



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 HOSPITALITY VENTURES

P-2022-08

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Rocky Pond 17 Lot Subdivision (P-2022-08)
DATE: May 18, 2023

GENERAL INFORMATION

Requested Action: An application for a 17 lot major subdivision.

Location: The subject property is approximately 12.42 acres in size and is located off of Edgewater Drive, Orondo WA. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000200.

SITE INFORMATION

Total Project Size:	12.42
No. of lots	17
Domestic Water:	Edgewater Rocky Pond Water District
Sewage Disposal:	On-site Septic Systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied

Site Characteristics: The subject property is vacant. The topography is relatively flat with a minor slope towards the Columbia River

Uses adjacent to the subject properties:

North: Vacant land/ Columbia River

South: US 97

East: Orchard/ Vacant land

West: Single family dwellings

Access: Access to the site is US Highway 97 and Sun Cove Road intersection located adjacent to the Orondo Cider Works, then onto Edgewater Drive, then east onto a private road access easement.

Zoning and Development Standards: The subject property is located within the Rural Service Center (RSC) Zoning District under Douglas County Code (DCC), which allows for the subdivision of land.

Major Subdivisions:

The requirements of Title 17, "Subdivisions" DCC, apply to the design and review requirements for approval of major subdivisions of 5 or more lots, parcels or tracts.

COMPREHENSIVE PLAN:

The Douglas County Comprehensive Plan designates this property as Rural Service Center (RSC). The following goals and policies set forth in the comprehensive plan are relevant to this development:

RURAL SERVICE CENTER:

Rural service centers are those areas where historic, unincorporated communities or older, recreationally-oriented subdivisions are characterized by compact rural type densities and may offer some urban services such as roads, community water systems, and limited commercial uses. They are generally small, compact, isolated rural community centers that primarily exist to provide housing, convenience goods and services to residents in and around the area. It is intended that these areas continue to be a mixture of land uses, particularly residential and limited neighborhood businesses and services. These areas will also be accommodating needed agriculturally related commercial, cottage industries, tourist related uses, recreation and/or light industrial uses.

POLICY RSC-1: Encourage mixed land use patterns that currently exist within the rural service centers by clearly establishing what kinds of uses will be permitted and which will be prohibited.

POLICY RSC-2: Provide incentives for development of a variety of housing types, including farm worker housing, and increased residential densities within the rural service centers, and encourage the refurbishing and updating of existing structures.

UTILITIES

GOAL 1: Develop in Douglas County will occur in conjunction with the availability of adequate, cost effective provision of utilities. The installation and expansion of utilities will be coordinated to minimized cost and disruption of normal activities.

POLICY U-4: Require that development take into account the timely and concurrent provision of adequate and efficient utility systems.

POLICY U-9: The cost of on-site utility improvements or site preparation for developments will be the responsibility of the development benefiting from the improvement.

POLICY U-10: Promote the continued use, maintenance, development and revitalization of existing utilities whenever possible.

TRANSPORTATION

GOAL: Provide efficient use of existing and future transportation facilities through a systematic approach of monitoring and maintaining the road system, integrating all types

of transportation systems and facilities, by coordinating transportation facilities planning with other elements of the comprehensive plan, and coordination with other federal, state, and local agencies.

POLICY T-1: Develop a functional classification system to aid in the evaluation and provision of orderly and efficient traffic flow.

POLICY T-13: Ensure that transportation planning and implementation considers and is respectful of the rural and historic character found throughout the County.

POLICY T-15: As development occurs it shall comply with the applicable road standards, and off-site improvements to existing County roads may be required where those existing roads do not currently meet the adopted road standards.

ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Non-Significance on 05/02/2022 in accordance with WAC 197-11-355 (Optional DNS)

AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as an attachment.

Agency comments:

Agency Notified	Response Received	Agency Notified	Response Received
Chelan-Douglas Health District	01/24/2023	Dept. of Arch. & Historical Preservation	12/14/2022
Douglas County PUD	12/16/2022	Douglas County GIS/Addressing	11/22/2022
WA State Dept. of Ecology	11/29/2022	Douglas County Assessor	11/16/2022
Douglas County Fire Marshal	12/02/2022	Douglas County Transportation & Stormwater	01/10/2023
Washington State Department of Transportation	N/R	Douglas County Treasurer	11/16/2022
Douglas County Land Services	05/02/2023	Confederated Tribes of the Colville Reservation	11/23/2022
WSDOT	N/R		

* N/R = No Reply

No members of the public commented on the project.

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 appears consistent with the goals and policies of the Douglas County Comprehensive Plan. The proposed lot sizes meet the density standards for the applicable land use designation. The development will be adequately served by a combination of existing and proposed utilities.

Consistency with the provisions of Title 17, "Subdivision", Douglas County Code.

As conditioned, the proposed subdivision is consistent with the provision of this title.

Consistency with the provisions of the RSC Zoning District, Chapter 18.32, DCC as adopted by Douglas County:

As conditioned, the following dimensional standards for the RSC zoning district (DCC 18.32.060) will be met for each proposed lot:

- A. Minimum lot area: 10,000 square feet;
- B. Minimum width of lot at building line: 70 feet. Corner lots shall have a minimum width of 100 feet of contiguous frontage with one side being not less than seventy feet;
- C. Maximum building height: 40 feet;
- D. Minimum setback distances:
 - 1. Front yard: 20 feet;
 - 2. Rear yard: 15 feet;
 - 3. Side yard: 5 feet.
- G. Buildings on corner lots shall observe the minimum front yard setback on both streets and shall provide at least one rear yard setback.

Consistency with the provisions of DCC Title 12 Road Standards

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of DCC Chapter 20.34 Stormwater Drainage

As conditioned, the proposal is consistent with the provisions of this chapter.

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 Title 17, 18, 19 and 20 of the Douglas County Code and the Douglas County Comprehensive Plan. Staff recommends approval of P-2022-08 subject to the following findings of fact and conditions:

Suggested Findings of Fact:

1. The applicant and owner is Rocky Pond Hospitality Ventures LLC, 116 Orchard Pl, Orondo, WA 98843.
2. General Description An application for a 17 lot major subdivision.
3. Location: The subject property is approximately 7.29 acres in size and is located off of Edgewater Drive, Orondo WA. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000200.
4. The applicant has submitted the following materials for review:
 - a) Land use application prepared by the applicant, dated September 21, 2022
 - b) Project Narrative prepared by the applicant, dated September 21, 2022
 - c) Preliminary Civil Plans prepared by Pacific Engineering, dated September 16, 2022
 - d) Preliminary Civil Plans – Edgewater Drive Concept Plan, dated November 2, 2022
 - e) Preliminary Storm Report prepared by Pacific Engineering, dated September 16, 2022
 - f) Preliminary Plat prepared by Northwest Geodimensions, dated September 16, 2022
 - g) Rocky Pond Resort & Event Center – Traffic Impact Analysis (Updated for CUP 2022-02), dated November 1, 2022
 - h) SEPA checklist prepared by Northwest Geodimensions, dated September 19, 2022
 - i) Rocky Pond Resort Residences 17-Lot Subdivision – Traffic Analysis dated December 22, 2022
 - j) Soil Report prepared by Tower Design, dated September 12, 2022
 - k) Phase 1 Environmental Site Assessment prepared by Shannon & Wilson dated November 29, 2021
5. Site Information:

Total Project Size:	12.42
No. of lots	17
Domestic Water:	Edgewater Rocky Pond Water District
Sewage Disposal:	On-site Septic Systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied
6. Site Characteristics: The subject property is vacant. The topography is relatively flat with a minor slope towards the Columbia River
North: Vacant land/ Columbia River
South: US 97
East: Orchard/ Vacant land
West: Single family dwellings
7. The subject property is designated Rural Service Center by the Douglas County comprehensive Plan.
8. The subject property is located in the Rural Service Center (RSC) zoning district.
9. The Washington State Department of Ecology has provided comment indicating a portion of the properties within the footprint of the project were occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Ecology requires

- soil sampling if vacant, commercial, industrial, or agricultural properties are converted to residential use as there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead.
10. The Washington State Department of archeology and Preservation (DAHP) and the Colville Confederate Tribes (CCT) submitted comments recommending the applicant conduct a Cultural Resource Survey of the property. Per DAHP and CCT, a statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present.
 11. The preliminary Civil Plans depict Road F extending to the northeast and terminating in a cul-de-sac. This roadway extends from future Road D which is part of the CUP-16-02 and CUP-16-02A Rocky Pond Event Venue project. Road D is proposed to be constructed as a private road from the termination of the portion of Edgewater Drive that is public right of way.
 12. Road D shall be constructed from the end of the public portion of Edgewater Drive up to and 70 feet beyond the intersection of Road F.
 13. The public portion of Edgewater Drive currently terminates in a cul-de-sac that is inadequate to serve as an intersection for this plat, the Rocky Pond Resort (CUP-2022-02), the Rocky Pond Resort (CUP-16-02 & CUP-16-02A), and the other existing and proposed residences and private drives. As such, the applicant has proposed an intersection design being referred to as an “egglet” in the preliminary civil plans. This new intersection shall be constructed and the right of way shall be dedicated prior to final plat approval.
 14. The Preliminary Stormwater Report adequately addresses the feasibility of mitigating stormwater runoff generated due to the proposed development. The project proposes the use of infiltration ponds for mitigation. A site specific infiltration test with recommendations for long term infiltrations rates was not found in the report.
 15. The Traffic Impact Analysis (TIA) prepared by Transportation Engineering Northwest (TENW) for the Rocky Pond Resort, dated November 1, 2022 analyzes the cumulative impacts of multiple projects that includes this proposed 17-Lot subdivision.
 16. TENW prepared a supplemental Traffic Analysis, dated December 22, 2022 to further clarify how trips generated for this project are accounted for in the November 1, 2022 Rocky Pond Resort TIA.
 17. Douglas County issued a Determination of Non-Significance on 05/02/2023 in accordance with WAC 197-11-355 (Optional DNS).
 18. No members of the public commented on the proposal.
 19. 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 14.12.
 20. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
 21. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.
 22. 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 RSC zoning district.
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 17 "Subdivisions", Title 18 "Zoning", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code and the Douglas County Comprehensive Plan.

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 is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. A plat certificate showing parties of interest from a title company must be submitted with the blueline drawings.
4. The final plat shall be submitted by a land surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. It is the responsibility of the applicant to contact the Douglas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
7. The final plat shall show the location of all easements serving or encumbering the subject property.
8. The location of existing utilities (i.e. power, sewer, water and irrigation lines, etc.) and utility easements shall be depicted on the face of the final plat.
9. The developer shall install all utilities in accordance with the standards and specifications of the applicable utility purveyor.
10. The developer shall prepare final plans for the development and installation of utilities for the approval of the respective purveyors prior to site development. Final "as-built" drawings shall be delivered to purveyors upon completion.
11. Prior to final plat approval, Douglas County PUD shall provide written verification that all District requirements have been satisfied. Additional areas for utility easements may be required.
12. The final plat Mylar must include the following note: "The Health District has not reviewed the legal availability of water to his plat development."
13. The applicant shall coordinate with the Chelan Douglas Health District to address lot sizes related to septic system requirements.
14. The applicant shall coordinate with the Douglas County GIS Department to address road naming.
15. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
16. 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 or similar, 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(s). The applicant shall coordinate this design with Douglas County Transportation staff. Construction of the improvements shall be completed prior to final plat approval. Right of way dedication shall be completed via a statutory warranty deed prior to final plat acceptance.

17. Internal roads shall be designed and constructed in accordance with private road standards in Douglas County Code 12.52.
18. Illumination shall be designed and installed at the termination of Edgewater Drive consistent with Douglas County Code Section 12.57.100 Roadway Illumination. The applicant shall be responsible for PUD charges for the connection of street lights to the transformer or hand hole. The type of light fixture to be installed shall be coordinated with Douglas County during construction plan review.
19. The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. The location shall be accepted by the County Engineer and USPS Postmaster prior to plan acceptance. Cluster mailbox units shall be located within the public right of way or covered within an easement dedicated for such use.
20. An access easement for the internal private roads shall be prepared and recorded or shown on the face of the plat prior to final plat approval. If individual access easements are prepared and recorded prior to final plat, the AFN of said easements shall be included on the face of the plat.
21. A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map.
22. Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
23. All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
24. Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the public transportation system improvements, internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Construction monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification.
25. Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 Final Acceptance and a Performance Assurance Agreement and/or Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.
26. Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
27. Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be

- determined during construction plan review and during field inspection of the proposed work within the right-of-way.
28. 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 2019 Stormwater Management Manual for Eastern Washington (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
 29. Stormwater facilities shall be designed to overflow to the public Right of Way or oversized by 125% of design capacity plus one-foot of freeboard. The volume used to determine that the system meets 125% of design capacity cannot include volume provided by the one-foot of freeboard. A downstream analysis of potential overflow impacts shall be included within the design report.
 30. Site specific stormwater design for the individual lots may be deferred until time of building permit submittal. If applicable, a note shall be included on the face of the final plat which states:

“At the time of building permit submittal for Lots ___ through ___, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the Stormwater Management Manual for Eastern Washington. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A Private Stormwater Operation and Maintenance Agreement, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor’s Office.”
 31. Should the applicant choose to provide stormwater stubs to any of the lots which will drain to a communal facility, a note shall be included on the face of the final plat which states:

“At the time of building permit submittals for Lots ___ through ___, a site plan shall be submitted which depicts the on-site stormwater conveyance system. The site plan shall include the following information:

 - a) Pipe size.
 - b) Minimum pipe slope.
 - c) Invert elevation at the connection to the stormwater stub.
 - d) Finished floor elevation of the structure and garage slab.”
 32. Stormwater facilities shall be above ground and located on a separate tract under the functional control of the Homeowners’ Association (HOA). A note shall be included on the face of the plat which states:

“Stormwater facilities located on Tract _____ shall be under the functional control of the Homeowners’ Association (HOA) with each lot having an equal and undivided interest and maintenance responsibility in the tract(s).”
 33. Stormwater facilities only mitigating runoff from the public right of way shall be installed on a Tract to be deeded/dedicated to Douglas County or contained within the public right of way.
 34. Provisions to provide access for inspection and maintenance of the stormwater tract(s) shall be addressed within the design plans and stormwater report with associated access easements shown on the face of the final plat.
 35. Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), 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.

36. The applicant is responsible for preventing mud, dirt, debris, and stormwater runoff from being tracked or otherwise discharging onto the public Right of Way or adjacent properties.
37. As applicable, registration of facilities that are regulated under the Washington State Department of Ecology's Underground Injection Control Program shall be completed prior to construction.
38. 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.
39. Prior to final plat acceptance, 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. A note shall be included on the face of the final plat which states: "Douglas County will not maintain the private roads and associated stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN_____."
40. Individual/common plan development for this proposal exceeds 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
Douglas County Transportation and Land Services

Attachments: Agency Comments

Note Detail



Type: Permit Workflow Step

Id: COMMENTS-GIS

Note Type*: APPROVAL COMMENTS

Note Code:

Text*: Coordinate with this department on naming the private roads. This should occur as soon as a final road network has been approved with the Douglas County Transportation Department. Failure to do so will likely delay plat and building reviews.

Begin Date*: 11/22/2022

End Date:

Link:

Goto

Publish on Portal - Private: Public:

Attachments

Select Files

Close



Coordinate with this department on naming the private roads. This should

Annette Jester (x6549)

From: Brian Dickey <brian.dickey@cdhd.wa.gov>
Sent: Monday, November 28, 2022 11:23 AM
To: dd@rockypondwinery.com; Zach Tower
Cc: Annette Jester (x6549)
Subject: Lots 2 and 3 septic system of proposed Long Plat
Attachments: lots 2 and 3 - Tower Designs site plan.pdf; lots 2 and 3 - developer site plan.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.

Hi All,

Just the morning I approved the Long Plat referral for the Rocky Pond Hospitality 17 lot subdivision. Within the subdivision application, proposed lot 2 had a lot size of 20,184 sf and lot 3 was 20,680 sf. Both lots are just below the state minimum of 21,780 sf given type 1 soils and public water. The Tower Design's soil evaluation report had a "method 2 report" justification to reduce the lot size. I'm OK with the minimal lot size reduction. I was a surprised to see, when I began my review to issue septic system permits, that both lots changed to 12,500 square feet each. Actually I can't tell if the lots are 12,500...there are no lot line dimensions. This is way below the typical lot size (WAC 246-272 Table X) for this soil type. I've attached the septic and developer site plans.

My concerns are:

1. Given that no property lines are approved for the long plat, I worry that other 12,500 square foot lots will be proposed for this subdivision. I may need to consult with DoH and the Method 2 report to be sure it's adequate especially if there will be many more reduced lots. Plus per WAC 246-272A-0320 (5) (a) (i) the 12,500 sf lot line can't extend into the street unless the street is on the perimeter of the development. And per that section of the WAC, I'm going to require full designs for each majorly reduced lot before I can sign the final plat mylar. I need to be 100% sure a septic system will fit on these small lots given building size, stormwater, driveway, parking, lot cut/fills, setbacks, etc.
2. Can the reserve drainfields (Tower site plan) actually be installed? Access through the Tract D open space? There is no way to reach these reserve drainfield areas for a repair after the structure is built.
3. The developer's site plan shows the drainfields in the open space...this is OK but we'll need legal access to do this plus I need to be sure a machine can actually reach these areas for a repair.

A lot of these questions boil down to lot size and lot lines for the major subdivision. Larger lots have "wiggle room" to fit everything in and to cope with unforeseen issues. Lots that are the absolute minimum per state codes (12,500 sf) are unforgiving if something goes awry especially if there's slope to the project.

I'm going to hold off approving these two designs until I get more of the "big picture" for FINAL lot lines and lot sizes and access to the reserve drainfield areas.



Brian Dickey

Environmental Health Specialist 2 – Pollution Prevention Program

Chelan-Douglas Health District

"Always Working for Safe & Healthier Community"

200 Valley Mall Pkwy, East Wenatchee, WA 98802

Mon/Wends: out in the field, Tues/Thursday: at the desk

Area: Douglas County Onsite Septic, Douglas/Chelan: PPA program

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Note Detail ✕

Type: Permit Workflow Step
 Id: COMMENTS-DC PUD
 Note Type:* APPLICATION COMMENTS
 Note Code:
 Text:* Contact Mike Snyder to discuss the proposal. 509-881-2201 mikes@dcpud.org
 Begin Date:* 12/16/2022
 End Date:

Link: Goto

Publish on Portal - Private: Public:

Attachments

Select Files

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Code	Text	Begin	End	Created By
	Contact Mike Snyder to discuss the proposal. 509-881-2201 mikes@dcpud.org	12/16/2022		DDAY@co.douglas



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

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

November 29, 2022

Annette Jester
140 19th Street NW, Suite A
East Wenatchee, WA 98802

RE: 202205747, P-2022-08

Dear Annette Jester,

Thank you for the opportunity to comment during the Optional Determination of Non-Significance process for the Rocky Pond Hospitality Ventures LLC Major Subdivision. We have reviewed the documents and have the following comments.

TOXICS CLEANUP

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

Historical aerial photos indicate a portion of the properties within the footprint of your proposed changes were occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. **Ecology requires soil sampling** if vacant, commercial, industrial, or agricultural properties are converted to residential use as there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead.

Ecology can provide sampling services at no cost. If sampling indicates elevated levels of lead and arsenic, cleanup will be required prior to occupancy. There are simple steps that can be taken to reduce exposure to the public and Ecology can provide free technical assistance.

Additionally, 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, and is available at <https://apps.ecology.wa.gov/publications/SummaryPages/2109007.html>

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.

Additional information, including precautions you can take to reduce exposure, is available at:
<https://ecology.wa.gov/dirtalert>

Please contact Hector Casique, Project Manager, at (509) 208-1288 or email hector.casique@ecy.wa.gov, for further information or to schedule your initial sampling.

Sincerely,

Lucila Cornejo

Lucila Cornejo
SEPA Coordinator,
Central Regional Office
(509) 208-4590
crosepacoordinator@ecy.wa.gov



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

December 14, 2022

Annette Jester
Permit Technician
Douglas County TLS
140 19th Street NW
East Wenatchee, WA 98802

In future correspondence please refer to:
Project Tracking Code: 2022-12-08272
Property: Douglas County_Rocky Pond 17 Lot Subdivision (P-2022-08)
Re: Survey Requested

Dear Annette Jester:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. While this area has been previously surveyed for cultural resources, the previous survey work is now almost 20 years old, and there appears to have been no shovel testing within the proposed project area. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).



Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Sydney Hanson
Local Government Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov



Shari Tincher (x6589)

From: Rebecca Gordon <rebecca.gordon.hsy@colvilletribes.com>
Sent: Wednesday, November 23, 2022 8:40 AM
To: Annette Jester (x6549); Shari Tincher (x6589)
Cc: Guy Moura; DAHP SEPA (DAHP)
Subject: Re: P-2022-08 Notice of Application Packet Comments End December 23, 2022

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.

Good Morning-

We have completed our review of applicatin P-2022-08 for the proposed 17 lot major subdivision by Rocky Pond Hospitality Ventures.

The proposed project lies within the traditional territory of the *ščə́lámxəx*^w (deep water) or Chelan Tribe, one of the 12 constituent tribes of the Confederated Tribes of the Colville Reservation (CTCR), which is governed by the Colville Business Council (CBC). The CBC has delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CTCR with regard to cultural resources management issues throughout the traditional territories of all of the constituent tribes under Resolution 1996-29. This area includes parts of eastern Washington, northeastern Oregon, the Palus territory in Idaho, and south-central British Columbia.

We concur with the project location as presented.

We do not concur with the included SEPA Checklist, particularly the responses found in Section B.13. There are a total of 4 questions associated with Section B.13, and only 3 incomplete questions were found in the submitted Checklist; the fourth question (d) is missing entirely. Additionally, "Not Applicable," as stated by the applicant in Section B.13c, is not an acceptable response, per the instructions for completing a SEPA Checklist found at <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance>.

A review of available information on WISAARD indicates only a portion of the proposed project location has been previously surveyed for cultural resources. In light of the fact the project location falls within high probability for the potential presence of cultural resources according to the Washington State Department of Archaeology and Historic Preservation's (DAHP) statewide predictive model, we recommend the portion of the project area not previously surveyed be surveyed by a professional archaeologist prior to any ground disturbing activities occurring. If a survey is undertaken, we would like to request a copy of the resulting survey report for our review and comment.

Thank you for consulting with the Confederated Tribes of the Colville Reservation. These comments are based on the information as currently presented. We reserve the right to revise our comments as additional information becomes available. If you have any questions, please contact me at the number below.

Lamlam (Thank you),
Rebecca L. Gordon MA, RPA

Archaeologist Senior
READ/REAF/BAES
History/Archaeology Program
Confederated Tribes of the Colville Reservation
P.O. Box 150
21 Colville Street
Nespelem, WA 99155
509-634-2789 office
509-631-1173 cell
Rebecca.Gordon.HSY@colvilletribes.com

Office Hours: Monday-Thursday 0630-1700

On Wed, Nov 16, 2022 at 3:56 PM Annette Jester (x6549) <ajester@co.douglas.wa.us> wrote:

REQUEST FOR AGENCY COMMENTS

APPLICANT: ROCKY POND HOSPITALITY VENTURES LLC

Date of Application: 09/21/2022

Date Letter of Completeness Issued: 11/16/2022

Date Notice of Application Issued: 11/17/2022

Application Number: P-2022-08

Description of Proposal: An application for a 17 lot major subdivision. The subject property is approximately 7.29 acres in size and is located off of Edgewater Drive, Orondo WA. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000200.

Respond By: 5:00 p.m., **12/01/2022 (end of comment period)**

Return Comments SmartGov OR Shari Tincher at 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.

If you have any application related questions, please contact Tanner Ackley, Principal Planner.

Thank you,

Annette Jester

Permit Technician

Douglas County TLS

140 19th 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.

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

Annette Jester (x6549)

From: Carlee Murphy (x6428)
Sent: Wednesday, November 16, 2022 4:04 PM
To: Annette Jester (x6549)
Subject: RE: P-2022-08 Notice of Application Packet Comments End December 1, 2022

Good Afternoon,

Taxes will not be assessed on Parcel# 66200000200 until the 2023 tax year. Please let us know if you have any additional questions or concerns.

Have a wonderful evening,



Carlee Murphy

Deputy Treasurer
Receptionist – Office Assistant III

Direct Line : 509-888-6428
Phone : 509-745-8525
Fax : 509-745-8412
Email: cmurphy@co.douglas.wa.us

P.O. Box 609
203 S. Rainier Ave.
Waterville, WA 98858

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

From: Annette Jester (x6549) <ajester@co.douglas.wa.us>
Sent: Wednesday, November 16, 2022 3:59 PM
To: CDHD COVID EMAIL (ehsupport@cdhd.wa.gov) <ehsupport@cdhd.wa.gov>; Kasey Dirks (x6348) <KDirks@co.douglas.wa.us>; Carlee Murphy (x6428) <cmurphy@co.douglas.wa.us>; Sarah Goodwin (x6429) <sgoodwin@co.douglas.wa.us>; Mike Neer (x6560) <mneer@co.douglas.wa.us>; Jordan Brown (x6584) <jbrown@co.douglas.wa.us>; Todd Wilson (x6556) <TWilson@co.douglas.wa.us>; Amanda Taub (x6585) <ataub@co.douglas.wa.us>; Kurt Blanchard (Fire Assistant Chief) (kblanchard@douglasfire2.org) <kblanchard@douglasfire2.org>; swhite@douglasfire2.org; Dan Day <DanD@dcpud.org>
Subject: P-2022-08 Notice of Application Packet Comments End December 1, 2022

REQUEST FOR AGENCY COMMENTS

APPLICANT: ROCKY POND HOSPITALITY VENTURES LLC

Date of Application: 09/21/2022

Date Letter of Completeness Issued: 11/16/2022

Date Notice of Application Issued: 11/17/2022

Application Number: P-2022-08

Description of Proposal: An application for a 17 lot major subdivision. The subject property is approximately 7.29 acres in size and is located off of Edgewater Drive, Orondo WA. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000200.

Respond By: 5:00 p.m., **12/01/2022 (end of comment period)**

Return Comments SmartGov OR Shari Tincher at 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.

If you have any application related questions, please contact Tanner Ackley, Principal Planner.

Thank you,
Annette Jester
Permit Technician
Douglas County TLS
140 19th 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.

**DOUGLAS COUNTY
TRANSPORTATION & LAND SERVICES**



MEMO

DATE: January 10, 2023

TO: Tanner Ackley, AICP

FROM: Mike Neer, PE

RE: P-2022-08 – Rocky Pond Residences - 17 Lot Subdivision
Recommended Preliminary Conditions of Approval
Transportation & Stormwater (TSW) Comments

Suggested Findings of Fact:

- 1) The application materials reviewed by Douglas County Transportation and Stormwater include the following:
 - Preliminary Civil Plans prepared by Pacific Engineering, dated September 16, 2022
 - Preliminary Civil Plans – Edgewater Drive Concept Plan, dated November 2, 2022
 - Preliminary Storm Report prepared by Pacific Engineering, dated September 16, 2022
 - Preliminary Plat prepared by Northwest Geodimensions, dated September 16, 2022
 - Rocky Pond Resort & Event Center – Traffic Impact Analysis (Updated for CUP 2022-02), dated November 1, 2022
 - Rocky Pond Resort Residences 17-Lot Subdivision – Traffic Analysis dated December 22, 2022
- 2) The preliminary Civil Plans depict Road F extending to the northeast and terminating in a cul-de-sac. This roadway extends from future Road D which is part of the CUP-16-02 and CUP-16-02A Rocky Pond Event Venue project. Road D is proposed to be constructed as a private road from the termination of the portion of Edgewater Drive that is public right of way.
- 3) Road D shall be constructed from the end of the public portion of Edgewater Drive up to and 70 feet beyond the intersection of Road F.
- 4) The public portion of Edgewater Drive currently terminates in a cul-de-sac that is inadequate to serve as an intersection for this plat, the Rocky Pond Resort (CUP-2022-02), the Rocky Pond Resort (CUP-16-02 & CUP-16-02A), and the other existing and proposed residences and private drives. As such, the applicant has proposed an intersection design being referred to as an “egglet” in the preliminary civil plans. This new intersection shall be constructed and the right of way shall be dedicated prior to final plat approval.
- 5) The Preliminary Stormwater Report adequately addresses the feasibility of mitigating stormwater runoff generated due to the proposed development. The project proposes the use of infiltration ponds for mitigation. A site specific infiltration test with recommendations for long term infiltrations rates was not found in the report
- 6) The Traffic Impact Analysis (TIA) prepared by Transportation Engineering Northwest (TENW) for the Rocky Pond Resort, dated November 1, 2022 analyzes the cumulative impacts of multiple projects that includes this proposed 17-Lot subdivision.
- 7) TENW prepared a supplemental Traffic Analysis, dated December 22, 2022 to further clarify how trips generated for this project are accounted for in the November 1, 2022 Rocky Pond Resort TIA.

Suggested Conditions of Approval:

Transportation

- 1) Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. 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 or similar, 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(s). The applicant shall coordinate this design with Douglas County Transportation staff. Construction of the improvements shall be completed prior to final plat approval. Right of way dedication shall be completed via a statutory warranty deed prior to final plat acceptance.
- 3) Internal roads shall be designed and constructed in accordance with private road standards in Douglas County Code 12.52.
- 4) Illumination shall be designed and installed at the termination of Edgewater Drive consistent with Douglas County Code Section 12.57.100 *Roadway Illumination*. The applicant shall be responsible for PUD charges for the connection of street lights to the transformer or hand hole. The type of light fixture to be installed shall be coordinated with Douglas County during construction plan review.
- 5) The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. The location shall be accepted by the County Engineer and USPS Postmaster prior to plan acceptance. Cluster mailbox units shall be located within the public right of way or covered within an easement dedicated for such use.
- 6) An access easement for the internal private roads shall be prepared and recorded or shown on the face of the plat prior to final plat approval. If individual access easements are prepared and recorded prior to final plat, the AFN of said easements shall be included on the face of the plat.
- 7) A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map.
- 8) Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
- 9) All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
- 10) Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the public transportation system improvements, internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Construction monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification.
- 11) Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 *Final Acceptance* and a Performance Assurance Agreement and/or Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.

- 12) Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
- 13) Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be determined during construction plan review and during field inspection of the proposed work within the right-of-way.

Stormwater

- 1) 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 2019 *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
- 2) Stormwater facilities shall be designed to overflow to the public Right of Way or oversized by 125% of design capacity plus one-foot of freeboard. The volume used to determine that the system meets 125% of design capacity cannot include volume provided by the one-foot of freeboard. A downstream analysis of potential overflow impacts shall be included within the design report.
- 3) Site specific stormwater design for the individual lots may be deferred until time of building permit submittal. If applicable, a note shall be included on the face of the final plat which states:

“At the time of building permit submittal for Lots ___ through ___, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the *Stormwater Management Manual for Eastern Washington*. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A Private Stormwater Operation and Maintenance Agreement, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor’s Office.”
- 4) Should the applicant choose to provide stormwater stubs to any of the lots which will drain to a communal facility, a note shall be included on the face of the final plat which states:

“At the time of building permit submittals for Lots ___ through ___, a site plan shall be submitted which depicts the on-site stormwater conveyance system. The site plan shall include the following information:

 - a) Pipe size.
 - b) Minimum pipe slope.
 - c) Invert elevation at the connection to the stormwater stub.
 - d) Finished floor elevation of the structure and garage slab.”
- 5) Stormwater facilities shall be above ground and located on a separate tract under the functional control of the Homeowners’ Association (HOA). A note shall be included on the face of the plat which states:

“Stormwater facilities located on Tract _____ shall be under the functional control of the Homeowners’ Association (HOA) with each lot having an equal and undivided interest and maintenance responsibility in the tract(s).”
- 6) Stormwater facilities only mitigating runoff from the public right of way shall be installed on a Tract to be deeded/dedicated to Douglas County or contained within the public right of way.

- 7) Provisions to provide access for inspection and maintenance of the stormwater tract(s) shall be addressed within the design plans and stormwater report with associated access easements shown on the face of the final plat.
- 8) Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), 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.
- 9) The applicant is responsible for preventing mud, dirt, debris, and stormwater runoff from being tracked or otherwise discharging onto the public Right of Way or adjacent properties.
- 10) As applicable, registration of facilities that are regulated under the Washington State Department of Ecology's Underground Injection Control Program shall be completed prior to construction.
- 11) 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.
- 12) Prior to final plat acceptance, 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. A note shall be included on the face of the final plat which states:

“Douglas County will not maintain the private roads and associated stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN _____.”
- 13) Individual/common plan development for this proposal exceeds 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.