



# DOUGLAS COUNTY

## TRANSPORTATION & LAND SERVICES

140 19TH STREET NW, SUITE A • EAST WENATCHEE, WA 98802

PHONE: 509/884-7173 • FAX: 509/886-3954

www.douglascountywa.net

### STAFF REPORT

### ROCKY POND CUP AMENDMENT

### CUP-16-02A

TO: Douglas County Hearing Examiner  
FROM: Douglas County Land Services Staff  
RE: Double D Vineyards, LLC – CUP-16-02A  
DATE: August 18, 2022

#### I. GENERAL INFORMATION

Requested Action: An application to amend an existing Conditional Use Permit (CUP-16-02). The purpose of the amendment is to increase the allowable developable square footage to 12,000 sq. ft. to accommodate the event center, bridal "Green Room" and other small structures. The amendment will also acknowledge the availability of a new primary access point, in effect eliminating the 150 - participant limit.

Location: The subject properties are located at 105 Orchard Pl, Orondo WA 98843 and can be further described as being located in section 12, township 26, range 21 E. Douglas County Assessor's Parcel Numbers: 26211230027, 26211210035, and 26211210031.

#### II. SITE INFORMATION

Site Characteristics: The subject property includes an existing event venue, accessory structures, and vineyard.

Access: The subject property will be accessed via Pond Lane and Orchard Place.

Zoning: The subject property is located within the Rural Resource 5 (RR-5) zoning district.

#### III. COMPREHENSIVE PLAN – REGULATIONS/ POLICIES:

The Douglas County Comprehensive Plan designates this property as Rural Resource 5 and is zoned Rural Resource 5 (RR-5) under Douglas County Code. The following goals and policies set forth in the comprehensive plan are relevant to this development:

##### GENERAL LAND USE:

POLICY G-9: Rural developments should only occur where adequate access to transportation systems, rural levels of utilities and facilities are available. Appropriate facilities/services may include domestic water, sewage disposal, fire and police protection, schools, and power, etc. depending on the scale and impact of the development.

POLICY G-11: Establish siting and design criteria to provide buffering or other mechanisms that will protect adjacent land uses from potential conflicts between incompatible uses.

POLICY G-15: Encourage the operation of rural commercial businesses, natural resource related industries, recreation and tourism activities, cottage industries, small scale business,

and home occupations that are consistent with existing and planned land use patterns and are of an appropriate size and scale to maintain rural character.

#### RURAL LANDS:

POLICY R-3: Establish land use designations that represent rural character and that protect the integrity of rural areas.

POLICY R-6: Encourage development in rural areas to be served by rural levels of service.

#### RURAL DEVELOPMENT:

GOAL: Provide opportunities for continued smaller scale developments outside UGAs that will be compatible with and continue to preserve, maintain and enhance the vital agricultural uses in the County.

POLICY RD-4: Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or an acceptable operation capacity.

POLICY RD-5: The costs associated with implementing a rural development and providing the necessary utilities, facilities and/or services will be borne by the developer.

#### ECONOMIC DEVELOPMENT

POLICY ED-7: Develop and implement land use regulations that are flexible enough to recognize the changing nature of business and industry.

#### Applicable provisions of DCC 18.80.030 "Evaluation Criteria"

- A. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan and all subarea plans.
- B. The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.
- C. The traffic generated by the proposed use shall be mitigated so as not to burden the traffic circulation system in the vicinity.
- D. The proposed use will be served adequately by facilities and services such as highways, roads, law enforcement, fire protection, drainage, refuse disposal, domestic water and sanitary sewers, and schools; or that persons or agencies responsible for the establishment of the proposed use will provide adequate services.
- E. The proposed use will not create excessive additional requirements at public cost for public facilities and services.
- F. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare, or odors.
- G. Proposed ingress and egress, driveway widths, parking, and road improvements shall be approved pursuant to DCC Title 20 and to the satisfaction of the county engineer.
- H. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place in order to mitigate, and protect adjacent properties from potential adverse impacts of the proposed use, including visual or auditory effects.
- I. Conditional use permits shall comply with the DCC and all applicable local, state, or federal regulations.
- J. The hearing examiner is the review authority and may approve, conditionally approve or deny a request for changing the minimum lot size of a conditional use. Any waiver of

minimum lot size shall not be construed as an exemption from the requirements of DCC Title 17 and RCW Chapter 58.17.

**IV. ENVIRONMENTAL REVIEW**

Douglas County issued a Determination of Non-Significance on May 2, 2022 in accordance with WAC 197-11-340(2).

**V. AGENCY AND PUBLIC COMMENTS:**

Applicable agencies have been given the opportunity to review this proposal. These agencies have identified mitigation or project design requirements for the project (Attached) that have been included as conditions of approval where appropriate.

Agency Notified	Response Received	Agency Notified	Response Received
WSDOT	05/17/2022	Douglas County Transportation	08/03/2022
Douglas County Fire Marshal	05/23/2022	Douglas County PUD	05/20/2022
Douglas County Planning	05/19/2022	WA State Dept. of Ecology	05/16/2022
Chelan Douglas Health District	06/24/2022	Douglas County Assessor	N/R
Douglas County Treasurer	N/R	Douglas County GIS	05/17/2022

\* N/R = No Reply

No public comments were received on the proposal.

Agency comments have been included as an attachment.

**VI. 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 project is designated *Rural Resource 5* by the Douglas County Comprehensive Plan. The proposal is supported by multiple policies related to general land use, rural development, and economic development. The proposal is consistent with Section 4.3 “Rural Development”, section 9.1 “Economic Development” of the Douglas County Comprehensive Plan.

Consistency with DCC Chapter 18.80.030 “Conditional Uses – Evaluation Criteria”

RR-5 zoning authorizes this land use as a Conditional Use. The required operational conditions will sufficiently mitigate associated impact. The project will not create excessive demands on public services. Noise impacts, dust control, and adequate buffering must fall within the parameters of Douglas County Code, as well as State standards.

As conditioned, the proposal appears consistent with the requirements of this section.

Consistency with DCC 18.30 RR-5:

The Rural Resource 5 (RR-5) zoning district allows this use via a Conditional Use Permit (CUP).

As conditioned, the proposal appears consistent with the requirements of the zoning district.

Douglas County Transportation Department has evaluated the proposal and recommended approval of the project with applicable conditions.

Douglas County Land Services: The application materials demonstrate compliance with adopted codes, standards, and specifications applicable to this project. As conditioned, the proposal is consistent with the provisions of Douglas County Code.

## **VII. 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 18, 19 and 20 of the Douglas County Code, and the Douglas County Countywide Comprehensive Plan. Staff recommends approval of CUP-16-02A subject to the following findings of fact and conditions:

### Suggested Findings of Fact

1. The applicant is Double D Vineyards LLC.
2. General Description: An application to amend an existing Conditional Use Permit (CUP-16-02). The purpose of the amendment is to increase the allowable developable square footage to 12,000 sq. ft. to accommodate the event center, bridal "Green Room" and other small structures. The amendment will also acknowledge the availability of a new primary access point, in effect eliminating the 150 - participant limit.
3. Location: The subject properties are located at 105 Orchard Pl, Orondo WA 98843 and can be further described as being located in section 12, township 26, range 21 E. Douglas County Assessor's Parcel Numbers: 26211230027, 26211210035, and 26211210031.
4. The Comprehensive Plan Designation for the subject property is Rural Resource 5
5. The subject property is a part of the Rural Resource (RR-5) zoning district.
6. Douglas County Code Section 18.80.030 establishes minimum criteria for Conditional Use Permits.
7. A Determination of Non-Significance was issued by Douglas County on May 2, 2022.
8. Initial application materials reviewed by Douglas County Transportation and Land Services include:
  - Site Plan prepared by SKB Architects, dated December 3, 2021.
  - SEPA Checklist prepared by the applicant, dated February 2, 2022.
  - Project Narrative prepared by the applicant, dated February 1, 2022.
  - Services Description, prepared by the applicant, dated March 25, 2022.
  - Environmental Noise Study prepared by SSA Acoustics, dated January 26, 2022.
  - Landscaping/ Parking Plan prepared by SCJ Alliance, dated January 10, 2022.
  - Emergency Management Plan prepared by SCJ Alliance, dated March 2022.
  - Preliminary Civil Plans prepared by Pacific Engineering, dated March 22, 2022.
  - Preliminary Storm Report prepared by Pacific Engineering, dated May 26, 2022.
  - Traffic Impact Analysis (TIA) prepared by TENW, dated July 12, 2022.
  - Construction plans, prepared by SKB Architects, dated December 3, 2022.

9. The original CUP finding of fact 4 identifies access point for the event venue being from Sandy Shores Drive with a stipulation of a maximum event size of 200 people. Sandy Shores Drive is a private road that connects directly to US 97.
10. The original CUP finding of fact 12 identifies that the applicant has entered into a memorandum of understanding with the Washington State Department of Transportation (WSDOT) regarding the required improvements to the intersection of US 97 and Sandy Shores Drive.
11. The original CUP Condition of approval 4 requires the applicant to construct improvements to US 97 to add a left turn only lane and a right turn only lane on US 97 at Sandy Shores Drive within 2 years from the date of the CUP approval.
12. The applicant's traffic consultant prepared an update to the traffic study, dated December 1, 2017, noting that the events at the venue averaged 100 to 150 attendees. The update further states that events would not exceed 150 attendees and there would be no more than 10 events per year. The conclusion in the updated traffic study states that mitigation measures are no longer warranted or recommended to install separate left turn and right run only lanes at the intersection of Sandy Shores Drive and US 97.
13. WSDOT correspondence in January of 2019 acknowledged receipt of the updated traffic study and further noted that improvements to the intersection of Sandy Shores Drive and US 97 would be required at the time turn lane warrants are met.
14. Access at this location is permitted by the Washington State Department of Transportation (WSDOT) via WSDOT access permit 42476. This amendment includes events up to 500 people with an additional access being constructed to connect to Douglas County right of way at Edgewater Drive with access to the state highway at Sun Cove Road.
15. The preliminary civil plans include an access from the current terminus of Edgewater Drive. The 26-footwide paved private drive is proposed to traverse parcels 66200000100 and 26211230035. The access drive is to terminate at an expanded parking lot for the Rocky Pond Event Center. A gate is proposed between Sandy Shores Drive and the event venue/resort. The location of the gate shall be approved by Douglas County Transportation and the Douglas County Fire Marshal.
16. The applicant proposes to allow up to 150 event coordinators/caterers/wedding parties to enter the event venue from Sandy Shores Drive. All other event guests are to access the venue from Sun Cove Road/Edgewater Drive/new private access road. Guests will exit the event venue generally through Edgewater Drive/Sun Cove Road with the traffic being metered by staff from the event venue parking area. The applicant will be required to submit a permit application for an event on county roads to Douglas County prior to each event that exceeds 150 attendees. The event permit application shall include a transportation management plan as is proposed in the TIA. The permit application will require written approval from both WSDOT and Douglas County Transportation. Should the event require any traffic management on the state highway, the applicant shall obtain the appropriate permits from WSDOT in accordance with Chapter 7 of the WSDOT Traffic Manual.
17. The TIA includes analysis of the cumulative impacts of the proposed expansion of the Rocky Pond Event Venue, the full build out of the adjacent proposed resort hotel with a spa and restaurant, single family residential homes/recreational homes, and a convenience store. The study includes pipeline traffic from planned developments and assumes full build out of the Sun Cove Development.
18. Edgewater Drive currently terminates in a cul-de-sac. As noted in the TIA, the existing cul-de-sac will not sufficiently serve the multiple roadway connections. As such, an intersection improvement to create a roundabout and remove the cul-de-sac is proposed. This will likely require dedication of additional right of way north of the existing cul-de-sac.

This intersection improvement, dedication of right of way, and construction of the access road to the event venue site shall be completed prior to events with greater than 150 guests to be held at the event venue.

19. The TIA evaluated WSDOT turn lane warrants at both the intersections of US 97 with Sandy Shores Drive and Sun Cove Road. The projected traffic volumes with this project and the other pipeline traffic were not found to trigger additional required improvements on US 97. The applicant and the other members of the home owner's association for the residences utilizing Sandy Shores Drive are currently in the process of designing and permitting the addition of a left turn only lane and right turn taper at the intersection of US 97 and Sandy Shores Drive. This improvement is anticipated to be constructed in 2022 per the TIA. Given the current time of year and per discussion with the applicant's engineer, this improvement will likely be constructed in 2023.
20. The preliminary stormwater report adequately demonstrates stormwater management feasibility for the subject property through the use of qualitative analysis, sub-basin delineation, and calculations. The stormwater facilities associated with the access and parking improvements shall be designed, permitted, and constructed prior to any special events in excess of 150 people.
21. Domestic water will be by expansion of the Double D Water District Public Water System.
22. Surrounding property owners were given the opportunity to comment on the proposal, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
23. No members of the public commented on the proposal.
24. Comments from reviewing agencies have been considered and addressed where appropriate.
25. Proper legal requirements were met and surrounding property owners, affected agencies, and interested parties were given the opportunity to comment on the proposal at a public hearing.
26. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

#### Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Douglas County Comprehensive Plan.
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 proposal.
4. As conditioned, the proposal is consistent with Title 18 "Zoning", Title 19 "Environment", and Title 20 "Development Standards" of the Douglas County Code.

#### Suggested Conditions of Approval

1. The project shall proceed in substantial conformance with the plans and application materials of file except as amended by the conditions herein.
2. The applicant, and site operators, are responsible for compliance with all applicable local, state and federal rules and regulations and shall acquire all applicable permits including but not limited to:
  - Commercial Building Permit
  - Legacy Pesticide testing with the Washington State Department of Ecology.
3. Proposed landscaping shall be consistent with the plans on file and be maintained for the life of the project.

4. The applicant shall abide by the conclusions and recommendations of the Emergency Management Plan prepared by SCJ Alliance, dated March 2022. A copy of the plan shall be kept on site at all times.
5. Minimum Required Fire Flow is 1500 GPM at a minimum of 20 PSI for no less than a 2-Hour duration. A hydrant must be located no more than 250 feet from the nearest frontage access to each lot. Maximum hydrant spacing is 500 feet and as approved or required by the Fire Marshal. The large-diameter port of all hydrants must be equipped with a 4-inch diameter Storz quarter-turn fitting with the approval of the AHJ and / or Fire Marshal.
6. The applicant shall coordinate with the Douglas County GIS Department to address the future buildings.
7. Prior to issuance of developmental permit a Water Availability letter is required from the system purveyor/ owner stating the water system has the ability to serve new buildings.
8. If the proposal includes landscaped areas that will not have an impermeable cover such as buildings, asphalt or concrete, those landscaped areas must be sampled, and sample results must be submitted to Ecology at [formerorchards@ecy.wa.gov](mailto:formerorchards@ecy.wa.gov).
9. The applicant shall coordinate with the Douglas County PUD if revisions are needed to the electrical design.
10. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to Douglas County. The construction plan review will be processed as a full administrative review for the intersection improvements at the public termination of Edgewater Drive, private access road, parking lot expansion, and associated stormwater and utility infrastructure improvements. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
11. Edgewater Drive is classified as a Rural Local Access. Transportation improvements within the public right of way shall be designed and constructed in accordance with Standard Figure 3-3. The existing cul-de-sac shall be removed and replaced with an intersection, such as a roundabout, that can accommodate the projected traffic associated with the existing and proposed residential uses, the proposed resort hotel, spa, restaurant, convenience store, and event venue. The applicant shall coordinate this design with Douglas County Transportation staff.
12. The Edgewater Drive intersection improvement, dedication of right of way, construction of the access road to the event venue site, installation of a gate to control access to the event venue, and associated utility and stormwater infrastructure shall be completed prior to events with greater than 150 guests to be held at the event venue. The location of the gate shall be approved by Douglas County Transportation and the Douglas County Fire Marshal.
13. The private access shall be designed in accordance with the private road standards in Douglas County Code 12.52.020.B.
14. Unless otherwise approved in writing by WSDOT and Douglas County, up to 150 event coordinators/caterers/wedding parties/guests may enter the event venue from Sandy Shores Drive. All other event guests are to access the venue from Sun Cove Road/Edgewater Drive/new private access road. Guests shall exit the event venue generally through Edgewater Drive/Sun Cove Road with the traffic being metered by staff from the event venue parking area. The applicant shall submit a Permit Application for an event on County Roads to Douglas County prior to each event that exceeds 150 attendees. The permit application shall include a transportation management plan. The event permit will require written approval from both WSDOT and Douglas County. Should the event require any traffic management on the State Highway, the applicant shall obtain the appropriate permits from WSDOT.

15. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the current edition of the Stormwater Management Manual for Eastern Washington (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
16. Prior to any on-site grading occurring, a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
17. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall be provided as applicable.
18. Prior to occupancy or events being held in excess of 150 people, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant.
19. Individual/common plan development for this proposal may exceed 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.

Respectfully Submitted,



Tanner Ackley  
Principal Planner

Attachments

Agency/ Public Comments

Type: Permit Workflow Step

Id: COMMENTS-GIS

Note Type:\* APPLICATION COMMENTS

Note Code:

Text:\* Please work with GIS & Addressing to develop an Addressing Plan for existing and future buildings.

Begin Date:\* 05/17/2022

End Date:

Link: [Goto](#)

Publish on Portal - Private:  Public:

Attachments

[Select Files](#)

[Close](#)

## Note Detail



Type: Permit Workflow Step

Id: COMMENTS-DC PUD

Note Type:\* APPROVAL COMMENTS

Note Code:

Text:\* Contact Mike Snyder, Customer Engineer if changes to the electrical design are required.

Begin Date:\* 05/20/2022

End Date:

Link:

Goto

Publish on Portal - Private:  Public:

### Attachments

Select Files

Close





**PUBLIC HEALTH**  
ALWAYS WORKING FOR A SAFER AND  
**HEALTHIER COMMUNITY**

## Chelan-Douglas Health District

200 Valley Mall Parkway, East Wenatchee, WA 98802  
Environmental Health: 509/886-6400 • FAX 886-6449

### Memorandum

**TO:** Shari Tincher, Douglas County  
**FROM:** Scott Reynolds  
**DATE:** 6/23/22  
**RE:** Updated Comments: CUP 16-02A- Double D Winery

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This is to update our previous comments on the above CUP application. Today we met with Mr. David Dufenhorst regarding the proposed events referred to in the application. As we understand it, portable toilets are to serve the events and there will be no greater impact to the existing onsite septic system for activities and events associated with the proposed CUP application. The Health District has no further concerns related to the existing onsite septic system.

As stated in the previous memo, prior to issuance of developmental permit a Water Availability letter is required from the system purveyor/ owner stating the water system has the ability to serve new buildings.



**PUBLIC HEALTH**  
ALWAYS WORKING FOR A SAFER AND  
**HEALTHIER COMMUNITY**

**Chelan-Douglas Health District**

200 Valley Mall Parkway, East Wenatchee, WA 98802  
Environmental Health: 509/886-6400 • FAX 886-6449

## Memorandum

**TO:** Shari Tincher, Douglas County  
**FROM:** Scott Reynolds  
**DATE:** 6/1/22  
**RE:** CUP 16-02A- Double D Winery

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We have reviewed the application for the above CUP addition with the following comments:

Domestic water will be by expansion of the Double D Water District Public Water System. Prior to issuance of developmental permits, a Water Availability letter is required from the water system purveyor stating ability to serve the proposed building/ structures.

The application states an existing onsite septic system will serve the development and planned events, including new kitchen and bathroom additions, which may serve an additional number of guests beyond the original CUP. Prior to issuance of developmental permits, the applicant must complete a "Project Review" application to evaluate the capacity of the existing onsite septic system, to assure the system has capacity to serve the proposed development. This type of application typically requires attachment by the applicant of report from a licensed onsite septic system designer or professional engineer which includes an evaluation of the operating capacity of the existing system to serve the proposed development and determination if a system expansion may result along with further application and permitting requirements.

The Health District has no comments regarding the SEPA checklist.

Fees for review of land-use applications have been established by the Chelan-Douglas Health District Board of Health. The District will bill the applicant upon receipt of these comments.

<b>Project</b>	<b>CDHD 2021 fees</b>
Plats with Municipal sewer and water	\$53
Short Plat, BSP < 5 lots Review (\$113 + ½ hour, then \$91/hr)	\$113+
Major Plat, BSP > 5-20 lots Review	\$619
Major Plat Review, per lot over 20 lots	\$35
Pre-Application Review	\$53
Other Land Use Review comments (\$91/hour with a ½ hour minimum staff review fee)	\$91

Additional information and forms can be downloaded from the Chelan-Douglas Health District's website at: <http://www.cdhd.wa.gov/FormsandDocuments.htm>



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

CUP-16-02A

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

May 13, 2022

Annette Jester  
Douglas County Transportation and Land Services  
140 19<sup>th</sup> Street NW, Suite A  
East Wenatchee, WA 98802

Re: 202202054, CUP-16-02A

Dear Annette Jester:

Thank you for the opportunity to comment on the Determination of Non Significance for the Rocky Pond Wedding Pavilion. We have reviewed the documents and have the following comments.

**WATER RESOURCES**

**Dust Control from a Well**

If you plan to use water for dust suppression at your project site, be sure that you have a legal right. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances, water may need to be obtained from a different area and hauled in or from an existing water right holder. If you have any questions or would like to respond to these Water Resources comments, please contact **Christopher Kossik** at (509) 454-7872 or [christopher.kossik@ecy.wa.gov](mailto:christopher.kossik@ecy.wa.gov).

## **TOXIC REDUCTION**

Thank you for the opportunity to comment on your proposed project.

Historical aerial photos indicate your property was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. If your plan to expand your facility includes landscaped areas that will not have an impermeable cover such as buildings, asphalt or concrete, those landscaped areas must be sampled, and sample results must be submitted to Ecology at [formerorchards@ecy.wa.gov](mailto:formerorchards@ecy.wa.gov). Ecology can offer sampling for your project at no cost.

If sampling indicates elevated levels of lead and arsenic, cleanup will be required. Ecology uses Model Remedies to guide cleanup for lead and arsenic pesticide contamination in historical orchards of Central Washington. The Model Remedy document is an excellent source of technical guidance. The Model Remedies document is available at <https://apps.ecology.wa.gov/publications/documents/2109006.pdf>.

Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

Addition information, including precautions you can take to reduce exposure, is available at: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Dirt-Alert-program>.

Please contact Jeff Newschwander, Project Manager, at (509) 388-5223 or [jeff.newschwander@ecy.wa.gov](mailto:jeff.newschwander@ecy.wa.gov), for further information or to schedule your free sampling.

Sincerely,

*Tricia Sawyer*

Tricia Sawyer on behalf of Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509)575-2012 (Gwen)  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)

## Shari Tincher (x6589)

---

**From:** Nelson, Maxwell <nelsonm@wsdot.wa.gov>  
**Sent:** Monday, May 16, 2022 4:27 PM  
**To:** Shari Tincher (x6589)  
**Cc:** NC-Review; Mike Neer (x6560)  
**Subject:** RE: [EXTERNAL] CUP-16-02A Notice of Application Packet Comments End May 16, 2022  
**Attachments:** Pre-CBP-2021-24-2 CUP Rocky Pond Inn & Tourist Accomodations.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Shari,

WSDOT has finished our review of the application materials for CUP-16-02A.

This TIA included in the agency review packet is identical to the one submitted for Pre-CBP-2021-24-2. WSDOT recommends that the applicant be required to revise the analysis to incorporate feedback received in that phase (attached).

In the interim, we offer the following additional comments on the draft TIA.

- Since the proposed project is on a State Highway of Regional Significance, the TIA should use Level of Service Standards as defined in CDTC's RTP (page 2-5), including both signalized intersection and link-level analysis.
- Given that a recent pre-application discussion described the operation as "General Store with cafe and interior/exterior seating and drive thru", WSDOT is concerned that the "variety store" use assigned to the store operation may not be the most appropriate ITE land use code. Land use classifications such as 'convenience store', 'donut shop w/ drive thru', or 'fast food rest w/ drive thru', or 'Super Convenience Market/gas station' may better fit this proposed use.

Thank you,

-Max

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**From:** Annette Jester (x6549) <[ajester@co.douglas.wa.us](mailto:ajester@co.douglas.wa.us)>  
**Sent:** Thursday, April 28, 2022 3:55 PM  
**To:** NC-Review <[NC-Review@WSDOT.WA.GOV](mailto:NC-Review@WSDOT.WA.GOV)>  
**Subject:** [EXTERNAL] CUP-16-02A Notice of Application Packet Comments End May 16, 2022

**WARNING:** This email originated from outside of WSDOT. Please use caution with links and attachments.

Good afternoon,

The above attachment for this CUP is very large and will need to be in multiple emails. I have attached some of the documents for your review, if you feel there are any other documents that you need, please let myself or Shari Tincher (on the Request for Agency Comments document) know and we will get those over to you.

## REQUEST FOR AGENCY COMMENTS

**APPLICANT:** DOUBLE D VINEYARDS LLC

**Date of Application:** 02/01/2022

**Date Letter of Completeness Issued:** 03/31/2022

**Date Notice of Application Issued:** 4/29/2022

**Application Number:** CUP-16-02A

**Description of Proposal:** An application to amend an existing Conditional Use Permit (CUP-16-02). The purpose of the amendment is to increase the allowable developable square footage to 12,000 sq. ft. to accommodate the event center, bridal "Green Room" and other small structures. The amendment will also acknowledge the availability of a new primary access point. The subject properties are located at 105 Orchard Pl, Orondo WA 98843 and can be further described as being located in section 12, township 26, range 21 E. Douglas County Assessor's Parcel Numbers: 26211230027, 26211210035, and 26211210031.

**Respond By:** 5:00 p.m., 05/16/2022 (end of comment period)

**Return Comments** SmartGov or Shari Tincher at [stincher@co.douglas.wa.us](mailto:stincher@co.douglas.wa.us)  
to:

**If your comments are not received from your agency by the above date, it will be construed that your agency has no concern with this application.**

**For further information about this project, please contact Charity Duffy, Associate Planner at 140 19th Street NW, Suite A, East Wenatchee, WA 98802. 509-884-7173.**

Thank you,  
Annette Jester  
Permit Technician  
Douglas County TLS  
140 19<sup>th</sup> Street NW  
East Wenatchee, WA. 98802  
Office (509) 884-7173



*The opinions expressed here are my own and do not necessarily represent those of Douglas County.*

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This email may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56

# DOUGLAS COUNTY TRANSPORTATION & LAND SERVICES



## MEMO

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DATE: August 3, 2022  
TO: Tanner Ackley  
FROM: Mike Neer, PE  
RE: CUP-16-02A– Rocky Pond Event Venue CUP Amendment

### **Suggested Findings of Fact:**

1. Application materials reviewed by Douglas County Transportation and Stormwater include:
  - Preliminary Civil Plans prepared by Pacific Engineering, dated March 22, 2022.
  - Preliminary Storm Report prepared by Pacific Engineering, dated May 26, 2022..
  - Traffic Impact Analysis (TIA) prepared by TENW, dated July 12, 2022.
2. The original CUP finding of fact 4 identifies access point for the event venue being from Sandy Shores Drive with a stipulation of a maximum event size of 200 people. Sandy Shores Drive is a private road that connects directly to US 97.
3. The original CUP finding of fact 12 identifies that the applicant has entered into a memorandum of understanding with the Washington State Department of Transportation (WSDOT) regarding the required improvements to the intersection of US 97 and Sandy Shores Drive.
4. The original CUP Condition of approval 4 requires the applicant to construct improvements to US 97 to add a left turn only lane and a right turn only lane on US 97 at Sandy Shores Drive within 2 years from the date of the CUP approval.
5. The applicant's traffic consultant prepared an update to the traffic study, dated December 1, 2017, noting that the events at the venue averaged 100 to 150 attendees. The update further states that events would not exceed 150 attendees and there would be no more than 10 events per year. The conclusion in the updated traffic study states that mitigation measures are no longer warranted or recommended to install separate left turn and right run only lanes at the intersection of Sandy Shores Drive and US 97.
6. WSDOT correspondence in January of 2019 acknowledged receipt of the updated traffic study and further noted that improvements to the intersection of Sandy Shores Drive and US 97 would be required at the time turn lane warrants are met.
7. Access at this location is permitted by the Washington State Department of Transportation (WSDOT) via WSDOT access permit 42476. This amendment includes events up to 500 people with an additional access being constructed to connect to Douglas County right of way at Edgewater Drive with access to the state highway at Sun Cove Road.
8. The preliminary civil plans include an access from the current terminus of Edgewater Drive. The 26-foot wide paved private drive is proposed to traverse parcels 66200000100 and 26211230035. The access drive is to terminate at an expanded parking lot for the Rocky Pond Event Center. A gate is proposed between Sandy Shores Drive and the event venue/resort. The location of the gate shall be approved by Douglas County Transportation and the Douglas County Fire Marshal.
9. The applicant proposes to allow up to 150 event coordinators/caterers/wedding parties to enter the event venue from Sandy Shores Drive. All other event guests are to access the venue from Sun Cove Road/Edgewater Drive/new private access road. Guests will exit the event venue generally through Edgewater Drive/Sun Cove Road with the traffic being metered by staff from the event venue parking

area. The applicant will be required to submit a permit application for an event on county roads to Douglas County prior to each event that exceeds 150 attendees. The event permit application shall include a transportation management plan as is proposed in the TIA. The permit application will require written approval from both WSDOT and Douglas County Transportation. Should the event require any traffic management on the state highway, the applicant shall obtain the appropriate permits from WSDOT in accordance with Chapter 7 of the WSDOT Traffic Manual.

10. The TIA includes analysis of the cumulative impacts of the proposed expansion of the Rocky Pond Event Venue, the full build out of the adjacent proposed resort hotel with a spa and restaurant, single family residential homes/recreational homes, and a convenience store. The study includes pipeline traffic from planned developments and assumes full build out of the Sun Cove Development.
11. Edgewater Drive currently terminates in a cul-de-sac. As noted in the TIA, the existing cul-de-sac will not sufficiently serve the multiple roadway connections. As such, an intersection improvement to create a roundabout and remove the cul-de-sac is proposed. This will likely require dedication of additional right of way north of the existing cul-de-sac. This intersection improvement, dedication of right of way, and construction of the access road to the event venue site shall be completed prior to events with greater than 150 guests to be held at the event venue.
12. The TIA evaluated WSDOT turn lane warrants at both the intersections of US 97 with Sandy Shores Drive and Sun Cove Road. The projected traffic volumes with this project and the other pipeline traffic were not found to trigger additional required improvements on US 97. The applicant and the other members of the home owner's association for the residences utilizing Sandy Shores Drive are currently in the process of designing and permitting the addition of a left turn only lane and right turn taper at the intersection of US 97 and Sandy Shores Drive. This improvement is anticipated to be constructed in 2022 per the TIA. Given the current time of year and per discussion with the applicants engineer, this improvement will likely be constructed in 2023.
13. The preliminary stormwater report adequately demonstrates stormwater management feasibility for the subject property through the use of qualitative analysis, sub-basin delineation, and calculations. The stormwater facilities associated with the access and parking improvements shall be designed, permitted, and constructed prior to any special events in excess of 150 people.

***With incorporation of the conditions below, preliminary approval is recommended.***

### **Suggested Conditions of Approval:**

#### **Transportation / Stormwater**

1. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to Douglas County. The construction plan review will be processed as a full administrative review for the intersection improvements at the public termination of Edgewater Drive, private access road, parking lot expansion, and associated stormwater and utility infrastructure improvements. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
2. Edgewater Drive is classified as a Rural Local Access. Transportation improvements within the public right of way shall be designed and constructed in accordance with Standard Figure 3-3. The existing cul-de-sac shall be removed and replaced with an intersection, such as a roundabout, that can accommodate the projected traffic associated with the existing and proposed residential uses, the proposed resort hotel, spa, restaurant, convenience store, and event venue. The applicant shall coordinate this design with Douglas County Transportation staff.
3. The Edgewater Drive intersection improvement, dedication of right of way, construction of the access road to the event venue site, installation of a gate to control access to the event venue, and associated

utility and stormwater infrastructure shall be completed prior to events with greater than 150 guests to be held at the event venue. The location of the gate shall be approved by Douglas County Transportation and the Douglas County Fire Marshal.

4. The private access shall be designed in accordance with the private road standards in Douglas County Code 12.52.020.B.
5. Unless otherwise approved in writing by WSDOT and Douglas County, up to 150 event coordinators/caterers/wedding parties/guests may enter the event venue from Sandy Shores Drive. All other event guests are to access the venue from Sun Cove Road/Edgewater Drive/new private access road. Guests shall exit the event venue generally through Edgewater Drive/Sun Cove Road with the traffic being metered by staff from the event venue parking area. The applicant shall submit a Permit Application for an event on County Roads to Douglas County prior to each event that exceeds 150 attendees. The permit application shall include a transportation management plan. The event permit will require written approval from both WSDOT and Douglas County. Should the event require any traffic management on the State Highway, the applicant shall obtain the appropriate permits from WSDOT.
6. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the current edition of the *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
7. Prior to any on-site grading occurring, a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
8. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall be provided as applicable.
9. Prior to occupancy or events being held in excess of 150 people, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant.
10. Individual/common plan development for this proposal may exceed 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.