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VIA US MAIL AND EMAIL: planning@cleelum.gov

City of Cle Elum
Attn: Planning Department/4240 Bullfrog Apartments
119 West First Street
Cle Elum, WA 98922

Re: 4240 Bullfrog Apartments - CUP-2024-003, SEP-2024-005, CA-2024-002, SDR-2024-005 – SEPA Review

Dear City of Cle Elum:

Please accept the following comments on behalf of the Cle Elum-Roslyn School District (the “District”) regarding the Notice of Application and SEPA DNS for the above-referenced matter (the “Proposal”).

As noted in the conditional use permit application (“CUP Application”) for the Proposal, the proposed three story 48-unit multi-family project sits on property bordered on three sides by District-owned property (the “District Property”). The District facilities located near the Proposal’s property line include the District’s Central Office, the District’s Bus Facility (also used as the District’s emergency operations center) and the Swiftwater Learning Center (SLC). Importantly, as described in the Proposal’s Traffic Impact Analysis (the “TIA”), the Proposal’s primary access to Bullfrog Road is proposed via an access road (the “Access Drive”) used to provide ingress and egress to operations on the District Property.¹ (The TIA erroneously only recognizes access over the Access Drive to the SLC. The location of these District programs in relation to the Proposal’s impact on the Access Drive presents several unique concerns:

- SLC currently serves approximately 20 students with three employees. The District plans to add SLC programming that will increase student use of the facility. The SLC also serves the District’s Homeschool Partner and online learning programs, bringing occasional traffic associated with each use.
- The SLC horticulture program greenhouse and storage unit sit immediately adjacent to the Proposal’s access. This program includes student learning opportunities throughout the school year as well as community engagement for the annual plant sale (with increased traffic in March-May as a result).
- The Bus Facility uses the Access Drive for ingress and egress of the District’s transportation system (currently 13 school buses as well as employee transportation).

¹ The District has secured easement rights to use the Access Drive for ingress and egress needs related to the District Property. See document recorded at Kittitas County Recording No. 200309100043.



Neither the Checklist nor the TIA recognize this existing traffic use. The Bus Facility commences active operations early each morning, with safety checks (involving horns and lights) commencing around 5:30 a.m. and continuing to 7:00 a.m. District transportation activity continues throughout the day and often late into the evening to accommodate District sports, special education, field trips, and employee needs. Unimpeded ingress/egress from the Access Drive during all weather and at all times is critical for District operations.

- During periods of snowfall, the District begins plowing the Access Drive and the areas around it (including the garage, Central Office, and the parking areas in the southwest of lot of the District's property) starting as early as 3:00 a.m.
- The Central Offices houses key District operations.
- The District Property, with remaining buildable area, is also planned for future development of school capacity and shared community facilities. Future development would utilize the Access Drive.

In addition, the Proposal fronts Bullfrog Road in a location used regularly by student drivers and the public for access to Cle Elum-Roslyn High School.

The SEPA Checklist for the Proposal recognizes only generally the adjacent uses but fails to recognize the unique sensitivity and operational needs of those uses. Section B.8(a) of the Checklist assumes that the adjacent District uses "will not be affected" by the Proposal and makes no mention of the shared Access Drive or the operations on the District Property. The applicant's response in the Checklist at Section B.8(l) to measures designed to ensure compatibility with existing and planned land uses agrees generally to "comply with all required conditions . . . to ensure land use compatibility." The Checklist in its response to Question 7(b)(1) fails to recognize existing noise sources on the adjacent District Property (particularly as related to early morning and late evening Bus Facility operations) and assumes that no mitigation is required as a part of the Proposal. This is particularly concerning given the location of the planned residential buildings directly adjacent to the Access Drive and District operations on the District Property. While the response in Section B.14 recognizes the Access Drive, there are no measures identified in this section to address potential future conflicts with existing traffic over the Access Drive. There is also no recognition in the Checklist or the TIA of unique challenges with the many student drivers who utilize the Access Drive and also Bullfrog Road.

Of critical importance to the District is coordination of the Proposal with the existing land uses. The location of the Proposal and its planned primary use of the Access Drive for an estimated 313 weekday trips has the potential to greatly impact transportation access to and functioning of District operations, including operation and student safety at SLC, the Bus Facility, District operations generally, and overall functioning of Bullfrog Road. In addition, the existing uses on the District property must be accommodated and continue uninterrupted both during and after construction of the Proposal.



In view of these concerns, the District requests that several mitigation conditions be added to the Proposal, including:

- Require a separate primary Access Drive for the Proposal, using the Access Drive only for limited secondary access needs.
- Require a condition to ensure, at all times, unimpeded District ingress/egress over the Access Drive during construction of the Proposal and a further condition to ensure no ongoing post-construction obstructions to District ingress/egress over the Access Drive.
- Install a fence or similar partition on the Proposal's property line adjacent to the SLC greenhouse and storage unit to address potential noise impacts and to ensure safety of SLC students and community using the greenhouse.
- Add conditions to ensure residents and visitors from the Proposal do not park on the District Property, including roadways, the parking areas in the southwest of the District Property and the Central Office lot, and the areas around the Bus Garage. The District is particularly concerned that this will occur regularly with visitors to the units in the Proposal, but also that it will occur before and during snow events when the District needs clear area for plowing and clear area post-plowing for District operations and users.
- Provide notice at move-in to all residents that District operations on the adjacent property include early morning and late evening transportation operations and activities (including daily testing of noise/lights, and exhaust) and identifying that such ongoing operations, including over the Access Drive, are not a basis for complaint to management, the District, or the City.
- Require management to meet quarterly with District administration to address any property use coordination matters.

The District appreciates the City's attention to this matter. Please add me (denise.stiffarm@pacificlawgroup.com) and the District's Superintendent, John Belcher (belcherj@cersd.org) as parties of record, and we look forward to participating in the review of the Proposal.

Sincerely,

PACIFICA LAW GROUP LLP

Denise L. Stiffarm

cc: John Belcher, Superintendent, Cle Elum-Roslyn School District