

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

FINDINGS OF FACT

Ponderosa Pines 12-Lot Preliminary Plat (P-07-42)

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 Dave Blanchard, authorized agent for Cooper Pass LLC landowner, submitted an application for a 12-lot Plat on approximately 60.11 acres of land that is zoned Rural-5. The subject property is located north of Columbia Avenue and east of Montgomery Ave, Cle Elum, WA 98022, within a portion of the south 1/2 of Section 24, the north 1/2 of Section 25, the northeast 1/4 of Section 26, T20N, R15E, WM in Kittitas County. Map number 20-15-25058-0004.
2. The Planning Commission finds that said development application included a preliminary plat depicting the division of one 60.11 acre parcel into twelve parcels approximately five acres each.
3. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on June 29, 2007. 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 based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on April 14, 2008. 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.
5. The Planning Commission finds that an administrative site analysis was completed by the staff planner in compliance with Title 17A. The Planning Commission further finds that areas of steep slope exist on the subject parcel. Prior to development the applicant will need to comply with the Critical Areas Ordinance in place at the time of development in regards to developing on a slope. The Planning Commission also finds that there is a perennial stream and a 25 foot buffer shall be maintained.
6. The Planning Commission finds that the conditions addressed by the Washington State Department of Ecology **shall** be conditions of final approval.
7. The Planning Commission finds that additional conditions **are not** necessary to protect the public's interest.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

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The Planning Commission motioned to forward the Cle Elum Pines 12-Lot Preliminary Plat (P-07-42) to the Board of County Commissioners with a recommendation of denial by a vote of 3-1, with 1 member voting against.

David Black

David Black, Chairman, Kittitas County Planning Commission

6/23/08

Date

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, May 27, 2008 @ 6:30 P.M.**

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

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

Chairman Black called the meeting to order at 6:30 p.m.

Those present: Chairman David Black, Grant Clark, Larry Fuller, and Jason Grant.

Also present: CDS Assistant Director Allison Kimball, CDS Staff Planners Scott Turnbull, Trudie Pettit, Dan Valoff, and Mackenzie Moynihan, Public Works, Christina Wolman, Randy Carbarry, Clerk Lindsay Watkins and approximately 17 individuals representing applicants and public interest.

II. Correspondence

Christina Wolman stated she wanted to give the Planning Commission Board members notice that the County Road Standards will be coming before the Planning Commission July 22, 2008.

II. Approval of Minutes

Larry Fuller moved to approve May 13, 2008 Planning Commission minutes as written. **Grant Clark** seconded and the motion carried with all in favor.

III. Old Business

A. Ponderosa Pines 12-lot Preliminary Plat (P-07-42)

Chair opened Hearing for Findings of Fact.

Larry Fuller moved to pass Ponderosa Pines 12-lot Preliminary Plat (P-07-42) Findings of Fact. **Grant Clark** seconded and the motion passed with all in favor.

B. Henley Rezone (Z-07-10)

Chair opened Hearing for Planning Commission Deliberation and motion.

Planning Commission Board members went through the 7 criteria.

Grant Clark moved to pass Henley Rezone (Z-07-10) to the Board of County Commissioners for approval. **David Black** seconded and the motion passed 3/0/1 with Jason Grant abstaining.

Findings of Fact will be brought back to June 10, 2008 meeting.

C. Thunder Ridge Plat (P-07-23)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Dan Valoff** read portions of his staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Chuck Cruse, Cruse & Associates, 217 E. 4th Avenue, Ellensburg, WA 98926, stated he agrees with the staff presentation and gave a brief overview the project.

Clark asked Mr. Cruse to address a letter from the City of Cle Elum regarding a 10 foot utility easement.

Cruse stated this is already in County Code and each lot will have a 10 foot utility easement.

Fuller asked if there was a well log for any wells in the area.

Traci Shallbetter, 3201 Airport Road, Cle Elum, WA 98922, stated she had the well logs and submitted **Exhibits D, E, F, G, H, I, J, K and L** into the record.

Chair opened Hearing for Public Testimony.

Wanda Goldie, 121 Deer Meadow Drive, Cle Elum, WA 98922, stated they are concerned with the dust control and submitted **Exhibit M** into the record.

Ben Goldie, 121 Deer Meadow Drive, Cle Elum, WA 98926, stated he is worried about having enough water if the applicant taps into the same aquifer.

Shallbetter stated everyone is concerned about wells and water and as long as the applicant follows the regulations everything is satisfied.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Clark stated he agrees with the Goldie's about being concerned with the dust issue.

Grant stated he hopes that the neighbor's sit down and discuss what needs to be done and come to an understanding about the conditions they want.

Fuller stated he wasn't sure about the road situation.

Black stated he thinks the Board can give some kind of condition for the dust control on the road.

Grant Clark moved to pass forward Thunder Ridge Plat (P-07-23) to the Board of County Commissioner's with a condition on a dust abatement program acceptable to the County. Jason Grant seconded and the motion passed with all in favor.

Findings of Fact will be brought back to the June 10, 2008 Planning Commission meeting.

IV. New Business

A. Sunset Farms Preliminary Plat (P-07-60)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Trudie Pettit** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Clark asked on the Department of Public Works letter the very first condition of approval says minimum access of 300 feet and the survey shows it's less than 300 feet. **Clark** then asked if that has been addressed.

Public Works, **Christina Wollman** stated as long as driveways for lot 3 and 4 are shared there will be no issue.

Chair opened Hearing for Applicant Presentation.

Gene Lamoureux, 319 Gangl Road, Wapato, WA 98951, landowner stated he agrees with the staff presentation and would like to ask the Board for approval.

Chair opened Hearing for Public Testimony.

No public Testimony.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Clark stated he thinks it's a good plat and good use of the property.

Grant Clark moved to pass forward **Sunset Farms Preliminary Plat (P-07-60)** to the Board of County Commissioner's for approval. **Jason Grant** seconded and the motion passed with all in favor.

Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

B. Firkins Rezone & Firkins Plat (Z-08-01) & (P-08-02)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agrees with the staff report and gave a brief overview of his presentation.

Cam Sherwood, 3323 Brickmill Road, Ellensburg, WA 98926, authorized agent for land owner gave a brief overview of the project he has been working on.

Charles Firkins, 2951 Game Farm Road, Ellensburg, WA 98926, landowner stated he appreciates the opportunity to speak and stated the reason for the project is because he cannot maintain his property on his own anymore.

Chair opened Hearing for Public Testimony.

Andy Schmidt, 300 Mission View Drive, Ellensburg, WA98926, stated his is concerned with a ditch that runs through the property that he uses to get water to the high point of his cattle field. **Schmidt** also stated he would like to see some deed language that allows ingress or egress to maintain the ditch.

Harvey Dodge, 1150 Lyons Road, Ellensburg, WA 98926, stated this will not meet DOE requirements and his property is of the north. **Dodge** also stated he would hope the Board will deny this project.

Goodrich stated he thinks they have met all seven criteria and asked for approval.

Sherwood stated he would be happy to have an easement if that is required.

Firkins stated the only way for him to irrigate his field is by sprinkler and he pays a large power bill.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Black stated the Board is deliberating on the rezone portion only right now.

Fuller stated it looks like a good boundary land but he has a problem with criteria #3.

Black stated he feels it's an island rezone.

Larry Fuller moved to pass forward **Firkins Rezone (Z-08-01)** to the Board of County Commissioners with a recommendation of denial. **David Black** seconded and the motion passed 3/1 with **Jason Grant** declining.

Grant Clark moved to pass forward **Firkins Plat (P-08-02)** to the Board of County Commissioners for approval. **Jason Grant** seconded and the motion passed 3/1 with **Larry Fuller** declining.

Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

C. Graham Rezone & Graham Family Short Plat (Z-08-02) & (SP-08-02)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Mackenzie Moynihan** read portions of her staff report and submitted **Exhibit A** into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Encompass and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agrees with the staff report and gave a brief overview of his presentation.

Chair opened Hearing for Public Testimony.

No Public Testimony.

Chair opened Hearing for Planning Commission Deliberation and Motion.

Black stated he feels he would be inconsistent if the Board approved this and denied the last project.

Fuller stated that's his problem as well, it's the same thing we just denied.

Grant stated we have to have the ability to take things by a case by case basis.

Fuller stated we are, its just when you look at two things that are identical.

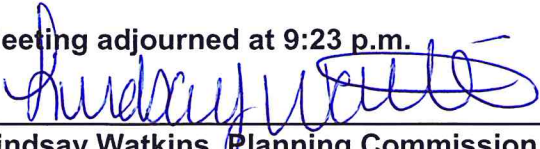
Larry Fuller moved to pass forward **Graham Rezone (Z-08-02)** to the Board of County Commissioner's with a recommendation of denial. **David Black** seconded and the motion passed 3/1 with **Jason Grant** declining.

Moynihan stated short plats are administratively approved so you don't have to make a motion for the short plat.

Findings of Fact will be brought back to June 10, 2008 Planning Commission meeting.

Next regularly scheduled meeting is June 10, 2008 at 6:30 p.m. at the Commissioner's Auditorium.

Meeting adjourned at 9:23 p.m.



Lindsay Watkins, Planning Commission Clerk

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, May 13, 2008 @ 6:30 P.M.**

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

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

Chairman Black called the meeting to order at 6:30 p.m.

Those present: Chairman David Black, Larry Fuller, Kim Green, and Grant Clark.

Also present: CDS Assistant Director Allison Kimball, CDS Staff Planners Scott Turnbull, Trudie Pettit, Dan Valoff, Public Works Randy Carbarry, Christina Wolman, Clerk Lindsay Watkins and approximately 9 individuals representing applicants and public interest.

II. Correspondence

No Correspondence

II. Approval of Minutes

Grant Clark moved to approve April 22, 2008 Planning Commission minutes as written. **Kim Green** seconded and the motion carried with all in favor.

III. Old Business

No old Business

IV. New Business

A. Henley Rezone (Z-07-10)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Scott Turnbull** read portions of his staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Black asked if the 10 acre parcels can be rezoned to 5 acre parcels.

Turnbull stated that was correct.

Chair opened Hearing for Applicant Presentation.

John Ufkes, P.O. Box 499, Ellensburg, WA 98926, gave a brief overview of his presentation and **submitted Exhibit A and B** into the record.

Tom Roth, 3201 Airport Road, Cle Elum, WA 98922, landowner gave a brief overview of his project.

Chair opened Hearing for Public Testimony.

No Public Testimony.

Chair opened Hearing for Planning Commission Deliberation and motion.

David Black moved to continue **Henley Rezone (Z-07-10)** to **May 27, 2008 Planning Commission meeting**. **Larry Fuller** seconded and the motion passed with all in favor.

B. Ponderosa Pines Plat (P-07-42)

Chair opened Hearing for Staff Presentation.

CDS Staff Planner, **Scott Turnbull** read portions of his staff report into the record. Attached hereto and incorporated is a copy of that staff report.

Chair opened Hearing for Applicant Presentation.

Noah Goodrich, Compass Engineering and Surveying, 108 East 2nd Street, Cle Elum, WA 98922, stated he agrees with the staff presentation and gave a brief overview of his presentation.

Clark asked if there were maintenance agreements along the access points.

Dave Blanchard, Cooper Pass LLC, 301 West 1st Street, Suite B, Cle Elum, WA 98922, stated there are maintenance agreements that serve the roads.

Fuller asked if the roads are going to stay open to the public because the roads also serve the ridge beyond the developments.

Blanchard stated it's their intention to keep the roads open but he thinks the second access will be gated.

Fuller stated he was wondering if the county knew about that because the Board of County Commissioners approved that as a second access and he doesn't see how that can be gated.

Blanchard stated he doesn't think it's a second access for anything.

Fuller stated he noticed that Public Works approved the secondary access rather than the Board of County Commissioners. **Fuller** then asked Scott Turnbull if they could do that.

Turnbull stated what Fuller was talking about was that the variance went through the Variance Committee in the Public Works Department and the variance was granted. **Turnbull** stated as far as the second access that will be studied again when the final plat is submitted.

Public Works, **Christina Wolman** stated they have approved the route for the second access and the variance was denied which then went to the Board of County Commissioners and they overturned that decision and approved the easement for the second access.

Fuller stated he didn't know that a secondary access could be gated.

Wolman stated a secondary access can be gated but it has to be approved by the Fire Marshal.

Fuller stated he doesn't see how the three developments can gate an access that is used by the general public.

Blanchard stated everyone has a right to use the second access and there's an agreement among several parties up on the hill about the access and to his knowledge not everything has access to this road and they would need an easement to get access.

Black stated when the variance was received one of the stipulations was that you get the other 30 feet in the future. **Black** then asked if Blanchard was working towards that or is that someone else's responsibility.

Blanchard stated it wasn't a requirement of the approval of the variance but we would be more than happy to work on that.

Clark stated the way he read the variance was that it could be obtained in the future and it wasn't a requirement of them to do so.

Black stated he would have thought the Board of County Commissioners would have specified a date for the future.

Fuller stated another problem he had was for fire access and having a gated road.

Wolman stated all gates must be approved by the Fire Marshal and they must have some acceptable form for emergency vehicles to get through.

Chair opened Hearing for Public Testimony.

Jim Muhlbeier, 691 Big Tail Road, Cle Elum, WA 98922, stated he has two wells on his property and has about \$100,000 invested in water on his property. **Muhlbeier** also stated he is concerned about the secondary access and how many people will be allowed to use the road and stated he supports the gate.

Michael Ross, 1300 Sky Wall Drive, Sultan, WA 98294, stated he is concerned with the water issue and the traffic increase and submitted **Exhibit A B C D and E**.

Alan K Person, 680 Lambert Road, Cle Elum, WA 98922, stated his concern is with the water and traffic increase.

Don Kuehn, 1140 Jack Pine Lane, Cle Elum, WA 98922, stated he is not for the project.

Blanchard stated he is willing to work with landowners in the area.

Chair opened Hearing for Planning Commission Deliberation and motion.

Clark asked what the applicants had to do to prove they have water.

Turnbull stated they had to meet all requirements from the Health Department.

Clark asked what are those requirements.

Turnbull stated they have to have bonds or well logs.

Kim Green moved to pass forward **Ponderosa Pines Preliminary Plat (P-07-42)** to the Board of County Commissioners for a recommendation of denial. **Larry Fuller** seconded and the motion passed 3/1 with **Grant Clark** declining.

Findings of Fact will be brought back to May 27, 2008 Planning Commission meeting.

Next regularly scheduled meeting is May 27, 2008 at 6:30p.m at the Commissioners Auditorium.

Meeting adjourned at 7:50 p.m.

Lindsay Watkins, Clerk for Planning Commission

