

**From:** [Mike Podobnik](#)  
**To:** [Jamey Ayling](#)  
**Subject:** Formal Opposition to Conditional Use Permit CU-23-00003 for Fowler Creek Guest Ranch  
**Date:** Friday, July 26, 2024 11:33:35 AM

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July 26, 2024

Kittitas County Community Development Services  
411 N. Ruby St  
Ellensburg, WA 98926

Transmitted via email

**Subject: Formal Opposition to Conditional Use Permit CU-23-00003 for Fowler Creek Guest Ranch**

My name is Michael Podobnik, and my wife and I have a residence at 841 Forest Service Road 4517, Cle Elum, WA 98922. Our family's property, Parcel #17437, immediately borders the proposed development for Fowler Creek Guest Ranch, CU-23-00003.

I am writing to formally oppose the proposed [Conditional Use Permit CU-23-00003 for Fowler Creek Guest Ranch](#). My opposition is based on several critical issues related to fire safety, environmental risks, noise, dust, increased vehicle activity, and the preservation of the rural residential character of our community. Below, I have detailed these concerns to support my conclusion—that this conditional use permit should be denied in entirety or, at a minimum, vastly constrained to mitigate the issues raised.

**Fire, Safety, and Evacuation**

1.

**Fire and Environmental Risks:** The proposed guest ranch increases the risk of fire, a significant concern in our area. The additional human activity and infrastructure development elevate the likelihood of fire incidents, particularly in a wildland fire-prone area, as previously outlined by former Kittitas County District 7 Fire Chief, Jon Sinclair. Furthermore, reliance on bottled water for the

facility raises sustainability and environmental issues, including waste management and resource depletion. Comprehensive environmental reviews are crucial for developments in fire-prone and environmentally sensitive areas. The current Fire Management Plan Statement (Exhibit 11), as proposed, does not adequately address these risks, given the crucial importance of the limited emergency egress for the surrounding community.

2.

**Emergency Egress via Fowler Creek:** Fowler Creek Road serves as a critical emergency evacuation route for residents and is the only road to evacuate all occupants. Increased traffic from the guest ranch will severely hinder evacuation efforts during emergencies, particularly wildfires, thereby massively endangering hundreds of lives. According to [KCC 17.60.A.015](#) CUP criteria, the burden is on the applicant to demonstrate that: “the proposed use is detrimental or injurious to the public health, peace, or safety...to the surrounding neighborhood”. Land use decisions must prioritize public safety. Approving this permit without sufficiently addressing evacuation concerns would be negligent, with both the County and the Developer to be held liable when an emergency situation undoubtedly arises.

3.

**Infrastructure Upgrades:** The proposed development necessitates significant infrastructure upgrades to Fowler Creek Road, the Westside Road intersection, and Forest Service Road 4517. These upgrades are essential to handle increased traffic safely and efficiently. This requirement aligns with the [Growth Management Act](#), which mandates that infrastructure must support new developments without adversely affecting current residents.

## Noise, Dust, and ORV/Vehicle Increase

1.

**ORV Use:** The rise in off-road vehicle (ORV) activity associated with the guest ranch will further exacerbate the existing road degradation, amplify maintenance costs, and increase noise pollution, dust, and environmental degradation of the surrounding neighborhood and Forest Service lands

2.

**Day Use Hub Prevention:** The potential for the guest ranch to become an ORV hub, significantly increasing traffic density beyond the stated guest headcount, threatens the area’s tranquility and the quality of life for local residents.

3.

**Dust, Noise, and Light Pollution:** The guest ranch will inevitably increase dust, noise, and light pollution, especially with the rise in ORV use. These pollutants can have detrimental effects on the health and well-being of local residents and wildlife. However, the Noise Management (Exhibit 7) and Night Pollution Mitigation Statement (Exhibit 8) fail to seriously consider mitigation plans of merit, trees and quiet hours alone will not suffice. The former will suffice for neither residents boarding the guest ranch nor those higher in elevation, looking down on the guest ranch. The latter is simply unenforceable with no one to manage, beyond further drawing on law enforcement resources. Effective mitigation strategies must be a condition for any development to ensure these adverse effects are minimized.

## **Rural Residential Character**

1.

**Impact on Residential Character:** The introduction of a commercial facility in a predominantly residential area will dramatically alter the character and quality of life for existing residents. Increased commercial activity will lead to more noise, light pollution, and general disruption as well as risks to safety and security, as Sheriff Myers has raised previously. This principle should continue to guide land use development decisions, such as this commercial development.

2.

**Minimizing Development Impacts:** Should the permit be considered, additional conditions must be imposed to minimize the negative impacts on local residents. In addition infrastructure upgrades and more effective mitigation strategies are essential to balance development with community well-being, such as the proximity between the neighboring residential structures and the short-term recreational vehicle park, event venue, and snowmobile trails.

## **Conclusion and Mitigation**

1.

**Necessity of the Facility:** Given the above, the necessity of establishing this guest ranch altogether is questionable, particularly given the existence of similar venues on both sides of the nearby I-90 corridor. With issues outlined above and high stakes, such as the “risk of future loss of life,” community development decisions must avoid redundant developments that further strain local infrastructure and resources while simultaneously introducing greater risks to safety and security. A thorough assessment of the genuine need for this facility, in light of available accommodations and community sentiment, is essential to

warrant its development.

2.

**Capping Guest Capacity:** If the county deems this facility necessary, the guest count should be significantly constrained to limit adverse impacts on the community. As resubmitted, the overall acreage massively decreased, leaving the future possibility of a second phase or secondary development altogether, simply increasing density. The guest count remained virtually unchanged. The outcome is a significantly greater occupant density and likelihood of adverse impact on the surrounding community. Restricting guest counts by removing the short-term recreational housing (RV park) altogether, eliminating the event venue, preventing the establishment of an ORV hub, or significantly reducing the size and scope of both would, at the very least, begin to mitigate the negative impacts.

Given the outlined risks and issues, I urge you to reconsider the approval of this permit or impose strict conditions to protect and safeguard our community.

Thank you for your attention to this timely and critical public matter.

Best,  
Michael Podobnik

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