

KITTITAS COUNTY PLANNING COMMISSION MEETING
Thursday, September 21, 2006 @ 6:30 P.M.
Rescheduled from September 12, 2006
HAL HOLMES COMMUNITY CENTER – 209 N. Ruby Street, Ellensburg

Those present: Chairman David Black, Doug Harris, Grant Clark, and Don Williamson.

Also present: Community Development Services, Staff Planners Joanna Valencia, Noah Goodrich, Scott Turnbull and Patrick Butler, Public Works Planner Randy Carbary, Administrative Assistant Mandy Weed and approximately 30 individuals representing applicants and public interest.

I. Call to order and introduction of members and staff.

Having a quorum present the **Chairman Black** called the continued special meeting continued from the September 19th, 2006 Comprehensive Plan Hearing to order at 6:30 p.m. Staff presented to the Planning Commission available times, dates and locations for Planning Commission consideration in order to continued hearings for considering the 2006 Comprehensive Plan Update. The Planning Commission voted 4/0 to set two special meeting dates for September 27th 2006 and September 28th 2006 in the Hal Holmes Community Center at 6:30 pm to continue the meeting from September 19th to consider the 2006 Comprehensive Plan Update elements.

6:35 **Chairman Black** called the continued regular meeting to order. This meeting is a continuation of the Regular Agenda originally scheduled for September 12th, 2006 but was continued due to lack of quorum to this evening.

II. Correspondence – none presented.

III. Approval of Minutes

Black stated he would like to postpone approving the minutes until the next regularly scheduled meeting to allow the Planning Commission sufficient time for review.

Williamson concurred.

IV. New Business (continued from the September 12th PC Regular Agenda due to lack of quorum)

A. ANDRUS REZONE Z-06-23

The Chair opened the hearing to Staff presentation Staff Planner **Patrick Butler**, presented his staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Williamson questioned the section if it is jointly owned or family owned. **Butler** stated that they are separate applicants by separate LLC and appear to be completely separate.

The Chair opened the hearing to applicant presentation.

Becky Andrus, 140 Big Buck Ridge Rd., Cle Elum, applicant and land owner addressed the letter the county received from Dave Berry that has no impact on her rezone. Andrus stated that she bought the property from Sapphire Skies in 2002, title insurance showed legal access, no CC & R's or road maintenance agreement. Approximately one year later was approached to sign CC & R's. After review by her attorney, they were advised as written not to sign them. Andrus stated that they have been taking care of the road and her title report shows no CC & R's. They were told that if they didn't sign them at that time they would not have another opportunity to become part of the road maintenance agreement. Property is boarded on 3 sides by rural three acres the east a little bit by 5 acre zoning and borders the UGA on 3 sides. Andrus stated that her request meets all seven criteria for a rezone. **Black** questioned the water type. Andrus stated that her well provides 2 gallons per minute and has a 10,000 gallon storage tank. **Black** asked the route she accesses the property by. Andrus responded off of Deer Creek, then Big Tail and then Big Buck Ridge Rd.

The Chair opened the hearing to Public testimony. There was no public testimony.

The Chair opened the hearing to Planning Commission deliberation and motion

Black stated that he had concerns with the access and the water holding tank.

Williamson asked to see the zoning again. **Clark** stated that it looks like an extension of the 3 acre zoning and it seems to have a reasonable buffer of Forest and Range around it. **Williamson** commented that Patrick has done a reasonably good job with his mitigating determination of non-significance. **Williamson** stated that they need to address the issue of fire and law enforcement if they are going to start developing. **Black** said that he thinks it is something they should postpone until they have the rest of the comp plan updated.

Clark made a motion to pass the ANDRUS REZONE Z-06-23 forward to the Board of County Commissioners with a recommendation of approval. Williamson seconded the motion and the motion failed with a 1/3 poll of the board with Clark voting for and Harris, Williamson and Black voting against.

Williamson made a motion to move the Andrus Rezone forward to the Board of County Commissioners with no recommendation. Black stated that the motions dies for lack of a second motion.

Harris made a motion to send the Andrus Rezone forward to the Board of County Commissioners for denial due to access. Williamson seconded the motion and the motion passed with a 3/1 poll of the board with Harris, Williamson, and Black voting for; Clark voting against.

The Planning Commission voted 4/0 to approve the suggested Findings of Fact.

B. CALLSVIK/SCOTT REZONE Z-06-10

The Chair opened the hearing to Staff presentation; Staff Planner **Scott Turnbull** stated this will need to be rescheduled as the applicant was unable to attend tonight and would like to reschedule for October 24th 2006.

Harris moved to continue Callsvik/Scott Rezone to the next regularly scheduled meeting of October 24th 2006. Williamson seconded and the motion carried with a 4/0 poll of the board.

C. SCHMIDT REZONE Z-06-19

The Chair opened the hearing to Staff presentation; Staff Planner **Patrick Butler** presented his staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

The Chair opened the hearing to applicant presentation.

Jeff Slothower, 201 W 7th Ave., Ellensburg, representing the applicant submitted into the record Exhibit A. Slothower stated that access is from a private drive and they own fee title to the West and North and the ownership is contiguous. Stated that Kittitas County has changed the way that they are doing them and they are consistent with state law. Slothower stated that if the Schmidt's chose to split the property again they would go through SEPA again, so he wants them to keep that in mind, that the SEPA runs with the property so if they take one and divide it into 3, a new SEPA will be done, so they can take those into consideration at that time, not at the rezone level.

Andy Schmidt, 300 Mission View Drive, Ellensburg stated that he owns with his family 140 acres that is used as live stock pasture. In 2004 the livestock market closed its doors resulting in the transport of their cattle to other parts of the state which reduces the economic return. They planned to raise natural beef, but the company is no longer buying natural beef. Schmidt further stated that because of a decrease in KRD water, they have had to sell cattle earlier or buy feed, either way resulting in losing money. At this time they do not have a plan to sell or develop the property.

William Schmidt, 310 Mission View Drive, Ellensburg, submitted into the record Exhibit B and stated that they purchased the property in 1972 with thoughts that the city would grow in that direction and were looking for investment property that they could farm and use for livestock grazing. The income from the properties has been used to buy additional properties in the area and raising livestock has become difficult lately with the livestock market closing and the loss of water. Schmidt stated this is a continuation of the rezones they have done earlier from Ag 20 to Ag 3 and at this time have no plans to develop the property, but would like to have the option.

The Chair opened the hearing to Public testimony.

Roger Olson, 2130 Nelson Siding Rd, Cle Elum stated he would like to have rezones postponed until the comprehensive plan update is completed so that all rezones are in compliance with the Growth Management Act. The county needs to make room and be ready for all of the people that are coming. Olson stated we can not accommodate their live styles and this is what the county is trying to do, maybe it could be developed in 20 acres pieces rather than in 3 acre pieces.

Chad Bala, PO Box 686, Ellensburg stated that in regard to urban services they took the Evergreen property, looked at what they paid for the total property and then assessed the total building that occurred and at the total amount of money that came into the county was over \$500,000 of revenue off of the sales of the homes. Bala stated there is money coming in and the money is supporting those services.

Lorie Mellergaard, 751 Mellergaard Rd, Ellensburg has 80 acres just west of the Schmidt property and stated that it really isn't fit for farming and is in favor of his rezone.

Jim, Orchard, 1260 Orchard Rd, Ellensburg thinks the Schmidt rezone should be approved. Without the water the property is worthless for farming and the property shouldn't sit there forever and need to start looking at things on an individual basis.

The Chair closed the hearing to the public testimony and opened it for Applicant rebuttal.

Slothower stated that the Schmidt's are not developers, the person who spoke against the rezone lives 40 or 50 miles away. Stated that it is wrong to say that it is a violation of the Growth Management Act and that the notion it should wait until the comp plan is updated is wrong. Three acres are compatible with the GMA and with Kittitas County's rural land designation. This is the place where you want to put these kinds of densities and is a positive cash flow to the County, it meets the rest of the criteria and don't have a basis to deny it.

The Chair opened the hearing to Planning Commission deliberation and motion

Black made a motion to pass the SCHMIDT REZONE Z-06-19 forward to the Board of County Commissioners with a recommendation of approval. Clark seconded and the motion carried with 4/0 a poll of the board.

The Planning Commission voted 4/0 to approve the suggested Findings of Fact with the addition of one adverse testimony.

D. VANTAGE BAY PUD REZONE Z-06-25 & 315-LOT PRELIMINARY PLAT P-06-26

The Chair opened the hearing to Staff presentation; Staff Planner **Joanna Valencia** presented her staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

The Chair opened the hearing to applicant presentation.

Todd Lolkus, 1322 Basin St. SW Ste A, Ephrata, WA, stated that by changing the zoning to a PUD it would be consistent with the comprehensive plan amendments that were adopted last year and that wildlife and cultural studies have been done on the property. Wetlands are at least 120 feet from any of the boundaries on the property and an 80 foot buffer would be adequate, so with the 120 foot buffer, they are exceeding those requirements. The orchard is more of a hobby orchard than a money maker. It also contains an airstrip, but he doesn't believe that it has been used in a number of years. The proposal for a Class A water system and a sewage treatment facility would potentially enhance the Vantage area in the long run as far as their existing services.

Black stated that in 1995 Vantage submitted a sub area plan that was also approved in 2005 and questioned if there has been any discussion with Vantage community. **Lolkus** stated there have been with the officials from Vantage who handle utilities. **Black** said there seems to be some inconsistencies. **Lolkus** stated that approving this PUD would make it consistent with the comprehensive plan amendments that they approved last year. **Clark** stated that looking at the

PUD, in his mind they have built in recreational facilities and questioned if he is missing that. **Lolkus** said that they are not specific at this time, but they are reserved for them. **Clark** asked if there would be additional access to the river. **Lolkus** stated that they have future plans to enhance the property to the east of the subject site and have proposed a few different options for access which would be public, but they are still preliminary at this time, and there are provisions for that.

The Chair opened the hearing to Public testimony.

Ken Jacobson, PO Box 36 Redmond, WA, stated that Vantage has been an incredible advantage to develop and would like to see it approved and everything in the plan is consistent with the sub area plan and the local residents. It would have sufficient developmental amenities and would be taken care of with the unique site itself and believe that they have the recreational facilities. Also believes that the Vantage sub area plan has been followed step by step.

Pat Kelleher, 6530 Wilson Creek Rd, Ellensburg, stated that he fully supports the proposal, but this is adverse testimony. He would like to see inclusion of the Kittitas County Road from Huntzinger Road to the airstrip site to the public boat ramp on the Wanapum reservoir the element of the Vantage Bay proposed Rezone. The property is owned by the Grant County PUD and Kelleher is concerned with the access as it is federal land and a condition of the waterway re-licensing procedure. Today he has a right to recreate but the problem is his only access is by the water. Kelleher is asking for public access to the Ellensburg Boat Club, not a good method to have a boat ramp that you can only access by helicopter. He asked to make access a condition of plat approval.

Jeff Slothower, 201 W 7th Ave., Ellensburg, representing the land owner, pointed out that her property is within the Vantage Water District which provides sewer services and her property is entirely encompassed within that district. The property also has agricultural water rights from the Columbia River which creates an environmental benefit in that water is protected in trust. Slothower stated that there is access to the entire site and direct access just off of Huntzinger Road right now; the question is if it is vehicular.

Steve Hahn, 7943 Cleanwater Lane, Olympia, representing Washington State Parks stated the applicant currently has 3 applications in. 1) Two easement requests 2) an easement or lease for a water storage tank 3) to divert flood water from an existing ravine to another piece of park property. The commission will be considering all 3 of these requests in November subject to receiving all local approvals as required to develop the project. Harris asked if he sees any reason for denial of the project. Hahn stated that at a field staff level they have approved both easement requests for ingress and egress and are asking the applicant for more hydrological report on the ravine. The flood water and the reservoir is currently not something that Washington State Parks is interested in.

The Chair opened the hearing to Planning Commission deliberation and motion

Black stated that from his standpoint they are still getting information on it and they may want to hold it over and make a decision at the next meeting on the 26th. **Clark** stated he agrees they are still receiving information. **Williamson** concurred.

Black made a motion to continue the VANTAGE BAY PUD REZONE Z-06-25 & 315-LOT PRELIMINARY PLAT P-06-26 will be continued to the first item on the 26th and the motion carried with 4/0 a poll of the board.

E. VALLEY SUNSET VIEW LLC Z-06-22

The Chair opened the hearing to Staff presentation; Staff Planner **Noah Goodrich** presented his staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

The Chair opened the hearing to applicant presentation.

Jeff Slothower, 201 W 7th Ave., Ellensburg, on behalf of the applicant stated that the underlying comprehensive plan land designation is rural and it is zoned Forest & Range. It originally had a 1 acre minimum when it was zoned in the early 1990's and believes the 5 acre parcels are compatible with the Kittitas County Comprehensive Plan. The project has a diverse mix of uses, eliminating potential conflicts between competing land owners and it allows for an increase in the tax base that will increase revenue for the County. He stated that the change in circumstances is definitely here and discussed the various items that a MDNS will trigger if and when a new SEPA is required by the County. **Black** asked well usage. Slothower stated 52 gallons per minute. **Williamson** asked what the topography is. Slothower stated that it is fairly steep, but it varies in parts.

The Chair opened the hearing to Public testimony.

Jim Barich, 413 Cottage Ave., Cle Elum, stated his property borders the subject property. The traffic up Columbia isn't that great and he has some concerns about the road and would like the county to look at the road. A creek that comes down thru the property and it is really a haven for quail, turkey deer etc. He also has a concern for neighbors for fire protection. Barich stated he is not sure how many homes could be built due to the steep slopes and the well report is questionable.

Slothower stated that looking at the well drillers report and it states it was an air test as there wasn't power at the time. The map makes it look like it is a fairly long way but it is only about 1100 feet from the turnoff of Columbia and the rezone won't impact that.

The Chair opened the hearing to Planning Commission deliberation and motion

Clark stated that there are some issues that are going to have to be addressed at the development stage, but at this time he believes that it meets all of the seven criteria for a rezone.

Clark made a motion to pass the VALLEY SUNSET VIEW LLC Z-06-22 forward to the Board of County Commissioners with a recommendation of approval. Harris seconded and the motion carried with 4/0 a poll of the board.

The Planning Commission voted 4/0 to approve the suggested Findings of Fact with the addition of one adverse testimony.

F. BEQUETTE REZONE Z-06-26

The Chair opened the hearing to Staff presentation; Staff Planner **Noah Goodrich** presented his staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Williamson asked if **Goodrich** knew if other rezones were passed against the recommendation of the Planning Commission. **Goodrich** stated that he was not sure.

The Chair opened the hearing to applicant presentation.

Jeff Slothower, 201 W 7th Ave., Ellensburg on behalf of the applicant; referred to a letter in the record dated Sept. 12 to clarify that it is in the record that he believes supports the rezone. Slothower stated that the DOT said that there is not access onto the state highway which is true as the prior owner let the easement go. The prior owner also sold the water rights to Suncadia so it has no irrigation water.

The Chair opened the hearing to Public testimony. No public testimony was heard.

The Chair opened the hearing to Planning Commission deliberation and motion

Black stated that he thought it was an appropriate use. **Clark** commented that the fact that it no longer has irrigation rights is significant. **Williamson** stated that by leaving it out of Ag-20 would be leaving an island.

Harris made a motion to pass the BEQUETTE REZONE Z-06-26 forward to the Board of County Commissioners with a recommendation of approval. Clark seconded and the motion carried with 4/0 a poll of the board.

The Planning Commission voted 4/0 to approve the suggested Findings of Fact with no additional finding and no adverse testimony.

G. PARKER'S SECRET VALLEY P-06-29

The Chair opened the hearing to Staff presentation; Staff Planner **Noah Goodrich** presented his staff report by reading it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Williamson asked where they are as far as development in the area for roads. **Goodrich** said that the applicant stated that it will only serve 16 more lots and no more. **Williamson** said that the county needs to look globally to see if this needs to tie this into another road.

Randy Carbary of Kittitas County Public Works submitted Exhibit A into the record.

The Chair opened the hearing to applicant presentation. Applicant not present.

Black stated that without the applicant they will continue the Parkers Secret Valley Plat P-06-29 to the next regularly scheduled meeting on September 26, 2006 as old business.

The meeting was adjourned at 9:35 p.m. The next scheduled meeting is September 26, 2006 at 6:30 p.m. in the Commissioners' Auditorium.

Mandy Weed, Administrative Assistant