

## Ellie Myers

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**From:** Jordan Bovee <jordan.bovee.hsy@colvilletribes.com>  
**Sent:** Monday, July 14, 2025 2:51 PM  
**To:** Ellie Myers  
**Cc:** Guy Moura; SEPA@dahp.wa.gov  
**Subject:** Re: SP-25-00009 Brown Road - Notice of Application

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Hi Ellie,

This review is in response to the SP-25-00009 Brown Road short plat application.

The CCT has no concerns regarding the proposed undertaking's potential impact on cultural resources.

Thank you for reviewing with tribal partners,

**Jordan Bovee** | Archaeologist 2  
CCT History/Archaeology Program  
[jordan.bovee.hsy@colvilletribes.com](mailto:jordan.bovee.hsy@colvilletribes.com)  
Desk Phone: 509-634-2690  
Mobile Phone: 509-631-1131



On Fri, Jul 11, 2025 at 11:03 AM Ellie Myers <[ellie.myers@co.kittitas.wa.us](mailto:ellie.myers@co.kittitas.wa.us)> wrote:

Good Morning,

CDS is requesting comment on the following short plat application: SP-25-00009 Brown Road. Links to the file materials can be found below. The comment period will end **July 31, 2025, at 5pm**. CDS will assume your agency does not wish to provide comment if not received by this date. Please let me know if you have any issues accessing the materials.

Internal Link: SP-25-00009 Brown Road

External Link: [SP-25-00009 Brown Road](#)

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 “Short Plats - 2018 and Forward - Preliminary” and then the project file number “SP-25-00009 Brown Road”.

Best,



## Ellie Myers

*(she/her/hers)*

Planner I | **Kittitas County Community Development Services**

411 N Ruby Street, Suite 2 Ellensburg, WA 98926

P: 509-962-7048 | E: [ellie.myers@co.kittitas.wa.us](mailto:ellie.myers@co.kittitas.wa.us)

<https://www.co.kittitas.wa.us/>

If this is about a Public Records Act request, please go to <http://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

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Kittitas County Community Development

411 N Ruby St – suite 2

Ellensburg WA 98926

**PROJECT: Brown Road (SP-25-00009)**

Regarding Tax Parcel #953835 located off Brown Road. Below is my written comments regarding proposing a 2-lot short plat resulting in (2) 2.5 acre lots, utilizing the “New small Lots Around Existing Residences Kittitas County Code 16.12.040(1)(iii)(c).

It is my understanding that code was written for homeowners who have farmed on their land for years to be able to stay in their homes they have lived in possible for decades and own after retirement. The above tax parcel #953835 owned by Brown Road Estates, LLC was purchased solely for development of dividing lots to the minimum size 5 acres lots allowed on this side of Brown Road and selling. The 2-lot short plat the applicant is proposing is a single original home on property. There is no reason for that to be turned into (2) 2.5 acre lots, below the allowed 5 acres minimum for this area, on this side of Brown Road except for profit and more traffic. That old house is going to be torn down anyway. This makes no sense, nor should it be allowed.

Thank you for taking the time,

Dawn Baumgardner

1320 Brown Rd, Ellensburg WA 98926

## Ellie Myers

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**From:** Irma Grogan <irmagrogan@gmail.com>  
**Sent:** Thursday, July 31, 2025 1:04 PM  
**To:** Ellie Myers  
**Subject:** Opposition to Proposed Short Plat SP-25-00009 Brown Road Estates LLC, Joel Gear

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July 30, 2025

Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA 98926

Dear Kittitas County Community Development Services,

Please consider my concerns as a resident to formally express my strong opposition to the proposed short plat SP-25-00009 by Brown Road Estates LLC (Joel Greear).

This application directly contradicts the intent of the county code being cited to justify it. The provision allowing for a one-time division of land was clearly established to assist long-time landowners, who wish to sell a portion of their property while retaining their home and a portion of their land. This is a sensible and compassionate policy designed to preserve the character of our rural community, not a loophole for developers to exploit in pursuit of profit.

This acreage should have been included in 75.76-acre parcel that was just recently long platted into 5-acre lots, in accordance with AG-5 zoning following those same zoning restrictions, as it is all part of the same developers plan. I strongly object to the current short plat proposal seeking to further subdivide the newly created lot. allowing this division undermines the zoning and planning principles that guide responsible growth and land use in our county.

If the county allows this application, it sends the message that developers can keep chipping away at our zoning rules, bit by bit, until there's nothing left of the farmland and rural way of life this valley was built on.

These open fields and wide open spaces are part of what makes this valley so special, and It's up to the county to protect the agricultural character of the valley. We need to make sure growth happens in a way that honors the long-term vision for this community, not just short-term profits.

I am asking you, sincerely and strongly, to please deny this short plat. Let's hold the line and protect what we have before it's gone forever.

Sincerely,

Irma Grogan

360 Peavine Road

509-859-3112



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Central Region Office  
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

July 30, 2025

Ellie Myers  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

**RE: SEPA 202502902; SP-25-00009**

Dear Ellie Myers:

Thank you for the opportunity to comment on the Notice of Application for the Brown Road Short Plat. We have reviewed the documents and have the following comments.

**Water Quality Program**

Dividing or platting a piece of property is often the first step in a proposed development. An NPDES Construction Stormwater Permit may be required if there is a potential for stormwater discharge from a construction site with disturbed ground. Ground disturbance includes all utility placements, and building or upgrading roads. The permitting process requires going through SEPA, developing a stormwater pollution prevention plan, submitting an application, and a 30-day public notice process. This may take 38-60 days. A permit and a stormwater plan are required prior to beginning ground-breaking activities. Please contact Wendy Neet with the Department of Ecology, (509) 571-6733, with questions about this permit.

**Water Resources Program**

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal. It would also not be exempt from the permitting requirement contained in RCW 90.44.050 if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated. If you have any questions or would like to respond to these Water

Kittitas County Community Development

July 30, 2025

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Resources comments, please contact Nathan Longoria at (509) 907-1752 or email at [nathan.longoria@ecy.wa.gov](mailto:nathan.longoria@ecy.wa.gov).

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Sincerely,

A handwritten signature in blue ink that reads "Amber Johnson".

Amber Johnson  
SEPA Coordinator  
Central Region Office  
509-723-5677  
[crosepa@ecy.wa.gov](mailto:crosepa@ecy.wa.gov)



# KITTITAS COUNTY

## DEPARTMENT OF PUBLIC WORKS

### MEMORANDUM

**TO:** All Staff  
**FROM:** Public Works Plan Review Team  
**DATE:** July 30, 2025  
**SUBJECT:** SP-25-00009 Brown Road

<p><b>ACCESS</b></p>	<ol style="list-style-type: none"> <li>1. An approved access permit shall be required from the Kittitas County Department of Public Works prior to creating any new driveway access or altering an existing access.</li> <li>2. An access permit (AC-25-00010) has been submitted for the private road apron onto Brown Road- Easement B. See Survey comments.</li> <li>3. Per KCC 12.04.04.050 Road Certification is required.</li> <li>4. Per KCC 12.04.01.030 Roads serving five or more lots shall be named according to the Kittitas County Private Road Naming &amp; Signing Standards.</li> <li>5. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.</li> <li>6. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.</li> </ol> <p>In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcel on this application. (RC)</p>
<p><b>ENGINEERING</b></p>	<p>There is an existing grading permit associated with this and the surrounding parcels (GP-25-00002). If there are any additional grading or earthwork planned as part of this short plat please provide that information and Public Works can update the Conditions of Approval for the grading permit (GP-25-00002) as needed.</p>

<p><b>SURVEY</b></p>	<p>1. Application does not meet WAC 332-130-145 Topographic elements on map.                  2. show encroachment distances of existing building(s) into Brown Road Right of way.                  3. 2024 Aerial photography shows 5 additional buildings not shown on the application. These should be shown or a statement from the applicant stating that they have been removed.</p> <p>FOR FINAL (not required for Prelim Approval)</p> <p>4. Include Ownership, surfacing and R/W width for Brown Road.                  5. At a minimum, the new division line between parcels shall be staked in the field, and corners shown on the face of the map.                  6. Adjacent lots 2, 4 and 7 shall include reference to recorded survey.                  7. The 60' access easement shall include reference to recording number of the creation documents, as the survey only notes that is to be created by separate document.                  8. Given the simplistic nature of the SP, Lot Closures are not required at final.                  (JT)</p>
<p><b>TRANSPORTATION CONCURRENCY</b></p>	<p>No transportation concurrency requirements for this project. (KAH)</p>
<p><b>FLOOD</b></p>	<p>No comments. (SC)</p>
<p><b>WATER MITIGATION/ METERING</b></p>	<p>The following comments outline the requirements for legal availability of water and metering for the proposed short plat:</p> <p>The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through mitigation certificates. Prior to final plat approval and recording, the following conditions shall be met:</p> <p>In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:</p> <ol style="list-style-type: none"> <li>1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;</li> <li>2. An adequate water right for the proposed new use; or</li> <li>3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.</li> </ol> <p>All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.</p> <p>Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.</p>

	<p><b>Final Plat Notes</b></p> <p>The following notes shall be placed on the face of the plat:</p> <p>C-1 "Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations."</p> <p>C-2 "The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."</p> <p>(SC)</p>
<b>AIRPORT</b>	No Comments. (RC)

Please contact Kittitas County Public Works (509) 962-7523 with any questions.

## Ellie Myers

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**From:** Luke Bergford <lbergford@imcoconstruction.com>  
**Sent:** Tuesday, July 29, 2025 10:21 AM  
**To:** Ellie Myers  
**Subject:** Opposition to Proposed Brown Road Short Plat (SP-25-00009)

**CAUTION:** This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

To Whom It May Concern,

I am writing to formally express my strong opposition to the proposed Brown Road short plat, SP-25-00009, which seeks to subdivide property currently zoned as Agriculture 5 (Ag 5). The proposal is in direct conflict with the intent and integrity of the existing zoning regulations and threatens both the rural character and agricultural viability of the area.

The justification for this subdivision appears to rely heavily on a misapplication of Kittitas County Code 16.12.040(1)(iii)(c). This section of the code—meant to provide exemptions only under narrow, specific conditions—is being misconstrued to permit land divisions that clearly violate the purpose of Ag 5 zoning. That designation was established specifically to preserve agricultural land by limiting development to parcels of five acres or more. Using this code section as a workaround sets a troubling precedent that undermines the County’s Comprehensive Plan and weakens long-term land use protections.

It is also important to note that the property in question is not located within an Urban Growth Area (UGA). The proposed plat runs counter to established growth management principles, which concentrate higher-density development within UGAs. Farmland outside these boundaries should remain shielded from speculative development driven by short-term financial interests, which do not reflect the values or needs of the broader community.

Further subdivision of productive agricultural land into smaller residential parcels will not only erode the rural character of the valley but also contribute to the continued loss of farmland and open space. These landscapes are integral to Kittitas County’s identity and sustainability. Once they are fragmented and developed, the open space that defines the region is permanently diminished. Upholding Ag 5 zoning is essential to preserving the valley’s agricultural heritage and maintaining the rural qualities that make this county unique.

I strongly urge Community Development Services and the Board of County Commissioners to deny this short plat application and stand by the County’s zoning ordinances, Comprehensive Plan, and the long-term interests of Kittitas County residents.

Sincerely,  
**Luke Bergford**

1251 Brown Road  
Ellensburg, WA 98926  
(360) 815-2486

## Ellie Myers

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**From:** April Richter <richter.april@yahoo.com>  
**Sent:** Monday, July 28, 2025 9:00 PM  
**To:** Ellie Myers  
**Subject:** Opposition to Proposed Short Plat SP-25-00009 (Brown Road Estates LLC, Joel Greear)

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July 29, 2025

Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA 98926

Dear Kittitas County Community Development Services,

I am writing as a concerned resident to formally express my strong opposition to the proposed short plat SP-25-00009 by Brown Road Estates LLC (Joel Greear).

This application directly contradicts the intent and spirit of the county code being cited to justify it. The provision allowing for a one-time division of land was clearly established to assist long-time landowners, who wish to sell a portion of their property while retaining their home and a portion of their land. This is a sensible and compassionate policy designed to preserve the character of our rural community, not a loophole for developers to exploit in pursuit of profit.

The 75.76-acre parcel was just recently long platted into 5-acre lots, in accordance with AG-5 zoning. I do not oppose the county's prior decision to approve the long plat, as it followed our existing zoning rules. However, I strongly object to the current short plat proposal seeking to further subdivide the newly created lot, just weeks after the initial division. This kind of behavior directly undermines the zoning and planning principles that guide responsible growth and land use in our county.

If the county allows this application, it sends the message that developers can keep chipping away at our zoning rules, bit by bit, until there's nothing left of the farmland and rural way of life this valley was built on.

Farmland can not be replaced. Once it's divided up and developed, it's gone forever. These open fields and wide open spaces are part of what makes this valley so special, and it's up to the county to protect them. We need to make sure growth happens in a way that honors the long-term vision for this community, not just short-term profits.

I'm asking you, sincerely and strongly, to please deny this short plat. Let's hold the line and protect what we have before it's gone forever.

Sincerely,  
April Richter  
1251 Brown Rd





*To Protect and Promote the Health and the Environment of the People of Kittitas County*

**To: All Staff**  
**From: Environmental Health**  
**Date: July 31, 2025**  
**Subject: SP-25-00009**

<b>Drinking Water</b>	Where a subdivision with nonpublic wells are proposed <ul style="list-style-type: none"> <li>• Configuration of each lot line to allow a supply protection zone to fit within the lot lines; or</li> <li>• Water supply protection zones on more than one lot when the person proposing the subdivision or development provides a copy of a recorded restrictive covenant to each property that is sited partially or completely within the water supply protection zone;</li> <li>• Water supply protection zone of at least 100 foot radius for each existing or proposed well site.</li> </ul>
<b>Wastewater</b>	<ul style="list-style-type: none"> <li>• Site evaluation application must be submitted to Kittitas County Public Health and complete before final plat approval on lots without existing permitted OSS.</li> </ul>

