



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT

CURRIER CREEK ESTATES DIVISION 3 & 4 PRELIMINARY PLAT

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Currier Creek Estates Division 3 & 4 Preliminary Plat (LP-10-02)
DATE: October 14, 2010

I. GENERAL INFORMATION

Requested Action: Steve Lathrop agent for Cascade View Inc property owner, have applied for a preliminary plat to subdivide approximately 24.28 acres into 88 single-family residential lots. The subdivision will be completed in two phases: Phase 3 (13.17 acres) will develop 49 lots, and Phase 4 (11.11 acres) will develop 39 lots. The subject property is zoned Residential. The projects utilities will be served by the City of Ellensburg.

Project History: Currier Creek Estates (P-03-08) received preliminary plat approval on February 17, 2004 under Resolution 2004-20. The original application was for a 209 lot subdivision, and was revised to 207 lots. The first phase of 55 lots were approved and recorded on June 21, 2005. Phase 2 consisting of 62 lots was approved and recorded on July 19, 2006. The plat expired on February 17, 2009, prior to the County adopting a plat extension process. This application is for 88 lots, Phases 3 and 4.

Location: The subject property is located northeast of Hwy 10, southwest of Dry Creek Road and Reecer Creek Road, within the City of Ellensburg's Urban Growth Area in a portion of Section 27, T18N, R18E, WM, in Kittitas County. Assessor's map numbers: 18-18-27030-0036 and 18-18-27030-0037.

II. SITE INFORMATION

Total Project Size: 24.28 acres
Number of Lots: 88
Zoning District: Residential
Domestic Water: City of Ellensburg
Sewage Disposal: City of Ellensburg
Power/Electricity: Puget Sound Energy
Fire Protection: Fire District #2 Kittitas County Fire & Rescue
Irrigation District: Ellensburg Water

Surrounding Property:

North: Residential

South: Residential

East: Residential

West: Agriculture

Access: The proposed project will have access off of Dry Creek Road and Highway 10. The access road will be constructed to meet City of Ellensburg Development Standards. All required roadway improvements will be the responsibility of the developer. A second access route is not required.

Zoning and Development Standards: The purpose and intent of the Residential zone is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. The minimum lot size for single family residential units is 7200 square feet.

Minimum lot depth is 100 feet and lot width shall average 65 feet. The lots within this proposed development meet these requirements.

Preliminary Plats: The requirements of KCC Chapter 16.08.200, "Subdivision" means the division or re-division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than 20 acres.

III. ADMINISTRATIVE REVIEW

Notice of Application: A complete long plat application was submitted to Community Development Services on May 27, 2010. The application was deemed complete on June 28, 2010. The Notice of Application for the preliminary plat application was issued on July 22, 2010. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 6, 2010.

Posting of Site: In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner and is included as part of the record.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Urban. Kittitas County has established the following goals and policies to guide future housing developments. These goals and policies were developed in response to existing housing conditions and identified needs within the county, and support the County Wide Planning Policies:

GPO 3.1 Provide a sufficient number of housing units for future populations in rural areas of Kittitas County.

GPO 3.2 Designate high density residential land use zones with Urban Growth Areas.

GPO 3.4 Provide sufficient housing units while maintaining environmental quality.

GPO 3.5 Provide residential development close to employment opportunities and need services to reduce vehicular traffic and related air quality problems.

GPO 3.6 Provide for future populations while protecting individual property rights.

V. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on September 23, 2010. The appeal period ended on October 7, 2010 at 5:00 p.m. No appeals were filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Exhibits in the Hearing Examiner packet.

One public comment was submitted on this proposal at the time of staff review.

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 Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by urban levels of service provided by the City of Ellensburg. Staff has conducted an administrative critical area review in accordance with KCC 17A and identified the adjacent Currier Creek, a Class 2 stream in the western border for this development. Pursuant to KCC 17A.07 Class 2 waters carry a 40-100 buffer from the Ordinary High Water Mark of the stream. Also found was a wetland on the subject property.

Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.

Consistency with the provisions of KCC Title 12: Roads and Bridges:

All roads are required to meet all City of Ellensburg Development Standards as outlined in the September 13, 2010 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agencies provided comments during the comment period: Department of Ecology, Washington Fish & Wildlife, Yakama Nation, Kittitas County Department of Public Works, and Kittitas County Fire Marshal's Office. These comments have been included as conditions of approval to address these agency concerns.

Public Comments:

One e-mail comment from the public was submitted on this proposal at the time of writing of the staff report.

VIII. RECOMMENDATION

As conditioned below, the 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 12, Title 16.12 and Title 17 of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends **approval** of the Currier Creek Estates Preliminary Plat; file number (LP-10-02), subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. Steve Lathrop agent for Cascade View Inc property owner, has applied for a preliminary plat to subdivide approximately 24.28 acres into 88 single-family residential lots. The subdivision will be completed in two phases: Phase 3 (13.17 acres) will develop 49 lots, and Phase 4 (11.11 acres) will develop 39 lots. The subject property is zoned Residential. The projects utilities will be served by the City of Ellensburg.
2. Currier Creek Estates (P-03-08) received preliminary plat approval on February 17, 2004 under Resolution 2004-20. The original application was for a 209 lot subdivision, and was revised to 207 lots. The first phase of 55 lots were approved and recorded on June 21, 2005. Phase 2 consisting of 62 lots was approved and recorded on July 19, 2006. The plat expired on February 17, 2009, prior to the County adopting a plat extension process. This application is for 88 lots, Phases 3 and 4

3. The subject property is located northeast of Hwy 10, southwest of Dry Creek Road and Reecer Creek Road, within the City of Ellensburg's Urban Growth Area in a portion of Section 27, T18N, R18E, WM, in Kittitas County. Assessor's map numbers: 18-18-27030-0036 and 18-18-27030-0037.
4. Site Information:

Total Project Size:	24.28 acres
Number of Lots:	88
Zoning district	Residential
Domestic Water:	City of Ellensburg
Sewage Disposal:	City of Ellensburg
Power/Electricity:	Puget Sound Energy
Fire Protection:	Fire District #2 Kittitas County Fire & Rescue
Irrigation District:	Ellensburg Water
5. Surrounding Property:
 - North: Residential
 - South: Residential
 - East: Residential
 - West: Agriculture
6. The Comprehensive Plan designation is Urban.
7. The subject property is zoned Residential, which allows for 7200 square foot lots when connected to municipal water and sewer systems (KCC 17.18.030).
8. A complete long plat application was submitted to Community Development Services on May 27, 2010. The application was deemed complete on June 28, 2010. The Notice of Application for the preliminary plat application was issued on July 22, 2010. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 6, 2010.
9. In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner and is included as part of the record.
10. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on September 23, 2010. The appeal period ended on October 7, 2010 at 5:00 p.m. No appeals were filed.
11. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by urban levels of service. The lots will be served by City of Ellensburg. Staff has conducted and an administrative critical area review in accordance with KCC 17A and found Currier Creek, a Class 2 stream in the western border of this development, as well as wetland.
12. This proposal is consistent with the Kittitas County Subdivision Code Chapter 16.12 for Preliminary Plats.
13. All roads are required to meet all City of Ellensburg Development Standards as outlined in the September

13, 2010 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

14. The following agencies provided comments during the comment period Department of Ecology, Washington Fish & Wildlife, Yakama Nation, Kittitas County Department of Public Works, and Kittitas County Fire Marshal's Office. These comments have been included as conditions of approval to address these agency concerns

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated June 18, 2009 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. All current and future landowners must comply with the International Fire Code.
4. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.

Platting Standards and Zoning Code:

5. Certificate of Title: A certificate of title of the property proposed to be platted shall be submitted with the final plat.
6. Lot Closures: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
7. Conditions, Covenants, and Restrictions: Prior to final plat approval, a copy of the proposed final Conditions, Covenants, and Restrictions shall be submitted to Community Development Services.
8. Final mylars shall be submitted in accordance to KCC 16.20: Final Plats. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.
9. Both sheets shall reflect the Plat number: LP-10-00002.

Transportation and Infrastructure:

10. Roads, Stormwater, and Utilities: All plans for this project have been approved by the City of Ellensburg. The most current version of City of Ellensburg Development Standards shall apply within the limits of the preliminary plat approval, as required by the City.
11. Construction Timing: Construction of all roads, stormwater, and utilities shall be completed prior to final approval or bonded for as allowed by KCC 12.01.050.
12. Construction Inspection: The City and/or County Departments of Public Works will inspect the road, stormwater and utility construction following the requirements of the City's Development Standards and KCC 12.09, beginning with a Pre-Construction Conference.
13. Road Ownership: The Board of County Commissioners shall accept the roads within Divisions 3 & 4 onto the County's road system after they are constructed and approved by the County Engineer and the City Engineer. A bond worth 10% of the construction cost will be required from the developer. Formal acceptance of the roads will take place through a separate board action in accordance with KCC 12.01.170. The following roads will be taken on system:
 - Creeksedge Way, MP .248 – MP .572, from Middlecrest Drive to Clearview Drive
 - Sunnyview Lane, MP 0.00 – MP .314, from Peakview Drive to Creeksedge Way
 - Middlecrest Drive, MP 0.00 – MP .083, from Peakview Drive to Sunnyview Lane
14. Curb, Gutter, and Sidewalk: Prior to final approval, curb, gutter and sidewalk shall be completed and approved by the County and City Engineers.
15. University Way & Reecer Creek Intersection: The developer is required to pay a fair share cost towards the signal project at the intersection of University Way (formerly Cascade Way) and Reecer Creek, as indicated by the August 2003 Currier Creek Estates Traffic Impact Analysis. The analysis indicated the proportionate share should be 12.7% (137 of 1,081 trips). Based on a current cost estimate of \$300,000 for installation of a traffic signal, the fair share cost is \$38,100. This amount shall be paid to Public Works prior to final approval. See the August 26, 2010 memo from Jan Ollivier for more information.
16. Traffic Turning Volume Study: A traffic turning volume study based on current counts on Old Highway 10 (formerly Dry Creek Connection) and Dry Creek Road shall be performed to determine if turn lanes are required. If the percent of Design Hourly Volume approaches 90% of the trigger point, then turn lanes shall be installed by the applicant. The study shall be completed prior to final approval. If turn lanes are required, all requirements of Kittitas County Road Standards shall apply for construction of a public road.

Water and Sewer

17. The proposed plat will be served by municipal water and sewer provided by City of Ellensburg. Prior to final plat approval the applicant shall submit to the Kittitas County Public Health Department proof that water and sewer service extension has been approved for all new lots.
18. The applicant shall provide the City of Ellensburg a written statement indicating their desired irrigation water supplier prior to final plat approval.
19. Utility Installation: The developer shall be required to dedicate an easement to the City of Ellensburg for any utilities installed prior to final approval within the designated rights of way. The easement shall be required until the rights of way become publicly dedicated.

Stormwater:

20. An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.
21. This NPDES Construction Stormwater General Permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.
22. No tail water or irrigation water shall flow into the road right of way of the. Old Highway Ten.
23. A storm water plan must be approved by Kittitas County prior to final plat approval.

Air Quality

24. The proponent should create a site-specific Fugitive Dust Control Plan (FDCP) before starting this project, according to Department of Ecology standards, and then follow the plan for the construction of the project and the duration of activity on property.
25. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts, or damaging property or business.

Environmental Elements

26. A dust control mitigation plan must be approved by Kittitas County prior to final plat approval.

Noise

27. Construction activities on site shall be conducted only between the hours of 7am – 5pm.

Land and Shoreline Use

28. A buffer along Currier Creek has been established as denoted on the plat map as “Tract A” and it meets or exceeds the minimum buffer requirements for a Class 2 water as defined in KCC 17A. This tract shall be a separate parcel that will be maintained by the property owners and subsequent homeowners association. As denoted on the survey, no lots shall lie within the established buffer and the floodplain of Currier Creek lies solely within said buffer.
29. Any improvements within the 100-year floodplain of Currier Creek may require a flood permit per KCC 17A. A note denoting this requirement will be placed on the title for these lots.
30. No fill or grading for the purposes of roads and utilities will take place within 100 feet of the OHWM of Currier Creek.

Housing

31. Manufactured homes as defined in KCC 17.08.391 and Mobile homes as defined in KCC 17.08.398 shall not be allowed within the Currier Creek Subdivision.

Aesthetics

32. Per KCC 17.16.050 – No structure shall exceed two and one-half stories, or thirty-five feet, whichever is less in height.
33. Per KCC 17.16.040 – The ground area covered by all buildings, including accessory buildings shall not exceed thirty percent of the lot area.

Light and Glare

34. Street illumination shall be installed within the internal road network and at the intersections of internal roads and county roads in accordance with the City of Ellensburg road standards. Approved down draft lighting shall be used.
35. The developer shall be responsible for establishing a mechanism to ensure the continued maintenance and cost for keeping the street lights operational after the initial installation. Such mechanism shall be reviewed and approved by Community Development Services prior to final plat approval.