

**Kittitas County Planning Commission**  
**Meeting Minutes – July 25, 2005**

Planning Commission Present:

Mike Alberg, Chair, Scott Perna, Mark McClain and David Black

Staff Present:

Marco Rains and Joanna Valencia, CDS Staff Planners, Joy Potter and Randy Carbary,  
Public Works Department, Lorna Kenny, Clerk

Public Present:

Approximately 30 people were present representing public and applicant interest.

I. Call to order.

With a quorum present the Chair called the regular Planning Commission Meeting to order at 6:30 PM with the introduction of the Commission, Staff and Clerk.

II. Correspondence.

The Clerk reported no new correspondence at this time.

III. Minutes.

David Black moved to approve the minutes of June 27, 2005 as written. The motion was seconded and opened to discussion. It was moved, seconded and carried to approve the minutes of the Planning Commission meeting as distributed.

IV. New Business.

The Chair opened the hearing with the Public Hearing Statement for the **Vista View Estates – P05-03**. Marco Rains introduced the application for a 187 lot plat on 45 acres of land that is zoned Residential. The property location is north of Kittitas Hwy and West of Pfenning Road. Tax parcel #17.18.01086.0001, 0002, 0003 and 17.18.01087.0001, 0002, 0003, 0004. A power point presentation was used to illustrate the areas of the application.

The hearing was opened to the applicant presentation. **Dave Nelson**, Encompass Engineering and Surveying, testified on behalf of the applicants Rick Wade and John Miller, landowners. Since the property is located in the City of Ellensburg's Urban Growth Boundary the City will provide urban services to the development. The applicants have been working closely with the City in determining future needs similar to Currier Creek. The zoning is Residential and the minimum lot size is 7200 sq. ft. An effort will be made for street extensions to the north. The applicants are working with the City. The streets are part of the old Sunnyside Addition and the applicants will be working with the KC Public Works on area connecting Kittitas Hwy. with Pfenning Road.

Lyle Creek is located a distance from the public access. Reference was made to the Administrative Review Item VIII. Transportation, n. The Kittitas Hwy. is identified as an arterial on the City's road master plan. The extension of the Pfenning Road at the easterly border of the plat is also identified as a future arterial of the City's road master plan. The transportation concept of running north/south is not possible at this point since there are some homes in the way. The extension of Oak Street hooking up to Locust Street corridor connection. There is no east/west connection at this time. **David Black** noted that where Seattle Ave. ends, would it be considered for a possible future connection? Mr. Nelson noted that the Oak Street cul-de-sac would be a

possible extension for a future corridor. Suburban zoning surrounding the area has a density of one residence per acre.

The hearing was opened to public testimony. **Sarah Nickel**, 406 Oak Street, Ellensburg WA 98926 testified as the property owner adjacent to the north boundary of the proposed Plat living at the end of Oak Street with no neighbors and no traffic. Her concerns were given to the Community Development Service Department in a 13 page document dated June 27, 2005 included in the Commission's packet. Her concerns include Lyle Creek which runs along her property. She does not understand how they can put a street through and has concerns for Pfenning and Seattle Streets? She felt that a two week response time to the SEPA application was inadequate and needed additional time for a response. She has an extensive view of the valley and hills from her property which will be jeopardized with two-story density housing added to the area. Night skies will be a thing of the past with the new development lighting to the area. Would there be covered porches to diminish glare of the lights? Noise from new construction is a concern as well as traffic flow. No open space is planned for the development. Who will meet the needs of area residents with the invasion to existing property owners? The density of the homes is a concern with six homes along the back of her property line. She would like to suggest single-story residents with open space requirements needed such as parks, etc. Fences should be a requirement. She has a concern for the removal of existing vegetation in the area. Impacts to the neighborhood will be great with development growth pushing people out of the area. Concerns existing for traffic flow access from Kittitas Hwy with Seattle and Oak Street requiring improvements for traffic flow. How close to property lines would the houses be? What is proposed for phasing?

**Alan Wright**, 502 Locust Street, Ellensburg WA testified as an area property owner. He questions how the subject application was zoned Residential surrounded by Suburban/Ag. 3? He feels that growth is uncontrolled and density is a concern and not the best use of the land.

**Mike Alberg** questioned staff as the minimum density in the Suburban zone? Marco Rains responded Suburban minimum density to be one residence per one acre (43,560 sq. ft. per acre).

**Jody Scheffelmsier**, 1500 Seattle Ave., Ellensburg WA testified with questions as to utility provisions along Kittitas Hwy? She has questions as to when will the letters that were sent into the CDS Department be answered and who will patrol the area. Lyle Creek has a 50' buffer at the Ordinary High Water Mark but still needs further protection from 187 homes multiplied by 4 people residing in each house. Too many people for a 50' buffer. Who will stop trespassers which density will create?

**Eileen Stougard**, 500 Locust Street, Ellensburg WA testified with concerns for density of development and the negative affect on area wildlife and rural living.

**Bob Scheffelmsier**, 1500 Seattle Ave., Ellensburg WA testified with concerns for improvements to Seattle Street and who pays for sidewalks and curbing. Is land bought or condemned?

**Mike Smith**, City of Ellensburg Sr. Planner testified, **Exhibit A**, UGA requires that the City will supply municipal utilities from the City of Ellensburg at the developer's expense. An Outside Utility

Agreement is existing with the City and the owners. Existing City utilities are at Willow Street with future projections to go down Kittitas Highway. A north/south corridor is requested by the City with Oak Street being a viable course. Seattle being an east/west corridor. He recommends making a part of the Planning Commissions decision? David Black questioned if the County had park requirements? Mike Smith commented that impact fees do not apply in the UGA.

City sewer services exist at the corner of Willow and Mtn View. Extending services from Willow to the east property line would require the widening of the shoulder of the road to accommodate the sewer line extension. A wider road with a turn lane to access could be a possibility with a stop light depending on a study. Annexations contiguous to City can be annexed only. Property taken by the City has not been taken by condemnation? It is not the City's intent to force property to annex into the City. The WA State Boundary Review Board has authority to include land annexation. David Black questioned setbacks on a 7200 sq. ft lot? The County has Residential zoning setbacks of Front Setback 15', Rear Setback 25' and Side Setback 5' as well as a 35' maximum height requirement. Mark McClain questioned if impact fees are charged or contributions to parks made? How does Lyle Creek impact wetlands?

**Wendell Saville**, 1450 Kittitas Hwy, Ellensburg WA testified with concerns regarding the 187 housing high density and impacts to traffic. Recommends adding a grass border to buffer area from neighbors.

**Wayne Smith**, 308 Oak Street, Ellensburg testified as a new property owner to the area with concerns for the height of the proposed houses and also suggesting a buffer area for adjoining neighbors. He feels that the development is a high density rush with Pfenning or Oak Streets not connected.

**Gerald Newman** residing in Willow Glen Development, a 29 unit development with 70,000 sq. ft. lots. He also would like to see some green space, 17,000 or 18,000 sq. ft., for the new development.

**Barbara Newman** residing in Willow Glen testified referencing Kittitas Hwy and Mtn. View traffic concerns increasing to the Super I Supermarket. A traffic light will be needed at the intersection of Kittitas Hwy and Willow Street.

**Sara Nickel** questioned the Ag. 3/Residential/Suburban zoning. Can development occur without annexation to the City of Ellensburg?

**Joy Potter**, Public Works Dept. noted that roads connected to the development will be constructed to City standards even though they are constructed in the County. Upon completion the roads will be dedicated to the County.

**Dave Nelson**, Encompass Engineering and Surveying, testified that Kittitas Hwy. must meet Public Works improvement requirements and built to City standards. Lighting fixtures will be down lighting fixtures. The County allows building on 30% of the lot while the City requires 40% use of the lot.

The applicant is working with the City of Ellensburg on the activity on Locust Street to build out. The anticipated 187 lots could decrease with roads and additional building necessities.

The development will be done in four phases. The first phase includes the property out from town with the SE ¼ following. The 3<sup>rd</sup> phase will include the eastern part with the remaining in phase 4. A possible two year construction time line. MD Jackson will be constructing homes and selling lots as a package. Buyers will be able to pick out their preferred house style to be built on the property. Fencing along Lyle Creek will consist of a six foot high cedar style low maintenance fence. An 8,500 sq. ft. area will be provided by the creek for a detention pond with an open grass area to accommodate water overflow. Fencing is not required for a detention pond.

Mtn. View Road and irrigation water requirements need yet to be addressed as well as gas and power lines. **David Black** questioned if open space was a consideration? Mr. Nelson noted that open space was not considered with the cost of the property. **Mike Alberg** questioned if property owner fencing on the north and west sides was a consideration. Mr. Nelson noted there was no requirement but it will be done. He felt that a buffer could be a nuisance with a lack of maintenance to the area. David Black noted that the final plat would accommodate a 50' buffer of Lyle Creek.

Mr. Nelson noted the traffic study averages 10 trips per dwelling. Once the development is annexed into the City park fees will be required. (The County does not impose mitigation or park fees.) It was felt that a traffic light and turn lane could be an issue on the Kittitas Valley Hwy. to accommodate traffic impact to the area.

**Joy Potter** noted that Public Works Department was monitoring traffic values for future consideration and will be monitored following each phase.

With no additional public testimony the hearing was opened to the Commission deliberation. (Break 8:15PM; CD #2) Discussion included City services triggering growth. Concerns include traffic impacts to the area. Property not contiguous with the City, a requirement for annexation into the City; therefore remains within the County. No impact fees for parks.

**Mike Alberg** moved to recommend **approval** for the **Vista Views Estates Plat P05-03**. The motion was seconded and opened to discussion. The motion **failed** by a tie poll of the Commission. Those voting in favor of the motion: Mark McClain and Mike Alberg. Those voting in opposition to the motion: Scott Perna and David Black.

**Mark McClain** moved to send the application of **Vista View Estates Plat P05-03** forward to the Board of County Commissioner **without a recommendation** from the Planning Commission. The motion was seconded and opened to discussion. The motion was **approved** by a unanimous 4/0 poll of the Commission.

**Findings of Fact – Vista View Estates Preliminary Plat - P05-03:**

1. Rick Wade submitted a complete application on behalf of Rick Wade and John Miller, landowners to the Community Development Services Department on February 16, 2005. A complete application was determined on May 31, 2005. The applicants mailing address is PO Box 1265, North Bend, WA 98045. Project parcel numbers are 17.18.01086.0001, 0002, 0003, and 17.18.01087.0001, 0002, 0003, 0004.
2. The development application included a preliminary plat depicting the division of seven (7) parcels subdivided into 187 lots with a minimum lot size of 7200 square feet.
3. The Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on June 14, 2005. 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 Community Development Services issued a SEPA Mitigated Determination of Non-Significance on July 11, 2005 with a July 25, 2005 appeal deadline.
5. The Planning Commission finds that an open record hearing was held on July 25, 2005 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.
6. The properties were rezoned in 1999 and 2000 from Ag. 3 to Residential. The rezones were approved per Kittitas County Ordinance No. 2000-09 and No. 1999-13 with the following SEPA condition stated for both:
  - a. CONSTRUCTION/EXTENSION OF UTILITIES  
Any lots created by the subsequent subdivision or short subdivision of the subject parcels shall be serviced by municipal utilities from the City of Ellensburg. The cost of extension of all required utilities and other construction improvements shall be born by the proponent. The proponent shall construct, according to applicable design plans approved by Kittitas County and/or the City of Ellensburg, all water, sanitary sewer, storm drainage, frontage and internal road improvements prior to final approval of any division or boundary line adjustment of the subject parcels.
7. The Land Use Designation for the subject properties is Urban Density Residential and High Density Residential (Ellensburg).
8. The High Density Residential and Urban Density Residential designation is consistent with the Kittitas County current zoning designation of Residential.
9. The parcels are located within the Urban Growth Area of the City of Ellensburg.
10. The zoning to the North is Suburban, West is Ag. 3 and Suburban, South is Commercial Agriculture, and east is Suburban.
11. The Planning Commission finds that additional conditions are/are not necessary to protect the public's interest.
12. The Planning Commission finds that additional internal transportation improvements are needed including access from and to the Kittitas Hwy.
13. The Planning Commission finds a need for internal trails or park sites to the area.
14. The Planning Commission finds a concern for the impact of high density development to the surrounding area in relation to public safety and welfare.

It was moved, seconded and carried to approve the Findings of Fact for Vista View Estates as written.

The Chair opened the hearing to the **Zehner Rezone – Z05-09**. Joanna Valencia introduced the application submitted from William and Connie Zehner, landowners, for a zone change from Commercial Agriculture to Agriculture 20, approximately 8.34 acres within a rural area. The site is located south of Thrall Road, west of Emerson Road and north of Orchard Road, 3890 Thrall Road, Ellensburg WA. The rezone applies to Assessor's tax parcel #17.19.28000.0035.

Mike Alberg questioned the zone change to Ag. 20. Ms. Valencia noted that the Commercial Ag. Zone requires a minimum of 10 acres for land division under the one-time split. A rezone to Ag 20 would allow for future division of the property. The applicant received a Comprehensive Plan change from Commercial Ag to Rural in the 1998 annual update to the Comprehensive Plan.

The Chair opened the hearing to applicant testimony. The applicant Connie Zehner gave testimony that the intent of the application was to provide two lots from the 8.34 acres. They have no changes to consider at this time but they are not farmers and have no intention of farming the land. Ms. Zehner stated that no one is commercially farming in the area and the rezone allows for the option of two lots.

The Chair opened the hearing to public testimony. With no public testimony given the hearing was opened to the Planning Commission deliberation. Discussion included that the right-to-farm continues to be taken from agricultural areas. It was noted that the parcel was deemed too small to be economically viable to farm. The aerial photo depicts no farm lands adjacent to the property with basically home sites in the area.

The Commission addressed the seven criteria necessary to change the zoning map from one zone to another Kittitas County Code 17.98.020(E).

1. The proposed amendment received a Comprehensive Plan change from Commercial Ag to Rural in the 1998 update to the Comprehensive Plan.
2. The proposed amendment bears a substantial relation to the public health, safety or welfare. No impact was found to Thrall Road or testimony given in opposition, either written or verbal, to the application.
3. The proposed amendment has merit and value for Kittitas County as a proposed increased tax base.
4. The proposed amendment is appropriate because of a need for additional smaller parcels in the proposed zone and the parcel is not appropriate for Commercial Ag. zoning.
5. The subject property is suitable for development in general conformance with zoning standards for the proposed zone. There was no testimony in opposition to the zoning standards.

6. The Planning Commission received no comments from area residents referencing the proposed amendment to be materially detrimental to the use of properties in the immediate vicinity of the subject property.
7. Irrigation water does exist via the Town Ditch; however the proposed changes in use of the subject property will not adversely impact irrigation water deliveries to other properties. The irrigation company was notified of the project, however no comments were received.

**David Black** moved to recommend approval to the Board of County Commissioner for the **Zehner Rezone – Z05-09** from Commercial Agriculture to Agriculture 20 complete with Findings of Fact. The motion was seconded and opened to discussion. The motion was approved by a unanimous 4/0 poll of the Commission.

**Findings of Fact – Zehner Rezone – Z05-09:**

1. On June 28, 2005, William and Connie Zehner, landowners, submitted a complete application to Kittitas County Community Development Services for a rezone of an 8.34 acre parcel from Commercial Agriculture to Agriculture 20 being a portion of the southeast quarter of Section 28 of T17N, R19E, W.M. in Kittitas County. (Z05-09)
2. On June 29, 2005 Kittitas County Community Development Services issued a Notice of Application pursuant to KCC 15A.03.
3. Written comments were solicited and the final date to submit written comments on environmental impacts was on July 13, 2005 by 5:00 PM and the final date to submit written comments on the overall application was on July 25, 2005 by 5:00 PM.
4. On July 15, 2005 Kittitas County Community Development Services issued a SEPA Determination of Non-Significance (DNS) on the State Environmental Policy Act Checklist.
5. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is not located within a regulated critical area.
6. An open record hearing was held by the Planning Commission on July 25, 2005 to consider this matter and testimony was taken from those persons who wished to be heard.
7. The Planning Commission finds that the proposed rezone to Agriculture 20 is consistent with the underlying Comprehensive Plan designation of Rural.
8. The Planning Commission finds that the proposed rezone does meet all seven criteria of Kittitas County Code 17.98.020(E).
9. The Planning Commission finds that additional conditions are not necessary to protect the public's interest.
10. The Planning Commission finds that there was no written or oral testimony received in opposition to the application.
11. The Planning Commission finds that the Irrigation Water District, The Town Ditch, did receive notice of the proposal and did not comment in opposition to the application.

The Chair opened the hearing to the **Larch Mtn. Estates Preliminary Plat – P05-10** application. Joanna Valencia presented the application for a Preliminary Plat for the division of one approximately 20 acre parcel into a total of 6 lots ranging in size from 3.01 to 4.13 acres of land that is zoned Rural 3. The application was submitted by Barry & Cassandra Korthuis, landowners. The subject property is located south of Westside Road and Stone Ridge Drive and west of Whisper Creek Drive, Cle Elum WA, tax parcel #19.14.01000.0018.

The hearing was opened to applicant testimony. Marc Kirkpatrick, Encompass Engineering and Surveying, testified for the applicants and was present to respond to any questions that the Commission may have. He noted that Stone Ridge Road and Whisper Creek Road access the property with Lot 3 being accessed by a joint use driveway. South of the cul-de-sac is a 40 ft. easement which will access interior lots. The Homeowner's Association and the Developer are anticipating future paving improvements to the east side of the property from Stoneridge and Westside.

The hearing was opened to public testimony. Roger Korthuis, 1215 S. Walnut Street, Burlington WA 98233 testified as the brother to the applicant who has diligently worked on the application to produce access roadways to all lots from new roadway structuring.

Joy Potter, Public Works Dept., testified granting Conditional Preliminary approval to the application and review of the plat roadway for future hard surface improvements.

Scott Perna questioned if the 5,000 gal day limitation water draw was for the entire plat? It was addressed as standard wording to include the entire plat. Mr. Korthuis noted individual wells can be provided to service the plat; however, it is the intent of the applicant to service the plat by a Group B water well system with water storage. The 5,000 gallon water usage requirement will not be exceeded.

**David Black** questioned a 20 ft. easement meeting the requirements for a private road? Lot 3 will be accessed from the single driveway which is being provided through the 20' easement and the remaining parcels will be accessed via the cul-de-sac. Lot 4 has an option to use the easement as well.

**Scott Perna** moved to recommend **approval** of the **Larch Mtn. Estates Preliminary Plat – P05-10** to the Board of County Commissioner complete with Findings of Fact. The motion was seconded and opened to discussion. The motion was approved by a 4/0 poll of the Commission.


**Findings of Fact – Larch Mtn. Estates P05-10:**

1. The Planning Commission finds that David P. Nelson of Eastside Consultants, Inc., authorized agent for Barry and Cassandra Korthuis, landowners, submitted a complete application on to the Kittitas County Community Development Services Department on June 20, 2005.



2. The Planning Commission also finds that said development application included a preliminary plat depicting the division of one parcel into 6 lots ranging in size from 3.01 to 4.13 acres.
3. The Planning Commission finds that the Kittitas County Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on June 21, 2005, and that a corrected Notice of Application was issued on June 22, 2005 to address the correct landowners of record. 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 Ordinance 2005-02 approved the rezone (File No. Z04-23, Douglas Creager Rezone) of the subject property from Forest and Range 20 to Rural 3. As part of the rezone a SEPA MDNS was issued for future platted subdivisions associated with the rezone.
6. The Planning Commission finds that an open record hearing was held on July 25, 2005 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. The Planning Commission finds that there was no written or oral testimony received in opposition to the application.

With no further business, the meeting was adjourned at 9:30 PM. The next regular meeting is scheduled for August 22, 2005 at 6:30 PM in the Commissioner Auditorium.

  
Lorna Kenny, Clerk