

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, March 11, 2008 @ 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, Kim Green, Larry Fuller, Matt Anderson, Jason Grant

Also present: CDS Director Darryl Piercy, CDS Assistant Director Allison Kimball, CDS Staff Planners Mackenzie Moynihan and Joanna Valencia, Public Works Planners Christina Wollman and Randy Carbary, Clerk Lindsay Watkins and approximately 16 individuals representing applicants and public interest.

II. Correspondence –

No Correspondence

III. Approval of Minutes

Larry Fuller moved to approve minutes as written. Kim Green seconded and the motion carried with all in favor.

IV. Old Business

A. Wedgwood Estates Preliminary Plat (P-07-56)

Chair opened the hearing to Findings of Fact.

Larry Fuller moved to pass forward the Wedgwood Estates Preliminary Plat (P-07-56) with corrections to number 14 as noted to the Board of County Commissioners for approval. Matt Anderson seconded and the motion passed with all in favor.

B. Dantzler Teanaway Plat (P-07-46)

Chair opened the hearing to Findings of Fact.

Matt Anderson moved to pass forward the Dantzler Teanaway Plat (P-07-46) to the Board of County Commissions for approval. Kim Green seconded and the motion carried with all in favor.

C. Waldwoods Preliminary Plat (P-07-07)

Chair opened the hearing to Staff Presentation.

Staff Planner, **Joanna Valencia** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report and submitted into the record **Exhibits A and B.**

Anderson asked the reason this got sent back was because of the BPA easement that qualified for open space?

Valencia stated that was correct.

Fuller asked if they were still planning on going with a Group B Water System.

Valencia stated that was correct.

Chair opened the hearing to the Applicants Presentation.

Mark Kirkpatrick, 108 E. 2nd Street, Cle Elum, WA 98922, representing the applicant gave a brief overview of the project.

Fuller asked if the Forest Service road located on the power point presentation was South Cle Elum road.

Kirkpatrick stated that was correct and the road is shared with the Forest Service.

Fuller asked what he meant by the road is shared with the Forest Service.

Kirkpatrick stated the underlining owners are with the adjacent lot owners and the Forest Service has an easement across those lot owners.

Fuller asked who has the authority for the upkeep of the road.

Kirkpatrick stated he believes it's the Home Owners Association.

Fuller asked if the County is the ones that asphalts the road.

Kirkpatrick stated not the County, but the Home Owners Association widened and improved the Forest Service road.

Green asked if there isn't a secondary access granted where will it come through.

Kirkpatrick stated the idea was for it to come through Apple Tree Road? And that's something the Preliminary Plat would need to be conditioned that the secondary access be required.

Black asked if the well log was 10 gallons a minute.

Kirkpatrick stated that was correct.

Black asked what the average was for that group.

Kirkpatrick stated the average was 14 gallons a minutes.

Fuller asked if the existing wells are water right wells.

Kirkpatrick stated it was an exempt well.

Fuller asked if that was a Class B well.

Kirkpatrick stated that was correct.

Fuller stated he thought Class B wells where limited to 9 houses or less.

Kirkpatrick stated as far as the density bonus points go and according to classification, exempt wells get a Class B point system.

Piercy stated the Class B System can serve up to 14 lots and anything over 9 lots is required to have department approval at state level rather than local level.

Chair opened the hearing for Public Testimony.

Mark Wald, 1501 35th Ave South, Seattle, WA 98144, land owner, stated a few things he wanted to do with his project.

Chair opened the hearing for Planning Commission deliberation and motion.

Fuller stated he still has a problem with it as far as water, and the applicant doesn't have the two roads.

Kim Green moved to pass forward **Waldwoods Cluster Plat (P-07-07)** to the Board of County Commissioners for approval on the condition that the two easement letters from BPA and Northwood Investments be a part of the record. **Matt Anderson** seconded and the motion passed 4/1 with **Larry Fuller** declining.

Findings of Fact will be brought back to the March 25, 2008 meeting.

D. Crowe Preliminary Plat (P-07-51)

Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened the hearing for Applicants Presentation.

Jon Ufkes, 200 E. 3rd, Ellensburg, WA 98926, representing the applicant, stated he would like to address the Group B Water System and gave a brief overview of the project and submitted into the record **Exhibits A, B, and C**.

Robert Crowe, 3201 Manashtash Road, Ellensburg, WA 98926, stated he was here to represent him self as land owner, he then submitted into the record **Exhibit D** and gave a brief overview of his project.

Chair opened the hearing for Public Testimony.

Harriet Bland, 3440 Manashtash Road, Ellensburg, WA 98926, stated her family's biggest concern with the Crowe property is the deliverance of water and then gave a brief overview of her testimony.

Piercy stated the Department of Ecology does not have an established process or program for meter reading and then submitted **Exhibit E** into the record.

Ufkes stated he suggested to Mr. Piercy to check with his legal department the definition of development and it doesn't seem that was done or that there's any interest in it. Ufkes stated he looked up his information checked it out and it is what it is. He recommends that the Board seeks legal council so everyone has the same understanding.

Crowe stated he wanted to address that if there is concern about getting 5,000 gallons a day he thinks there is absolutely no problem restricting the future parcels in getting the 5,000 gallons a day with separate meters.

Black asked if Mr. Crowe said he would give them an easement and pay a portion of the cost of moving the pipe.

Crowe stated yes he would be willing to do that.

Chair opened the hearing for Planning Commission deliberation and motion.

Black stated he would like to continue this to March 25, 2008 so the Board can seek legal council.

The Board agreed to continue Crowe Preliminary Plat (P-07-51) to March 25, 2008 meeting.

E. Manna Funding Rezone (Z-06-46)

Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record and submitted **Exhibits A and B**. Attached hereto and incorporated is a copy of that staff report.

Christina Wolman, Public Works stated one of the issues in the memorandum of decision was that there was no information with in the record on the access.

Chair opened hearing for Applicants Presentation.

David Taylor, Consulting Group, 1661 Beane Road, Moxee, WA 98936, representing the applicant, gave an overview of the project and submitted **Exhibit C** into the record.

Duanna Kolouskova, 1500-114th Avenue SE Suite 102, Bellevue, WA 98004, attorney for land owners, stated she agrees with the applicant's presentation and would like to recommend the Board looking at the Exhibits submitted before making any decisions and gave a brief overview of the project.

Chair opened the hearing for Public Testimony.

David Gerth, 205 Alaska, Roslyn, WA 98941, stated he believes there is no reason to grant this rezone and gave a brief overview of his reasoning.

Robert Medved, 7238 Southeast 32nd Street, Mercer Island, WA 98040, stated he is not representing Manna; he has clients that own 60 acres to the West of Manna Funding and he would like to make a point on the fact that the Mayor of Roslyn sent out a letter stating that the town of Roslyn is considered a Historic town. According to Medved and his research on this matter that is incorrect, his research shows that only a little part of Roslyn is considered Historic. Medved would like the Board of Commissioners to look into this incorrect letter sent out by the Mayor of Roslyn. Medved would also like to bring up the point that he thinks public documents need to show that land was plated twice and the county plat process approved the roads and then made them go back in because State DOT came in and said that the road comes out to close to the highway so they redid the plat and as far as Medved can tell the roads where approved by the County.

Black asked if the 60 acres was approved.

Medved stated the 60 acres was denied with a vote to 6/1.

Gerth stated that the conveyance of the 300 acres to the City was a private real estate deal, which contained restriction in the conveyance that there would be no residential development in the area.

Black asked if that section is part of the City limits of Roslyn.

Gerth stated that was correct.

Medved stated private deed restrictions aren't forceful if they're legal, there use to be private deed restrictions that restricted the sale of property to black people.

Taylor stated what is accruing on the ground right now in the Manna Funding area is not consistent with traditional planning practices. The R3 zone will allow the land owners to go to a cluster development. Cluster developments include property and contain open space and that's what his clients are trying to accomplish.

Kolouskova stated there was never any deed restrictions submitted on Mr. Gerth's behalf. What 's more appropriate for Manna Funding property is property that is adjacent to an incorporated city and to that extent we respectfully submit that the R3 zoning is far more appropriate.

Chair opened Hearing for Planning Commission deliberation and motion.

Green stated she has some disagreement with GPO points Mr. Taylor pointed out and also disagrees with GPO 2.14 and disagrees that this rezone would perpetuate rural fall.

Black stated he believes the staff report regardless of what Mr. Taylor has used as GPO's the staff report has said the property is compatible.

Green stated she agrees that it's compatible; she disagrees with his arguments that he supports the use of that.

Black stated he thinks that it's important to verify whether we disagree or agree and that he thinks the Board needs to seek legal council.

Fuller stated he disagrees with criteria #2.

Anderson stated he disagrees with criteria #3.

Green stated she agrees with criteria #2.

Grant stated he was abstaining.

Black stated he agrees with criteria #2.

Green stated they aren't allowed to speculate and they are canceling each other out.

Anderson stated he disagrees with that.

Fuller stated he was with Green.

CDS Assistant Director, **Allison Kimball** stated she suggest the Board should continue the hearing to seek legal council.

Black stated he would like to continue the hearing and keep the public testimony open for additional comments.

Kimball stated the Public Testimony portion would have to be reopened.

Gerth stated he felt the Public got to say what they wanted and didn't want to see it remain open.

Kolouskova stated she would like to express her objection to this ongoing with one member of the Public.

Black moved to continue the hearing with the record to be left open and comments to be submitted until Wednesday March 19, 2008 at noon. **Jason Grant** seconded.

Kim Green moved **Manna Funding Rezone (Z-06-46)** be continued until **March 25, 2008 at 6:30pm** and that the record keep closed. **Larry Fuller** seconded and the motion passed 3/2 **Matt Anderson** and **David Black** declining.

Next regularly scheduled meeting is March 25, 2008 at 6:30 pm at the Commissions Auditorium.

Meeting was adjourned at 9:50 pm.

Lindsay Watkins, Planning Commission Clerk