

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

**CONDITIONAL USE PERMIT APPROVAL
HELENA SUBSTATION CONDITIONAL USE PERMIT (CU-13-00008)**

RESOLUTION

NO. 2014-_____

WHEREAS, according to Kittitas County Code Title 15A, relating to Hearings, Title 17.60A Conditional Uses, and Title 17.61.020 (A) Special Utilities, an open record hearing was held by the Kittitas County Hearing Examiner on April 24, 2014 for the purpose of considering a conditional use permit known as Helena Substation Conditional Use Permit CU-13-00008 and described as follows:

The construction and operation of an electrical substation on a parcel that is zoned Urban Residential. The subject property is located approximately 1.5 miles north of downtown Ellensburg at 721 Helena Avenue, in a portion of Section 25, T18N, R18E, WM in Kittitas County, bearing Assessor's map number 18 18 25030 0008. Proponent: Wayne Weidert, authorized agent for State of Washington (Central Washington University), land owner.

WHEREAS, no one from the public testified against the proposal; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such use; and,

WHEREAS, the Hearing Examiner recommended approval of said proposed conditional use permit; and,

WHEREAS, a closed record public hearing was held by the Board of County Commissioners on May 20, 2014 to consider the Hearing Examiner's recommendation on this matter; and,

WHEREAS, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS OF LAW concerning said proposed conditional use permit:

1. Wayne Weidert authorized agent for State of Washington (CWU), landowner, has submitted a conditional use application for Electrical Substation. The subject property is zoned Urban Residential.
2. This proposal is located approximately 1.5 miles north of downtown Ellensburg at 721

Helena Avenue, in a portion of Section 25, T18N, R18E, WM in Kittitas County, bearing Assessor's map number 18-18-25030-0008.

3. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as Urban and the zoning for this proposal is Urban Residential.
4. A conditional use permit application was submitted to Kittitas County Community Development Services department on Wednesday, November 27, 2013. This application was deemed complete on Thursday, December 26, 2013. The Notice of Application for the conditional use permit was issued on Wednesday, March 12, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on Wednesday, April 2, 2014.
5. The following agencies provided comments during the comment period: Kittitas Valley Fire and Rescue, Kittitas County Public Health, and Washington State Department of Ecology. Other comments were provided at the pre-application meeting that took place on July 17, 2013. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
6. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on April 6, 2013. The responsible official chose to retain the MDNS as issued; no appeals were filed.
7. The Hearing Examiner hearing was held on April 24, 2014 at 6:00 p.m. No members of the Public were present to give testimony. The applicant was present to provide testimony and describe the project. On May 1, 2014 the Kittitas County Hearing Examiner recommended approval of Helena Substation Conditional Use Permit (CU-13-00008).
8. The Board of County Commissioners conducted a closed record meeting on May 20, 2014 for the purpose of considering Helena Substation Conditional Use Permit (CU-13-00008). A motion was made and seconded that the conditional use permit be approved subject to correction of five minor scrivener errors in the Hearing Examiner's Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval document (see Exhibit A), the motion carried with a vote of 3-0.
9. The Board of County Commissioners finds that item #22 on page 4 of the Hearing Examiner's Recommended Findings of Fact document (Exhibit A) contains a scrivener's error. The words "preliminary plat" shall be stricken and replaced with "conditional use permit"
10. The Board of County Commissioners finds that item #23 on page 4 of the Hearing Examiner's Recommended Findings of Fact document (Exhibit A) contains a scrivener's error. The word "aloud" shall be stricken and replaced with "allowed".
11. The Board of County Commissioners finds that item #23 on page 4 of the Hearing Examiner's Recommended Findings of Fact document (Exhibit A) contains a scrivener's error. The word "prone" shall be stricken and replaced with "prune"

12. The Board of County Commissioners finds that item #23 on page 4 of the Hearing Examiner's Recommended Findings of Fact document (Exhibit A) contains a scrivener's error. The words "Helen" shall be stricken and replaced with "Helena"
13. The Board of County Commissioners finds that item #16 on page 6 of the Hearing Examiner's Recommended Findings of Fact document (Exhibit A) contains a scrivener's error. The word "mitigation" shall be stricken and replaced with "mitigated."
14. The Board of County Commissioners finds that additional conditions **are not** necessary to protect the public's interest.

NOW THEREFORE,

BE IT HEREBY RESOLVED that the Kittitas County Board of Commissioners hereby grants approval of **Helena Substation Conditional Use Permit (CU-13-00008)** and adopts the Kittitas County Land Use Hearing Examiner's Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval (Exhibit A) with the change stated above and the same hereby is approved with the proposed development configuration (See Exhibit B).

DATED this _____ day of _____, 2014 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON

Paul Jewell, Chairman

Gary Berndt, Vice Chairman

Obie O'Brien, Commissioner

ATTEST:
CLERK OF THE BOARD

APPROVED AS TO FORM:

Julie A Kjorsvik

Greg Zempel WSBA #19125

Exhibit “A”

(SEE PDF FOR HEARING EXAMINER RECOMMENDATION)

Exhibit "B"



