



## City Council

### Development Agreement with Golden Alon Development Company, LLC

**Agenda Date:** 5/5/2015  
**Agenda Item Number:** 5.A  
**File Number:** 15-0438

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**Type:** resolution   **Version:** 1   **Status:** Public Hearing

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#### **Title**

Development Agreement with Golden Alon Development Company, LLC

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Conduct public hearing. After closing the public hearing, move to adopt the attached Resolution (Attachment 1) approving a Development Agreement with Golden Alon for its development known as Bayan Trails.

#### **Report**

##### **Issue:**

Should the City Council approve the development agreement with Golden Alon Development Company, LLC?

##### **Staff Contact:**

Leonard Bauer, Deputy Director, Community Planning and Development, 360.753.8206

##### **Presenter(s):**

Leonard Bauer, Deputy Director, Community Planning and Development

#### **Background and Analysis:**

On April 7, 2015, Golden Alon Development Company, LLC, submitted a complete application for a development agreement for property it owns at 607 and 709 Sleater-Kinney Road NE. Golden Alon has also submitted applications for land use review and approval of a proposed development, known as Bayan Trails, on this property. The proposed development includes construction of four senior housing apartment buildings (167 units) and ten townhome-style apartment buildings (70 units), along with a community building, pool building, and associated parking. (See Attachment 4) The development is proposed to be completed in six phases, over a long-term time frame estimated to be ten years or more.

**This public hearing and decision are on the terms of a development agreement with Golden**

**Alon for the subject property. This Public Hearing is not a hearing or decision on the proposed development itself.** Consideration of the Bayan Trails development proposal on this property will be conducted at a public hearing by the Olympia Hearing Examiner scheduled for May 20, 2015.

Chapter 36.70B.170 of the Revised Code of Washington authorizes cities to enter into a written development agreement with a property owner. The City of Olympia's procedures for development agreements are contained in Chapter 18.53 of the Olympia Municipal Code (OMC).

Following is a brief summary of those procedures as they relate to the development agreement with Golden Alon:

- The City Council is the authority to make a final decision on a development agreement.
- The City Council must hold a public hearing on the development agreement. Notice was provided for tonight's hearing consistent with the City's public notice requirements (OMC 18.78.040).
- A development agreement must be heard by the City Council prior to consideration of any related project application. Consideration of the Bayan Trails development will be conducted at a public hearing by the Olympia Hearing Examiner scheduled for May 20, 2015.
- A development agreement may address the development standards and other provisions that apply to the proposed development and vest to the development, the time frame of the agreement, and any mitigation measures to address potential impacts of the agreement. The attached development agreement would not change any existing city regulations as they would apply to the development, but would ensure that current regulations apply to all phases of the development. The agreement includes exceptions for future state or federal regulations that may supersede the city's authority, and for new regulations addressing threats to public health and safety. The term of the draft agreement is ten years, with an option for the developer to extend the term an additional five years upon providing evidence of substantial progress and commitment to construction of the development.
- Development agreements are recorded with Thurston County and remain in force and applicable to the property according to the terms of the agreement, even if the property is sold or transferred to another party.

**Neighborhood/Community Interests (if known):**

There is significant interest from neighboring property owners in the Bayan Trails development proposal.

**Options:**

Following the close of the public hearing:

1. Approve the attached resolution approving the development agreement.
2. Do not approve the resolution.
3. Continue consideration of the resolution until the Council's May 19 meeting. (Note: Currently, the Hearing Examiner's public hearing regarding the land use approval of the Bayan Trails development is scheduled for May 20.)

**Financial Impact:**

None. Projected fees for the city's plan review and infrastructure to the proposed development are not affected by the development agreement.