

**STAFF REPORT
REPPAS-BECK SUBDIVISION**

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Reppas-Beck, P-08-01
DATE: July 21, 2008

I. GENERAL INFORMATION

Requested Action: Charles Reppas and Benjamin Beck have submitted a 32 lot, 8.25 acre major subdivision. Proposed lot sizes range from 6875 square feet to 16,618 square feet. The average lot size is 8,450 square feet. The project is proposed to be served by a public water and sewer.

Location: The subject property is located on the north side of Rock Island Road at the intersection of Rock Island Rd and S. Jarvis Ave. The property is further described as being located within Section 13, Township 22 North, Range 20 East, W.M., in Douglas County, Washington. The Douglas County Assessor Numbers for the subject property are 40200006101 and 40200006202.

II. SITE INFORMATION

Total Project Size:	8.25 acres
No. of lots	31
Domestic Water:	East Wenatchee Water District
Sewage Disposal:	Douglas County Sewer District #1
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #2
Telephone Service:	Verizon

Site Characteristics: The subject property is situated on a south-facing slope. The property slopes to the south at approximately 10 percent with an 80 foot elevation change. An old gravel pit has been identified in the northwest portion of the subject property. The western portion of the site is a former orchard and is currently vacant. The eastern portion of the site is currently in orchard. A residence and outbuildings are located on the southern center of the site.

North: Single Family Homes – Plat of Skyview Ridge

South: Large lot single family homes, Orchard, Rock Island Road, 8th Street SE

East: Large lot single family homes, Orchard

West: Single Family Homes

Access: The subdivision will access Rock Island Road. The proposal will extend a local access road through the subject property to connect to the south end of Jarvis at the north property line and to the east property line to facilitate the future connection of the road to the east. Lot 31 is proposed to access 8th Street SE. The new road shall be constructed to Urban Local Access Standards. All roadway improvements would be the responsibility of the developer.

Zoning and Development Standards: The subject property is located within the Low Residential (R-L) Zoning District, which allows for subdivisions.

The Growth Management Act identifies that urban growth areas are lands intended for annexation by the adjacent city within 20 years. Based on this, Douglas County has adopted city development regulations within their urban growth areas in order to guide growth according to city standards and ease the transition during future annexations. On March 28, 2007, Douglas County adopted Ordinance 07-01H which adopted sections of Title 17 'Zoning' of the East Wenatchee Municipal Code within the unincorporated portions of the East Wenatchee Urban Growth Boundary.

Major Subdivisions:

The requirements of Title 17, "Subdivisions", Douglas County Code, apply to the design and review requirements for approval of major subdivisions of 5 or more lots, parcels or tracts.

III. COMPREHENSIVE PLAN:

The Greater East Wenatchee Area Comprehensive Plan designates this property as Low Residential. The density permitted in the Low Residential designation is 6 residences per acre. The following goals and policies set forth in the comprehensive plan are relevant to this development:

HOUSING

GOAL: To provide for a sufficient number of safe, attractive and affordable residences for people of all income levels.

GOAL: To provide for a variety of housing types and densities to ensure a range of affordable housing options for all segments of the community.

GOAL: To insure that public facilities and infrastructure are available to support development at urban densities in advance of or concurrent with development.

POLICY H-1: Require residential development at urban densities to locate within urban growth areas consistent with the comprehensive plan.

POLICY H-6: Require the construction of sound, safe, and sanitary dwelling units.

POLICY H-13: New residential development in the urban growth area must be concurrently served by a full range of urban governmental services. On-site sewage disposal systems are a temporary option in the urban growth area and may not be appropriate in some circumstances due to soil conditions, proximity to ground and surface water resources and the availability to public sewer. "Dry Lines" for centralized public collection should be installed at the time of development to facilitate eventual connection at a lower cost.

POLICY H-23: Ensure that new developments provide adequate street illumination.

UTILITIES

GOAL 1: Facilitate the development of all utilities at the appropriate levels of service to accommodate growth that is anticipated to occur in the Area, in a fair and timely manner.

POLICY UT 2: A full range of urban services shall be provided within the entire urban growth area by promoting utility extensions to those areas needing urban services.

POLICY UT 4: Insure that development take into account the timely provision of adequate and efficient utility systems.

POLICY UT 5: The cost of on-site utility improvements or site preparation for developments, such as surface drainage, utilities, and water and sewer systems should be the responsibility of private enterprise.

POLICY UT 7: Facilitate the provision of urban services to all areas in the urban growth area by sizing and locating new services that will efficiently accommodate future service extensions.

POLICY UT 10: Require the under-grounding of utility wires, where feasible.

GOAL 5: Provide an efficient surface and stormwater management system that serves community residences and business in a manner that makes efficient use of limited resources and minimizes damage to public and private property from flooding events.

POLICY UT 23: Design, construct, and maintain stormwater facilities in a manner that minimizes their impact on adjacent neighborhoods and business.

POLICY UT 25: Require new developments locate required stormwater management facilities on-site unless a regional facility benefiting drainage has been constructed with sufficient excess capacity to serve the development

TRANSPORTATION

GOAL: Provide a balanced transportation system that meets the needs of the community by accommodating the movement of people, goods, and services at an optimum level of safety, economy and efficiency.

GOAL: Ensure adequate and safe access to property via a system of public and private roads.

POLICY T-1: Allow major land use changes only when those proposals are consistent with the transportation system plan.

POLICY T-6: As public and private development occurs, ensure that transportation system improvements have adequate streets, sidewalks and walkways; and are consistent with the transportation and adopted system design.

POLICY T-16: Design transportation facilities within the Greater East Wenatchee Area that minimize adverse environmental impacts resulting from both their construction and use.

POLICY T-17: Economic and residential growth decisions should be tied to the ability of the existing transportation system to accommodate the increased demand, or new transportation facilities should be provided concurrently with the proposed development.

POLICY T-18: Allow land use changes only when proposals are consistent with the adopted transportation level of service standards of the comprehensive plan.

POLICY T-24: All road construction projected shall meet or exceed the minimum requirements for stormwater runoff.

CRITICAL AREAS – AQUIFER RECHARGE AREAS

GOAL 3: Douglas County will manage groundwater resources and aquifer recharge areas to protect the quantity and quality of potable water.

POLICY CA-26: The County prohibits the disposal of hazardous materials within an Aquifer Recharge Area.

POLICY CA-29: It is the responsibility of the developer(s) to prove that their proposal would not adversely affect the recharge of an aquifer.

POLICY CA-30: Within aquifer recharge areas, short and long subdivisions and other divisions of land will be evaluated for their impact on groundwater quality.

POLICY CA-31: Development which could substantially and negatively impact the quality of an aquifer will not be allowed unless it can be demonstrated conclusively that these negative impacts would be overcome in such a manner as to prevent the adverse impacts. Alternative site designs, phased developed and/or groundwater quality monitoring may be required to reduce contaminant loading where site conditions indicate that the proposed action will measurably degrade groundwater quality.

POLICY CA-32: Reduce danger to health by protecting surface and ground water supplies from the impairment that results from incompatible land uses by providing safe and sanitary drainage.

POLICY CA-33: Community/public sewage disposal and water systems are encouraged and may be required where site conditions indicate a high degree of potential contamination to groundwater resources.

CRITICAL AREAS – GEOLOGICALLY HAZARDOUS AREAS

GOAL 5: The County will provide appropriate measures to either avoid or mitigate significant risks that are posed by geologic hazard areas to public and private property and to public health and safety.

POLICY CA-42: Potential impacts and alternative mitigation measures to eliminate or minimize the impacts in identified geologic hazard areas shall be documented during the review of development applications.

POLICY CA-43: Development proposals should be evaluated to determine 1) whether the proposal is located in a geologic hazard area, 2) the project's potential impact on geologic hazard areas, and 3) the potential impact of geologic hazards on the proposed project.

POLICY CA-48: Applications for development within or in close proximity of a geologically hazardous area shall include preliminary information to assist the County in determining the need for any specialized reports from a geologist or geo-technical engineer. Review criteria will be established to assist county staff in making said determination.

POLICY CA-49: All proposed development projects located within a geologic hazard area, or that have the potential to adversely affect the stability of one of these areas, may be required to provide studies performed by qualified consultants describing the existing nature of the hazard and necessary safety precautions. The subsequent report from the geo-technical engineer and/or geologist should clearly identify the risk of damage from the project, both on-site and off-site, whether the proposal increases the risk of occurrence of the hazard, and whether the proposal has incorporated measures to eliminate or reduce the risk of damage due to the hazard.

POLICY CA-50: Any new residential subdivision or short plat that is determined to be in a geologically hazardous area shall have a note placed on the face of the plat and on the title report stating that the hazard is present.

IV. ENVIRONMENTAL REVIEW

The applicants and Douglas County signed a mitigation agreement establishing the mitigation conditions relative to the environmental impact of the project. Douglas County issued a Mitigated Determination of Nonsignificance on July 14, 2008 pursuant to WAC 197-11-340 (2). A comment period commenced on July 15, 2008 and ends on July 28, 2008.

VI. AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Attachment A.

Jerry Huber

Mr. Huber has provided comment concerning rain and snow-melt runoff from the project and irrigation water pressure. The mitigation agreement requires that stormwater facilities for the project be designed and constructed to accommodate all stormwater onsite and during construction that erosion control be established and maintained until the site has been stabilized. The mitigation agreement requires that the requirements of the Wenatchee Reclamation District be met for the subdivision of property prior to final plat approval.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive plan consistency:

The proposal is consistent with the goals and policies of the Greater East Wenatchee Area Comprehensive Plan. The proposed lot sizes meet the density standards for residential lots. Policy UT-2 requires that urban development within the urban growth area be served concurrently with urban services. The development will be served by the full range of urban services. Transportation policies require that as public and private development occurs, ensure that transportation system improvements have adequate streets, sidewalks and walkways; and are consistent with the transportation and adopted system design. The project proposes to construct streets, sidewalks and necessary frontage improvements.

Consistency with the provisions of Title 17, "Subdivision", D.C.C.:

As conditioned, the proposed subdivision is consistent with the provision of this title.

Consistency with the provisions of the R-L Zoning District, Chapter 17.24, E.W.M.C. as adopted by Douglas County:

The proposed residential lots exceed the foot minimum lot depth. Upon review, all lots appear to have an adequate building envelope outside of required setbacks.

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of D.C.C., Chapter 20.34, "Stormwater Drainage"

Douglas County is required to comply with the Eastern Washington Phase II Municipal Stormwater Permit, issued by the Department of Ecology, in compliance with the provisions of the State of Washington Water Pollution Control Law, Chapter 90.48, RCW and the Federal Water Pollution Control Act, title 33, USC, Section 1251 et seq.

A Preliminary Stormwater Drainage Overview, dated December 2007, from Torrence Engineering LLC was submitted by the applicant. The applicant has proposed that stormwater runoff from the site be handled by a drywell. This approach poses additional impacts such as coordination of the drywells with other utilities, protection of the facilities from siltation during the construction period when large amounts of the development will be bare, and coordination of requirements with the Washington State Department of Ecology. Due to maintenance and failure history of previously utilized drywell facilities and monitoring requirements associated with the Department of Ecology UIC program, which governs drywell facilities, stormwater facilities shall be designed to facilitate reasonable monitoring and maintenance to ensure the long term functionality. Douglas County requires above grade discharge and treatment of stormwater, into open facilities such as a settling pond or swale, prior to discharge into subsurface facilities in order to allow for visual inspection of the collected stormwater prior to entering the subsurface portion of the facility. This design will assist in ensuring that stormwater, contaminated with silts and/or oil will not enter the underground facility and contaminate the soil or groundwater or cause damage to the storm drainage facility.

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of D.C.C., Title 12 "Road Standards"

In order to facilitate a road design that meets the road standards, S. Jarvis was vacated through the subject property. The road vacation was completed on July 1, 2008. An access easement was recorded to temporarily grant access in the corridor that S Jarvis is currently constructed in. This easement will be extinguished once the new road is constructed and dedicated.

The applicant has submitted a preliminary design and traffic impact study, both developed by a professional engineer licensed in the State of Washington. In order to facilitate the best possible road and pedestrian network circulation; Section 12.52.030 (A)(2) authorizes the requirement that the layout of roads to provide for the extension of existing roads to complete road connections. The inclusion of permanent cul-de-sacs is strongly discouraged as they inhibit road and pedestrian network circulation (see 12.52.040 *Design Requirements, L. Cul-de-Sacs and Dead-End Roads* for specific requirements) and are not consistent with the Greater East Wenatchee Area Comprehensive Plan. The applicant has submitted a road layout that provides for the construction of a new local access road with connections to S. Jarvis and to the east property line. The extension of the road network to the east property line will provide for an order extension of the road system when the adjacent property is subdivided.

A Traffic Impact Study from Transportation Engineering NorthWest, LLC, dated December 28, 2007 was submitted for the proposal. This study recommended that the applicant fully fund and construct the necessary site roadway and associated frontage improvements on Rock Island Road as project mitigation

Frontage improvements are addressed in Chapter 12.50.150 *Transportation System and Frontage Improvements*, of the Douglas County Road Standards. Additionally, Section 17.04.040(A), D.C.C., authorizes dedications of right-of-way and improvements to the area directly affected by the development. Rock Island Road is designated as an Urban Arterial. As this site is located inside of the Federal Urbanized Area, Figure 3-8, urban Arterial, of the road standards is the applicable road standard. This standard includes a half street asphalt width of twenty-two feet; 8" CSBC, 4" CSTC, and 3" ACP. The existing condition of Rock Island Road includes a twelve foot asphalt lane with a one foot asphalt shoulder.

As conditioned, the proposal is consistent with the provisions of this title.

Agency comments:

Agency comments from the Douglas County Transportation Services, Douglas County Land Services – Building, Douglas County – GIS, Douglas County Assessors Office, the Washington State Department of Ecology, Douglas County Fire District #2, Douglas County PUD, Douglas County Sewer District No. 1, East Wenatchee Water District, Wenatchee Reclamation District, Verizon, and Eastmont School District, have identified mitigation or project design required for the subdivision. These comments have been included as mitigation conditions to address these agency concerns.

VIII. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 17 of the East Wenatchee Municipal Code as adopted in Ordinance # 07-01H, Title 17, 19 and 20 of the Douglas County Code and the Greater East Wenatchee Area Comprehensive Plan. Staff recommends approval of P#08-01 subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. The applicants are Charles Reppas, 21407 9th Ave., Bothell WA and Benjamin Beck, 725 South Jarvis, East Wenatchee WA.
2. General Description: Charles Reppas and Benjamin Beck have submitted a 32 lot, 8.25 acre major subdivision. Proposed lot sizes range from 6875 square feet to 16,618 square feet. The average lot size is 8,450 square feet.
3. Location: The subject property is located on the north side of Rock Island Road at the intersection of Rock Island Rd and S. Jarvis Ave. The property is further described as being located within Section 13, Township 22 North, Range 20 East, W.M., in Douglas County, Washington. The Douglas County Assessor Numbers for the subject property are 40200006101 and 40200006202.
4. Site Information:
Total Project Size: 8.25 acres

No. of lots 32
Domestic Water: East Wenatchee Water District
Sewage Disposal: Douglas County Sewer District #1
Power/Electricity: Douglas County PUD
Fire Protection: Douglas County Fire District #2
Telephone Service: Verizon

5. Site Characteristics: The subject property is situated on a south-facing slope. The property slopes to the south at approximately 10 percent with an 80 foot elevation change. An old gravel pit has been identified in the northwest portion of the subject property. The western portion of the site is a former orchard and is currently vacant. The eastern portion of the site is currently in orchard. A residence and outbuildings are located on the southern center of the site.
6. Surrounding Property: To the north, Single Family Homes – Plat of Skyview Ridge; to the south, Large lot single family homes, Orchard, to the east, Large lot single family homes, Orchard, Rock Island Road, 8th Street SE; to the west, Single Family Homes
7. The subject property is located within the Greater East Wenatchee Planning Area.
8. The subject property is located within the East Wenatchee Urban Growth Area.
9. The Comprehensive Plan Designation is Low Residential.
10. The subject property is located in the R-L zoning district which allows for subdivisions as permitted uses.
11. On March 28, 2007, Douglas County adopted Ordinance No. 07-01H which adopted portions of Title 17 of the East Wenatchee Municipal Code within the unincorporated portions of the East Wenatchee Urban Growth Area.
12. RCW 58.17.110(2) requires that appropriate and adequate provisions be made for streets or roads, alleys or other public ways.
13. Soil mapping from the USDA Natural Resource & Conservation Service indicate the presence of steep and severe building soils on the subject property. A Geologic Hazard Risk Assessment, from J.B. Hamilton Consulting LLC., dated October 22, 2007 was submitted by the applicant. The Assessment identified that an old gravel pit site is present on the northwest portion of the subject property. J.B. Hamilton Consulting LLC submitted supplemental geologic information regarding the pit site dated April 25, 2008 and June 4, 2008.
14. The subdivision will access Rock Island Road. Lot 31 will access 8th Street SE.
15. A Traffic Impact Study from Transportation Engineering NorthWest, LLC, dated December 28, 2007 was submitted for the proposal. This study recommended that the applicant fully fund and construct the necessary site roadway and associated frontage improvements on Rock Island Road as project mitigation.
16. Frontage improvements are addressed in Chapter 12.50.150 *Transportation System and Frontage Improvements*, of the Douglas County Road Standards. Rock Island Road is designated as an Urban Arterial. As this site is located inside of the Federal Urbanized Area, Figure 3-8, urban Arterial, of the road standards is the applicable road standard. This standard includes a half street asphalt width of twenty-two feet; 8" CSBC, 4" CSTC, and 3" ACP. The existing condition of Rock Island Road includes a twelve foot asphalt lane with a one foot asphalt shoulder.
17. The inclusion of permanent cul-de-sacs is strongly discourage as they inhibit road and pedestrian network circulation (see 12.52.040 *Design Requirements, L.*

- Cul-de-Sacs and Dead-End Roads* for specific requirements) and are not consistent with the Greater East Wenatchee Area Comprehensive Plan.
18. In order to facilitate the best possible road and pedestrian network circulation; Section 12.52.030 (A)(2) authorizes the requirement that the layout of roads to provide for the extension of existing roads.
 19. Section 17.04.040(A), D.C.C., authorizes dedications of right-of-way and improvements to the area directly affected by the development.
 20. On July 1, 2008 the Douglas County Board of Commissioners signed Resolution No. TLS-08-38 vacating S. Jarvis Ave through the subject property.
 21. A temporary access easement has been granted along the original constructed path of S. Jarvis Ave pursuant to easement documents recorded under AFNs 3125082 and 3125083.
 22. Douglas County is required to comply with the Eastern Washington Phase II Municipal Stormwater Permit, issued by the Department of Ecology, in compliance with the provisions of the State of Washington Water Pollution Control Law, Chapter 90.48, RCW and the Federal Water Pollution Control Act, title 33, USC, Section 1251 et seq.
 23. A Preliminary Stormwater Drainage Overview, dated December 2007, from Torrence Engineering LLC was submitted by the applicant. The applicant has proposed that stormwater runoff from the site be handled by a drywell. This approach poses additional impacts such as coordination of the drywells with other utilities, protection of the facilities from siltation during the construction period when large amounts of the development will be bare, and coordination of requirements with the Washington State Department of Ecology.
 24. Due to maintenance and failure history of previously utilized drywell facilities and monitoring requirements associated with the Department of Ecology UIC program, which governs drywell facilities, stormwater facilities shall be designed to facilitate reasonable monitoring and maintenance to ensure the long term functionality; Douglas County requires above grade discharge and treatment of stormwater, into open facilities such as a settling pond or swale, prior to discharge into subsurface facilities in order to allow for visual inspection of the collected stormwater prior to entering the subsurface portion of the facility.
 25. In order to meet the state requirements for Enhanced 911 service, all lots within this plat will be addressed prior to final plat approval.
 26. Comments from reviewing agencies have been considered and addressed where appropriate.
 27. The applicants and Douglas County signed a mitigation agreement establishing the mitigation conditions relative to the environmental impact of the project. Douglas County issued a Mitigated Determination of Nonsignificance on July 14, 2008 pursuant to WAC 197-11-340 (2). A comment period commenced on July 15, 2008 and ends on July 28, 2008.
 28. Surrounding property owners were given the opportunity to comment on the proposals, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
 29. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
 30. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.

31. The Eastmont School District #206 has determined that the District has insufficient capacity in existing facilities to accommodate increased student enrollment associated with increased residential development.
32. Section 17.24.150 of the Douglas County Code requires that every subdivision shall be served by a water supply system approved and installed to meet the requirements and standards of the Chelan Douglas Health District.
33. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Greater East Wenatchee Area Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interests will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Title 17 Zoning of the East Wenatchee Municipal Code as adopted by Ordinance # 01-01H.
5. As conditioned, the proposal is consistent with Title 17 "Subdivision", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code.

Suggested Conditions of Approval

1. The project shall proceed in substantial conformance with the plans and application materials of file dated January 9, 2008 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. A plat certificate showing parties of interest from a title company must be submitted with the blueline drawings.
4. The final plat map shall be submitted by a land surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. Preliminary approval shall expire 5 years from the date of Notice of Action by the Douglas County Hearing Examiner. Final plat approval after the expiration will require the submittal of a new preliminary application and approval based on applicable documents and codes in effect at the time of re-application.

Respectfully Submitted,

Curtis Lillquist, A.I.C.P.
Senior Planner

Attachments