

KITTITAS COUNTY BOARD OF ADJUSTMENT
August 9, 2006 - 7:00 PM - Commissioners Auditorium

MINUTES

I. Call to Order.

Chairman Chance called the regular meeting of the Board of Adjustment to order at 7:00 p.m.

II. Roll Call

Those present: Chairman Roy Chance, Dick Kloss and Stan Bossart.

Also present: Community Development Services Assistant Director Allison Kimball, Staff Planners Noah Goodrich, Scott Turnbull, and Patrick Butler, Deputy Prosecutor Jim Hurson, Clerk of the Board Susan Barret and approximately 70 people representing public and applicant interests.

III. Correspondence.

The Clerk reports no new correspondence.

IV. Minutes – July 12, 2006

Richard Kloss moved to approve the minutes as submitted. Stan Bossart seconded and the motion carried with all in favor.

VI. Declarations of Disclosure.

There were no declarations made by the Board of Adjustment.

VII. Old Business

A. BEEDLE CUP C-06-09

Dick Kloss moved to approve the Beedle Conditional Use Permit (C-06-09) Findings of Fact and Conclusions of Law as corrected. Stan Bossart seconded and the motion carried with a 3/0 poll of the board.

VIII. New Business

A. ALLMAND CUP C-06-08

The Chair opened the hearing to the Allmand Conditional Use Permit.

Staff Planner Noah Goodrich read into the record his staff report. Attached hereto and incorporated herein is a copy of that staff report and submitted comments from the Department of Public Works as **Exhibit A.**

Bossart questioned how much improvement would be necessary for the road.

The chair opened the hearing to applicant presentation.

Ralph Allmand, 271 Hidden Springs Road, Cle Elum, spoke of their plans for a small cottage business.

The Chair opened the hearing to public testimony.

Peggy McPeek, 905 S. 124th Street, Seattle, stated her concern with the traffic and that the necessary road improvements would encroach on her property.

Rene Hudgins, 190 Hidden Springs Road, Cle Elum, stated that Hidden Springs road is a private road and tried to clarify the road and easements issue.

Chance stated that there may be issues as to whether the applicant can use the easement but not up to the Board to make that determination. **Goodrich** stated that this is part of the application process and that unresolved issues can be conditions of approval.

Rene Hudgins continued her testimony by presenting a PowerPoint presentation, submitted into the record as **Exhibit B**. Key concerns were safety, privacy, noise, water, dust and impact on wildlife.

Franklin Kennedy, 201 Hidden Springs Road, Cle Elum, spoke against the guest ranch proposal with his primary concern being the impact to his well.

Louis Osmonovich, 2711 Mohar Road, Cle Elum, spoke in opposition to the business being proposed with the primary concern being the noise.

George Burchak, 1941 Mohar Road, Cle Elum, spoke against the proposal, concurred with Hudgin's presentation and stressed his concerns of the septic system contaminating the spring and creek and questioned who would be held accountable for contamination. Other concerns voiced were for the wildlife and property values.

The Chair opened the hearing to deliberation and motion.

Kloss spoke of the ingress and egress safety issues of a business. **Bossard** concerned with the spring. **Chance** voiced concern with trespass issues.

Dick Kloss moved to deny the Allmand Conditional Use Permit (C-06-08) with the recommended conditions. The motion was seconded by Stan Bossart. Discussion ensued over the grounds for denial. The motion carried with a 2/1 poll of the Board. Bossart and Kloss voted for denial, Chance voted against the denial.

Goodrich informed the applicant of the appeal process.

Findings of Fact and Conclusions of Law are to be prepared and presented at the next regularly scheduled meeting for signature.

B. BIDDLE CUP C-06-19

The Chair opened the hearing to the Biddle Conditional Use Permit.

Staff Planner Patrick Butler submitted photographs as **Exhibit C** and read into the record his staff report. Attached hereto and incorporated herein is a copy of that staff report.

The chair opened the hearing to applicant presentation.

Raymond Biddle, 8035 Upper Peoh Point Road, Cle Elum, submitted a drawing and photos into the record, **Exhibits D 1-9**, gave a brief explanation of family need and plans for the Accessory Dwelling Unit.

The Chair opened the hearing to public testimony. There was no public testimony.

The Chair opened the hearing to deliberation and motion.

Stan Bossart moved to approve the Biddle Conditional Use Permit (C-06-19) with the recommended conditions and Findings of Fact as written. The motion was seconded by Dick Kloss and carried by a 3/0 poll of the Board.

Findings to be prepared, presented and signed at the next regularly scheduled meeting.

C. WEBSTER CUP C-06-21

The Chair opened the hearing to the Webster Conditional Use Permit.

Staff Planner Noah Goodrich read into the record his staff report. Attached hereto and incorporated herein is a copy of that staff report.

The chair opened the hearing to applicant presentation.

Doug Webster, 51 Payne Road, Ellensburg, gave a brief explanation of his request.

The Chair opened the hearing to public testimony. There was no public testimony.

The Chair opened the hearing to deliberation and motion.

Stan Bossart moved to approve the Webster Conditional Use Permit (C-06-21) with the recommended conditions and Findings of Fact as written. The motion was seconded by Dick Kloss and carried by a 3/0 poll of the Board.

Chairman Chance signed the Findings as presented.

D. ELLENSBURG TRAP & SKEET CUP C-06-03

The Chair opened the hearing to the Ellensburg Trap & Skeet Conditional Use Permit.

Staff Planner Scott Turnbull presented a PowerPoint presentation. Attached hereto and incorporated herein is a copy of that staff report also submitted **Exhibit E**- letter from D. Keith B. Dunnagan, **Exhibit F** – letter from Fritz Glover, and **Exhibit G** – Ordinance 2001-13.

The chair opened the hearing to applicant presentation.

Keith Dunnagan, 608 E. Countryside, Ellensburg, representing the applicant, submitted into the record **Exhibit H** – area map, and briefly outlined what has occurred at the current location and described the proposed location and project. He stated that there have been no noise complaints to date lodged against the club and that the proposed location is even further from residences. He stated that the access is a gravel road in compliance with county standards and described the proposed buildings as a club house, primary housing administrative and meeting uses; maintenance shed and shop; well and septic; firing range, reduced area as per the FAA.

He spoke to the reclamation of lead, lighting requirements, hours of operations including special events and the overall site plan including parking maximums for special events.

Bossart asked for the reasons behind the move and the hours of operation. **Chance** questioned the noise study. **Dunnagan** deferred to upcoming speakers.

Perry Huston, 111 W. 12th #2, Ellensburg, representing himself, stated that the record should reflect that the county is the landowner and the decision to move the club was tied specifically to the decision to build Bowers road. He stated that the gun club has a good safety record; is a long term tenant that is recognized and accepted by the FAA; it provides a recreational past time and tourism activity adding to the local economy; and it was an existing use in a neighborhood that, theoretically, made it easier to assess and mitigate the impacts based on its long history of operation.

Julie Wiebusch, 1900 W. Nickerson Street, Seattle, acoustician with the Wiebusch group, her acoustics study is part of the record, she summarized for the record the findings of that study and stated that there is absolutely no risk of hearing damage to the community because of the gun club.

Tom Rogers, 107 S. Pine, Ellensburg, spoke in support of the club commenting on the public need for this facility, the wide age range it serves, noted several groups that use the facility, and reiterated that this is the only trap & skeet shooting facility in the county.

George Seubert, 11081 Hwy 10, Ellensburg, President of the Ellensburg Trap and Skeet club, clarified that at the present time the club is only outdoor but the hope is to have an indoor facility in the future. He also stated it is a benefit for economic development as a tourist attraction that draws shooters from all over.

Jim VandeVenter, 862 Bar 14 Road, Ellensburg, spoke in support of the club, stating that it is not detrimental to the community, that their general operations are not going to change and that they are moving farther away from residences.

Mark Stevenson, 2982 Lambert Road, Cle Elum, Trap club member and Fire Arms instructor spoke in support of the club, describing its flawless safety record, the teaching of proper gun safety to our youth and the community. He stated the location is secured, slugs are not permitted on the range, there will be no environmental impact and there are no known noise complaints in 60 years, nor traffic or lighting complaints.

The Chair opened the hearing to public testimony.

Duane Fluent, 650 Goat Peak Ranch Road, spoke in support of the club saying it is very necessary for the county as the only facility of its kind and strongly urged the Board to approve the conditional use permit.

Susan Grindle, 191 Whiskey Creek, Ellensburg, spoke in opposition voicing concerns over the RV park aspect and the roads insufficiency for that kind of traffic with too many dangerous obstructions; school children, bikers and joggers, new housing, areas of low visibility and very narrow roads.

Teresa Kohn, 1030 HiLo Drive, Othello, stated that she and her family have been shooting for 20+ years and gave specific numbers of shooters in the state; she spoke in support of the club.

Fritz Glover, 2271 Payne Road, Ellensburg, voiced his concerns with the process and the impact that this move will have on the county's economic development stating that the proposed new club site is part of the 2004 master plan area designated as an enterprise zone. He stated

that the proposed move would be highly detrimental to economic development and contradictory to the county's master plan. He was not against the trap and skeet club just the proposed location and questioned if there was a current lease for the property located in the northwest of section 24.

Patty Johnson, Interim Director of Public Works, clarified that a lease was executed in 2003, but it was conditional upon the approval of a Conditional Use Permit; that CUP was appealed and the lease abandoned. This is a new application and there is no existing lease on the present property.

Liz Whitichker, 3411 Look Road, Ellensburg, submitted her summarized testimony into the record as **Exhibit I**, specific concerns raised included noise, location, and the 2004 Superior Court Stipulation and Order of Reversal.

Raymond Wheeler, 1302 Vista Road, Ellensburg, spoke to various types of sound, duration versus impulse sound. Submitted **Exhibits J-1&2**, drawings to illustrate his point.

Roger Filippi, 221 Wildhorse Lane, Ellensburg, spoke not for or against, but of concerns with increased traffic and the proposed hours of operation.

Glenna Maskal, 420 Kern Road, Ellensburg, spoke in favor of the club stating that this is an opportunity for children to be in positive groups with good leaders and mentors.

Willard Rietzel, 150 Wildhorse Lane, Ellensburg, does believe in what the gun club does but, noticed in the application in the narrative and concerned about the exempt well mentioned in the SEPA documentation, submitted **Exhibit K**, The Ground Water Permit Exemption.

Rick Lange, 2601 Willowdale Road, Ellensburg, commented on the RV capacity being intended for very event specific usages, and the roads are typical for this county and RV's have a right to the road.

Linda Pedersen, 220 Wildhorse Lane, Ellensburg, stated that the problem is not the gun club itself but the location. Her primary concern is noise and she does not want to see the RV-Park.

Dennis Conners, 305 West 2nd Street, Cle Elum, stated that in the upper county kids do not have many organized activities to occupy them, the club offers positive opportunities to be mentored by experts and learn life saving skills. This club serves the entire county.

Paul Bennett spoke in effort to clarify the master plan in relation to the airport, industrial area, and traffic plan. He stated the club is an acceptable activity within the master plan.

Roy Chance continued the meeting for further Public Testimony, Deliberation and Decision to Wednesday, August 30, 2006 at 7 p.m. in the Commissioners Auditorium. Written testimony shall be accepted in the interim.

The meeting was adjourned at 10:09 p.m.

Susan Barret, Clerk of the Board