



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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“Building Partnerships – Building Communities”

## STAFF REPORT

### SUNCADIA PHASE 3 DIVISION 17 (LP-21-00002)

TO: Kittitas County Board of County Commissioners  
FROM: Kelly Bacon, Planner I  
RE: Suncadia Division Phase 3 Division 17 Preliminary Plat (LP-21-00002)  
DATE: October 19, 2021 [Hearing Date]

#### I. GENERAL INFORMATION

Requested Action: Steven Lathrop, authorized agent for Suncadia Resort, LLC, landowner, submitted an application for an 80 detached residential lot plat with access, community/recreational open spaces and other natural open space tracts on approximately 620.11 acres of land that is zoned Master Planned Resort. The proposed lots range in size from 14,500 to 45,200 square feet. In conjunction with this preliminary plat application, a site development plan was submitted for Suncadia Phase 3 Division 17 Tumble Creek.

Location: SEC. 15, TWP. 20, RGE. 14; Parcel Number 11833, Assessor’s Map number 20-14-15000-0005.

#### II. SITE INFORMATION

Total Project Size: 620.11 Acres  
Number of Lots: 80; ranging in size from 14,500 to 45,200 square feet  
Domestic Water: Community Water System  
Sewage Disposal: Community Septic System  
Fire Protection: Fire District 7  
Irrigation District: None

Site Characteristics:

North: Largely wooded

South: Residential development and wooded areas (all within Suncadia Master Plan Resort)

East: Largely wooded undeveloped areas (all within Suncadia Master Plan Resort)

West: Residential development and wooded areas (all within Suncadia Master Plan Resort)

Access: Primary access to the site will be provided via Tumble Creek Drive.

#### III. ADMINISTRATIVE REVIEW

Zoning and Development Standards: The subject property is located within the Master Planned Resort zoning designation (Suncadia). The purpose and intent of the Master Planned Resort zone is to provide areas where residents and visitors alike can enjoy the

*“...wide range of natural features, including climate, vegetation, water, resources, scenic qualities, cultural, and geological features...”*

that Kittitas County has to offer. The Suncadia Master Planned Resort was originally applied for as MountainStar in March of 1997. A development agreement was signed at that time by the Board of County Commissioners (BOCC). A Final Environmental Impact Statement was published by the County in April of 2000 which was found to be legally adequate (Res. 2000-79) in July of 2000 by the BOCC after being challenged by several governmental and non-governmental entities. In October of 2000 the BOCC approved adoption of the

MountainStar MPR Application, Development Plan and Conditions of Approval. The development agreement now in its seventh amendment dictates the terms and conditions of development in the MPR. Section 4.1(a) lays out the vested rights of the now Suncadia MPR with respect to continued development and limits the county's ability to

*“... impose new or different regulations on Trendwest's development of review to Mountain Star to the extent required by a serious threat to public health and safety: and provided further, however, the parties agree that Trendwest's vested rights under this Agreement may be modified, and that the County may modify the MountainStar MPR Conditions or impose mitigation as part of a Subsequent Action based on statutes, rules, regulations, official policies, and standards other than the Applicable Law...”*

to three conditions;

- 1. When the County reasonably believes in good faith that County approval of a Subsequent Action for Mountain Star under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction that the County eligibility for funding, grants, program eligibility or other resources sought by the County would be impaired (for example, if approval of any portion of development would prohibit the County from being eligible under the National Flood Insurance Program or result in higher premium rates to the County or its property owners);*
- 2. When the County reasonably believes in good faith that County approval of a Subsequent Action for MountainStar under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction, that the County unlawfully failed to comply with the Endangered Species Act or other State or Federal laws or regulations in approving the Subsequent Action; or*
- 3. When a State or Federal statute or regulation would impose cumulative standards for compliance on an area wide or countywide basis. Modification under this section shall only be to the extent necessary to address the applicant's proportionate share of such cumulative standard (for example, if new federal water quality standards are adopted with cumulative in-stream standards, storm water standards for MountainStar may be adjusted to reflect Trend west's proportional share for correction of the diminished water quality, if any).*

The development agreement establishes a hierarchy of development design levels which allows for modification from the general to the specific as long as each tier is consistent with its superior element. In section four it goes on to spell out permitted and conditional uses, applicable law, and development standards. It also emphasizes that:

*“... the County's environmental review of any Subsequent Action pursuant to SEPA shall **utilize the Mountain Star EIS to the fullest extent permitted by law.**<sup>1</sup> Under the Planned Action Ordinance, the County retains substantive SEPA authority to address probable significant adverse environmental impacts not analyzed in the MountainStar EIS. In addition, further SEPA review may be required in connection with General Site Plans and Site Development Plans submitted by Trendwest which propose deviations from the MountainStar Resort Conceptual Master Plan or from approved General Site Plans or Site Development Plans in accordance with Section 5.1 below.”*

Section 5.1 grants administrative authority to the Director of CDS when a General Site Plan, Site Development Plan, or Subdivision is consistent with the MountainStar Resort Conceptual Master Plan.

*“A General Site Plan that is consistent with the approved MountainStar Resort Conceptual Master Plan and the Development Agreement shall be submitted to the Planning Director and reviewed and approved by the Planning Director in accordance with this Section 5.1(b). Before approving a General Site Plan,*

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<sup>1</sup> Staff emphasis

*the Planning Director shall provide public notice and submit such proposed General Site Plan to the Environmental Health Director, Building Inspector, Fire Marshall, County Engineer, Sheriff, Solid Waste Department and any other County offices or officials deemed appropriate for their review and comment. A General Site Plan shall be approved by the Planning Director if the Planning Director finds that such General Site Plan is consistent with: (i) the MPR Approvals, including the MountainStar Resort Conceptual Master Plan; (ii) this Agreement; and (iii) Applicable Law.”*

The proposal is consistent with the Conceptual Master Plan ( see Index #34) and as such under the terms of the Development Agreement is only subject to minimal review with respect to land use activities.

*“A Site Development Plan shall be reviewed and approved by the County in the same manner as General Site Plans pursuant to Sections 5.1 (b) and 5.1 (c) above; provided, however, that: (i) a Site Development Plan which is consistent with the MountainStar Resort Conceptual Master Plan and the Development Agreement or an approved General Site Plan and a Site Development Plan... may be reviewed and approved by the BOCC without Planning Commission review...”*

Section 5.2 of the Development Agreement lays out the provisions for subdivision approval which reflect the language for General Site Plan and Site Development plans:

*(a) Applications to subdivide property within MountainStar shall be submitted consistent with this Agreement and the requirements of Title 16 KC, Plats, Subdivisions, Dedications, and Ch. 58.17 RCW. Plat applications may be submitted and processed concurrently with review of a Site Development Plan under **Section 5.1 above**<sup>2</sup>. Plat applications may be submitted for all or a portion of the proposed MountainStar development covered by a Site Development Plan.*

*(b) Notwithstanding any provision of Title 16 KCC, Subdivisions, seemingly to the contrary, a plat application submitted to implement development of all or a portion of a Site Development Plan seeking preliminary and/or final plat approval shall be approved by the BOCC upon a finding that any such application is consistent with: (i) the MPR Approvals; (ii) an approved Site Development Plan; (iii) the requirements of Chapter 58.17 RCW regarding plats, subdivisions and dedications; and (iv) the terms and conditions of this Agreement....*

In summary by front loading the land use review process through the Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plans, The Master Planned Resort designation permits an expedited review process for the specifics of subdivision and other land use activities and in reality limits the process to the mechanical elements of the proposed development, not philosophical. Suncadia itself has a required review process for development which scrutinizes the proposal to ensure consistency with the internal provisions, wants, needs, and desires of the resort. These internal CC&Rs provide guidance with respect to the nature of lots sizes, setbacks, and design.

Preliminary Plats: The requirements of KCC Chapter 16.08.200, “Subdivision” means the division or re-division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than 20 acres.

Notice of Application: A long plat application, and site development plan application was submitted to Community Development Services on August 10, 2021. Pursuant to section 5.1 of the development agreement, the application submittal packet was sent to department heads “*deemed appropriate*”. A notice of application was sent to all property owners within 500 feet of the project site and adjoining ownership properties. The notice of application was noticed in the local county paper of record on August 26, 2021.

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<sup>2</sup> Staff emphasis

#### **IV. COMPREHENSIVE PLAN**

The Kittitas County Comprehensive Plan designates the subject property as being contained within the Suncadia Planned Resort Subarea and provides guidance for development which generally refers back to the development agreement and approval permit.

##### **9.3. Land Uses**

Land uses within the MountainStar Master Planned Resort Subarea shall be as shown on the Conceptual Master Plan referred to in the Development Agreement, may be amended upon approval of the County. Land uses within the MountainStar Master Planned Resort Subarea shall be consistent with (a) any development regulations adopted by the County to implement the MountainStar Master Planned Resort Subarea, (b) the terms and conditions of any MPR Development Permit approved by the County for MountainStar, (c) the terms and conditions of any Development Agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements, and (d) RCW 36.70A.360.

and:

##### **9.4. Services and Facilities**

Adequate provision for services and facilities to the MountainStar Master Planned Resort Subarea as set forth in the Conceptual Master Plan for MountainStar shall be ensured by the terms and conditions of any MPR Development Permit approved by the County to implement the MountainStar Master Planned Resort Subarea, and by the terms and conditions of any development agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements.

and:

##### **9.5. Development Regulations**

Development regulations applicable to the MountainStar Master Planned Resort Subarea shall be those established through the Subarea Implementation as set forth in Section 9.6.

and:

##### **9.6. Subarea Implementation**

Development of the MountainStar Master Planned Resort Subarea shall be governed by (a) the Subarea Policies set forth in Section 9.2, (b) any development regulations adopted by the County to implement the MountainStar Master Planned Resort Subarea, (c) the terms and conditions of any MPR Development Permit approved by the County for MountainStar, and (d) the terms and conditions of any development agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements.

#### County Wide Planning Policies:

Master Planned Resorts, Policy 3.6: “The County may authorize master planned resorts in Kittitas County pursuant to RCW 36.70A.360 and the County’s Comprehensive Plan MPR Policies.” The County authorized the Suncadia MPR previously as discussed in Section III above.

#### **V. ENVIRONMENTAL REVIEW**

Environmental review is subject to the Environmental Impact Statement. This project is consistent with the Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plan and as

such no additional review is required.

## VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal and have been notified of the Public Hearing. The following public agencies submitted comments on the proposal: Colville Tribe, Department of Archeology and Historic Preservation, Washington State Department of Ecology, Washington State Department of Health – Office of Drinking Water, Kittitas County Public Health, Kittitas County Public Works, Washington State Department of Transportation and Yakama Nation - CRP. No public comments were received.

## VII. 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.

### Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by community water and sewage systems. Staff has conducted an administrative critical area review in accordance with KCC 17A and found three (3) type 4 streams on the property along the northern, eastern and central areas of the property. KCC structural setback requirements from Exhibit I of the MountainStar Development Agreement will be applicable for future construction.

### Consistency with the provision of KCC 17.37.030, Master Planned Resort:

This proposal is consistent with the Kittitas County Zoning Code 17.30. A variety of densities are allowed in the MPR. The lots in this proposal range in size from 14,500 to 45,200 square feet.

### Consistency with the provisions of KCC 17A:

This proposal is consistent with the Kittitas County Critical Areas Code. KCC structural setback requirements from Exhibit I of the MountainStar Development Agreement will be applicable for future construction.

### Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.

### Consistency with the provisions of KCC Title 12: Roads and Bridges:

All roads are required to meet all Kittitas County Road Standards as addressed in the Development Agreement.

### Agency Comments:

Several agencies responded with substantive comments:

#### *Colville Tribe*

Colville Tribe provided the following comments:

*The proposed project is located within the traditional territories of the Wenatchi Tribe, which is part of the 12 constituent tribes of the Confederated Tribes (CCT). The Colville Tribe stated “-In short, the entirety of the MPR Conditions of Approval rely on a twenty-two year old cultural resource survey that explicitly details its own inadequacy, does not meet current DAHP standards, and was not conducted with the proposed project in mind. We do not consider this to be a solid basis for permitting Suncadia projects. -The CCT are not mentioned in any of these documents as an affected tribe, despite the project area being squarely in the traditional territory of the Wenatchi Tribe. To my knowledge, the CCT*

*were not a party to and were not consulted with regarding the Suncadia MPR Conditions of Approval, despite the project area being squarely in the traditional territory of the Wenatchi Tribe. Our recommendations and concerns are not bound by an agreement we were not included in drafting. -We recommend a full cultural resource survey, inclusive of subsurface testing, be conducted of the entire project area, prior to any permitting or Determination of Significance. The CCT should be consulted with on the results of this survey. This survey and subsequent reporting should meet DAHP's Standards for Cultural Resource Reporting."* Colville Tribe recommends consultation between CDS, the CCT, DAHP, and other affected Tribes on revisions to the Suncadia MPR Conditions of Approval.

Staff Response: The applicant provided a response to the comments submitted by the Colville Confederated Tribes, included as Index #30. The applicant stated that they will comply with the conditions set forth in the Development Agreement in Exhibit F conditions C 21-23. Cultural resource issues are addressed in the conditions C 21-23 of Exhibit F to the Development Agreement. Suncadia has retained Central Washington Anthropological Survey (CWAS) to perform archaeological subsurface testing within the 150-foot buffer of the identified site and there are no plans to develop within the defined border of the site. Mitigation measures listed within these conditions shall be applied. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

*Department of Archaeology & Historic Preservation (DHAP)*  
DHAP provided the following comments:

- DAHP agrees with all comments provided in the 26 August 2021 letter from Aren Orsen, Archaeologist II with the CCT History/Archaeology Program.
- The boundary testing of site 45KT1363 by CWU, while appreciated, is not adequate for the scale of the project. An archaeological survey with subsurface testing across the entire project area is highly advised. A report meeting DAHP's Standards for Cultural Resource Reporting should be produced to accompany the survey.
- If any work within the boundary of 45KT1363 is proposed, a site alteration permit from DAHP will be required. Please contact Lance Wollwage, Assistant State Archaeologist, with any questions about the permitting process.
- We recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.

Staff Response: The applicant provided a response to the comments submitted by DAHP, included as Index #30. The applicant stated that they will comply with the conditions set forth in the Development Agreement in Exhibit F conditions C 21-23. Cultural resource issues are addressed in the conditions C 21-23 of Exhibit F to the Development Agreement. Suncadia has retained Central Washington Anthropological Survey (CWAS) to perform archaeological subsurface testing within the 150-foot buffer of the identified site and there are no plans to develop within the defined border of the site. Mitigation measures listed within these conditions shall be applied. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

*Washington State Department of Ecology (DOE)*  
DOE provided the following comments:

An NPDES Construction Stormwater General Permit is required for projects with potential for stormwater discharge from a construction site with disturbed ground. A Stormwater Pollution Prevention Plan would be required for the permit and implemented for all permitted construction sites.

Staff Response: The applicant provided a response to the comments submitted by DOE, included as Index #30. The applicant stated that they will comply with the conditions set forth in the Development Agreement, Erosion Control Plan, and the MPR Conditions of Approval. The applicant has an NPDES permit for MPR construction activities issued by DOE (Permit No. WA-005236-1). The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

*Washington State Department of Health*

DOH commented with the following statements:

DOH commented that at this time DOH has record of 992 active connections of the 1501 approved connections. With the recent activity located within Suncadia over the past 2 to 3 years, DOH is requesting “a summary, from Suncadia, that identifies each application that is seeking connections greater than “992” and the total number of connections being sought for each application.”

Staff Response: Applicant provided a response to DOH comments, included as Index #30 of the Master File. The applicant will adhere to all applicable regulations as outlined in the Development Agreement. Suncadia provided active connections of 992 of the 1,501 allowed connections, As well as 221 platted lots within the last three years that are currently not part of the 992 active connections. Staff provided the response to DOH on September 30, 2021. DOH responded that the provided information was sufficient (See Index #23). Staff agrees with applicants provided responses.

*Kittitas County Public Health*

Kittitas County Public Health submitted the following comments:

1. The collected raw wastewater from the development will be conveyed by means of onsite gravity sewer to the existing gravity sewer in Tumble Creek Drive. Any on-site septic systems that are to be utilized for wastewater management must adhere to the standards set by both the Washington Administrative Code, and Kittitas County Code.
2. Proposed long plat indicates a Group A community water system will be used. If the intention is to utilize the Suncadia water system the lots added to the system must have the final approval of the Washington State Department of Health, Division of Drinking Water. The applicant must prove legal and physical availability of water for all new uses of water on proposed lots.
3. Please clarify how the raw wastewater will be conveyed from gravity septic to an existing system in Tumble Creek. Is this system an on-site system? Or is this a connection to the lift station running to a wastewater treatment facility?
4. Documentation from Suncadia stating they can serve the proposed 80 new, single-family residences as well as meeting the requirements of the Washington State Department of Health and providing what is necessary to maintain a green operating permit status.

Staff Response: Applicant provided a response to Kittitas County Public Health’s comments, included as Index #30 of the Master File. The applicant will adhere to all applicable regulations as outlined in the Development Agreement. Suncadia provided active connections of 992 of the 1,501 allowed connections, As well as 221 platted lots within the last three years that are currently not part of the 992 active connections. CDS was provided with the applicant’s response on September 30, 2021. KCPH responded that the provided information was satisfactory with their department on October 7, 2021. Staff agrees with applicant provided responses.

*Kittitas County Public Works*

PW submitted the following comments:

1. **Timing of Improvements:** Per the Suncadia 2009 Development Agreement section 5.3 Infrastructure, Surety Bonding or Other Assurances. Infrastructure identified by Trendwest in an approved Site Development Plan must be provided and available for use before the issuance of the first certificate of occupancy for Master Planned Resort Accommodation Units included within such plan. For purposes of final plat approval or issuance of building permits, infrastructure may be guaranteed through surety bonding or other financial assurance device acceptable to the County. The estimated costs of providing all such guaranteed infrastructure shall be reviewed and approved by the County Public Works Director or designee. Surety bonding or other acceptable financial device provided to the County shall be in an amount equal to at least 110% of such estimated costs as determined by Trendwest’s architects and engineers.  
Exhibit F-1 Suncadia MPR Conditions of Approval:  
A-2 (a) Required Infrastructure and Utilities, as defined in the Development Agreement, shall be installed and completed or bonded or other financial guaranties or accommodations made for their completion prior to final plat approval of each subphase.
2. **Private Road Naming:** New Private Road Names will be required to complete a private road naming application prior to final approval
3. **Addressing:** Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit.
4. **Civil Plans:** Civil plans will be reviewed and approved as submitted prior to final plat approval in accordance with development agreement.
5. **Engineering:** The following shall be required prior to final plat approval:
  - Please provide a unit inventory of constructed units and available lots for construction for evaluation of shuttle service.
  - Please provide an accounting of traffic monitoring
  - Please provide an inventory of equivalent residential units, or the accounting method utilized in the water system plan, affirming sufficient capacity serving the plat.
  - Please provide an inventory of equivalent residential units, or the accounting method utilized in the general sewer plan, affirming sufficient capacity serving the plat.

Staff Response: Applicant provided a response to PW comments, included as Index #30 of the Master File. The applicant acknowledged the conditions 1-4 of preliminary approval and will address prior to final plat. The applicant will adhere to all applicable regulations as outlined in the Development Agreement. This Staff Report has been conditioned to ensure all monitoring and inventorying requirements have been met prior to final plat approval. The applicant also provided an update on the sewer and water connection count, addressed in the response to DOH-ODW, for the MPR (See Index #30 )

*Washington State Department of Transportation*

WSDOT provided the following comments:

“The proposed subdivision is part of the Suncadia Master Planned Resort (MPR). We are not opposed to this phase of the MPR, but we are concerned with the cumulative impact



this phase and future phases will have on the state highway system. The proponent is required to adhere to the conditions outlined in the MPR Conditions of Approval, specifically, the condition C-17-Monitoring Program. However, WSDOT has not received an updated monitoring report for review. Prior to plat approval, the proponent should be required to submit an updated traffic monitoring report to the county and WSDOT for review.”

Staff Response: The applicant provided a response to the comments submitted by WSDOT, included as Index #30. The applicant stated that the traffic impacts of the MPR continue to remain much lower than estimated traffic volumes than anticipated in the MPR-FEIS. The applicant stated that Kittitas County suspended Traffic Monitoring on January 13, 2015, until minimum thresholds established by approval conditions are met. CDS verified this suspension with Kittitas County Public Works, however Public Works reinstated this requirement in 2019 with approval of another Suncadia Preliminary Plat. This Staff Report has been conditioned to ensure traffic monitoring is performed prior to final plat approval and distributed to WSDOT and Kittitas County Public Works for review.

#### *Yakama Nation*

Yakama Nation commented with the following:

“The proposed undertaking lies within the traditional territory of the Pshwanapam (Kittitas or Upper Yakama), signatory to the Yakama Treaty and represented by the Confederated Tribes and Bands of the Yakama Nation. Previously recorded site 45KT1363 is within the proposed development area. Yakama Nation CRP met with Suncadia and Central Washington University on May 16, 2019 at 45KT1363 to discuss our concerns. Yakama elders have identified the significance of this site and its association with Yakama Traditional Cultural Properties. While on site, Yakama Nation identified surface artifacts outside of the known site boundaries and recommended re-survey and subsurface testing of the entire proposed area. Subsequent to our field meeting, Suncadia indicated they were not proceeding forward with the proposal and therefore would not seek permitting at 45KT1363.

We are concerned the permit states an intended "reduction of the site buffer". The entirety of 45KT1363 is within a conservation area designated as 'managed open-space'. Archaeological sites are not renewable resources and protected under State Law. 45KT1363 was recommended eligible to the NRHP in 1998 and received concurrence by the Department of Archaeology and Historic Preservation on January 27, 1999. Any disturbances to this site is considered 'knowingly and willingly' -a violation of State Law RCW 27.53 with violators subject to criminal and civil penalties.

It is unclear from the application where the proposed housing phase is in relation to the managed open-space conservation areas. Please have additional information submitted to our program so we can better understand impacts.”

Staff Response: The applicant provided a response to the comments submitted by the Yakama Nation, included as Index #30. The applicant stated that they will comply with the conditions set forth in the Development Agreement in Exhibit F conditions C 21-23. Cultural resource issues are addressed in the conditions C 21-23 of Exhibit F to the Development Agreement. Suncadia has retained Central Washington Anthropological Survey (CWAS) to perform archaeological subsurface testing within the 150-foot buffer of the identified site and there are no plans to develop within the defined border of the site. Mitigation measures listed within these conditions shall be applied. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

#### Public Comments:

No public comments were received.

## **VIII. RECOMMENDATION**

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 16.08, Title 16.12, Title 17.37 and Title 17A of the Kittitas County Code, the Kittitas County Comprehensive Plan, and the Development Agreement. Staff recommends approval of the Suncadia Phase 3 Division 17 Preliminary Plat LP-21-00002, subject to the following findings of fact, conclusions, and conditions:

**Suggested Findings of Fact**

1. Steven Lathrop, authorized agent for Suncadia Resort, LLC, landowner, submitted an application for an 80 detached residential lot plat with access, community/recreational open spaces and other natural open space tracts on approximately 620.11 acres of land that is zoned Master Planned Resort. The proposed lots range in size from 14,500 to 45,200 square feet. In conjunction with this preliminary plat application, a site development plan was submitted for Suncadia Phase 3 Division 17 Tumble Creek.

2. Site Information:

The subject property is located in SEC. 15, TWP. 20, RGE. 14; Parcel Number 11833, Assessor’s Map number 20-14-15000-0005.

3. The Comprehensive Plan designation is Rural Recreation.

4. The subject property is zoned Master Planned Resort, which allows for a variety of residential densities.

Site Information

Total Project Size:	620.11 Acres
Number of Lots:	80; ranging in size from 14,500 to 45,200 square feet
Domestic Water:	Community Water System
Sewage Disposal:	Community Septic System
Fire Protection:	Fire District 7
Irrigation District:	None

Site Characteristics:

North:	Largely wooded
South:	Residential development and wooded areas (all within Suncadia Master Plan Resort)
East:	Largely wooded undeveloped areas (all within Suncadia Master Plan Resort)
West:	Residential development and wooded areas (all within Suncadia Master Plan Resort)

Access: Primary access to the site will be provided via Tumble Creek Drive.

5. A long plat application, and site development plan application was submitted to Community Development Services on August 10, 2021. Pursuant to section 5.1 of the development agreement, the application submittal packet was sent to department heads “*deemed appropriate*”. A notice of application was sent to all property owners within 500 feet of the project site and adjoining ownership properties. The notice of application was noticed in the local county paper of record on August 26, 2021.

6. Based upon review of the submitted application materials including an environmental checklist, the application was found to be consistent with Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plan and as such no additional review is required.

7. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a community water and sewage systems.
8. This proposal is consistent with the Kittitas County Zoning Code 17.37. The MPR zone allows for a mixture of densities.
9. This proposal is consistent with the Kittitas County Critical Areas Code 17A.
10. This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.
11. All roads are required to meet all Kittitas County Road Standards as outlined in the Development Agreement.
12. Comments were received from various agencies. These comments are included in the index file for review (See Index #'s 20-27).
13. Site Development Plan Approval was granted via letter from the Planning Official on September 30, 2021 in accordance with Section 5.1 (d) of the Development Agreement approved through Ordinance 2000-16.

**Suggested 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. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

**Suggested Conditions of Approval:**

1. The project shall proceed in substantial conformance with the plans and application materials on file dated August 10, 2021 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state, and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. This application is subject to the latest revision of the MountainStar Development Agreement. The MountainStar Conceptual Master Plan, Environmental Impact Statement, General Site Plans and Site Development Plans which govern development within the Master Planned Resort.
4. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
5. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any tract. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
6. The Final Plat shall meet all requirements of applicable law as defined in the Development Agreement.

7. The Final Plat shall contain the name of the Engineer/Surveyor responsible for preparing the documents on all sheets.
8. All development, design and construction shall comply with all applicable laws as defined in the Development Agreement.
9. New Private Road Names will be required to complete a private road naming application prior to final approval.
10. The applicant shall contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
11. Civil Plans will be reviewed and approved as submitted prior to final plat approval in accordance with the Development Agreement.
12. The applicant shall submit documentation verifying stormwater runoff in this division is consistent with the Master Drainage Plan for the site.
13. Required Infrastructure and Utilities, as defined in the Development Agreement, shall be installed and completed or bonded or other financial guaranties or accommodations made for their completion prior to final plat approval of each subphase.
14. Timing of Improvements: Per the Suncadia 2009 Development Agreement section 5.3 Infrastructure, Surety Bonding or Other Assurances. Infrastructure identified by Trendwest in an approved Site Development Plan must be provided and available for use before the issuance of the first certificate of occupancy for Master Planned Resort Accommodation Units included with such plan. For purposes of final plat approval or issuance of building permits, infrastructure may be guaranteed through surety bonding or other financial assurance device acceptable to the County. The estimated costs of providing all such guaranteed Infrastructure shall be reviewed and approved by the County Public Works Director or designee. Surety bonding or other financial device provided to the County shall be in an amount equal to at least 110% of such estimated costs as determined by Trendwest's architects and engineers.
15. All Cultural resources shall be handled as identified in Exhibit F-1, C-21-23 of the Development Agreement. Please see index #32 of the index file for this proposal (LP-21-00002).