

**COMMISSIONERS' MINUTES
KITTTITAS COUNTY, WASHINGTON
COMMISSIONERS CONFERENCE ROOM
SPECIAL MEETING**

WEDNESDAY

10:00 A.M.

JANUARY 30, 2008

Board members present: Chairman Mark McClain, Vice-Chairman Alan Crankovich, Commissioner David Bowen.

Others: Darryl Piercy, Community Development Services Director; Mike Elkins, CDS Planner I; Christina Wollman, Department of Public Works Planner II; Jan Ollivier, DPW Transportation Manager; Debbie Myers, Deputy Clerk of the Board and approximately three members of the public.

APPEAL HEARING

JB DEVELOPMENT SHORP PLAT

CDS

At approximately 10:00 a.m. **CHAIRMAN MCCLAIN** opened a hearing to consider an appeal of an Administrative Decision of the Kittitas County Community Development's decision relating to the Conditional Preliminary Approval of the JB Development Short Plat (SP-07-78). JB Development LLC, landowners, submitted an application for a 4 lot short Plat pursuant to Kittitas County Code 16.32 on approximately 20.3 acres of land that is zoned AG03, located immediately north of the City of Ellensburg, Southwest of Bowers Field on Bowers Road, Ellensburg, WA, 98926, located in a portion of Section 26, T18N, R18E, WM, in Kittitas County. Map Number 18-18-26020-001. He read the hearing procedures into the record and swore in witnesses.

JIM DENISON, ATTORNEY FOR THE APPLICANT, stated after review of the notice of appeal and the vicinity map, he is withdrawing one issue, he believes Water Street does need to be shown on the map.

MIKE ELKINS, CDS STAFF PLANNER, read a staff report into the record including general and site information, project background, and appeal elements and issues. He noted the revision of Denison's appeal, and submitted two maps. Water Street has been removed from the appeal.

MIKE SMITH, CITY OF ELLENSBURG PLANNER, quoted RCW's which allow planning and under what conditions. He stated this cannot be unconstitutional taking of property and that they need to make sure the rules were followed. He gave an overview of the issues and said Bowers Road has been identified as developing expansion for the City. The City needs this connection for traffic pattern and has been working towards this goal. He said they have completed 2 ½

miles up to this property and the remaining section is in this corridor. The City has made clear plans to develop this, City staff worked with the applicant, and the applicant seemed to agree. They need to dedicate the right of way at this time, and if this appeal goes through, two more property owners could put houses in the corridor. The City has no timeline but they only have ½ mile to go. He believes they should not be allowed to short plat. Mr. Smith said the City has been clear of their intentions; they have identified this as an arterial corridor and urges the Commissioners to deny the appeal.

CHRISTINA WOLLMAN, PUBLIC WORKS PLANNER, stated an access was granted to a single residence 1 year ago. She said she had discussed with the applicant moving right of way but applicant didn't want to move it. We allowed them to have their own private road and they agreed to allow for 40 ft easement on edge of property.

DARRYL PIERCY, CDS DIRECTOR, stated he had nothing further to add to the record. The corridors have been identified; plans were discussed with the applicant. He believes we need to consider long range plans of the City and County.

JIM DENISON, stated there are really two issues, the dedication of 40 foot easement and the requirement of the barn structure to be moved. He believes this is a taking issue, the government taking private property without compensation. He went on to say the burden shifts to the government to show the lots make a problem for the city. The County and City also need to provide a time line; they can't just say sometime in the future this will be a problem.

INTERESTED PARTIES: THERE BEING NO ONE TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER BOWEN stated he is unable to make a decision on this issue today. He didn't think they have the authority to require the structure to be torn down, and would like input from legal staff. **COMMISSIONER CRANKOVICH** agreed and would also like information from legal staff.

COMMISSIONER BOWEN moved to continue the public hearing to Tuesday February 19, 2008 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0. (Record closed with the exception of input from legal staff).

Meeting adjourned 11:00 a.m.

KITTITAS COUNTY COMMISSIONERS

DEPUTY CLERK OF THE BOARD

KITTITAS COUNTY, WASHINGTON

Debbie Myers

Mark McClain, Chairman