

KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, August 29, 2006 @ 6:30 P.M.
COMMISSIONER'S AUDITORIUM - 205 W. Fifth Street, Ellensburg

Those present: Chairman David Black, Doug Harris, Grant Clark, Don Williamson, and Scott Perna.

Also present: Community Development Services Director Darryl Piercy, Community Development Services Assistant Director Allison Kimball, Staff Planners Patrick Butler, Noah Goodrich, Joanna Valencia and Scott Turnbull, Public Works Planner Randy Carbary, Planning Commission Clerk Susan Barret and approximately 20 individuals representing applicant and public interest.

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

Having a quorum present the Chair called the continued meeting of the Comprehensive Plan Amendment and Update meeting to order at 6:30 p.m. to set the date, time and location certain for the remaining public hearings.

Black moved to continue the Comprehensive Plan Amendment and Update Public Hearings to Monday, September 18 in the Commissioner's Auditorium at 6:30 pm; Tuesday, September 19 in the Hal Holmes Community Center at 6:30 pm; Wednesday, September 20 in Kittitas County Fair Grounds Home Arts Building at 6:30 pm; and Thursday, September 21 in the Hal Holmes Community Center at 6:30 pm. Grant Clark seconded and the motion carried with all in favor.

Having set the time, date and location certain for the continuation of the Comprehensive Plan Amendment and Update Public Hearings the meeting was adjourned at 6:32

I. Call to order

The Chair called the rescheduled regular meeting of August 8, 2006 to order at 6:33 p.m. with the introduction of members, staff and brief overview of the participation procedure.

II. Correspondence – none presented.

III. Old Business

A. THE GROVE REZONE (Z-06-14)

Staff Planner **Joanna Valencia** gave a brief update of the project status by stating that the Ellensburg City Council in the August 10th meeting did approve the city utilities agreement and the applicant wished to keep the development agreement for Planning Commission consideration.

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson stated the need to protect the wetlands and mitigate the increased impervious surfaces and traffic with consideration for both vehicular and non-vehicular traffic. **Harris** stated concerns with CWU future expansion and questioned the need for student housing, but stated that all else looks in order. **Black** questioned the road extension which was

clarified by the applicant. The Planning Commission reviewed the rezone criteria. **Williamson** questions **Piercy** over the mitigated determination of non-significance and if all the conditions of that list have to be met in order for the development to occur. **Piercy** responded in the affirmative and stated that it could be reiterated in the conditions.

David Black made a motion to pass THE GROVE REZONE (Z-06-14) forward to the Board of County Commissioners with a recommendation of approval. Don Williamson seconded and the motion carried with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of a twelfth and thirteenth finding.

IV. New Business

A. HYAK MARKET PUD AMENDMENT REZONE (Z-06-16)

The Chair opened the hearing to Staff presentation; Staff Planner Joanna Valencia presented her staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

The Chair opened the hearing to applicant presentation

Chris Lyons, 6 Keechelus Drive, Snoqualmie, introduced her partner, Gregory Craven of Stargazer Properties. Gave a PowerPoint Presentation, submitted as Exhibit A, gave a brief history of her business, the presentation covered various topics including community needs in relation to population growth, the need for supplies and diversity, business growth opportunities, opportunities for four season employment and services. She introduced the project goals encompassing economic vitality, healthy environment, economy and community.

Black questions the administrative review. **Williamson** asked for clarification of the building F proposed on the wetlands. **Lyons** addressed this concern by stating it is a minor impact. **Piercy** supported the comments and stated this would be addressed before final approval.

The Chair opened the hearing to Public testimony

Rich Grillo, #4 Snoqualmie Drive, stated that this proposal would accent the life at Snoqualmie pass and encouraged the Commission to pass this forward with approval.

The Chair opened the hearing to Planning Commission deliberation and motion

Harris stated that this would be a good project for the area. **Pernaa** stated that he felt it was a good use of land and agreed with Harris. **Clark** concurred.

Grant Clark moved to pass the HYAK MARKET PUD AMENDMENT REZONE (Z-06-16) forward to the Board of County Commissioners with a recommendation for approval. Scott Pernaa seconded. Discussion ensued over access with Randy Carbarry and the Commission reviewed the seven criteria. The motion passed with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of a fourteenth and fifteenth finding.

B. MONSON RANCHES (Z-06-18)

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

The Chair opened the hearing to applicant presentation

David Gleason, PO Box 1321, Maple Valley, representing the applicant, went over the seven criteria and gave a brief history of the agricultural use and water availability. He addressed the Red Bridge Road access and stated that the tracks around the project are already zoned Rural-3.

Harris questioned the adjacent properties and the access to those properties. **Gleason** pointed out the pertinent access.

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

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson commented on the access and addressed the need to add a condition. Clark stated that this project is consistent with the area.

Don Williamson moved to pass the MONSON RANCHES (Z-06-18) forward to the Board of County Commissioners with a recommendation for approval. Grant Clark seconded and after reviewing the seven criteria the motion passed with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of a ninth and tenth finding.

C. HATCHER REZONE (Z-06-05)

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

Harris questioned the poor map and asked for road clarification. Turnbull deferred to the applicant. Black questioned the surrounding zoning. Turnbull reviewed the surrounding zoning.

The Chair opened the hearing to applicant presentation

Anne Watanabe, 5791 Red Bridge Road, spoke as the authorized agent and landowner. She addressed the access which comes off 903 and clarified the easement. She briefly reviewed the seven criteria, indicating within criteria 4, the appropriate nature of the rezone as this area is no longer considered under lands of long term commercial timber significance. She spoke to the Roslyn

UGA and the unique nature of its urban forest designation she contends that this project would relieve some of the development pressure anticipated in the area.

Clark asked for access clarification. **Watanabe** clarified. **Black** questioned the adjoining parcel sizes and the location of the ridge. **Watanabe** responded with the specifics per lots.

The Chair opened the hearing to Public testimony.

Randy Carbary, clarified the access by giving specifics of location and road standards. **Williamson** asked if the topography dictates the road configuration. **Carbary** stated that much of the current access roads are previous logging roads.

The Chair opened the hearing to Planning Commission deliberation and motion

Harris voiced concern over the rezone being done without road designation being certain. **Williamson** spoke to the difficulty of viable access for development and safety. **Harris** stated that he didn't have a problem with the rezone but the road issues and development issues at a later date. **Pernaa** agreed that the rezone does not necessitate the road certainty. **Williamson** stated that the current zoning seems to be the most logical and ideal zone for buffering against the commercial forest zone. **Black** spoke to access on previous rezones and that this has been a problem in the past and that this is an inappropriate rezone at this time.

Don Williamson moved to pass the HATCHER REZONE (Z-06-05) forward to the Board of County Commissioners with a recommendation for denial. David Black seconded. The Commission reviewed the seven criteria and discussion ensued. The motion passed with a 4/1 poll of the board with Pernaa voting against.

The Planning Commission voted 4/1 to approve the suggested Findings of Fact with the addition of a minority report stating that Pernaa feels the project meets all seven criteria.

D. KITTITAS FOOTHILLS PRELIMINARY PLAT (P-06-12)

The Chair opened the hearing to Staff presentation; Staff Planner Noah Goodrich stated that this project was remanded back to CDS in May in an effort to view the cumulative impacts of the combined projects, in particular secondary access. Goodrich submitted **Exhibit B-** Comments from Public Works, then presented his staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that Staff Report.

Williamson asked if any of the area plats are developed. **Goodrich** pointed out short plats that have been approved and finalized and stated that the thresholds will be addressed with in each individual project.

The Chair opened the hearing to applicant presentation

Mark Kirkpatrick, 108 East 2nd Street, Cle Elum, representing Encompass Engineering and Surveying and the applicant. Kirkpatrick stated that the project meets designated zoning of Ag-3, the proposal will meet county road standards, the applicant intends to hard surface the roads, the proposal will meet health department approval, the applicant has drilled test wells which have proved to be more than adequate for a Class B water system. He addressed public comments from Lila Hanson

including the right to farm; set backs; weed control; proposed plat note for the right to farm and the noxious weed control; Kirkpatrick did not dispute other comments. **Black** asked if these comments pertain to all the projects. **Kirkpatrick** stated each project should be addressed individually. There was discussion over setbacks.

Charles Peterson, Renton, stated that the original intension was to develop this as a single project.

The Chair opened the hearing to Public testimony

Lila Hanson, 1302 Swauk Prairie Road, submitted into the record **Exhibits C-1**, letter dated May 22, 2006, **C-2**, Photo, **C-3**, letter dated July 18, 2006, and read portions of the letters into the record voicing specific concerns on the right to farm; noxious weed control, specifically Goat Grass; additional set backs requirements; mitigating measures for Elk damage; recreational vehicles and individuals trespassing, etc. She read additional suggested conditions and findings of fact that she would like added to this project (Exhibit C-1).

John Hanson, 1302 Swauk Prairie Road, stated that a major concern is the well drilled approximately 100 feet from their property line with a drain that ends with in 5 feet of their fence line and drains onto their property. There is a need to protect his farm land from any turbidity draining on their property, he stated that their property is situated down hill from these projects and this is a major concern. The set backs should include the drain in addition to structures.

The Chair closed public testimony and opened the hearing to applicant rebuttal.

Charles Peterson, Renton, stated for the record that he has met with the Hanson's several times and is interested in working with them about their concerns. In response to the snowmobile concern he feels that can be handled with the CC & R's; Power line easement could be worked out; the right to farm will be addressed on the plat; housing setbacks can be granted in relation to the drain. Peterson reiterated his willingness to work out these issues with the Hanson's.

Black wished to bring up the secondary access issues facing these projects. **Goodrich** stated that the projects should be looked at individually as they do not go over the lot threshold until the introduction of the third project. Therefore the issue of secondary access is moot at this point in the process. **Clark** stated his concern was for the third applicant being stuck with the overage of the threshold. There was further discussion over ownership and it was decided to address the applications individually.

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson stated that transportation should be met regardless of the other proposals and should not be the full responsibility of the last project that goes over the threshold and that a condition should be applied that all three applications be required to share the responsibility. **Harris** concurs and stated that the road is the biggest issue that must be addressed. **Clark** stated that if these were presented separately they would not be concerned with the lot threshold with this project. **Black** wished to acknowledge the Hanson letter and suggested findings. He also agreed that stipulations be made to protect the Hanson's private land. **Perna** agreed with Black on the stipulations to protect the farmers.

Scott Perna moved to pass the KITTITAS FOOTHILLS PRELIMINARY PLAT (P-06-12) forward to the Board of County Commissioners with a recommendation for approval. **Doug Harris** seconded and the motion passed with a 5/0 poll of the board.

Discussion ensued on additional conditions and Findings of Fact. Specific issues needing to be addressed and included on the final mylars were Goat grass, specifically, as a noxious weed that needs to be contained by the landowners to protect the adjoining farm land; Set backs to include a 50 foot drainage buffer; private property protection through signage and included in the developments CC&Rs.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the additional findings.

E. CLE ELUM PROPERTIES PRELIMINARY PLAT (P-06-15)

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

The Chair opened the hearing to applicant presentation

Mark Kirkpatrick, 108 East 2nd Street, Cle Elum, representing Encompass Engineering and Surveying and the applicant, stated this project meets the designation of R-3, and will meet county road standards, the property has a well at 5 gallons per minute, but the applicant plans to re-drill for a more sufficient water source.

Black asked for clarification of the water. **Kirkpatrick** stated that test wells have been drilled but they will continue to look for a more sufficient water source. **Williamson** asked about the slope. **Kirkpatrick** stated the topography is relatively flat. **Perna** questioned the hard surfacing through the project. **Kirkpatrick** gave specifics on the current status and future plans.

The Chair opened the hearing to Public testimony.

Lila Hanson, 1302 Swauk Prairie Road, commented on the nature of the independent plats and that they are not really separate. She stated that one does not really get a true and accurate picture of what is going on by addressing these as separate projects.

The Chair opened the hearing to Planning Commission deliberation and motion

Harris commented on the lack of water being completely unreasonable issue. **Williamson** commented that this should be looked at as one project as opposed to smaller projects meeting smaller requirements. It is obviously one project divided into three projects. **Black** acknowledged that potable water must be demonstrated before final approval but he feels that the commission should be able to look at the whole project and have it in order, complete to the point that it looks like a viable project. **Goodrich** brought up the well logs of the area and stated that as a condition for final approval the project does have to meet the Department of Health criteria. **Williamson** stated that the well information presented is ambiguous. **Goodrich** conceded that the data is raw but it is an attempt to give more information. **Clark** asked what the health department standard requires. **Perna** stated that the plat meets the ag-3 standard and the road standards are met for this plat,

and feels that this application meets the requirements. **Goodrich** suggested a condition that could be added “all proposals of the applicant as presented and that are contained within the application that are not in conflict with the SEPA mitigations shall be conditions of approval and shall be considered as mitigations.” **Black** stated that there are certain things that he would like to see on the mylars. **Goodrich** addressed specific items including Environmental Health; aesthetics; transportation subject to county road standards; planning and the Right to Farm ordinance; Department of Ecology approval of ground water withdrawals. **Pernaa** spoke to the completion of the roads and the burden to the third plat. **Harris** reiterated his concerns.

Scott Pernaa moved to pass the CLE ELUM PROPERTIES PRELIMINARY PLAT (P-06-15) forward to the Board of County Commissioners with a recommendation for approval. Grant Clark seconded and the motion passed with a 3/2 poll of the board. Pernaa, Williamson and Clark voted for approval; Harris and Black voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the additional findings.

F. HIDDEN VALLEY ESTATES PRELIMINARY PLAT (P-06-19)

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

The Chair opened the hearing to applicant presentation

Mark Kirkpatrick, 108 East 2nd Street, Cle Elum, representing Encompass Engineering and Surveying and the applicant, stated that this project meets the designated zoning of ag-3 and will, with mitigation, meet county road standards. He said that in pre-application meetings with the three landowners the overall agreement was to do a loop system. A year ago they thought that was a way to mitigate the secondary access. He gave some examples of possible mitigation solutions including turn lanes and various other possible connections; making roads public; accessible adjacent terrain and plat alterations. He stated their one concern is in creating a through road, with the development that has already occurred it is very difficult for a private owner to take the lead and make this happen and that the county should work out a solution. Kirkpatrick stated that he generally advises clients to not drill wells or to spend a lot of money before preliminary plat approval is granted, but in this situation they went ahead in an effort to present more concrete information. He went on to say it is possible to design an adequate water system to service this plat based on what they have found.

Williamson questioned the proposed access to lot 3. **Kirkpatrick** stated it would be a joint use access. He explained the reason for presenting these projects as separate applications is because of water restrictions, and went into brief detail to discuss the water plans.

The Chair opened the hearing to Public testimony

John Hanson, 1302 Swauk Prairie Road, spoke to the Class B well system and gave background on the Swauk Prairie being a terminal moraine, giving details of the pockets of water that exist in the area and spoke to the history of wells in the area. He stated there are few good wells in the area. He commented on road access, sight distance issues and explained some of the difficulties facing the Department of Transportation to create safe accesses without doing something drastic.

Goodrich stated that he spoke with the Department of Transportation and that they have some possibilities for access points but not one pinned down. A condition could be imposed to require the secondary access.

Williamson questioned Carbary over the letter that he submitted with requirements. **Carbary** spoke to the 40 lot threshold and the requirements of meeting road standards and feasibility; there are several obstacles at this time, one of which would be the plat alterations. Carbary stated that this will take some work to address these requirements. He stated there are some possible mitigation measures available.

Goodrich stated that over 40 lots they applicant must provide the secondary access for final approval. **Black** comments on what he feels what must be done, that water should be proven; that the secondary access should be set.

Charles Peterson addressed the adequacy of water by stating he has the rights to a 66 gallon per minute well that he can access if necessary. In regards to building out any other lots on Leo Lane, he stated that to divide further there has to be a plat alteration and the current owners do not feel that would be in their best interest. He stated that the access issue is very complicated but they do not mind having a condition placed on the project to assure the secondary access.

The Chair opened the hearing to Planning Commission deliberation and motion

Clark stated that he would like an explanation of how the applicant plans to meet the code and without an explanation for how they plan compliance he doesn't feel this should move forward. **Harris** stated that this build out will have problems with water. **Black** concurred with Clark and stated that there are too many loose ends. **Williamson** commented that conditions should not have to be made when it is part of the code. The project should meet the code.

David Black moved to pass the HIDDEN VALLEY ESTATES PRELIMINARY PLAT (P-06-19) forward to the Board of County Commissioners with a recommendation for denial. Don Williamson seconded and the motion passed with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of a seventh and eighth finding.

G. WHITNEY REZONE (Z-06-24)

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

The Chair opened the hearing to applicant presentation

Lynnea Wagner, 271 Woods & Steele, Cle Elum, authorized agent representing her parents, stated that they are asking for a general rezone with no future development plans and that there is a lot of work occurring on road improvements in the area.

Discussion ensued over the roads, names of roads and the current status of the bridge.

Mark Wagner, 271 Woods & Steele, testified to the newly installed “I” beams added to the bridge to improve its capacity.

The Chair opened the hearing to Public testimony

Carbary addressed the bridge issue by stating that the Coe/Lyman recertification of the bridge is in process and must be done for future development to occur but at this time it is adequate. Black asks what information is carried over into future plans and development. **Carbary** stated that bridge certifications are cross referenced and will be required at the appropriate level of development.

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson asked about the zoning. **Goodrich** supplied area zoning.

Doug Harris moved to pass the WHITNEY REZONE (Z-06-24) forward to the Board of County Commissioners with a recommendation for approval. Don Williamson seconded and the motion passed with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of an eleventh finding.

H. SUNCADIA MASTER PLANNED RESORT PRELIMINARY PLAT PHASE 1 DIVISION 10

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

The Chair opened the hearing to applicant presentation

Steve Lathrop, 201 West 7th, Ellensburg, representing the applicant, stated that this is a re-plat of an existing tract from phase 1 Division 3.

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

The Chair opened the hearing to Planning Commission deliberation and motion

Doug Harris moved to pass the SUNCADIA MASTER PLANNED RESORT PRELIMINARY PLAT PHASE 1 DIVISION 10 forward to the Board of County Commissioners with a recommendation for approval. Don Williamson seconded and the motion passed with a 5/0 poll of the board.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with the addition of a fourth finding.

The meeting was adjourned at 11:08 p.m. The next scheduled meeting is September 12, 2006 at 6:30 p.m. in the Commissioner’s Auditorium.

Susan Barret, Planning Commission Clerk