

DOUGLAS COUNTY

DEPARTMENT OF HEARING EXAMINER

140 19th Street NW

East Wenatchee, WA 98802-4109

BEFORE THE DOUGLAS COUNTY HEARING EXAMINER

IN THE MATTER OF)	RECOMMENDED FINDINGS OF
)	FACT, CONCLUSIONS OF LAW,
PRD 2017-01)	DECISION AND ONDITIONS OF
C&C Investment Properties, LLC)	APPROVAL

THIS MATTER having come on for hearing in front of the Douglas County Hearing Examiner on May 16, 2019, the Hearing Examiner having taken evidence hereby Recommends to the Douglas County Board of County Commissioners the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

I. RECOMMENDED FINDINGS OF FACT

1. The applicant is C&C Investments Properties LLC, PO Box 2874, Wenatchee WA.
2. General Description: An application for a 30 lot planned unit development/major subdivision. Proposed lot sizes range from 2,722 sq. ft. to 4,295 sq. ft. Lots are proposed to be served by public water and sewer.
3. Location: The subject property is located on the west side of Cascade Ave within Govt Lot 9, Section 34, Township 23 N., Range 20 EWM, Douglas County, WA. The Douglas County Assessors Number is 23203440003.
4. Site Information:

Total Project Size:	3.52 acres
No. of lots	30
Domestic Water:	East Wenatchee Water District
Sewage Disposal:	Douglas County Sewer District

Power/Electricity: Douglas County PUD
Fire Protection: Douglas County Fire District #2
Telephone Service: Frontier

5. **Site Characteristics:** The site is primarily vacant. Construction of infrastructure to support the subdivision has commenced.
6. The subject property is located within the East Wenatchee Urban Growth Area.
7. The Comprehensive Plan Designation is Waterfront Mixed Use.
8. The subject property is located in the WMU zoning district which allows for subdivisions as permitted uses.
9. On March 28, 2007, Douglas County adopted sections of Title 17 'Zoning' of the East Wenatchee Municipal Code within the unincorporated portions of the East Wenatchee Urban Growth Boundary. The most recent update occurred on July 28, 2015 where the County adopted Ordinance TLS 15-11-31B.
10. Douglas County issued a Determination of Nonsignificance on February 22, 2018 pursuant to WAC 197-11-355 (Optional DNS).
11. The planned unit development approval is to facilitate a reduction of the 20 foot south property line setback adjacent to the R-L zoning district from 20 feet to 10 feet.
12. On April 10, 2018 the Board of Commissioners granted preliminary approval to PRD-2017-01 (Ord. TLS-18-05-16B).
13. 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.
14. Proper legal requirements were met, and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
15. A final development plan was submitted within 12 months of preliminary plan approval. This development plan meets the requirements of EWMC 17.68.090 and .100.
16. The final development plan substantially meets the conditions of approval for Ordinance No. TLS 18-05-16B.
17. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.
18. Public and agency comments that were received were considered by the Hearing Examiner in rendering this Decision and forming Conditions of Approval.
19. An open record public hearing after due legal notice was held on May 16, 2019.
20. The entire Planning Staff file was admitted into the record at the public hearing.
21. The Applicants agent appeared but chose not to testify.
22. No member of the public testified at the hearing.
23. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. RECOMMENDED CONCLUSIONS OF LAW

1. The Hearing Examiner has authority to render this recommendation.
2. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Greater East Wenatchee Area Comprehensive Plan.
3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interests will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Title 17 Zoning of the East Wenatchee Municipal Code as adopted by Douglas County.
6. As conditioned, the proposal is consistent with Title 17 "Subdivision", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. RECOMMENDED DECISION

Based on the above Findings of Fact and Conclusions of Law, Application PDR 2017-01, C&C Investment Properties LLC, is hereby recommended to be **APPROVED** for final action subject to the following Conditions of Approval.

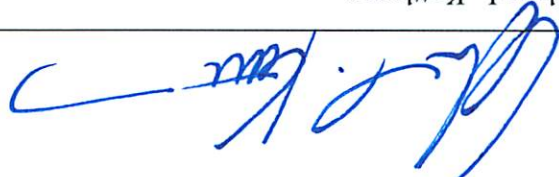
IV. RECOMMENDED CONDITIONS OF APPROVAL

All Conditions of Approval shall apply to the applicant, and the applicant's heirs, successors in interest and assigns.

1. The CC&R's shall be recorded upon recording of the final plat (P-2017-2).
2. All improvements and structures shall be consistent with the final development plan.

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Andrew L. Kottkamp



DOUGLAS COUNTY HEARING EXAMINER

Dated this 22nd day of May, 2019.