

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, January 9, 2007 @ 6:30 P.M.**

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

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

Chairman Black called the meeting to order at 6:30 p.m.

Those present: Chairman David Black, Grant Clark, Scott Perna, Matt Anderson, Kim Green, Rick Daugherty

Also present: Staff Planners Joanna Valencia, Noah Goodrich and Scott Turnbull, CDS Director Darryl Piercy, CDS Assistant Director Alison Kimball, Public Works Planner Christina Wolman, Planning Commission Clerk Trudie Pettit and approximately 20 individuals representing applicants and public interest.

Scott Perna moved to elect **David Black** Chairman, **Grant Clark** seconded and the motion passed with all in favor.

Rick Daugherty moved to elect **Grant Clark** as Vice Chairman, **Scott Perna** seconded and the motion passed with all in favor.

II. Correspondence

Clerk, Trudie **Pettit** stated 2 letters were received. The first letter was regarding the Meadow Ridge Performance Based Cluster Plat, but was submitted after the deadline. The second letter was regarding the Sierra Group Holdings, LLC. rezone which was submitted on time.

III. Approval of Minutes

Grant Clark moved to approve the minutes as written, **Scott Perna** seconded and the motion passed with all in favor.

IV. Old Business

A. Meadow Ridge Performance Based Cluster Plat (P-06-14)

The Chair opened the hearing to **Planning Commission Deliberation.**

Staff planner, Scott **Turnbull** stated a letter was received from Public Works that pertains to the lot layout. **Turnbull** stated he met with the applicant and they agree with the lot layout and conditions from Public Works.

Black stated the only members allowed to vote on this item are the members that were at the last meeting, they included Chairman David **Black**, Grant **Clark**, Scott **Perna**, and Matt **Anderson**.

Perna stated that based on the last meeting and the public testimony heard there has been a lot of improvement on the roads.

Clark stated he agrees and that the applicant has taken a lot of time working with neighbors in the surrounding areas regarding the access issues.

Black stated his only concern was the access through Montgomery Street, and that Public Works seems satisfied with the project.

Grant Clark made a motion to pass the Meadow Ridge Performance Based Cluster Plat (P-06-14) forward to the Board of County Commissioners with a recommendation of approval. Scott Perna seconded and the motion carried with 4 in favor with Rick Daugherty and Kim Green abstaining.

The board went through the 8 Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Piercy stated staff are attempting to achieve more correct Findings of Fact that will support the Planning Commissions recommendations when they are forwarded to the Board of County Commissioners.

B. Three Sons LLC Rezone (Z-06-17)

The Chair opened the hearing to Staff Presentation.

Staff Planner **Scott Turnbull** presented his staff report by reading portions of it into the record and submitted **Exhibit A** into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Daugherty asked about the easement on the road the subject property is being accessed.

Turnbull stated this is a non project action and if the applicant decides to go forward with development there would be requirements that would have to be met regarding access to the property.

Anderson asked if the zoning on the subject property was an update to the 2004 comp plan.

Turnbull stated the 2004 Comprehensive Plan gave the applicant a choice of either changing the zoning or land use.

Black stated the Comprehensive Plan changed the zoning on the subject property from Commercial Forest to Rural-5.

Turnbull stated the Comprehensive Plan changed the zoning in 2004 and now the applicant is changing the land use designation.

The Chair opened the hearing to Applicant Presentation.

Anne Watanabe, PO Box 687, Roslyn, WA, representing the applicant and landowners, stated the applicant does have an easement on the road that accesses the subject property. Went through the 7 criteria for a rezone and stated the reasons the subject property meets the criteria.

Black asked if the property next to the subject property has had a zone change.

Turnbull stated the properties are still Forest and Range.

The Chair opened the hearing to Public Testimony. No public testimony.

The Chair opened the hearing to Planning Commission Deliberation.

The board went through the 7 criteria for a rezone to make sure all the members agree that that subject property meets the criteria.

All members agreed the subject property meets the 7 criteria for a rezone.

Clark stated the intent of the 2004 Comprehensive Plan Amendment was to develop this type of area.

Grant Clark made a motion to pass the Three Sons LLC Rezone (Z-06-17) forward to the Board of County Commissioners with a recommendation of approval. Scott Perna seconded and the motion carried with a 6/0 poll of the board.

The board went through the Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Black stated an 11th finding of fact needs to be added stating there was no adverse public testimony.

C. DJ Cattle and Land Rezone (Z-06-38)

The Chair opened the hearing to Staff Presentation.

Staff Planner **Scott Turnbull** presented his staff report by reading portions of it into the record and submitted into the record **Exhibit A**. Attached hereto and incorporated herein is a full copy of that Staff Report.

Black asked how many of the properties surrounding the subject property have been approved.

Turnbull stated all but one of the subject properties have been approved by the Board of County Commissioners.

Green asked if the surrounding area is the same kind of terrain as the subject property.

Turnbull stated yes.

Green asked if the area will support additional development.

Turnbull stated if the applicant does go forward with development, building requirements would have to be met before a permit would be approved.

The Chair opened the hearing to Applicant Presentation.

Jeff Slothower, 201 W 7th Ave, Ellensburg, WA, representing the applicant, made a presentation demonstrating how the subject property meets the 7 criteria for a rezone.

Daugherty asked why the subject property has not had an archeological survey, when the property adjacent to the property was required to have a survey done.

Slothower stated the State Archeological office maintains a list of sites that trigger an evaluation and no letter was received from that office.

The Chair opened the hearing to Public Testimony. No public testimony.

The Chair opened the hearing to Planning Commission Deliberation.

The board went through the 7 criteria for a rezone.

Black stated his concern is all the traffic that will feed into Montgomery Street.

Slothower stated there are 2 access roads to the subject property and that a letter received from the Department of Transportation stated they would like to talk about these intersections in the future.

Black asked about the Public Works comment on the roads.

Slothower presented a map that clearly showed the roads that will access the property and submitted that map into the record as **Exhibit B**.

Rick Daugherty made a motion to pass the DJ Cattle and Land LLC Rezone (Z-06-38) forward to the Board of County Commissioners with a recommendation of approval. Kim Green seconded and the motion carried with a 6/0 poll of the board.

The board went through the Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Black stated there needs to be an additional Finding of Fact that states that there was no public testimony.

D. Freeman Rezone (Z-06-43)

The Chair opened the hearing to Staff Presentation.

Staff Planner **Noah Goodrich** presented his staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Clark asked if the property has irrigation.

Goodrich stated the overlay shows a portion of the property have irrigation, but currently have no delivery system.

Green asked if the subject property is entitled to water.

Goodrich stated yes they are entitled to irrigation water.

The Chair opened the hearing to Applicant Presentation.

John Ufkes, 200 E 3rd Ave, Ellensburg, WA, representing the applicant, presented a presentation and stated the reasons the subject property meets the 7 criteria for a rezone and submitted a letter of support from **Art Stoltman** into the record as **Exhibit A**.

Green asked how potential development would access the subject property.

Ufkes stated traffic will be able to access the property from the Vantage Highway and the Old Sunset Highway.

The Chair opened the hearing to Public Testimony.

Desmond Knudson, 1661 Vantage Highway, Ellensburg, WA, stated he is in favor of this project.

The Chair opened the hearing to Planning Commission Deliberation.

Anderson asked about the Futurewise letter that was submitted which states the R-3 zone is not consistent with the Comprehensive Plan.

Piercy stated the Comprehensive Plan allows for rural densities within the county for R-3 and R-5 zones.

Black asked **Piercy about the vote from the Eastern Washington Hearings board.**

Piercy stated the hearings board has agreed to hear the petition but have not heard it yet.

Clark stated the property is not suitable for agriculture and this would be a good use of the land.

Pernaa stated we have tried not to do island zoning in the past.

Daugherty stated he would support this type of action.

Black stated his concern was that it was 3 acre not 5 acre; creating an island.

Daugherty stated the board can make decisions on a case by case basis and this is a confined area.

Green stated her concern with the impact on the Vantage Highway with future development.

Black stated that would be addressed at a later time.

Rick Daugherty made a motion to pass the Freeman Rezone (Z-06-43) forward to the Board of County Commissioners with a recommendation of approval. Grant Clark seconded and the motion failed with a 2/3 poll of the board with Kim Green abstaining. Grant Clark and Rick Daugherty voted yes and Scott Pernaa, Matt Anderson, and David Black voted no.

Scott Pernaa made a motion to pass the Freeman Rezone (Z-06-43) forward to the Board of County Commissioners with a recommendation of denial. Matt Anderson seconded and the motion carried with a 3/2 poll of the board with Kim Green abstaining. Scott Pernaa, Matt Anderson, David Black voted yes and Grant Clark and Rick Daugherty voted no.

The board went through the Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Chairman Black called for a 10 minute break.

E. Worley Rezone (Z-06-36)

The Chair opened the hearing to Staff Presentation.

Staff Planner Scott **Turnbull** presented his staff report by reading portions of it into the record and submitted **Exhibit A** into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Black asked if there is access to the subject property.

Turnbull stated yes, off of Markovich Road.

Pernaa asked what the total acreage is of the parcels.

Anderson stated 41.46 acres.

The Chair opened the hearing to Applicant Presentation.

Ron Worley, 2812 Marina Dr., Moses Lake, WA, applicant, stated what his plans are for the future of his property.

Black asked if the property is accessed over a canal.

Worley stated yes on Wiley Lane.

Black asked about the current zoning of the surrounding properties.

Green asked if there is irrigation on the property.

Worley stated there is no irrigation to the property and they have no access to the KRD canal.

The Chair opened the hearing to Public Testimony.

David Scott, 591 Wiley Lane, Cle Elum, WA, stated his property is next to the subject property and his concern is the bridge to the subject property, migration of animals and the impact on the wells in the surrounding area.

Black asked if Wiley Road was privately owned and maintained.

David Scott stated yes it is privately owned and maintained.

Joe Kretschman, 515 Markovich Road, Cle Elum, WA, representing himself, son, and neighbors stated his concern is the road and the expense of maintaining the road and the future development of the property.

Black asked how many homes are accessed off the road.

Kretschman stated 2 homes on his property and a cabin on the subject property.

Black asked how much water he gets off of his well.

Kretschman stated he is on a spring, and his son is on a well.

The Chair opened the hearing to Planning Commission Deliberation.

Green asked who owns the bridge.

David Scott, 591 Wiley Lane, Cle Elum, WA, stated he doesn't know who owns the bridge.

Anderson asked Worley about the well and septic on the property.

Worley stated he has a good well on the property.

The board went through the 7 criteria of a rezone.

Green and **Anderson** stated their concerns with the access to the subject property.

Piercy stated the issue of access will be addressed at a later time in the event of development, the board should be looking at the health, safety, and welfare stand point if emergency vehicles can access the subject property.

The board agreed that the applicant has not met the requirements for public health, safety, and welfare.

Grant Clark made a motion to pass the Worley Rezone (Z-06-36) forward to the Board of County Commissioners with a recommendation of denial. Matt Anderson seconded and the motion carried with a 5/1 poll of the board, Scott Perna voted no.

The board went through the Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Black stated the comments from **Piercy** should be included in the Findings of Fact.

V. New Business

A. Drebaum Rezone (Z-06-47)

The Chair opened the hearing to Staff Presentation.

Staff Planner Noah **Goodrich** presented his staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

The Chair opened the hearing to Applicant Testimony.

David Taylor, 1661 Beane Rd, Moxee, WA, on behalf of applicant, stated he believes the 7 criteria for a rezone have been met and this is a straight forward application.

Black asked about the power lines going through the property.

Taylor stated the top two lots would be good for future development.

Daugherty questioned the water rights.

Taylor stated the availability of water is not required for a rezone, if the applicant decides to develop in the future then a water study would have to be done.

The Chair opened the hearing to Public Testimony.

Rena Hudson, 190 Hidden Springs Road, Cle Elum, WA, stated her concerns with wildlife, water, power, and road access and maintenance. **Hudson** stated she believes that rezones are detrimental to public health because of water, and wildlife and she is opposed to rezones.

Jon Hudson, 190 Hidden Springs Road, Cle Elum, WA, stated his concerns with the roads around the subject property.

Black asked what the properties around the subject property are currently zoned.

Goodrich stated the property next to the subject property is going to be heard at the next meeting and is a rezone and plat application.

Daugherty asked about the easement on the access road.

Goodrich stated they could have an easement through the neighboring property if approved.

Roger Olsen, 2130 Nelson Siding Road, Cle Elum, WA, stated his concerns with the 3 acre zoning and submitted into the record **Exhibit A**.

Taylor stated this is a non project action application.

The Chair opened the hearing to Planning Commission Deliberation.

The board went through the 7 criteria for a rezone.

Daugherty asked if there is a recorded easement on the road that accesses the property.

Goodrich stated he doesn't remember the August meeting but recalls there is an easement.

Daugherty stated his issues with access to the subject property.

Piercy stated the issue on the previous application was access issues, this application has a legal access and the issue would be addressed at the time of a development proposal. **Piercy** stated we are dealing with a

different application with this property. The water could be addressed under health, safety and welfare because of the public testimony about water issues in the area.

Green asked if it is permissible to require a 60 foot road that is up to county standards.

Piercy stated no, that would be up to Public Works at a future time if there is future development.

Daugherty stated his concerns with the health and safety issues on this property.

Black stated he would like to remand the project back to staff because of the health, safety and welfare issues.

Piercy stated if remanded back to staff it becomes the applicant's responsibility to provide additional support.

Black stated he believes water issues should be addressed at the rezone stage instead of the plat stage.

Matt Anderson made a motion to pass the Drebaum Rezone (Z-06-47) forward to the Board of County Commissioners with a recommendation of approval. Scott Perna seconded and the motion passed with a 4/2 poll of the board. Rick Daugherty and Kim Green voted no.

The board went through the Findings of Fact to make corrections or comments, and then sent the Findings back to staff to be brought back to the January 23, 2007 meeting for approval.

Black stated he would like to add **Piercy's** comments regarding water and road issue to the Findings of Fact.

Piercy stated he would like to continue that last two items on the agenda to the next meeting scheduled for January 23, 2007.

Piercy stated the agenda will look a little bit different in the future because the first items in old business will be the Findings of Fact for the applications heard today.

Anderson asked if there will be a traffic planner at future meetings.

Piercy stated yes, we always try to have a traffic planner available for questions during the meetings.

The Planning Commission meeting was adjourned at 10:15 p.m.

The next scheduled meeting is January 23, 2007 at 6:30 p.m. in the Commissioner's Auditorium.

Trudie Pettit, Planning Commission Clerk