

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**RESOLUTION**

NO. 2018 - 070

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR  
HYAK PLANNED UNIT DEVELOPMENT (RZ-87-00002)**

**WHEREAS**, A public hearing was held by the Kittitas County Planning Commission on June 22, 1987 for the purpose of considering a zone change from Forest & Range to Planned Commercial of approximately 25 acres located in the southwest quarter of Section 15, Township 22 north, Range 11 East, W.M. at Snoqualmie Pass; and

**WHEREAS**, The Board of County Commissioners approved the Hyak Zone Change (aka Hyak PUD) on July 7, 1987 through Ordinance 87-4; and

**WHEREAS**, Public hearings were held by the Kittitas County Planning Commission on September 24, 1993 and the Board of County Commissioners on November 9, 1993 for the purpose of considering an amendment to the Hyak PUD; and

**WHEREAS**, On January 18, 1994, the Board of County Commissioners signed Resolution 94-12 granting approval of the Hyak PUD Amendment; and

**WHEREAS**, according to Kittitas County Code 17.36.040 (the code in place at the time of Resolution 94-12), following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Planning Commission; and

**WHEREAS**, On April 11, 1996 the developer (owner) submitted a partial final development plan for the Residential Divisions I and II of the Hyak PUD; and

**WHEREAS**, A public hearing was held on May 29, 1996 by the Kittitas County Planning Commission to consider the partial final development; and

**WHEREAS**, A partial final development plan was approved for the Residential Divisions I and II of the Hyak PUD on May 30, 1996 by the Kittitas County Planning Commission; and

**WHEREAS**, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

**WHEREAS**, On November 29, 2017, Chad Bala, authorized agent for the developer (owner), submitted a final development plan for the Amended Hyak PUD; and

**WHEREAS**, the Planned Unit Development known as Hyak PUD is located at the site of the originally approved and amended preliminary planned unit development plan established in Ordinance 87-4 and Resolution 94-12; and

**WHEREAS**, the Board of County Commissioners, on April 3, 2018, held a closed record meeting to consider Staff's recommendation of approval of the final development plan for the planned unit development; and

**WHEREAS**, the Board of County Commissioners continued such meeting to April 17, 2018 and May 1, 2018 to further consider staff's recommendation and additional conditions; and

**WHEREAS**, the following FINDINGS OF FACT have been made concerning said development:

1. On July 7, 1987, the Board of County Commissioners signed Ordinance 87-4 granting approval of the Hyak Zone Change (aka Hyak PUD);
2. The original proposal was a preliminary planned commercial development totaling 650 units mixed between a motel and multi-family units on approximately 25 acres. (Ordinance 87-4);
3. On January 18, 1994, the Board of County Commissioners signed Resolution 94-12 granting approval of the Amended Hyak PUD;
4. This amended proposal was a preliminary planned unit development totaling 622 units consisting of 562 multi-family units and 60 single family units on approximately 34 acres;
5. According to Kittitas County Code 17.36.040 (the code in place at the time of Resolution 94-12), following approval of the preliminary development plan by the County, a final planned unit development plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Planning Commission;
6. On May 30, 1996 the Kittitas County Planning Commission approved a partial final development plan for the Residential Divisions I and II of the Hyak PUD;
7. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a final planned unit development plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners;
8. The applicant submitted a final development plan to Community Development Services on November 29, 2017 and submitted additional information on February 15, 2018;

9. Community Development Services staff has determined that the planned unit development project is consistent with the preliminary planned unit development plan approved in 1994 and meets the conditions imposed by Resolution 94-12;
10. The subject property is located at Snoqualmie Pass in the southwest quarter Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, WA;
11. The proposed location, phasing, and development character is consistent with the plans previously approved in 1994, and further meets the timelines of the Code;
12. The Board of County Commissioners finds that the Applicant-submitted "Background Info Summary" in Index #2 of the Hyak PUD FPU Master File shall be amended as shown below and as attached to ensure retention of open space tracts as plat notes on all final plats associated with this PUD:

Strike:

- ~~(i) — The home owner association as the primary entity having the responsibility for maintenance and care of open space and non-buildable parcels shall be empowered with the right to lien and foreclose on said lien if any lot owner does not meet their responsibility to equally share in and contribute to the maintenance of said developments open space and non-buildable parcels.~~
- ~~(ii) — Kittitas County shall be empowered with the right to lien and foreclose on said lien if any lot owner does not meet their responsibility to equally share in and contribute to the maintenance of said development open space and non-buildable parcels if the homeowner association does not meet its responsibility to maintain said open space and non-buildable parcels.~~

Replace with:

- (i) *All plats which include open space shall contain appropriate plats notes to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards. The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.*

*This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value.*

- (ii) *Any lots created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result are non-buildable shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling*

*their obligation.*

13. The Board of County Commissioners finds that the Applicant-submitted “Staging and Phasing Plan” in Index #8 of the Hyak PUD FPUD Master File shall be amended as shown below and as attached to ensure no building permits or home construction occur in exceedance of one residential structure per platted lot:

Strike:

~~*Building Permits and home construction may proceed during construction and prior to final platting or bonding of any Division with Occupancy Permits for said home construction issued upon and simultaneously with final platting or bonding of said division.*~~

Replace with:

*Building Permits shall only be issued as allowed per platted lot. At no time shall home construction be allowed or building permits issued prior to final platting of any Division that exceeds that allowed by existing platted lots at the time of building permit submittal.*

14. The Board of County Commissioners finds that additional conditions **are** necessary to protect the public’s interest and to address the current mitigation needs of the area.
15. On May 1, 2018 the Board of County Commissioners approved the submitted final development plan in conformance with Ordinance 87-4 and Resolution 94-12 with a vote of 3-0 as amended and conditioned with this resolution.

**NOW THEREFORE,**

**BE IT HEREBY RESOLVED** by the Kittitas County Board of County Commissioners, after due deliberation and in the best interest of the public, does hereby approve final development plan for the Hyak PUD (RZ-87-00002 with the following five (5) additional conditions:

1. All internal roads shall be built to the 2005 Private Road Standards (adopted by Ordinance No. 2005-30). No newly constructed roadways shall be brought onto the Public road system.
2. Transportation Concurrency is required prior to final plat approval and is subject to the 2008 Transportation Plan (adopted by Resolution No. 2008-84), pursuant to section 12.01.095(10) of the Kittitas County Road and Bridges Standards, September 6, 2005.
3. Snow removal for this development is the responsibility of the landowner, homeowner’s association and/or its successors. All snow shall be stored on-site and shall not be stored in public right-of-ways.
4. All current and future development, as allowed through the Hyak PUD Final Development Plan and subsequent platting mechanisms, are subject to the most current stormwater standards at the time of each platted phase and/or division.
5. The following parking requirements shall apply to the various land uses within the Hyak PUD:

- a. Single Family Residential shall provide two (2) off street parking spaces each;
- b. Multi-Family Residential shall provide 1.5 off street parking spaces each;
- c. Commercial uses shall provide one (1) unit per 200 square feet of commercial building space.

DATED this 1st day of May, 2018 at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON**

  
\_\_\_\_\_  
Laura Osiadacz, Chairman

  
\_\_\_\_\_  
Obie O'Brien, Vice-Chairman

  
\_\_\_\_\_  
Paul Jewell, Commissioner

ATTEST:

Clerk of the Board- Julie Kjorsvik

Deputy Clerk of the Board- Mandy Buchholz



APPROVED AS TO FORM:

\_\_\_\_\_  
Neil Caulkins, Deputy Prosecuting Attorney



**Attachment B:**  
**Staff amended Applicant-submitted "Background Info  
Summary" - April 24, 2018**

**Hyak PUD Rezone  
Preliminary Approval  
&  
Background Information**

Pat Deneen submitted the Hyak Planned Unit Development (PUD) and plat Applications to Kittitas County and received approval on July 7, 1987, a copy of which is attached hereto as Exhibit 1.

Pat Deneen submitted the Hyak Planned Unit Development Amendment and plat Applications to Kittitas County on March 12<sup>th</sup>, 1993.

The Kittitas County Planning Commission heard the matter of the Hyak PUD amendment applications on June 9<sup>th</sup>, 1993. On August 3<sup>rd</sup>, 1993 the Kittitas County Board of County Commissioners held a hearing and continued to November 29<sup>th</sup>, 1993. On January 18<sup>th</sup>, 1994 the Kittitas County Board of County Commissioners approved the Hyak PUD Amendment and signed Ordinance 94-12, a copy of which is attached hereto as Exhibit 2.

The Kittitas County Planning Commission on May 29<sup>th</sup>, 1996 granting Partial Final Development Plan Approval of Divisions 1 & 2 and on May 19<sup>th</sup>, 1998 approval of Division 1 final plat was granted, a copy of which is attached hereto as Exhibit 3.

**Final Development Plan**

Terra Design Group, Inc., through this document, submits the Hyak Amended PUD Final Development Plan as required by Kittitas County Code 17.36.040, as is reproduced on the following pages.

**Kittitas County Code Section 17.36.040**

**17.36.040 Submittal requirements - Final development plan.**

Following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board which shall include all of the following as listed below. Submittal shall be consistent with the process as outlined for final plat development in KCC Chapter 16.20.

1. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;
2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:
  - a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;
  - b. Arrangement of all buildings, which shall be identified by type;

- c. Preliminary building plans including floor plans and exterior design and/or elevation views;
  - d. Location and number of off-street parking areas including type and estimated cost of surfacing;
  - e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;
  - f. The location and total area of common open spaces;
  - g. Proposed location of fire protection facilities;
  - h. Proposed storm drainage plan;
3. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;
  4. Provisions to assure permanence and maintenance of common open spaces;
  5. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;
  6. Certification by the county of transfer of the required density credits in compliance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2010-006, 2010; Ord. 2007-22,

17.36.045 Review criteria.

2. Final development plan: The Director shall evaluate and the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval, if any, have been satisfied.

**Kittitas County Code Section 17.36.040(1)**

1. A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval;

**Hyak Planned Unit Development Staging Plan & Construction Sequencing:**

As originally submitted by Pat Deneen on March 12<sup>th</sup>, 1993 the Hyak Planned Unit Development Amendment application contained a Staging Plan, see Exhibit\_5. During the Kittitas County approval process there were no modifications requested by the county or made by applicant, Pat Deneen. Since that time Pat Deneen has finalized Division 1 of the Hyak PUD. Since that time, Terra Design Group has processed two other final development plans with regards to Planned Unit Developments that have gone through lengthy review with corrections. Therefore the Hyak Amended Planned Unit Development Final Development Plan will adopt the Staging Plan along with incorporating improved phasing as a result of those previous discussions and requirements on other planned unit developments, as required by Kittitas County with the original application. The submittal of the Staging Plan, as attached as Exhibit\_5, anticipates delays in the approval process and allows for the modification of the timing of the construction of the Hyak Planned Unit Development. Furthermore the Staging and Phasing plan described a development period of 20 plus years. This is also based on the timing of the completed approval process, including the



submitted final development plan and other items outside of the Applicants control that may delay the construction of the project.

To graphically show the Hyak Amended Planned Unit Development Staging/phasing Plan, a table identifying the various parcels and number of units have been included, a copy of which is attached for reference as Exhibit 5. This table correlates to the Final Development plan map see Exhibit 4.

### **Kittitas County Code Section 17.36.040(2)**

2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:
  - a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;
  - b. Arrangement of all buildings, which shall be identified by type;
  - c. Preliminary building plans including floor plans and exterior design and/or elevation views;
  - d. Location and number of off-street parking areas including type and estimated cost of surfacing;
  - e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans;
  - f. The location and total area of common open spaces;
  - g. Proposed location of fire protection facilities;
  - h. Proposed storm drainage plan;

2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:

One all-inclusive map as identified above will be provided with this submittal, a reduced copy of which is attached hereto as Exhibit 4. Additional maps at a reduced scale will be attached to this document to further identify and discuss the Hyak Final Development Plan.

The Hyak Development Plan Map will show the preliminary approved density along with Division 1 by the County. This Development Plan Map, a copy of which is attached hereto in reduced size for reference as Exhibit 4, consists of an architectural type of drawing (not a preliminary plat map) that shows all existing and conceptual locations of lots, roads, open space, etc. Consistent with other approvals for PUD Final Development Plans, this type of drawing will be sufficient for the final development plan approval for the future review and approval of final plats (individual divisions within each parcel) that are consistent with the Hyak Amended PUD Final Development Plan.

- a. Preliminary Engineering plans including site grading, road improvements, drainage and public utilities:

As previously agreed with other final development plans that have been approved (Evergreen Ridge, Ranch On Swauk Creek, & Big Creek P.U.D's), the preliminary engineering road plans, site grading, road improvements and drainage will be submitted at the final platting stage through cross sections of the roads serving each stage and division.

Roads will be built to the Kittitas County Public and Private Road Standards (2005 Road Standards). Road Cross Sections, as provided in the Kittitas County Road Standards (2005 Road Standards) copies of which are attached for reference as Exhibit\_11.

Water is provided for by the Snoqualmie Pass Utility District, a copy of which is attached hereto in reduced size for reference as Exhibit\_7 reflecting the infrastructure already installed throughout the project site. Please also see large-scale water and sewer maps.

Sewer is provided for by the Snoqualmie Pass Utility District, a copy of which is attached hereto in reduced size for reference as Exhibit\_8 reflecting the infrastructure already installed throughout the project site. Please also see large-scale water and sewer maps.

Kittitas County Public Utility District or Puget Sound Energy will provide power.

All other dry utilities will be privately owned.

b. Arrangement of all buildings, which shall be identified by type:

The arrangement of buildings and building type on each parcel will be shown via a small square within the parcels or otherwise noted on the Development Plan Map. There will also be a generalized lot layout map reflecting a structure on a specific lot as a guideline, see Exhibit's\_4 & 9.

c. Preliminary building plans including floor plans and exterior design and/or elevation views:

The Hyak Planned Unit Development does hereby adopt, by reference, the preliminary building plans submitted and approved for the Ranch On Swauk Creek, Evergreen Ridge, & Big Creek Planned Unit Developments and have attached additional preliminary building plans, a copy of which in a smaller size is attached hereto as Exhibit\_10.

d. Location and number of off-street parking areas including type and estimated cost of surfacing:

The location of off street parking is shown on the Development Plan Map see Exhibit 4. As required there will be a minimum of two off street parking spaces, along with the condominiums and commercial areas, which will have underground and possible aboveground, parking with an approximate total of 710 parking spots. Driveways will be gravel with a surfacing cost estimated to \$.75 per square foot. A specific description of parking is provided on Exhibit\_6 and provided within the "Parking Tables" as shown within Exhibit\_4.

e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans:

The location of roads and driveways are shown on the Development Plan Map, see Exhibit\_4, with specifications provided through the cross sections as attached hereto as Exhibit\_11. The road cross sections are provided for all roads, meets the intent of this Final Development Plan requirement. Final plats will, as required by Kittitas County Code, provide exact and specific designs and information of roads. At the time of building permits, location and dimensions of driveways will be located and approved by Kittitas County as the county approves access permits. Furthermore the applicant, early on in this process worked with the Local RID to build the existing roads that area already serving the project site. Roadway surfacing is estimated to cost an

estimated \$1.95 per square foot. Please note that existing roads already serve the project areas (Hyak Drive, Keechelus Drive, & Rampart Drive).

f. The location and total area of common open spaces;

The location of the common open space is shown on the Landscaping and Vegetation Map already on file with Kittitas County, titled "Landscaping and Vegetation Map". Furthermore the open space areas have been revised, regarding actual location and estimated acreage. See Exhibit\_4, which reflects open space within the vicinity of Parcels B, E, and F. Please note that there may be the possibility of additional open space as the project develops out.

g. Proposed location of fire protection facilities;

Within the Hyak Planned Unit Development each home will not be required to install fire sprinklers but retain the option if desired. Fire hydrants maybe required within the expansion of the Snoqualmie Pass Water System. In review of the Snoqualmie Pass Water Plan most if not all water infrastructure (main lines, fire hydrants etc.) exists, see a copy of which is a smaller size attached hereto as Exhibit\_7. Currently the local fire district (Snoqualmie Fire District No. 51) services this area and is located an estimated 1.93 miles from the Hyak Planned Unit Development.

h. Proposed storm drainage plan;

Storm Drainage Plan: Upon approval of the Hyak Final Development Plan a storm water pollution prevention plan will be submitted to the Washington State Department of Ecology for review. This plan will implement the Best Management Practices of the Eastern Washington Storm Water Manual addressing all storm water needs pertaining to the Hyak Final Development Plan. A conceptual storm water drainage map is included with this submittal of the Hyak Final Development Plan, a copy of which in a smaller size is attached hereto as Exhibit\_4. Please note the preliminary engineering road plans, site grading, road improvements and drainage will be submitted at the final platting stage for review and approval serving each division within each parcel.

### **Kittitas County Code Section 17.36.040(3)**

3. Certification from state and local health authorities that water and sewer systems are available to accommodate the development;

The Snoqualmie Pass Water System has been approved by the Washington State Department of Health and in currently is in operation. See Exhibit\_7

Upon approval of the Hyak Final Development Plan by Kittitas County for location, density and layout the domestic water plans will be engineered and submitted reviewed and approved by the Snoqualmie Pass Utility District and by the Kittitas County Environmental Health Department.

The Snoqualmie Pass Utility District and its Comprehensive Sewer Plan has been approved by the Washington State Department of Health and currently is in operation, See Exhibit\_8 existing infrastructure layout that serves the project site.

#### Kittitas County Code Section 17.36.040(4)

#### 4. Provisions to assure permanence and maintenance of common open spaces:

Kittitas County has instituted a new policy of having specific types of Open Space and Non-buildable parcels be proportionately owned by tenants in the common as shown in the two paragraphs below.

*The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation. This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those, which exceed \$100,000 in value.*

*Non-buildable parcels. Any parcel created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result or otherwise are non-buildable shall be proportionately owned as tenants in common of the benefited parcels, retained by each parcel owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.*

To address these requirements the Hyak Planned Unit Development agrees that at the point of final platting of any division of any phase of the Hyak Planned Unit Development all lots will be encumbered in such a manner that:

~~(i) The home owner association as the primary entity having the responsibility for maintenance and care of open space and non-buildable parcels shall be empowered with the right to lien and foreclose on said lien if any lot owner does not meet their responsibility to equally share in and contribute to the maintenance of said developments open space and non-buildable parcels.~~

~~(ii) Kittitas County shall be empowered with the right to lien and foreclose on said lien if any lot owner does not meet their responsibility to equally share in and contribute to the maintenance of said development open space and non-buildable parcels if the homeowner owner association does not meet its responsibility to maintain said open space and non-buildable parcels.~~

#### Kittitas County Code Section 17.36.040(5)

#### 5. Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting;

Great care will be taken by the Hyak Planned Unit Development in regards to the construction of the roads and infrastructure. Where practical all utilities will be placed within the road right of way. The Applicant is estimating a cost of \$5 per lineal foot for landscaping/restoration of areas disturbed due to construction activities. Areas that are disturbed may be landscaped with native vegetation.

(i) All plats which include open space shall contain appropriate plats notes to ensure the area will not be further subdivided in the future, the use of the open space for the purpose specified will continue in perpetuity, and the open space will be appropriately maintained to control noxious weeds and fire hazards. The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.

This requirement shall not apply to lots retained by the original landowner or subsequent landowner(s) for the purpose of providing improved recreational facilities serving the benefited parcels. For the purposes of this condition, improved recreational facilities shall be those which exceed \$100,000 in value.

(ii) Any lots created specifically for, or dominated by, easements, roadways, storm water retention facilities, septic facilities or other purposes and as a result are non-buildable shall be proportionately owned by tenants in the common, and retained by each home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation.

## **Kittitas County Code Section 17.36.040(6)**

6. Certification by the county of transfer of the required density credits in compliance with KCC 17.13. Transfer of Development Rights. (Ord. 2010-006, 2010; Ord. 2007-22)

The Hyak Planned Unit Development was originally approved in 1987 and amended and approved under Ord. 94-12. This approval is based upon the ordinance and codes at the time of submittal therefore vested and the transfer of density credits are not applicable.

### **Kittitas County Ordinance 2010-013 Response To Conditions**

17.36.045 Review criteria.

2. Final development plan: The Director shall evaluate and the Board shall approve final development plans for the PUD, provided the conditions imposed on the preliminary PUD approval, if any, have been satisfied. (Ord. 2013-001, 2013)

As stated in Kittitas County Code 17.36.045(2), as shown above, the conditions established in the approval of Kittitas County Ordinance 94-12 are required to be satisfied during the development of the Hyak Planned Unit Development. The following review of conditions imposed on the Hyak Planned Unit Development provides information as to how said conditions will be or has been satisfied by the Hyak Planned Unit Development during the development process.

#### **Ord. 94-12 Conditions 1-12:**

1. Site plan submitted on January 4, 1994 to the BOCC shall be considered the site plan of record for preliminary development plan approval.

Response: Hyak Planned Unit Development will apply the January 4, 1994 site plan as the initial preliminary approved plan. As with previously approved planned unit developments they are approved for a maximum amount of density. This plan is a conceptual density plan where the actual density has the ability to be adjusted within the subject property.

2. Prior to submittal of the final development plan, the applicant shall make reasonable efforts to reach agreement with the Hyak Homeowners Association on road improvements, design standards, maintenance responsibility and stormwater drainage control.

Response: The applicant has met with the Hyak Homeowners Association and satisfied those issues. These issues were required to be met prior to Kittitas County granting approval of the Partial Final Development Plan and the final platting of Division 1. Furthermore the Hyak RID has been formed and is currently operating. The applicant, in the past, has deposited funds with the RID to conduct road improvements etc. The Hyak RID contains the responsibility to maintain the roads through collecting funds supporting the road maintenance and storm drainage controls. If there are any further items that are not addressed with the RID responsibilities, then the applicant will develop a set of CC&Rs that will contain maintenance and storm drainage control requirements.

**3. Prior to submittal of the final development plan, the applicant shall prepare a wetland mitigation plan for all identified wetlands. Wetland encroachments shall not result in a net loss of total wetland areas. The final development plan shall clearly delineate all wetland areas and definitively describe all mitigation features, including but not limited to: construction constraints, mitigation, delineation, associated wetlands, swamps and drains.**

**Response: The applicant proceeded with a Partial Final Development Plan for Divisions 1 & 2 and received final approval for the Partial Final Development Plan and Divisions 1 & 2. The applicant submitted documentation from a consultant stating no wetlands were present satisfying this condition in order to receive approval for Divisions 1 and 2. Furthermore in reviewing the County wetland mapping there seems to be no identified wetlands on the project site. In review of the County file for the Hyak Amended PUD there is some references to a wetland located above the existing Sundance building. This area was formerly labeled as Area B of the Hyak Amended Planned Unit Development original map. Currently this area is in the process of being purchased by Sundance therefore no development, by the Hyak Planned Unit Development, will occur. The area of purchase by Sundance is considered open space. See Exhibit 4, specifically Sheet EX-2. Furthermore there is no required condition regarding wetland mitigation within Ord. 94-12.**

**4. The applicant shall prepare and submit a final site grading and contour map for the entire property, indicating all erosion and sedimentation control features. The final grading plan shall be submitted prior to final plan approval.**

**Response: The applicant will prepare a final site grading and contour plan and more appropriately for each division that occurs. Furthermore the applicant will be obtaining a construction stormwater permit from the Washington State Department of Ecology prior to any construction activities taking place. The process of obtaining a site-grading plan prior to each division is consistent in the process of other recently approved PUDs in Kittitas County, and provides for a more detailed/site specific analysis for review by Kittitas County.**

**5. All structures on all roadways shall have a minimum front yard setback of 25 feet, side yard setback of 10 feet, and a rear yard setback of 15 feet. The footprints for buildings shall be shown on the final development plan and shall be binding.**

**Response: The applicant has a submitted a generalized lot layout plan reflecting the required setbacks, a copy of which is attached hereto as Exhibit 9. Setbacks will also be established within the CC&R's that are recorded at each stage of final platting reflecting the consistency with the required setbacks.**

**6. The final development plan shall include architectural drawings depicting aesthetics of the proposed multi-family buildings. The design and height of the buildings shall be similar to the existing condominiums of Suncrest and Sundance.**

**Response: Hyak Planned Unit Development will be adopting by reference, the preliminary building plans submitted and approved for the Ranch On Swauk Creek, Evergreen Ridge, & Big Creek Planned Unit Developments. Furthermore attached are additional preliminary building plans, a copy of which is attached hereto as Exhibit 10.**

**7. The entire development will be served by public water and sewer from the Snoqualmie Pass Sewer District.**

**Response: The Hyak Planned Unit Development is and will be served by the Snoqualmie Pass Utilities District, which operates a Group a water system and community sewer system. See Exhibit 7 & 8.**

**8. No site disturbances or excavation shall be performed onsite until the final development plan is prepared, submitted and approved.**

**Response: The applicant will prepare a final site grading and contour plan and more appropriately for each division that occurs. Furthermore the applicant will obtain a construction stormwater permit from the Washington State Department of Ecology prior to any construction activities taking place. The process of obtaining a site grading plan prior for each division is consistent in the process of other recently approved PUDs in Kittitas County, and provides for a more detailed/site specific analysis for review by Kittitas County.**

**9. All subsequent amendments to this Planned Unit Development shall proceed in conformance with the current zoning requirements of the PUD Zoning District.**

**Response: The Hyak Planned Unit Development agrees to the amendment process if the any new divisions/proposals exceeds the total density approved under Ordinance 94-12. Proposals that are not deemed a significance change from the original propose preliminary approved conceptual plan etc. shouldn't be required to go through an amendment process.**

**10. All road improvements, maintenance requirements, stormwater drainage, road alignments, design, grade and all other road and drainage features shall meet County design standard and be approved by the County Engineer.**

**Response: The Hyak Planned Unit Development will submit all road improvements etc. to the County Engineer for review and approval.**

**11. All fire protection measures shall be conformance with the requirements of the local fire district and the Kittitas County Fire Marshall's Office.**

**Response: The Hyak Planned Unit Development will abide by the approval of this Planned Unit Development and will abide by the requirements of the Kittitas County Fire Marshall and the local Snoqualmie Pass Utility District. The Utility District, with their group A water system, is required to design for fire flow etc.**

**12. The submitted site plan shows a density of 562 multi-family dwelling units (16 buildings) and 60 single-family lots, totally 622 units. Should the final development plan not support the density shown on the preliminary plan, no site plan alterations or adjustments shall be made unless approved through a formal amendment process from the Board of County Commissioners.**

**Response: Hyak Planned Unit Development has submitted a development plan map reflecting the density approved. This maps is consistent with other recently approved PUD's in Kittitas County therefore granting flexibility to adjust density around etc. The Hyak Planned Unit Development is in agreement if the development plan map exceeds the density approved under Ord. 94-12 then a formal amendment process will be initiated.**

## SEPA

**1. The Hyak Planned Unit Development submitted an original SEPA and was published and received comments in 1993/94. Due to the comments received the Planning Department directed the applicant to revise the SEPA checklist addressing all concerns. The applicant revised the SEPA checklist and resubmitted to the Planning Department. The Planning Department issued a SEPA Determination of Non-Significance and with no appeals filed.**



**Attachment C:**  
**Staff amended Applicant-submitted "Staging and  
Phasing Plan" - April 24, 2018**

**Hyak Planned Unit Development  
Staging and Phasing Plan**

The following is the Staging and Phasing plan for the Hyak Planned Unit Development Project:

This Staging and Phasing plan accompanies the application for Hyak Planned Unit Development (PUD) (the Project) as provided for in KCC 17.36. This Staging and Phasing plan is for the approval and the development of the Project, by and in Kittitas County, is a best-case scenario. The actual time line for the approval process is unknown, as the time line will vary depending on this approval process and approvals outside of the Kittitas County process such as additional water capacity. In addition the development and construction Stages and Phases of the Project will vary depending on market conditions, weather, financing, and other unforeseen impacts outside of the Applicant's ability to control. The Staging plan and time line provided herein may be accelerated or delayed depending on known and unknown factors.

It is planned to develop anywhere between 18 to 24 units per year, but as stated above the construction of various divisions may be accelerated or slowed by any of the factors listed in this Staging and Phasing plan. The Project is to be completed within 20 years.

Though the timing of the Staging/Phasing plan depends on many variables outside of the Applicants control such as the approval process, approvals from authorities having jurisdiction outside of the Kittitas County process, and events including but not limited to weather, seasonal building restrictions do to circumstances such as early season snow, late season snow, summer fire restrictions, market conditions, unforeseen circumstances and financing, the order of the Stages, Phases and the Divisions within each phase should remain consistent.

Amenity and recreation facility construction and operation, including indoor and outdoor facilities, if built, may be built and operated during the construction of any Stage or Phase.

Recreation use of the property may continue during either Stage of development and may proceed during any development of either Stage.

Building Permits shall only be issued as allowed per platted lot. At no time shall home construction be allowed or building permits issued prior to final platting of any Division that exceeds that allowed by existing platted lots at the time of building permit submittal.

~~Building Permits and home construction may proceed during construction and prior to final platting or bonding of any Division with Occupancy Permits for said home construction issued upon and simultaneously with final platting or bonding of said division.~~

The project may be developed over a period of 20 years with a possible five-year extension. It is the Project's goal to be complete within a twenty-year period but as has been experienced during previous years political, environmental, economic, and development cycles may increase or decrease the development period of the Project. Therefore, the phases and the development period may be slowed or accelerated as circumstances requires or allow.

Market and/or weather or seasonal conditions may impact the rate of development. The Project may be accelerated if approvals and conditions allow for said acceleration. The Project may be slowed if approvals, market conditions and/or other conditions cause said slowing. Indoor and or Outdoor Recreation Facilities may be constructed and operated during any of the phases.

The land within the recreation open space that is not being developed as home sites may continue to evolve as recreation interests change over the life of the project

If approvals occur later then planned or if other actions or conditions delay development the Staging and Phasing of the Project the entire Project may be delayed. The progress of the development of items that include but are not limited to utilities, the transportation corridor and platting delays may accelerate or delay the development of the parcels.

The Project is designed in such a manner that each Phase may follow the proceeding Phase but Phases may be constructed simultaneously and at some times out of order. Infrastructure may be constructed beyond the current Phase that is under construction.

The following table format will outline the Staging/phasing plan.

**Hyak PUD  
Proposed Phasing Plan**

# of dwelling units per parcel

Year	A	B	C	D	E	F	Dwelling Units
1					24		24
2		12			12		24
3		12			12		24
4					24		24
5					24		24
6				24			24
7		12		12			24
8					24		24
9					24		24
10					24		24
11				24			24
12	24						24
13	24						24
14		24					24
15				24			24
16						18	18
17					18		18
18					18		18
19					18		18
20						18	18
<b>Totals</b>	<b>48</b>	<b>60</b>	<b>0</b>	<b>84</b>	<b>222</b>	<b>36</b>	<b>450</b>

**Attachment D:**  
**Hyak FPUD Amended Compliance Review Matrix -**  
**April 24, 2018**

**Hyak PUD Amended Compliance Review – UPDATED April 24, 2018**

**INTRODUCTION**

**A. Project Overview**

Planned unit development of originally 650 units and then reduced to 622 units, now 392 units mixed between multi (344) and single family (48). Project received preliminary approval on January 18, 1994. Resolution No. 94-12.

**B. Timing of Construction Activity**

Applicant is proposing a twenty year build out plan with an optional 5 year extension for uncontrollable circumstances.

**FINAL PLANNED UNIT DEVELOPMENT (FPUD)**

A.	RELEVANT CODE SECTIONS	ANALYSIS	FINDING
A.1	<p><u>Final Development Plan (KCC 17.36.040 Existing at the time of application)</u> Following approval of the preliminary development plan by the county and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the board of county commissioners which shall include all of the following:</p>	<p>Condition is addressed in exhibit 5: applicant proposes a 20 build out with an optional 5 year extension. <b>(Index 8 of Master File)</b> <b>Also see staff amended Staging and Phasing Plan – April 24, 2018</b></p>	Satisfied
A.2	<p>A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval</p> <p>A map or maps of the site drawn at a scale no smaller than one hundred feet to one inch showing the following:</p> <ol style="list-style-type: none"> <li>Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;</li> <li>Arrangement of all buildings which shall be identified by type;</li> <li>Preliminary building plans including floor plans and exterior design and/or elevation views;</li> <li>Location and number of off-street parking areas including type and estimated cost of surfacing;</li> <li>The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans.</li> <li>The location and total area of common open spaces;</li> <li>Proposed location of fire protection facilities;</li> <li>Proposed storm drainage plan;</li> </ol>	<p>i. Site plan shows existing road system, engineering plans will be submitted and reviewed at final plat. <b>(Index 7, 17, 20, 23 &amp; 25 of Master File)</b></p> <p>ii. Applicant has provided a typical layout of the residential lots and townhouses, and has provided labels for proposed and existing structures. <b>(Index 23, 24, &amp; 25 of Master File)</b></p> <p>iii. Sample plans of the townhouse/duplex structures have been provided and meet the necessary requirement, Single family residence plans exist on file with other approved final development plans (RZ-01-00010 Evergreen Ridge &amp; RZ-06-00027 Ranch on Swank Creek), and it is unnecessary for applicant to provide sample plans of condominiums. <b>(Index 13 of Master File)</b></p> <p>iv. Requirement has been addressed through the provided background narrative. <b>(Index 2 of Master File)</b></p> <p>v. Specific maintenance plans will be addressed at final plat. <b>(Index 9, &amp; 20 of Master File)</b></p> <p>vi. Information provided on site plan. <b>(Index 7, 17, 23 &amp; 25 of Master File)</b> <b>Also see staff amended Background Info Summary – April 24, 2018</b></p> <p>vii. Requirement has been addressed in the project narrative</p> <p>viii. Amended conceptual stormwater submitted. Pursuant to PW comments submitted March 6, 2018 PW will assess the viability of stormwater plan at the time the civil engineering plan is submitted. <b>(Index 23 &amp; 28 of Master File)</b></p>	Satisfied  Satisfied  Satisfied  Satisfied  Satisfied  Satisfied  Satisfied  Satisfied

A.	RELEVANT CODE SECTIONS	ANALYSIS	FINDING
A.3	Certification from state and local health authorities that water and sewer systems are available to accommodate the development;	Exhibit 7 and 8 show the development is included in SPUD water system plan from May 2013, and SPUD sewer comprehensive sewer plan. (Index 10 & 11 of Master File)	Satisfied
A.4	Provisions to assure permanence and maintenance of common open spaces;	Requirement is addressed in the project background and narrative document, item 4, to be added as plat notes addressed at final plat. (Index 2 of Master File)	Satisfied
A.5	Statement of intent including estimated cost for landscaping and restoration of natural areas despoiled by construction including tree planting.	Requirement is addressed in the project background and narrative, item 5, five dollars per linear foot. (Index 2 of Master File)	Satisfied

B.	PRELIMINARY APPROVAL CONDITIONS (Res. No. 94-12)	ANALYSIS	FINDING
B.1	The site plan submitted on January 4 <sup>th</sup> 1994 to the county staff and to the board of county commissioners on January 18, 1994 shall be considered the site plan of record for preliminary development plan approval.		
B.2	Prior to submittal of the final development plan, the applicant shall make reasonable effort to reach agreement with the Hyak Homeowners Association on road improvements, design standards, maintenance responsibility, and storm water drainage control. The applicant shall demonstrate to the Counts satisfaction that a reasonable effort has been made.	Reasonable effort was made per project background and narrative and the below resolutions for Hyak Road Improvement District: Res. 96-13 and Res. 96-40 (Index 2 of Master File),	Satisfied
B.3	Prior to submittal of the final development plan, the applicant shall prepare a wetland mitigation plan for all identified wetlands. Wetland encroachments shall not result in a net loss of total wetland areas. The final development plan shall clearly delineate all wetland areas and definitively describe all mitigation features, including, but not limited to: construction constraints, mitigation, delineation, associated wetlands, swamps and drains.	Condition met per project background and narrative. Information provided with Ord. 94-12 for Partial FPUD Approval. (Index 2 of Master File)	Satisfied
B.4	The applicant shall prepare and submit a final site grading and contour map for the entire property, indicating all erosion and sedimentation control features. The final grading plan shall be submitted prior to the final plan approval.	Pursuant to Public Works memo and project background and narrative, this shall be addressed prior to final plat. A contour map is necessary prior to FDP approval. Contour map of the property was submitted on February 15, 2018. (Index 2, 20, 23 and 25 of Master File)	Satisfied
B.5	All structures on all roadways shall have a minimum front yard setback of 25 feet, side yard setback of 10 feet, and a rear yard setback of 15 feet. The footprints for the buildings shall be shown on the final development plan and shall be binding.	Applicant shall update narrative and amend lot drawing to identify conditioned setbacks. Updated lot drawing showing setbacks was submitted on February 15, 2018. (Index 22 & 23 of Master File)	Satisfied

B.6	The final development plan shall include architectural drawings depicting aesthetics of the proposed multifamily buildings. The design and height of the buildings shall be similar to the existing condominiums of Suncrest and Sundance.		Condition addressed with exhibit 10 and project background and narrative. <b>(Index 2 &amp; 13 of Master File)</b>		<b>Satisfied</b>
B.7	The entire development shall be served by public water and sewer from the Snoqualmie Pass Sewer District		Exhibit 7 and 8 show the development is included in SPUD water system plan from May 2013, and SPUD sewer comprehensive sewer plan. <b>(Index 10 &amp; 11 of Master File)</b>		<b>Satisfied</b>
B.8	No site disturbance of excavation shall be performed onsite until the final development plan is prepared, submitted and approved.		Staff conducted site visit on 12/15/17, no site disturbance observed.		<b>Satisfied</b>
B.9	All subsequent amendments to this Planned Unit Development shall proceed in conformance with current zoning requirements of the PUD zoning district.		Noted that FDP review does not amend approval of Resolution 94-12		<b>Satisfied</b>
B.10	All road improvements, maintenance requirements, storm water drainage, road alignments, design, grade and all other road and drainage features shall meet county design standards and be approved by the County Engineer.		To be addressed at final plat prior to building permits per Public Works memo and project background and narrative. <b>(Index 2, 20, &amp; 28 of Master File)</b>		<b>Satisfied</b>
B.11	All fire protection measures shall be conformance with the requirements of the local fire district and the Kittitas County Fire Marshalls office.		Addressed in project background and narrative. <b>(Index 2 of Master File)</b>		<b>Satisfied</b>
B.12	The submitted site plan shows a density of 562 multi-family dwelling units (16 buildings) and 60 single-family lots, totaling 622 units. Should the final development plan not support the density shown on the preliminary plan, no site plan alterations or adjustments shall be made unless approved through a formal amendment process from the Board of County Commissioners. In no case shall the overall density exceed 622 total dwelling units.		Noted that this latest FDP proposed 48 single family units and 344 multifamily units as shown in exhibit 4 for a total of 392 units which is a further reduction from the amount allowed with the preliminary approval in 1994. <b>(Index 5 &amp; 7 of Master File)</b>		<b>Satisfied</b>
B.13	Along with the final development plan, a definitive parking plan shall be submitted providing a parking density of 1.5 parking spaces per multi-family unit. Parking space or stall dimensions shall be approved by the County Engineer.		The application provides for one (1) parking space per condo unit, needs to be 1.5 per unit at minimum per approval condition and Public Works memo. Applicant shall address. New parking plan and explanation submitted on February 15, 2018. <b>(Index 23 &amp; 28 of Master File)</b>		<b>Satisfied</b>