



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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FINDINGS OF FACT

GIGSTEAD PUD REZONE (Z-07-14) AND MISSION VIEW MEADOWS PRELIMINARY PLAT (P-07-45)

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY COMMUNITY DEVELOPMENT SERVICES STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL. HOWEVER, ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that James and Laurie Gigstead, landowner has submitted applications for the following: 1. **Gigstead Rezone (Z-07-14)**, rezone from Agriculture-3 to Planned Unit Development (PUD) for approximately 10.10 acres, and 2. **Mission View Meadows Preliminary Plat (P-07-45)** which is a 9-lot subdivision.
2. The Planning Commission finds that the project is located east of the City of Ellensburg located off Judge Ronald Road, Ellensburg, WA 98926, in the southwest quarter of Section 32 T18N R19E WM in Kittitas County. Map numbers 18-19-32061-0001, 0002 & 0003.
3. The Planning Commission finds that pursuant to KCC 17.36: Planned Unit Development any persons or corporation applying for a planned unit development zone shall file a preliminary development plan with an application for zone change. The total acreage for the proposed PUD is 10.10 acres with a total of 9-lots being proposed.
4. The Planning Commission finds that the subject property was used in the past for agricultural and grazing activities. Currently on-site is vacant. Surrounding uses include a mixture of residential and agricultural uses.
5. The Planning Commission finds that the zoning to the north, south, east and west is Agriculture-3.
6. The Planning Commission finds that the Notice of Application was issued on September 21 by Kittitas County Community Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
7. The Planning Commission finds that written comments were solicited and the final date to submit written comments was on October 22 by 5:00pm. Comments were received and have been made part of the project record.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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8. The Planning Commission finds that based on the review of the submitted application materials (including an environmental checklist), correspondence received during the 30 day comment period and other information on file with Community Development Services, a SEPA Determination of Non-Significance (DNS) was issued by Kittitas County Community Development Services on October 23, 2007.
9. The Planning Commission finds that an administrative critical area site analysis was completed by the staff planner in compliance with Title 17A. The subject property has no identified critical areas on site.
10. The Planning Commission finds that an open record hearing was held by the Planning Commission on November 13, 2007 to consider this matter and testimony was taken from those persons who wished to be heard.
11. The Planning Commission finds that the proposed rezone and associated preliminary plat are consistent with the underlying Comprehensive Plan designation of Rural.
12. The Planning Commission finds that the proposed rezone **does not** meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - A. *The proposed amendment is compatible with the comprehensive plan.*

The Planning Commission finds that the Comprehensive Plan's Land Use Element designates the subject property as Rural, and that the proposed rezone and associated preliminary plat is compatible with this designation.
 - B. *The proposed amendment bears a substantial relation to the public health, safety or welfare.*

The Planning Commission finds that the proposed rezone and associated preliminary plat does not bear a substantial relationship to the public health, safety or welfare. Specifically, the Planning Commission finds that concerns over increase density and lack of public open space.
 - C. *The proposed amendment has merit and value for Kittitas County or a sub-area of the county.*

The Planning Commission finds that the proposed rezone does not have merit or value for Kittitas County or this sub-area of the county. There was no evidence submitted into the record to substantiate this claim.
 - D. *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.*

The Planning Commission finds that the proposed rezone and associated plat is not appropriate for reasonable development of the property. The property can be reasonably developed in the existing Agriculture 3 zone.

E. *The subject property is suitable for development in general conformance with zoning standards for the proposed zone.*

The Planning Commission finds that the subject property is in conformance with the existing Agriculture 3 zone on the east side of Wilson Creek Road and that changing the zone to PUD and approving the associated plat would set a negative precedent.

F. *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.*

The Planning Commission finds that the proposed rezone allowing for the increased density would be materially detrimental to properties in the immediate area.

G. *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.*

The Planning Commission finds that the proposed rezone and associated plat will not adversely impact irrigation water deliveries to other properties.

14. The Planning Commission finds that there was adverse testimony was given.

The Planning Commission motioned to forward the Gigstead PUD rezone (Z-07-14) and the Mission View Meadows Preliminary Plat (P-07-45) to the Board of County Commissioners with a recommendation of *denial* by a vote of 5 to 1 on the rezone application and a recommendation of *denial* by a vote of 3 to 2 vote with one abstention on the preliminary plat application.

David Black, Chairman, Kittitas County Planning Commission

Date