

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
COMMISSIONERS AUDITORIUM
SPECIAL MEETING**

TUESDAY

4:00 P.M

NOVEMBER 21, 2006

Board members present: Chairman David Bowen, Vice-Chairman Alan Crankovich and Commissioner Perry Huston.

Others: Julie Kjorsvik, Clerk of the Board; Jan Ollivier, Transportation Manager; Brandon Drexler, Director of Public Works; Darryl Piercy, Director of Community Development Services and 4 members of the public.

PUBLIC HEARING VACATE PORTION BURKE ROAD PUBLIC WORKS

At approximately 4:00 p.m. **CHAIRMAN BOWEN** opened a continued public hearing from November 7, 2006, to consider enabling documents approving a vacation of a portion of Burke Road.

JAN OLLIVIER, TRANSPORTATION MANAGER reviewed a staff report. She said the proponent had provided the Public Works Department with a proposed concept for constructing a roundabout that is 64.95 feet south of the north line of parcel 20-17-28000-0005 (near Milepost 0.46). The Public Works Department reviewed the concept and found it to be acceptable. The proposed vacation would remove 0.18 miles of Burke Road from the County Road Maintenance System or a total of 1.74 acres valued at \$13,050.00.

CHAD BALA, REPRESENTING TERRA DESIGN GROUP agreed with the Ms. Ollivier and said they have had discussions with Lila Hanson and have come to an agreement. **LILA HANSON** felt it was a better design than what had been presented before in September. She said if the proponent placed gate it past the turnaround, they would place the gate far enough that there would not be any back up at their place. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

MS. OLLIVIER reviewed stipulations that the right-of-way shall be deeded to the adjacent property owner, The Ranch on Swauk Creek, LLC, contingent upon certain conditions outlined in a proposed Resolution.

RESOLUTION 2006-165 VACATE PORTION BURKE ROAD PUBLIC WORKS

COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-165, ordering the Vacation of a Portion of Burke Road, from the 234.95 feet south of the north line of Parcel 20-17-28000-0005 (Milepost 0.48) to the end of the County Road (Milepost 0.66) and deeded to the adjacent property owner, The Ranch on Swauk Creek LLC, contingent upon review and approval by Public Works of the engineered plans for a roundabout; dedication to the County of the right-of-way for the approved termination of the road; receipt for the County's costs directly relating to the vacation process and receipt for the purchase of the land vacated at the established price of \$7,500 per acre; and noting the vacation shall reserve the rights of any utilities located thereon or that have an existing franchise to construct, operate and maintain transmission lines under and across said property. **COMMISSIONER HUSTON** seconded.

COMMISSIONER HUSTON moved to amend by substitution, the new document presented by staff at the public hearing. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

Motion to approve Resolution No. 2006-165 was carried 3-0.

PUBLIC HEARING SUNCADIA - BINDING SITE PLANS CDS

At approximately 4:10 p.m. **CHAIRMAN BOWEN** opened a public hearing to consider a proposed amendment to the Development Agreement with MountainStar Resort aka Suncadia, allowing the use of Binding Site Plans consistent with Kittitas County Code Chapter 16.05.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES distributed a copy of the Kittitas County Code 16.05.010 entitled "Binding Site Plan Alternative to Platting". He explained the proposed amendment to the MountainStar (Suncadia) Development Agreement allowing for the use of Binding Site Plans for development within the Master Planned Resort consistent with County Code. He indicated the use of the Binding Site Plan provision would continue to allow for public process and Commissioners review and approval in a manner as prescribed in County Code and the Development Agreement. All other provisions including the date in which the document was vested, contained within the

Development Agreement would remain unchanged as a result of the proposed amendment.

DARRYL PIERCY noted the County Code would be referenced at the time the Development Agreement is adopted.

STEVE LATHROP, REPRESENTING SUNCADIA concurred that the Binding Site Plan would be a valuable tool for their use as well as for County review. He gave examples of when it could be used in the future. He said they were looking for the Boards direction on a draft memorandum that has been given to the Community Development Services relating to process revisions; engineering type revisions that address many things including available road sections they can use, setbacks, and accesses; and the things that have been completed or no longer applicable.

COMMISSIONER HUSTON wanted to make sure they don't lose the history (for example they've already paid for law enforcement). He thought maybe pulling out all the conditions that have been satisfied. **MR. LATHROP** said all of the existing documentation does not go away and the history will always be there. He said there would be the original document; a red-lined version with changes; and then the restated current Development Agreement with conditions.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

CHAIRMAN BOWEN said he saw the advantage for a faster process but still had questions. **MR. PIERCY** explained that a binding site plan does not change any of the underlying conditions or requirements associated with the approval it is only an alternative for the subdivision of land. He said they could create a fee simple ownership internally, to the outer boundary. He said the external can not change without the Boards approval. He said they would only need agreement with affected parties.

COMMISSIONER HUSTON moved to approve the request and direct staff prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded.

COMMISSIONER HUSTON said although the use of tool is relatively simple and valuable, he wanted to make sure everyone understands that it will be new for the Planning

Commission & the Board of County Commissioners, so it never hurts in presentation that everyone understands what it is.

Motion carried 3-0.

COMMISSIONER HUSTON moved to continue the public hearing to Tuesday December 5, 2006 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, Ellensburg, Washington. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

David B. Bowen, Chairman