



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

May 16, 2019

MDJ Contractors, LLC
c/o Eric Jackson
PO Box 1117
Ellensburg, WA 98926

Sent via email: ericj@mdjcontractors.com

RE: Commons at Dry Creek Planned Unit Development (PUD) PD-16-00001 and Preliminary Plat (LP-17-00004) – Response to submittal items and request for additional information

Mr. Jackson,

On August 10, 2018, Kittitas County Community Development Services (CDS) issued a Re-notice of Application for your project for the following reasons: 1) to ensure the proposal is reviewed as one project and not two separate proposals because previously the preliminary plat and PUD rezone were noticed separately; 2) to reflect additional information received regarding wetland delineation and a stormwater drainage management plan; and 3) to clarify the project acreage and proposed number of lots. The written comment period for the re-notice ended on September 10th, 2018. A complete paper copy of all comments was provided to you on Monday October 1, 2018. A digital copy of all comments can be obtained as one pdf on the CDS website at: <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigating to "Rezones" and then the project file number and name "PD-16-00001 Commons at Dry Creek". The pdf document is titled "PD-16-00001 Commons at Dry Creek Re-Notice Comments Received_9.10.18".

On October 5, 2018, CDS issued a Transmittal of Comments Letter from Re-Notice of your project and a Request for Additional Information. Within this letter there were a number of items requested to be provided to CDS in order for project processing to continue. The letter clearly stated a deadline for response to project comments and the requested required additional information of April 4, 2019 or your project (PD-16-00001 and LP-17-00004) would be void. On March 1, 2019, CDS sent a letter giving a 30 day Notice of Application Expiration. This letter was sent via certified mail. CDS received a response to this request on March 29, 2019.

Staff routed your latest submittal information to Public Works on April 19, 2019 and asked for review to complete by May 10, 2019. CDS received a written response from Public Works on May 10, 2019 (this correspondence has been attached to this letter) and a request for a meeting to discuss their comments with CDS staff on May 16, 2019. This meeting was held at 8:00 am on May 16. This letter is response to the latest information that has been submitted to the County.

Staff Review

Based on staff's (Public Works & CDS) review, staff has determined that the latest submittal of information does not satisfy items 1-3 and 5-6 of the requested items originally requested on October 5th. Below is a summary of all items that were requested; *italicized text* is staff's brief response.

Items requested in the October 5, 2018 letter from CDS:

- 1) A groundwater study identifying water table depths on the subject property. Part of this study will require monitoring of groundwater levels from March through October, 2019. Coordination

with Kittitas County Public Works Department is necessary prior to beginning this study to ensure that the appropriate review is being completed during the specified timeframe.

Staff Response: This study has not been performed nor has there been any correspondence with Public Works (PW) regarding the requirements of this study. This groundwater study in part must monitor the groundwater levels from March through October. Since this study was not started in March of 2019, it is now necessary for the study to begin March 1, 2020 and conclude on October 31, 2020. Director Cook's memo dated May 10, 2019 addresses in detail the discrepancy in water level from the Baer infiltration report and the soil type data water levels. This study is necessary to ensure functionality of the proposed onsite stormwater detention facility. See attached memo from Director Cook.

- 2) An updated stormwater drainage report depicting soil characteristics in regards to stormwater infiltration, and demonstrating that the proposal fully complies with the *Stormwater Management Manual of Eastern Washington*.

Staff Response: A final drainage design will be driven by the results of the groundwater study.

- 3) Complete a transportation concurrency application with Kittitas County Public Works. This application shall be submitted directly to Kittitas County Public Works; application is attached to this letter.

Staff Response: The latest submitted information states that Transportation Concurrency was completed in 2014. PW has no record of this being submitted or a determination of concurrency for the project. Please provide PW your submitted 2014 Transportation Concurrency Application and PW's Transportation Concurrency Determination from that submittal. If this cannot be provided then a new Transportation Concurrency Application must be submitted to PW for review and determination. See attached PW memo from Taylor Gustafson dated May 10, 2019.

- 4) Provide the document "Infiltration Letter for Cottage Grove Residential Development, Kittitas, Washington".

Staff Response: This letter has been received, satisfying this request.

- 5) An updated access easement meeting minimum side yard setbacks of 15 feet under KCC 17.22.060.

Staff Response: No additional information needed at this time. The side yard zoning setback does not apply to road easement. KCC 17.04.610 states "side yard" means an open unoccupied space on the same lot with a building, between the side wall line of the building and the side line of the same lot."

- 6) A revised preliminary survey meeting items 2(f - k) above.

Staff Response: PW states that the recorded survey referenced in your latest submittal letter does not meet the requirements of a preliminary plat. These requirements are found in KCC Sections 16.12 and 16.24. An updated preliminary survey is required meeting Kittitas County Code. See attached PW memo from Taylor Gustafson dated May 10, 2019 for a description of the required survey requirements. Items 2(f-k) references the items listed in the letter dated October 5, 2018 from the County (this letter is attached).

While two (2) of the items requested in our October 5, 2018 request have now been satisfied, four (4) still must be addressed and require that additional information is provided prior to continued processing of your proposal. Consequently, this letter is intended to specify and outline what is needed to continue processing.

Under Kittitas County Code (KCC) Amendments, specifically KCC 17.98.020 (6)(b) and (f), a proposed change in the zoning map must bear “a substantial relation to the public health, safety or welfare” and must not be “materially detrimental to the use of properties in the immediate vicinity of the subject property”. In order to determine if the proposal meets this provision, additional information that will be necessary for staff to complete review of your application. Staff has ~~struck~~ the items that have been sufficiently addressed below:

- 1) In its letter dated September 10th, 2018, the Washington Department of Fish and Wildlife noted concerns related to possible flooding of the development and adjacent properties. In order to address these concerns, Community Development Services must be assured of the following:
 - a. Stormwater can be safely and adequately treated year-round after the addition of 3.5 acres of impervious surfaces.
 - b. New homes will not be flooded due to high ground water that sometimes presents as surface water.
 - c. Existing homes will not experience increased flood risks due to this development.
 - d. New drainage facilities will not concentrate flows such that they damage Fish and Wildlife Habitat Conservation Areas associated with Currier Creek and its riparian buffer.
- 2) In its letter dated August 28th, 2018, Kittitas County Public Works refers to concerns regarding stormwater and potential flooding.
 - a. A stormwater drainage report was submitted, but did not adequately address the soils characteristics in regard to stormwater disposal. The report makes reference to “Infiltration Letter for Cottage Grove Residential Development, Kittitas, Washington”, but the document was not included for review.
 - b. The proposal must fully comply with The *Stormwater Management Manual of Eastern Washington*. The *Manual* stipulates a 5 foot separation from infiltration strategies to a seasonal high water table.
 - c. An initial trip generation and distribution will inform Public Works as to the additional scope of analysis required to mitigate traffic impacts.
 - d. Flooding has occurred proximate to the proposed development.
 - ~~e. The current recorded access easement does not meet the required minimum side yard setback of 15 feet.~~
 - f. The submitted preliminary survey was not signed by a licensed land surveyor, and the Surveyor’s certificate is not shown on the face of the plat.
 - g. The legal description of the property to be subdivided must be included.
 - h. The vertical datum used is not noted, nor is the basis of bearings shown.
 - i. A statement describing equipment and procedures used is not shown on the plat.
 - j. Buffer Setback Line is not shown in the Legend.
 - k. The access easement through the adjacent parcel must be shown on the face of the plat.

Required Additional Information

Based upon the above concerns that were first conveyed in the October 5, 2018 letter and staff review of the information receive on March 29, 2019, the following will be required for continued processing of the application:

- 1) A groundwater study identifying water table depths on the subject property. Part of this study will require monitoring of groundwater levels from March 1, 2020 through October 31, 2020. Coordination with Kittitas County Public Works Department is necessary prior to beginning this study to ensure that the appropriate review is being completed during the specified timeframe.

- 2) An updated stormwater drainage report depicting soil characteristics in regards to stormwater infiltration, and demonstrating that the proposal fully complies with the *Stormwater Management Manual of Eastern Washington*.
- 3) Complete a transportation concurrency application with Kittitas County Public Works. This application shall be submitted directly to Kittitas County Public Works; application is attached to this letter. Alternatively, please provide Public Works with your submitted 2014 Transportation Concurrency Application and Public Works Transportation Concurrency Determination from that submittal.
- 4) A revised preliminary survey must be revised to meet Kittitas County Code Sections 16.12 and 16.24. Public Works has outlined the following deficiencies:
General preliminary plat comments:
 - a. The Preliminary Plat has not been prepared by a licensed Land Surveyor.
 - b. The Surveyors certificate should be shown on the face of the Plat.
 - c. The Legal description of the subject property should be included.
 - d. The vertical datum utilized for the contours should be noted. If the datum uses is an assumed datum, the benchmarks utilized should be noted, together with the benchmark elevations.
 - e. The basis of bearings should be shown.
 - f. The survey equipment and procedures statement should be shown.

Sheet 2 of preliminary plat:

- g. BSBL is not included in the Legend.
- h. The easement through the adjacent parcel will need to be created via a separate document and referenced on the face of the Final Plat.

Submittal Deadline

All comments contained in the record thus far will be considered throughout the review and decision process of this proposal. Please submit your responses to the above outlined required additional information by **November 30, 2020** or your project will become void. Pursuant to KCC 15A.03.040(4)(g) typical timeframe or additional information is 180 days, however you will not be able to meet your groundwater study requirement in that timeframe, therefore we have extended the deadline as noted above. All information except for the groundwater study and transportation concurrency application (if you cannot provide existing 2014 information above), which require specific coordination with Kittitas County Public Works, shall be submitted at one time as one packet to CDS. Upon receipt of all the necessary materials outlined above (this includes completion of the groundwater study), CDS will continue processing your application.

If you would like to set up a meeting to discuss your project, or if you have any questions regarding this matter, please feel free to contact me at 509-962-7046 or by email at lindsey.ozbolt@co.kittitas.wa.us.

Sincerely,

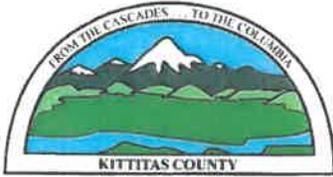


Lindsey Ozbolt
Planning Official

Enclosure: Kittitas County Public Works Memo from Director Mark Cook dated May 10, 2019
Kittitas County Public Works Memo from Planner III Taylor Gustafson dated May 10, 2019
Kittitas County request for additional information dated October 5, 2018
Kittitas County Public Works Memo dated August 28th, 2018

Washington Department of Fish and Wildlife dated September 10th, 2018

CC: Dusty Pilkington, Kittitas County CDS Planner I *via email*
Dan Carlson, AICP, Kittitas County CDS Director *via email*
Mark Cook, PE, Kittitas County Public Works *via email*
Taylor Gustafson, Kittitas County Public Works Environmental/Transportation Planner *via email*
Craig Jones, City of Ellensburg Public Works Project Coordinator *via email*
Kirsten Sackett, City of Ellensburg Community Development Director *via email*
Jennifer Nelson, WDFW Area Habitat Biologist *via email*
Mike Jackson, MDJ Development *via email*
Project File



KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

TO: Dusty Pilkington, Planner 1

COPY: Taylor Gustafson, Planner III
Candie Leader, Administrative Assistant
Lindsey Ozbolt, Planning Official

DATE: May 10, 2019

FROM: Mark R. Cook, Director 

RE: PUD PD-16-00001
Preliminary Plat LP-17-00004
MDJ Response (received 05-29-2019)

I have reviewed the materials submitted by MDJ responding to Kittitas County's request for required information (re-sent to the applicant dated 03/01/2019). My comments appear below for your consideration. The numbering scheme matches that of the resent request for information (03/01/2019).

1. Groundwater study requirement

The Baer infiltration report details groundwater at eight feet. Our experience in the area, suggests that seasonal high water table elevation occurs later in the growing season as irrigation return flow impacts the local water table. The submitted soil data in the preliminary drainage report dated March 27, 2019; references four SCS soils types present onsite. The four referenced soil types are: 480 (Nanum ashy loam), 621 Mitta ashy silt loam, 792 Brickmill gravelly ashy loam and 795 Nack-Opinish complex. Test pit characterization from the Baer infiltration test (June 25, 2018) appears consistent with expected site soils. All four soil types report a depth to water table above 49 inches. The observed depth to water table (Baer infiltration report) at eight feet is likely due to insufficient seasonal irrigation return flow impact. The Baer infiltration test makes no mention of observed staining or lack of organic penetration beyond 49 inches suggesting seasonal high water is still a concern for the site.

Given our observed historic flooding in the area, our local knowledge on seasonal high water impact regionally, the date of the infiltration test and the supported SCS soil conditions present at the site, we remain convinced that a groundwater study on the site between March 1st and October 31st is a valid precaution ensuring functionality of the proposed onsite stormwater detention system.

2. The final drainage design will be driven by the results of the groundwater study.
4. Letter received.
5. Access Easement

The proposal utilizes the road standards from the City of Ellensburg. The request for adequate side yard setback is a County planning requirement and it is my understanding that City's road standards will not trump County side yard setback requirements.



KITITITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Community Development Services
FROM: Taylor Gustafson, Environmental/Transportation Planner TG
DATE: May 10, 2019
SUBJECT: Public Works review of Prelim Long Plat LP-17-00004 (Commons at Dry Creek)
Note: Also referenced as Planned Unit Development PD-16-0001

These comments are in response to the applicant's response letter dated March 29, 2019, which states "The attached recorded survey contains all the requested items."

Planning:

1. A transportation concurrency application must be submitted to Public Works. There is currently no record of a 2014 Commons at Dry Creek transportation concurrency application. If one was submitted in 2014, please send it to Public Works along with the concurrency determination.
2. City of Ellensburg road standards apply. Applicant to coordinate with City of Ellensburg.

Survey:

Comments General:

The applicant is notified that the recorded survey referenced in the letter does not meet the requirements of a Preliminary Plat. The requirements of a Preliminary Plat can be found in Kittitas County Code, Sections 16.12 and 16.24.

For your convenience, the previous survey review comments are listed below:

General:

1. The Preliminary Plat has not been prepared by a licensed Land Surveyor.
2. The Surveyors certificate should be shown on the face of the Plat.
3. The Legal description of the subject property should be included.
4. The vertical datum utilized for the contours should be noted. If the datum used is an assumed datum, the benchmarks utilized should be noted, together with the benchmark elevations.
5. The basis of bearings should be shown.
6. The survey equipment and procedures statement should be shown.

Sheet 1:

No comments

Sheet 2:

7. BSBL is not included in the Legend.

Page 1 of 2

8. The easement through the adjacent parcel will need to be created via a separate document and referenced on the face of the Final Plat. The adjacent parcel is zoned Urban residential, with a side yard setback of 15 feet to boundaries or easements. This appears to fall quite close to the existing building, and as such, the distance between building and easement line should be noted.

Sheet 3:

No comments



KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

October 5, 2018

MDJ Contractors, LLC
c/o Eric Jackson
PO Box 1117
Ellensburg, WA 98926

Sent via email: ericja@mdjcontractors.com

RE: Commons at Dry Creek Planned Unit Development (PUD) PD-16-00001 and Preliminary Plat (LP-17-00004) – Transmittal of Comments Letter from Re-Notice and Request for Additional Information

Mr. Jackson,

On August 10, 2018, Kittitas County Community Development Services issued a Re-notice of Application for your project for the following reasons: 1) to ensure the proposal is reviewed as one project and not two separate proposals because previously the preliminary plat and PUD rezone were noticed separately; 2) to reflect additional information received regarding wetland delineation and a stormwater drainage management plan; and 3) to clarify the project acreage and proposed number of lots. The written comment period for the re-notice ended on September 10th, 2018. A complete paper copy of all comments was provided to you on Monday October 1, 2018. A digital copy of all comments can be obtained as one pdf on the CDS website at: <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigating to "Rezoning" and then the project file number and name "PD-16-00001 Commons at Dry Creek". The pdf document is titled "PD-16-00001 Commons at Dry Creek Re-Notice Comments Received_9.10.18".

Staff has reviewed all public and agency comments received during this latest comment period. A list of all comments received during the comment period is provided below:

August 13 th , 2018	Mike Flory, Kittitas County Building Official
August 14 th , 2018	Dennis and Arvilla Ohlde
August 15 th , 2018	Kimberly Peacher, Community Planning and Liason Officer, Northwest Training Complex
August 15 th , 2018	Michael Daniels, Yakima Training Center
August 16 th , 2018	Josh and Jamie Case
August 18 th , 2018	Rich Elliott, Kittitas Valley Fire and Rescue
August 28 th , 2018	Oehlenda Portolese
August 28 th , 2018	Taylor Gustafson, Environmental Transportation Planner, Kittitas County Public Works
August 28 th , 2018	Norma Jean Hinkson
August 28 th , 2018	Nicole Jastremski
August 29 th , 2018	Josh and Jamie Case
August 29 th , 2018	Jon Adler
August 30 th , 2018	Nicholas I. Berquist
September 4 th , 2018	Julie Coppock, Light Engineering Specialist, City of Ellensburg
September 6 th , 2018	Vicki Loiseau
September 7 th , 2018	Jose Carlos Preciado
September 7 th , 2018	Tara Preciado

September 7 th , 2018	Craig Jones, Development Coordinator, City of Ellensburg
September 8 th , 2018	Nolan Brooke
September 9 th , 2018	William and Shirley Ristow
September 9 th , 2018	Brian Thompson
September 10 th , 2018	Shawn O'Brien Gas Engineer, City of Ellensburg
September 10 th , 2018	Jennifer Nelson, Washington Department of Fish and Wildlife
September 11 th , 2018	William Adams

Based on our review, staff has determined that additional information is required to be provided. Consequently, this letter is intended to specify and outline what is needed to continue processing.

Under Kittitas County Code (KCC) Amendments, specifically KCC 17.98.020 (6)(b) and (f), a proposed change in the zoning map must bear “a substantial relation to the public health, safety or welfare” and must not be “materially detrimental to the use of properties in the immediate vicinity of the subject property”. In order to determine if the proposal meets this provision, additional information that will be necessary for staff to complete review of your application.

- 1) In its letter dated September 10th, 2018, the Washington Department of Fish and Wildlife noted concerns related to possible flooding of the development and adjacent properties. In order to address these concerns, Community Development Services must be assured of the following:
 - a. Stormwater can be safely and adequately treated year-round after the addition of 3.5 acres of impervious surfaces.
 - b. New homes will not be flooded due to high ground water that sometimes presents as surface water.
 - c. Existing homes will not experience increased flood risks due to this development.
 - d. New drainage facilities will not concentrate flows such that they damage Fish and Wildlife Habitat Conservation Areas associated with Currier Creek and its riparian buffer.
- 2) In its letter dated August 28th, 2018, Kittitas County Public Works refers to concerns regarding stormwater and potential flooding.
 - a. A stormwater drainage report was submitted, but did not adequately address the soils characteristics in regard to stormwater disposal. The report makes reference to “Infiltration Letter for Cottage Grove Residential Development, Kittitas, Washington”, but the document was not included for review.
 - b. The proposal must fully comply with *The Stormwater Management Manual of Eastern Washington*. The *Manual* stipulates a 5 foot separation from infiltration strategies to a seasonal high water table.
 - c. An initial trip generation and distribution will inform Public Works as to the additional scope of analysis required to mitigate traffic impacts.
 - d. Flooding has occurred proximate to the proposed development.
 - e. The current recorded access easement does not meet the required minimum side yard setback of 15 feet.
 - f. The submitted preliminary survey was not signed by a licensed land surveyor, and the Surveyor’s certificate is not shown on the face of the plat.
 - g. The legal description of the property to be subdivided must be included.
 - h. The vertical datum used is not noted, nor is the basis of bearings shown.
 - i. A statement describing equipment and procedures used is not shown on the plat.
 - j. Buffer Setback Line is not shown in the Legend.
 - k. The access easement through the adjacent parcel must be shown on the face of the plat.

Based upon the above concerns, the following will be required for continued processing of the application:

- 1) A groundwater study identifying water table depths on the subject property. Part of this study will require monitoring of groundwater levels from March through October, 2019. Coordination

- with Kittitas County Public Works Department is necessary prior to beginning this study to ensure that the appropriate review is being completed during the specified timeframe.
- 2) An updated stormwater drainage report depicting soil characteristics in regards to stormwater infiltration, and demonstrating that the proposal fully complies with the *Stormwater Management Manual of Eastern Washington*.
 - 3) Complete a transportation concurrency application with Kittitas County Public Works. This application shall be submitted directly to Kittitas County Public Works; application is attached to this letter.
 - 4) Provide the document "Infiltration Letter for Cottage Grove Residential Development, Kittitas, Washington".
 - 5) An updated access easement meeting minimum side yard setbacks of 15 feet under KCC 17.22.060.
 - 6) A revised preliminary survey meeting items 2(f - k) above.

All comments contained herein will be considered throughout the review and decision process of this proposal. Please submit your responses to the above outlined required information and also provide any responses to any of the other comments by **April 4, 2019** pursuant to KCC 15A.03.040(4)(g) or your project will become void. All information except for the groundwater study and transportation concurrency application, which require specific coordination with Kittitas County Public Works, shall be submitted at one time as one packet to CDS. Upon receipt of the necessary materials outlined above, CDS will continue processing your application.

If you would like to set up a meeting to discuss your project, or if you have any questions regarding this matter, please feel free to contact me at 509-962-7046 or by email at lindsey.ozbolt@co.kittitas.wa.us.

Sincerely,



Lindsey Ozbolt
Planning Official

Enclosure: Kittitas County Public Works Transportation Concurrency Application

CC:	Dusty Pilkington, Kittitas County CDS Planner I	<i>via email</i>
	Dan Carlson, AICP, Kittitas County CDS Director	<i>via email</i>
	Mark Cook, PE, Kittitas County Public Works	<i>via email</i>
	Taylor Gustafson, Kittitas County Public Works Environmental/Transportation Planner	<i>via email</i>
	Craig Jones, City of Ellensburg Public Works Project Coordinator	<i>via email</i>
	Jennifer Nelson, WDFW Area Habitat Biologist	<i>via email</i>
	Mike Jackson, MDJ Development	<i>via email</i>
	Project File	



KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION CONCURRENCY
MANAGEMENT APPLICATION

Concurrency Review: \$3,690.00

Payment Method: Check _____ Cash

Owner Name _____ Permit # _____
 Mailing Address _____

 Phone Number _____
 Email Address _____

Agent Name _____
 Mailing Address _____

 Phone Number _____
 Email Address _____

DATE STAMP

Application Information:

Number of Lots to be created: _____
 Tax Parcel No.: _____
 Assessor's Map No.: _____
 Plat or Project Name: _____
 Roads Serving Project: _____

Proposed Land Use: Residential Commercial Agricultural

Proposed Land Use Project: Short Plat Long Plat Building Permit
 Other _____

Total Number of Lots/Dwelling Units: _____
 Commercial/Agricultural Building Area in square feet: _____
 If known, ADT and ITE land use code: _____

Narrative project description: _____

Describe present use of property: _____

Are there any other pending applications or issues associated with this property?
 YES NO If yes, describe: _____

Applicant will be contacted by Public Works to coordinate a meeting with the Director of Public Works and/or the County Engineer to discuss terms of the Transportation Evaluation.

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

Signature of Authorized Agent: _____ Date: _____
 X _____

Signature of Land Owner of Record: _____ Date: _____
 (Required for application submittal)
 X _____



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Community Development Services
FROM: Taylor Gustafson, Environmental/Transportation Planner **TG**
DATE: August 28, 2018
SUBJECT: Public Works review of Prelim Long Plat LP-17-00004 (Commons at Dry Creek)
Note: Also referenced as Planned Unit Development PD-16-0001.

The following shall be conditions of preliminary approval:

Engineering:

1. Traffic Impact

The applicant must submit a transportation concurrency application. An initial trip generation and distribution will inform Public Works on additional scope of analysis required to mitigate traffic impact from the development. Required offsite mitigations will be identified pursuant to the results from the traffic impact analysis as scoped by Public Works.

2. Stormwater

The preliminary drainage report submitted identifies subsurface disposal of improved stormwater runoff via infiltration trenches. No discussion is provided regarding stormwater treatment other than to suggest: "Additional soils testing may be required to determine if the soils present have appropriate characteristics to provide water quality treatment for the site". The referenced "Infiltration Letter for Cottage Grove Residential Development, Kittitas, Washington, completed by Baer Testing, Inc. on June 25th, 2018", is not attached to our review copy (stormwater report).

The wetland report prepared for the project (Data Form 1 revised – 7/28/14 attached as EXHIBIT 1) – identifies the depth to free water as being 30 inches. This is consistent with our monitoring of groundwater in the vicinity (D. R. Horton's Black Horse at Whiskey Creek and the Palomino plat). Both proposals suffer from seasonally high water tables. The *Stormwater Management Manual for Eastern Washington (6.3.2 SSC-5)* stipulates a separation from infiltration strategies of five feet or greater from seasonally high water table. Three foot deep infiltration galleries are expected to be adversely impacted by water table extent, either directly or by insufficient separation depth. In the absence of information to the contrary, Public Works requests that **the site be monitored for water table extent from March through October, 2019**. Once the seasonal extent of ground water elevation is established, a stormwater disposal scheme can be designed addressing specific site constraints.

3. Known Area Flooding

The Kittitas County Flood Control Zone District is aware of flooding proximate to the proposal. Specifically, 2115 W. Creeksedge Way routinely experiences seasonal flooding from Currier Creek. Public Works communicated this concern to Community Development Services in May 2017 (EXHIBIT 2 attached). Given the likelihood of a seasonally high water table at the site, the results of a water table study will inform on the likely impact of the proposal on area residents.

Any additional improved runoff targeting a saturated soil column will likely add to area flooding concerns. **No offsite runoff from the site may adversely impact surrounding properties.**

4. Access

Plat access shall meet all setback requirements as stipulated by Community Development Services. The current recorded easement does not appear to meet the required minimum side yard setback of 15 feet.

Survey:

Comments General:

1. The Preliminary Plat has not been prepared by a licensed Land Surveyor.
2. The Surveyors certificate should be shown on the face of the Plat.
3. The Legal description of the subject property should be included.
4. The vertical datum utilized for the contours should be noted. If the datum used is an assumed datum, the benchmarks utilized should be noted, together with the benchmark elevations.
5. The basis of bearings should be shown.
6. The survey equipment and procedures statement should be shown.

Comments Sheet 1:

No comments

Comments Sheet 2:

7. BSBL is not included in the Legend.
8. The easement through the adjacent parcel will need to be created via a separate document and referenced on the face of the Final Plat. The adjacent parcel is zoned Urban residential, with a side yard setback of 15 feet to boundaries or easements. This appears to fall quite close to the existing building, and as such, the distance between building and easement line should be noted.

Comments Sheet 3:

No comments

EXHIBIT 1: Soil Data from Submitted Wetland Report

Routine Wetland Determination

DATA FORM 1 (Revised)

WA State Wetland Delineation Manual or 1987 Corps Wetland Delineation Manual

Project/Site: <i>JACKSON</i>				Date: <i>7/23/14</i>			
Applicant/owner: <i>HALL</i>				County: <i>KITITAS</i>			
Investigator(s): <i>LB</i>				State: <i>WA</i>			
				SIT/R: <i>527 T18 R18</i>			
Do normal circumstances exist on the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				Community ID: <i>UP1</i>			
Is the site significantly disturbed (atypical situation)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Transect ID:			
Is the area a potential problem area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Plot ID: <i>1-4</i>			
Explanation of atypical or problem area:							
VEGETATION (For *strata, indicate T = tree; S = shrub; H = herb; V = vine)							
Dominant Plant Species	*Stratum	% cover	Indicator	Dominant Plant Species	*Stratum	% cover	Indicator
<i>Poa Annua</i>	<i>H</i>	<i>30</i>	<i>VI</i>	<i>Blue Grass</i>			
<i>Bromus tectorum</i>	<i>H</i>	<i>30</i>	<i>VI</i>	<i>Chenop Grass</i>			
<i>Elymus repens</i>	<i>H</i>	<i>30</i>	<i>UP</i>	<i>Quack Grass</i>			
<i>Elymus sp.</i>	<i>H</i>	<i>10</i>	<i>FAC+</i>	<i>Horsetail</i>			
HYDROPHYTIC VEGETATION INDICATORS:							
% of dominants OBL, FACW, & FAC: <i>10</i>							
Check all indicators that apply and explain below:							
<input type="checkbox"/> Visual observation of plant species growing in areas of prolonged inundation/saturation				<input type="checkbox"/> Physiological/reproductive adaptations			
<input type="checkbox"/> Morphological adaptations				<input type="checkbox"/> Wetland plant database			
<input checked="" type="checkbox"/> Technical Literature				<input checked="" type="checkbox"/> Personal knowledge of regional plant communities			
				<input type="checkbox"/> Other (explain)			
Hydrophytic vegetation present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Rationale for decision/Remarks: <i>No indicators < 50%</i>							
HYDROLOGY							
Is it the growing season? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				Water Marks: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sediment Deposits: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Based on: <input type="checkbox"/> Soil temp (record temp)				Drift Lines: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Drainage Patterns: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input checked="" type="checkbox"/> Other (explain) <i>JULY</i>							
Depth of inundation: <i>N/A > 12"</i> inches				Oxidized Root (live roots) Channels < 12 in.: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Local Soil Survey: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Depth to free water in pit: <i>30"</i> inches				FAC Neutral: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Water-stained Leaves: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Depth to saturated soil: <i>24"</i> inches							
Check all that apply & explain below:				Other (explain):			
<input type="checkbox"/> Stream, lake or gage data							
<input checked="" type="checkbox"/> Aerial photographs							
<input checked="" type="checkbox"/> Other <i>FIELD VERIFICATION</i>							
Wetland hydrology present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Rationale for decision/remarks: <i>No indicators</i>							

SOILS

Map Unit Name (Series and Phase):

Drainage Class

Taxonomy (subgroup)

Field observations confirm mapped type? Yes No

Profile Description		SEE ATTACHED SOIL DATA				Drawing of soil profile (match description)
Depth (inches)	Horizon	Matrix color (Munsell moist)	Mottle colors (Munsell moist)	Mottle abundance size and contrast	Texture, concretions, structure, etc.	

Hydric Soil Indicators: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Histosol | <input type="checkbox"/> Matrix chroma \leq 2 with mottles |
| <input type="checkbox"/> Histic Epipedon | <input type="checkbox"/> Mg or Fe Concretions |
| <input type="checkbox"/> Sulfidic Odor | <input type="checkbox"/> High Organic Content in Surface Layer of Sandy Soils |
| <input type="checkbox"/> Aquic Moisture Regime | <input type="checkbox"/> Organic Streaking in Sandy Soils |
| <input type="checkbox"/> Reducing Conditions | <input type="checkbox"/> Listed on National/Local Hydric Soils List |
| <input type="checkbox"/> Gleyed or Low-Chroma (=1) matrix | <input type="checkbox"/> Other (explain in remarks) |

Hydric soils present? Yes No

Rationale for decision/Remarks: No H₂O or Saturation w/in 12"

Wetland Determination

- | | |
|---|---|
| Hydrophytic vegetation present? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Hydric soils present? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Wetland hydrology present? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Is the sampling point within a wetland? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Rationale/Remarks:

NOTES: Holes were dry with an encounter to a deep depth in order to show regional water table

SL1) 0-24" S.L. w/ Cobble
Gravel
Clay + Gravel

SL2) 0-18" S.L. Lowest Ground Top
Some plants

porous 18" - 48" SL

48" + Sand + Gravel / RL

54" H₂O

SL3) 0-24" SL 10" H₂O

24" + Fine Sand + Light Brown

Saturated

30" H₂O / 100T

SL4) 0-20" S.L.

20-60" Sand Cobbles

Plant Grass

Clay

por

Lindsey Ozbolt

From: Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>
Sent: Monday, September 10, 2018 3:26 PM
To: Dusty Pilkington; Lindsey Ozbolt; Dan Carlson
Subject: RE: Re-Notice: PD-16-00001 Commons at Dry Creek and LP-17-00004 Notice of Application
Attachments: Sept 2018 WDFW comments MDJ updated rezone and Long plat.pdf

WDFW's comments are attached.

Jennifer Nelson
Washington Department of Fish and Wildlife
Habitat Program
Ellensburg, WA 98926
(509) 961-6639 Mobile

From: Dusty Pilkington <dusty.pilkington@co.kittitas.wa.us>
Sent: Friday, August 10, 2018 4:42 PM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Lisa Iammarino <lisa.iammarino@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Johnson <patti.johnson@co.kittitas.wa.us>; Kelly Bacon <kelly.bacon@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; 'jessica@yakama.com' <jessica@yakama.com>; 'jmarvin@yakama.com' <jmarvin@yakama.com>; 'johnson@yakama.com' <johnson@yakama.com>; 'enviroreview@yakama.com' <enviroreview@yakama.com>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>; White, Lori (ECY) <lowh461@ECY.WA.GOV>; 'migi461@ECY.WA.GOV' <migi461@ECY.WA.GOV>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; SEPA (DAHP) <sepa@dahp.wa.gov>; 'jorgenja@cwu.edu' <jorgenja@cwu.edu>; 'nelmsk@cwu.edu' <nelmsk@cwu.edu>; Mike Flory <mike.flory@co.kittitas.wa.us>; Douglas Mitchell <douglas.mitchell@co.kittitas.wa.us>; Stacey Henderson <stacey.henderson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; 'ben.serr@doh.wa.gov' <ben.serr@doh.wa.gov>; Smits, Brenda M (DOH) <brenda.smits@doh.wa.gov>; Kennedy, Becky (DNR) <Becky.Kennedy@dnr.wa.gov>; PRESTON, CINDY (DNR) <CINDY.PRESTON@dnr.wa.gov>; DNR RE AQ LEASING RIVERS <DNRREAQLEASINGRIVERS@dnr.wa.gov>; 'brooksideconsulting@gmail.com' <brooksideconsulting@gmail.com>; 'Deborah.j.knaub@usace.army.mil' <Deborah.j.knaub@usace.army.mil>; Stoner, Jana <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'chelberg@usbr.gov' <chelberg@usbr.gov>; 'Michael.j.daniels3.cov@mail.mil' <Michael.j.daniels3.cov@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'Joanna Markell' <jmarkell@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; Karen Hodges <karen.hodges@co.kittitas.wa.us>; Justin Turnbull <justin.turnbull@co.kittitas.wa.us>; Taylor Gustafson <taylor.gustafson@co.kittitas.wa.us>; Rich Elliott <elliotttr@kvfr.org>; 'ellensburgwater@yahoo.com' <ellensburgwater@yahoo.com>; 'fwalker@eburg.wednet.edu' <fwalker@eburg.wednet.edu>; 'pubworks@ci.ellensburg.wa.us' <pubworks@ci.ellensburg.wa.us>; 'comdev@ci.ellensburg.wa.us' <comdev@ci.ellensburg.wa.us>; 'energyservices@ci.ellensburg.wa.us' <energyservices@ci.ellensburg.wa.us>; 'arvilla@hctc.com' <arvilla@hctc.com>; 'ericj@mdjcontractors.com' <ericj@mdjcontractors.com>; 'mikej@mdjcontractors.com' <mikej@mdjcontractors.com>
Cc: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: Re-Notice: PD-16-00001 Commons at Dry Creek and LP-17-00004 Notice of Application

Greetings. I am requesting comments on this Planned Unit Development and Associated Plat. This a re-notice establishing a new 30 day comment period for this proposal. Anyone with an interest can comment, and the comment period ends September 10th, 2018 at 5:00 PM. Click the links below to view information on the permit. If you have no comment on the project, please reply and inform CDS.

[PD-16-00001 & LP-17-00004 Commons at Dry Creek \(County Departments\)](#)

[PD-16-00001 & LP-17-00004 Commons at Dry Creek \(Outside County Network\)](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to "Rezoning" and then the Project File Number "PD-16-00001".

The following documents are attached to this email:

- Re-Notice of Application Memo
- Existing SEPA Checklist
- Updated Preliminary Plat
- Updated Project Narrative
- Updated PUD Information

Thank you,

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 4, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38cb45916c6dcbdac24bb8719d004a14



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Ellensburg District Office • 201 N. Pearl St, Ellensburg, WA 98926
Telephone: (509) 962-3421 • Fax: (509) 575-2474

September 10, 2018

Lindsey Ozbolt
Planning Official
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926

RE: WDFW comments on PD-16-00001 and LP-17-00004 Commons at Dry Creek

Dear Ms. Ozbolt,

This is the third opportunity to provide comments on the proposed rezone and long plat (PD-16-00001 and LP-17-00004 MDJ) to create 34 new homes and associated infrastructure within an area with known surface water flooding yet there is no mention of this in the application documents. With specific reference to our letters and exhibits from May 2017 and August 2017, WDFW maintains that an Environmental Impact Statement (EIS) is needed to adequately address the likely environmental impacts and public safety risks associated with this proposal.

In May and August of 2017, WDFW provided detailed comments with several figures showing surface water on this property on multiple occasions, draining into the existing Currier Estates development and flooding homes. A ditch was dug near the property boundary for the Commons at Dry Creek and Currier Estates to try to capture this surface flow and direct it into Currier Creek. This ditch is not effective at capturing all the surface water and has the potential to concentrate flows into Currier Creek causing erosion and scour that will negatively impact the bed, banks, and riparian habitat in Currier Creek. Currier Creek supports ESA listed steelhead as well as coho and Chinook salmon and other native resident fishes. As proposed, this development will most surely result in additional ditching and drainage features to try and capture and concentrate the surface water and ground water that will continue to degrade fish and wildlife habitat conservation areas associated with Currier Creek.

In the announcement for re-notice, reason #2 given is "to reflect additional information received regarding wetland delineation and a stormwater drainage management plan". WDFW commends Kittitas County CDS for seeking this additional information, but we find the submitted information lacks sufficient details to satisfy our concerns.

Widely used and accepted standard methods for determining the presence or absence of wetland habitat have not been used for this project. Without this proper procedure and documentation, we still cannot determine whether wetland habitat will be impacted by this proposal.

The Preliminary Drainage Report references an "Infiltration Testing Letter" but the letter is not included for review. Additionally, the proposed infiltration gallery (36 inches deep) in the southwest corner of the property is located in poorly drained soils with a depth to the water table of less than 30 inches (according to the

information provided for Naneum Ashy Loam in the report). This proposal relies on all stormwater to be infiltrated onsite with a proposed infiltration gallery below the depth to ground water and under existing undeveloped conditions, surface water leaves the site and is unable to infiltrate. Given this information, additional study is needed to ensure 1) stormwater can be safely and adequately treated year-round after impervious surfaces cover nearly 3.5 acres; 2) new homes will not be flooded due to the high ground water that at times presents as surface water; 3) Existing homes nearby will not experience increased flood risks due to this development; and 4) new drainage facilities will not concentrate flows such that they damage Fish and Wildlife Habitat Conservation Areas associated with Currier Creek and its riparian buffer.

This proposal has the potential to negatively impact at least four of five critical areas (Fish and Wildlife Habitat Conservation Areas, Wetlands, Frequently Flooded Areas*, and Geologic Hazard Areas-alluvial fans). WDFW still recommends an Environmental Impact Statement that includes detailed hydraulic modeling and a detailed ground water study prior to approval of the rezone (PD-16-00001) and long plat (LP-17-00004) to address and mitigate the significant environmental impacts likely to occur with this development as proposed.

We appreciate the opportunity to comment and work with the proponents to meet their needs. Please feel free to contact me at (509) 961-6639 or Jennifer.nelson@dfw.wa.gov if you have any questions about these comments.

Sincerely,



Jennifer Nelson
Area Habitat Biologist

***WAC 365-190-110—Frequently flooded areas. Flood plains and other areas subject to flooding perform important hydrologic functions and may present a risk to persons and property.**

- (1) Classifications of frequently flooded areas should include, at a minimum, the 100-year flood plain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.
- (2) Counties and cities should consider the following when designating and classifying frequently flooded areas:
 - (a) Effects of flooding on human health and safety, and to public facilities and services;
 - (b) Available documentation including federal, state, and local laws, regulations, and programs, local studies and maps, and federal flood insurance programs, including the provisions for urban growth areas in RCW 36.70A.110;
 - (c) The future flow flood plain, defined as the channel of the stream and that portion of the adjoining flood plain that is necessary to contain and discharge the base flood flow at build out;
 - (d) The potential effects of tsunami, high tides with strong winds, sea level rise, and extreme weather events, including those potentially resulting from global climate change;
 - (e) Greater surface runoff caused by increasing impervious surfaces.