



July 17, 2018

Lindsey Ozbolt

Planning Official

Kittitas County Community Development Services

411 N Ruby St, Suite #2

Ellensburg, WA 98926

**Re: Tumble Creek Phase 3 Division 14
Preliminary Plat, LP-18-00002 and BLA, BL-18-00007**

Dear Lindsey,

New Suncadia, LLC is submitting this letter in response to the transmittal of comments received for the Suncadia Phase 3, Division 14 Preliminary Plat and BLA project. Below you will find responses to the comments. Let me know if you have any questions.

Department of Public Works:

Required changes appear appropriate.

The ownership of AC-1 is confirmed at 30' wide.

Tired Creek Lane is confirmed as an extension of an existing road: TIRED CREEK LANE - 20' wide private R/W-paved.

Lot area table will be amended to include S-1, AG-1, and OS-1

Item 1: Bonding requirements will be provided at the appropriate time per the Suncadia 2008 Development Agreement.

Item 2: Addressing and utilities can be installed without an address.

Item 3: Please review attached memo from ESM responding to Mark Cook's memo, Department of Public works.

Environmental Health:

Item B-1: No DOH approval of the water system is required; a water availability letter will be provided by Suncadia Water Company, LLC.

Department of Fish and Wildlife:

Please refer to critical areas assessment.

Alfonso letter:

There are no minimum lot sizes or densities required for Suncadia, and neither are SDP or county review items. See Exhibit J to the Development Agreement. The proposed Phase 3 Division 14 SDP is consistent with the Phase 3 Divisions 6-9 Site Development Plan approved on March 23, 2005.

Thomas letter:

A.1.

To the extent the Site Development Plan (the "SDP") drawing may not have shown the building envelopes, it has been updated. The SDP includes more than just the site plan, and the SDP narrative indicates that parking is to be on the lots. The Suncadia design guidelines restrict parking on lots to building envelopes and driveways, and Exhibit J to the Development Agreement only requires that building envelopes be shown. See Design Guideline Section 2.9 Garages and Parking. On lot parking is not a county review item, nor is compliance with the Suncadia design guidelines.

There is no requirement to detail the use of proposed open space tract OS-1 beyond "community and recreational activities" which is a recognized category of open space as provided in Ex M to the Development Agreement. At present, there are no plans to develop this parcel in any fashion. Ultimately, that parcel will be transferred to the HOA which will control and manage its use.

The relationship to all adjacent land is referenced in the application "Narrative" in its section (3) and is consistent with the requirements of Section 4.1(d)(9) of the Development Agreement. Further, parcels on Cabin Trail Drive are not adjacent to Tract Z-1 as that term is defined by the Development Agreement.

The proposed staging plan in the application lists the estimated timing of and adequately describes the only

planned development and construction activities.

Resort development is undertaken through the process of refining project planning by moving from the Conceptual Master Plan, to a general site plan, and to one or more site development plans. Under the terms of the Development Agreement and the application of its requirements over more than twenty prior SDP and plat approvals, the narrowing of this planning focus is not a "deviation" from a prior planning approval just because the size, shape or use of a particular area changes. The Phase 3 Div 6-9 SDP, by definition, amends the Phase 3 general site plan as provided in Development Agreement Sec 5.1(f). The Phase 3 Division 14 SDP provides the further amendment and basis for the boundary line adjustment of a portion of the golf course open space into developable area and of a portion of Tract Z-1 into recreational open space. It also provides the required open space adjustments to Ex M. As there are no fixed area requirements for any category of open space, there are no deviations as that term is interpreted and enforced under the Development Agreement. The Ph 3 Div 14 SDP for Tract Z-1 is the appropriate method under the Development Agreement for providing for the boundary line adjustment and development of this tract and is consistent with prior development practices on the resort.

A.2.

The comments on the Land Stewardship Plan and the Development Agreement regarding open space do not reflect the proper application of Applicable Law under the Development Agreement. The proposed boundary line adjustment modifies the boundary between Tracts Z-1 and G-1 (a golf course tract) of the Phase 3 Div 6-9 plat. Condition of Approval A-4 specifies, at a minimum, the following four open space categories: natural, managed, perimeter buffer and golf courses. As approved by the county in its various editions, the Land Stewardship Plan is only applicable to the management of natural, managed and perimeter buffer open space areas of the resort. No part of the plan addresses the management of golf course areas. See its Sec 3 "Methods." Moreover, adjustments to all open space areas, not just golf courses, are not restricted, subject only to applicable covenants and conservation easements, and general site and site development plan processes. Again, there is no specific area requirement for any open space category, only that, in total, open spaces are provided as a percentage of the total resort area. Finally, similar to the county requirements that the resort maintain covenants and building design criteria, once adopted, land stewardship plan compliance is not a county review item.

A.3.

Compliance with the Suncadia design guidelines is not part of the county review and approval process.

B.

Ordinance 2000-12 adopted the subarea plan for Suncadia, thereby amending the county's comprehensive plan through the addition of Chapter 9, MountainStar Planned Resort Subarea Plan. Section 9.2 of that Chapter further adopts the Master Planned Resort Policies of Chapter 2.4 of the comprehensive plan as the planning policies applicable to the development of MountainStar (now Suncadia). Ordinance 98-20 amended the county comprehensive plan, and its Attachment B is Chapter 2.4 of the comprehensive plan then in effect on the date the Development Agreement became effective. Suncadia is vested to "Applicable Law" as

defined in the Development Agreement, including the county's comprehensive plan, in effect on October 10, 2000, and as provided in its Section 4.1(c). This vesting also applies to "Subsequent Actions," such as an SDP, per Sec. 4.1(e). Later changes to the comprehensive plan and particularly the cited provisions in the comment letter are not applicable to Suncadia. The proposed development of Phase 3 Division 14 is consistent with all general planning policies to which it is subject.

C.

Ordinance 2000-17 establishes the MountainStar (now Suncadia) Master Planned Resort and its "Subsequent Approvals" as planned actions under SEPA obviating the need for additional environmental review absent the identification of actions not previously contemplated in the environmental impact statement and mitigated as provided in the various entitlement documents. Neither the comments received nor the checklist submitted with the Ph 3 Div 14 application identifies any such actions that would be considered as "disqualified projects" under the Ordinance. The removal of vegetation, the presence of bird and animals and steep slopes, the possibility of impacts from light and glare and upon view corridors were all fully explored in the FEIS and the work and materials leading up to its adoption. All impacts have, are, or will be mitigated as provided in the Development Agreement and its exhibits. The SDP, BLA, preliminary plat, and development plan for Ph 3 Div 14 present no actions not previously studied, approved and undertaken multiple times on the resort property.

A.3

The Tumble Creek Design and Construction Standards define maximum building height which is a two story structure with a walkout basement, totaling 40'. Building height calculation is also defined and determined in the Design Guidelines, of which this this application complies.

Sincerely,

NEW SUNCADIA, LLC.

BRIANNE R KELSEY

Senior Vice President of Development

June 28, 2018

Job No. 998-722-017

Mr. Mark R. Cook, PE
Director/Acting County Engineer
Kittitas County, Dept. of Public Works
411 N Ruby St, Suite #1
Ellensburg, WA 98926

**Re: Tumble Creek Phase 3 Division 14
Engineering Plan Submittal**

Dear Mark:

On behalf of New Suncadia, ESM Consulting Engineers, LLC is submitting this letter in response your review letter we received on June 19, 2018 together with the construction plans, storm report, and engineer's estimate for the project. In an effort to provide concise and direct responses, we have copied the review comments below in *italics* and our responses are in **bold**.

1. *Please provide a road design profile for Tired Creek Lane and the access roadway east of the cul de sac.*

The profile has been provided in the attached construction plan sheets.

2. *Please provide roadway geometric data (horizontal alignment).*

The information has been provided in the attached construction plans.

3. *Please provide supporting stormwater design calculations. Please discuss the capacity of the facility in the golf course and the anticipated capacity utilized by this proposal.*

The information has been included in the attached storm report.

4. *It appears that the sanitary sewer (8 inch) connects westerly to Phase 3 Divisions 6 to 9. Please verify that all sewage flows are gravity flows from Phase 3 Division 14.*

The assumption is correct, and the gravity sewer information is shown on the attached construction plans. Some lots may require grinder pumps if they are constructed below specific pad elevations.

If there are any questions or a need for further clarification, please feel free to contact me at (253) 838-6113 and I would be happy to discuss them with you.

Sincerely,

ESM CONSULTING ENGINEERS, LLC.

LAURA BARTENHAGEN, P.E., LEED AP

Principal

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