

*City of Cle Elum*  
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**Date:** November 3, 2022

**To:** Jeremiah Cromie

**From:** Mayor Jay McGowan *Jay*

**With Copies to:** Gregg Dohrn, Rob Oman, Ben Annen, Colleda Monick, Mark Cook, and Josh Fredrickson

**Subject:** Forest Ridge Phase 4 and Phase 5 Final Plat Applications  
Kittitas County Request for Comments

Thank you for the opportunity to comment on the Forest Ridge Phase 4 Final Plat Application dated 10-14-22, and the Phase 5 Final Plat application dated 10-20-22. As we await the additional information that the City requested on October 25<sup>th</sup>, 2022, the City would like to submit for the record the following comments. Please note that the City may submit further comments after we have reviewed the requested information.

1. Kittitas County Resolution 2010-137 approving the Preliminary Plat for the Forest Ridge Performance Based Cluster Plat provides that:

*A Mitigated Determination of Nonsignificance (MDNS) was issued on September 23, 2010. The mitigation measures in the MDNS shall be conditions of final plat approval.*

This MDNS includes the following mitigation measure:

9. *City of Cle Elum Transportation: The applicant shall comply with the following construction requirements from the City of Cle Elum:*
  - a. *Potholes must be repaired on Columbia Avenue from First Street to Fourth Street as required by the City of Cle Elum prior to receiving final plat approval.*
  - b. *A 2-inch overlay on Columbia Avenue from First Street to Fifth Street or end of existing pavement shall be constructed prior to beginning construction of Phase 5.*

We note that the transmittal letter submitted by Encompass Engineering and Surveying for the revised Phase 4 application dated October 13<sup>th</sup>, 2022, states

that these improvements will be completed by the end of October 2022. A similar representation was made in the Phase 5 application. Please note that these improvements were not completed by the end of October. A permit application for these improvements was received by the City on November 2, 2022. We will do our best to review and comment on these plans in an expedient manner, though the construction season is quickly coming to an end. We also note that the final plat applications refer to bonding for these improvements, and the City is requesting that final plat approval be withheld until these required improvements have been made, inspected, and accepted by the City, or that the City has notified the County that a legally binding financial guarantee has been executed with the Project Sponsor.

2. The MDNS issued for the Forest Ridge Performance Based Cluster plat dated September 23, 2010, also includes the following mitigation measure:

*10.WSDOT: The Revised Traffic Impact Analysis (November 2009) considers the traffic impacts from both the Forest Ridge development and the nearby City Heights development, which is proposed in the City of Cle Elum and is currently under review. Based on this analysis, upon completion of just the Forest Ridge development, the Level of Service (LOS) at the intersection of SR 903 and the SR 903 Spur will be reduced to LOS C (Note: The traffic impact study erroneously refers to the intersection of SR 903 and the SR 903 Spur as the "SR 970/SR 903" intersection). Upon completion of both the Forest Ridge development and the City Heights development, the same intersection will be reduced to either a LOS D or E, depending on the approved development scenario for City Heights. According to Kittitas County Comprehensive Plan GPO 4.26, any LOS below the adopted standard of LOS C in rural areas is unacceptable; therefore, mitigation is required if a LOS below C results. The City Heights project has not yet received approval from the City of Cle Elum, and the traffic impacts of Forest Ridge alone do not cause the intersection in question to fall below LOS C. Because it is uncertain at this time what the actual impact to the SR 903/SR 903 Spur intersection will be, prior to construction of the Forest Ridge Phase 5, the developer shall reevaluate the traffic impacts of the proposed Forest Ridge development on the SR 903/SR 903 Spur intersection. If the analysis concludes that the full build out of this project result in the SR 903/SR 903 Spur intersection operating below a LOS C, then the developer of the Forest Ridge project will be required to contribute a pro rata share of the cost to construct mitigation improvements to the SR 903/SR 903 Spur intersection, as required by WSDOT, to achieve an acceptable LOS.*

We note that the Applicant Response addressing this Condition of Approval in the Compliance Document provided by the Applicant with the Phase 4 and the Phase 5 Final Plat application states: "See attached TIA for reference". However, the TIA included with the Final Plat applications is the same one that

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was submitted with the Preliminary Plat application, dated November 19, 2009. The resubmittal of a previous document does not satisfy this condition of approval.

The City joins WSDOT in formally requesting that the Project Sponsor prepare and submit the required re-evaluation of traffic impacts and that sufficient time be provided to enable us to review this analysis and to determine if adequate provisions have been made to mitigate traffic impacts.

3. Condition of Preliminary Plat Approval Item #26 provides that:

*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. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat*

The Compliance Document provided by the Applicant with the Phase 4 and Phase 5 Final Plat applications states that:

*Off-site road certification has been submitted and approved by KCPW. On-site road certification will be completed after construction.*

In our October 25<sup>th</sup>, 2022, memo the City requested the following information:

- a. *Can you provide the City with a copy of the off-site road certification(s) approved by KCPW?*
- b. *Are there any segments of off-site roadways that will serve Phase 4 plat that have not been certified by the County?*

We note that the Phases 4 and 5 are served by private roads within the unincorporated County and within the City of Cle Elum. The City looks forward to receiving the copies of the off-site road certifications approved by KCPW, along with the supporting documentation, as well as information on any segments serving Phases 4 and 5 that have not been certified by the County. We ask that no action be taken to approve these final plat applications, until the City has received, reviewed, and commented on this information.

4. Condition of Preliminary Plat approval Item 25 provides that:

*Second Access: A second access is required of this project. Prior to final approval for each phase, the applicant shall conduct an analysis showing whether the threshold for a second access has been met. If a second access is required, the applicant must submit to Public Works for approval a route that has easement or other access rights secured and recorded.*

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*The second access must conform to Kittitas County Road Standards and the second access requirements as clarified by the Board of County Commissioners on April 2, 2007. The BOCC clarified KCRS 12.01.095(2) with the following requirements: 1) If the second access is restricted to emergency access only, it must meet or exceed the following requirements: 60' easement, 20' roadway width, BST/ACP surface, and a paved apron. Access restrictions such as gates or bollards must be approved by the Fire Marshall; 2) If the second access is to be used for ingress and egress, it must meet the same standards as the first access.*

In our October 25<sup>th</sup>, 2022, memo the City requested the following information:

- a. Can you provide the City with a copy of this easement and the history provided by the Applicant?*
- b. We do not see this secondary access route identified on the preliminary final plat maps submitted with the application requesting Phase 4 Final Plat approval, can you identify this route for us? In doing so, could you also provide the City with a map that identify which roads have been approved for primary and secondary access for Phases 1-4 of the Forest Ridge Performance Cluster Plat?*
- c. Can you provide the City with a copy of AFN 428448, which is identified on the preliminary final plat maps as an "Existing 60' non-exclusive ingress & egress easement"?*

We note that the Applicants Response to this Condition of Approval in the Compliance Document submitted with the application requesting Phase 4 Final Plat approval states:

*Applicant has provided easement language and history to Public Works. Access to the east will have a temporary easement until Phase 5 is recorded and permanent access tract is established. See enclosed map.*

We do not see this secondary access route identified on the preliminary final plat maps submitted with the application requesting Phase 4 or Phase 5 Final Plat approval and look forward to receiving the requested information regarding the secondary access routes.

In addition, we note that the SEPA Checklist prepared for the Forest Ridge Performance Based Cluster Plat submitted and date stamped 12-29-09 states on page 13:

*The project will be accessible via Columbia Street. The extension of Columbia Street will be improved to City Standards up to the circled area as shown on the attached Secondary Access exhibit. This will eliminate any need to access the site via Montgomery St.*

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We look forward to receiving an assessment from the County on whether the proposed secondary access complies with the Conditions of Preliminary Plat Approval and the relevant SEPA documents. We ask that no action be taken to approve these final plat applications, until the City has received, reviewed, and commented on this information and determined whether the conditions governing secondary access have been met.

5. Condition of Preliminary Plat approval Item 43 provides that the Kittitas County Fire Marshal's Office receive three complete plan sets for review. We further note that Condition of Preliminary Plat approval Item 45 provides that:

*Roads with a slope or grade greater than 12% shall not be allowed.*

The City is concerned about the ability of emergency service providers to access the plats and whether the City will be able to respond to calls for mutual aid. Has KCPW verified if all roads access roads have a slope or grade less than 12%? Has the County Fire Marshall has determined that access to the Phase 4 and Phase 5 Plats complies with the provisions of the International Fire Codes? We ask that no action be taken to approve these final plat applications, until the City has received, reviewed, and commented on this information and determined whether these conditions have been met.

We look forward to receiving the additional information requested by the City and as noted, we reserve the right to submit additional comments. If you have any questions or would discuss the City's comments in more detail, please do not hesitate to contact me at [jcmcgowan@cleelum.gov](mailto:jcmcgowan@cleelum.gov) or our Planning Consultant Gregg Dohrn at [Gdohrn@cleelum.gov](mailto:Gdohrn@cleelum.gov) or (206) 679-7507. Your assistance is greatly appreciated!