



KITITAS COUNTY FIRE MARSHAL'S OFFICE

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

Office (509) 962-7657 Fax (509) 962-7682

December 9, 2013

Lindsey Ozbolt
Staff Planner
Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926



Re: Larson Fruit (CU-13-00007)

Dear Ms. Ozbolt:

Upon review of the above mentioned land use action, I have the following comments/requirements;

- A turn-around shall be provided for fire department access.
- A County approved blue reflective address marker shall be posted and maintained at the driveway to the structures and on each structure. The individual structures shall be assigned a number or letter by the project manager for emergency purposes, i.e Building 1, Building A, etc.
- The buildings may be no closer than 10' from each other.
- Submittal of a WUI application is required for this property as it is located outside of a fire district.
- Fire extinguishers shall be located appropriately. I can assist with this prior to occupancy.
- A fire and life safety inspection shall be conducted prior to occupancy.
- All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the most current version of the International Fire & Building Codes.

Any questions or concerns regarding fire service features may be directed to the Kittitas County Fire Marshal's Office at (509) 962-7000.

Sincerely,

Brenda Larsen
Fire Marshal

Lindsey Ozbolt

From: Brenda Larsen
Sent: Tuesday, December 10, 2013 8:53 AM
To: Lindsey Ozbolt
Subject: Larson Fruit CU-13-00007
Attachments: Larson Fruit.doc

Follow Up Flag: Follow up
Flag Status: Completed

Good morning, Lindsey! Please find the comments for the Larson Fruit CUP attached!

I hope you have a great day!!

Brenda Larsen
Kittitas County Fire Marshal
509-962-7000

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Thursday, December 05, 2013 10:47 AM
To: 'Mau, Russell E (DOH)'; Jeff Watson
Cc: Holly Duncan
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application

Thank you Russell,
Your comments have been received.

Lindsey Ozbolt
Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Mau, Russell E (DOH) [mailto:Russell.Mau@DOH.WA.GOV]
Sent: Thursday, December 05, 2013 10:45 AM
To: Jeff Watson; Lindsey Ozbolt
Cc: Holly Duncan
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application

All:

I received an email alert that the email, below, may not have reached everyone, so I am resending.

PLEASE SEE BELOW!

Thanks,

Russell E. Mau, Ph.D., P.E.
Regional Engineer
Department of Health, Office of Drinking Water
16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216
Desk: 509-329-2116
Fax: 509-329-2104
Russell.Mau@DOH.WA.GOV

Public Health - Always Working for a Safer and Healthier Washington
Visit our web site at www.doh.wa.gov/ehp/dw

From: Mau, Russell E (DOH)
Sent: Thursday, December 05, 2013 10:37 AM
To: 'Jeff Watson'; 'Dan Valoff'
Cc: Holly Duncan (holly.duncan@co.kittitas.wa.us)
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application

Hello:

Department of Health, Office of Drinking Water requires an approved water system for this application.

Thanks,

Russell E. Mau, Ph.D., P.E.

Regional Engineer

Department of Health, Office of Drinking Water

16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216

Desk: 509-329-2116

Fax: 509-329-2104

Russell.Mau@DOH.WA.GOV

Public Health - Always Working for a Safer and Healthier Washington

Visit our web site at www.doh.wa.gov/ehp/dw

From: Lindsey Ozbolt [<mailto:lindsey.ozbolt@co.kittitas.wa.us>]

Sent: Thursday, December 05, 2013 9:24 AM

To: Bill Steele; Brenda Larsen; Renfrow, Brent D (DFW); Candie M. Leader; Christina Wollman; PRESTON, CINDY (DNR); ECY RE CRO SEPA COORDINATOR; 'enviroreview@yakama.com'; Erin Moore; Kaehler, Gretchen (DAHP); Holly Duncan; 'Jan Jorgenson (jorgenja@cwu.edu)'; 'Jessica Lally (jessica@yakama.com)'; 'jmarvin@yakama.com'; 'J Markell'; 'Johnson Meninick (johnson@yakama.com)'; Julie Kjorsvik; Kim Dawson; HAZLETT, LINDA (DNR); Lisa Iammarino; Lisa Lawrence; Johnston, Mike (DOHi); 'nelmsk@cwu.edu'; Patti Johnson; Mau, Russell E (DOH); Teske, Mark S (DFW); DNR RE AQ LEASING RIVERS; 'Thalia Sachtleben (enviroreview@yakama.com)'; Justus, Tom; 'tribune@nkctribune.com'; Rivard, James (DOHi); Erin Moore; 'Allison Kimball (brooksideconsulting@gmail.com)'; 'tribune@nkctribune.com'; 'J Markell'; Johnston, Mike (DOHi); 'darren.habel@usace.army.mil'; ECY RE SEPA REGISTER; Michael Flory; Lou Whitford; Joe Gilbert

Cc: Doc Hansen; Allison Kimball (brooksideconsulting@gmail.com); John Cornell (Johnc@larsonfruit.com)

Subject: CU-13-00007 Larson Fruit Corrected - Notice of Application

Corrected – Notice of Application CU-13-00007 Larson Fruit Co.

This is a corrected Notice of Application as the legal description was incorrect in the first notice. The comment period now ends on December 20, 2013 by 5:00 pm.

Kittitas County has received a land use application CU-13-00007 Larson Fruit Co. Please see the attached Notice of Application. Agencies within the county network may review the application master file via the T-drive. Agencies outside of the county network may view the related documentation by following this link: <http://www.co.kittitas.wa.us/cds/landuse.asp> and opening the designated file by application number. Comments within the body of an email are encouraged, but may be submitted as attachments or via US Mail.

Lindsey Ozbolt

Staff Planner

Kittitas County Community Development Services

411 North Ruby St., Suite 2

Ellensburg, WA 98926

Phone: 509-962-7637

Email: lindsey.ozbolt@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

Lindsey Ozbolt

From: Holmstrom, Rick <HolmstR@wsdot.wa.gov>
Sent: Friday, December 13, 2013 2:23 PM
To: Lindsey Ozbolt; Christina Wollman
Cc: Kaiser, Mark
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application (SR-821 MP 7.68 Rt. Burbank Creek Rd - Private Rd.)

Thank you. We will get back to you early next week with any additional comments, if necessary.

From: Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]
Sent: Friday, December 13, 2013 2:20 PM
To: Holmstrom, Rick; Christina Wollman
Cc: Kaiser, Mark
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application (SR-821 MP 7.68 Rt. Burbank Creek Rd - Private Rd.)

Good afternoon Rick.

Attached is the information you requested.

Thanks,

Lindsey Ozbolt

Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Holmstrom, Rick [mailto:HolmstR@wsdot.wa.gov]
Sent: Thursday, December 12, 2013 1:03 PM
To: Lindsey Ozbolt; Christina Wollman
Cc: Kaiser, Mark
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application (SR-821 MP 7.68 Rt. Burbank Creek Rd - Private Rd.)

Lindsey, I have a couple more things to add to Mark's comments but need the Kittitas County file numbers AFN 450140 and amended AFN 467244. Can you please provide?

From: Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]
Sent: Wednesday, December 11, 2013 4:35 PM
To: Kaiser, Mark; Christina Wollman
Cc: Holmstrom, Rick
Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application (SR-821 MP 7.68 Rt. Burbank Creek Rd - Private Rd.)

Mark,

Your comments have been received and added to the record. Thank you.

Lindsey Ozbolt

Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Kaiser, Mark [<mailto:KaiserM@wsdot.wa.gov>]

Sent: Wednesday, December 11, 2013 4:09 PM

To: Christina Wollman

Cc: Lindsey Ozbolt; Holmstrom, Rick

Subject: RE: CU-13-00007 Larson Fruit Corrected - Notice of Application (SR-821 MP 7.68 Rt. Burbank Creek Rd - Private Rd.)

Hello Christina,

WSDOT view's seasonal farm worker housing as part of the normal operation of a farm, and it is reasonable to assume the average weekday trip ends would be reduced on the Burbank Creek Rd.

I went ahead and looked at the collision data for Burbank Creek Rd. and there have been no collision at the intersection

Thanks

Mark Kaiser

WSDOT - Planning Office

Phone: 509-577-1668

From: Christina Wollman [<mailto:christina.wollman@co.kittitas.wa.us>]

Sent: Wednesday, December 11, 2013 8:30 AM

To: Holmstrom, Rick; Kaiser, Mark

Cc: Lindsey Ozbolt

Subject: FW: CU-13-00007 Larson Fruit Corrected - Notice of Application

Hi Rick and Mark,

I don't see that you were notified of this project. It's farmworker housing on Burbank Creek Road. Their transportation concurrency application states that traffic will be decreased by this project because the workers will live on site instead of being transported on site each day during the picking season. That application is attached. Please let me know if you have any concerns with this project because as of now Public Works will have no conditions.

The link below does not work. Use <http://www.co.kittitas.wa.us/cds/land-use/default.aspx>

Thank you,

Christina Wollman, AICP CFM

Planner II | Floodplain Manager

[p] 509.962.7051 | [f] 509.962.7663

From: Lindsey Ozbolt

Sent: Thursday, December 05, 2013 9:24 AM

To: Bill Steele; Brenda Larsen; 'Brent Renfrow (Brent.Renfrow@dfw.wa.gov)'; Candie M. Leader; Christina Wollman; 'Cindy Preston (cindy.preston@dnr.wa.gov)'; 'CROSEPCOORDINATOR@ECY.WA.GOV'; 'enviroreview@yakama.com'; Erin Moore; 'Gretchen.Kaehler@DAHP.wa.gov'; Holly Duncan; 'Jan Jorgenson (jorgenja@cwu.edu)'; 'Jessica Lally (jessica@yakama.com)'; 'jmarvin@yakama.com'; 'J Markell'; 'Johnson Meninick (johnson@yakama.com)'; Julie Kjorsvik; Kim Dawson; 'linda.hazlett@dnr.wa.gov'; Lisa Iammarino; Lisa Lawrence; Mike Johnston; 'nelmsk@cwu.edu'; Patti Johnson; 'russell.mau@doh.wa.gov'; 'Teske, Mark S'; 'rivers@dnr.wa.gov'; 'Thalia Sachtleben (enviroreview@yakama.com)'; 'Tom Justus (tom.justus@doh.wa.gov)'; 'tribune@nkctribune.com'; James Rivard; Erin Moore; 'Allison Kimball (brooksideconsulting@gmail.com)'; 'tribune@nkctribune.com'; 'J Markell'; Mike Johnston; 'darren.habel@usace.army.mil'; 'separegister@ecy.wa.gov'; Michael Flory; Lou Whitford; Joe Gilbert
Cc: Doc Hansen; Allison Kimball (brooksideconsulting@gmail.com); John Cornell (Johnc@larsenfruit.com)
Subject: CU-13-00007 Larson Fruit Corrected - Notice of Application

Corrected – Notice of Application CU-13-00007 Larson Fruit Co.

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Kittitas County has received a land use application CU-13-00007 Larson Fruit Co. Please see the attached Notice of Application. Agencies within the county network may review the application master file via the T-drive. Agencies outside of the county network may view the related documentation by following this link: <http://www.co.kittitas.wa.us/cds/landuse.asp> and opening the designated file by application number. Comments within the body of an email are encouraged, but may be submitted as attachments or via US Mail.

Lindsey Ozbolt
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Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

450140\

KITTITAS COUNTY AUDITOR
FILED REQUEST OF:

Burbank Creek Partnership
'81 MAR 6 PM 2:10

ACCESS AND UTILITIES EASEMENTS

BURBANK CREEK PROJECT

THIS AGREEMENT made this 5th day of March, 1981, by and between EMILE L. ROBERT, JR. and VICTOR E. ROBERT, "First Parties", and BURBANK CREEK LIMITED PARTNERSHIP, "Second Party":

W I T N E S S E T H:

WHEREAS, First and Second Parties are the owners of property within Sections 15, 21, 22, 23 and 26, Township 15 North, Range 19 E.W.M., in Kittitas County, Washington; and,

WHEREAS the parties have developed access and utilities easements over and across strips of land sixty (60) feet in width for the benefit of the First and Second Parties and their assigns; and

WHEREAS, the First and Second Parties wish to enter into and execute the within Easement Agreement for the protection of said parties and for the protection of those who have purchased from them or who will in the future purchase from them.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, it is hereby agreed as follows:

1. First and Second Parties do hereby give, grant and convey to themselves and to those parties who have purchased tracts within the Burbank Creek Project or over and through which the existing roadways pass. an access and utility easement sixty (60) feet in width as described and set forth in the roadway grid attached hereto and marked Exhibit "A" and more fully described in Exhibit "B" which contains the legal description for roads A, B, C, D, E, F, H, I, J and K.

2. It is specifically understood that the Access and Utility Easements set forth in the road grid attached as Exhibit "A" and described in Exhibit "B" shall comprise an easement over and across a strip of land sixty (60) feet in width, being thirty (30) feet on both sides of the described centerlines.

EXECUTED on the day and year first above written.

SECOND PARTY:
BURBANK CREEK LIMITED
PARTNERSHIP:

By: [Signature]
General Partner

FIRST PARTIES:

[Signature]
EMILE L. ROBERT, JR.
[Signature]
VICTOR E. ROBERT

Access & Utilities Easement

LAW OFFICES OF
DOUGLAS A. WILSON
AND
GERALD L. MIKESSELL
SUITE 2, YAKIMA LEGAL CENTER
308 EAST "D" STREET
YAKIMA, WASHINGTON 98901
(509) 248-4423

FILE 145 PAGE 173

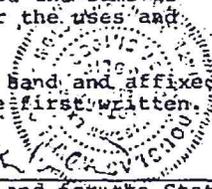
OFFICIAL RECORDS

Amendment Vol. 176 pg. 423, 424

STATE OF WASHINGTON]
] ss.
County of Yakima]

This is to certify that on this 4th day of March, 1981, before me, the undersigned, personally appeared EMILE L. ROBERT, JR. and VICTOR E. ROBERT, to me personally known to be the individuals described in and who executed the within and foregoing instrument and who personally acknowledged to me that they signed the same as and for their own free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.

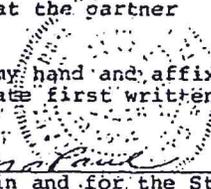

Douglas A. Wilson
Notary Public in and for the State
of Washington, residing at Yakima.

STATE OF WASHINGTON]
] ss.
County of Yakima]

This is to certify that on this 6th day of March, 1981, before me, the undersigned, personally appeared

Roy P. Sample, a General Partner of BURBANK CREEK LIMITED PARTNERSHIP, the partnership that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said partnership, and that the partner was authorized to execute said instrument.

IN WITNESS whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.


Carolyn A. Paul
Notary Public in and for the State
of Washington, residing at Yakima.

LAW OFFICES OF
DOUGLAS A. WILSON
AND
GERALD L. MIKESSELL
SUITE 2, YAKIMA LEGAL CENTER
303 EAST 73RD STREET
YAKIMA, WASHINGTON 98901
(509) 248-6421

VOL 145 PAGE 174

EXHIBIT "B"

BURBANK CREEK PROJECT

The following are the legal descriptions of the roadways within the Burbank Creek Project, within Sections 15, 21, 22, 23, and 26, Township 15 North, Range 19 East of the Willamette Meridian, Kittitas County, Washington.

Access and utility easements over and across strips of land ^{60.00} feet in width, being ^{30.00} feet on both sides of the following described centerlines:

ROAD "A"

Beginning at the Northwest corner of Section 22, Township 15 North; Range 19 East; W.M.; thence South $0^{\circ}03'$ East along the West line of said Section 2640.80 feet to the West Quarter corner of said Section 22; thence South $23^{\circ}41'41''$ West 1973.05 feet to the Easterly right of way line of the State Highway and the true point of beginning; thence South $70^{\circ}57'21''$ East 314.22 feet; thence North $85^{\circ}21'14''$ East 234.40 feet; thence North $35^{\circ}02'17''$ East 156.44 feet; thence North $69^{\circ}50'13''$ East 1053.70 feet; thence along the arc of a curve to the right, having a central angle of $24^{\circ}26'13''$, a radius of 1154.51 feet and a chord bearing and distance North $82^{\circ}03'07''$ East 488.80 feet; thence South $85^{\circ}43'34''$ East 589.67 feet; thence North $64^{\circ}35'27''$ East 853.56 feet; thence along the arc of a curve to the right, having a central angle of $39^{\circ}07'28''$, a radius of 281.42 feet and a chord bearing and distance of North $84^{\circ}09'12''$ East 188.46 feet; thence South $76^{\circ}17'05''$ East 454.21 feet; thence South $61^{\circ}46'15''$ East 690.00 feet; thence South $62^{\circ}15'54''$ East 817.29 feet; thence South $55^{\circ}02'45''$ East 782.67 feet; thence South $62^{\circ}09'05''$ East 1513.15 feet; thence South $35^{\circ}42'09''$ East 682.65 feet; thence South $48^{\circ}12'00''$ East 1035.67 feet; thence South $50^{\circ}42'29''$ East 213.76 feet to the East line of the West Half of Section 26, Township 15 North; Range 19 East; W.M. and the terminus of said ROAD "A".

VOL 145 PAGE 176

(Ret.) KCTC

467244

1/50

KITTITAS COUNTY AUDITOR
FILED REQUEST OF: KCTC
1983 JAN 25 PM 4 54

AMENDMENT TO ACCESS AND UTILITIES EASEMENTS

BURBANK CREEK PROJECT

1. PARTIES:

1.1 EMILE L. ROBERT, JR., as his separate estate, and
VICTOR E. ROBERT and MARTHA H. ROBERT, husband and wife,
("Robert" herein);

1.2 BURBANK CREEK LIMITED PARTNERSHIP, a Washington Limited
Partnership, ("Partnership" herein).

2. RECITALS:

2.1 On March 5, 1981, Robert and Partnership executed a docu-
ment entitled "Access and Utilities Easements - Burbank
Creek Project", recorded March 6, 1981, under Kittitas
County Auditor's File No. 450140.

2.2 The purpose of the document was to provide for access and
utilities easements over and across strips of land.

2.3 It is necessary to amend said document of March 5, 1981,
to correct the incorrect legal descriptions describing the
location of said easements, and for valuable consideration,
receipt of which is acknowledged, the parties agree as
follows:

3. AMENDMENT:

Road "A" of said document dated March 5, 1981, is hereby amended
to read as follows:

44114 650

176-423

Beginning at the Northwest corner of Section 22, Township 15 North, Range 19 East, W.M.; thence South 0°03' East along the West line of said Section 2640.80 feet to the West quarter corner of said Section 22; thence South 23°41'41" West 1973.05 feet to the Easterly right of way line of the State Highway and the true point of beginning; thence South 70°57'21" East 314.22 feet; thence North 85°21'14" East 234.40 feet; thence North 35°02'17" East 156.44 feet; thence North 69°50'13" East 1053.70 feet; thence along the arc of a curve to the right, having a central angle of 24°50'47", a radius of 1154.51 feet and a chord bearing and distance of North 82°15'36" East 496.74 feet; thence South 85°19'00" East 589.78 feet; thence North 65°00'01" East 853.56 feet; thence along the arc of a curve to the right, having a central angle of 39°07'30", a radius of 281.42 feet and a chord bearing and distance of North 84°33'46" East 188.46 feet; thence South 75°52'31" East 454.21 feet; thence South 61°21'41" East 690.03 feet; thence South 62°51'20" East 817.29 feet; thence South 54°38'11" East 782.67 feet; thence South 61°44'31" East 1513.15 feet; thence South 35°17'35" East 682.65 feet; thence South 47°23'30" East 1008.62 feet; thence South 40°49'07" East 312.12 feet; thence South 64°15'00" East 242.00 feet; thence South 57°10'00" East 130.00 feet; thence South 49°47'00" East 125.00 feet; thence South 33°05'00" East 145.00 feet; thence South 14°57'00" East 315.00 feet; thence South 40°58'00" East 147.00 feet; thence South 68°12'00" East 287.00 feet; thence South 75°06'00" East 727.00 feet; thence North 83°27'00" East 561.00 feet; thence South 71°26'00" East 177.00 feet; thence South 65°27'00" East 302.84 feet to the East line of Section 26, Township 15 North, Range 19 East, W.M. and the terminus of said easement, said point being South 0°39'30" East as measured along the East line of Said Section 440.87 feet from the East quarter corner of Section 26.

All remaining terms and conditions of said Access and Utilities Easements document dated March 5, 1981, shall remain unaltered.

DATED this 31st day of November, 1982.

BURBANK CREEK LIMITED PARTNERSHIP,
A Washington Limited Partnership

By Roy A. Sample
Roy A. Sample, General Partner

Emile L. Robert Jr
Emile L. Robert, Jr.

Victor E. Robert
Victor E. Robert

Martha H. Robert
Martha H. Robert

STATE OF WASHINGTON)
) ss.
County of Yakima)

This is to certify that on this day personally appeared before me, ROY A. SAMPLE, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 7th day of February, 1982.

[Signature]
NOTARY PUBLIC in and for the State
of Washington, residing at Yakima



STATE OF WASHINGTON)
) ss.
County of Yakima)

This is to certify that on this day personally appeared before me, EMILE L. ROBERT, JR., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 30th day of December, 1982.

[Signature]
NOTARY PUBLIC in and for the State
of Washington, residing at Yakima

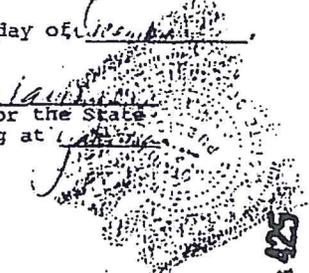


STATE OF WASHINGTON)
) ss.
County of Yakima)

This is to certify that on this day personally appeared before me, VICTOR E. ROBERT and MARTHA H. ROBERT, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 31st day of December, 1982.

[Signature]
NOTARY PUBLIC in and for the State
of Washington, residing at Yakima



Lindsey Ozbolt

From: Steph Mifflin
Sent: Wednesday, December 18, 2013 4:41 PM
To: Lindsey Ozbolt
Cc: victrolup@aol.com
Subject: FW: CU-13-00007
Attachments: Farm_worker_letter.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Thank you Viki!

Your comments have been forwarded to the Staff Planner handling this Conditional Use Permit.

Have a great Christmas! ☺

Stephanie Mifflin
Permit Technician
Kittitas County Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926
steph.mifflin@co.kittitas.wa.us
P: 509.962.7506
F: 509.962.7682

From: Viki Essex [mailto:victrolup@aol.com]
Sent: Wednesday, December 18, 2013 3:40 PM
To: CDS User
Subject: CU-13-00007

Hello, I am submitting my letter regarding the Larson Fruit Co. Conditional Use Permit for Farm Worker Housing along Burbank Creek. Please know that my husband and I are opposed to this permit being issued. Regards, Victoria Essex
360-312-1427

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

Victoria Essex/ Rory Moore
P.O. Box 29322
Bellingham, WA 98228 victrolup@aol.com
680 Burbank Creek Rd.
Owners of parcel #324133

December 18, 2013
RE: CU-13-00007

Dear Kittitas Co. Community Development Services,

I am commenting on the proposed farm workers housing by Larson Fruit Company slated for the property directly across Burbank Creek from our 10 acre parcel. We do not live on our property at this time, but use it for recreational purposes, mainly in the summer and fall. We purchased this property because the canyon is a peaceful place where we enjoy viewing wildlife and spending quiet evenings outdoors. The most scenic part of our property is that nearest the creek, where we are able to sit and enjoy the creek and the surroundings there.

I am particularly concerned about noise from housing 48 individuals in such a small area, akin to an urban apartment complex. There are barely more than 48 inhabitants of the whole canyon, now spread out with each dwelling on 10 or more acres.

I am interested in the precedent that will be set by allowing this housing project to go forward. We have wondered about other uses for our property, for instance opening an RV park for fishermen and hunters seasonally, but assumed that we would be limited to the one dwelling that current zoning allows. I would think that the approval of this type of conditional use permit might make future development a possibility for us. The fact that septic systems will be installed to handle 48 individuals in this housing project, makes me think that we could have a system to handle 24 people on our 10 acres.

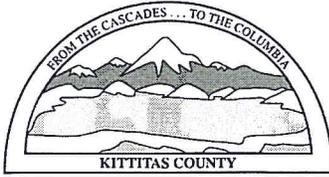
Our past dealings with Larson Fruit Company and the Burbank Creek Well Users Association, have made us feel that those with the most money will prevail, regardless of the other tax-paying individuals affected by their actions, in this case I hope that is not true.

With that being said, I am opposed to issuing this permit. I am concerned about the proximity to the creek and our property line. I propose that if this permit is approved that there be plantings and fencing on the north side of the project so that it is camouflaged from the creek and our property by more than the existing scrub brush.

I would ask that there be some formal way for concerns that arise from this project to be aired, once it was in operation. I also ask that there be a review and public hearing before the second phase of this project is implemented. Since this is "temporary" housing, I would hope that should there be problems because of this, the use permit could be overturned and the mobile housing units removed.

Sincerely,

Victoria K. Essex- owner
Rory R. Moore- spouse



KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

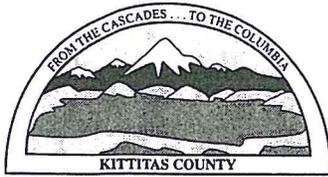
MEMORANDUM

TO: Lindsey Ozbolt, CDS
FROM: Christina Wollman, Planner II *CW*
DATE: December 12, 2013
SUBJECT: Larson Orchards CU-13-00007



Kittitas County Public Works has reviewed the application for farmworker housing. The applicant has stated that this housing will reduce the traffic impacts by reducing the number of vehicle trips coming to the site. Instead of transporting workers to the site daily, workers will be living on site and will not need to commute. A Determination of Transportation Concurrency has been issued and no adverse impact to the transportation system is expected.

The applicant should be aware that each structure will require an address, which can be obtained through application to the Public Works Department.



KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

Kirk Holmes, Director

DETERMINATION OF CONCURRENCY FINDING



Project: TC-13-00013 Larson Orchards CU-13-00007

Description: Farmworker housing.

Proponent: Larson Orchards
PO Box 70
Selah, WA 98942

Landowner: Larson Orchards, Inc
PO Box 70
Selah, WA 98942

Location: The project is located on Burbank Creek Road, Selah, WA, in a portion of Section 22, T15N, R19E, WM in Kittitas County. Assessor's map number: 15-19-22000-0044.

Serving Roadway: SR 821

Capacity Allocation: No allocation required.

Kittitas County Department of Public Works has determined there will not be a significant impact to the County roads serving this project and there is sufficient capacity on the serving roadways for the additional traffic to be generated by this project. No mitigation will be required. This decision was made after review of the completed transportation concurrency management application which is on file with Public Works. This information is available to the public on request.

This concurrency finding is issued under KCC 12.10. This determination may be appealed within 15 days of this notification to the Road Variance Committee. The applicant may request reconsideration of the results of the concurrency evaluation by the Public Works Director within 15 days of this notification.

Signed: *Cubberman*

Date: 12-12-13

Dec. 10. 2013



Kittitas County Community Development Services.
Regarding Project file number:CU-13-00007

I am writing concerning the purposed housing for the farm workers in the Burbank Creek. My husband and I have live in our present home, about a quarter mile from the purposed building site since 1983. Our reason for locating in this rather remote area was for privacy, security and to enjoy the wild life. Which we have done for all these years. The way we are zoned out there should protect us from this happening.

I myself walk the Burbank Road everyday and feel safe. I am also the self appointed garbage pick up person. During the periods we have farm workers In the Orchard a large amount of trash gets thrown out of the car windows. I want this area to stay as beautiful as possible. None of the workers ever pick up garbage.

I do not feel any one would want this type of housing in their back yard, in my case the front yard. This will also have an effect on the wild life that use the Burbank Creek for refuge. The additional noise will drive them out of the area and I certainly do not want this. When I walk it Is not at all unusual to see 2 to 5 deer in the property directly across the creek. Not to say what this will do to that owners property value.

This development will only benefit Larson's Orchards and hurt the rest of us.

I have safety concerns and also I am concerned as to what will this do to the value of our property?

At this time there is no on site foreman. Also I do not believe they can see the purposed housing from the Mobil that the foreman would occupy.

I believe they are starting out with 24 farm workers occupying this Housing and then going to 48. This is more people then live in the Burbank. And what will the workers do when they are not working? I am opposed to This housing.

Sincerely,

Pat L'Heureux

Pat L'Heureux

1260 Burbank Cr. Rd



Project File Number: CU-13-00007

Project Name: Larson Fruit Co. Conditional Use Permit

Applicant: Keith Larson



Comments regarding

CU-13-00007

Date: 12-12-13

Subj: Larsen Fruit Farm Housing Proposal at Burbank Creek

From: Brad Pool resident of Burbank Creek



Just this last week I received a letter from Kittitas Planning regarding this proposal.

After reviewing the letter and associated documents I find I must strongly object to this plan for various reasons as listed below as well as others not listed.

1) I feel that this proposal was intentionally hidden from local residents in order to minimize time for objections.

a) proposal has been in the works for some time now according to what I see documented and yet residents are only now receiving information on the proposal and are given barely one week to respond. Due date for response being 12-20-13.

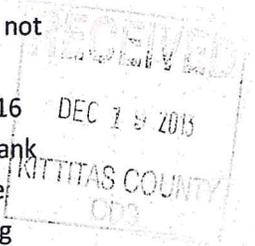
b) required 'Land Use Action' signage was posted in such a manner as to not be readily visible to the local residents. It was posted well off the main road on which residents travel. It was posted behind a locked gate and behind 'No Trespassing' signs that would prevent locals from viewing unless they crossed these no trespass areas which of course could be deemed illegal. It would have been no trouble to post an informational sign at the main road. The project location is listed with an address of 1121 BURBANK CREEK RD. Being that the address lists Burbank Creek as it's location should'nt the 'Land Use' signage been on Burbank Creek where residents may have had a chance to acknowledge? Unless of course it was posted in this manner to hinder opposition.

Some documentaiton lists the location of the project as being approx. 1 mile east of SR 821 on Burbank road while in at least 2 other places the location is said to be 3 miles to the east of SR 821 on Burbank Creek road.

a) I have received 2 letters (1 correction) regarding the location of said project. One says section 15 while the correction notice says section 27. After reviewing documents online I find the permit says (still) section 15 and in looking at the map provided in documents it shows section 15 as the proposed location.

b) After physically viewing the proposed location (derived from the signage) I find that land has already been cleared for the project. This would seem to be an assumption that a permit would be forthcoming..... regardless of any opposition. Wonder where that idea might come from? Why would land be cleared for a project like this prior to permit approval.

Documents tout less vehicle travel in the area since these will be foriegn workers and will not have cars. If this is the case why are there 16 parking spaces provided? This project upon completion can house up to 48 residents at one time. If even one third of these (16) (thus 16 spaces?) of the residents have cars and use them at all it would be devastating to the Burbank road. Burbank road is at best a one lane, gravel road with few turn outs and more than one blind corner. May times in the past (I have lived here 17 yrs.) I have been met by a speeding farm worker either coming to work or leaving.



Larsen fruit will no doubt say the proposal will allieviate these occurances. To that I would ask; will no domestic workers be used anymore? Will housed workers be not allowed to have vehicles? Will housed workers be not allowed to have visitors (with cars)?

Burbank road has been a point of contention between Larsen and local residents as long as I know of. It was only this fall (2013) that they have taken a major initiative to upgrade the road after many years of damage from orchard equipment. They have in recent past been adding small amounts of gravel in specific areas just prior to harvest mostly to minimize damage to fruit being transported, not to benefit the roadway specifically.

For the most part over the last 17 years, I have, at my own time and expense, taken care of much of the road albiet not to the most satisfactory condition due to lack of finance and equipment. Not once over this time period has Larsen Fruit offered to help.

In 2008 the residents were notified by USPS that mail delivery to our location would cease unless the road was repaired to their expectations. At that time I organized several residents to provide funds for repair and for physical help to do the work. The cost of the project was in the area of \$2500.00. Of this I was able to procure \$500.00 from Larsen Fruit but could not procure any equipment or physical help. The remainder of finances came from local residents.

If Larsen Fruit is expecting to use only foriegn workers from now on what impact will that have on all the domestic workers and their families who have, over the years, been faithful workers for Larsen Fruit and come to expect and hope for another seasons employment?

I fully believe wildlife habitat will be negatively affected. It is ridiculous to presume that with the addition of up to 48 people would not have a negative effect.

Just today I watched as a deer was being slaughtered in one of the orchards. I investigated this as I thought it might be a case of poaching. I immediately contacted 911 and WDFW. I found that a permitted hunt had taken place under the guise of depedation. I find it repulsive that gates (of the orchards) can be left wide open for hours on end then if wildlife happens to wander in looking for food it becomes the culprit and must be eradicated. Will the same thing happen if wildlife finds it's way into the project area.



I was told (by Larsen rep.) that it was not feasible to close the gates after entry.

At the time the hunt was discovered by a resident there was a hunting dog (owned by some member of the hunt or permit holder) running loose. Dogs are in general forbidden to be used/in the field during a big game hunt.

Larsen Fruit acknowledges a set of rules will be in place regarding conduct of it's workers. What are these rules?

Regardless of many studies professing farm housing in a neighborhood does not impact home prices I would disagree. Of all the studies I find that none ask two relative questions;

1) given two identical properties with the same asking price yet one property has farm worker housing close by, which property would most likely attract more offers? This reduces potential buyers of the property in proximity of farm housing which in effect reduces property values.

2) would you like farm housing in your backyard?

I believe the answers would point in a direction that opposes farm housing.

According to code 17.60a the project must be desirable to public convenience or essential and not be detrimental or injurious to the peace of surrounding neighborhood. Project is not compatible with my property zoning of rural/residential. Project is clearly not desirable to the public of this area. The 'public' are the residents of the immediate area not those from miles away who have no vested interest in the area other than monetary.

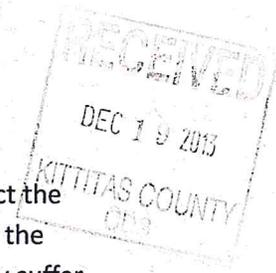
The area of the project is not serviced by fire protection. The only fire protection mentioned for the project amounts solely to the structures. It does not address the surrounding areas which are constantly in jeopardy due to the nature of it (tinder dry sagebrush and grasses).

For years the local people have been in conflict with Larsen fruit regarding trash in the area from farm workers. Larsen has been asked to at least do a weekly cleanup of the areas. The trash continues. Some of the local residents make a habit of walking the area to pick up trash.

There have been multiple burglaries in the area and I have been told that for one occurrence the perpetrators were discovered and that they were workers related to Larsen Fruit. What security measures will be instituted? As the situation stands now the workers are here during daylight hours only. This proposal will bring a significant amount of people to the area 24 hours a day.

Is this project in compliance with WISHA?

Given the history (my perception) of Larsen Fruit's lack of responsible actions in the past, i.e. trash, road damage, wildlife protection, I find it difficult to believe anything will change for the



better with the addition of this project.

In short, it is evident that this project is not desirable in this area. It will drastically affect the peace of residents. It will likely result in more trash in surrounding areas. Regardless of the contention of less traffic I doubt that will be the case. Wildlife in the area will definitely suffer. As wildlife becomes more remote due to population increase the lifestyle of local residents will suffer.

If this project is to be allowed regardless of resident opposition I would suggest there be some enforceable conditions in place to help alleviate resident concerns;

- 1) continued maintenance of Burbank Creek road to a condition equivalent to present state from 1121 Burbank Creek road west to SR 821.
- 2) improve and maintain the lateral roadway between the two orchards on the north side of Burbank Creek road from the postal sign (723) to the cattle guard/orchard gate on the east side of the western orchard along this lateral. This roadway receives a large amount of orchard related traffic also. It should be improved and maintained to an equivalent of Burbank Creek road at present.
- 3) trash detail along Burbank Creek road from 1121 Burbank Creek road continuing to SR 821 and also along the above mention lateral. This detail should include inside and outside of fences that surround all orchards. It should also include the fence line on the east side of Roza View road. The detail should include all fence lines surrounding all orchard areas. Trash can be found in all of these areas. This detail should be monthly a minimum.
- 4) dusk to dawn curfew established for workers.
- 5) all gates should be kept closed at all times other than during immediate entrance or exit to help avoid wildlife entrance to orchards. This would greatly reduce the occurrence of depredation killing.
- 6) all fences should be maintained to eliminate wildlife entry (specifically deer and elk). At present at least one gate has been reduced in height enough that deer can easily jump to gain entrance. This gate happens to be one for entrance to the orchard where a depredation kill took place on 12-12-13.
- 7) all efforts to remove wildlife safely should be exhausted prior to any slaughter and prior to slaughter residents should be informed of pending action and be allowed to monitor any hunt. A willing member of the community (actually residing) should be the permitted hunter.

Respectfully

Brad and Debra Pool

723 Burbank Creek rd.

Yakima, Wa. 98901



Brad Pool Debra Pool

Kimberly Hush

Homer P. Hush

Paul J. Hush