



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

June 16, 2014

Mr. Chad Bala
Terra Design Group, Inc.
P.O. Box 686
Cle Elum, WA 98922

Subject: Final Planned Unit Development Application for the Ranch on Swauk Creek

Dear Chad,

We have completed the review of your Final Development Plan (aka Final Planned Unit Development - FPUD) application for the Ranch on Swauk Creek preliminarily approved by Ordinance 2006-59. Our review of the FPUD submittal finds that the project meets most of the criteria for approval. As you note in your application, many of the roads are graded, mitigation relative to the Swauk Creek has been completed, and a plan for water rights is in place. However, there is a threshold question regarding whether you are seeking final approval of the entire PUD, or if as it appears from the submittal, you are providing information for approval of Phase 1 of the PUD with subsequent submittals to address other phases. Staff needs to resolve this question and receive additional plan information before we can recommend approval to the Commissioners.

As you know, the project applied for originally in 2006 is vested to the review criteria at Kittitas County Code (KCC) 17.36.040. Although projects are vested to the review criteria at the time of application, vesting does not extend to procedural rules adopted later. Under procedural rules adopted in 2013, the code timelines for phased versus non-phased PUDs at KCC 17.36.090 are stated as:

1. Filing of final development plan - Non-phased PUDs. The applicant shall have five (5) years from the date of Board action to submit the final PUD application pursuant to 17.36.040, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

It appears that this application has fulfilled the requirement to file a final development plan (FPUD) within 5 years of approval of the preliminary PUD. However, based on the materials submitted it is not clear whether your application seeks overall final approval of all combined phases or phased approval under Section 2 of KCC 17.36.090 as follows:

2. Filing of final development plan - Phased PUDs. Applicants may develop a planned unit development in phases, provided a phasing plan is approved as part of the initial application. In such cases, a final development plan shall be submitted for phases in the time limit established in the approved phasing plan, unless an extension has been granted pursuant to subsections 3 or 4 below. If the PUD phase is associated with a plat with a longer submittal timeframe the longer timeframe shall apply, pursuant to RCW 58.17.140.

This is an important distinction for two reasons. Firstly, whether you are seeking a FPUD for all combined phases or only a FPUD for Phase 1, the timelines of KCC 17.36.090(7) apply. These timelines, as stated below, require that you apply for final approval prior to December 31, 2017, and that implementing permits shall be submitted within 2 years of the FPUD.

6. Timeframe for implementing permits. Implementing permits, including land divisions for lot sales or building permits when there is no associated land division shall be submitted within two (2) years of final development plan approval.

7. PUDs approved prior to 2007. Planned unit developments with preliminary development plans approved prior to adoption of the expiration standards contained in Ordinance 2007-22 shall have until December 31, 2017, to submit final development plans and shall be subject to the timeframes established in subsection 6 above for implementing permits. Undeveloped PUDs with final development plans approved prior to 2007 shall have until December 31, 2015, to complete land divisions for lot sales or building permits when there is no associated land division. Failure to obtain final plan or permit approvals or make substantial progress toward such approvals within the time frames in this subsection shall result in expiration without prejudice.

The second reason this distinction is critical in this case is that the application, as submitted, does not provide sufficient information on the FPUD plan and lot layout to recommend approval of all combined phases (Phases 1-3). Below are the applicable code requirements and which areas the application needs to be amended.

Staging Plans and Construction Sequencing

KCC 17.36.040(1) states that the FPUD must include a staging plan describing the timing and sequence of construction for all elements of the plan. Further, these criteria require that the FPUD include:

- 1.A staging plan describing the timing or sequence of construction for all the elements of the plan. Subdivision lot sales may precede other elements of the development upon final plat approval.

Your application reference table indicates the sequence plan is attached at C. Our review of Attachment C finds that it a copy of the Phase 1, Division 1 Subdivision creating 14 lots approved by the County in October, 2008. This plat document doesn't give sequence of construction information for the PUD as a whole, nor does it give complete information for the full build out of Phase 1, only 14 lots are shown, yet the FPUD application is clear that 81 lots are proposed in Phase One and 81 more lots each in Phases Two and Three.

In order to meet this criteria for Phase 1-3, at a minimum, the staging plan and construction sequence information needs to cover all 243 lots. If the proposal is only for Phase 1, then the staging and construction sequencing narrative needs to cover all 81 lots in Phase 1.

Maps of the Site

Another area of the application that needs to be augmented is with regards to the criteria at KCC 17.36.040.(2). In response to the criteria, your application references certain attachments as fulfilling those criteria. In several cases it is not clear that the attachment does fulfill the application requirements. Provided below is the criteria from KCC 17.36.040 (2) and how the provided attachment may need to be augmented to fully meet the criteria for approval of the PUD.

2. A map or maps of the site drawn at a scale no smaller than one hundred (100) feet to one (1) inch showing the following:

There is not a comprehensive map showing either, all 81 lots in Phase 1 or all 243 lots proposed for Phases 1-3. A schematic map meeting the scale requirements needs to be provided so that it is clear what is being approved. Attachment C is referenced in your application but this addresses only the Phase 1, Division 1 Subdivision.

- a. Preliminary engineering plans including site grading, road improvements, drainage and public utilities extensions;

Attachment E addresses road grading but it does not appear to cover all three phases of the PUD nor does it appear on the main map required at a. At a minimum, all proposed roadways, utilities and preliminary grades for either Phase 1 (if seeking phased approval) or Phases 1-3 need to be shown on the map.

- b. Arrangement of all buildings which shall be identified by type;

Attachments B and C depict the range of building types proposed but only for the 14 lots in Division 1. What is not showing is the proposed buildings for all of Phase 1 (if seeking phased approval) or all of Phases 1-3.

- c. Preliminary building plans including floor plans and exterior design and/or elevation views;

Attachment B which shows typical housing styles seems to address this criterion. If additional housing styles are proposed throughout other Phases, these should be provided at Attachment B as well.

- d. Location and number of off-street parking areas including type and estimated cost of surfacing;

Attachment A and E are referenced in the application as being responsive to this criteria. However Attachment A is not a map, it is a narrative only. Attachment E includes roadway surfacing cost estimates but it is not clear that this covers more than Division 1 Phase 1. Further, the paved area needs to be shown on the overall PUD map exhibit, or if seeking phased approval, on the Phase 1 map exhibit.

- e. The location and dimensions of roads and driveways including type and estimated cost of surfacing and road maintenance plans.

Same as above, it is not clear that the roadways depicted in Attachment E cover only Phase 1, Division 1 or if they are intended to serve all of Phase 1's 81 lots. This needs to be shown on the required map exhibit.

- f. The location and total area of common open spaces;

Attachments C and K do show the common open spaces although there does not appear to be an area calculation. These open spaces and calculations need to also be reflected on the main map exhibit.

- g. Proposed location of fire protection facilities;

This does not appear to be reflected on any exhibits.

- h. Proposed storm drainage plan;

Attachment G is the Stormwater Pollution Prevention Plan. It appears to apply to all 3 Phases of the PUD. However, the information regarding storm drainage facilities or plans specific to the roadway construction does not appear to cover all Phases of the PUD. This needs to be clarified on the map exhibit required under this above reference section.

Please clarify whether your application is for only Phase 1 or combined Phases 1-3. Additionally, while the submitted application covers many key areas of the final PUD approval, such as the mitigation requirements and in stream work required under the preliminary PUD, the application is must be supplemented with narrative text and exhibits that are responsive to KCC 17.36.040 (2).

Let me know if you have any questions or would like to meet to discuss the necessary resubmittal and timing for Board review.

Sincerely,



Robert "Doc" Hansen
Planning Official