

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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“Building Partnerships – Building Communities”

STAFF REPORT

Calvary Ellensburg Conditional Use Permit (CU-22-00002)

TO: Kittitas County Hearing Examiner
FROM: Jeremiah Cromie, Staff Planner
RE: Calvary Ellensburg Conditional Use Permit (CU-22-00002)
DATE: November 22, 2022 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: The proposed project is for an expanded church which would be split into two (2) phases proposed for the following years; Phase 1 would take place in years 2022-2024 while Phase 2 would take place in years 2024-2032.

Phase one (1) would add a new 15,000 square foot sanctuary, 800 square foot breezeway, 350 square foot stage addition to the existing 6,000 square foot sanctuary. Phase one also includes a 1,625 square foot portable classroom and engineered parking area.

Phase two (2) would include construction of an outdoor pavilion and outdoor stage area along with a restroom building. It would also include a commercial grade park structure, multi-purpose building of up to 10,000 square feet and expand the parking lot. It would also include various sports courts.

Location: 840 Cowboy Ln, Parcels 064734 and 194734 located approximately .45 miles east of the intersection of Pfenning Road and Vantage Hwy, in Section 31, Township 18, Range 19, W.M; Kittitas County assessor’s map numbers 18-19-31030-0043 and 18-19-31030-0031.

II. SITE INFORMATION

Total Property Size: 5 Acres
Number of Lots: 2
Domestic Water: Well (proposal includes connection to City of Ellensburg Water)
Sewage Disposal: Septic (proposal includes connection to City of Ellensburg Sewer)

Site Characteristics:

North: Residential Development

South: Residential Development

East: Residential Development

West: Residential Development

Access: The site is accessed off Cowboy Ln, A private road from Vantage Highway, approximately .44 miles east from the intersection of Vantage Highway and Pfenning Road.

III. ZONING AND DEVELOPMENT STANDARDS

The parcels involved in this proposal are in a land use designation of *Urban* and zoning designation of *Urban*

Residential. The proposed project is classified as a “Religious Institution.” Religious Institutions are allowed with a conditional use permit under KCC 17.15.080.1. The conditional use permit criteria are examined in Section VIII “Project Analysis” of this staff report.

IV. ADMINISTRATIVE REVIEW

Deem Complete: A conditional use permit application (See Index #2) for Calvary Ellensburg (CU-22-00002) was submitted to Kittitas County Community Development Services department on April 26, 2022. The application was deemed complete on May 9, 2022 (See Index #11). The site was posted in accordance with KCC 15A.03.110 on May 11, 2022 (See Index #12).

Notice of Application: A notice of application (See Index #13) for the Calvary Ellensburg Conditional Use Permit (CU-22-00002) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on May 19, 2022, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #14). The comment period concluded on June 6, 2022.

V. COMPREHENSIVE PLAN

LU-G2: Promote the development of large-scale, high intensity urban land uses within the UGA where there is supporting infrastructure.

Staff Consistency Statement: A larger church is a higher intensity use. This church in the UGA has supporting infrastructure around it or will be built soon.

LU-P1: Minimize the cost of providing public services and utilities by directing urban growth and development to areas where public roads and services can support such growth.

Staff Consistency Statement: The proposed expansion of a church in the urban growth area minimizes the cost as public roads and services can already support the growth of this location in the Urban Growth Area.

LU-P44: All future development should consider the development’s adaptability to both public and private utilities such as municipal water and sewer systems.

Staff Consistency Statement: The proposed project will be implementing connections to the City of Ellensburg municipal water and sewer systems.

This application is consistent with the goals, policies, and objectives of the Kittitas County Comprehensive Plan as outlined above.

VI. ENVIRONMENTAL REVIEW

A SEPA Checklist was submitted with the conditional use application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the comment period, Washington Department of Fish and Wildlife (WDFW) commented on an unmapped stream they identified as the East Branch of Lyle Creek that is Fish Bearing (Type F). Due to the unmapped stream on County GIS maps and after staff consultation with the prosecuting attorney’s office about unmapped streams (See Index #32), CDS staff requested a site visit with the applicant and Fish and Wildlife (See Index #33). The site visit was conducted on August 2, 2022 where it was confirmed that the stream is currently a Type F stream. Due to the proposed location of structures being in the setbacks from the stream, CDS staff requested and required a critical areas report with mitigation plan to be done

on August 2, 2022 (See Index #33). A critical areas report was submitted to the County on September 5, 2022 and updated on September 6, 2022. Seeing that the project was essentially limited by the stream, Kittitas County required a Reasonable Use Application (RU-22-00003) from the applicant on September 27, 2022 if they wanted to keep the existing proposed site plan (See Index #37). A reasonable use application was submitted on October 5, 2022 with a revised critical areas report and mitigation plan. (See Index #'s 38-56 for Reasonable Use Files). The reasonable use application for relief from the Type F stream and its 100-foot buffer and 15-foot building setback buffers was approved November 3, 2022 (See Index #53). Following the concurrent comment period for the conditional use permit and reasonable use comment period, CDS issued a Mitigated Determination of Non-Significance (MDNS) on November 3, 2022 (Index #57). The appeal period for the SEPA MDNS and Reasonable Use decision will conclude on November 18, 2022. As of the time of writing this document, no appeals have been filed.

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. All comment submittals can be found in their entirety in Index #s 16-26. The following parties provided substantive comments during the comment period.

Agency Comments: Cascade Irrigation District, Washington State Department of Health – Office of Drinking Water, Snoqualmie Tribe, City of Ellensburg Public Works, Kittitas County Public Health, Washington State Department of Archaeology & Historic Preservation, Washington Department of Ecology, Washington State Department of Fish & Wildlife, Kittitas County Public Works, and City of Ellensburg Fire Marshal (KVFR). Below is a summary of their comments:

Cascade Irrigation District:

Cascade Irrigation District comments that this parcel already receives water from Cascade Irrigation and the proposed changes should not affect their use (see Index # 16)

Staff Response

Water deliveries will not be affected by this proposal, and it has been conditioned in the Reasonable Use Decision to make sure of that.

Department of Health – Office of Drinking Water:

Department of Health – Office of Drinking Water provided comment saying that as long as the applicant follows through on the Phase 1 plan for drinking water disconnecting from their on-site well and connecting to the City's drinking water system, they had no concerns. They also mentioned that the City's drinking water system has the capacity to serve them but should work with the City to ensure hydraulic capacity for the flow demands of the applicant (see Index # 17).

Staff Response

This proposal has been conditioned in the SEPA MDNS to hook up to City Water and Sewer within 7 years of conditional use permit approval. The applicant will have to comply with adequate water and septic/sewer provisions at the time of building permit submittal.

Snoqualmie Tribe:

Snoqualmie Tribe commented that they have cultural resource concerns regarding the project but defer to more proximate tribes. They said if the scope of the project change, they reserve the right to modify their current

position. (See Index # 18)

Staff Response

Staff has conditioned this proposal with an inadvertent discovery plan for cultural resources.

City of Ellensburg Public Works Department

City of Ellensburg Public Works Department commented on various water and sewer line locations and hookups as well as roadway and stormwater requirements. They mentioned civil review will be done jointly between the City and County. (See Index # 19)

Staff Response

The County does not have the authority to require most City requested improvements but will require a Traffic Concurrence and likely a Traffic Impact Analysis that may require improvements towards City standards. Stormwater concerns have been addressed in the SEPA MDNS.

Kittitas County Public Health

Kittitas County Public Health commented they have no concerns as long as the applicant uses city water and sewer to serve the project. (See Index # 20)

Staff Response

This proposal has been conditioned in the SEPA MDNS to hook up to City Water and Sewer within 7 years of conditional use permit approval. The applicant will have to comply with adequate water and septic/sewer provisions at the time of building permit submittal.

Department of Archaeology & Historic Preservation (DAHP):

DAHP commented that there is a high probability of encountering cultural resources within the proposed project area in proximity to Lyle Creek. They recommended a professional archaeological survey of the project area be conducted and a report produced prior to ground disturbing activities. (See Index # 21)

Staff Response

This proposal has been conditioned to have an Inadvertent Discovery Plan as DAHP was the only agency and/or tribe that commented requesting an archaeological survey be done.

Department of Ecology

The Department of Ecology commented on potential stormwater discharge permits needed and groundwater exemptions. (See Index # 22)

Staff Response

This proposal has been conditioned to have groundwater exemption limits and stormwater requirements are address in the SEPA MDNS.

Washington Department of Fish & Wildlife (WDFW):

WDFW commented on the project having an eastern branch of Lyle Creek on the property that does not show up on the County's mapping system and provided a LIDAR image to show approximately where the branch s. They mentioned that the branch may be used for irrigation deliveries but is unscreened at Judge Ronald Road where it

diverts from the main branch of Lyle creek and recommends treating the eastern branch as a fish bearing stream with appropriate setbacks or that a fish screen meeting WDFW criteria be installed. They mentioned they would be pleased to work with the proponents to evaluate options and help them accomplish their goals for the property (see Index # 23)

Staff Response

WDFW's concerns have been dealt with through the Reasonable Use process.

Kittitas County Public Works

Kittitas County Public Works commented that a traffic concurrency evaluation will be required for this project and a Transportation Impact Analysis (TIA) may be required for all development that will generate more than nine (9) peak hour vehicle trips unless requirements have been waived by the Public Works director. They also commented on road, grading and stormwater requirements. (See Index # 25)

Staff Response

Public Works concerns are addressed through conditions including a traffic concurrency and traffic impact analysis. Other comments are addressed through the SEPA MDNS and Reasonable Use.

City of Ellensburg Fire Marshal (KVFR)

The City of Ellensburg Fire Marshal in coordination with Kittitas Valley Fire and Rescue commented on fire access, knox boxes, fire sprinkler system, fire alarm and fire hydrant, and fire flow requirements. (See Index # 26)

Staff Response

Fire comments have been conditioned to meet Title 20 Fire Life Safety and International Fire Code (IFC). Some of the requirements the City Fire Marshal have asked for, the County does not have the authority to require them currently.

Public Comments: One Public Comment was received for this project from Randy Startin

Randy Startin

Randy Startin commented that he is okay with phase one of the permit but is opposed to phase two that includes that outdoor stage, stating that they already make enough noise on Sunday with their loud music and that they are church and not a rock venue. He mentioned that they never ask the neighbors how they feel about the noise and that his house was built before the church and enjoys his privacy down the private lane. (See Index # 24)

Staff Response

Noise concerns are a valid concern and have been addressed in the SEPA MDNS. The applicant/owner will be required to get a noise variance if they are going to violate KCC 9.45 Noise Control.

This staff report includes condition recommendations to address the comments submitted.

VIII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: LU-G2, LU-P1, and LU-P44.

Provided the applicant follows and maintains the goals and policies, they shall be in compliance with the Kittitas County Comprehensive Plan. Therefore, the County and applicant are in compliance with the Comprehensive Plan.

Consistency with the provisions of KCC 17.60A, Conditional Uses:

KCC 17.60A.015 provides the following review criteria to be considered in a conditional use analysis:

1. *The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.*

Applicant Response: *“The proposed use continues and expands an existing use. The expansion will create better access and bring in city sewer and water, not only for CE but will be available for adjacent landowners. In addition, eliminating the current septic system and bringing in and hooking up to city sewer and water will create a health benefit to the surrounding community. Currently, CE Has experienced a growth in the congregation. As a consequence of this growth, we have had to move to three Sunday services and are hoping with the expansion to move back to two services and possibly only have one service creating less impact on the surrounding community. CE currently does an outdoor service starting in the spring and ending in the fall. (7 to 8 total). This outdoor service is once-a-month, and with the expansion, we would like to provide a permanent outdoor pavilion with restrooms for the once-a-month outdoor service. In phase two of our expansion, we would like to add a multipurpose building for Youth Services with classrooms and an assembly area. Including an outdoor tennis court and a basketball court. The existing ballfield and the addition of the basketball and tennis court are available for community use as an added benefit. CE will continue to provide valuable community services such as weddings and funerals, weekday Bible studies, and family seminars.” (See Index #8)*

Staff Response: The project expands an existing use and will bring in City Sewer and Water. While the church continues to grow, it could affect the safety and character of the surrounding neighborhood as it is mostly residential uses surrounding the church. The proposed expansion could potentially alleviate impacts to the neighborhood as there would be less services and times that would affect the noise and traffic impacts of the surrounding neighborhood.

2. *The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that*
 - a. *The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or*
 - b. *The applicant shall provide such facilities; or*
 - c. *The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.*

Applicant Response: *“The proposed use continues and expands an existing use at no cost to Kittitas County or the surrounding community. The expansion will create better access with an improved driveway approach and bring in city sewer and water, not only for CE but will be available for adjacent landowners. In addition,*

eliminating the current septic system and bringing in and hooking up to city sewer and water will create a health benefit to the surrounding community. In addition to the utility improvements, 'The City of Ellensburg (City) received a grant from the Washington State Department of Ecology (Ecology) to design and construct drainage improvements along both sides of Vantage Highway from Vista Road to the City limits. The project will collect and treat stormwater runoff from Vantage Highway in the project area, which will reduce the amount of stormwater pollution that flows into Lyle Creek. This will improve water quality and habitat within Lyle Creek as well as the downstream Wilson Creek and Yakima River. Along with constructing attractively landscaped stormwater treatment swales along the road, the project will also build pedestrian and bicycle pathways to enhance community accessibility.' (See attached exhibit E at the end of this document.), Along with the frontage improvements mentioned earlier, CE plans in the second phase of the expansion to do a facelift on the front of the existing street-facing sanctuary building and provide a more modern, up-to-date look complementing the new frontage improvements.' (See Index #8)

Staff Response: As proposed with the church hooking up to City utilities, the project will be adequately serviced by existing facilities and will not require additional public costs. They are also already located and serviced in Kittitas Valley Fire and Rescue (District 2) boundaries. The project will not have a detrimental economic impact.

- 3. The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.*

Applicant Response: “KCC UR Urban Residential 17.22.020 Allowed uses. Uses allowed in the Urban Residential zone include those uses pursuant to KCC Chapter 17.15. (Ord. 2013-001, 2013; Ord. 2011-013, 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.22.060 Yard requirements. No structure shall be built or located closer than twenty-five (25) feet to the front and rear property line or within fifteen (15) feet of any side property line. (Ord. 2013-001, 2013; Res. 83-10, 1983)” (See Index #8)

Staff Response: The use is mostly consistent with the relevant development standards and criteria in Kittitas County Code. The expanded substation is permitted in the Urban Residential zone through a Conditional Use Permit under KCC 17.15.080. The setbacks for the outdoor restroom and utility building currently encroach on the required 15-foot side setback in KCC 17.22.060. These would need to be modified to meet setbacks, go through a lot line encroachment process as seen in KCC 16.10.065 or a be combined through a parcel combination. Staff has conditioned this proposal to reflect that.

- 4. The proposed use will mitigate material impacts of the development, whether environmental or otherwise.*

Applicant Response: “*The proposed expansion will bring city utilities (water and sewer) down cowboy lane, as indicated in "Exhibit B" Proposed Site Plan. Bringing in the utilities will include new fire hydrants that do not currently exist and a sprinkler system with monitored alarm in the proposed sanctuary building, adding a greater fire safety level for CE and the surrounding neighborhood. In addition, to the new utilities, an engineered on-site water retention plan will be in place to control on-site water (storm) runoff. Critical Areas; GIS data does not indicate any critical areas on the parcel. Parcel 550136, to the direct west of the CE subject parcel, indicates a wetland; however, Cowboy Lane acts as an interrupted buffer. Therefore, it is unlikely that development on the east side of Cowboy Lane will impact the wetland's functions.*” (See Index #8)

Staff Response: The proposal, as conditioned, will mitigate material impacts of the development including stormwater. A reasonable use application (RU-22-00003) was done for the Type F stream on the property that mitigates for impacts to the stream that was found on the property.

5. *The proposed use will ensure compatibility with existing neighboring land uses.*

Applicant Response: “*The proposed use continues and expands the existing use. Although expanding the building footprint and parking, CE will continue to operate and maintain its compatibility with existing neighboring land uses. (See items A through F).*” (See Index #8)

Staff Response: The proposed use of a church is not completely compatible with the neighboring single-family residences, but churches have been known to be in residential areas and co-exist with residential areas.

6. *The proposed use is consistent with the intent and character of the zoning district in which it is located.*

Applicant Response: “

Religious Institutions allowed use with a conditional use permit

17.15.080 Allowed Uses in Urban Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban													
	Residential	Urban Residential	Historic Trailer Court	Agriculture B	Rural B	Rural S	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	
		X												
Religious institutions*	CU	CU		CU								CU		

” (See Index #8)

Staff Response: The proposed project is located in Urban Residential zoning. Urban Residential zones are to provide for and protect areas for home-site development and/or urban levels of development in where municipal services can be provided or is already available. The proposed church has municipal services that can be accessed and are proposed as part of this application. Churches are a common land use in residential zoning districts in many cities and well-populated areas around the country and are allowed in Urban Residential zones in KCC 17.15.080(1) with a conditional use permit.

Staff Conclusions: Kittitas County CDS finds the application, as conditioned, consistent with KCC 17.60A Conditional Uses, as described above in section “VIII” of this staff report.

Consistency with the provisions of the KCC Title 17A, Critical Areas:

CDS conducted an administrative critical area review in accordance with KCC 17A and found a stream and wetland on neighboring property from GIS data. During the comment period, Washington Department of Fish and Wildlife (WDFW) indicated that they believed there was likely a Type F stream on the property from LiDAR data. A site visit was conducted with County Staff and WDFW to confirm that was the case. Due to the stream setback, a reasonable use application was submitted and approved for development within the required setback. As such, the proposal is consistent with KCC Title 17A, Critical Areas.

Consistency with the provisions of the KCC Title 14.04, Building Code:
Any future buildings must be consistent with International Building Codes.

Consistency with the provisions of KCC Title 12, Roads and Bridges:
As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:
As conditioned, the proposal is consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Cascade Irrigation District (Index #16), Washington State Department of Health – Office of Drinking Water (Index #17), Snoqualmie Tribe (Index #18), City of Ellensburg Public Works (Index #19), Kittitas County Public Health (Index # 20), Kittitas County Public Works (Index # 25), Washington Department of Archaeology & Historic Preservation (Index # 21), Washington Department of Ecology (Index # 22), Washington State Department of Fish & Wildlife (Index # 23) and City of Ellensburg Fire Marshal (KVFR) (Index # 26).

Public Comments: One public comment was received for this project from Randy Startin (Index #24)

IX. Findings of Fact

1. The proposed project is for an expanded church which would be split into two (2) phases proposed for the following years; Phase 1 would take place in years 2022-2024 while Phase 2 would take places in years 2024-2032.

Phase one (1) would add a new 15,000 square foot sanctuary, 800 square foot breezeway, 350 square foot stage addition to the existing 6,000 square foot sanctuary. Phase one also includes a 1, 625 square foot portable classroom and engineered parking area

Phase two (2) would include construction of an outdoor pavilion and outdoor stage area along with a restroom building. It would also include a commercial grade park structure, multi-purpose building of up to 10,000 square feet and expand the parking lot. It would also include various sport courts.

2. Site Information

Total Property Size:	5 acres
Number of Lots:	2
Domestic Water:	Well (proposal includes connection to City of Ellensburg Water)
Sewage Disposal:	None (proposal includes connection to City of Ellensburg Sewer)

3. Site Characteristics:

North: Residential Development
South: Residential Development
East: Residential Development
West: Residential Development

4. Access: The site is accessed off Cowboy Lane, a private road from Vantage Highway, approximately .44 miles east from the intersection of Vantage Highway and Pfenning Road.

5. The Comprehensive Plan land use designation is Urban, and the zoning designation is Urban Residential.
6. The proposed use is permitted in this zone with a Conditional Use Permit under Religious Institutions in KCC 17.15.0801(1).
7. A conditional use permit application (See Index #2) for Calvary Ellensburg Expansion (CU-22-00002) was submitted to Kittitas County Community Development Services Department on April 26, 2022. The application was deemed complete (See Index #11) on May 9, 2022. The site was posted in accordance with KCC 15A.03.110 on May 11, 2022 (See Index #12).
8. A notice of application (See Index #13) for the Calvary Ellensburg Conditional Use Permit (CU-22-00002) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on May 19, 2022, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #14). The comment period concluded on June 6, 2022.
9. A SEPA Checklist was submitted with the conditional use application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the comment period, Washington Department of Fish and Wildlife (WDFW) commented on an unmapped stream they identified as the East Branch of Lyle Creek that is Fish Bearing (Type F). Due to the unmapped stream on County GIS maps and after staff consultation with the prosecuting attorney's office about unmapped streams (See Index #32), CDS staff requested a site visit with the applicant and Fish and Wildlife. The site visit was conducted on August 2, 2022 where it was confirmed that the stream is currently a Type F stream. Due to the proposed location of structures being in the setbacks from the stream, CDS staff requested and required a critical areas report with mitigation plan to be done on August 2, 2022 (See Index #33). A critical areas report was submitted to the County on September 5, 2022 and updated on September 6, 2022. Seeing that the project was essentially limited by the stream, Kittitas County required a Reasonable Use Application (RU-22-00003) from the applicant on September 27, 2022 if they wanted to keep the existing site plan (See Index #37). A reasonable use application was submitted on October 5, 2022 with a revised critical areas report and mitigation plan. (See Index #'s 38-56 for Reasonable Use Files). The reasonable use application for relief from the Type F stream and its 100-foot buffer and 15-foot building setback buffers was approved November 3, 2022 (See Index #53). Following the concurrent comment period for the conditional use permit and reasonable use comment period, CDS issued a Mitigated Determination of Non-Significance (MDNS) on November 3, 2022 (Index #57). The appeal period for the SEPA MDNS and Reasonable Use decision will conclude on November 18, 2022. As of the time of writing this document, no appeals have been filed.
10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: LU-G2, LU-P1, and LU-P44.
11. Grading requirements are subject to the standards outlined in Kittitas County Code Title 14.
12. The following agencies provided comments during the comment period: Cascade Irrigation District (Index# 16), Washington State Department of Health – Office of Drinking Water (Index #17), Snoqualmie Tribe (Index #18), City of Ellensburg Public Works (Index #19), Kittitas County Public Health (Index # 20), Kittitas County Public Works (Index # 25), Washington Department of Archaeology & Historic Preservation (Index # 21), Washington Department of Ecology (Index # 22), Washington State

Department of Fish & Wildlife (Index # 23) and City of Ellensburg Fire Marshal (KVFR) (Index # 26).

13. CDS received one public comment during the comment period from Randy Startin (Index #24)
14. The proposal, as conditioned, is consistent with the goals and policies of the Kittitas County Comprehensive Plan.
15. This proposal, as conditioned, is consistent with the provisions of KCC 17.60A, Conditional Uses.
16. This proposal, as conditioned, is consistent with the provisions of KCC Title 12, Roads and Bridges
17. This proposal, as conditioned, is consistent with the provisions of KCC Title 14 Building and Construction
18. This proposal, as conditioned, is consistent with the provisions of KCC 17A, Critical Areas.
19. This proposal, as conditioned, is consistent with KCC 20, Fire Life and Safety.
20. This proposal, as conditioned, is consistent with KCC Title 17, Zoning.

X. Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Buildings and Construction, Title 12 Roads and Bridges and Title 20 Fire and Life Safety.

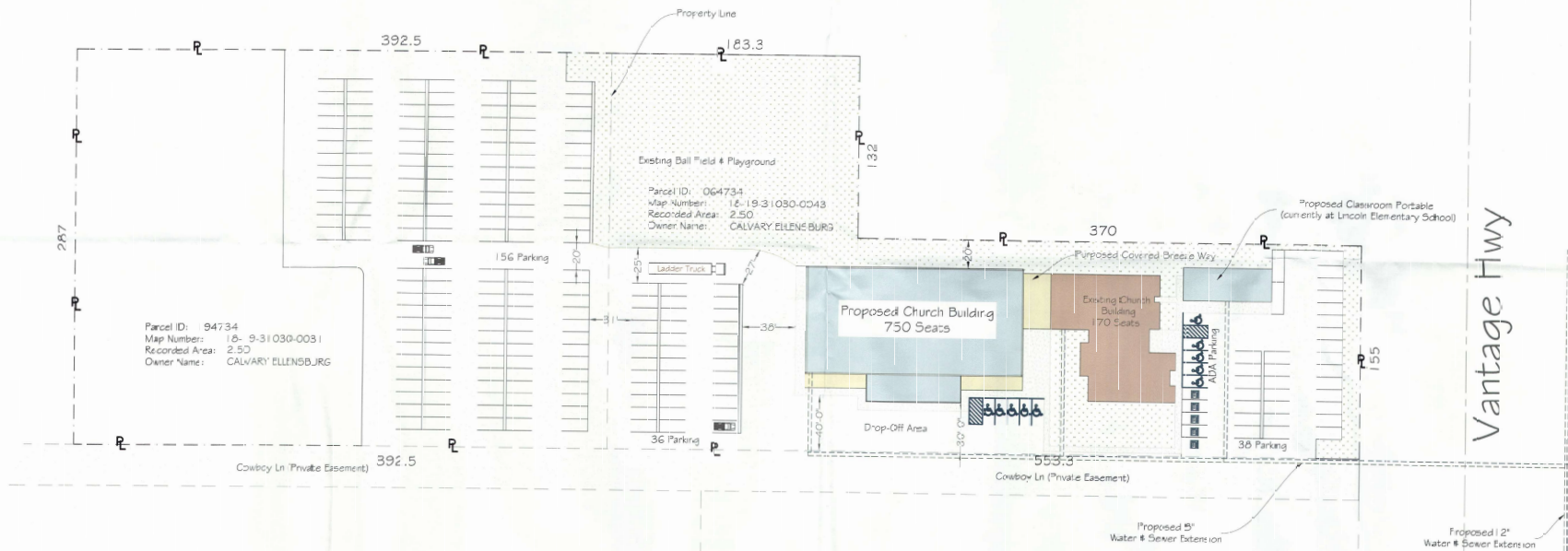
XI. Recommendation and Conditions of Approval:

Kittitas County recommends *preliminary approval* of the Calvary Ellensburg Conditional Use permit CU-22-00002 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS that were revised and received on May 9, 2022 attached as Exhibit A, and subsequent information included in the complete file index except as amended by the conditions herein.
2. The proposed utility building and outdoor restroom buildings shall meet the 15-foot side setback, or the owner/applicant shall go through the lot line encroachment form seen in KCC 16.10.065 or do a parcel combination to keep them in the current proposed location.

3. A Mitigated Determination of Non-Significance (MDNS) was issued on November 3, 2022. The mitigation measures in the MDNS shall be conditions of this conditional use permit approval.
4. A Reasonable Use Exemption (RU-22-00003) was issued on November 3, 2022 for relief to a Type F stream. The Reasonable Use Exemption conditions shall be conditions of this conditional use permit approval.
5. A traffic concurrency evaluation shall be conducted for this project. A Transportation Impact Analysis (TIA) will be required for all development that generates more than nine (9) peak hour vehicle trips unless waived by the Kittitas County Public Works Director. Any recommendations from the Traffic Impact Analysis shall be implemented unless deemed unnecessary by Kittitas County Public Works Director.
6. An approved access permit shall be required from Kittitas County Public Works prior to creating any new driveway access or altering an existing access.
7. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
8. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety. Please contact the Kittitas County Fire Marshal for specific requirements.
9. The applicant shall comply with all local, state and federal regulations at the time of building permit submittal.
10. Owner/applicant must obtain authorization from the Department of Ecology if withdrawing over 5,000 gallons of water per day.
11. Should ground disturbing or other activities related to the proposed project result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology & Historic Preservation (DAHP) and Snoqualmie Tribe. Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.
12. It is a proponent's responsibility to demonstrate compliance with the approval conditions of a conditional use permit. Compliance with all conditions must be demonstrated in writing to Kittitas County CDS prior to Final Conditional Use Permit issuance. Final approval of a Conditional Use Permit is required within 5 years of the approval date pursuant to KCC 17.60A.090.

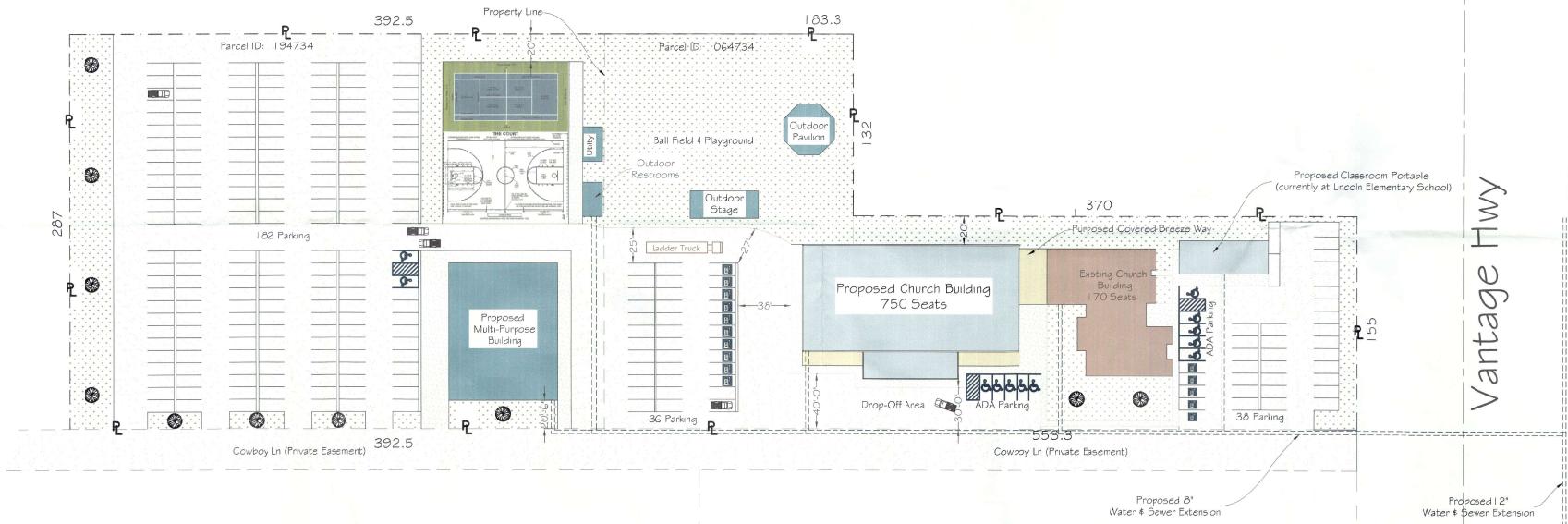
EXHIBIT A



Calvary Ellensburg Proposed Site Plan Phase I - Exhibit B

RECEIVED
 APR 26 2022
 Kittitas County CDS

Scale $\frac{1}{40} = 1'$
 (1 Inch = 40 Feet)
 1 Inch = 40 Feet



Calvary Ellensburg Proposed 10 Year Site Plan (Approximate) - Exhibit D

RECEIVED
 APR 26 2022
 Kittitas County CDS

Scale $\frac{1}{40} = 1'$
 (1 Inch = 40 Feet)
 1 Inch = 40 Feet