



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

**To:** Kittitas County Board of County Commissioners

**From:** Lindsey Ozbolt, CDS Staff Planner

**Date:** May 2, 2013

**Subject:** Meadow Springs Preliminary Cluster Plat (LP-07-00015):  
Additional proposed draft conditions requested by BOCC

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On April 2<sup>nd</sup>, 2013, the Board of County Commissioners held a closed record meeting to consider the Meadow Springs Preliminary Cluster Plat (CU-07-00015) recommendation of approval from the Kittitas County Hearing Examiner. During this meeting, the Commissioners requested a number of conditions be drafted for their consideration. The Meadow Springs Preliminary Cluster Plat closed record meeting was continued for further discussion and decision to May 7, 2013.

These conditions were to address the removal of "barn", openspace ownership retention, the building or bonding of the recreational amenities, access, grade and fill, transportation connectivity, wetland protection, and the striking of proposed condition of approval #48.3.4 in the Hearing Examiner's recommended approval document. Below are staff's recommended additional conditions of approval and findings of fact:

**"Barn":**

Proposed Condition -

*The applicant shall be required to follow the recommendations identified in the Cultural Resources Report related to two existing structures on the property.*

Proposed Finding –

*One of the existing structures on the property, referred to as "the barn", was removed during construction of the pond. Key materials from the structure have been preserved on site and the applicant intends to build another structure, such as a community center or barn, and will use a portion of the preserved materials on the new structure. The Cultural Resources Report previously submitted states "Reiss-Laundreau Research (RLR) recommends that the project proceeds with the caveat of protection for the two National Register of Historic Properties (NRHP) eligible properties". The applicant concurs that those properties identified in the report will remain protected as recommended. The report further identifies steps to be taken under "Inadvertent Discovery Procedure" which the applicant shall follow.*

**Openspace Ownership Retention:**

Proposed condition -

*A Homeowners Association (HOA) or other entity must retain ownership of the openspace tracts and maintain them. This requirement shall be noted in the CC&Rs for the project. For final plat approval, proof of openspace ownership by the HOA or other entity must be provided or the*

openspace land shall be bonded based upon a 10-year maintenance estimate provided by a licensed and/or bonded landscape professional.

Proposed finding -

*The Board of County Commissioners find that the openspace tracts must remain the responsibility of the developer, Homeowners Association or some other legal entity to ensure that the County will not become the owner of these tracts. It is a requirement of the performance based cluster code that openspace be provided therefore it is an integral part of the approval for this project. Openspace ownership, retention, and maintenance shall not be the responsibility of the County.*

**Build or bond for Recreation Amenities:**

Proposed condition -

The trails and picnic areas proposed and utilized as bonus density for this project shall be designed and provide a maintenance program established by a licensed landscape architect. Such plan shall be built or bonded for estimated cost of construction prior to final plat approval.

Proposed finding -

*The Board of County Commissioners find it necessary for the trails and picnic areas to be built or bonded prior to final plat approval to ensure that this integral part of the Performance Based Cluster Code that allows for the density of this project is completed.*

**Access:**

Amend condition #17 to state -

Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05, with the addition that roads must be improved prior to final approval. A performance bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.

Proposed finding -

*The Board of County Commissioners find that in order to protect public health, safety and welfare, roads must be built or bonded at time of final approval.*

Amend condition #18 to state -

Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition.

Proposed finding -

*The Board of County Commissioners find that in order to protect public health, safety and welfare, roads must be built or bonded at time of final approval. Timing of improvements are addressed in condition #17.*

Proposed condition -

The second access shall be maintained to a standard accessible by passenger vehicles for year round emergency access.

Proposed finding -

*The Board of County Commissioners find that in order to protect public health, safety and*

welfare, second access roads must be maintained year round.

### **Grade and Fill:**

Existing conditions –

*#19: Stone Ridge Drive shall be constructed as a High-Density Private Road that serves more than 40 lots. Access easements shall be a minimum of 60' wide. The roadway shall be constructed to AASHTO standards, have a maximum grade of 12%, and be designed by an engineer. Design plans shall be approved by the County Engineer prior to construction. See current Kittitas County Road Standards, 9/6/05 edition...*

*#48.2.1: On-site stormwater management that conforms to the specification of the most current version of the Stormwater Management Manual for Eastern Washington is required of this development. Stormwater systems shall be designed to store stormwater generated by a 24-, 25-year storm event. Stormwater system designs shall be prepared and stamped by a civil engineer licensed in the State of Washington. The stormwater system design shall be presented to Public Works and reviewed by the County Engineer prior to final plat approval. The certification shall be included with the road certification and is required prior to the issuance of a building permit.*

*#48.3.5: A grading plan shall be prepared by an engineer licensed in the State of Washington and provided to Public Works prior to site construction. If the amount of fill to be imported or exported from the site exceeds 10 cubic yards, a haul route and road condition analysis may be required prior to transport of any material. The haul route and road condition analysis shall be submitted to the County Engineer, and shall be reviewed by the County Engineer prior to transport of any material.*

Proposed finding -

*The revised SEPA checklist states that 150,000 cubic yards of grading is expected for road and lot construction. Based on the information available at this time, it is unknown where grading and filling will occur. Conditions # 19, 48.2.1 & 48.3.5 provide for detailed filling and grading information that will allow Kittitas County to determine the activity's impact to wetlands and any additional mitigation if necessary. This information will be used in conjunction with the required supplement wetland delineation report.*

### **Transportation Connectivity:**

Proposed condition (if plat is approved) -

*The project shall be designed and bonded to provide transportation connectivity to the satisfaction of Kittitas County Public Works prior to final plat approval.*

Proposed finding -

*This bonus is for establishment and facilitation of connectivity between developments for all modes of transportation to allow for efficient and orderly road development. When this project was first proposed it provided a connection to Westside Road which would have provided connectivity. This project no longer provides that connectivity.*

### **Wetland Protection:**

Amend condition of approval # 48.4.1

*Prior to final plat approval, the Applicant shall provide a plan demonstrating wetland enhancement and mitigation of potential impacts described in Sewall Wetland Consulting, Inc., September 29, 2011 report. As described in the report, "there would be a potential impact to wetland hydrology if the subsurface groundwater table was intercepted" (page 3). Also, page 3 of the report is stated, "Another potential impact would be leakage through the bottom of the pond into the ground which would eventually seep to the south adding water to the wetland." Additionally, within the report it is stated that a small soil pile, currently un-vegetated, "should*

*be removed from the buffer area” and “revegetated with grasses” and “be hydroseeded with a buffer seed mix to re-establish a grass cover with this buffer area.” Such mitigation shall provide additional water quality improvement function, wildlife habitat value, and increased plant species diversity, and such mitigation shall be verified by a wetland biologist prior to final plat approval.*

*A supplemental wetland delineation report shall be required once roadways and stormwater feature locations are finalized. A mitigation plan for any impacts to site wetlands, both direct and indirect (changes in surface or groundwater flow regime) shall be submitted and approved before final plat approval. No untreated stormwater shall be discharged to wetlands.*

**Proposed finding -**

*The Board of County Commissioners find that an additional wetland delineation and mitigation plan is necessary prior to final plat approval because of the information provided by Department of Ecology in a January 10, 2013 letter to Hearing Examiner. Per DOE, the wetlands are considered a part of a headwater wetland and spring complex. The additional condition will provide for further protection of this sensitive area.*

**Proposed conditions -**

*Provisions shall be included in the CC&Rs of this project that all lighting shall be directed away from wetland areas and no herbicides/pesticides shall be used within 200 feet of the wetland areas.*

*All trails and other recreation activities shall be kept on the outside (toward the upland) edge of required buffers when possible.*

**Proposed finding -**

*The Board of County Commissioners find that additional mitigation requirements are necessary to protect the wetland function and habitat in this sensitive area per the information and suggestions included in the DOE letter dated February 26, 2008.*

**Strike Condition #48.3.4:**

~~*Road and plat lighting shall be installed prior to final plat approval to standards existing at the time of final plat approval. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.*~~

**Proposed finding -**

*The Board of County Commissioners find that condition of approval # 48.3.4 in the Hearing Examiner’s Recommended Conditions of Approval and Findings of Fact document is redundant and already addressed in condition of approval # 49.b. Therefore condition of approval # 48.3.4 shall be struck.*