

PUBLIC HEARING FOR THE COTTONWOOD INVESTORS, LLC DEVELOPMENT AGREEMENT

PDA-21-0001, SEP-21-0026

CITY COUNCIL SPECIAL MEETING
SEPTEMBER 23, 2024



PUBLIC HEARING OVERVIEW

- The purpose of the public meeting is to hear testimony and take evidence regarding the proposed development agreement.
- Speakers are limited to three (3) minutes each, unless parties cede their time to an attorney or representative to speak on their behalf (max time of rep. 15 min).
- Parties who cede time to a representative may not separately speak themselves.
- City Council will deliberate upon whether to approve the development agreement at the October 9, 2024, regular City Council meeting.
- No testimony will be taken at the October 9, 2024, Council meeting.



PUBLIC HEARING RULES OF DECORUM

- The hearing will be conducted in a civil, business-like, and orderly manner.
- To encourage and respect the expression of all views, the audience shall abstain from overt demonstrations such as clapping, cheering, or shouts of approval or disagreement from the audience.
- When directed, those wishing to testify shall approach the podium, state their full name and address before providing testimony.
- No personal attacks on applicant or City staff.
- Please speak clearly and into the microphone to allow your testimony to be heard and understood.
- Address your comment directly to the City Council. Questions asked of Council will be noted by staff to be addressed at the October 9, 2024, deliberation.



PUBLIC HEARING ORDER OF PROCEEDINGS

1. Council Conflict of Interest / Appearance of Fairness Review.
2. Staff presentation and overview of the proposed project and terms of the Development Agreement (DA).
3. Cottonwood Investors, LLC (Applicant) will have fifteen (15) minutes to present testimony and evidence in support of its proposal.
4. Testimony from those in support of the DA, or those with comments but with no position.
5. Testimony of representatives of individuals who oppose the DA.
6. Testimony from individuals who oppose the DA.
7. Closing testimony of Applicant, limited to five (5) minutes.
8. Close Public Hearing. The intention is to conclude by, or before 9:30 p.m.

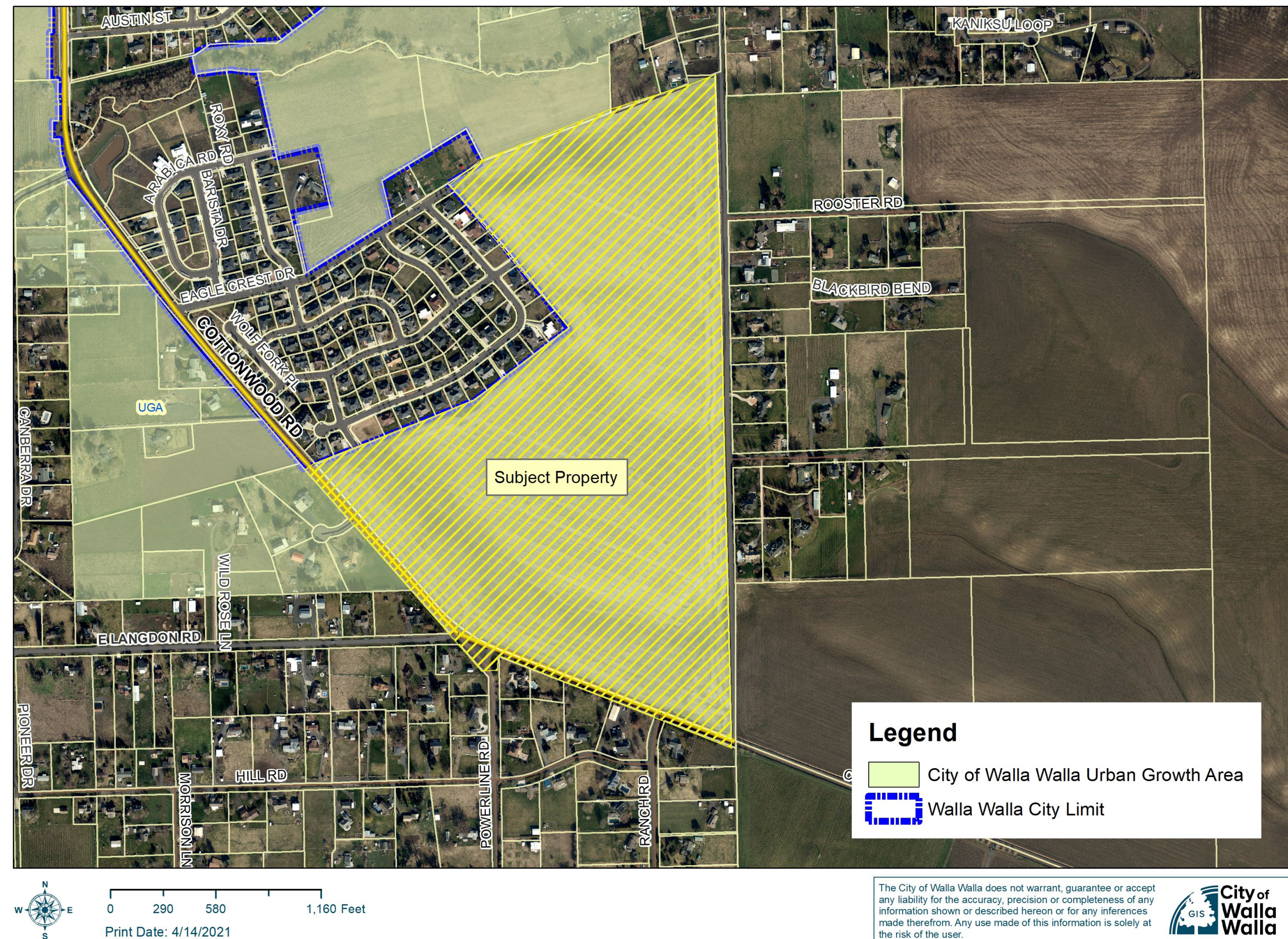
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COTTONWOOD INVESTORS, LLC SUBJECT PROPERTY

- January 2, 2021, Cottonwood Investors, LLC filed a petition to annex land.
- April 1, 2021, Cottonwood Investors, LLC applied to the City for a Development Agreement in conjunction with the proposed annexation.
- April 28, 2021, Council adopted Res 2021-65 conditionally accepting the petition, but required a development agreement be approved by Council before annexation.
- Since this time, staff has negotiated terms of the proposed development agreement.





ANNEXATION WITH DEVELOPMENT AGREEMENT PROCESS

10% PETITION SUBMITTED - JAN. 6, 2021

COUNCIL ACCEPTS MODIFIED ANNEX. PETITION SUBJECT TO DEVELOPMENT AGREEMENT - APR. 28, 2021

LEGAL DESCRIPTION PREPARED & 60% PETITION SIGNED

PUBLIC HEARING SET & NOTICES POSTED

DEVELOPMENT AGREEMENT QUASI-JUDICIAL PROCESS

NOTICES SENT TO TAXING DISTRICTS & UTILITIES

PUBLIC HEARING & COUNCIL ACTION ON ANNEXATION

NOTICE OF APPLICATION

COMMENT PERIOD

PUBLIC HEARING BEFORE CITY COUNCIL

COUNCIL DECISION ON DEVELOPMENT AGREEMENT

RES. 2024-80 SET SEPTEMBER 23, 2024 AS DATE FOR PUBLIC HEARING

RES. 2024-80 SET OCTOBER 9, 2024 AS DATE FOR COUNCIL DELIBERATION AND DECISION



PURPOSE OF A DEVELOPMENT AGREEMENT

- Cities may enter into a Development Agreement with property owners as part of a proposed annexation.
- Development Agreements establish development standards and other terms which control future development of property.
- A Development Agreement is a voluntary contract between the City and Developer.
- A Development Agreement must be consistent with development regulations.



DEVELOPMENT AGREEMENT DRAFTING PROCESS

- Staff reviewed original application materials and public/agency comment letters.
- City staff wrote three separate letters to applicant requesting clarification and/or additional information to support its application.
- Applicant responded by providing additional studies, reports, or clarification to support its application.
- The City commissioned a 3rd party review of drainage and the traffic impact analysis.
- Staff negotiated the terms of the Development Agreement to address and mitigate for impacts of the proposed development.
- The proposed Development Agreement is supported by staff and the applicant.
- City staff involved in preparing the proposed Development Agreement include: City Manager, Directors of the Public Works, Development Services and Parks and Recreation Departments, City Engineer, and reviewed for legal sufficiency by the City Attorney.



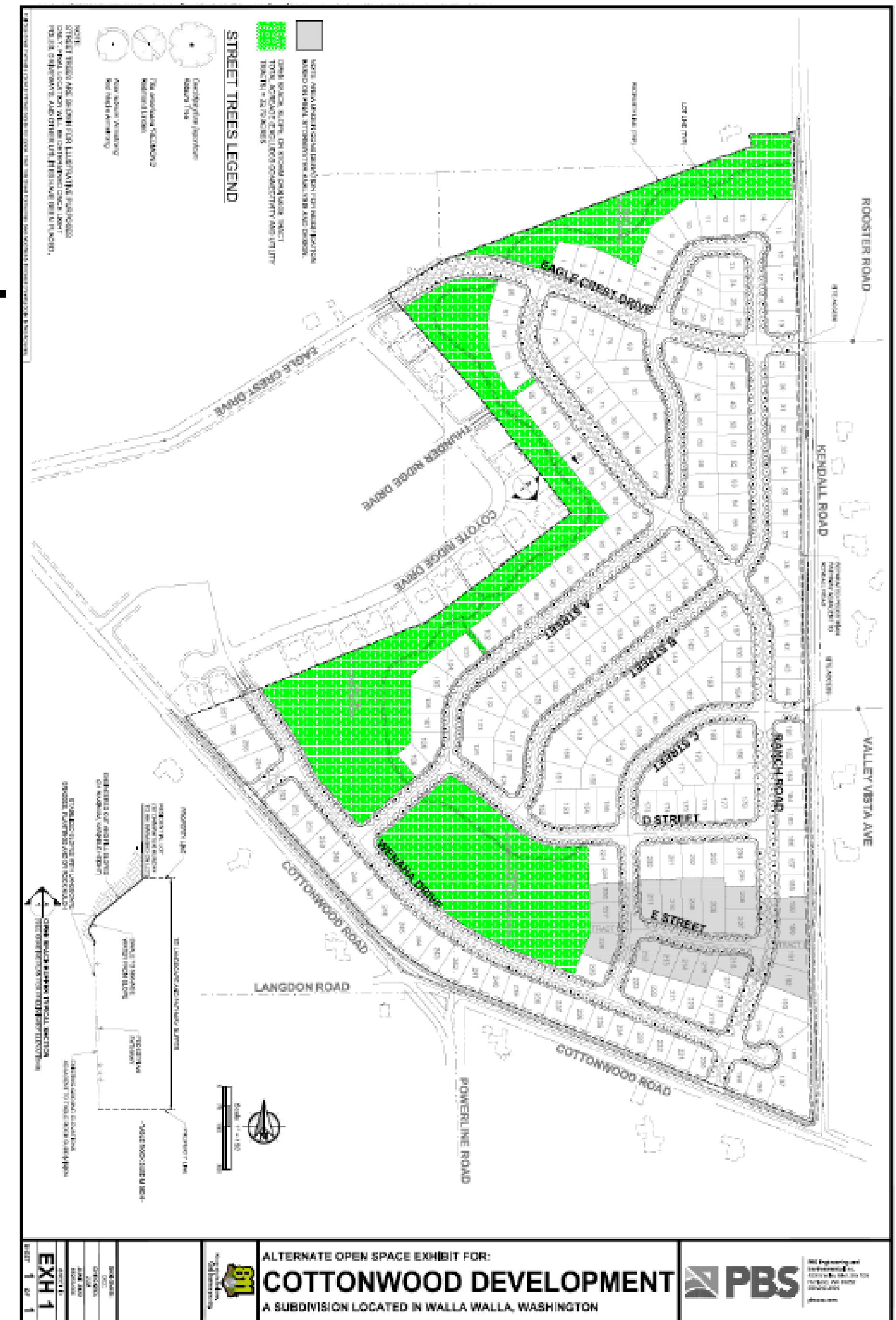
DEVELOPMENT AGREEMENT DOES NOT SUBDIVIDE THE PROPERTY

- The Development Agreement is not the legal mechanism for subdividing the subject property.
- If the Development Agreement is approved, the property would still need to be annexed by the Walla Walla City Council.
- Upon annexation, the Developer would be required to file a preliminary and final plat application to subdivide the property consistent with the Development Agreement.
- The preliminary plat process requires an additional application comment period, and public hearing before the Hearing Examiner before a final decision by the City Council.



DEVELOPMENT PROPOSAL

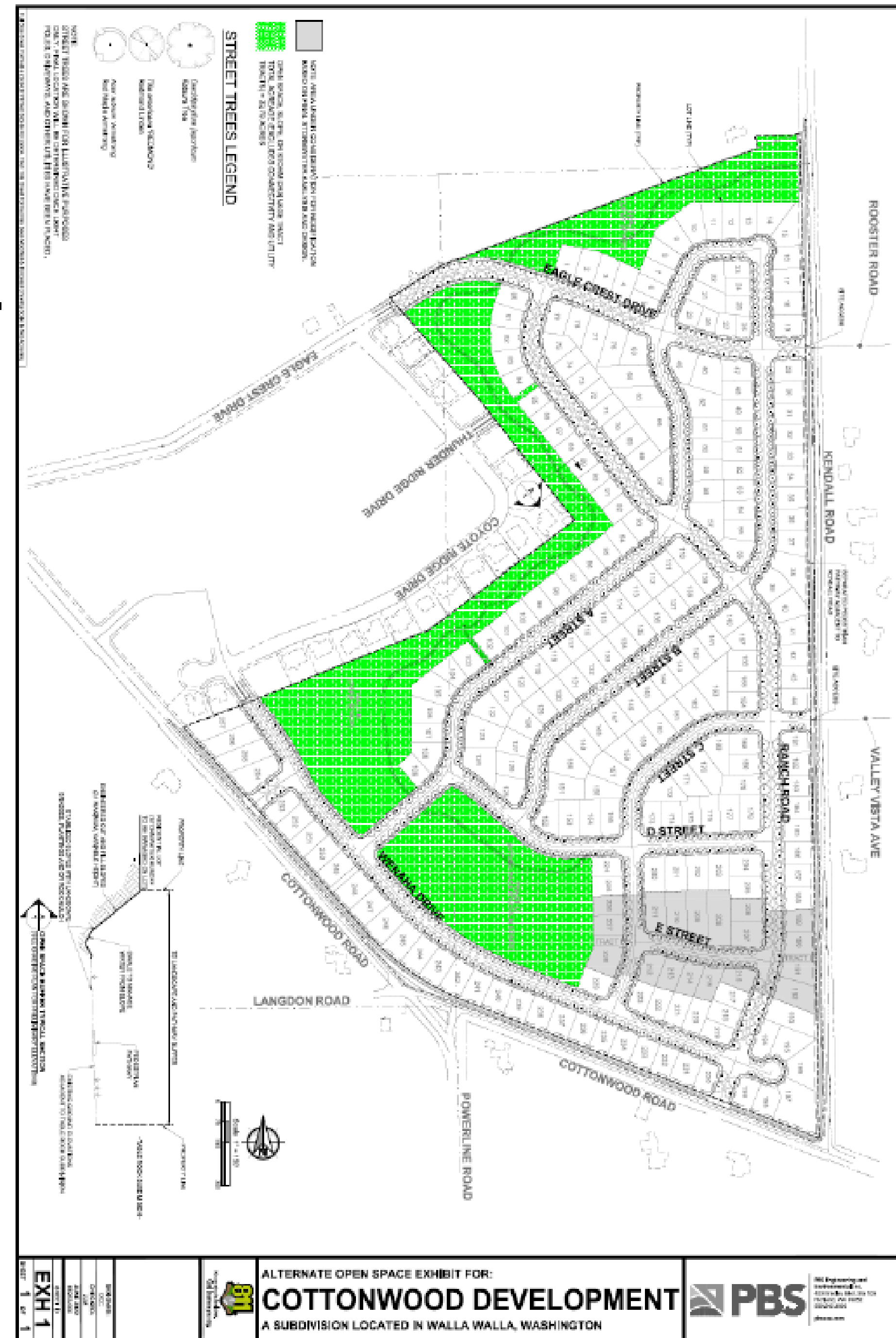
- Approximately 104 Acres
- 257 Single-Family Residential Lots/Homes
- Nearly 23 Acres of Open Space/Park Area (shown in green)
- Nearly one mile of multi-use trail within the Open Space/Park Area
- On-site and off-site stormwater management and traffic mitigation
- Public roadways built to City standards of curb, gutter, sidewalk, street trees, and streetlights





CONSISTENT WITH ADOPTED CITY PLANS

- Property lies within Growth Management Act Urban Growth Area since 1996 (20 yr growth area)
- Comprehensive Plan 2024 Goals and Policies
- 2021 Regional Housing Action Plan (Future housing needs assessment)
- 2022 and 2024 City Strategic Plans (housing availability)
- 2024 Parks Plan (need for parks/open space on the south end of the City)
- 2015 General Sewer Plan and 2020 Water System Plan





KEY TERMS OF DEVELOPMENT AGREEMENT

- Stormwater Management
 - On-site (stormwater originating from within the development),
 - Off-site (upstream drainage, e.g. natural drainage areas that pass through/by the subject property).
- Transportation Improvements
 - Specific transportation improvements.
 - Contributions of capital for transportation mitigation measures.
- Open/Parks Space
 - Dedication of nearly 23 acres of open/parks space.
 - Multi-use trail with amenities.
- Other issues are addressed through the Municipal Code development regulations.
 - Critical aquifer recharge area.
 - Cultural resources.
 - Drainage and erosion of existing and proposed slopes.

STORMWATER MANAGEMENT



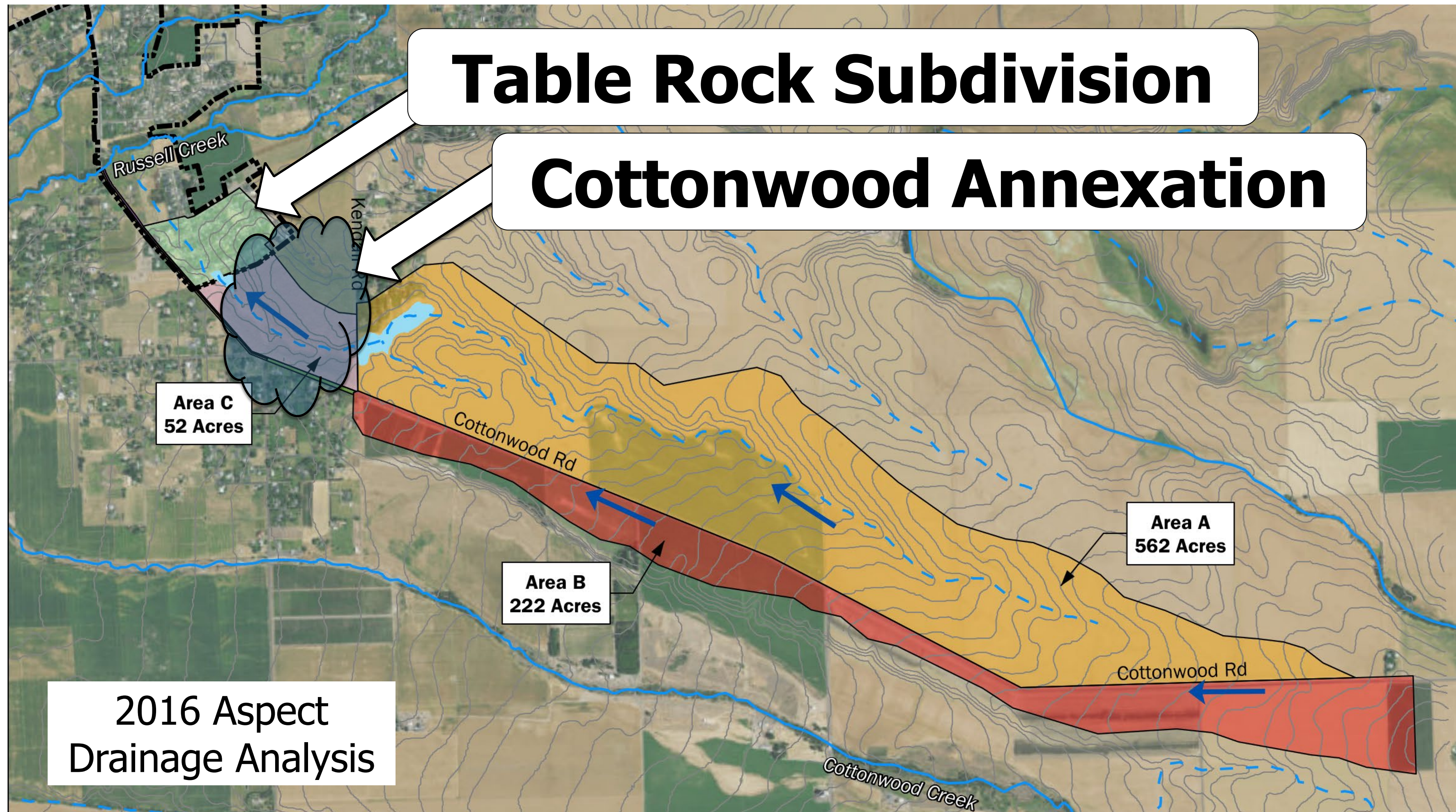
Table Rock Subdivision



2005 Flooding Event

- Flooding events: 2003, 2004, 2005
- Storm System Upgrades: 2005
 - Area annexed: 2014

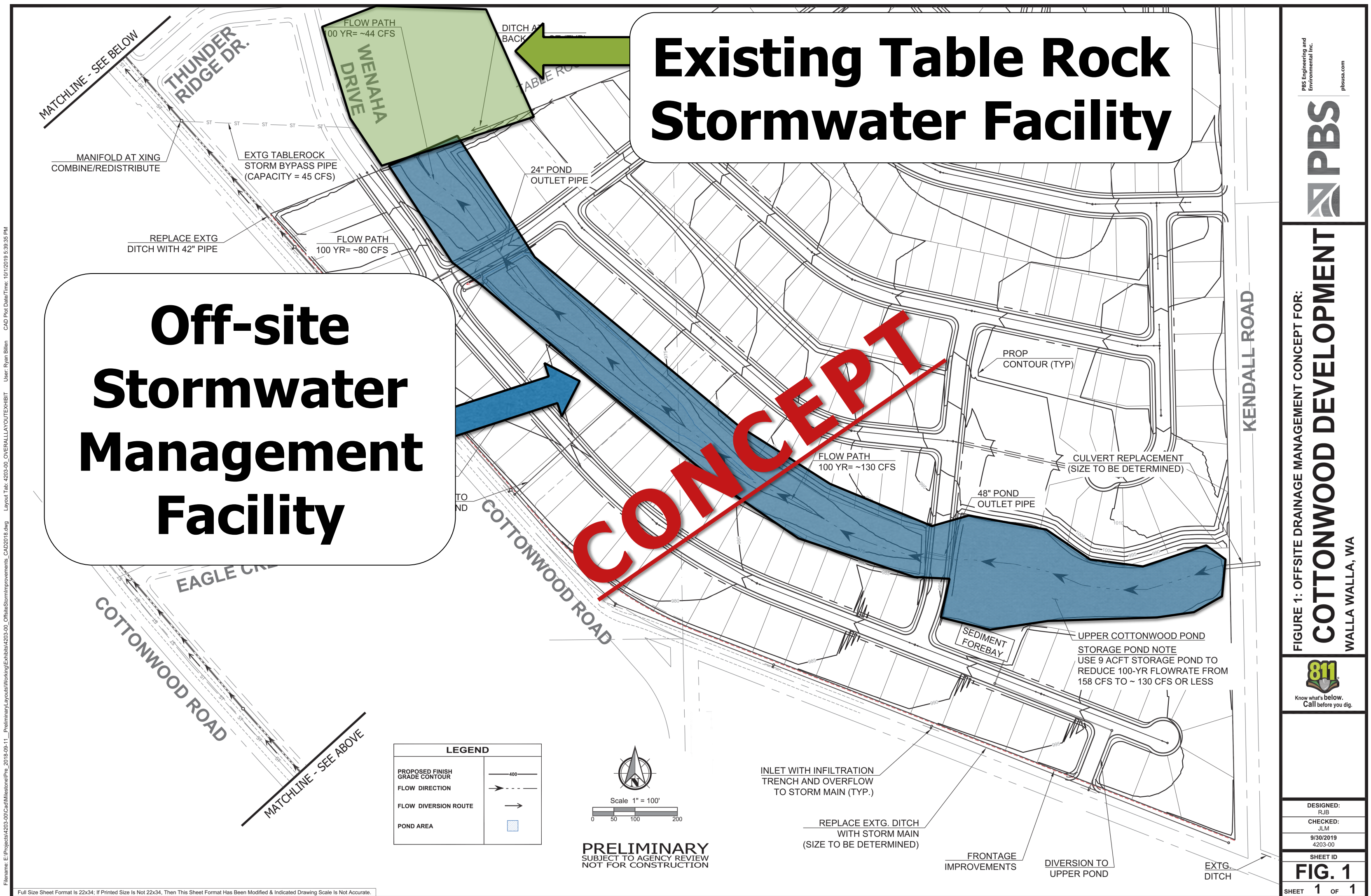
UPSTREAM (OFF-SITE) DRAINAGE AREAS



STORMWATER FLOW PATHS



STORMWATER MANAGEMENT



PBS Engineering and Environmental Inc.
phusana.com

**FIGURE 1: OFFSITE DRAINAGE MANAGEMENT CONCEPT FOR:
COTTONWOOD DEVELOPMENT
WALLA WALLA, WA**



DESIGNED: RJB
CHECKED: JLM
9/30/2019
4203-00
SHEET ID
FIG. 1
SHEET 1 OF 1


File name: E:\Projects\4203-00\CA\Map\Sheet\19_2018_09_11_Preliminary\Layouts\Working\811\811.dwg
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TRANSPORTATION ANALYSIS

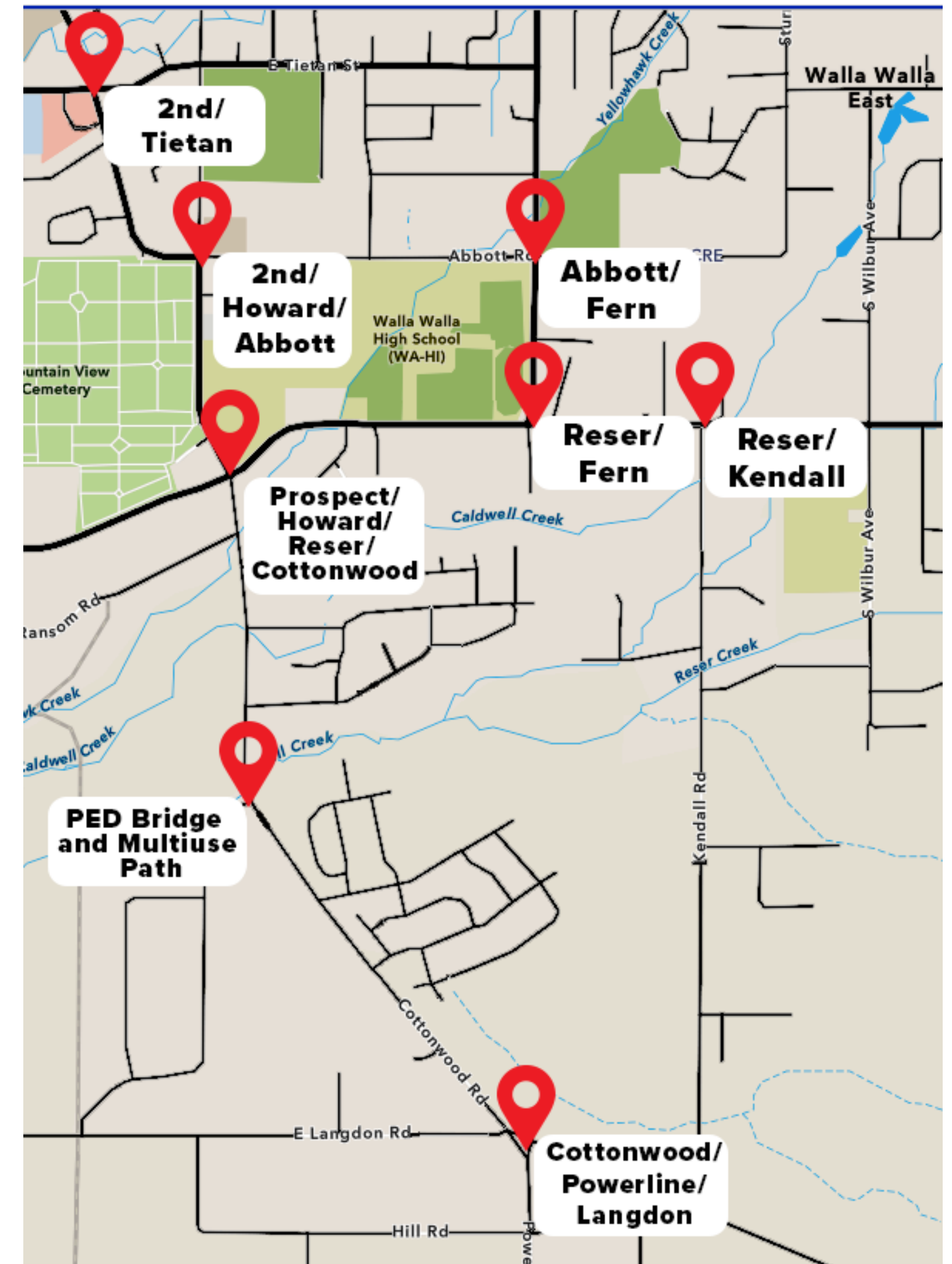
What was evaluated?



 **Level of service/intersection operations**

 **Accommodations for pedestrians and bicyclists** *(Non-motorized users)*

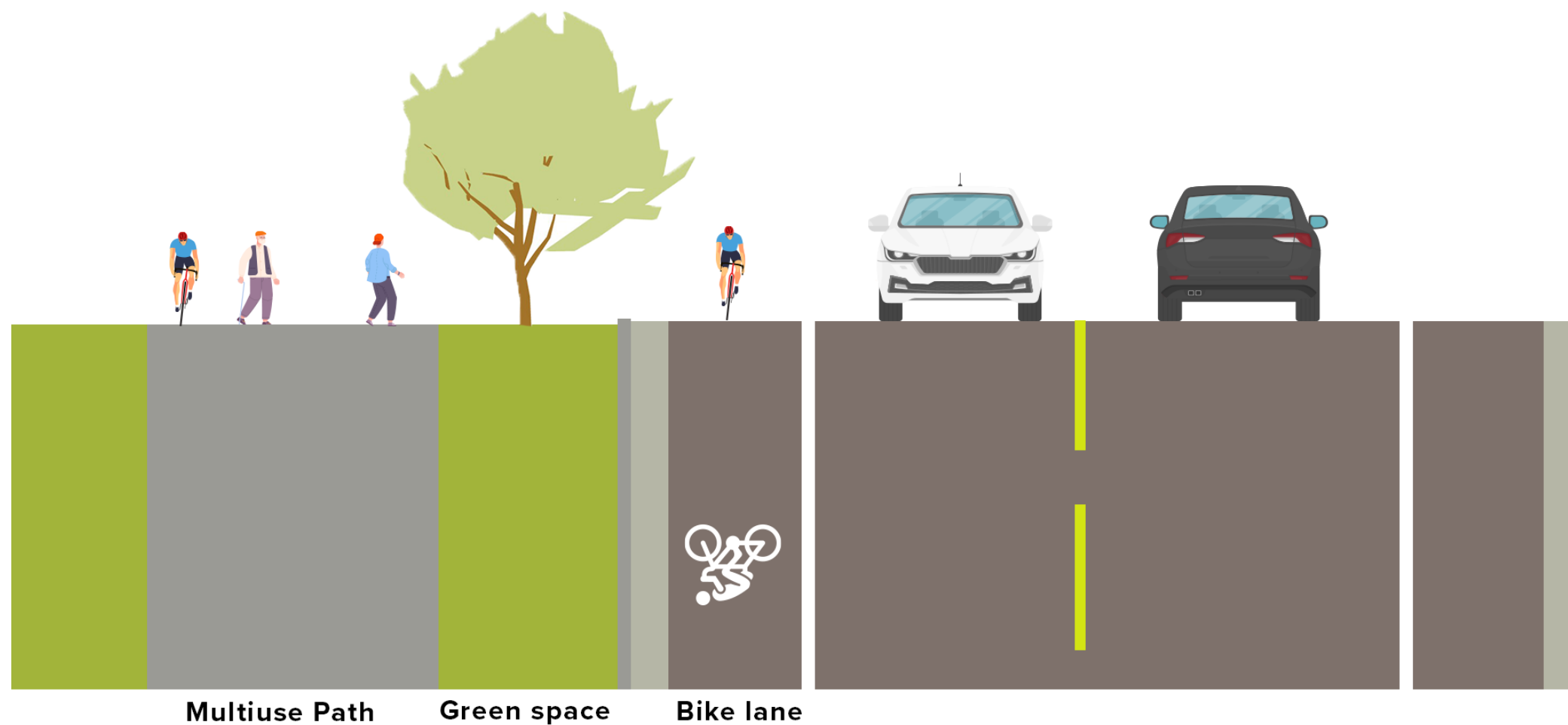
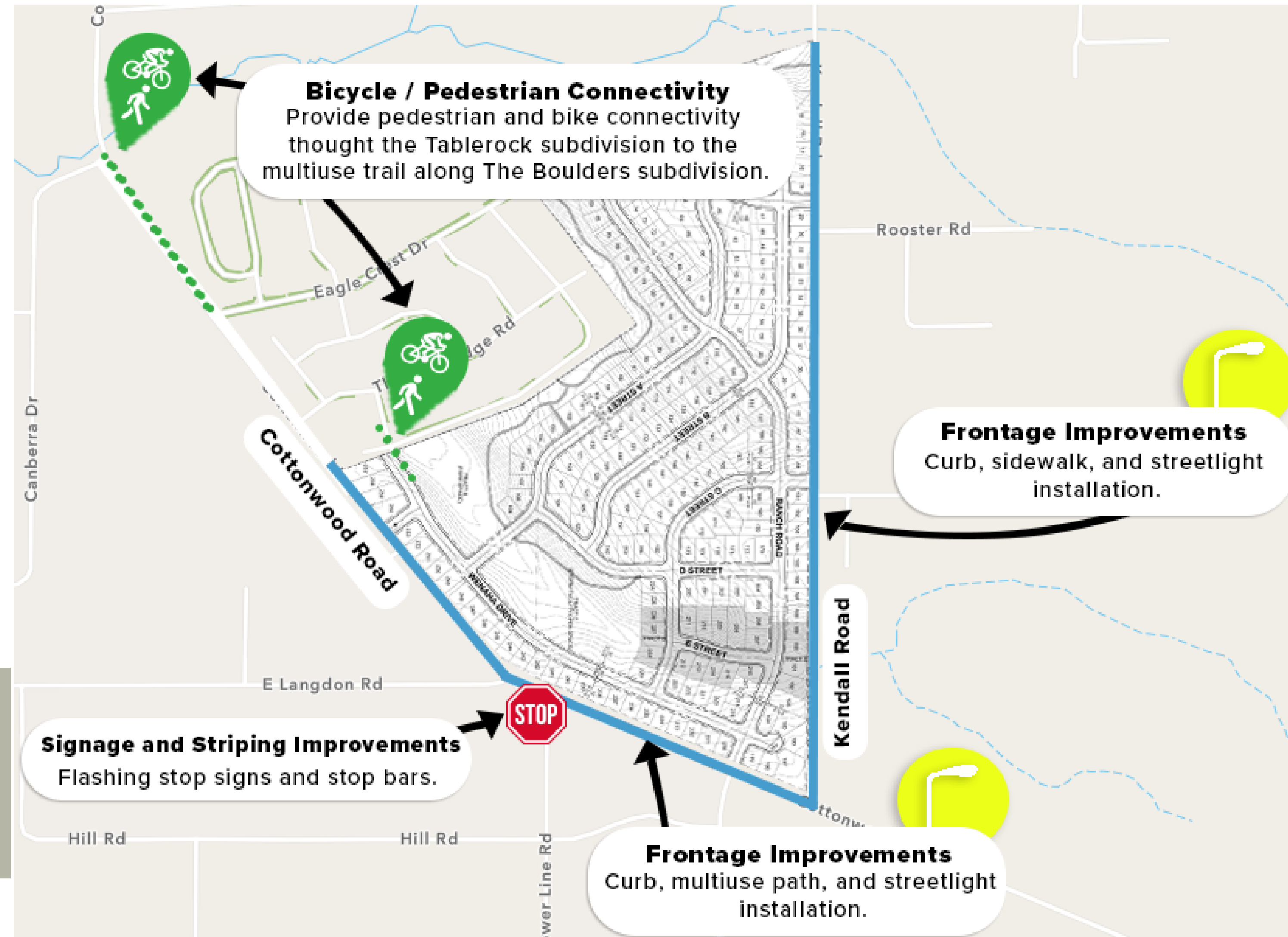
Reviewed over a two-year period with assistance from an independent Professional Traffic Operations Engineer (PTOE).



TRANSPORTATION MITIGATION – DIRECT IMPROVEMENTS

- Non-motorized wayfinding to the multiuse path adjacent to the Boulders subdivision
- Frontage Improvements along Cottonwood and Kendall (multiuse path/sidewalk, street lighting,

Cottonwood Road Frontage Improvements



TRANSPORTATION MITIGATION – DIRECT IMPROVEMENTS



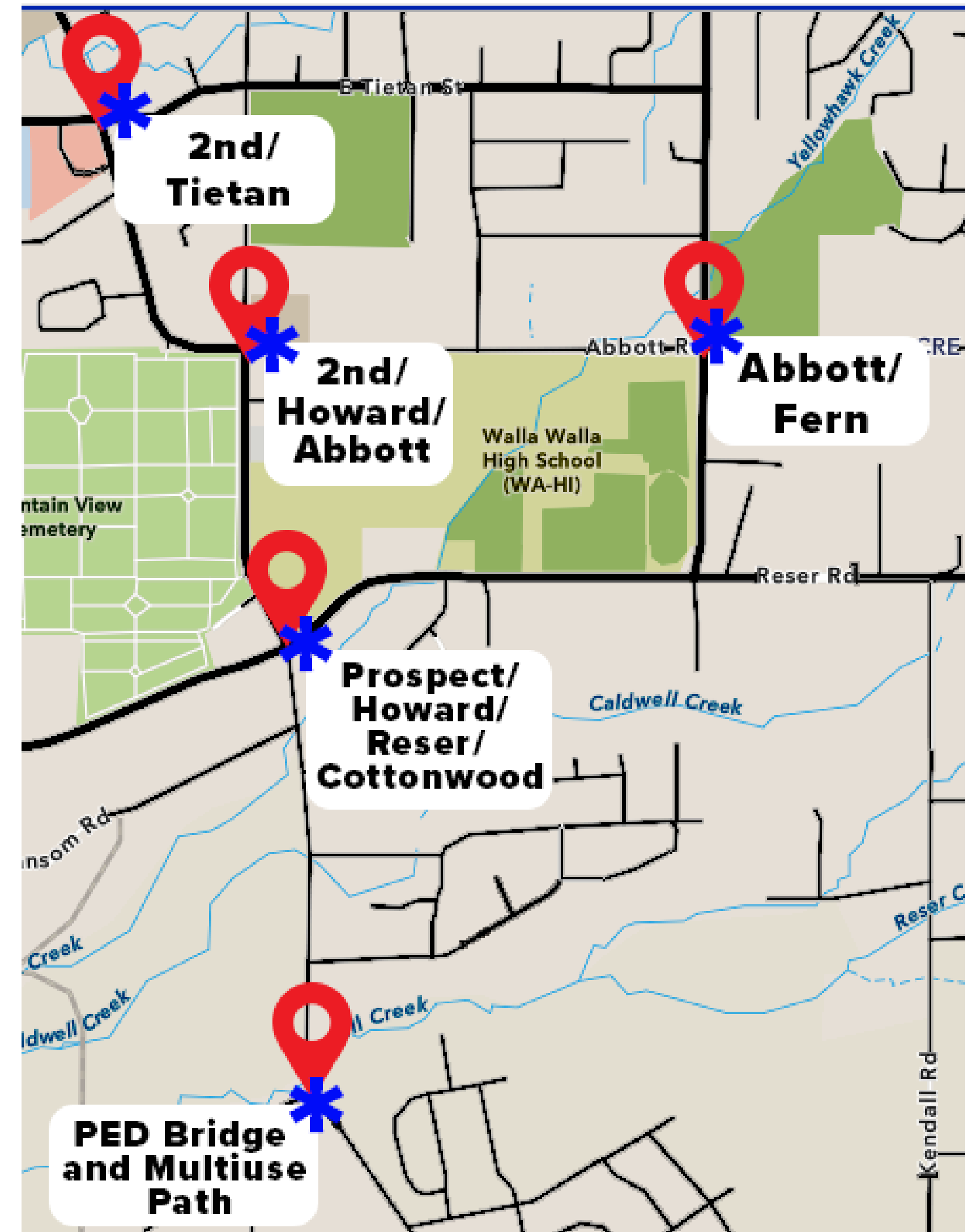
Cottonwood/ Powerline/ Langdon intersection improvements

Adding flashing stop signs and stop bars.



TRANSPORTATION MITIGATION – INDIRECT IMPROVEMENTS

- *** Proportional share for off-site traffic improvements:**
 - \$1,228,021 (in 2024 \$; \$4,778/lot)
 - Up-front lump sum payment by Developer
 - Gives the City the flexibility to decide when, where, what, and how funding will be used to mitigate traffic from the development.





OPEN SPACE/PARKS

- Nearly 23 Acres of publicly accessible Open Space/Park Area. (shown in green)
 - 75' open space buffer from neighboring development.
- Nearly one mile of non-motorized multi-use trail within Open Space/Park Area.
 - Minimum 12-foot-wide asphalt paved trail structure.
 - Amenities including sitting benches, waste receptacles, and pet waste stations.
 - Trail lighting, trees, landscaping, and irrigation.
- Landscaped with natural low-maintenance drought-tolerant trees, grass, and plantings.
 - Native plants, hardy in nature, and irrigated.
- Active Park and trail areas to be dedicated to the City.
 - Steep Slopes owned/maintained by future HOA.





STAFF RECOMMENDS APPROVAL OF THE DEVELOPMENT AGREEMENT

- City Staff Recommends approval of the Development Agreement
 - ✔ Consistent with and meets the goals and policies of adopted City Plans.
 - ✔ Manages transportation impacts through specific improvements and capital contributions.
 - ✔ Addresses the management of stormwater – both existing conditions and impacts from development.
 - ✔ Meets open/space park needs without capital investment.