



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT

SUNCADIA PHASE 2 DIVISION 7 (LP-22-00001)

TO: Kittitas County Board of County Commissioners
FROM: Kelly Bacon, Planner I
RE: Suncadia Division Phase 2 Division 7 Preliminary Plat (LP-22-00001)
DATE: April 19, 2022

I. GENERAL INFORMATION

Requested Action: Steven Lathrop, authorized agent for Suncadia Resort, LLC, landowner, submitted an application for 148 detached residential lot (primarily second or vacation homes) plat with associated Roadways, a lake amenity, open space and service tracts on approximately 368.7 acres of land that is zoned Master Planned Resort. The proposed lots range in size from 14,200 to 62,000 square feet. In conjunction with this preliminary plat application, a site development plan was submitted for Suncadia Phase 2 Division 7.

Location: SEC. 13, TWP. 20, RGE. 14; Parcel Numbers 11827, 16199, 951842, 951857, 951858, 951859, Assessor's Map numbers 20-14-13000-0001, 20-14-13000-0007, 20-14-13050-0082, 20-14-13050-0097, 20-14-13050-0098, 20-14-13050-0099.

II. SITE INFORMATION

Total Project Size: 368.7 Acres
Number of Lots: 148; ranging in size from 14,200 to 62,000 square feet
Domestic Water: Community Water System
Sewage Disposal: Community Septic System
Fire Protection: Fire District 7
Irrigation District: None

Site Characteristics:

North: Residential development and wooded areas (Cle Elum River Trails Development)
South: Cle Elum River and wooded areas (all within Suncadia Master Plan Resort)
East: Residential development and wooded areas (all within Suncadia Master Plan Resort)
West: Undeveloped Wooded areas (all within Suncadia Master Plan Resort)

Access: Primary access to the site will be provided via Swiftwater Drive.

III. ADMINISTRATIVE REVIEW

Zoning and Development Standards: The subject property is located within the Master Planned Resort zoning designation (Suncadia). The purpose and intent of the Master Planned Resort zone is to provide areas where residents and visitors alike can enjoy the

"...wide range of natural features, including climate, vegetation, water, resources, scenic qualities, cultural, and geological features..."

that Kittitas County has to offer. The Suncadia Master Planned Resort was originally applied for as MountainStar in March of 1997. A development agreement was signed at that time by the Board of County Commissioners (BOCC). A Final Environmental Impact Statement was published by the County in April of 2000 which was

found to be legally adequate (Res. 2000-79) in July of 2000 by the BOCC after being challenged by several governmental and non-governmental entities. In October of 2000 the BOCC approved adoption of the MountainStar MPR Application, Development Plan and Conditions of Approval. The development agreement now in its seventh amendment dictates the terms and conditions of development in the MPR. Section 4.1(a) lays out the vested rights of the now Suncadia MPR with respect to continued development and limits the county's ability to

“... impose new or different regulations on Trendwest's development of review to Mountain Star to the extent required by a serious threat to public health and safety: and provided further, however, the parties agree that Trendwest's vested rights under this Agreement may be modified, and that the County may modify the MountainStar MPR Conditions or impose mitigation as part of a Subsequent Action based on statutes, rules, regulations, official policies, and standards other than the Applicable Law...”

to three conditions;

- 1. When the County reasonably believes in good faith that County approval of a Subsequent Action for Mountain Star under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction that the County eligibility for funding, grants, program eligibility or other resources sought by the County would be impaired (for example, if approval of any portion of development would prohibit the County from being eligible under the National Flood Insurance Program or result in higher premium rates to the County or its property owners);*
- 2. When the County reasonably believes in good faith that County approval of a Subsequent Action for MountainStar under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction, that the County unlawfully failed to comply with the Endangered Species Act or other State or Federal laws or regulations in approving the Subsequent Action; or*
- 3. When a State or Federal statute or regulation would impose cumulative standards for compliance on an area wide or countywide basis. Modification under this section shall only be to the extent necessary to address the applicant's proportionate share of such cumulative standard (for example, if new federal water quality standards are adopted with cumulative in-stream standards, storm water standards for MountainStar may be adjusted to reflect Trend west's proportional share for correction of the diminished water quality, if any).*

The development agreement establishes a hierarchy of development design levels which allows for modification from the general to the specific as long as each tier is consistent with its superior element. In section four it goes on to spell out permitted and conditional uses, applicable law, and development standards. It also emphasizes that:

*“... the County's environmental review of any Subsequent Action pursuant to SEPA shall **utilize the Mountain Star EIS to the fullest extent permitted by law.**¹ Under the Planned Action Ordinance, the County retains substantive SEPA authority to address probable significant adverse environmental impacts not analyzed in the MountainStar EIS. In addition, further SEPA review may be required in connection with General Site Plans and Site Development Plans submitted by Trendwest which propose deviations from the MountainStar Resort Conceptual Master Plan or from approved General Site Plans or Site Development Plans in accordance with Section 5.1 below.”*

Section 5.1 grants administrative authority to the Director of CDS when a General Site Plan, Site Development Plan, or Subdivision is consistent with the MountainStar Resort Conceptual Master Plan.

“A General Site Plan that is consistent with the approved MountainStar Resort Conceptual Master Plan

¹ Staff emphasis

and the Development Agreement shall be submitted to the Planning Director and reviewed and approved by the Planning Director in accordance with this Section 5.1(b). Before approving a General Site Plan, the Planning Director shall provide public notice and submit such proposed General Site Plan to the Environmental Health Director, Building Inspector, Fire Marshall, County Engineer, Sheriff, Solid Waste Department and any other County offices or officials deemed appropriate for their review and comment. A General Site Plan shall be approved by the Planning Director if the Planning Director finds that such General Site Plan is consistent with: (i) the MPR Approvals, including the MountainStar Resort Conceptual Master Plan; (ii) this Agreement; and (iii) Applicable Law.”

The proposal is consistent with the Conceptual Master Plan (see Index #45) and as such under the terms of the Development Agreement is only subject to minimal review with respect to land use activities.

“A Site Development Plan shall be reviewed and approved by the County in the same manner as General Site Plans pursuant to Sections 5.1 (b) and 5.1 (c) above; provided, however, that: (i) a Site Development Plan which is consistent with the MountainStar Resort Conceptual Master Plan and the Development Agreement or an approved General Site Plan and a Site Development Plan... may be reviewed and approved by the BOCC without Planning Commission review...”

Section 5.2 of the Development Agreement lays out the provisions for subdivision approval which reflect the language for General Site Plan and Site Development plans:

*(a) Applications to subdivide property within MountainStar shall be submitted consistent with this Agreement and the requirements of Title 16 KC, Plats, Subdivisions, Dedications, and Ch. 58.17 RCW. Plat applications may be submitted and processed concurrently with review of a Site Development Plan under **Section 5.1 above**². Plat applications may be submitted for all or a portion of the proposed MountainStar development covered by a Site Development Plan.*

(b) Notwithstanding any provision of Title 16 KCC, Subdivisions, seemingly to the contrary, a plat application submitted to implement development of all or a portion of a Site Development Plan seeking preliminary and/or final plat approval shall be approved by the BOCC upon a finding that any such application is consistent with: (i) the MPR Approvals; (ii) an approved Site Development Plan; (iii) the requirements of Chapter 58.17 RCW regarding plats, subdivisions and dedications; and (iv) the terms and conditions of this Agreement....

In summary by front loading the land use review process through the Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plans, The Master Planned Resort designation permits an expedited review process for the specifics of subdivision and other land use activities and in reality limits the process to the mechanical elements of the proposed development, not philosophical. Suncadia itself has a required review process for development which scrutinizes the proposal to ensure consistency with the internal provisions, wants, needs, and desires of the resort. These internal CC&Rs provide guidance with respect to the nature of lots sizes, setbacks, and design.

Preliminary Plats: The requirements of KCC Chapter 16.08.200, “Subdivision” means the division or re-division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership any one of which is less than 20 acres.

Notice of Application: A long plat application, and site development plan application was submitted to Community Development Services on January 26, 2022. Pursuant to section 5.1 of the development agreement, the application submittal packet was sent to department heads “*deemed appropriate*”. A notice of application was sent to all property owners within 500 feet of the project site and adjoining ownership properties. The notice

² Staff emphasis

of application was noticed in the local county paper of record on February 10, 2022.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as being contained within the Suncadia Planned Resort Subarea and provides guidance for development which generally refers to the development agreement and approval permit.

9.3. Land Uses

Land uses within the MountainStar Master Planned Resort Subarea shall be as shown on the Conceptual Master Plan referred to in the Development Agreement, may be amended upon approval of the County. Land uses within the MountainStar Master Planned Resort Subarea shall be consistent with (a) any development regulations adopted by the County to implement the MountainStar Master Planned Resort Subarea, (b) the terms and conditions of any MPR Development Permit approved by the County for MountainStar, (c) the terms and conditions of any Development Agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements, and (d) RCW 36.70A.360.

and:

9.4. Services and Facilities

Adequate provision for services and facilities to the MountainStar Master Planned Resort Subarea as set forth in the Conceptual Master Plan for MountainStar shall be ensured by the terms and conditions of any MPR Development Permit approved by the County to implement the MountainStar Master Planned Resort Subarea, and by the terms and conditions of any development agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements.

and:

9.5. Development Regulations

Development regulations applicable to the MountainStar Master Planned Resort Subarea shall be those established through the Subarea Implementation as set forth in Section 9.6.

and:

9.6. Subarea Implementation

Development of the MountainStar Master Planned Resort Subarea shall be governed by (a) the Subarea Policies set forth in Section 9.2, (b) any development regulations adopted by the County to implement the MountainStar Master Planned Resort Subarea, (c) the terms and conditions of any MPR Development Permit approved by the County for MountainStar, and (d) the terms and conditions of any development agreement entered into by the County pursuant to RCW 36.70B.170 through .200, and Ch. 15A.11 KCC, Development Agreements.

County Wide Planning Policies:

Master Planned Resorts, Policy 3.6: “The County may authorize master planned resorts in Kittitas County pursuant to RCW 36.70A.360 and the County’s Comprehensive Plan MPR Policies.” The County authorized the Suncadia MPR previously as discussed in Section III above.

V. ENVIRONMENTAL REVIEW

Environmental review is subject to the Environmental Impact Statement. This project is consistent with the Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plan and as such no additional review is required.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal and have been notified of the Public Hearing. The following public agencies submitted comments on the proposal: Washington State Department of Health, Washington State Department of Fish and Wildlife, Washington State Department of Transportation, Department of Archeology and Historical Preservation, Washington State Department of Ecology, Kittitas County Public Health, Kittitas County Public Works, Colville Tribe, Yakama Nations and The Kittitas County Fire Marshall (after the comment period). Comments were also received by the following individuals: Dave Jaderlund, Michele Jaderlund, Bruce and Robbi Duff, Ingrid Vimont, Mark Lucas, Gilhannon and Cheryl Coupens, Ira Astrachan, Jarrod Durkee, Erin and Erich Naumann, Lisa Kendall, Susan Childers and Alan Feldberg, Chris Collins, Kathleen Perkins and Levi Green and Jessica Van Fleet-Green (after the comment period).

VII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by community water and sewage systems. Staff has conducted an administrative critical area review in accordance with KCC 17A and found one (1) type 2 (Fish Bearing) stream on the property as well as Shoreline Jurisdiction along the southern property line. KCC structural setback requirements from Exhibit I of the MountainStar Development Agreement will be applicable for future construction.

Consistency with the provision of KCC 17.37.030, Master Planned Resort:

This proposal is consistent with the Kittitas County Zoning Code 17.30. A variety of densities are allowed in the MPR. The lots in this proposal range in size from 14,200 to 62,000 square feet.

Consistency with the provisions of KCC 17A:

This proposal is consistent with the Kittitas County Critical Areas Code. KCC structural setback requirements from Exhibit I of the MountainStar Development Agreement will be applicable for future construction.

Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.

Consistency with the provisions of KCC Title 12: Roads and Bridges:

All roads are required to meet all Kittitas County Road Standards as addressed in the Development Agreement.

Agency Comments:

Several agencies responded with substantive comments:

Washington State Department of Health
DOH provided the following comments:

Washington State Department of Health commented that Suncadia water system has a total of 1501 approved connections and after this proposal of 148 new connections, the water system will have 140 available connections for future development. Therefore, DOH had no water system capacity concerns regarding this application. DOH provided guidance stating that to service these connections and all other proposed connections that are “in development” at this time, Suncadia needs to have a Professional Engineer evaluate and design distribution piping to convey necessary Peak Hour flow rates, maintain required pressures throughout the distribution system at all existing and newly constructed connections. Suncadia needs to update their WFI showing all newly created connections and that as the newer connections (369 total new connections) are actively receiving water Suncadia should re-assess their capacity and capacity limits to serve drinking water to their customers.

Staff Response: Applicant provided a response to DOH comments, included as Index #42 of the Master File. The applicant stated the Suncadia Resort is actively engaged with Suncadia Water company’s update of the resort water model knowing the approved connection count is at 140 remaining approved connections after this plat and will continue conversation and mitigation with DOH as they near the approved connection limit. Staff agrees with applicants provided responses.

Washington State Department of Fish and Wildlife
WDFW provided the following comments:

WDFW provided comments regarding a new private road that crosses over “Stream D” which is identified as a Type F (fish-bearing) stream. The applicant will need to submit for an HPA from WDFW and the water crossing over the stream will need to be fish passable. WDFW is happy to work with the applicant on technical advice on sizing and design of the stream crossing structure and recommended a site visit.

Staff Response: The applicant provided a response to the comments submitted by WDFW, included as Index #42. The applicant acknowledged that “Stream D” currently shows online as a Type F stream on the DNR water mapping, however, stated the MPR-FEIS and Master Drainage Report does not show “Stream D” as fish-bearing and that the applicants will submit a water type modification request for Stream D when they submit their FPA for this development. Appropriate mitigation measures will be implemented, pending the Interdisciplinary Team’s review. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

Washington State Department of Transportation
WSDOT provided the following comments:

WSDOT provided comments concerning the cumulative impact of this phase as well as future phases to the state highway system and stated that the proponent is required to adhere to the conditions outlined in the MPR Conditions of Approval – specifically condition C-17 Monitoring Program. WSDOT stated they have not received an updated monitoring report for review and requested prior to plat approval the proponent should be required to submit an updated traffic monitoring report to the county and WSDOT for review.

Staff Response: The applicant provided a response to the comments submitted by WSDOT, included as Index #42. The applicant stated that the traffic impacts of the MPR continue to remain much lower than estimated traffic volumes than anticipated in the MPR-FEIS. The applicant stated that Kittitas County suspended Traffic Monitoring on January 13, 2015, pending certain conditions, none of which have yet occurred. CDS checked with Public Works in regard to these requirements. Public Works reinstated this requirement in 2019 with approval of another Suncadia Preliminary Plat. In working with Suncadia, Public Works stated the traffic monitoring is moving forward with the updated traffic monitoring

locations as requested and centered around Labor Day traffic. Therefore, Public Works anticipates a count update after Labor Day with the updated report required at a later date. At this time Public Works states Suncadia has satisfied the requirement regarding traffic monitoring update.

Washington State Department of Archaeology and Historic Preservation
DAHP commented with the following statements:

DAHP provided comments regarding their statewide predictive model indicating high probability of encountering cultural resources within the proposed project area and the scale of the projects ground disturbing actions would destroy any archaeological resources present. DAHP expressed concerns that the project area has not been previously surveyed and unrecorded archaeological sites may be present and strongly recommended a professional archaeological survey of the project area be conducted and report provided prior to ground disturbing activities. DAHP also stated that the segment of the Roslyn Waterline Complex (KT02147) which passes through the project area should be determined whether it is eligible for listing in the National Register of Historic Places. If determined to be eligible, DAHP would require permitting in order to work within its boundary. Any work within the boundaries of KT01354 or KT1357 require permits from DAHP and are protected by Washington State law (RCW 27.53).

Staff Response: Applicant provided a response to DAHP's comments, included as Index #42 of the Master File. The applicant stated that the Suncadia Resort property was extensively surveyed for cultural and historic sites during the environmental impact process culminating in the identification of sites as well as adoption of appropriate mitigation measures as set forth in Conditions of Approval C-21 – c-23 of Exhibit F to the Development Agreement with Kittitas County. Central Washington Anthropological Survey (CWAS) has been retained by Suncadia to perform archaeological subsurface testing in order to define actual site boundaries for this development. Subsurface testing will be completed by CWAS and recorded with the Department of Archaeology and Historic Preservation prior to any disturbance in the vicinity of the sites. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

Washington State Department of Ecology
WSDOE submitted the following comments:

WSDOE provided comments regarding the NPDES Construction Stormwater General Permit from WSDOE being required if there is a potential for stormwater discharge from the construction site with disturbed ground. The permit requires a Stormwater Pollution Prevention Plan be prepared and implemented for all construction sites.

Staff Response: Applicant provided a response to Washington State Department of Ecology comments, included as Index #42 of the Master File. The applicant will adhere to all applicable regulations as outlined in the Development Agreement, the Erosion Control Plan, and the MPR Conditions of Approval. Suncadia Resort LLC maintains a stormwater pollution prevention plan for the entire Master Planned Resort (MPR) and will be applicable to this development. NPDES permit No. WA-005236-1 for MPR construction activities has been issued by WSDOE. Staff agrees with applicant provided responses.

Kittitas County Public Health
KCPH submitted the following comments:

KCPH provided comments regarding any on-site septic systems utilized for wastewater management must adhere to the standards set by both the Washington Administrative Code and Kittitas County Code and

the proposed long plat being served by the Suncadia water system. Sewage for the proposed development will be conveyed by a sewer main to the existing gravity sewer along Swiftwater Drive as well as acknowledges WSDOH's response to the existing system having sufficient capacity to serve the additional connections proposed.

Staff Response: Applicant provided a response to PH comments, included as Index #42 of the Master File. The applicant stated there are no on-site septic systems unitized for wastewater management with this development and that all lots will be serviced by gravity sewer or grinder pump systems tying directly into the gravity system that flow to an existing sewer lift station. The applicant also responded that Suncadia is in a Group-A water system with a green operating permit status and holds enough water rights for full build-out of the resort. Infrastructure capacity for current and future development calculations are ongoing. Staff agrees with applicants provided responses.

Kittitas County Public Works

KCPW provided the following comments:

KCPW provided comments in regards to the timing of improvements, private road naming, addressing, civil plans, Engineering plans for Stormwater, Traffic Monitoring Plan updated report detailing what monitoring has been completed required for Final Plat, request for inventory of equivalent residential units, or accounting method utilized in the water system plan, affirming sufficient capacity serving the plat, inventory of equivalent residential units, or the accounting method utilized in the general sewer plan, affirming sufficient capacity serving the plat. KCPW provided comments regarding development being in accordance with KCC Chapter 14.08.220 and that all subdivisions shall show on the face of both the preliminary and final plat, for either short or long plats, the boundary of the 100-year floodplain and floodway. The engineer and date of the survey needing to be identified and the ownership, width and surfacing of existing roads also needs to be shown.

Staff Response: The applicant provided a response to the comments submitted by Public Works, included as Index #42. The applicant acknowledged conditions 1-5 of preliminary approval and will address prior to final plat; with the exception of #5.2 "Traffic Monitoring Plan" as the current agreement with Public Works is to have the TMP report complete by 2025 and not prior to this development final plat. CDS checked with Public Works in regard to these requirements. Public Works reinstated this requirement in 2019 with approval of another Suncadia Preliminary Plat. In working with Suncadia, Public Works stated the traffic monitoring is moving forward with the updated traffic monitoring locations as requested and centered around Labor Day traffic. Therefore, Public Works anticipates a count update after Labor Day with the updated report required at a later date. At this time Public Works states Suncadia has satisfied the requirement regarding traffic monitoring update.

The Confederated Tribes of the Colville Reservation

Colville Tribes provided the following comments:

The Colville Tribe provided comments in regard to the proposed project lying within the traditional territories of the Wenatchi Tribe and stated that the Tribes do not concur with Section B.13.b of the Attachment to SEPA Environmental Checklist Phase 2 Division 7 stating that the archaeological sites identified will not be affected by the proposed development. The Colville Tribes do not believe that sufficient information exists to make this determination due to no subsurface testing taking place and they recommend a full cultural resource survey, inclusive of subsurface testing for the entire project area, recommended that consultation between Kittitas County CDS, CCT, DAHP, and other affected Tribes occur to revise the Suncadia MPR Conditions of Approval, the inadequacies of the 1998 cultural resources survey.

Staff Response: The applicant provided a response to the comments submitted by The Confederated Tribes of the Colville Reservation, included as Index #42. The applicant stated that the Suncadia Resort property was extensively surveyed for cultural and historic sites during the environmental impact process culminating in the identification of sites as well as adoption of appropriate mitigation measures as set forth in Conditions of Approval C-21 – c-23 of Exhibit F to the Development Agreement with Kittitas County. Central Washington Anthropological Survey (CWAS) has been retained by Suncadia to perform archaeological subsurface testing in order to define actual site boundaries for this development. Subsurface testing will be completed by CWAS and recorded with the Department of Archaeology and Historic Preservation prior to any disturbance in the vicinity of the sites. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

Yakama Nation

Yakama Nation commented with the following:

Yakama Nation provided comments in regards to the application not being able to move forward without proper consultation regarding cultural resource impacts, under Federal and State law, the project being located within the Ceded Lands of the Yakama Nation, the project area being within the traditional territory of the Pshwanapam (Kittitas or Upper Yakama band), precontact archaeological sites being protected under state law RCW 27.53.060, precontact sites being within multiple of the project parcels and requiring permitting with the Department of Archaeology and Historic Preservation (DAHP) and consultation with CRP for site treatment measures, and the DEIS and FEIS clearly indicating a need to work with the Yakama Nation and DAHP on site-specific mitigation.

Staff Response: The applicant provided a response to the comments submitted by The Confederated Tribes and Bands of the Yakama Nation, included as Index #42. The applicant stated that the Suncadia Resort property was extensively surveyed for cultural and historic sites during the environmental impact process culminating in the identification of sites as well as adoption of appropriate mitigation measures as set forth in Conditions of Approval C-21 – C-23 of Exhibit F to the Development Agreement with Kittitas County. Central Washington Anthropological Survey (CWAS) has been retained by Suncadia to perform archaeological subsurface testing in order to define actual site boundaries for this development. Subsurface testing will be completed by CWAS and recorded with the Department of Archaeology and Historic Preservation prior to any disturbance in the vicinity of the sites. The applicant will need to adhere to all applicable regulations as outlined in the Development Agreement.

Kittitas County Public Works (Amended Comment received 3-28-22)

Kittitas County Public Works provided the following amended comment:

Kittitas County Public Works submitted an amended comment outside the comment period stating the traffic monitoring is moving forward with the updated traffic monitoring locations as requested and centered around Labor Day traffic. Therefore, Public Works anticipates a count update after Labor Day with the updated report required at a later date. At this time Public Works states Suncadia has satisfied the requirement regarding traffic monitoring update.

Staff Response:

Staff Finds that the applicants and Public Works are working together on Traffic Monitoring and there are no further traffic monitoring requirements necessary for final plat.

Kittitas County Fire Marshal (Received on 4-6-22 due to FM being on leave)

Kittitas County Fire Marshal commented with the following:

Kittitas County Fire Marshal provided comments acknowledging the community members, fire district personnel, and the county agencies concerns and the need to evaluate the necessity of an additional ingress/egress from Suncadia MPR. The Fire Marshal stated that Suncadia management has met with members of Fire District #6 and Fire District #7 to discuss the potential need for an alternative means of ingress/egress and believes subsequent meetings are planned, and acknowledges that the Fire Marshal's Office is aware of traffic study planning surrounding Labor Day Weekend providing empirical data needed to accurately determine the need for mitigation as outlined in Exhibit F-1 Section "C-17" of the Suncadia MPR Conditions of Approval.

Staff Response:

Staff finds that the Fire Marshal's Office is working with the applicants as well as other local jurisdictions to evaluate the need for an additional ingress/egress.

Kittitas County Public Works (Amended Comment Received 4-6-22)

Kittitas County Public Works provided the following amended comment:

Kittitas County Public Work provided comment stating they had reviewed the public comments and recognized the need for a secondary access, Public Works would like to amend their comments to recommend against approval of the plat until such time that Suncadia opens the north access onto SR-903, providing an alternative route for residents in the event of an emergency.

Staff Response:

The applicant provided a response, included as Index #49, objecting to KCPW revised comment. In accordance with attachment A provision C-2 of the Transfer Agreement a recommended condition has been added to ensure a secondary ingress/egress point at the intersection of Swiftwater Drive and SR 903.

Public Comments:

Several Public Comment letters were submitted during the comment period. Below are summaries of these letters.

Dave Jaderlund: Mr. Jaderlund submitted concerns regarding the proximity of the project to an existing seasonal stream and requested that development take place 100 yards from the creek. Index #23.

Michele Jaderlund: Mrs. Jaderlund submitted concerns regarding limited access and emergency evacuations as well as the proximity of the new development to the stream located on the property. Index #24.

Bruce and Robbi Duff: The Duff's submitted concerns regarding Suncadia having only one entrance/exit and possible chokepoints during an emergency. The Duff's would like to see commitments from Suncadia management to improve and expand exit access points before large numbers of additional lots are approved. Index #25

Ingrid Vimont: Ms. Vimont submitted concerns regarding one ingress/egress for emergency response and evacuation and all roads within Suncadia being 2 lane roads, growth management planning, creating a fire resilient, Fire Adapted Community, updating Upper County Road systems to support current and future populations, development of evacuation routes, providing enough equipment and infrastructure and staff to support current and future populations, and shared the Paradise tragedy. Index #26.

March Lucas: Mr. Lucas submitted concerns in regard to the one road out of the community, the county allowing development to move forward without a safety plan for emergency roads in and out of the community as well as the county allowing the community to develop without proper mail facilities for the residence. Index #27.

Gilhannon and Cheryl Coupens: The Coupens submitted concerns with a single access point off of Bullfrog road for the amount full time residents in the community, the concern for any cut off of Swiftwater Drive at a point

northwest of Coal Mine Way would trap everyone west of the intersection due to the lack of a full time second access point, pointed out section C-12 “Public Use of On-Site Trail and Road System” of the Suncadia Master Planned Resort Conditions of Approval. Index #28

Ira Astrachan: Ira Astrachan submitted concerns with a single access point off of Bullfrog road for the amount full time residents in the community, the concern for any cut off of Swiftwater Drive at a point northwest of Coal Amine Way would trap everyone west of the intersection due to the lack of a full time second access point, pointed out section C-12 “Public Use of On-Site Trail and Road System” of the Suncadia Master Planned Resort Conditions of Approval. Index #29.

Jarrod Durkee: Mr. Durkee submitted concerns with a single access point off of Bullfrog road for the amount full time residents in the community, the concern for any cut off of Swiftwater Drive at a point northwest of Coal Amine Way would trap everyone west of the intersection due to the lack of a full time second access point, pointed out section C-12 “Public Use of On-Site Trail and Road System” of the Suncadia Master Planned Resort Conditions of Approval. Index #30.

Erin and Erich Naumann: Mr. and Mrs. Naumann submitted concerns for safety in the event of an evacuation situation and the access issue for emergency personnel, the community currently using the Evergreen estates as a way around congestion and the Evergreen estates community not appreciating the use and wanting the gated access on the Suncadia/Ronald side the next permanent point of entry. Index #34.

Lisa Kendall: Ms. Kendall submitted concerns regarding Bullfrog Road being a disaster every Sunday afternoon and concerns for emergency safety issues if there was a fire or emergency and everyone being stuck there. Index #36

Susan Childers and Alan Feldberg: Mr. and Mrs. Childers submitted concerns regarding ensuring the development is done with basic regard to minimizing damage to vegetation and wildlife, as well as safety and health of the residents and the one ingress/egress and the recommendation to open the State Route 903 egress that is currently gated. Index #37

Chris Collins: Mr. Collins submitted concerns in regards to the single exit from the community and only fire and contractors having access to the gated Bullfrog/Firehouse gate, the emergency gate opening plan should an emergency occur, and requested the county review how the developer is complying with the “Amended And Restated Development Agreement By And Between Kittitas County, Washington, Suncadia LLC Relating To The Development Commonly Known As Suncadia Resort”, specifically in regards to Exhibit F-1. Index #38

Kathleen Perkins: Ms. Perkins submitted concerns regarding placements of lot 67 to approximately lot 41 backing up to an elk corridor, seasonal creek and seasonal wetlands and Safety concerns with one exit gate from Suncadia. Index #40

Levi Green and Jessica Van Fleet-Green (Received after the comment period): Mr. Green and Mrs. Fleet-Green submitted concerns regarding the acceleration of further development when other infrastructure in the resort has not kept pace with the rapid growth. Concerns for the environmental impact, specifically the proximity to Stream D, the lack of buffer with tree clearing, potential stream diversion and the heightened risk of wildfires. They would like to see infrastructure to support increased traffic in and out of the community, strict enforcement of work hours, speed limits and road access. Index #43

VIII. RECOMMENDATION

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 16.08, Title 16.12, Title 17.37, and

Title 17A of the Kittitas County Code, the Kittitas County Comprehensive Plan, and the Development Agreement. Staff recommends approval of the Suncadia Phase 2 Division 7 Preliminary Plat LP-22-00001, subject to the following findings of fact, conclusions, and conditions:

Suggested Findings of Fact

1. Steven Lathrop, authorized agent for Suncadia Resort, LLC, landowner, submitted an application for a 148 detached residential lot (primarily second or vacation homes) plat with associated Roadways, a lake amenity, open space, and service tracts on approximately 368.7 acres of land that is zoned Master Planned Resort. The proposed lots range in size from 14,200 to 62,000 square feet. In conjunction with this preliminary plat application, a site development plan was submitted for Suncadia Phase 2 Division 7.
2. Site Information: The subject property is located in SEC. 13, TWP. 20, RGE. 14; Parcel Numbers 11827, 16199, 951842, 951857, 951858, 951859, Assessor’s Map numbers 20-14-13000-0001, 20-14-13000-0007, 20-14-13050-0082, 20-14-13050-0097, 20-14-13050-0098, 20-14-13050-0099.
3. The Comprehensive Plan designation is Rural Recreation.
4. The subject property is zoned Master Planned Resort, which allows for a variety of residential densities.

Site Information

Total Project Size:	368.7 Acres
Number of Lots:	148; ranging in size from 14,200 to 62,000 square feet
Domestic Water:	Community Water System
Sewage Disposal:	Community Septic System
Fire Protection:	Fire District 7
Irrigation District:	None

Site Characteristics:

- North: Residential development and wooded areas (Cle Elum River Trails Development)
- South: Cle Elum River and wooded areas (all within Suncadia Master Plan Resort)
- East: Residential development and wooded areas (all within Suncadia Master Plan Resort)
- West: Undeveloped Wooded areas (all within Suncadia Master Plan Resort)

Access: Primary access to the site will be provided via Swiftwater Drive.

5. A long plat application, and site development plan application was submitted to Community Development Services on January 26, 2022. Pursuant to section 5.1 of the development agreement, the application submittal packet was sent to department heads “*deemed appropriate*”. A notice of application was sent to all property owners within 500 feet of the project site and adjoining ownership properties. The notice of application was noticed in the local county paper of record on February 10, 2022.
6. Based upon review of the submitted application materials including an environmental checklist, the application was found to be consistent with Development Agreement, Environmental Impact Statement, General Site Plans and Site Development Plan and as such no additional review is required.
7. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a community water and sewage systems.
8. This proposal is consistent with the Kittitas County Zoning Code 17.37. The MPR zone allows for a mixture of densities.

9. This proposal is consistent with the Kittitas County Critical Areas Code 17A.
10. This proposal is consistent with the Kittitas County Subdivision Code for Preliminary Plats.
11. All roads are required to meet all Kittitas County Road Standards as outlined in the Development Agreement.
12. Comments were received from various agencies and the public. These comments are included in the index file for review (See Index #'s 20-41, 43, 44, 47 and 48).
13. Site Development Plan Approval was granted via letter from the Planning Official on March 31, 2022, in accordance with Section 5.1 (d) of the Development Agreement approved through Ordinance 2000-16.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated January 26, 2022, except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state, and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. This application is subject to the latest revision of the MountainStar Development Agreement including those provisions expressed in the Transfer Agreement dated July 6, 2021. The MountainStar Conceptual Master Plan, Environmental Impact Statement, General Site Plans and Site Development Plans which govern development within the Master Planned Resort.
4. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
5. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any tract. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
6. The Final Plat shall meet all requirements of applicable law as defined in the Development Agreement.
7. The Final Plat shall contain the name of the Engineer/Surveyor responsible for preparing the documents on all sheets.
8. All development, design and construction shall comply with all applicable laws as defined in the Development Agreement.

9. A private road is required to be named when more than five addresses are assigned on a roadway. A Private Road Name application from Kittitas County Public Works will be required for each road.
10. The applicant shall contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit.
11. Civil Plans will be reviewed and approved as submitted prior to final plat approval in accordance with the Development Agreement.
12. The applicant shall provide design calculations for treatment and disposal areas. If utilizing an existing system, please provide an accounting affirming sufficient capacity.
13. Timing of Improvements: Per the Suncadia 2009 Development Agreement section 5.3 Infrastructure, Surety Bonding or Other Assurances. Infrastructure identified by Trendwest in an approved Site Development Plan must be provided and available for use before the issuance of the first certificate of occupancy for Master Planned Resort Accommodation Units included with such plan. For purposes of final plat approval or issuance of building permits, infrastructure may be guaranteed through surety bonding or other financial assurance device acceptable to the County. The estimated costs of providing all such guaranteed Infrastructure shall be reviewed and approved by the County Public Works Director or designee. Surety bonding or other financial device provided to the County shall be in an amount equal to at least 110% of such estimated costs as determined by Trendwest's architects and engineers.

Exhibit F-1 Suncadia MPR Conditions of Approval:

A-2 (a) Required Infrastructure and Utilities, as defined in the Development Agreement, shall be installed and completed or bonded or other financial guaranties or accommodations made for their completion prior to final plat approval of each subphase.

14. All Cultural resources shall be handled as identified in Exhibit F-1, C-21-23 of the Development Agreement.
15. Pursuant to attachment A section C-2 of the Transfer Agreement, an ungated secondary ingress/egress point from Swiftwater Drive to State Highway 903 for the MPR shall be established prior to final plat approval.