

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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### Findings of Fact Schmaus #4 Preliminary Plat P-07-55

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 Robin and Jayne Schmaus, landowners, submitted a long plat application to Community Development Services on October 18, 2007. The application was deemed complete on April 4, 2008 upon receipt of the completed SEPA Checklist.
2. The Planning Commission finds that the proposed development is located south of Interstate-90, north of Nelson Siding Road, east of Talmadge Road, Cle Elum, WA 98922, and is located in a portion of Section 21, T20N, R14E, WM, in Kittitas County. Map number 20-14-21033-0003.
3. The Planning Commission finds that the proposed development application included a preliminary plat depicting the division of one parcel totaling approximately 22.95 acres into 7 (seven) lots. The lots are between 3.00 and 3.58 acres in size.
4. The Planning Commission finds that Community Development Services issued a Notice of Application pursuant to KCC 15A.03 on April 17, 2008. Interested jurisdictional agencies and landowners within 500 feet of the subject property were notified specifically, as required by law. The Legal Notice of Application was published in the Daily Record on April 17, 2008. Said notices solicited comments from jurisdictional agencies and interested citizens.
5. The Planning Commission finds that this project was reviewed under the State Environmental Policy Act (SEPA), along with two contiguous Short Plat applications by the same owner, pursuant to WAC 197-11-350. A Mitigated Determination of Nonsignificance was issued on May 22, 2008. There were no appeals received.
6. The Planning Commission finds that all mitigations contained in the SEPA MDNS shall be conditions of approval of this project.
7. The Planning Commission finds that the applicant shall meet or exceed all rules and regulations set forth from the Department of Public Works as included in the issued memorandum.
8. The Planning Commission finds that Big Creek shall be shown on the face of the final mylars and its associated floodplain shall also be depicted.
9. The Planning Commission finds that a plat note shall be added to the final mylars that states the following:

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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*The Schmaus #4 Preliminary Plat (P-07-55), Schmaus #2 Short Plat (SP-07-134) and Schmaus #3 Short Plat (SP-07-146) shall be considered as one project and shall be limited to a single 5,000 gallon per day groundwater withdrawal to serve all 13 lots combined. All wells associated with the three plats shall be metered and records documenting water usage shall be submitted to the Department of Ecology by January 31<sup>st</sup> of each calendar year.*

10. The Planning Commission finds that a plat note shall be added to the final mylars that states the following:

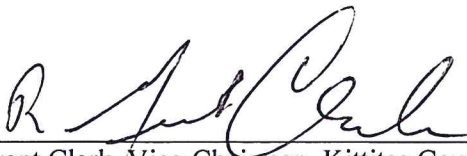
*The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.*

11. The Planning Commission finds that a plat note shall be added to the final mylars that states the following:

*Metering will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.*

12. The Planning Commission finds that an open record hearing was originally scheduled for June 24, 2008. Due to a lack of quorum, the hearing was continued to July 8, 2008. Again, due to a lack of quorum, the hearing was continued to July 22, 2008 where testimony was taken from those persons present who wished to be heard. Due notice of this public hearing was given as required by law, and the necessary inquiry was made into the public interest to be served by this proposed subdivision.
13. The Planning Commission finds that additional conditions **are** necessary to protect the public's interest.
14. The Planning Commission finds that prior to approval of the Schmaus #4 Preliminary Plat (P-07-55) a water distribution plan shall be approved by the Kittitas Reclamation District and all KRD General Guidelines shall be met. Proof that this requirement has been met shall be submitted to Community Development Services to be included in the project file.

**The Planning Commission motioned to forward the Schmaus #4 Preliminary Plat (P-07-55) to the Board of County Commissioners with a *recommendation of approval*. The motion passed by a vote of 4-0.**



Grant Clark, Vice-Chairman, Kittitas County Planning Commission

10/14/08

Date