

**KITTITAS COUNTY PLANNING COMMISSION MEETING  
Tuesday, March 25, 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, Larry Fuller, Matt Anderson, Jason Grant

Also present: CDS Assistant Director Allison Kimball, CDS Staff Planners Mackenzie Moynihan and Scott Turnbull, Public Works Planners Christina Wollman, Clerk Lindsay Watkins and approximately 5 individuals representing applicants and public interest.

**II. Correspondence –**

**No Correspondence**

**III. Approval of Minutes**

**Larry Fuller moved to approve minutes as written. Matt Anderson seconded and the motion carried with all in favor.**

**IV. Old Business**

**A. Waldwoods Preliminary Plat (P-07-07)**

**Chair opened the hearing to Findings of Fact.**

**Matt Anderson moved to pass forward the Waldwoods Preliminary Plat (P-07-07) as written to the Board of County Commissioners for approval. Larry Fuller seconded and the motion passed with all in favor.**

**Black** stated the Planning Commission Board members had some questions for Neil Caulkins.

**Anderson** asked Neil Caulkins the definition of Development.

Prosecuting Attorney, **Neil Caulkins** stated Development is where one is going to do something with the property, and when something is going to divide property that's the definition of Development.

**Fuller** asked does the division of a piece of property constitute the making of a project, and if so does the Board have the right to require a Group B Well as a condition.

**Caulkins** stated yes, and yes the Planning Commission Board has the right to require a Group B Well as a condition.

**Fuller** asked on a Rezone of property is it assumed that just by the zone the value of the property is increased even if no testimony is presented to support it as a fact.

**Caulkins** stated no, your decision must be based upon the record, if it's not in the record he can't support it.

**Fuller** asked if a rezone is granted does the Planning Commission have the right to assume that the property has the number of lots as allowed by the rezone.

**Caulkins** stated no, because the rezone it's self does not create lots, and it doesn't affect taxes.

**Anderson** asked if we had a plat application and we are talking about a Group B Well verses individual wells and assign a Group B Well and then six weeks later we receive another application that is identical are we then obligated to assign a Group B Well.

**Caulkins** stated you have discretion to recommend the conditions you think are appropriate; each application has different facts that go with them, as long as there is something to support it by the record then your fine. That being said one needs to keep in mind what has happened in the past.

**Fuller** asked to enter into the record does that have to be somebody from the public or can it be a question we have asked the applicant whether he had done the study similar or to enter that information into the record.

**Caulkins** stated yes, you can ask the applicant these questions and if they have such a study and the record is left open then you can invite them to place it into the record, as far as you putting it into the record no, but you can ask the question, what are you basing that on? Do you have a study that shows that?

#### **B. Crowe Plat (P-07-51)**

**Black** read a letter into the record from Mackenzie Moynihan and a letter from Kim Green.

#### **Chair opened the hearing for Planning Commission Deliberation and Motion.**

**Black** stated he understands the Class B System is appropriate if we ask for it but he also understood Mr. Caulkins to say that if we did seven wells at the same time that would also constitute one withdraw.

**Caulkins** stated yes, if the developer would come forth with a development proposal for multiple lots and thinking of using individual wells within that development and would be for purposes of exempt wells statued under Cambell Gwen it's considered one withdraw.

**Black** asked if the seven wells would need to be done at the same time.

**Caulkins** stated he didn't think it would matter, and it would still be considered one withdraw.

**Anderson** stated he believes there needs to be a monitoring system.

**Fuller** stated Ecology has no monitoring system for Class B Wells, and the only one that does is the County, so if we want to monitor it, it would almost have to be a Class B Well.

**Black** stated as long as it's in the same plat and the wells are drilled at any time then there's no reason for a Class B Well System.

**Fuller** stated he thinks it would be beneficial to Mr. Crowe to drill one well so there is less damage to the Aqua System.

**Anderson** stated if he is only planning on having one well why have the Class B System.

**Fuller** stated you can have the same restriction for seven lots whether you use one or seven wells and you are only going to have five thousand gallons, the only way to monitor that is to make it a Class B System.

**Black** stated he thinks on irrigation delivery that Mr. Crowe stated he was willing to give an easement and pay a portion of the cost.

**Fuller** stated buy why shouldn't he pay all of the cost.

**Black** stated the right to farm agreement is a standard in the County correct.

CDS Assistant Director, **Allison Kimball** stated it's a requirement by County Code.

**Fuller** stated all he is saying is if Mr. Crowe wants to move it to a property line like he stated in his testimony that's to his benefit not to the benefit of anybody else.

**Larry Fuller moved to require Crowe Preliminary Plat (P-07-51) be approved with the condition that it has a Class B Water System and the irrigation pipe lines on 6 of the lots be paid for by the Applicant. David Black seconded and the motion failed with a 2/2 tie with Matt Anderson and Jason Grant declining.**

**Anderson** stated he doesn't believe we need to attach a Class B Water System condition.

**Fuller** stated he wants to see it monitored for sure.

**Anderson** stated if the County was serious about monitoring the Wells that the system would be in place.

**Matt Anderson moved Crowe Preliminary Plat (P-07-51) be passed forward to Board of County Commissioners with a recommendation of approval with the condition that the applicant pays for the movement of the irrigation ditches. Jason Grant seconded and the motion failed with a 2/2 tie with Larry fuller and David Black declining.**

**Larry Fuller moved to pass Crowe Preliminary Plat (P-07-51) forward to Board of County Commissioners with no recommendation of approval that the applicant pays for the movement of the irrigation ditches. David Black seconded and the motion passed 3/1 with Matt Anderson declining.**

**Moynihan** stated the Planning Commission has the option of continuing this to the next meeting when there are more members to vote.

**Anderson** stated he thought that the Board of County Commissioners would get the best of what would need to be done with the monitoring.

**Black** stated we can either pass it forward to the Board of County Commissioners or pass it forward with no recommendation.

**Fuller** stated he wanted one more member and asked the applicant if he cared if it was continued.

Attorney for Applicant, **John Ufkes** stated he wasn't really sure adding Kim Green to the mix is really going to create something more defensible or less defensible.

**Findings of Fact will be brought back to the April 8, 2008 meeting.**

#### **C. Manna Funding Rezone (Z-06-46) Remand**

**Chair opened the hearing for Planning Commission Deliberation and Motion.**

**Fuller** asked do we want to do go over the seven conditions or do we want to just jump in with both feet.

**Black** stated lets just jump in with both feet.

**Anderson** stated the argument of the rezone states that the accessed value will go up but we can't speculate that I will.

**Black** stated it could possibly stay like it is for twenty years and there for the tax couldn't change at all. The Planning Commission then went through the seven criteria's.

**Matt Anderson moved that Manna Funding Rezone (Z-06-46) be passed forward to the Board of County Commissioners with a recommendation of denial. Larry Fuller seconded and the motion passed 3/1 with Jason Grant declining.**

**Findings of Fact will be brought back to the April 8, 2008 meeting.**

Next regularly scheduled meeting is April 8, 2008 at 6:30 p.m. at the Commissioners Auditorium.

**Meeting was adjourned at 7:35 p.m.**

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Lindsay Watkins, Planning Commission Clerk