipe 12 In. Dia.	53	LF	\$80.00	\$4,240.00	\$150.00	\$7,950.00	\$93.50	\$4,955.50	\$91.75	\$4,862.75	\$89.00	\$4,717.00
15	Corrugated Polyethylene Storm Sewer Pipe 12 In. Dia.	108	LF	\$40.00	\$4,320.00	\$100.00	\$10,800.00	\$69.00	\$7,452.00	\$93.25	\$10,071.00	\$76.00	\$8,208.00
16	Catch Basin Type 1	12	EA	\$1,700.00	\$20,400.00	\$1,200.00	\$14,400.00	\$1,220.00	\$14,640.00	\$1,325.00	\$15,900.00	\$1,600.00	\$19,200.00
17	Catch Basin Type 1P w/ Downturned Elbow	6	EA	\$2,000.00	\$12,000.00	\$1,400.00	\$8,400.00	\$1,400.00	\$8,400.00	\$1,500.00	\$9,000.00	\$1,900.00	\$11,400.00
18	Sediment Control Structure, Type 2, 54 In. Dia.	3	EA	\$3,000.00	\$9,000.00	\$4,500.00	\$13,500.00	\$4,410.00	\$13,230.00	\$6,000.00	\$18,000.00	\$3,500.00	\$10,500.00
19	Clean Out	9	EA	\$500.00	\$4,500.00	\$1,000.00	\$9,000.00	\$1,260.00	\$11,340.00	\$800.00	\$7,200.00	\$800.00	\$7,200.00
20	Adjust Catch Basin	18	EA	\$525.00	\$9,450.00	\$450.00	\$8,100.00	\$430.00	\$7,740.00	\$440.00	\$7,920.00	\$700.00	\$12,600.00
21	Adjust Manhole	14	EA	\$580.00	\$8,120.00	\$450.00	\$6,300.00	\$570.00	\$7,980.00	\$440.00	\$6,160.00	\$700.00	\$9,800.00
22	Adjust Valve Box	12	EA	\$350.00	\$4,200.00	\$250.00	\$3,000.00	\$450.00	\$5,400.00	\$350.00	\$4,200.00	\$500.00	\$6,000.00
23	Infiltration Gallery, 12-In. Diam.	759	LF	\$105.00	\$79,695.00	\$110.00	\$83,490.00	\$50.00	\$37,950.00	\$42.50	\$32,257.50	\$75.00	\$56,925.00
24	Inlet Protection	25	EA	\$125.00	\$3,125.00	\$55.00	\$1,375.00	\$145.00	\$3,625.00	\$46.50	\$1,162.50	\$100.00	\$2,500.00
25	Planting	1	LS	\$90,300.00	\$90,300.00	\$100,000.00	\$100,000.00	\$111,000.00	\$111,000.00	\$110,975.00	\$110,975.00	\$105,000.00	\$105,000.00
26	Irrigation System	1	LS	\$55,900.00	\$55,900.00	\$80,000.00	\$80,000.00	\$66,720.00	\$66,720.00	\$66,100.00	\$66,100.00	\$70,000.00	\$70,000.00
27	Cement Conc. Traffic Curb and Gutter	1,335	LF	\$35.00	\$46,725.00	\$25.00	\$33,375.00	\$15.00	\$20,025.00	\$14.35	\$19,157.25	\$24.00	\$32,040.00
28	Cement Conc. Driveway Entrance, Type 1	145	SY	\$90.00	\$13,050.00	\$54.00	\$7,830.00	\$54.00	\$7,830.00	\$51.75	\$7,503.75	\$60.00	\$8,700.00
29	Cement Conc. Sidewalk	850	SY	\$70.00	\$59,500.00	\$40.00	\$34,000.00	\$31.00	\$26,350.00	\$30.00	\$25,500.00	\$40.00	\$34,000.00
30	Cement Conc. Curb Ramp	1	EA	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00	\$1,275.00	\$1,275.00	\$1,225.00	\$1,225.00	\$1,700.00	\$1,700.00
31	Electrical System	1	LS	\$8,000.00	\$8,000.00	\$16,500.00	\$16,500.00	\$35,300.00	\$35,300.00	\$30,500.00	\$30,500.00	\$40,000.00	\$40,000.00
32	Permanent Signing	1	LS	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00	\$21,820.00	\$21,820.00	\$2,260.00	\$2,260.00	\$20,000.00	\$20,000.00
33	Plastic Stop Line	42	LF	\$20.00	\$840.00	\$17.00	\$714.00	\$18.50	\$777.00	\$17.50	\$735.00	\$17.00	\$714.00
34	Plastic Traffic Arrow	2	EA	\$110.00	\$220.00	\$250.00	\$500.00	\$290.00	\$580.00	\$285.00	\$570.00	\$275.00	\$550.00
35	Plastic Lane Line	4,307	LF	\$1.50	\$6,460.50	\$2.00	\$8,614.00	\$2.25	\$9,690.75	\$2.15	\$9,260.05	\$2.00	\$8,614.00
TOTAL					\$926,705.50								
							\$804,613.00		\$826,687.75		\$877,480.80		\$892,658.00

Bidder's Total

Contractor has signed acknowledgement of receipt of addenda
 Contractor has correctly signed bid proposal
 Contractor has submitted bid bond or 5%
 Contractor has signed non-collusion affidavit
 Contractor has completed bid form

N/A
Y
Y
Y
Y

BID TABULATIONS

PROJECT NAME: Tacoma Gateway Local Improvement District
 PROJECT NO.: 302.0064 - LID No. 1109
 BID OPENING DATE: 8/1/2017

				ENGINEER'S ESTIMATE		R. W. SCOTT CONSTRUCTION		N. W. CASCADE		TUCCI & SONS		PUGET PAVING & CONSTRUCTION		
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	
1	Minor Change	1	FA	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	
2	SPPC Plan	1	LS	\$8,000.00	\$8,000.00	\$500.00	\$500.00	\$5,000.00	\$5,000.00	\$250.00	\$250.00	\$500.00	\$500.00	
3	Mobilization	1	LS	\$75,000.00	\$75,000.00	\$113,000.00	\$113,000.00	\$90,000.00	\$90,000.00	\$150,000.00	\$150,000.00	\$173,235.00	\$173,235.00	
4	Project Temporary Traffic Control	1	LS	\$80,000.00	\$80,000.00	\$45,000.00	\$45,000.00	\$36,000.00	\$36,000.00	\$94,000.00	\$94,000.00	\$142,000.00	\$142,000.00	
5	Clearing, Grubbing and Roadside Cleanup	1	LS	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$17,500.00	\$17,500.00	\$9,300.00	\$9,300.00	\$50,000.00	\$50,000.00	
6	Sawcutting	5,460	LF	\$3.50	\$19,110.00	\$3.00	\$16,380.00	\$1.75	\$9,555.00	\$1.00	\$5,460.00	\$1.00	\$5,460.00	
7	Removal of Structures and Obstructions	1	LS	\$20,000.00	\$20,000.00	\$18,000.00	\$18,000.00	\$13,500.00	\$13,500.00	\$14,000.00	\$14,000.00	\$87,200.00	\$87,200.00	
8	Utility Potholing	10	EA	\$500.00	\$5,000.00	\$400.00	\$4,000.00	\$550.00	\$5,500.00	\$610.00	\$6,100.00	\$500.00	\$5,000.00	
9	Roadway Excavation Incl. Haul	1	LS	\$20,000.00	\$20,000.00	\$85,000.00	\$85,000.00	\$70,000.00	\$70,000.00	\$24,000.00	\$24,000.00	\$72,446.00	\$72,446.00	
10	Shoring or Extra Excavation Class B	1	LS	\$9,500.00	\$9,500.00	\$2,000.00	\$2,000.00	\$600.00	\$600.00	\$250.00	\$250.00	\$10,000.00	\$10,000.00	
11	Crushed Surfacing Top Course	250	TON	\$40.00	\$10,000.00	\$33.00	\$8,250.00	\$39.00	\$9,750.00	\$65.00	\$16,250.00	\$50.00	\$12,500.00	
12	Planing Bituminous Pavement	1,100	SY	\$3.00	\$3,300.00	\$8.00	\$8,800.00	\$12.00	\$13,200.00	\$11.00	\$12,100.00	\$6.00	\$6,600.00	
13	HMA Cl. 1/2 In. PG 64-22	1,690	TON	\$125.00	\$211,250.00	\$95.00	\$160,550.00	\$100.00	\$169,000.00	\$92.00	\$155,480.00	\$95.00	\$160,550.00	
14	Ductile Iron Sewer Pipe 12 In. Dia.	53	LF	\$80.00	\$4,240.00	\$130.00	\$6,890.00	\$135.00	\$7,155.00	\$185.00	\$9,805.00	\$148.00	\$7,844.00	
15	Corrugated Polyethylene Storm Sewer Pipe 12 In. Dia.	108	LF	\$40.00	\$4,320.00	\$96.00	\$10,368.00	\$100.00	\$10,800.00	\$165.00	\$17,820.00	\$100.00	\$10,800.00	
16	Catch Basin Type 1	12	EA	\$1,700.00	\$20,400.00	\$1,400.00	\$16,800.00	\$1,600.00	\$19,200.00	\$1,160.00	\$13,920.00	\$1,400.00	\$16,800.00	
17	Catch Basin Type 1P w/ Downturned Elbow	6	EA	\$2,000.00	\$12,000.00	\$1,500.00	\$9,000.00	\$2,150.00	\$12,900.00	\$1,250.00	\$7,500.00	\$1,600.00	\$9,600.00	
18	Sediment Control Structure, Type 2, 54 In. Dia.	3	EA	\$3,000.00	\$9,000.00	\$6,000.00	\$18,000.00	\$5,450.00	\$16,350.00	\$5,500.00	\$16,500.00	\$6,400.00	\$19,200.00	
19	Clean Out	9	EA	\$500.00	\$4,500.00	\$900.00	\$8,100.00	\$1,100.00	\$9,900.00	\$700.00	\$6,300.00	\$850.00	\$7,650.00	
20	Adjust Catch Basin	18	EA	\$525.00	\$9,450.00	\$400.00	\$7,200.00	\$500.00	\$9,000.00	\$750.00	\$13,500.00	\$800.00	\$14,400.00	
21	Adjust Manhole	14	EA	\$580.00	\$8,120.00	\$800.00	\$11,200.00	\$600.00	\$8,400.00	\$750.00	\$10,500.00	\$800.00	\$11,200.00	
22	Adjust Valve Box	12	EA	\$350.00	\$4,200.00	\$500.00	\$6,000.00	\$375.00	\$4,500.00	\$600.00	\$7,200.00	\$650.00	\$7,800.00	
23	Infiltration Gallery, 12-In. Diam.	759	LF	\$105.00	\$79,695.00	\$120.00	\$91,080.00	\$102.00	\$77,418.00	\$80.00	\$60,720.00	\$98.00	\$74,382.00	
24	Inlet Protection	25	EA	\$125.00	\$3,125.00	\$80.00	\$2,000.00	\$70.00	\$1,750.00	\$100.00	\$2,500.00	\$50.00	\$1,250.00	
25	Planting	1	LS	\$90,300.00	\$90,300.00	\$98,000.00	\$98,000.00	\$106,345.50	\$106,345.50	\$97,000.00	\$97,000.00	\$116,000.00	\$116,000.00	
26	Irrigation System	1	LS	\$55,900.00	\$55,900.00	\$54,000.00	\$54,000.00	\$32,500.00	\$32,500.00	\$80,000.00	\$80,000.00	\$55,000.00	\$55,000.00	
27	Cement Conc. Traffic Curb and Gutter	1,335	LF	\$35.00	\$46,725.00	\$17.00	\$22,695.00	\$27.00	\$36,045.00	\$20.00	\$26,700.00	\$15.00	\$20,025.00	
28	Cement Conc. Driveway Entrance, Type 1	145	SY	\$90.00	\$13,050.00	\$52.00	\$7,540.00	\$118.00	\$17,110.00	\$67.00	\$9,715.00	\$55.00	\$7,975.00	
29	Cement Conc. Sidewalk	850	SY	\$70.00	\$59,500.00	\$31.00	\$26,350.00	\$52.00	\$44,200.00	\$39.00	\$33,150.00	\$32.00	\$27,200.00	
30	Cement Conc. Curb Ramp	1	EA	\$3,500.00	\$3,500.00	\$1,700.00	\$1,700.00	\$2,125.00	\$2,125.00	\$2,500.00	\$2,500.00	\$1,300.00	\$1,300.00	
31	Electrical System	1	LS	\$8,000.00	\$8,000.00	\$20,000.00	\$20,000.00	\$35,800.00	\$35,800.00	\$58,000.00	\$58,000.00	\$30,000.00	\$30,000.00	
32	Permanent Signing	1	LS	\$2,000.00	\$2,000.00	\$5,600.00	\$5,600.00	\$25,700.00	\$25,700.00	\$41,000.00	\$41,000.00	\$3,000.00	\$3,000.00	
33	Plastic Stop Line	42	LF	\$20.00	\$840.00	\$17.00	\$714.00	\$18.00	\$756.00	\$16.00	\$672.00	\$30.00	\$1,260.00	
34	Plastic Traffic Arrow	2	EA	\$110.00	\$220.00	\$275.00	\$550.00	\$295.00	\$590.00	\$250.00	\$500.00	\$600.00	\$1,200.00	
35	Plastic Lane Line	4,307	LF	\$1.50	\$6,460.50	\$2.10	\$9,044.70	\$2.50	\$10,767.50	\$2.00	\$8,614.00	\$4.00	\$17,228.00	
TOTAL					\$926,705.50									
							Bidder's Total							
								\$911,811.70		\$938,917.00		\$1,021,306.00		\$1,196,605.00

Contractor has signed acknowledgement of receipt of addenda
 Contractor has correctly signed bid proposal
 Contractor has submitted bid bond or 5%
 Contractor has signed non-collusion affidavit
 Contractor has completed bid form



LAKWOOD CITY COUNCIL MINUTES

Monday, August 7, 2017
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

Mayor Anderson called the meeting to order at 7:01 p.m.

ROLL CALL

Councilmembers Present: 5 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers John Simpson, Marie Barth and Paul Bocchi.

Councilmembers Excused: 2 – Councilmember Mike Brandstetter (arrived at 7:05 p.m. and Councilmember Mary Moss (arrived at 7:13 p.m.)

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Anderson.

PROCLAMATIONS AND PRESENTATIONS

Clover Park School District Board Report.

There was no Clover Park School District Board report.

PUBLIC COMMENTS

Speaking before the Council were:

Glen Spieth, Lakewood resident, spoke about a homeless camp at Chambers Creek near Topaz Drive and at Fairlawn Drive on the west side of Bridgeport Way.

C O N S E N T A G E N D A

- A. Approval of the minutes of the City Council meeting of June 19, 2017.
- B. Approval of the minutes of the City Council meeting of July 17, 2017.

C. Approval of the minutes of the City Council study session of July 24, 2017.

D. Approval of payroll checks, in the amount of \$2,494,633.54, for the period June 16, 2017 through July 15, 2017.

E. Approval of claims vouchers, in the amount of \$3,440,690.17, for the period June 16, 2017 through July 13, 2017.

F. Motion No. 2017-39

Appointing the 2017-2018 Youth Council members.

G. Motion No. 2017-40

Authorizing the execution of an agreement with Gray & Osborne, Inc., in the amount of \$258,500, for the design of improvements on Steilacoom Boulevard from Puyallup Street to Farwest Drive.

H. Motion No. 2017-41

Awarding a bid to Rodarte Construction, Inc., in the amount of \$804,613, for the construction of frontage improvements on portions of 150th Street SW, 146th Street SW, and overlay on portions of Spring Street. (LID 1109 Panattoni Woodbrook Development)

I. Motion No. 2017-42

Awarding a bid to Fenix Earthworks LLC, in the amount of \$328,814.75, for the construction of 600 linear feet of sanitary sewers and street improvements along 150th Street east of Woodbrook Drive.

J. Items Filed in the Office of the City Clerk:

1. Planning Commission meeting minutes of May 3, 2017.
2. Landmarks & Heritage Advisory Board meeting minutes of June 22, 2017.

Councilmember Brandstetter arrived at 7:05 p.m.

DEPUTY MAYOR WHALEN REQUESTED THAT ITEM NO. F BE REMOVED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA.

COUNCILMEMBER SIMPSON MOVED TO ADOPT ITEMS A-E AND G-J ON THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

R E G U L A R A G E N D A

F. Motion No. 2017-39

Appointing the 2017-2018 Youth Council members.

DEPUTY MAYOR WHALEN MOVED TO ADOPT MOTION NO. 2017-39 APPOINTING THE 2017-2018 YOUTH COUNCIL MEMBERS. SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

REPORTS BY THE CITY MANAGER

Review of Megan Court final plat.

Assistant City Manager for Development Services Bugher provided an overview of the Megan Court final plat development.

Discussion ensued relative to impervious surfaces if there are any financial requirements relative to homeowners associations setting aside sufficient reserves for repairs on private driveway and streets.

Councilmember Moss arrived at 7:13 p.m.

Review of Comprehensive Plan amendment process.

Assistant City Manager for Development Services Bugher provided an overview of the Comprehensive Plan amendment process and reviewed staff

Exhibit 'C-14'

05/21/2019

Final Cost for LID #1109

Construction Costs	\$858,395.50
Deduct for 150th St work paid by others	-\$16,328.00
Design engineering	\$14,203.37
Construction engineering	\$23,779.36
LID admin at 7% of construction costs	\$60,087.47
Grand Total	\$940,137.70

CITY OF LAKEWOOD
 FINAL ASSESSMENT ROLL
 LID #1109 - TACOMA GATEWAY
 09/05/2019

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
1	0219221162	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$787,561.06	\$0.00	\$787,561.06

Legal Description:
 Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
2	0219221163	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62

Legal Description:
 Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
3	0219221164	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62
Legal Description: Parcel 0219221164: Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
4	0219221165	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$51,145.41	\$0.00	\$51,145.41
Legal Description: Parcel 0219221165: Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					

				Grand Total:	\$940,137.70
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AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Panattoni, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

WHEREAS, on June 19, 2017, the City Council adopted Ordinance No. 671 forming LID 1109 (Panattoni Woodbrook Development) for the purpose of completing local improvements including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW; and

WHEREAS, the local improvements authorized by LID 1109 are complete; and

WHEREAS, the final assessment roll for the local improvements has been prepared and filed with the City Clerk; and

WHEREAS, pursuant to RCW 35.44.070 a public hearing shall be held in order to confirm the final assessment roll for LID 1109; and

WHEREAS, this hearing will provide property owners an opportunity to file objections to their LID assessments, if so desired; and

WHEREAS, the City has established a Hearing examiner system under the provisions of Chapter 35A.63 RCW to hear and decide applications for land uses and other matters as specifically assigned by ordinance in Chapter 1.36 LMC.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DO ORDAIN AS FOLLOWS:

Section 1. That October 17, 2019, at 10:00 a.m. is hereby fixed as the date and time, and the Council Chambers in Lakewood City Hall, 6000 Main Street SW, in the City of Lakewood, as the place for a public hearing on the final assessment roll for LID 1109.

Section 2. That the Hearing Examiner is assigned as the officer to conduct the hearing, and that the Hearing Examiner shall hold a hearing on the assessment roll and consider all objections filed, following which the Hearing Examiner shall make recommendations to the City Council.

Section 3. The City Clerk shall publish this Ordinance once a week for two consecutive weeks in the official newspaper of the City of Lakewood, the last publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Ordinance, providing notice to all persons who may desire to object thereto:

- (1) To make their objections in writing and to file them with the City Clerk at or prior to October 17, 2019;

- (2) That all objections to the confirmation of the assessment roll shall state clearly the grounds of objections and that all objections not made within the time and in the manner prescribed shall be conclusively presumed to have been waived;
- (3) That at the time and place fixed and at times to which the hearing may be adjourned, the City Council will sit as a board of equalization for the purpose of considering the roll;
- (4) That at the hearing the Hearing Examiner will consider the objections made and will correct, revise, raise, lower, change, or modify the roll or any part thereof or set aside the roll and order the assessment to be made de novo; and
- (5) That, following the hearing, the City Council will consider confirming the roll by ordinance.

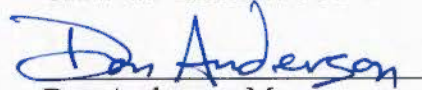
Section 4. The City Clerk shall give notice by mail at least fifteen days before the date fixed for hearing October 17, 2019 to the owner or reputed owner of the property whose name appears on the assessment roll, at the address shown on the tax rolls of the Pierce County Assessor for each item of property described on the list. The notice shall set forth the information regarding the hearing, and the opportunity for the property owner to make their objections, set forth in Section 3.

Section 5. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

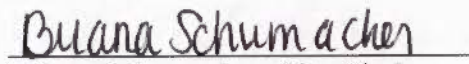
Section 6. This Ordinance shall be in full force and effect five days after the date of its publication.

PASSED by the City Council this 16th day of September, 2019.

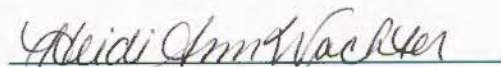
CITY OF LAKEWOOD


Don Anderson, Mayor

Attest:


Briana Schumacher, City Clerk

Approved as to form:


Heidi Ann Wachter, City Attorney

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Ccls	Depth
256525	0004384546	NOTICE OF ORDINANCE PASSED BY LAKEWOOD	NO. 717	\$156.43	1	2.24 In

Attention: Briana Schumacher

CITY OF LAKEWOOD
6000 MAIN ST SW
LAKEWOOD, WA 984995027

**NOTICE OF ORDINANCE PASSED
BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 16th day of September, 2019.

ORDINANCE NO. 717

AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Paratom, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

This Ordinance shall be in full force and effect five days after the date of its publication.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 983-7705. A copy will be mailed out upon request. Briana Schumacher, City Clerk

VICTORIA RODELA, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

1 Insertions

Published On:
September 18, 2019

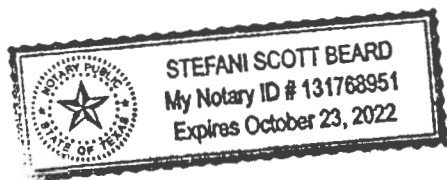
[Signature]

(Principal Clerk)

Subscribed and sworn on this 18th day of September in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

[Signature]

Notary Public and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



Exhibit 'C-18'

Don Anderson
Mayor

September 24, 2019

Jason Whalen
Deputy Mayor

Mary Moss
Councilmember

Michael D. Brandstetter
Councilmember

John Simpson
Councilmember

Marie Barth
Councilmember

Paul Bocchi
Councilmember

John J. Caulfield
City Manager

CERTIFICATION OF MAILING

I, Briana Schumacher, City Clerk, for the City of Lakewood, Washington, do hereby certify that on 24th day of September, 2019 the undersigned mailed the attached Notice of Public Hearing relating to the final assessment roll for Local Improvement District No. 1109 (Panattoni Woodbrook Development).

B. Schumacher

Briana Schumacher
City Clerk

**CITY OF LAKEWOOD, WASHINGTON
NOTICE OF PUBLIC HEARING**

You are listed on the rolls of the Pierce County Assessor as the owner of the following described properties located within the proposed City of Lakewood Local Improvement District No. 1109.

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660
Parcel No.: 219221162

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660
Parcel No.: 219221163

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660
Parcel No.: 219221164

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660
Parcel No.: 219221165

NOTICE IS HEREBY GIVEN that pursuant to Ordinance No. 717 (Exhibit A) adopted September 16, 2019 that **October 17, 2019 at 10:00 a.m.** is hereby fixed as the date and time for the public hearing relating to the final assessment roll for Local Improvement District No. 1109 (Panattoni Woodbrook Development). The public hearing will be held before the City of Lakewood Hearing Examiner in the Lakewood City Hall Council Chambers located at 6000 Main Street SW, Lakewood, Washington.

All persons who may desire to object thereto or wish to comment must either file a written response received by the City Clerk (6000 Main St SW, Lakewood, WA) prior to October 17, 2019, or appear and present their testimony at the hearing. No other responses will be considered.

Dated this 24th of September, 2019.

ORDINANCE NO. 717

AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Panattoni, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

WHEREAS, on June 19, 2017, the City Council adopted Ordinance No. 671 forming LID 1109 (Panattoni Woodbrook Development) for the purpose of completing local improvements including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW; and

WHEREAS, the local improvements authorized by LID 1109 are complete; and

WHEREAS, the final assessment roll for the local improvements has been prepared and filed with the City Clerk; and

WHEREAS, pursuant to RCW 35.44.070 a public hearing shall be held in order to confirm the final assessment roll for LID 1109; and

WHEREAS, this hearing will provide property owners an opportunity to file objections to their LID assessments, if so desired; and

WHEREAS, the City has established a Hearing examiner system under the provisions of Chapter 35A.63 RCW to hear and decide applications for land uses and other matters as specifically assigned by ordinance in Chapter 1.36 LMC.

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- (1) To make their objections in writing and to file them with the City Clerk at or prior to October 17, 2019;

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- (3) That at the time and place fixed and at times to which the hearing may be adjourned, the City Council will sit as a board of equalization for the purpose of considering the roll;
- (4) That at the hearing the Hearing Examiner will consider the objections made and will correct, revise, raise, lower, change, or modify the roll or any part thereof or set aside the roll and order the assessment to be made de novo; and
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Section 4. The City Clerk shall give notice by mail at least fifteen days before the date fixed for hearing October 17, 2019 to the owner or reputed owner of the property whose name appears on the assessment roll, at the address shown on the tax rolls of the Pierce County Assessor for each item of property described on the list. The notice shall set forth the information regarding the hearing, and the opportunity for the property owner to make their objections, set forth in Section 3.

Section 5. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

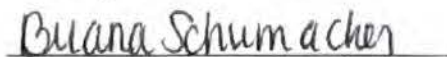
Section 6. This Ordinance shall be in full force and effect five days after the date of its publication.

PASSED by the City Council this 16th day of September, 2019.

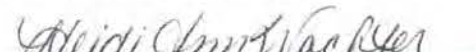
CITY OF LAKEWOOD


Don Anderson, Mayor

Attest:

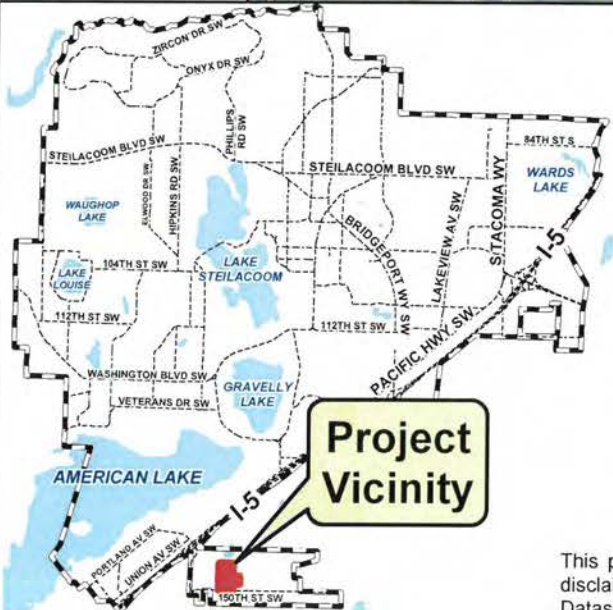
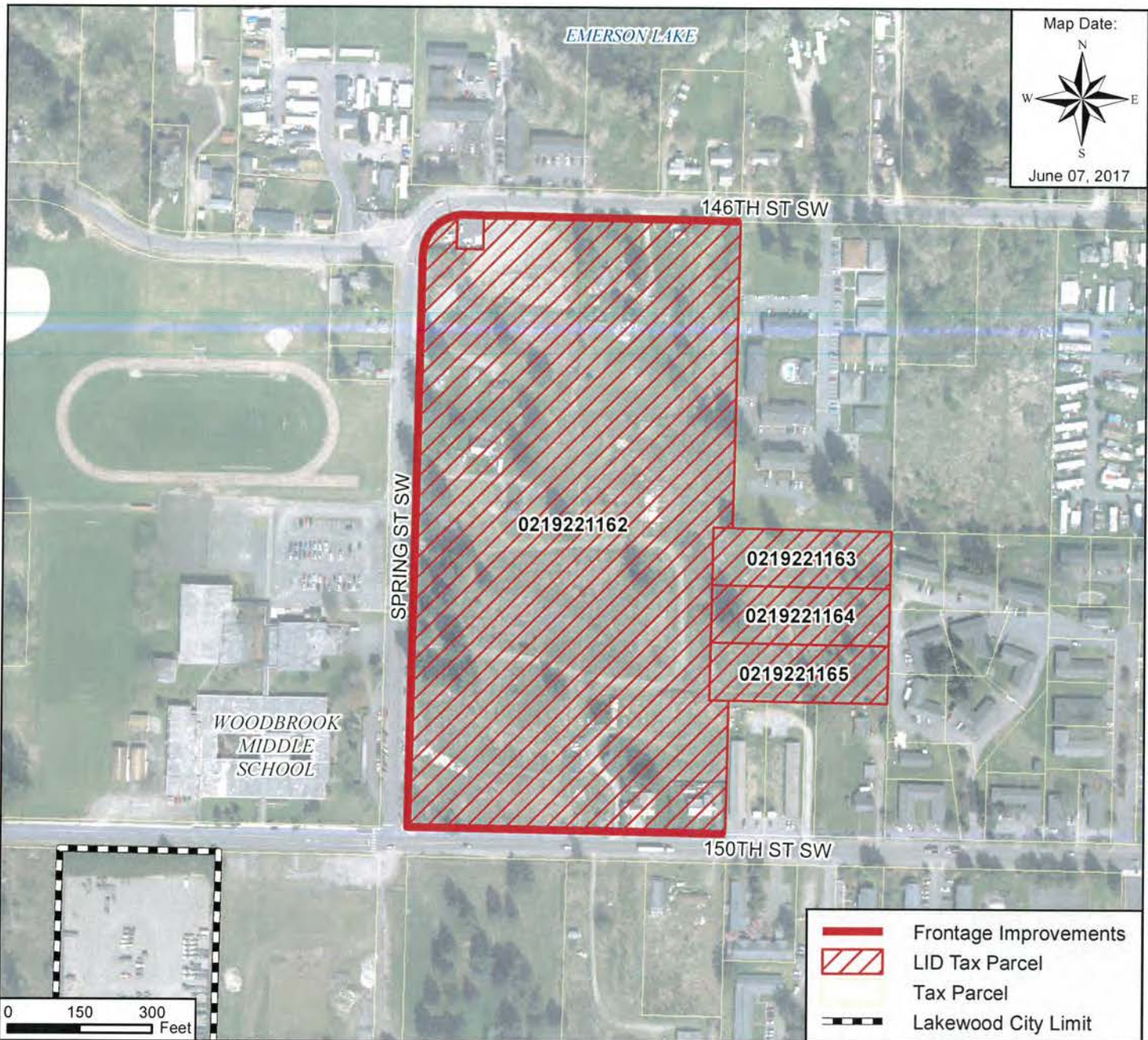

Briana Schumacher, City Clerk

Approved as to form:


Heidi Ann Wachter, City Attorney

Map Date:

 June 07, 2017



*City of Lakewood
 Public Works*

**Exhibit A
 LID 1109
 Woodbrook Development**

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.

CITY OF LAKEWOOD
 FINAL ASSESSMENT ROLL
 LID #1109 - TACOMA GATEWAY
 09/05/2019

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
1	219221162	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$787,561.06	\$0.00	\$787,561.06

Legal Description:

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
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Legal Description:

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
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<p>Legal Description: Parcel 0219221164: Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP</p>					

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
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<p>Legal Description: Parcel 0219221165: Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP</p>					

Grand Total:					\$940,137.70
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HEARING EXAMINER STAFF REPORT

TO: Phil Olbrechts, Hearing Examiner

DATE: October 7, 2019

FROM: Greg Vigoren, P.E., Engineering Services Manager

SUBJECT: Local Improvement District No. 1109 Final Assessment Roll Hearing

INTRODUCTION

The City formed Local Improvement District (LID) No. E1109 in May 2017 for the purpose of constructing street improvements associated with the then proposed 475,000 square foot warehouse facility now located at 14801 Spring Street SW. Construction of the street improvements is now complete and the City is moving forward with closing out the LID.

LID FORMATION

The property owner at the time of formation, YKC Investments LLC, petitioned (Exhibit C-1) the City to form LID No. 1109 on behalf of the future owner, Panattoni Development Company, to facilitate construction of frontage improvements required as a condition of property redevelopment. The City formally initiated the LID formation process through the approval of Resolution 2017-08 (Exhibit C-3). The Formation Hearing was held before Phil Olbrechts, Hearing Examiner, on May 18, 2017 (Exhibit C-7). The City Council ordered the improvements be made and formed LID No. 1109 through Ordinance 671 (Exhibit C-8) on June 19, 2017.

IMPROVEMENTS

Following formation, a consultant proceeded with the design of the improvements consistent with the mitigation requirements as stipulated in the Determination of Non-Significance (Exhibit C-2).

The improvements included road widening, paving, curb, gutter, sidewalks, street lighting, storm drainage, landscaping and other associated improvements along the street frontages of portions of 146th Street SW and 150th Street SW, and an asphalt overlay of Spring Street SW between 146th Street SW and 150th Street SW. Photos of the improvements are included (Exhibit C-10).

Upon completion of the design, the project was publicly advertised for bid in the Tacoma News Tribune (Exhibit C-11). A construction contract was awarded to Rodarte Construction, Inc. in August 2017 (Exhibit C-13) and construction commenced in September 2017.

BENEFIT RECEIVED

By case law, the City is entitled to the presumption of special benefit unless nullified by expert testimony.¹

At the time of formation the properties within the LID territory were not developed to their best and highest use. Panattoni Development Company, dba Tacoma Gateway Lakewood LLC, purchased the properties from YKC Investments LLC in May 2017 and pursued redevelopment of the property as a 475,000 square foot warehouse facility. As previously noted, the street frontage improvements constructed under LID No. 1109 were required mitigation for the proposed redevelopment. The preliminary assessment roll (Exhibit C-6) for the improvements was estimated to be \$1,020,000.

The property was sold again in December 2018 and the new owner, TA Tacoma Gateway LLC, was made aware of the LID.

ASSESSMENT METHOD and FINAL ASSESSMENT ROLL

Final costs of \$940,137.70 have been calculated as shown in the Final Cost Estimate (Exhibit C-14). The Final Assessment Roll (Exhibit C-15) will be levied

¹ Seattle v. Rogers Clothing, 114 Wash. 2d 23,, 229-231, 787 P.2d 39, 48 (Wash. 1990). See also Trautman, Assessments in Washington, 40 Wash. L. Rev. 100, 112 (1965).

proportionally based on property square footage against Pierce County Tax Parcel Numbers 219221162, 219221163, 21922164, and 21922165. The square foot method of assessment fairly reflects the benefits resulting from the improvements.

FINAL ASSESSMENT ROLL HEARING NOTICES

Notice of the Final Assessment Roll Hearing for LID No. 1109, along with a copy of Ordinance No. 717, which set the hearing date, were mailed via Certified Mail to the current property owner as shown on the Pierce County Assessor-Treasurer website (TA Tacoma Gateway LLC). The notice, certification of mailing and address list for the mailing are attached as Exhibit C-18.

Notice of Ordinance No. 717 passed by the Lakewood City Council was published in the Tacoma News Tribune on September 18, 2019. The Tacoma News Tribune Affidavit of Publication is attached as Exhibit C-17.