

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, October 9, 2007 @ 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, Kim Green, Larry Fuller, Rick Daugherty, and Matt Anderson.

Also present: CDS Assistant Director Allison Kimball, Staff Planners Scott Turnbull, Dan Valoff, and Mike Elkins, Planning Commission Clerk Desi Stewart, Public Works Planner Randy Carbary and approximately 10 individuals representing applicants and public interest.

II. Correspondence

Clerk, **Desi Stewart** reported a letter was received October 8, 2007 from Charles Cruse regarding the Happy Trails Plat and stated that Scott Turnbull would address the letter.

III. Approval of Minutes

Larry Fuller moved to approve the September 11, 2007 minutes as written. **Grant Clark** seconded and the motion carried with all in favor.

IV. Old Business

A. Happy Trails Plat (P-06-38)

Scott Turnbull asked the Board to continue the Happy Trails Plat (P-06-38) to the Planning Commission meeting scheduled for November 27, 2007.

An individual representing the public stated that he is very upset about the fact that he has been to three separate meetings when this particular case was on the agenda to have it continued to another date. The individual wanted to know if there was a limit to how many times the case could be continued and if there was a way to notify the public if the case was not going to be on the agenda.

Black asked Turnbull if there was any limit to how long any one case could be continued. **Black** stated that he would continue the Happy Trails Plat one more time and asked Turnbull to provide information on the policy of continuing an item.

Doug Ryder, 1535 Kittitas Hwy, Ellensburg, WA 98926, submitted comments to the board regarding the Happy Trails Plat (P-06-38).

Turnbull stated that he would have an updated packet for the Board for the November 27, 2007 meeting.

V. New Business

A. Mendenhall-Mus Cluster Plat (P-07-41)

The Chair opened the hearing to Staff Presentation.

Staff Planner, **Dan Valoff** presented his staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that staff report. **Valoff** verified the location of the application compared to Indian John Hill.

Fuller asked about a spring that is on the property.

Valoff stated that through the GIS investigation there were no critical areas identified on the property.

Green and Anderson asked about the sight number 45KT referenced in the letter submitted by the Department of Archeology.

Valoff stated that it is an inventory sight of historic value because it had been used by the Native Americans at one time. There is a list of State Agencies that are notified and recently the Department of Archeology has been submitting comments.

Green asked if this was a preserved sight.

Valoff stated it is not and discussed that the sight that the Department of Archeology is referring to is within ½ mile of the subject. The letter did not say in what direction from the property.

Clark stated that the property is listed as Ag-3 zoning and lists the requirements for that zone and asked, would the application for the cluster plat have to meet this list of requirements.

Valoff stated that there is a different list for performance based cluster plats.

The Chair opened the hearing to Applicant Presentation.

Noah Goodrich, 108 East 2nd St., Cle Elum, WA, Encompass Engineering and Surveying, representing the applicant, submitted **Exhibit A** into the record. **Goodrich** presented a powerpoint presentation to the Board, outlining the facts of the application. **Goodrich** explains the letter submitted as Exhibit A. **Goodrich** stated that he has had walked the property and did not find a spring.

Daugherty asked where the KRD easement was shown.

Goodrich stated there is not a KRD easement identified.

Daugherty stated that there was concern about water run off and questioned what the applicant plans to do about it.

Goodrich stated that they did not address the issue at this phase because this is just a plat application. When the road is complete and the homes are built that will determine what happens with storm water runoff.

Goodrich also stated that there will be an additional SEPA checklist completed when there is a storm water pollution protection plan.

Green asked if the homes will be built on the slope because part of the argument was that the homes will be on a 14% slope creating the runoff.

Goodrich stated that yes, they would be on a slope but it will not be necessary for additional engineering to develop the homes and stated that the slope of the land and of the road is not 14%.

Anderson asked if Goodrich had contacted the Yakima Nation regarding their comments.

Goodrich stated they had not yet.

Green questioned if there was no irrigation and no KRD then why is there a problem with the irrigation runoff.

Goodrich stated that the property is not serviced by KRD at this time.

Daugherty stated that the land is Ag land but the appellant states that it is not.

Goodrich states that the land has been used for pasture.

Valoff states that Exhibit #11 addresses the questions about KRD and Exhibit #13 addresses the concern about the Yakima Nation.

The Chair opened the hearing to Public Testimony.

Paul Harish, 730 Teanaway Heights Drive, Cle Elum, WA 98926, stated that he is part owner in 100 acres close to the applicant. The land is zoned Ag-3 and he would like to see it stay that way. Water supply, traffic and runoff are all a concern. **Harish** is against the application.

Black verified that you have to travel back through South Cle Elum or go to Elk Heights to access I-90.

Kandie Baker, Lower Peoh Road, Cle Elum, WA 98926, stated she owns the land directly to the east and most of the landowners in this area are farming the land. **Baker** offered to give the applicant the missing property in order to meet the requirements of a short plat. **Baker** stated that he should short plat like everyone else. There is nothing smaller than 3 acre lots in the near vicinity.

Fuller asked if her kids rode the bus and if this new development would also have to walk to the bus stop.

Baker stated that her kids walk approximately a ½ mile and so would kids in the new development.

Paula Griffin, 7020 Lower Peoh Point Road, Cle Elum, WA 98926, stated that she co-authored the Lehman letter referred to by Goodrich. **Griffin** submitted **Exhibit B and C** into the record. **Griffin** read Exhibit B into the record. **Griffin** stated that she was not on the original mailing.

Fuller asked if they farmed their land and if the subject land had been farmed.

Griffin stated that she did farm her land and that the subject land had been used as horse pasture. **Griffin** also stated that there is a stream that flows through this property.

Goodrich stated that the ditch on the eastern side of the property would be in the protected area. Any development would not affect the KRD ditch. This application is legal and meets the County Code.

Daugherty asked why the applicant did not accept the land from Baker.

Goodrich stated that the applicant wanted to proceed with the cluster plat.

The Chair opened the hearing to Board Deliberation.

The Board agreed that they would proceed with the deliberation with the new information. The Board discussed that the applicant was not thorough in addressing the cultural aspect or the describing the development.

Black stated that the applicants were not present.

Anderson stated that the Planning Commission should take into consideration that the application is legal and also the public testimony.

Green stated that there is a place for this type of development but not in this area.

Clark stated that he disagrees with the discussion and that the applicants had met all of the requirements. This regulation was created for a reason. Urban density lots are a by product of this regulation with a trade off for the open space.

Green stated that there are some good points to this such as the open space and community septic. There seems to be more than one argument against this application.

Daugherty stated that he is concerned that the County Road will not handle the increase in traffic.

Clark stated that the road is up to County Code and would be updated if needed.

Anderson agreed that there are numerous arguments against this development.

Clark stated that this is a way we allow developers to develop property. If they present an application that meets the requirements the Board needs to recognize that.

Fuller stated that the application does not prove that it is a benefit to the area or the County. There are still a lot of questions.

Daugherty states that he still has issues with the SEPA review and the fact that the applicant stated that it is not in Ag use, also the water runoff issue that is not addressed.

Black stated that public testimony is not a basis for decision but the fact that so many people came forward does make a point.

Rick Daugherty made a motion to pass the Mendenhall-Mus Cluster Plat (P07-41) forward to the Board of County Commissioners with a recommendation of denial. Larry Fuller seconded and the motion carried with a 5/1 poll of the board with Grant Clark voting against.

Black stated that this was a recommendation only to the Board of County Commissioners.

Clark stated that the concerns voiced by the Board need to be addressed prior to final plat approval.

Black asked Valoff to add the Minority Report.

Findings of fact will be brought to the October 23, 2007 meeting for approval.

B. Lonny White Preliminary Plat (P07-02)

The Chair opened the hearing to Staff Presentation.

Staff Planner, **Mike Elkins** presented his staff report by reading portions of it into the record. Attached hereto and incorporated herein is a full copy of that staff report. **Elkins** stated there is a correction to the plat drawings. The drawings state Rural-3 and the zoning is actually Ag-3. Elkins stated that there was a KR pipe that runs along the north part of the parcel that is associated with the band of trees.

Clark asked if the access road would need to be improved.

Elkins stated that improvements should be addressed by Public Works in their comments submitted in the packet. **Elkins** also showed where there would need to be a cull de sac.

The Chair opened the hearing to Applicant Presentation.

John Ufkes, P.O. Box 499, Ellensburg, WA 98926, representing the applicants, stated that Chris Cruse and Lonnie White were also here to answer any questions. **Ufkes** submitted **Exhibit A** into the record.

Chris Cruse, 217 East 4th Street, Ellensburg, WA 98926, stated that the band of trees was not associated with a KRD pipe that there was not an irrigation pipe on the property. This was a slope up to the neighboring property. **Cruse** stated that the applicant meets all setback requirements to put in a well and septic system. **Cruse** clarified that the pipe on the property is a private pipe and that it may need to be rerouted if the homes are developed.

Daugherty asked White if he owned the adjacent property and if any other landowners used the irrigation pipe.

Lonnie White, 280 Iron Mountain Road, Cle Elum, WA 98926, verified that his father owned the adjacent property and explained that the irrigation pipe was only used by himself and his father.

Daugherty asked Cruse where lot 3 is in relation to the property.

Cruse stated that lot 3 was approximately 150 ft north of the ditch.

Daugherty asked if there would be a KRD easement and if this was a feeder ditch for any other property.

White stated that it is just a feeder ditch for himself and his father only. The KRD runs along the boundary of the property.

Fuller verified that the land was currently farm land.

Carbary stated that he originally required a cul de sac but after discussing the development with Cruse they decided they would use a 60 foot easement.

Fuller asked if the Fire Department would require a cul de sac.

Carbary stated he thought he would receive another application close to this one that would have required them to have the cul de sac but he did not.

Fuller asked White how his father accesses the field now.

White stated that his father uses a 60 ft easement on property currently and his brother has a 60 ft easement.

The Chair opened the hearing to Public Testimony.

There was no public testimony.

The Chair opened the hearing to Board Deliberation.

Fuller stated that his concern was that this was farm land that will be developed.

Daugherty stated it is already zoned Ag-3.

Matt Anderson made a motion to pass the forward Lonny White Preliminary Plat (P07-02) to the Board of County Commissioners with a recommendation of approval. Kim Green seconded and the motion carried with a 5/1 poll of the board with Larry Fuller voting against.

Findings of fact will be brought to the October 23, 2007 meeting for approval.

The Planning Commission meeting was adjourned at 8:05 p.m.

The next regularly scheduled meeting is October 23, 2007 at 6:00 p.m. at the Commissioner's Auditorium.

Desi Stewart, Planning Commission Clerk