

## Dan Valoff

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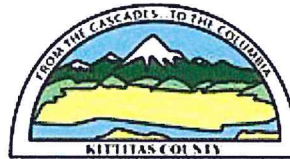
**From:** Dan Valoff  
**Sent:** Thursday, May 13, 2010 11:42 AM  
**To:** 'Allison Kimball'  
**Subject:** Evergreen Park Plat

Hi Allison,

This e-mail is in response to your May 6, 2010 letter regarding the Evergreen Park Plat (P-06-13) and the Back County CUP (CU-08-05). The Evergreen Park Plat should be processed for final plat approval and the mylars recorded in order to create the 5-acre parcel to transfer to the Kittitas County Parks and Recreation District for the Snow Park. Once the transfer occurs the Conditional Use Permit can be issued subject to meeting the conditions contained in the MDNS.

***Dan Valoff***  
***Staff Planner***

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# Brookside Consulting

May 6, 2010

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

RE: Evergreen Park Plat (P-06-13)  
Back Country CUP (CU-08-05)

Dear Dan:

Pursuant to our recent conversation, this letter is a request for your written confirmation of your determination to resolve the conflicting conditions of approval for the two referenced projects.

Resolution 2006-131 granting preliminary plat approval states the following conditions:

"23. All proposals of the applicant made during the Planning commission hearing shall be conditions of approval. The conditions are as follows;

- a. ***Transfer of the 5.0 acres to be used as a SnoPark will be to the Kittitas County Park & Recreation District.***
- b. The definition of a SnoPark is a designated parking area for vehicles transporting or using snowmobiles.
- c. The Kittitas County Park & Recreation District will maintain the SnoPark.
- d. ***The Kittitas County Park & Recreation District will apply for and obtain a Conditional Use Permit for the SnoPark.*** The Conditional Use Permit shall address usage and terms for the SnoPark. The SnoPark will be subject to SEA review. Should the Conditional Use Permit be denied, the plat must undergo preliminary plat approval again."

In the Findings of Fact for the CUP it is stated that a condition of approval is that all mitigations contained in within the SEPA MDNS shall be met prior to the issuance of the Conditional Use Permit. One of those mitigations is Section III subsection D which states:

*"Resolution No. 2006-131, approving the Evergreen Park Plat (P-06-31), clearly defines "SnoPark" as a designated parking area for vehicle transporting or using snowmobiles and specifically identifies the transfer of 5.0 acres to be used as a SnoPark only (Page 5, #23)."*

Evergreen Park Plat/CUP  
May 6, 2010  
Page Two

Given the aforementioned conditions, the 5 acre portion of the Evergreen Park Performance Based Cluster Plat cannot be transferred to the Kittitas County Parks & Recreation District until the parcel is created by means of final plat approval and final plat approval cannot occur until the Conditional Use Permit is issued. However, the Conditional Use Permit cannot be issued until the SEPA mitigations have been met and the 5 acre parcel transferred.

It is my understanding from our conversation that you agree that the plat can be processed for final plat approval in order to create the 5 acre parcel to transfer to the Kittitas County Parks & Recreation District prior to the issuance of the Conditional Use Permit.

Please confirm that you are in agreement, so that the applicant may proceed with final plat approval. Thank you for your time Dan and I'll look forward to your response.

Sincerely,



Allison Kimball  
Authorized Agent

cc: Back Country Resources LLC