

July 17, 2019

Dusty Pilkington
Kittitas County Community Development Services
411 N Ruby St #2
Ellensburg, WA 98926



Kittitas County CDS

Regarding: Marion Meadows Development Agreement
Project File # DV-19-00001

COMMENT #1

The Board of Commissioners of Kittitas County's **Ordinance #2018-006 requires** the **applicant to contact Kittitas County Fire District #3** to determine appropriate mitigation measures. **These measures shall be included in the development agreement.**

To date the **applicant** has **not contacted** the **Fire District #3 Chief or commissioners** to discuss appropriate mitigation measures to Kittitas County Fire District #3.

Fire District #3 are **ALL volunteer** firefighters and commissioners. As these are dedicated people, but not professional, the Kittitas County **Fire Marshal should be included in ALL mitigation discussions** along with Fire District #3.

COMMENT #2

The BOC of Kittitas County's **Ordinance #2018-006 requires** the **applicant to contact** the **Easton School District** to determine appropriate **mitigation measures to be included in the development agreement. (30.3)**

To date the **applicant** has **not contacted** the **Easton school board or the Superintendent** to discuss appropriate mitigation to the Easton School District.

COMMENT #3

These same steps are required of the applicant in the development agreement application and the development agreement itself. **Once again as noted above these requirements have not been met.**

COMMENT #4

Page 8 of the development agreement (Sec. 19 **Covenants running with the land**) is **laughable!** Since 2006 we have been submitting comments to the county and the applicant regarding the covenants of "Easton Acres" regarding the access road to Marion Meadows.

Easton Acres covenants also run with the land.

Anything other than a single family home **REQUIRES** the **land owner** (ERLC) to request an amendment to the covenants or a vote of the remaining property owners.

To date the **applicant has NEVER contacted** the **Easton Acres property owners as required by the Easton Acres Covenants that run with the land.**

The applicant, CDS and Public Works have ignored our written comments and oral testimony regarding the violation of the Easton Acres Covenants and have been aware of this issue for nearly 14 years.

Exhibit E – Phasing and Timelines page 1 (included within this time frame will be the platting of the two lots just north of East Sparks Road and Meadows Way intersection)

These two lots as well as Meadow Way are in violation of the **Easton Acres CCR's** and need a vote of approval or amendment approved by the Easton Acres property owners.

The Easton Acres property owners should not have to endure costly legal fees because of **the County and the applicants willingness to violate and ignore the CCR's of Easton Acres.**

If the **county can require CCR's as a condition of approval** for a development application or development agreement **the county MUST recognize, enforce and abide by the CCR's.**

Be advised that the **two lots and Meadow Way itself, as an access for commercial activity, violate the CCR's of Easton Acres and is unacceptable.**

This **violation destroys the Rural Character** of the adjoining properties in Easton Acres and has a negative impact on the desirability and value of the Easton Acres properties.

If Kittitas County Commissioners, CDS & Public Works are willing to allow this violation to go forward **we have little faith in the CCR's listed in Ordinance 2018-006, the development agreement application or DV-19-00001 or the enforcement of it.**

COMMENT #5

Exhibit F 48 – Discusses problems with blockage of Sparks Road. This situation most generally happens in the winter months during periods of snowfall.

The applicant shall develop and submit an alternative site access plan of one or more options for County review that could be used by residents.

Both alternatives suggested by the applicant involve private property and Bonneville power lines roads none of which are maintained in the winter and have locked gates installed by the property owners.

The **blockage of Sparks Road creates a serious Life and Safety issue as there is NO ACCESS for Fire or Medical Emergencies response.**

This situation also prevents the majority of Fire District #3 volunteers from responding to the Fire Station. **Adding the Density of Marion Meadows to the situation with no adequate alternative for immediate Fire, Medical or Law Enforcement response is IRRESPONSIBLE AT BEST.**

COMMENT #6

Exhibit F 48 - Discusses implementation of a road improvement district (RID).

The current properties on East and West Sparks Road are Rural in nature.

Any expectation of the County to implement a RID on the rural property owners because you have made a decision to approve a high density development will be met with opposition. The **impacts of allowing urban density into a RURAL AREA must NOT be put on the backs of the existing rural community.**

COMMENT #7

WATER - Exhibit C seems to **include 2 NULL and VOID resolutions from Water District #3.**

One is from 2004 and the other from 2009. **Per the Water District Commissioners BOTH documents have been rescinded.**

I attended a meeting of Water District 3 Commissioners on Tuesday, July 16, 2019 and was informed by the commissioners that there is **NO CURRENT AGREEMENT** as of this date.

COMMENT #8

MAIL SERVICE – Development Agreement Application **11.10.4 Mail Service** states **mitigation measures proposed in the EIS.**

COMMENT #8 - continued

The Development Agreement does NOT address this issue.

COMMENT #9

Development Agreement page 2 pf Exhibit E – Phasing and Time Line, Large Parcel Home sites.

If these parcels are to be re-platted and tied to the property to the south they should be removed from the PUD.

This acreage was used in the formula to allow the density proposed for Marion Meadows.

If the plan is to re-plat this property Marion Meadows needs to revert back to 5 ACRE RURAL PARCELS.

I hereby request that **DV-19-00001 BE REJECTED or AMMENDED** to address these issues.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John R Jensen".

John R Jensen
PO Box 602
3910 E Sparks Rd
Easton, WA 98925