



COMMUNITY DEVELOPMENT DEPARTMENT

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STAFF REPORT and NOTICE OF DECISION Kemper Grove PUD Phase 3 Post Decision Review

File No. Master-22-0054 / PLZ-22-0081

I. BASIC INFORMATION

Date	Technically complete: June 21, 2022 Decision issued: June 21, 2022
Proposal	Post decision review (PDR) to add one (1) additional lot and reconfigure Tract I (previously Tract E) in Phase 3 of Kemper Grove PUD, preliminarily approved as Kemper Grove PUD.
Location	N Smythe Rd north of Pioneer St. / Ridgefield, WA 98642 #13 & #15 OF SEC 20 T4NR1EWM, Assessor's PIN 213716000, 2.85A
Applicant/Property Owner	H2 Grove LLC 14010-A NE 3rd Ct., Ste 106 / Vancouver, WA 98685 Contact: 360.852.2035, nikole@hintondevelopment.com
Applicant's Representative	SGA Engineering 2005 Broadway St. / Vancouver, WA 98663 Contact: Scott Taylor, 360.993.0911, staylor@sgaengineering.com
Zoning	Residential Medium Density (RMD-16)
Review Type	Type I Post Decision Review
Applicable Criteria	RDC 18.310, Procedures
Staff Contact	Shana Lazzarini, Planner II 510-B Pioneer St / Ridgefield, WA 98642 Contact: 360.887.6007, Shana.Lazzarini@ridgefieldwa.us
SEPA Determination	Exempt; no updates to Kemper Grove PUD (PLZ-18-0080) SEPA
Decision	Approved with Conditions

Figure 2. Kemper Grove PUD Phase 3 PDR (PLZ-22-080)



III. PROCEDURE

The following summarizes key application processing procedures for the proposal in accordance with RDC 18.310. An application for post decision review is not subject to a pre-application review.

February 13, 2019	PLZ-18-0080 Kemper Grove PUD final order signed
June 1, 2022	Post decision review land use application submitted
June 21, 2022	Application found technically complete

IV. FINDINGS

A. Post Decision Review (RDC 18.310.160)

Except for recorded plats, post decision procedures may modify a development without necessarily subjecting the change to the same procedure as the original application. Per RDC 18.310.160.C.2, an application for post decision review of a Type II decision shall be subject to a Type I review procedure if it:

- a. Does not increase the potential adverse impact of the development authorized by the decision; and
- b. Is consistent with the applicable law or variations permitted by law, including a permit to which the development is subject; and
- c. Does not involve an issue of broad public interest, based on the record of the decision; and
- d. Does not require additional SEPA review.

- The SEPA submitted and reviewed with the preliminary application was for 189 lots. One lot was subsequently removed. The addition of this lot back into the development does not alter the amount of critical areas or their protection.

Findings

Staff finds that the proposal does not involve a matter of broad public interest based on the record of the decision and is needed to address minor changes in the facts of the case. The proposal does not necessitate further SEPA review.

The following changes have been made and approved through previous reviews.

- Phase 1 removed two lots to make room for the necessary stormwater facility. These lots were shifted to phase 3.
- Phase 2 removed two lots to create a park and retain the large Oregon White Oak on the west edge of the project. These lots were shifted to phase 4.
- Phase 3 open space and park area was adjusted to meet staff review requirements. Line of sight back into the park area was questionable and the shape of open space was adjusted to not be so deep. The hearings examiner required that the park area in phase 5 serve as the primary open space for the project. The additional lot in phase 3 is proposed in the center area discussed here.
- Phase 4 removed the stormwater facility in the NW corner of the site and coordinated with Kemper Loop Subdivision to the north to share their stormwater facility. Four lots were relocated to the NW corner of phase 4.
- Phase 5 removed two flag lots in the NE corner of the project. This created more space for the neighborhood park, now known as Demelo Park.

Based on the following, the proposal does not increase the potential adverse impact of the development:

- The proposal increases the total number of lots in Kemper Grove PUD from 188 to 189. Per the original approval, Kemper Grove PUD density would allow 104 to 206 units. Adding one additional lot does not exceed maximum density allowed.
- The proposal maintains the minimum lot area of 2,500 square feet and minimum lot width of 20 feet approved through the preliminary PUD approval for attached lots.

- The proposal does not impact any critical areas or buffers.
- The proposal modifies Park Tract I (previously Tract E) and reduces the area from 18,901 to 7,118. The minimum open space that was required for Kemper Grove PUD was 25% of the 29.54 gross acres site. The open space provided in the preliminary approval superseded the minimum requirements (approximately 30% total). With the reduction of 0.27 acres within Park Tract I, the open space requirements will remain compliant.
- The amount of open space has increased since the original approval. The 2018 proposal approved 8.85 acres of open space tracts. The current opens space is 9.45 acres.

Staff finds that the proposal meets the post decision review criteria subject to the following **conditions of approval**:

- This decision applies to Kemper Grove PUD Phase 3 only. Changes to other phases are subject to separate post-decision review.
- The applicant shall comply with the conditions of approval associated with PLZ-18-0080 and PLZ-18-0082, unless modified herein.

B. Engineering

Engineering staff reviewed the PDR submittal and have no comments.

C. Fire District

If applicable, Clark-Cowlitz Fire Rescue requires separate plan review. As a **condition of approval**, the applicant shall contact staff to determine if a Fire District plan review is needed. (contact: Josh Taylor, Deputy Fire Marshal, Josh.Taylor@clarkfr.org).

V. DECISION

The City of Ridgefield, after review and consideration of the application materials, public comment, and applicable approval criteria, grants **APPROVAL** to the Kemper Grove PUD Phase 3 Post Decision Review project subject to compliance with the following **conditions of approval**:

VI. CONDITIONS OF APPROVAL

1. Unless otherwise specified herein, at the time of construction and at all times thereafter, the development shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the Ridgefield Urban Area Comprehensive Plan (RUACP), the Ridgefield Capital Facilities Plan (RCFP), the Ridgefield Development Code (RDC), the Ridgefield Engineering Standards for Public Works (Engineering Standards), current water and sanitary sewer plans, and the Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual).
2. Pursuant to RCW 27.53.060 it is unlawful to remove or alter any archaeological resource or site without having obtained a written permit from the Washington State Office of Archaeology and Historic Preservation. Upon any discovery of potential or known archaeological resources at the subject site prior to or during on-site construction, the Developer, contractor, and/or any other parties involved in construction shall immediately cease all on-site construction, shall act to protect the potential or known historical and cultural resources area from outside intrusion, and shall notify, within a maximum period of twenty-fours from the time of discovery, the City of Ridgefield Community Development Department of said discovery.

3. This decision applies to Kemper Grove PUD Phase 3 only. Changes to other phases are subject to separate post-decision review.
4. The applicant shall comply with the conditions of approval associated with PLZ-18-0080 and PLZ-18-0082, unless modified herein.
5. Engineering plans shall comply with the approved PDR layout prior to engineering approval (contact: Jesse Hague, Engineering Technician, jesse.hague@ridgefieldwa.us).

Signed:



Claire Lust, Community Development Director

June 21, 2022

APPEAL PROCEDURES

Pursuant to RDC 18.310.100.A an appeal of a Type II decision shall be filed with the city clerk within fourteen days after the written notice of the decision is mailed.