TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Rio Vista Ph. 1, PRD-92-01A#2/P-15-05
DATE: February 5, 2018

I. GENERAL INFORMATION

Requested Action: Great West Developers have submitted an application to amend conditions of approval #23 and #24 regarding frontage improvements on Crescent Bar Rd. The application requests a waiver of the frontage improvements and modification of conditions of approval matching the waiver.

Location: The property is located between Crescent Bar Road and the Columbia River. The property is further described as being within Section 13, Township 20 North, Range 22 East, W.M., in Douglas County, Washington. The Douglas County Assessor Numbers for the subject property are 91002900001 and 91002400000.

Background Information: The hearing examiner approved phase one for 9 lots on June 2, 2016.

The only issues under consideration for this application are amendments to conditions of approval #23 and #24 regarding frontage improvements on Crescent Bar Rd.

II. SITE INFORMATION

Total Project Size: 5.96 acres
No. of lots: 9
Domestic Water: Group B water system
Sewage Disposal: On-site septic systems
Power/Electricity: Douglas County PUD
Fire Protection: Douglas County Fire District #2

Site Characteristics: The subject property is situated on slopes overlooking the Columbia River at Crescent Bar. Slopes range from 5 to 70%, with an average of 40%. There are several small drainage courses on the property, as well as a relatively large drainage that will be maintained as a greenbelt. Native grasses, sagebrush and small shrubs are present on the property, along with some wetland areas located on adjacent Grant County PUD property. Current improvements on the property include a single family residence, the Burlington Northern-Santa Fe Railroad, and a county road providing access to the Crescent Bar recreational area. See Attachment A

Surrounding land uses include:
North: SR 28, Vacant
South: Columbia River, vacant
East: Scattered single family residences
West: Scattered single family residences
Access: The subdivision will access Crescent Bar Rd. via 2 different access points. Lots 1-7 will access a new private road inside an access and utility easement. Lots 8 and 9 will access via a joint use driveway. The accesses will be constructed to International Fire Code and Douglas County Road Standards for private accesses. All roadway improvements would be the responsibility of the developer.

Zoning and Development Standards:
The subject property is located within the Rural Recreation (R-REC) zoning district. New planned residential developments are not permitted within the R-REC zoning district. However this development was approved consistent with the regulations existing at the time. See Attachment B.

III. COMPREHENSIVE PLAN:
During the 1992 staff analysis of Rio Vista, the subject property was undesignated in the 1964 Comprehensive Plan. The 1997 staff analysis identified the subject property as a potential development area and determined that the project was consistent with the comprehensive plan.

IV. ENVIRONMENTAL REVIEW
Douglas County issued a Determination of Non-significance and Adoption of Existing Environmental Documents on September 14, 2007 in accordance with WAC 197-11-340(2). The documents adopted are the SEPA Checklist dated October 7, 1992 and the Rio Vista Mitigated DNS dated October 19, 1992. This Threshold Determination is still applicable for this phase 1 application.

VI. AGENCY AND PUBLIC COMMENTS:
Applicable agencies have been given the opportunity to review this proposal. These comments have been included as conditions of approval to address these agency concerns. Agency comments have been included as Attachment C.

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.

Consistency with the provisions of D.C.C., Title 12 “Road Standards”
The subject property fronts Crescent Bar Road. Frontage Improvements are addressed in Chapter 12.50.150 Transportation System and Frontage Improvements, of DCC and the Douglas County Road Standards. Crescent Bar Road is designated as Rural Minor Collector. Frontage improvements are required along the subject property to bring the road up to standard. Figure 3-6, Rural Minor Collector Roadway is the applicable road standard.
The residential lots will access Crescent Bar Rd. via 2 different access points. Lots 1-7 will access a new private road inside an access and utility easement. Lots 8 and 9 will access via a joint use driveway.

Conditions of approval require frontage improvements to Crescent Bar Road along the subject property. Improvements include widening the existing 36 feet of pavement to 40 feet and necessary retaining walls and structures to support the widened roadbed.

The applicant has submitted a Request for Waiver of Crescent Bar Road frontage improvements to the county engineer dated December 11, 2017 and updated January 9, 2018. The applicant is requesting the waiver because the topography would require significant slope stabilization in order to support the widening. The applicant’s engineer estimates that widening and supporting facilities for the 4 foot widening would cost well over $400,00 and that this cost is not justified for 9 new lots. Included with the waiver request is a street capacity analysis from Morrison Maierle dated November 2017 and a roadway adequacy report from Transportation Engineering Northwest dated October 5, 2017. Both reports conclude that the existing Crescent Bar Road has the capacity to safely accommodate the existing traffic and anticipated traffic increase from the proposed development.

After review of the submitted documents, the County Engineer approved the Request for Alternative – Waiver of Frontage Improvements on January 9, 2018. Transportation staff has provided recommendation for the amendments to conditions of approval in their January 10, 2018 comment memo.

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

Agency comments:

Agency comments from the Douglas County Transportation Services have identified mitigation or project design required for the subdivision. These comments have been included as conditions of approval 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, 18, 19 and 20 of the Douglas County Code and the Douglas County Countywide Comprehensive Plan. Staff recommends approval of the proposed amendments to conditions of approval for PRD-92-01A#2/P-15-05, subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. The applicant is Great West Developers, 122 East Arrellaga, Santa Barbara CA.
2. General Description: An application to amend conditions of approval #23 and #24 regarding frontage improvements on Crescent Bar Rd. The application requests a waiver of the frontage improvements and modification of conditions of approval matching the waiver.

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3. **Location:** The property is located between Crescent Bar Road and the Columbia River. The property is further described as being within Section 13, Township 20 North, Range 22 East, W.M., in Douglas County, Washington. The Douglas County Assessor Numbers for the subject property are 91002900001 and 91002400000.

4. **Site Information:**
   - Total Project Size: 5.96 acres
   - No. of lots: 9
   - Domestic Water: Group B water system
   - Sewage Disposal: On-site septic systems
   - Power/Electricity: Douglas County PUD
   - Fire Protection: Douglas County Fire District #2

5. **Site Characteristics:** The subject property is situated on slopes overlooking the Columbia River at Crescent Bar. Slopes range from 5 to 70%, with an average of 40%. There are several small drainage courses on the property, as well as a relatively large drainage that will be maintained as a greenbelt. Native grasses, sagebrush and small shrubs are present on the property, along with some wetland areas located on adjacent Grant County PUD property. Current improvements on the property include a single family residence, the Burlington Northern-Santa Fe Railroad, and a county road providing access to the Crescent Bar recreational area.

6. **Surrounding Property:** To the north, SR 28, Vacant; to the south, Columbia River, vacant; to the east, Scattered single family residences; to the west, Scattered single family residences.

7. The Rio Vista Planned Residential Development was determined to be consistent with the comprehensive plan in effect in January 1993.


10. The Rio Vista Planned Residential Development is vested under the PRD regulations in effect at the time of amended permit approval.

11. On June 2, 2016, the hearing examiner approved phase one for 9 lots.

12. The subdivision will access Crescent Bar Rd. via 2 different access points. Lots 1-7 will access a new private road inside an access and utility easement. Lots 8 and 9 will access via a joint use driveway.

13. Douglas County issued a Determination of Non-significance and Adoption of Existing Environmental Documents on September 14, 2007 in accordance with WAC 197-11-340(2). The documents adopted are the SEPA Checklist dated October 7, 1992 and the Rio Vista Mitigated DNS dated October 19, 1992. This Threshold Determination is still applicable for this phase 1 application.

14. The application package includes the following documents:
   - Hochhauser Blatter Architecture & Planning request to remove condition of approval No. 23 and amend condition No. 24.

15. RCW 58.17.110(2) and DCC 17.16.100(A) require that no plat shall be approved unless adequate provisions be made for streets or roads, alleys or other public ways.

16. Frontage Improvements are addressed in Chapter 12.50.150 Transportation System and Frontage Improvements, of DCC and the Douglas County Road Standards. Crescent Bar Road is designated as Rural Minor Collector.


18. 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.

19. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.

20. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.

21. Comments from reviewing agencies have been considered and addressed where appropriate.

22. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the proposal is consistent with Chapter 18.67 Planned Residential Development in effect when the project was vested and Title 19 “Environment”; and Title 20 “Development Standards” of the Douglas County Code.

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 proposed planned residential development.

Suggested Revisions to Conditions of Approval

1. Conditions 1 thru 22 and 25 thru 49 from the preliminary plat approval, dated June 2, 2016 are still timely and are being recommend to continue. Conditions 23 and 24 are being recommended for revision (deleted, amended) as a result of review of the application to amend preliminary plat approval.

2. Delete Condition of Approval #23.

3. Condition of Approval #24 to be revised as follows (Bold text proposed to be deleted):

Proposed retaining walls and any associated components (Including but not limited to tie backs) constructed to accommodate the infrastructure within Phase 1 shall not be allowed within the County right-of-way. Retaining walls to support the widening of Crescent Bar Road may be located within County}

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Right-of-Way, subject to review and approval of location and type by the County Engineer.

Cuts or retaining walls associated with private access construction or site development including but not limited to those constructed within County Road Easements granted under AFN 310949 and/or within slopes necessary to stabilize the County Road prism shall accommodate loading from the widening of Crescent Bar Road, and shall not affect the stability of the County Road prism.

All retaining walls shall be designed by a Structural Engineer licensed in the State of Washington. All retaining walls and proposed earthworks shall be reviewed and approved by the Geotechnical Engineer of record prior to acceptance of Construction Plans by the County Engineer.

Respectfully Submitted,

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

Attachments
Note: This map is intended for general information purposes only. Douglas County makes no claim as to the accuracy or current condition of the data shown on this map.
The application materials have been reviewed. This memo is attached for your reference and communication to the Hearing Examiner.

**Findings of Fact**

1. The applicant submitted a request to amend the conditions of approval for PRD-92-01A#2/P-15-05 on December 18, 2017. The application package included:
   
   a. Hochhauser Blatter Architecture & Planning request to remove Condition of approval No. 23 and amend Condition of Approval No. 24.
   
   
   


3. Douglas County Engineer approved of the Waiver Request on January 9, 2018. The PRD-92-01A#2/P-15-05 Rio Vista Phase1 REQUEST FOR ALTERNATIVE- Waiver of Frontage Improvements was signed by the County Engineer on January 9, 2018 and issued to Pacific Engineering on January 9, 2018.
January 9, 2018

Martin Davy, P.E.
200 South Columbia Street, Suite 300
Wenatchee, WA 98801

Subject: PRD-92-01A#2/P-15-05 Rio Vista Phase 1
REQUEST FOR ALTERNATIVE – Waiver of Frontage Improvements

Dear Mr. Davy,

Your request for an alternate, based on Douglas County Code (DCC) 12.50.100, from DCC 12.50.150.B has been reviewed and accepted by the County Engineer.

The attached memorandum of acceptance will be included within the project file and utilized as a basis for approval for waiving frontage improvements on Crescent Bar Road associated with PRD-92-01A#2/P-15-05. The proposed waiver request appears to comply with the goals and policies of the comprehensive plan.

Please do not hesitate to contact me if there are any additional questions in this regard.

Sincerely,

Mike Neer, P.E.

cc: Mitchell S. Reister, PE
    Jennifer Lange, PE
    Tiffany Prazer
MEMORANDUM

To: Mitchell S. Reister, PE – County Engineer
CC: Jennifer Lange, PE, Tiffany Prazer
From: Mike Neer, PE
Date: January 9, 2018

Re: PRD-92-01A#2/P-15-05 Rio Vista Phase 1
REQUEST FOR ALTERNATIVE – Waiver of Frontage Improvements

A request for an alternate based on Douglas County Code Section 12.50.100 (D) was submitted for consideration on December 18, 2017.

The reason for the alternative request is:

See attached letter from Martin Davy, Pacific Engineering, dated January 9, 2018

- This is a requested alternative to the provisions contained within Douglas County Code 12.50.150.B

  "Frontage improvements may be required for all improvement and development projects that have frontage on a county road...

  The county engineer may eliminate or limit frontage improvements if the development has no measurable impacts to the county road or full frontage improvements are disproportional to the size and scope of the proposed development"

  The proponent, Mr. Davy, is requesting the county engineer waive the requirement for frontage improvements on Crescent Bar Road. The request prepared by Mr. Davy specifically identifies a more affordable solution that does not appear to adversely affect safety, maintainability, or aesthetics.

- The attached memorandum/request is intended to demonstrate the alternative from these standards is based on sound engineering judgment, function, appearance, fire protection, and maintainability being fully met and compliance with the Douglas County Comprehensive Plan.

- Staff has reviewed the request and generally agrees with the conclusions; approval is recommended.

Approval– Douglas County TLS

[Signature]
Michell S. Reister, PE – County Engineer

Date: 1/9/2018

Attachment – alternative request
Transportation & Stormwater

The County engineer has reviewed and approved the Request for Waiver of Crescent Bar Road frontage improvements. As such, staff recommends elimination of Condition of Approval No. 23 and modification of Condition of Approval No. 24 as follows:

23. Frontage improvements to Crescent Bar Road shall be completed prior to final plat approval of phase 1. Figure 3-6, Rural Minor Collector Roadway is the applicable road standard. The Douglas County Engineer may, in his sole discretion, defer these improvements for a maximum of 2 years from the date of final plat approval upon terms, conditions and security deemed acceptable to the engineer and the Douglas County Prosecuting Attorney. [Note: Condition Eliminated.]

24. Proposed retaining walls and any associated components (including but not limited to tie backs) constructed to accommodate the infrastructure within Phase 1 shall not be allowed within County right-of-way. Retaining walls to support the widening of Crescent Bar Road may be located within County Right-of-Way, subject to review and approval of location and type by the County Engineer.

Cuts or retaining walls associated with private access construction or site development, including but not limited to those constructed within County Road Easements granted under AFN 3109491 and/or within slopes necessary to stabilize the County Road prism shall accommodate loading from the widening of Crescent Bar Road, and shall not affect the stability of the County Road prism.

All retaining walls shall be designed by a Structural Engineer licensed in the State of Washington. All retaining walls and proposed earthworks shall be reviewed and approved by the Geotechnical Engineer of Record prior to acceptance of Construction Plans by the County Engineer.