

KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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ADMINISTRATIVE APPEAL STAFF REPORT

TO: Kittitas County Board of Commissioners
FROM: Noah Goodrich, Staff Planner
DATE: November 22, 2006
SUBJECT: Koren Short Plat (SP-06-70) Appeal

I. GENERAL INFORMATION

Proposal: Chuck Cruse of Cruse and Associates, authorized agent for M. Reidun Koren, landowner, has applied for a 4 lot short plat in the R-5 zoning district (Index #6). Kittitas County Community Development Services and Public Works received the application on July 12, 2006.

Approval of the Koren Short Plat would create three 6.00 acre lots and one 23.90 acre lot being served off of FS Road 3350. The subject property is currently 41.90 acres in size.

Location: The subject property is located west of the City of Cle Elum and south of Westside Road off of FS Road 3350, Cle Elum, WA 98922, a portion of the NE ¼ and NE ¼, Sections 8 & 9, T.19N., R.15E., W.M., Kittitas County, Washington, Tax parcel numbers 19-15-09050-0010 & 19-15-08040-0012.

II. SITE INFORMATION

Site Characteristics: An administrative site analysis was completed by the Community Development Services Department in compliance with Title 17A. There are no regulated critical areas associated with the subject property other than a few areas of moderate slopes.

III. REFERRAL PARTIES

A complete short plat application was submitted to CDS by Chuck Cruse on July 12, 2006. Said application was routed to Public Works and Environmental Health on July 12, 2006. Staff was assigned the application on July 20, 2006 and began an initial review through the departments

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

Project Review Team (PRT). Staff met with the applicant on two informal and undocumented occasions to discuss access issues prior to releasing the Notice of Application. On September 12, 2006 staff issued the Notice of Application to parties of interest, adjacent property owners and the applicant. Deadline to comment was September 27, 2006 Comments were received from Environmental Health, Public Works, Jayne Leet, Reidum Koren and Wayne Nelson (Index # 10-14 and 19).

Conditional preliminary approval was drafted on September 26, 2006 and was issued on September 28, 2006 ~~as I was due to be on medical leave beginning September 27, 2006~~ (Index# 7).

IV. APPEAL ELEMENTS

The Board of County Commissioners received a timely appeal from Wayne Nelson of Sapphire Skies on October 20, 2006 (Index # 18). Kittitas County Community Development Services received notice of the appeal from the Board of County Commissioners on October 23, 2006, which included the following appeal issues:

Appeal Issue # 1:

Appellant:

The decision is wrong as it fails to appropriately condition the preliminary approval to require all applicable road standards pursuant to Kittitas County Code Title 12, specifically the following: 1)KCC 12.01.095 (2) At least two ingress-egress routes which are interconnected are required for all roads that serve more than 40 lots. 2) KCC 12.01.090 (G) Contiguous parcels, parcels under the same ownership and/or parcels sharing access easements/roads that submit any land development application, shall be reviewed as one development for transportation and road improvements and 3) KCC 12.01.095 (7) All parcel creations that access property over private lands, public lands, or road easements managed by other agencies must submit an approved easement from the landowner or road/easement managers that specifically address access, maintenance, seasonal restrictions and other restrictions and/or limitations. These easements and permits shall be presented or recorded prior to final approval.

Staff Response:

Kittitas County Community Development Services (CDS) staff agrees with the issues and concerns of the appellant with the following points: 1) Comments received from Public Works dated August 25, 2006 (Index #12) failed to address secondary access requirements. Staff recognizes that not implementing this condition would be inconsistent with conditions placed on previous preliminary plats in the immediate area. 2) The applicant, prior to final approval, must submit an approved easement and work with both the United States Forest Service and the Tillman Creek Homeowners Association to design and improve the road system from the end of the existing improvements to the subject property.

Staff recommends that the Board of County Commissioners uphold the appeal and direct CDS staff to re-issue conditional preliminary approval with the addition of the following conditions:

- 1) Pursuant to KCC 12.01.095 (2) *At least two ingress-egress routes which are interconnected are required for all roads that serve more than 40 lots.*

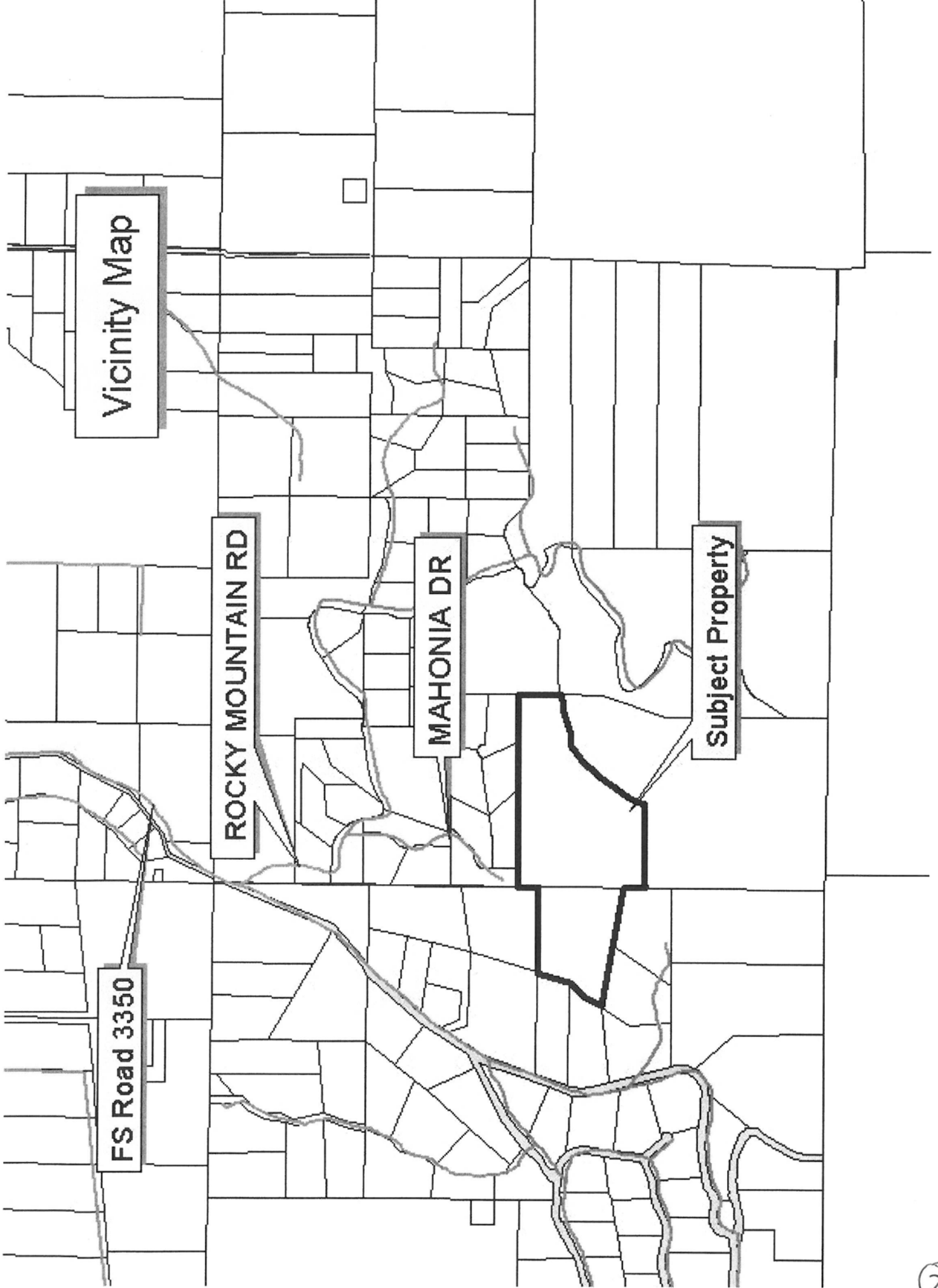
The applicant shall provide a secondary access that meets or exceeds all of the current Kittitas County Road Standards for access to more than 40 lots. The specific road width shall be based on the total number of lots served by the road system and the average size of the lots served by the road system. The total number of lots served and the average size is calculated from the intersection of the nearest County maintained road and includes all lots served by the road system.

- 2) ~~Requirements for Roads within the 60' access easement, AFN 20041208006: Other properties and proposed developments, in the area. In addition, a Road Maintenance Agreement(s) between property owners served by these roads (directly or indirectly) shall be required. The applicant should contact the other parties involved to coordinate with them on the road improvements and to share in a proportional cost of construction and maintenance.~~

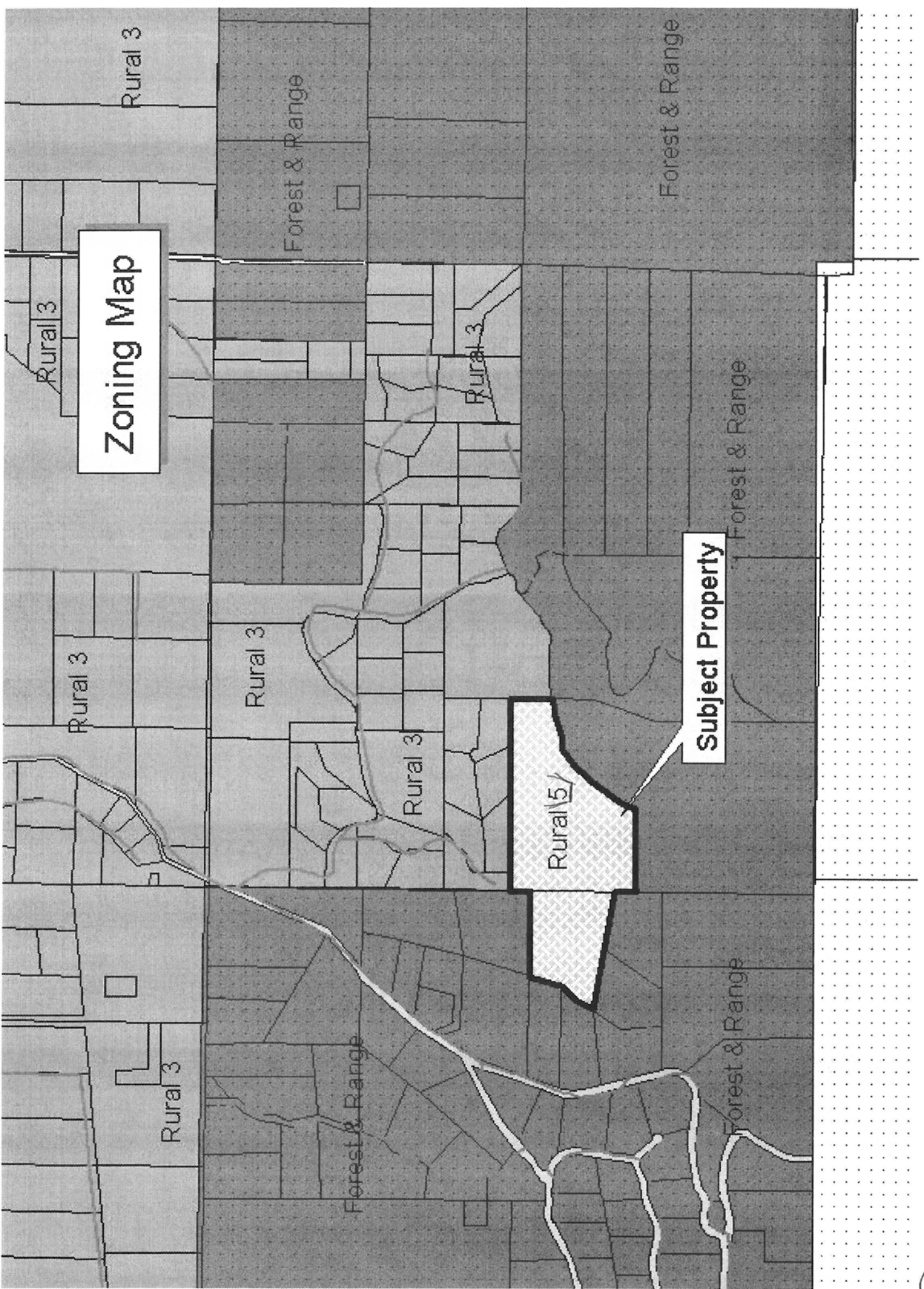
The second condition ~~is~~ has already been listed in the comments from PW dated August 25, 2006 under item 6 "Private Roads" page 3 of 3. The language above is basically the same as addressed in the PW comments. This requirement has been satisfied.

As directed by the Board, staff set up a meeting between CDS, PW, the appellant and the Applicant Dan Simonow. That meeting was held Monday December 4th 2006. It is now clear that CDS and PW are in agreement on the recommended condition regarding secondary access be placed as a condition of final approval upon this Short Plat.

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Zoning Map



Subject Property

Rural 5/7

Land Use

RURAL

RURAL

RURAL

RURAL

Subject Property

RURAL

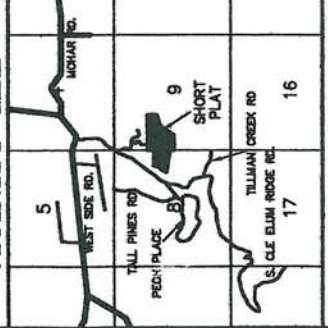
COMMERCIAL FOREST

RURAL

RURAL

RURAL

VICINITY MAP



APPROVALS

KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS
 DATED AND APPROVED THIS _____ DAY OF _____ A.D., 200__

DIRECTOR, DEPARTMENT OF PUBLIC WORKS

KITTITAS COUNTY HEALTH DEPARTMENT
 PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY MEANS OF SEWAGE DISPOSAL FOR SOME BUT NOT NECESSARILY ALL BUILDING SITES WITHIN THIS SHORT PLAT. PROSPECTIVE PURCHASERS OF LOTS ARE URGED TO MAKE INQUIRIES AT THE COUNTY HEALTH DEPARTMENT ABOUT ISSUANCE OF SEPTIC TANK PERMITS FOR LOTS.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY PLANNING DIRECTOR
 I HEREBY CERTIFY THAT THE KOREN SHORT PLAT HAS BEEN EXAMINED BY ME AND FOUND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITTITAS COUNTY PLANNING COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY PLANNING DIRECTOR

STATE OF KITTITAS COUNTY TREASURER
 I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.
 PARCEL NO. 1915-0850-0010 & 1915-0850-0012

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY TREASURER

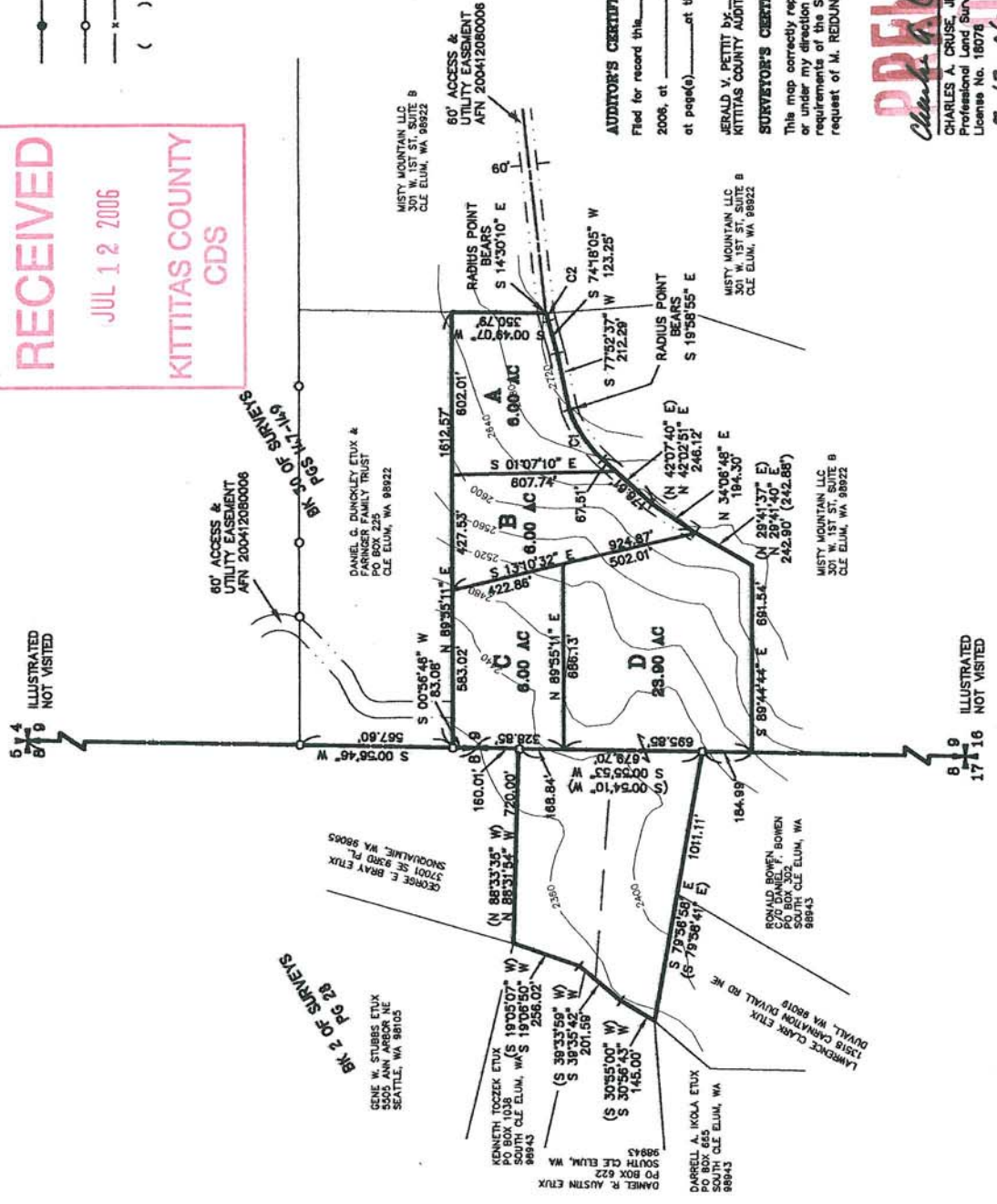
NAME AND ADDRESS - ORIGINAL TRACT OWNERS
 NAME: M. REDDUN KOREN
 ADDRESS: PO BOX 382
 CLE ELUM, WA 98922
 PHONE: (509) 874-3878

EXISTING ZONE: RURAL 6
 SOURCE OF WATER: INDIVIDUAL WELLS
 SEWER SYSTEM: SEPTIC TANKS
 WIDTH AND TYPE OF ACCESS: 60' PRIVATE ACCESS
 NO. OF SHORT PLATTED LOTS: FOUR (4)
 SCALE: 1" = 300'

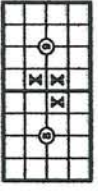
SUBMITTED ON: _____
 AUTOMATIC APPROVAL DATE: _____
 RETURNED FOR CAUSE OR: _____

**KOREN SHORT PLAT
 PART OF SECTIONS 8 AND 9, T. 19 N., R. 15 E., W.M.
 KITTITAS COUNTY, WASHINGTON**

RECEIVED
 JUL 12 2006
 KITTITAS COUNTY
 CDS



CURVE	RADIUS	LENGTH	DELTA
C1	477.88'	223.56'	26°43'15"
C2	1425.61'	29.75'	01°11'45"



RECEIVING NO. **SP-06-**

(IN FEET)
 1 inch = 500 ft.

LEGEND

- SET 5/8" REBAR W/ YELLOW CAP - CRUISE 18078
- FOUND PIN & CAP
- FENCE
- RECORD INFORMATION

AUDITOR'S CERTIFICATE
 Filed for record this _____ day of _____, 2006, at _____, in Book I of Short Plats at page(s) _____ at the request of Cruise & Associates.

SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of M. REDDUN KOREN in JUNE of 2006.

CRUISE & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 217 E. Fourth St.
 Ellensburg, WA 98926 (509) 962-8242

KOREN SHORT PLAT