

KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, April 11, 2006 @ 6:30 P.M.

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

Those present: Chairman David Black, Doug Harris, Mark McClain, Grant Clark, Don Williamson, Well Bartsma with Scott Perna absent.

Also present: Community Development Services Director Darryl Piercy, Assistant Director Allison Kimball, Staff Planner Scott Turnbull, Staff Planner Noah Goodrich, Planning Commission Clerk Susan Barret and approximately 40 individuals representing applicant and public interest.

I. Call to order and introduction of members and staff.

Having a quorum present the Chair called the meeting to order at 6:33 p.m.

II. Correspondence – none presented

III. Approval of Minutes – March 28, 2006 –to be held over until April 25, 2006

Jeff Slothower, 201 West 7th Avenue, Ellensburg, Washington, presented a formal challenge letter, **Exhibit A**, requesting under the Appearances of Fairness Doctrine that Well Bartsma be excused from the room during the presentation and deliberation of the O'Callahan plat.

Bartsma chose to step down.

IV. New Business

A. O'CALLAHAN 14-LOT PERFORMANCE BASED CLUSTER PRELIMINARY PLAT (P-06-03)

The Chair opened the hearing to O'Callahan Preliminary Plat staff presentation; Staff Planner Noah Goodrich presented his staff report by reading it into the record. Attached hereto and incorporated herein is a copy of that Staff Report.

The Chair opened the hearing to applicant presentation.

Chad Bala, PO Box 462, Roslyn, Washington, TerraDesign Works, representing the applicant, presented a PowerPoint presentation submitted into the record as **Exhibit B**.

Pat Deneen, 1890 Nelson Siding Road, discusses water rights as part of the Power Point presentation.

Jeff Slothower, 201 West 7th Avenue Ellensburg, Washington, submitted a letter to address certain public comments submitted prior to this public hearing as **Exhibit C**. Slothower briefly went over the presented letter and stated that this application is not in violation of the Growth Management Act.

The Chair opened the hearing to Public testimony.

Tom Whitaker, 1800 Zrebiec Road, Cle Elum, Washington, read into the record then submitted his statement as **Exhibit D-1** and a SEPA MDNS for Z-04-02 as **Exhibit D-2**. He made several points within the exhibit D letter and wished to request that there be a condition placed upon this application to not allow motorized recreational trails on this plat. He questioned Piercy and allowable uses of this application, specifically in relation to motorized recreational use.

Darryl Piercy responded that a unique element of the Cluster Plat is the requirement of covenants, conditions and restrictions that must be reviewed and approved prior to final plat approval in an effort to preserve the neighborhood character.

Dennis Burchak, 410 Fowler Creek Road, Cle Elum, Washington, gave a brief history of the property and the floods that he has experienced on this land. His concerns were stated as future flooding of this area; future developments that this will lead to; major water problems including lack of water, damage to natural springs, and septic systems; dangerous road conditions; substantial lack of law enforcement; unwanted noise; and sincere concern for maintaining the rural character of the area.

Floyd Adams, concerned about the run off from the proposed road; the amount of water that this development will use; the damage this will do to the spring water and Granite Creek.

Dina Lund, 2601 Pasco Road, Cle Elum, Washington, read into the record Washington State Department of Ecology Critical Aquifer Recharge Areas Guidance Document, submitted as **Exhibit E** along with a map and Daily Record Article.

David Duffy, 13518 178th Ave. S.E., Renton, Washington, stated water is a big problem; that he has seen this area flood; stated water is a big problem, he has tried and been unsuccessful in finding water and currently has no well on his own property.

Don Dart, 2207 Nelson Siding Road, Cle Elum, Washington, stated that he bought his land as R-3; he read permitted uses of that zoning into the record. Concerned with the amount of future cluster plats, he does not feel Cluster Plating should be allowed and the ordinance rescinded.

Phillip Doolittle, 280 Forest Lane, Cle Elum, Washington, stated he has two 300 foot + wells on his property, only one of which works with approximately a gallon of water per minute. He spoke to the recharge needs of the aquifer and urged the Commission to take into account what it can support in future development. Spoke to the variety of wildlife on his property and the impact on the migratory patterns higher density housing will have.

Black announces that a decision will not be made this evening

Bill Jones, 331 Whitetail Lane, Cle Elum, Washington, would like to submit his written testimony related to wells, water and the number that went dry this past year.

Black requested that we extend the deadline for written testimony to be accepted. **Piercy** concurred to the authority as chair to extend. **Black** then set Friday, April 14 at 5:00 pm as a deadline for further written testimony; the office of Community Development Services will be the submittal point.

Mikki Runte, 2121 Pasco Road, Cle Elum, Washington, stated that the issues of wildlife and wild land firefighting have not been adequately addressed or mitigated. As a wild land firefighter she has

strong concerns over the increased level of danger to the public and firefighters; she stated that the road can not handle increased traffic and infrastructure fire, police, roads and safety have to be considered first.

Allen Runte, 2121 Pasco Road, Cle Elum, Washington, stated that he feels his water, wildlife, and way of life are threatened by this development; concerned about the impact additional density on future flooding.

Clint Perry, TerraDesign Works, stated that there are lots of people moving here and that there is limited land available for development. He stated that the Cluster Subdivision plan took two years and many people of differing opinions and backgrounds to create and it was put in place as a tool to help with this growth.

Pat Deneen, 1890 Nelson Siding Road, Cle Elum, Washington, stated that water is a major issue and that they try to do class B wells as an environmentally sensitive; that he could just sell the individual lots without CC & R's; not planning on putting in an ORV track; everything that has been done is within the law, within the county code. The roads would be gravel and a storm water plan as required by the Department of Ecology, metering water is read monthly and water consumption attempted to be controlled by rates.

McClain questions the road standards and Fowler Creek Road; **Deneen** stated that they have been working with Public Works and improvements are already planned. **McClain** questions the wetland area and development; **Deneen** gave a brief explanation of the open space plan which is intended to have less impact on the land. **McClain** asks for an example of the CC & R's; **Deneen** responded with the "live on your deck theory", gave examples as to limits for trail uses, noise restrictions, lighting, size limitations; all must be approved by the Planning Department.

Black allowed public rebuttal; **Mikki Runte** wished to state that ORV use along the power line is illegal and that Forest Service Roads are not open to the public for recreational use; **Dina Lund** spoke to the previous logging and the resultant lack of habitat for underbrush wildlife. **Chad Bala** rebutted with his professional background as a wildlife biologist; reiterated the Department of Fish and Wildlife supports this program.

Black stated this hearing is to be continued to April 25, 2006 at 6:30 for Deliberation and Decision only. Public testimony will be accepted in writing until 5:00 p.m. Friday, April 14, 2006 at the Community Development Services office.

B. SUNCADIA PHASE 1 DIVISION 5 PRELIMINARY PLAT

The Chair opened the hearing to Staff presentation; Assistant Director of Community Development Services Allison Kimball presented her staff report by reading it into the record. Attached hereto and incorporated herein is a copy of that Staff Report.

The Chair opened the hearing to applicant presentation.

Steve Lathrop, 201 West 7th Avenue, Ellensburg, Washington, representing Suncadia responded to a comment letter relating to water metering and future sell of Phase 1 Division 5.

Black questioned Lathrop on open space calculations and it's adherence to the original development agreement. **Lathrop** clarified the 50% open space allowed on this plat still being in compliance with the overall 80% open space of the development. **Black** asked if the suggested conditions per the

staff report were acceptable to Suncadia. **Lathrop** responded affirmatively. **Black** questioned the access to lots 35-38. **Lathrop** stated that the easements shall be granted at the final plat phase.

The Chair opened the hearing to Public testimony. No public testimony was heard.

The Chair opened the hearing to Planning Commission deliberation and motion

Mark McClain made a motion to pass the Suncadia Phase 1 Division 5 Preliminary Plat forward to the Board of County Commissioners with a recommendation of approval. Don Williamson seconded and the motion carried with a 6/0 poll of the board.

Suggested Conditions and Findings of Fact

Conditions:

1. The proponent shall meet all Conditions of Approval previously adopted by Kittitas County through Ordinance 2000-15 for the Master Planned Resort, applicable to this application.
2. The proponent shall meet the provisions of the Development Agreement adopted by Kittitas County through Ordinance 2000-16 for the Mater Planned Resort, applicable to this application.
3. For long-term plans, required through the Conditions of Approval and/or the Development Agreement, which rely upon build-out of a full development phase, the proponent shall submit temporary/interim plans to the responsible County Department for review and approval, prior to final plat approval.

Findings:

1. The Planning Commission finds that Kittitas County Community Development Services issued a Notice of Application pursuant to RCW 36.70B and KCC 15A.03 on March 14, 2006. The Planning Commission finds further that said notice solicited comments from governmental agencies, adjacent property owners and other parties of record.
2. The Planning Commission finds that an open record hearing was held by the Planning Commission on April 11, 2006 to consider this matter and that testimony was taken from those persons present who wished to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
3. The Planning Commission finds that the Preliminary Plat for the Suncadia Master Planned Resort Phase 1, Division 5 has satisfied the requirements of KCC Chapter 16 and that additional conditions are necessary to protect the public's interest.
4. No adverse testimony was heard.

The Planning Commission unanimously voted to approve the suggested Conditions and Findings of Fact.

C. KENDRICK STATION PRELIMINARY PLAT (P-06-08)

The Chair opened the hearing to the Kendrick Station Preliminary Plat; Staff Planner Noah Goodrich presented his staff report by reading it into the record. Attached hereto and incorporated herein is a copy of that Staff Report.

McClain question Goodrich as to the Planning Department recommendations in respect to the pond. Goodrich replied that set backs are determined when a site plan is generated. **Bartsma** questioned the subject property's designated uses and the definition of suburban 2. **Harris** questioned the land configuration.

The Chair opened the hearing to applicant presentation.

Chuck Cruse, 217 E. 4th Avenue, Ellensburg, Washington, Cruse and Associates, representing the applicant gave a brief history of the property answering Harris's question, then stated that they have a pre-approved site for a group B water system, and are in compliance with county road standards, Health Department, and Department of Fish and Wildlife.

McClain asked if they would be tied into Cle Elum City services. Cruse stated Cle Elum had no interest in this project. **Harris** questioned the easement of Deer Meadow Drive. Cruse stated that this was granted prior to purchase. **Clark** questioned the zoning. **Black** asked if this was within the UGA. Cruse replied that zoning is light industrial and that it is not with in the UGA.

The Chair opened the hearing to Public testimony. No public testimony was heard

The Chair opened the hearing to Planning Commission deliberation and motion

Doug Harris made a motion to pass the KENDRICK STATION PRELIMINARY PLAT (P-06-08) forward to the Board of County Commissioners with a recommendation of approval. Mark McClain seconded and the motion carried with a 6/0 poll of the board.

SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that Chuck Cruse, authorized agent for Pine Ridge Partners LLC, submitted a complete application to the Community Development Services Department on February 16, 2006.
2. The Planning Commission also finds that said development application included a preliminary plat (Kendrick Station Plat P-06-08) depicting the division 8.02 acres into 8 lots. The lots range in size from .76 acres to 1.36 acres in size.
3. The Planning Commission finds that the Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on March 6, 2006. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies and landowners as required by law.
4. The Planning Commission finds that an open record hearing was held on April 11, 2006 to consider this matter and that testimony was taken from those persons present who wished

to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.

5. The Planning Commission finds that additional conditions are not necessary to protect the public's interest.
6. No adverse public testimony was received.

The Planning Commission unanimously voted to approve the suggested Conditions and Findings of Fact.

D. PILLAR PLAT (P-06-09)

The Chair opened the hearing to Staff presentation; Staff Planner Scott Turnbull presented his staff report by reading it into the record. Attached hereto and incorporated herein is a copy of that Staff Report.

Harris asked about other development is in the area. **Turnbull** pointed to various developments, flood permitting, and building activity. **Bartsma** asked for requirements of flood permits. **Williamson** questioned how flood permits effects insurance rates. **Turnbull** responded. **Bartsma** questioned the comprehensive plan, **Turnbull** and **Black** clarified the comprehensive plan and zoning as related to land use.

The Chair opened the hearing to applicant presentation.

Chuck Cruse, 217 E. 4th Avenue, Ellensburg, Washington, Cruse and Associates, he gave a brief history of the flood plane designation and how it came to be so designated. He stated that this flood hazard has been mitigated.

Randy Carbarry agreed that this flood threat has been mitigated as Cruse had stated.

The Chair opened the hearing to Public testimony. No public testimony was heard

The Chair opened the hearing to Planning Commission deliberation and motion

Grant Clark made a motion to pass the Pillar Plat (P-06-09) forward to the Board of County Commissioners with a recommendation of approval. Doug Harris seconded and the motion carried with a 5/1 poll of the board. Well Bartsma voted against with the belief that building should not be allowed on the flood plain.

SUGGESTED FINDINGS OF FACT

THE FOLLOWING GENERAL FINDINGS HAVE BEEN PREPARED BY THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT STAFF FOR CONSIDERATION BY THE PLANNING COMMISSION IN RENDERING ITS RECOMMENDATION ON THIS MATTER. THESE FINDINGS MAY BE USED TO REASONABLY SUPPORT A RECOMMENDATION IN FAVOR OF OR AGAINST THIS PROPOSAL, HOWEVER ADDITIONAL FINDINGS MAY ALSO BE NECESSARY.

1. The Planning Commission finds that Chuck Cruse, authorized agent for Pillar Development LLC, landowner, submitted an application for an 2-lot plat on

approximately 7.63 acres of land that is zoned Ag 3 to the Kittitas County Community Development Services Department on February 22, 2006.

2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of one parcel into 2 lots ranging in size from 3.00 to 4.63 acres.
3. The Planning Commission finds that the Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on February 8, 2006. The Planning Commission finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. The Planning Commission finds that this application is categorically exempt from SEPA pursuant to KCC 15.04.090 and WAC 197-11-800(1)(c)(i).
5. The Planning Commission finds that an administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is located within a 100 year flood plain.
6. The Planning Commission finds that an open record hearing was held on April 11th, 2006 and that testimony was taken from those persons present who wished to be heard. The Planning Commission also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
7. The Planning Commission finds that additional conditions **are not** necessary to protect the public's interest.
8. No Adverse testimony was heard.

The Planning Commission unanimously voted to approve the suggested Conditions and Findings of Fact.

The meeting was adjourned at 10:13 p.m.

Susan Barret, Planning Commission Clerk