

Submitted
at PC
10-22-15

22 October 2015

Mr. Peter Gutowsky, Planning Manager
Deschutes County
Community Development Department
Deschutes Services Center
1300 NW Wall Street,
Bend, Oregon 97701

Reference: FINDINGS AND RECOMMENDATIONS OF
DESCHUTES COUNTY HEARING OFFICER
247-15-000333-CU
247- 15 000334-SP

I have reviewed the above referenced findings and respectfully request the following comments be included in the Record.

(3) Interference With Irrigation Systems

At Page 29 of the Findings and Recommendations the Hearings Officer (HO) states "I find the applicant's proposed approach to this issue is appropriate inasmuch as the asphalt surface of the parking area can be removed if/when necessary to provide access to irrigation pipes located beneath the parking area."

This finding would be accurate except for the fact that these easements are not only for the irrigation pipe(s) located beneath them), but also serves as road access to the diversion gate(s) and screens located adjacent to the irrigation pond. These Easements and Agreements were recorded on August 27, 2013 (Deschutes County Official Record 2013-036761).

Conclusion

In the event Parking Lot A encroaches on the boundaries of these easement(s) the Applicant's Conditional Use Permit should require the applicant to locate Parking Lot A outside the boundaries of the easement(s).

Respectfully,



Edward J. Elkins
63613 O. B. Riley Road
Bend, Oregon 97703
541-389-9662
thumper2@centurylink.net

Submitted at
Pd 10-22-15

Bend City Council,

Good Evening City Council. I am Daniel Kiesow residing at 20214 Glen Vista Rd, Bend 97703.

I come before you with deep concern for not only myself, but for other members of our community. This is a safety and quality of life issue, as well as financial issue that is facing the City of Bend. It is caused by the Bend Parks and Recreation Department (BPRD) hurry-up request to develop the Riley Ranch Nature Preserve. They plan to spend \$3.7 million for overlooks, pathways, signage, restrooms, and 66 parking spaces. Their only proposal for access safety is signage and stripping, perhaps some vegetation removal, and removing a right-out barricade on Hardy Rd. No improvement of Glen Vista Rd either in or out of the City, no bike lanes, no walking paths, just \$3.7 million for some overlooks, trails, restrooms, and of course 66 parking spaces. Will signage increase or decrease use of Glen Vista Rd and the intersection? Will removing blocking sight vegetation along O. B. Riley decrease or increase speeding around the corner? Should a major portion of the parks SDC's spent to rush to this development be spent to prepare proper access for this park.

I have given each of you a copy of a letter written on December 27, 2014. Although you should each have received a copy then, I ask that you re-read this now. Copies were also sent at the time to County Commission, Parks Board, City and County Traffic engineers.

BPRD is in the Conditional Use phase asking Deschutes County to grant the go ahead for park development. The park is in the county, but the access is partially in the city, and partially in the county. Please refer to my letter from 2014.

According to testimony before the County Hearings Officer on Sept. 8, 2015, the City traffic engineers had not responded to either the County or BPRD traffic engineers and therefore the assumption was made that the City either did not care, or was in favor of, the BPRD proposals for dealing with access to the proposed park. This needs some more thought and planning by the City to avoid a major problem. It must be done right now. This why I am taking my time and resources to bring this before you tonight.

Although the county hearings officer has not yet released her recommendation, she did remand the CU 247-15-000333-CU and 247-15-000334-SP to a Public Hearing before the Deschutes County Planning Commission on Oct 22, 2015.

I ask therefore that the City Council direct the City Manager to make sure that the City Traffic engineers are involved with the County and the BRPD engineers to solve the problems with not only the intersection of O. B. Riley Rd and Glen Vista Rd, but also the entire length of Glen Vista, including the easement access at the end of Glen Vista, prior to the hearing in a few days. I have been involved with this for nearly two years, sending my comments and concerns almost a year ago. Now it is your turn to step it up and get the job done before it becomes "to late". Please remember, part City, part County, part BRPD, all in need of proper planning and development.

I thank the council for listening and acting quickly to avert another problem when there is no need.

Sincerely, Daniel Kiesow 541-771-9045

TO: ALL CONCERNED COMMISSIONERS, COUNCILORS, PARKS BOARD MEMBERS, ENGINEERS, ROAD AND STREET MANAGERS, PLANNERS, AND RESIDENTS (WHO USE O. B. RILEY ROAD, AND GLEN VISTA ROAD, TO ACCESS YOUR PRIVATE PROPERTY).

FROM: DANIEL KIESOW

RE: RILEY RANCH PARK

DATE: DECEMBER 27, 2014

Earlier this year I spoke and emailed with a Parks and Recreation designer about access to the up and coming Riley Ranch park. My concerns were dismissed, my comments invalidated due to timing, the jurisdictional boundaries disputed, my attitude and reasoning questioned. I also attended the "neighbors" meeting a couple of days before the "public" meeting, again expressing my concerns about the sequence of planning and development, the timing of applications, the now and future uses of the land. Of course, I was ignored by staff and director who, it seems, are on a mission to plan and develop a park right now; access for both now and in the future... just not ready to think about, or more likely talk about it... waiting for engineers traffic study? First we must plan the park (just show little limited use... call it a nature reserve... small groups of student to use the house, etc) showing no great impact on roads and intersections. This is the opposite of planning, asking for a conditional use permit from the County, knowing full well that this will be a City park very soon, and having been informed by me, (based on a traffic study which cost me \$3000.00) that the intersection of O. B. Riley and Glen Vista Road is near failure with current traffic loads. Please keep in mind that uses proposed today can and will change in the future. Please look ahead, knowing, that today the land owner to the north of the project says that he plans large lots (wasn't the urban growth plan rejected by the State with concerns over density?... is this area to be UAR?). Look ahead and plan for now and in the future redevelopment. Don't just try to cram the square peg in the round hole; spend the time and resources to make it a good fit. This is what the citizens who pay your wages and retirement are counting on you to accomplish.

My email contact with the park planner earlier in the year, and contact again in the fall demonstrates the lack of pre-planning required for a project of this size (183 acres), not just the today uses, but the future uses which might evolve as the park moves from "rural" to "urban". This will occur when the urban growth boundary is expanded in the very near future. I understand and desire to have "natural" areas such as the Cake Ranch (also known as Gopher Gulch, and now Riley Ranch) preserved, but a "nature" preserve? Really? When it is surrounded by the City in a few short years, it will change. Having been born and lived on Glen Vista Road for nearly all my sixty seven years, hunted and fished all the area concerned since childhood, I have seen a lot of change, some good, some bad. Many of you know I was a builder, designer, and land developer during my working career. Why would you care? Maybe my years of experience could help bring reason to this project.

Well, lets get down to it. Now I could complain that P&R is wasting money developing trails, parking, kiosks, and nature viewing areas (looking across the river at houses I built in Awbrey Meadows), or that their planner calls a hay field a meadow, or an irrigation pond a wetlands (knowing this will all soon change). I chose to overlook this, being thankful that P&R was able to locate and purchase this property. I do believe that I have stated several times that I favor a park vs. housing development, even if it does cost us all a lot more in taxes. But here is the "rub".

ACCESS!

The only public vehicle access, and really the main access for the public is ONLY Glen Vista Road. Each person who has any responsibility in determining the issues regarding this access needs to personally visit this problem area several times and think carefully and fully about (now and future) uses and traffic. Also, please think of kids in groups, on bikes, runners, walkers, seniors, disabled in motorized chairs: and this is only for the current proposed use as a "nature reserve". Also, remember the traffic studies will only be as good as the data given by the designer as to amount of usage based on the "current" proposed park use.

The intersection of O B Riley Rd and Glen Vista Rd is just inside the City limits of Bend. It is therefore the City's responsibility to plan and maintain and develop this intersection for all current and future uses. A sharp curve in O B Riley just a few feet to the north obscures the vision of drivers as they approach from the north. Working with the City and ODOT we were able to obtain a speed order to reduce the area from 45mph to 35mph, but still were required to use a right out only coming from the East (Hardy Rd). This barricade in the center of the street is largely ignored by area residents, police and sheriffs deputies, and others, who use this intersection to access the justice campus and neighborhood. Also, over the years a right out paved area coming from the west on Glen Vista Rd makes the intersection overly wide on the only side to have access to the sidewalk along Hardy Rd. People use this area to accelerate (by running the stop sign) in an attempt to blend into the speeding traffic from the north, which is obscured by the curve in O B Riley.

As I previously pointed out to P&R, Glen Vista Rd is a 40 foot wide right-of-way, with a pavement width varying from 20 to 24 feet, has no sidewalks, bike paths or lanes, and by and large is in poor condition except for the first 300 some feet which we personally paid to have re-paved rather than patched when we built the sewer pump station. Please remember that this is a City street for the first 700 or more feet. A City minimum street requires a 60 foot easement (not 40), sidewalks, street lighting is common, and serving a special interest area like the Riley Reserve, provisions for bike traffic. What I am trying to get everyone on board with, is that this access issue is a MAJOR problem and must be resolved PRIOR TO, not concurrent with, the issuance of a conditional use permit by Deschutes County. By "resolved" I am meaning "planned", not "reacted to" as the development and use begin.

Parks and Rec has spent a good deal of time and money planning the Riley Park itself, but virtually nothing to provide safe and useable access. I have been assured by P&R that the public would be kept updated and informed as to how this will be accomplished. Since the parks board formally adopted the master plan two (nearly three) months ago, there have been no updates or responses to these concerns. Hence this letter asking that those of you who are responsible for overseeing the larger picture, not just the park itself, help P&R to make good and right decisions on access that plans for both the "now" and "future" uses. This should not become a public burden or safety issue in a rush to use land acquired with bond funds that will be paid over many years into the future. The SDC's noted for park development are to be used to develop the entire system, including access. No conditional use permit should be given for any use that provides access off Glen Vista Rd until the intersection with O B Riley and Glen Vista Rd itself are planned, funded, and scheduled. This plan must address future potential uses as this becomes an urban park in the future. After all, isn't that what planning is about, preparing for the future?

In my business I always maintained that if you're going to do something, do it right the first time or don't do it at all. It costs a lot more to re-do it, and leaves a future liability. Lets get this one right the first time.

Sincerely,

Daniel Kiesow 541-771-9045 (talk or text) or dkiesow@juno.com



Oregon

Kate Brown, Governor

*submitted at
pc 10-22-15*

Parks and Recreation Department
Region 3 Office
1645 NE Forbes Road, Suite 112
Bend, OR 97701
(541) 388-6211
FAX (541) 388-6391
www.oregonstateparks.org

September 28, 2015



Bend Parks and Recreation District
(c/o Jim Figurski)
799 SW Columbia Street
Bend, OR 97702

Re: Notification File No.: 2a-208-15
Property Location: T 17S R 12E Sec. Taxlot 1712180000100 & 1712180000111

The Oregon Parks and Recreation Commission grants its approval to Bend Parks and Recreation District (c/o Jim Figurski) for the development of a 184 acre regional park (Riley Ranch Nature Preserve). New park amenities seen from the river will include trails, boardwalks, overlooks, river access areas, and a pedestrian bridge across the Deschutes River. All of this is within the Middle Deschutes River Scenic Waterway. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. The activity shall be in conformance with the plans submitted.
2. A removal/fill permit from DSL must be secured prior to installing bridge across the Deschutes River (removal/fill permit may be needed for boulder placement at river access points discussed in submitted plans).
3. At constructed river access points & bridge, only pruning of riparian vegetation may occur (no root extraction).
4. Disturbed areas outlined for bridge construction must be re-seeded based on plans submitted.
5. New bridge over the Deschutes River is a pedestrian only bridge, no motor vehicles (except for authorized maintenance).
6. The Commission shall be notified in writing when activity has been completed. Written notices shall be sent to Rivers Program, Oregon Parks and Recreation Department, 1645 NE Forbes Rd, Suite 112, Bend, OR 97701.

Failure to comply with the conditions of approval will constitute a violation and be grounds for legal action. This approval does not affect any obligation you might have to other persons or agencies, local, state or federal.

Sincerely,

Greg Ciannella
Program Coordinator

Cc: Sarah Kelly, Department of State Lands (DSL)