

**From:** [Mike Podobnik](#)  
**To:** [Jamey Ayling](#)  
**Cc:** [CDS User](#)  
**Subject:** Public Comments on Fowler Creek Guest Ranch, CU-23-00003  
**Date:** Thursday, October 19, 2023 12:09:37 AM  
**Attachments:** [Letter of opposition to Hidden Point Project Application CUP-20-20005.pdf](#)  
[Letter for the Residents of the Granite Creek Community dated 18 Oct 2023.pdf](#)  
[Fearful Mother- Request for Comment on Behalf of FD-7, John Sinclair, District 7 Fire Chief.pdf](#)

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October 18, 2023

Kittitas County Community Development Services  
411 N. Ruby St  
Ellensburg, WA 98926

Transmitted via email

Re: Fowler Creek Guest Ranch, CU-23-00003

My name is Michael Podobnik and I have a residence at 841 Forest Service Road 4517, Cle Elum, WA 98922. Our family's property, Parcel #17437, immediately borders the proposed development for Fowler Creek Guest Ranch, CU-23-00003, and I am submitting public comments in this regard. Specifically, I wish to draw attention to three issues:

- **Kittitas County Codes KCC 17.08.270 and KCC 17.30A.010**
- **Community Safety Related to Wildland Fire and Traffic Volume**
- **Preliminary Mitigated Determination of NonSignificance**

A Pacific Northwest native, I've called Washington home for nearly my entire life. Appreciation for the outdoors was instilled from an early age and I grew up hiking, swimming, backpacking, and camping in the Cascades. After meeting my wife, who's parents had a home in Cle Elum, I had the good fortune to visit regularly over the past

decade. As we welcomed our own children, we also sought out a home of our own - it was our desire that our children developed the same love and wonderment for the area and community that we had discovered. Ultimately, we found a home in the Granite Creek neighborhood, purchasing Parcel #17437 directly from the brother of the applicant's current business partner. After nearly a year of searching for a residence in a rural area, but with ties to a strong, tight knit community, to learn of the Fowler Creek Guest Ranch proposal was beyond disappointing. To discover that our property would border the RV park, high-density short term rental cluster, commercial and retail space, and large event venue was heart-wrenching.

In a short amount of time, our family has learned a great deal about the development process in Kittitas County. During that window, we've also had the opportunity to extend our community well beyond the borders of Granite Creek, meeting multitudes of new neighbors, Washington State Department representatives, and public officials, each distressed with the development proposal outlined in the Conditional Use Permit (CUP) application. Expressing concerns that range from detrimental impact on the character of the neighborhood, to fear for drinking water with no clear, scalable wastewater plan, to frustration for the applicant's pattern of failure to follow through on commitments conditioned for the approval of previous development projects, perspectives were surprisingly aligned and new information gleaned was alarming.

As outlined below, I assert that the CUP should be denied, Preliminary MDNS is inappropriate, and that the application should not move forward to the hearing examiner with a SEPA determination. Underscored by the very real concerns raised relative to loss of human life, I urge Kittitas County Community Development to carefully weigh their position on this CUP, consider precedent, operating norms, and protocols, and the severity of the implications of the questions raised, both outlined below and as shared from the members of the community.

Respectfully,  
Michael Podobnik

Attachments:

1. Letter of opposition to Hidden Point Project Application CUP-20-20005, Bruce Coe, District 2 Planning Commissioner
2. Letter for the Residents of the Granite Creek Community, Shawn M. Plichta, Professional Engineer

3.

Re: Fearful Mother: Request for Comment on Behalf of FD-7, John Sinclair,  
District 7 Fire Chief

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### **Kittitas County Codes KCC 17.08.270 and KCC 17.30A.010**

On the basis of the application and the information therein, as proposed, the application should be denied as the land development outlined is non compatible with the criteria of [KCC 17.08.270 Guest ranch or guest farm](#). While the applicant attempts to position the Fowler Creek Guest Ranch as an overnight lodging and recreational facility in a rural setting, in doing so Fowler Creek Trails LLC also grossly misconstrues the intended definition of Guest ranch. This point was underscored by Bruce Coe, District 2 Planning Commissioner, in his public comments regarding the Hidden Point Project Application CUP-20-20005 (Attachment 1). Within and having drafted the original language for “guest ranch/guest farm” as a conditional use, he highlighted the intended assumption of “an active underlying agricultural activity that was historical and ongoing” and that “western activities” were the core of the experience.” In reality, as described in the application, the Fowler Creek Guest Ranch meets none of the defined characteristics intended in the framing of KCC 17.08.270. Instead, this buildout serves as a RV park, high-density short term rental cluster, commercial and retail space, and large event venue, all operating within a Rural-5 zone. Here too the applicant’s proposal is non compatible with existing Kittitas County Codes, specifically [KCC 17.30A.010](#), which outlines that “a primary goal and intent in siting R-5 zones will be to minimize adverse effects on adjacent natural resource lands (Ord. 2005-05, 2005).” Despite suggestions within the [Surrounding Property Review](#), the buildout would be both detrimental and injurious to the character of the surrounding neighborhood and incompatible with the existing neighborhood land use, specifically in relation to nearby parcels, both bordering and beyond.

### **Community Safety Related to Wildland Fire and Traffic Volume**

The explicit nature of how this CUP would be injurious is appropriately summarized in letters from both John Sinclair, District 7 Fire Chief and Shawn Plichta, Professional Engineer. As positioned, within a Rural-5 zone and adjacent to the rural Fowler Creek Road and USFS category 2 Forest Service Road 4517, Fowler Creek Guest Ranch compromises safety for the surrounding neighborhood as well as prospective short-term rental guests and event attendees. Neither road is designed to support even the cursory increase in traffic volume proposed within the application. As Shawn Plichta,

PE raises FS Rd 4517 serves as the single and only readily available egress for the Granite Creek neighborhood (Attachment 2). For our community, there is only one way out for our neighbors and one way in for emergency responders. However, as proposed, the two access points to the proposed development introduce egress points in close proximity and one of the two intersects with FS Rd 4517, labeled "Exit" on the [Site Plan](#). Under normal weather and/or non-emergency conditions the road is questionable, but clear questions have been raised about whether FS Rd 4517 can capably meet current standards for line of sight, stopping distance, turning radii, particularly for RVs and trailers, zone requirements, and roadway width. This risk escalates greatly in inclement weather, such as winter snow, and in the event of emergency, such as a wildland fire. In reality, no engineering analysis nor appropriate traffic impact analysis has been completed to ensure safety, compounding risk for hundreds of residents, short-term guests, event attendees, and emergency responders alike. John Sinclair, District 7 Fire Chief, put the implications plainly, stating "Bottom line, we run the risk of future loss of life in a rapidly moving wildland fire."

### **Preliminary Mitigated Determination of NonSignificance**

Given the disregard for Kittitas County Codes KCC 17.08.270 and KCC 17.30A.010 and catastrophic implications for safety highlighted above, I further assert that a Preliminary MDNS is inappropriate and the application not move forward to the hearing examiner with a SEPA determination until critical information and substantive reports have been adequately provided. Study, clarification, and documentation related to the environmental policy issues of the application must be addressed and is clearly lacking in the existing CUP. In addition to no engineering nor accurate traffic impact analysis cited by Shawn Plichta, PE, in none of the included exhibits does the applicant sufficiently address a permit from Washington Department of Ecology to use groundwater, lacks specificity of groundwater sources, disregards water runoff impact, excludes wetlands impact examination, fails to consider an Independent Biological Assessment, and offers no data on impact of light and noise. In short, the applicant fails to provide sufficient analysis for Kittitas County to render a Preliminary MNDS.

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