

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
Mark McCauley, County Administrator

FROM: Brent A. Butler, AICP, Director, Community Development
Josh D. Peters, AICP, Deputy Community Development Director/Planning Manager
David Wayne Johnson, Associate Planner, Port Ludlow Lead Planner, DCD

DATE: February 13, 2023

SUBJECT: Olympic Terrace 2 Phase II Plat Alteration – Briefing and Request for Future Meeting

STATEMENT OF ISSUE:

Jefferson County DCD is processing a Plat Alteration for the Olympic Terrace 2 Phase II subdivision for applicant and property owner, Port Ludlow Associates (PLA). Under the County's development agreement (DA) with PLA, upon receipt of a recommendation and information of any plat alteration application, the Board is required to set a date for a meeting where it may adopt or reject recommendations of the Planning Department (Ord. No. 04-0526-92 Section 14.40). DCD therefore requests time on the regular agenda to brief the Board on the recommendation and information regarding the Plat Alteration, and schedule a future meeting to adopt or reject that recommendation.

BACKGROUND:

The Olympic Terrace 2 Long Subdivision received preliminary approval on June 28th, 2005, for a total of 80 residential lots. The Plat was divided into two phases, Phase I was well defined with standard individual configuration of forty-one (41) lots, while Phase II was depicted on the plat as separate tracts "reserved for future development," with no individual lots defined. Phase I was completed and finalized on May 10, 2007. Under State law, a preliminary plat is valid for seven years from the date of approval. Phase II had not been finalized before that period expired in 2012, mainly because of the economic downturn of 2008. However, the DA ordinance allows the preliminary plat approval to be extended by the Board on an annual basis, which it did on three separate occasions, in addition to a Board approved amendment to the DA that extended the Preliminary Plat vesting period to ten (10) years from date of approval. On May 10, 2018, the applicant filed a Plat Alteration to modify Open Space Tract A (finalized with Phase I), and revise of the Preliminary Plat to re-orient the reserved tracts, and create individual lots. Since 2018 the applicant and County have kept the process going with wetlands analysis, engineering, site design, traffic analysis, stormwater review and permitting, and public noticing with public comments received in 2021. The result has been a reduction in the total lots for Phase II to thirty-seven (37), from the approved thirty-nine (39).

ANALYSIS

A full staff report and supporting documents are being prepared to provide an analysis of the history, process, recommendation and conditions of final approval, and will be available one week prior to the next scheduled meeting of the Board to review the report, recommendation, and render a decision per Section 14.40 of the DA Ord No. 04-0526-92. Currently staff is waiting on the review and comments of the draft Plat Alteration by other County Departments.

FISCAL IMPACT/COST-BENEFIT ANALYSIS:

There will be no fiscal impacts as staff time for this and subsequent meetings will be billed to the applicant prior to final approval and recording of the plat.

RECOMMENDATION:

DCD recommends the Board observe Staff's power point presentation briefing on Olympic Terrace 2 Phase II to gain an understanding of the issues, ask questions, and become familiar with the project prior to scheduling a future meeting to hear the staff report and recommendation before taking action to either approve, or deny the recommendation and applicant. Staff proposes February 27, 2023 at 1:30pm for said future meeting.

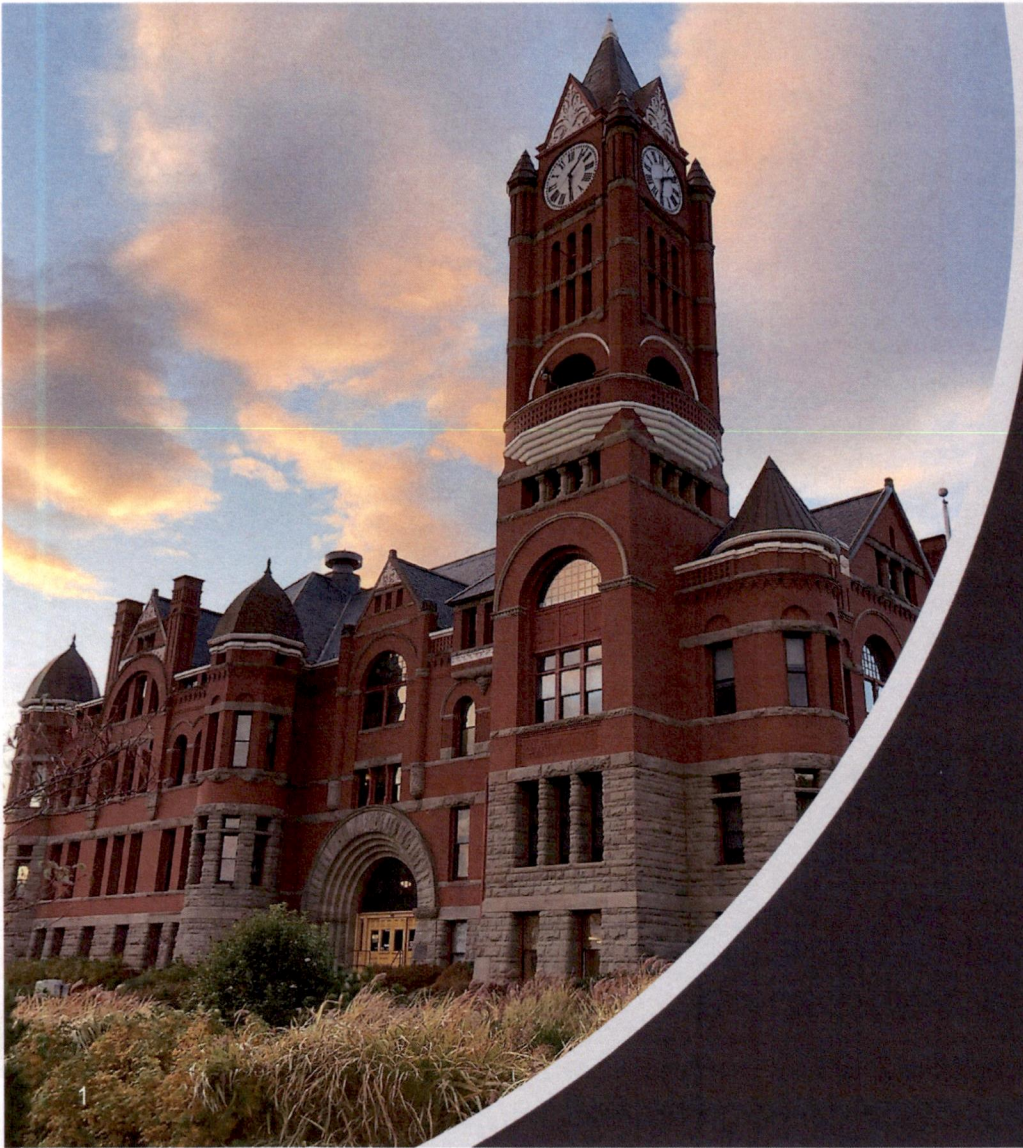
REVIEWED BY:



Mark McCauley, County Administrator

Date 2/8/23

Attachment: OT2 Phase II Briefing Power Point Presentation



Olympic Terrace 2 Phase II Plat Alteration

David Wayne Johnson
February 13, 2023

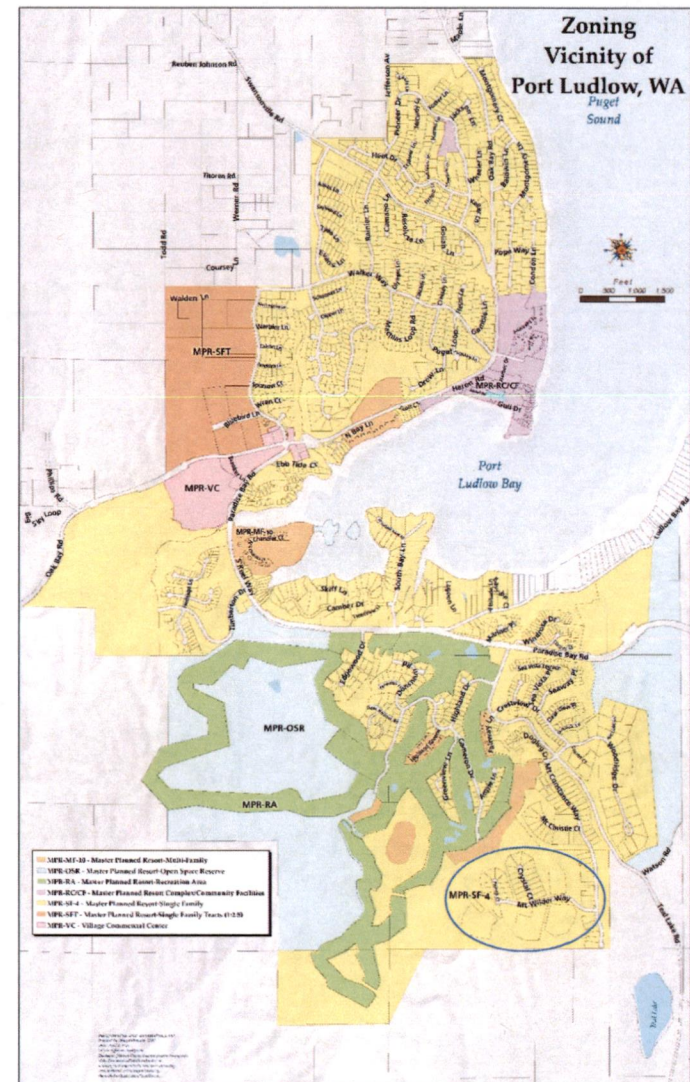
TOPICS

- 1) History of Olympic Terrace 2 Subdivision
- 2) Unique & Unusual Subdivision Characteristics
- 3) Development Agreement
- 4) Plat Alteration Process
- 5) Issues
- 6) BoCC Action to Approve
- 7) Questions?



History of Olympic Terrace 2 Subdivision

1. Located in South East portion of PLMPR
2. Owned by Port Ludlow Associates (PLA)
3. Access by Paradise Road to Teal Lake Road to Springwood Drive – OT1
4. Preliminary Approval June 28, 2005
5. 80 Residential Lots
6. Phased I & II
7. Phase I finaled May 10, 2007 for 41 Lots
8. Seven years to final preliminary plat approval
9. Phase II could not be finaled before expiration
10. Development Agreement Amendment & Three Annual extensions for Phase II
11. May 10, 2018 PLA applies for Plat Alteration
12. Wetlands, Site Design, Engineering, Traffic, Public Notice, Stormwater, etc. for 39 Lots



Unique & Unusual Features of OT2 Phase II

1. Phase II Tracts "Reserved for Future Development"
2. Extended period of time to final
3. Expansion of area wetlands
4. Re-orientation of Tracts
5. Removal of Tracts B & C
6. Open Space Tract A altered
7. Processed under the Development Agreement

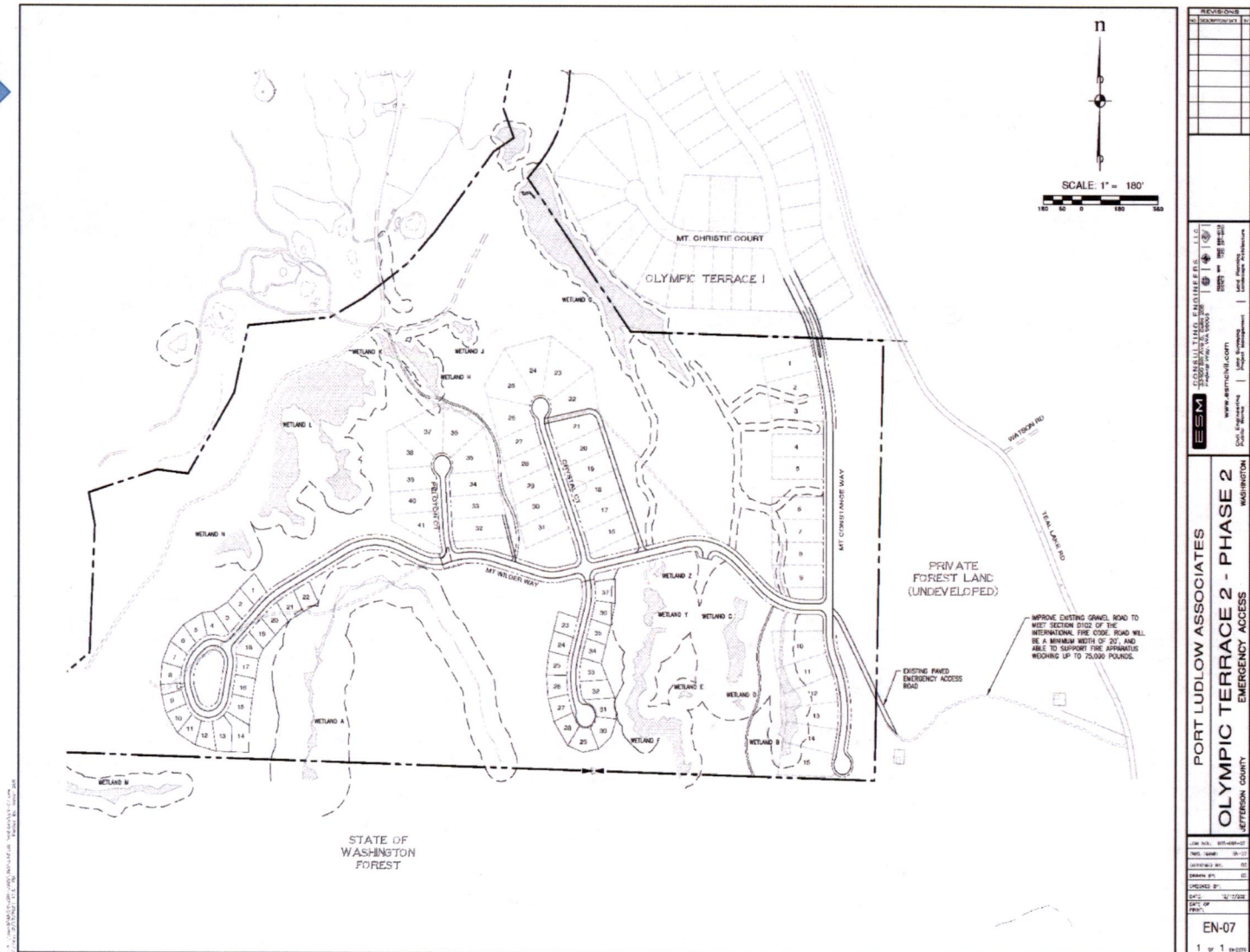


New Phase II Orientation
with
Emergency Egress Road



Development Agreement

1. Legal Contract between County and PLA for development on PLA property only – May 2000
2. 20-year term extended to 2025 in 2013
3. MPR Code – JCC Title 17
4. Collection of old ordinances from the 1990s
5. Two Amendments –
Eliminate Appellate Hearing Examiner & Extent Plat Vesting from seven years to ten and Term of Agreement from 2020 to 2025

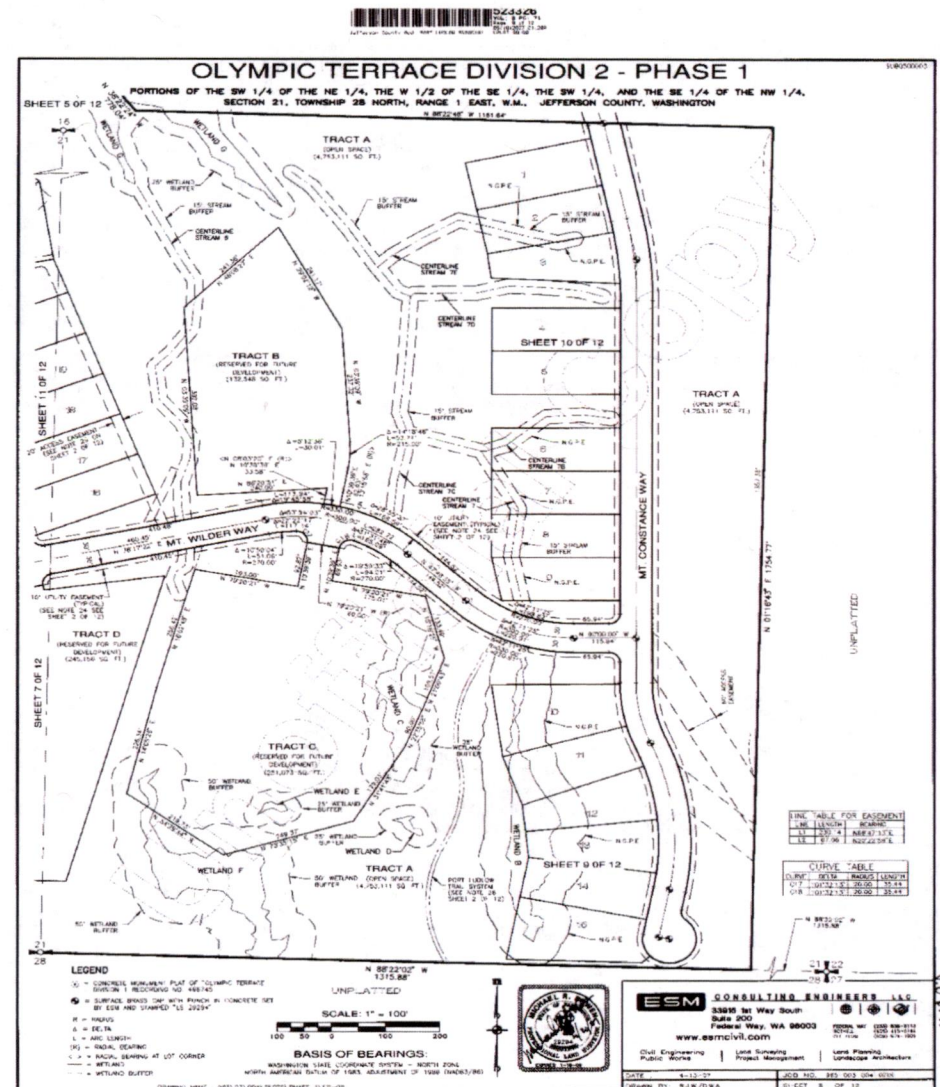


Plat Alteration Process

1. Subject to Ordinance No. 04-0526-92 of the DA
2. Subject to Section 14 Alterations
3. Plat Alteration Required because Tract A finalized under Phase I
4. Phase I Home Owners had to sign Plat Alteration
5. Phase I Home Owners also receive notice of application
6. Anyone receiving notice can request a public hearing during the comment period – no one did
7. DCD can require public hearing but chose not to
8. DCD forwards recommendation to Board for final approval
9. If the Board does not accept recommendation, must hold public hearing before decision to approve or deny

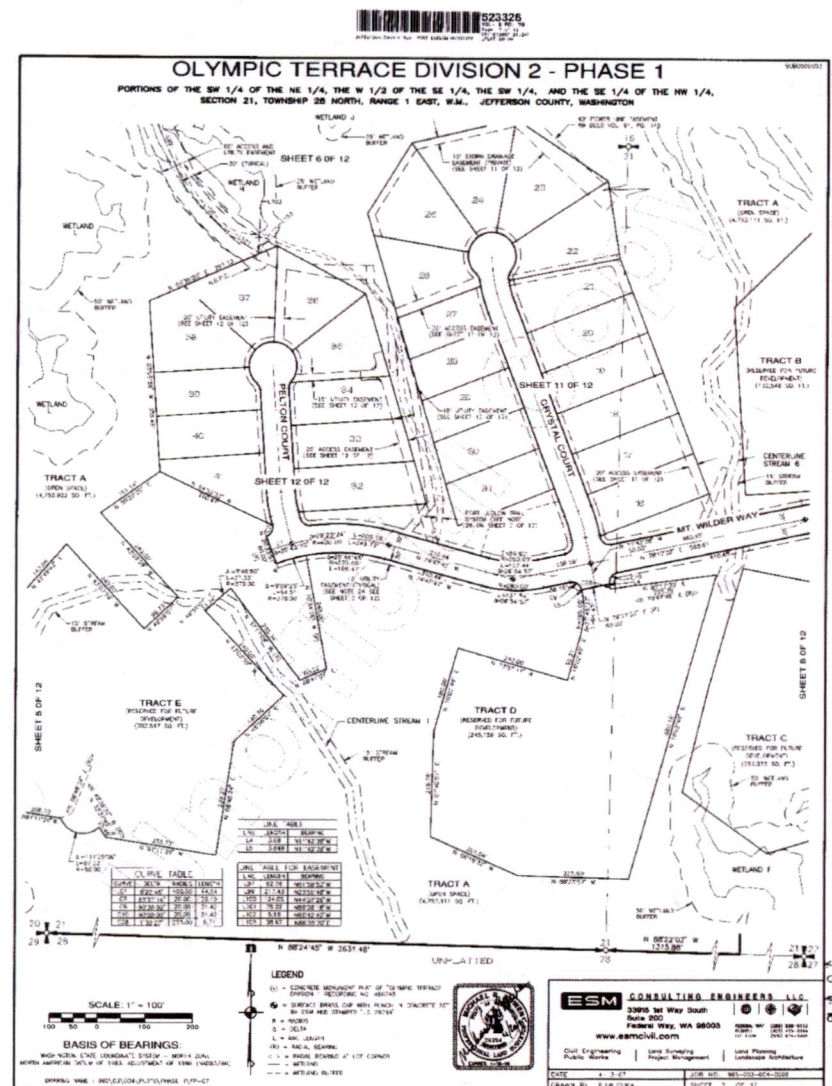
Issues

1. Emergency Egress
2. Construction Access
3. Maintenance of new roads – Public vs. Private



Board of County Commissions Action Section 14.40

1. Two-part approval process
2. Receives DCD recommendation and information at February 13th meeting
3. Board sets future meeting to adopt or reject Planning Department recommendation
4. Staff recommends February 27th for second meeting
5. If Board rejects recommendation, must hold public hearing.
6. If Board accepts recommendation, applicant may proceed with final plat, install infrastructure, satisfy conditions of approval, etc.
7. Final approval requires Board and other Departments to sign Mylar and record plat
8. Applicant receives new tax parcel numbers from Assessor, sells lots and builds homes





QUESTIONS?