

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTTITAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682

"Building Partnerships – Building Communities"

REZONE APPLICATION

(To change from the existing zone to another zone)

KITTTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CONTACT COMMUNITY DEVELOPMENT SERVICES TO SET UP A PRE-APPLICATION MEETING TO DISCUSS A PROPOSED PROJECT.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. PURSUANT TO KCC 15A.03.030, A COMPLETE APPLICATION IS DETERMINED WITHIN 28 DAYS OF RECEIPT OF THE APPLICATION SUBMITTAL PACKET AND FEE. THE FOLLOWING ITEMS MUST BE ATTACHED TO THE APPLICATION PACKET:

REQUIRED ATTACHMENTS

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 500 FEET OF THE SUBJECT PARCEL(S). IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THEN THE 500 FOOT AREA EXTENDS FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS' OR ROAD ASSOCIATION, THEN PLEASE INCLUDE THE MAILING ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED BUILDINGS, POINTS OF ACCESS, ROADS, PARKING AREAS, SEPTIC TANK, DRAINFIELD, DRAINFIELD REPLACEMENT AREA, AREAS TO BE CUT AND/OR FILLED, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.
- SEPA CHECKLIST
- REQUESTED ZONE CHANGE: FROM Lamird III Limited Commercial / Ag-20 TO Expanded Lamird III / Highway Commercial

APPLICATION FEE:

\$3790 (\$3320 Rezone + \$470 SEPA) to Kittitas County Community Development Services Department (KCCDS)
\$130 for the Fire Marshal

*One check made payable to KCCDS for \$3,920.00

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
(CDS STAFF SIGNATURE)

Mandy Reed

DATE:

6/29/10

RECEIPT #

00008105

NOTES:



1. Name, mailing address and day phone of land owner(s) of record:
Landowner(s) signature(s) required on application form.

Name: Mark Siks, Connie Dunnington
Mailing Address: 215 E. 4th Ave.
City/State/ZIP: Ellensburg, WA 98926
Day Time Phone: 509-925-3200
Email Address: _____

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Roger Weaver, Re/Max Community Realty
Mailing Address: 2109 W. Dolarway Rd., Ste 2
City/State/ZIP: Ellensburg, WA 98926
Day Time Phone: 509-933-7303
Email Address: rweaver@elltel.net

3. Street address of property:

Address: South Thorp Highway
City/State/ZIP: Ellensburg, WA 98926

4. Legal description of property:
ATTACHED

5. Tax parcel number:
18-17-14010-0008, 18-17-14010-0013, ptn 18-17-14010-0011

6. Property size:
47 Acres

7. Narrative project description: Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):
SEE ATTACHED

8. **What is the present zoning district?**
County Ag-20 & Lamird Type III
-
9. **What is the zoning district requested?**
Highway Commercial - Expanded Lamird Type III Boundary
-
10. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**
- A. The proposed amendment is compatible with the comprehensive plan.
It diversifies Economic Growth, while broadening Employment Opportunities, with no cost to the County to provide public utilities, while not infringing on any resource lands.
 - B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
It provides our visitors and our Community expanded and more accessible services. An additional place to wait out the snow and balance the traffic at Exit 106 (Regional Retail) and at Exit 107 as it becomes a Convention Center.
 - C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
Additional job opportunities, as it will add 86-100 full-time positions plus 23-40 part-time positions. Within these numbers will be 25-35 management positions. It will attract visitors to a more accessible site and with the RV Park and Hotel they will stay longer. Increased Tax Revenues to the County.
 - D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
SEE ATTACHED
 - E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
SEE ATTACHED AND PICTURES.
 - F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
Other than during the Construction Phase and the resulting Road Improvements, it will increase the use and safety of current roads.

G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

It will not as we will insure any distribution of water to neighbors is protected or improved.

11. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

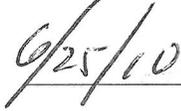
All correspondence and notices will be mailed to the Land Owner of Record and copies sent to the authorized agent.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

Date:

X

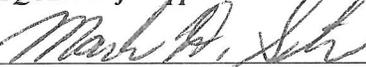
 _____

 _____

Signature of Land Owner of Record
(REQUIRED for application submittal):

Date:

X

 LargeLotApplication.pdf _____



THORP TRAVEL CENTER
ATTACHMENTS

Rezone Application

Legal Description
Site Plan/Pictures
Shea, Carr, Jewell

7. Narrative

10. D: Change in Circumstances
E: Suitability

EXHIBIT "A"

Parcel A

That portion of the Northeast Quarter of Section 14, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington, which lies North and East of the Northeasterly right of way boundary of the West Side Canal and Southerly of the Southwesterly Right of way of Primary State Highway No. 3 (SR90)

EXCEPT

Right of way of Thorp Highway County Road along the East boundary thereof;

AND EXCEPT

That portion of the East Half of the Northeast Quarter of said Section 14 described as follows:
Commencing at a point 60.00 feet left of Station TH 256+04.73 as shown on S.R. 90 plan "West Side Canal to Bull Road", sheet 4 of 39 sheets, dated July 7, 1964;

Thence North 63° 33' 45" West, along the South right of way boundary of said S.R. 90, 219.25 feet;

Thence North 39° 55' 59" West, 436.61 feet;

Thence North 52° 56' 34" West, 194.39 feet to the true point of beginning;

Thence South 00° 07' 45" East, 617.00 feet;

Thence North 72° 06' 45" West, 340.00 feet;

Thence North 00° 07' 45" West, 717.32 feet, more or less, to the South right of way boundary of S.R. 90;

Thence South 63° 33' 45" East, along said right of way boundary, 172.15 feet;

Thence South 52° 56' 34" East, 212.58 feet, more or less, to the true point of beginning

AND EXCEPT

Commencing at a point 430 feet North of the Southeast corner of the Northeast Quarter of Section 14, Township 18 North, Range 17 East of the Willamette Meridian;

Thence West 250 feet;

Thence North 175 feet;

Thence East 250 feet;

Thence South 175 feet to the point of beginning

EXCEPT for the County Road right-of-way along the East line of said premises

AND EXCEPT

That portion of the Southeast Quarter of the Northeast Quarter of Section 14, Township 18 North, Range 17 East, W.M., Kittitas County, Washington, described as follows:

Commencing at the intersection of West boundary line of the Right of Way of Thorpe County Road and the Southwest boundary line of the Right of Way of Primary State Highway No. 3 (SR 90);

Thence South 00° 07' 45" East for 204.73 feet;

Thence North 89° 52' 15" East for 30 feet more or less to the West boundary line of Thorpe County Road;

Thence South 00° 07' 45" East for 95.27 feet;

Thence North 63° 33' 45" West for 257.14 feet;
Thence North 00° 07' 45" West for 284.99 feet
Thence South 63° 33' 45" East for 223.61 feet to the true point of beginning

AND EXCEPT

That portion of the Southeast Quarter of the Northeast Quarter of Section 14, Township 18 North, Range 17 East, W.M., Kittitas County, Washington, described as follows:

Commencing at the intersection of West boundary line of the Right-of-Way of Thorpe County Road and the Southwest boundary line of the Right-of-Way of Primary State Highway No. 3 (SR 90);
Thence North 63° 33' 52" West 223.59 feet to the true point of beginning;
Thence North 63° 33' 52" West, 5.68 feet;
Thence North 39° 24' 52" West, 278.97 feet;
Thence South 0° 07' 47" East 465.40 feet;
Thence South 72° 06' 45" East, 317.70 feet;
Thence North 63° 33' 45" West, 134.62 feet;
Thence North 0° 07' 45" West, 284.99 feet to the true point of beginning

AND EXCEPT that portion of the Northeast ¼ of the Northeast ¼ of said section lying East of the Westerly boundary of the following described parcel;

That portion of the East Half of the Northeast Quarter of said Section 14 described as follows:
Commencing at a point 60.00 feet left of Station TH 256+04.73 as shown on S.R. 90 plan "West Side Canal to Bull Road", sheet 4 of 39 sheets, dated July 7, 1964;
Thence North 63° 33' 45" West, along the South right of way boundary of said S.R. 90, 219.25 feet;
Thence North 39° 55' 59" West, 436.61 feet;
Thence North 52° 56' 34" West, 194.39 feet to the true point of beginning;
Thence South 00° 07' 45" East, 617.00 feet;
Thence North 72° 06' 45" West, 340.00 feet;
Thence North 00° 07' 45" West, 717.32 feet, more or less, to the South right of way boundary of S.R. 90;
Thence South 63° 33' 45" East, along said right of way boundary, 172.15 feet;
Thence South 52° 56' 34" East, 212.58 feet, more or less, to the true point of beginning

Parcel B

Commencing at a point 430 feet North of the Southeast corner of the Northeast Quarter of Section 14, Township 18 North, Range 17 East of the Willamette Meridian;
Thence West 250 feet;
Thence North 175 feet;
Thence East 250 feet;
Thence South 175 feet to the point of beginning

EXCEPT for the County Road right-of-way along the East line of said premises

Parcel C

That portion of the Southeast Quarter of the Northeast Quarter of Section 14, Township 18 North, Range 17 East, W.M., Kittitas County, Washington, described as follows:

Commencing at the intersection of West boundary line of the Right of Way of Thorpe County Road and the Southwest boundary line of the Right of Way of Primary State Highway No. 3 (SR 90);
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Thence North 63° 33' 45" West for 257.14 feet;
Thence North 00° 07' 45" West for 284.99 feet
Thence South 63° 33' 45" East for 223.61 feet to the true point of beginning

AND

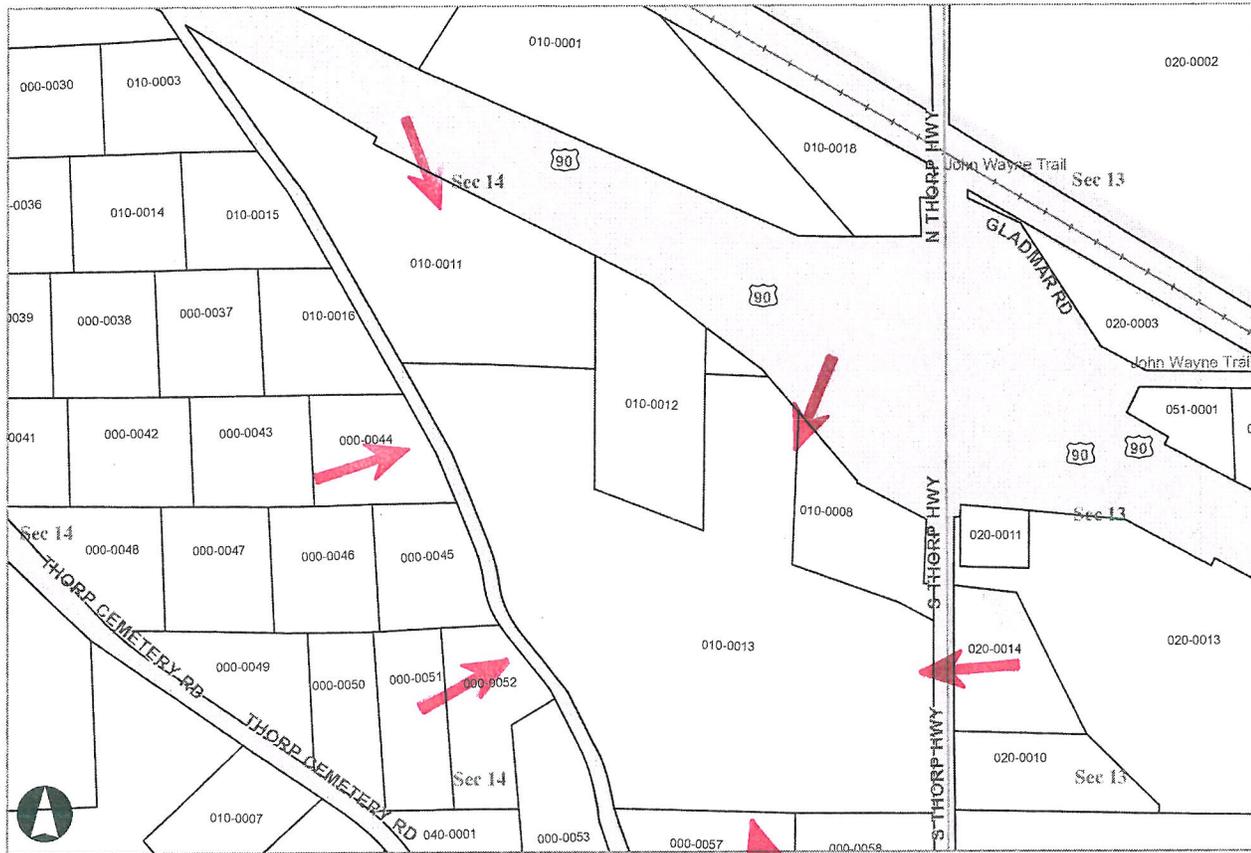
That portion of the Southeast Quarter of the Northeast Quarter of Section 14, Township 18 North, Range 17 East, W.M., Kittitas County, Washington, described as follows:

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Thence North 63° 33' 52" West, 5.68 feet;
Thence North 39° 24' 52" West, 278.97 feet;
Thence South 0° 07' 47" East 465.40 feet;
Thence South 72° 06' 45" East, 317.70 feet;
Thence North 63° 33' 45" West, 134.62 feet;
Thence North 0° 07' 45" West, 284.99 feet to the true point of beginning

Abbreviated Legal: Being a ptn of the NE ¼ of Sec 14 Twp 18N Rge 17E W.M.

Purported Address:

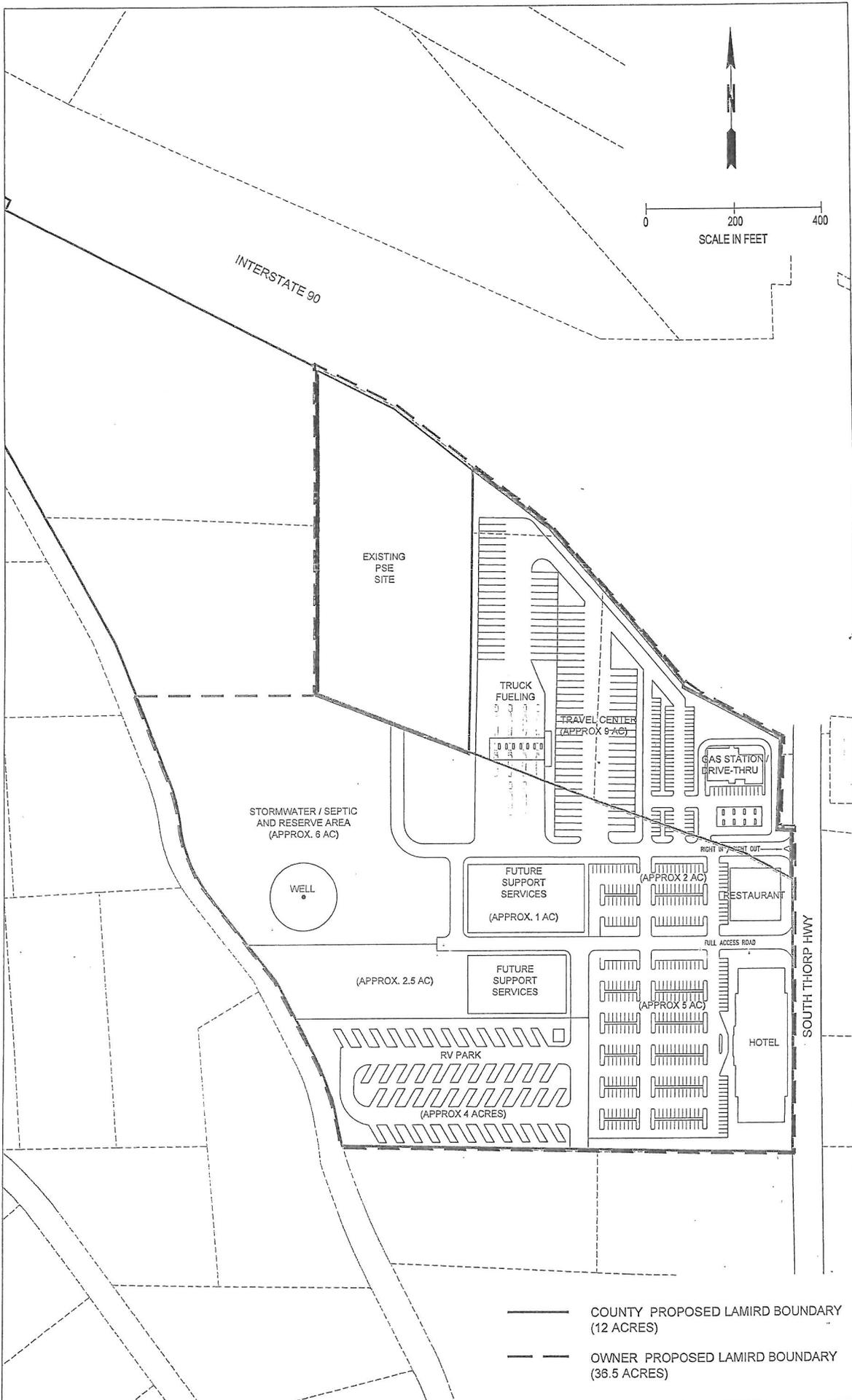
South Thorp Highway
Ellensburg, Washington 98926



Map Center: Township:18 Range:17 Section:14

Kittitas County Disclaimer
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.





——— COUNTY PROPOSED LAMIRD BOUNDARY (12 ACRES)
 - - - OWNER PROPOSED LAMIRD BOUNDARY (38.5 ACRES)

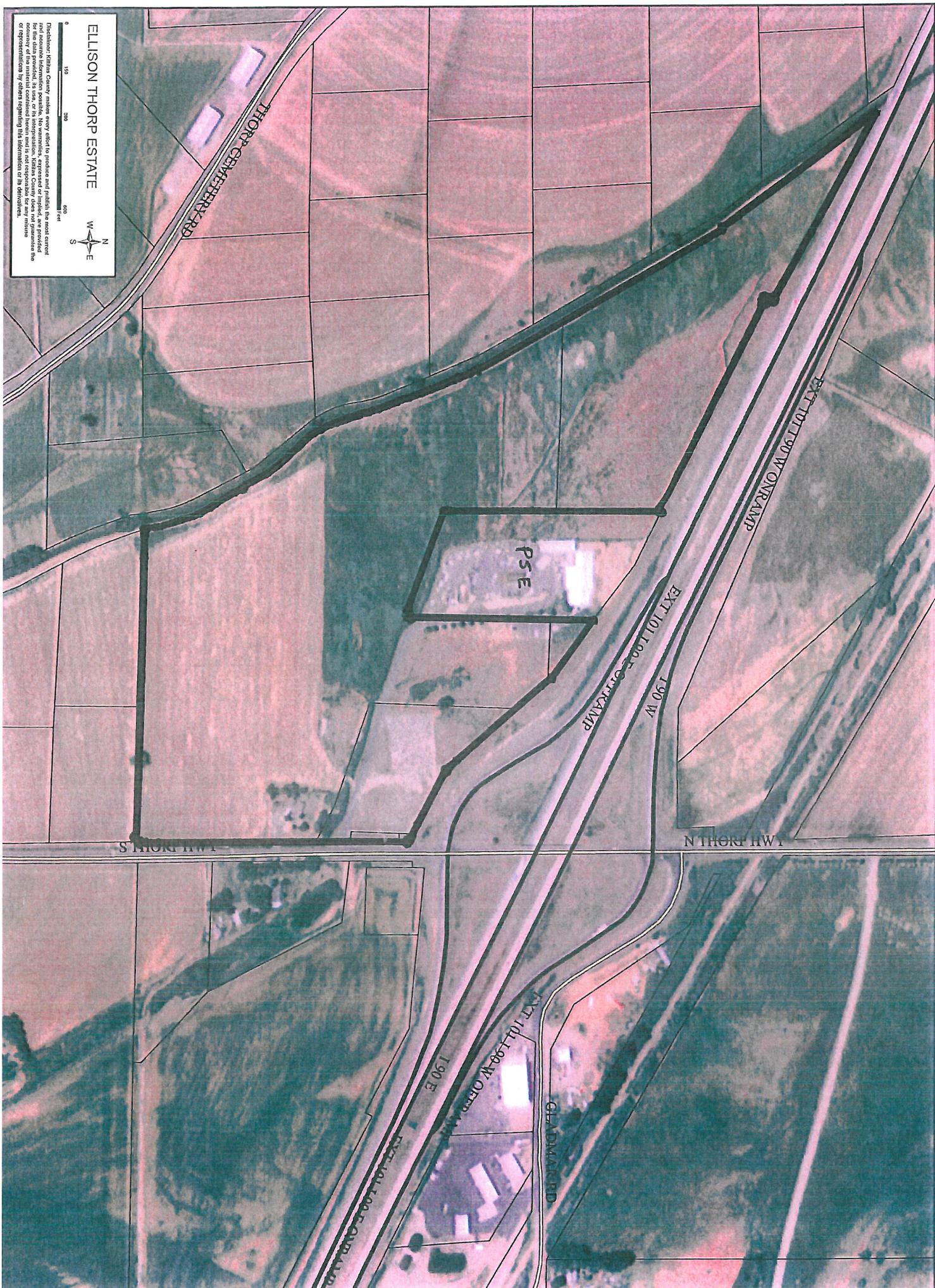
1. 2010 10/26/09 - 10:00 AM
 SHEA-CARR-JEWELL

SHEA-CARR-JEWELL
 ENGINEERING AND PLANNING SERVICES
 2102 CARRIAGE DRIVE SW, BLDG. H, OLYMPIA, WASHINGTON 98502

SCALE:
 1"=200'-0"
 DATE:
 OCT, 2009

ELLENSBURG STATION
 CONCEPTUAL SITE PLAN

EXHIBIT No:
 EX-01
 SHEET No:
 1



ELLISON THORP ESTATE

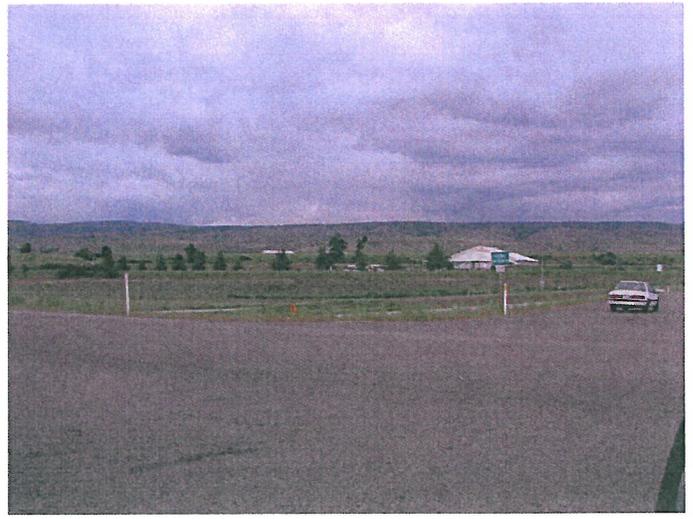


0 150 300 450 feet

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South Thorp Highway



On Ramp to Seattle



Overpass by Old Bingo Site



Far End of Property



Westside Ditch – Please Note Elevation



Puget Sound – Westside Ditch



Westside Ditch Boundary



Rental House



Puget Sound Energy



Old Bingo Site



Old Bingo Site/Old Farmstead



Old Farmstead



Bingo Site Road to P.S.E.



October 8, 2009

Jan Ollivier
Project Manager
Kittitas County
411 North Ruby, Suite 1
Ellensburg, WA 98926

Subject: Kittitas County Comprehensive Plan Compliance 2009
Thorp Recommended Land Use Designations

Dear Ms Ollivier:

The purpose of this letter is to request that the recommended boundaries of the LAMIRD in the southwest quadrant of Exit 101 from Interstate-90 at Thorp be expanded from the proposed 12 acres to 36.5 acres. This expansion will allow for planned development of the site. A site plan is enclosed that shows the proposed development of the property and need for additional acreage zoned for commercial uses.

For several years, the prospective buyer has been pursuing purchase of the property and has made a considerable investment in both time and money in order to develop a travel stop, hotel, restaurant and associated uses. Plans for the site were based on the commercial zoning shown in the County's comprehensive land use map, which would support the planned uses. The only reason development of the site hasn't already occurred has been due to complications with transfer of the land. These issues have now been resolved, there is a committed end-user for the travel stop, and development of the site is ready to move forward.

The travel stop project is proposed in the southwest quadrant of Exit 101. The area of the LAMIRD recommended at this location is approximately 12 acres, which is not large enough to allow the planned development. The end user for the travel stop requires a minimum of nine acres for the travel stop alone, which doesn't include space that is required for the well, septic system, and storm water treatment. It also doesn't allow for development within the LAMIRD of a hotel, restaurant, and other land uses that would support the travel stop.

The conceptual site plan illustrates that the LAMIRD boundaries need to be adjusted to include approximately 24 additional acres in order to accommodate the development that has been planned at this location for a number of years. The primary reasons for this request are listed below.



Jan Ollivier
October 8, 2009
Page 2 of 3

Transportation

- The types of services to be provided (truck stop, fuel, restaurant, etc.) require easy access to and from I-90, and visibility from the interstate;
- In order to ensure safe truck access and free flow of traffic to and from the travel stop and to avoid queuing onto the mainline, the primary access to the site must be at least 600 feet from the off-ramp, which is further than the proposed boundaries of the recommended LAMIRD would allow. The primary users of the truck stop will be large freight vehicles, which require longer areas for queuing so that the trucks don't back up onto the mainline or congest the local roadway;
- Intersections and on-site improvements must be spaced to accommodate the large turning radius the freight trucks require;
- In addition to high visibility, a project such as a truck stop generally locates at a location on the main travel route, well outside of city limits, to avoid creating congestion and delay in movement of freight.

Land Use/Development

- Construction of the travel stop alone requires a minimum of nine acres, plus additional area for a well, septic system, and storm water treatment;
- The acreage included in the LAMIRD needs to be sized to accommodate the septic system, well, and stormwater from the proposed development;
- The proposed users are large water consumers and require a large area to be set aside for the septic system;
- In addition to the truck stop, plans for the site include a hotel, restaurant and other uses that support it. In order to accommodate the proposed development, approximately 24 additional acres would be required.

Zoning

The General Commercial zoning proposed for the LAMIRD will allow the types of land uses that are planned and make sense at this particular location.

The "Assessment of Five County Areas for Land Use Designations" prepared by Jones & Stokes in September 2009 explains that Kittitas County must determine whether the criteria used to identify areas of more intense development results in appropriately-sized and located LAMIRDs. The proposed travel stop is a compatible use in the setting at the interstate exit; however, the boundaries of the proposed LAMIRD at this location are too small. The property purchaser has a viable proposal and an end-user who is anxious to move forward with development, but requires more space than what is in the County's proposed LAMIRD boundary. We ask that



Jan Ollivier
October 8, 2009
Page 3 of 3

approximately 24 additional acres be included in the LAMIRD at the project location so that construction can proceed.

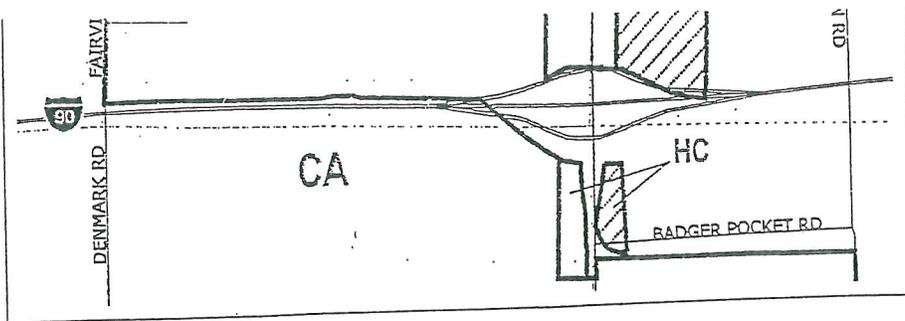
We appreciate your consideration of our request. If you have any questions or need additional information, please don't hesitate to contact me.

Sincerely,

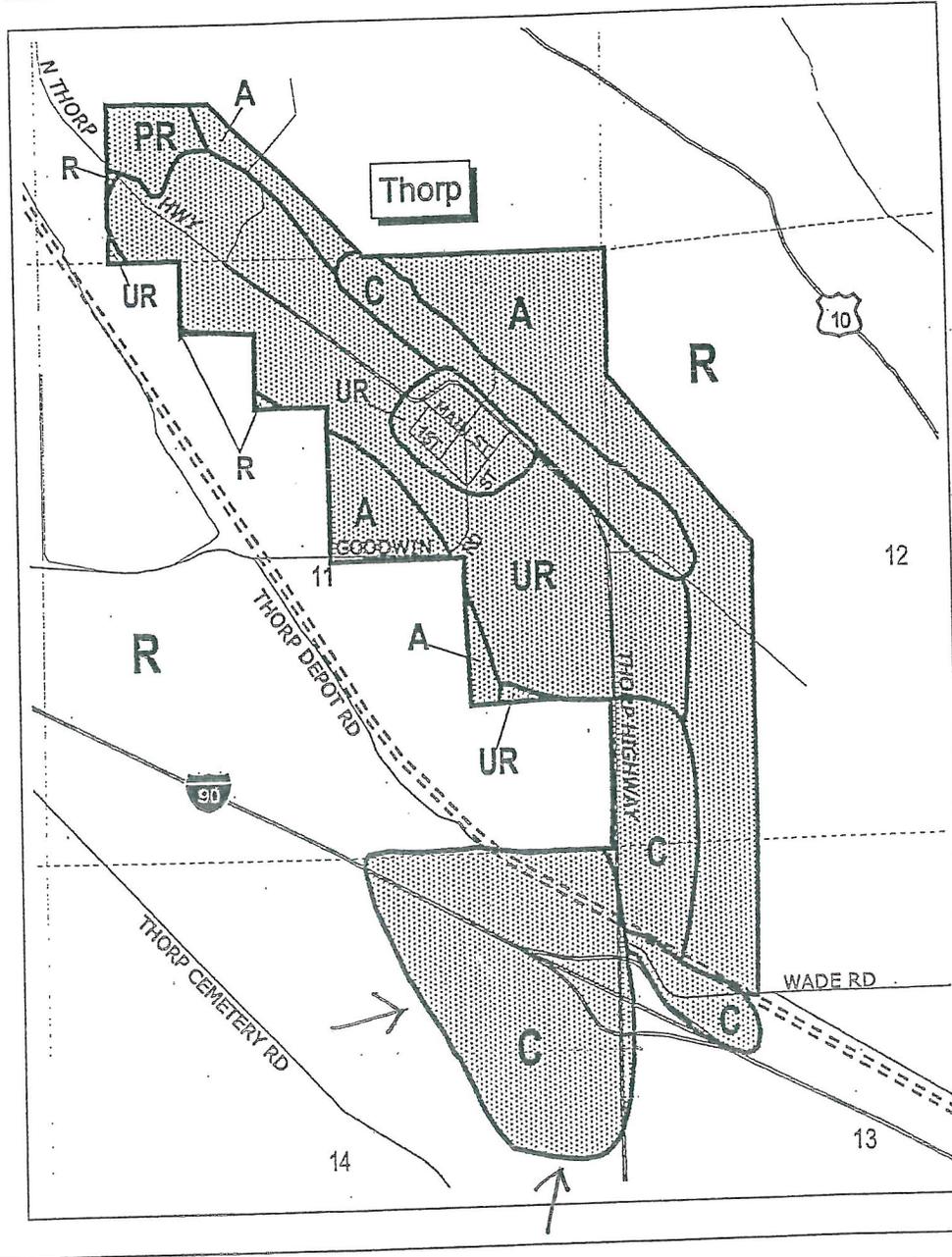
A handwritten signature in black ink, appearing to read 'JC', is written over the typed name 'Jean Carr'. The signature is fluid and cursive.

Jean Carr
Principal

N:\Marketing\Proposals\Proposal Numbers\P423.01 Donn Hughes-Thorp Update-Rezone Support\100809
Kittitas ltr.doc



*Ca
Kitti
C



5

CF

Snoqualm
Pass

8

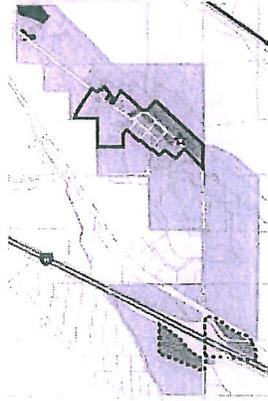
FR

PR

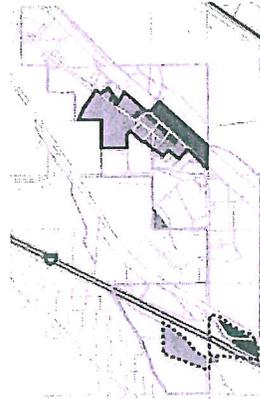
17

ORIGINALLY-URBAN GROWTH NODE.

Thorp



Land Use Designations



Zoning

PC Recommendation – Rural Activity Center (Type 1) and Rural Employment Center (Type 3) LAMIRD

■ ■ ■ ■ ■ Kittitas County Comprehensive Plan Compliance 2009

Thorp

▶ Rationale behind recommendation:

- ▶ Partially served by water; no sewer or sewer plan – area does not qualify as UGA
- ▶ Historic town (existed in 1990) with mixed uses meets criteria for Rural Activity Center (Type 1) LAMIRD
- ▶ Existing commercial land use, and planned land use in adjacent areas, meets criteria for a Rural Employment Center (Type 3) LAMIRD
- ▶ Recommended boundaries adjusted based upon feedback received at Planning Commission Public Hearing
- ▶ Request for extension of the Type 3 LAMIRD boundary to the south is beyond the scope of the compliance effort, but would be appropriate as a future docket item

■ ■ ■ ■ ■ Kittitas County Comprehensive Plan Compliance 2009

7: NARRATIVE PROJECT DESCRIPTION

The Proposed Project at total build-out will be approximately 30.5 acres plus 16 acres of Open Space and Reserve. A complete Car and Truck Fueling Facility, Restaurant, Hotel, RV Park, and other Support Services (Site Plan Attached).

The project will be located at I-90 Interchange at Exit 101 South of the Freeway. Clearly bordered by I-90, Thorp Highway, Westside Irrigation Canal, and private small 3 acre parcels for a very small area. (EXHIBIT) Plat Map

As municipalities become hard pressed to provide infrastructure, this project will be self contained, providing its own water, sewer, and storm-water systems. They will be purchased and/or developed privately utilizing all the available technology to protect function and conservation.

It will be in Phases, the First Phase will be the Truck Stop, Phase II, the Restaurant and RV Park and Phase III, the Hotel.

It provides additional services to our travelers, and will help spread and balance growing congestion at Exits 106 and 107. It provides more space for snow delay traffic and most importantly it provides over 100 jobs as we restore this property to its original use (Bingo Truck Stop).

D: We need to understand all the reasons why the change is being requested. This property was identified by the County as an Urban Growth Node to become a Commercial Zone. We have had the property on the Market with that consideration and sold the property with a completely Executed Purchase and Sale Agreement dated February 26, 2009. Having satisfied all the title issues we are now ready to move forward. Much to our surprise we found the County in a major effort to reach a certain date to be in compliance with Growth Management. We found the process to be too far along for any major revisions as the UGN was changed to Lamird Type III Rural Employment Center. The Planning Commission and County were very concerned that we have a method to revisit this opportunity and not loose the project. So, within their findings, they suggested that we revisit the early decisions and that it be "DOCKETED" for a Comp Plan Review.

The current configuration had changed the property from potentially being Commercial to LAMIRD TYPE 3 Rural Employment Center and to Ag-20. The Lamird Type 3 consists of 12 acres of which Puget Sound Energy occupies, 5+ acres leaving the limited Commercial Activity to 7 acres. This is insufficient to contain a modern Travel Center. Please find attached our attempt to enter and revise the process (EXHIBIT). Further testimony in support of the change by Shea, Carr, Jewell Inc.

E: The rural aspects of the property ceased over 50 years ago. The actual remaining farm ground consists of a hayfield surrounded by weeds, grasses, one rental house, a collapsed barn, P.S.E. Field Office and Equipment Yard, and a large asphalt lot where Bingo used to reside. Pre-Growth Management.

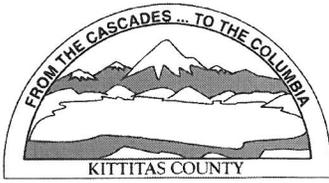
The Comprehensive Plan does bring up the Property rights issue and the Ellison-Thorp Estate was disappointed at not being full partners in the discussion. This writer knows that it is not normally the actions of Growth Management or the County to draw lines on property to encumber a property with new parcels and create significant damages to the Owners.

We will however make every effort to comply within your rules and we believe a combination of an expanded LAMRID Type 3 and a rezone of the additional property to Highway Commercial is in the best interest of the County, the Landowners and supports the Comprehensive Plan. This was the County's original direction.

The Lamird III does allow the logical inclusion of undeveloped lands. It does allow capital facilities to be developed on-site and more intense non-residential development, particularly if it relates to jobs and rural employment.

This property is clearly identifiable for this change and has specific and logical outer boundaries.

The Lamird Type III Boundaries are not necessarily contained by the word "existing" as it relates to July 1, 1990.



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00008165

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

Account name: 022384

Date: 6/29/2010

Applicant: ELLISON THORP PROPERTY

Type: check # 09963

| <u>Permit Number</u> | <u>Fee Description</u> | <u>Amount</u> |
|----------------------|-------------------------|---------------|
| RZ-10-00001 | REZONE FEE | 3,320.00 |
| RZ-10-00001 | SEPA | 470.00 |
| RZ-10-00001 | FIRE MARSHAL REZONE FEE | 130.00 |
| | Total: | 3,920.00 |