

## Steve Friddle

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**From:** Simon Gorbaty <simongorbaty@gmail.com>  
**Sent:** Friday, March 14, 2014 2:07 PM  
**To:** Steve Friddle  
**Subject:** Re: Meetings

Thanks, I'll talk with the collective and I'll let you know what our next steps are in the near future.

On Thu, Mar 13, 2014 at 9:42 AM, Steve Friddle <[sfriddle@ci.olympia.wa.us](mailto:sfriddle@ci.olympia.wa.us)> wrote:

Simon,

Sorry, I know it is New Moon (not Blue Moon). Arghh.

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**From:** Steve Friddle [<mailto:sfriddle@ci.olympia.wa.us>]  
**Sent:** Thursday, March 13, 2014 8:59 AM  
**To:** Simon Gorbaty  
**Cc:** Keith Stahley; Leonard Bauer; Brian Wilson; Connie Lorenz; [riles9@comcast.net](mailto:riles9@comcast.net); Andrew Clapham  
**Subject:** Meetings

Good morning Simon,

It was great to finally meet you at Thursday's informational meeting and begin to discuss the Columbia Heights project. It was also so very helpful to learn about the Blue Moon and the specific concerns. As expressed and offered at the meeting by David Sharer Water, I too hope that you and the members of the cooperative are interested and available to meet with the property owner, his representatives, other area businesses, city officials and others who are very interested in ongoing success of the Blue Moon. With that in mind, in addition to David's offer:

- I understand that you met yesterday with Andrew Clapham with the Project Construction Management team and he has offered to talk with all 15 members of the cooperative. If there is anything I can do to assist in those conversations – please let me know.
- I also know that Connie Lorenz with the ODA has reached out to assist. They have extensive knowledge base addressing how to deal with several other large downtown construction projects ranging from multi-year rebuilding the 4<sup>th</sup> Avenue Bridge to the recent impacts remodeling of the Washington Center;

- I have also encouraged Brian Wilson, our liaison with downtown businesses and organizations, to coordinate a meeting with you along with Nate Reilly, with Darby's to discuss Nate's recent experience with the Washington Center Remodel.

As other connection opportunities arise I will be happy to do assist in making the connections.

**Steve Friddle | Principal Planner**

City of Olympia WA | POB 1967 | Olympia WA 98507-1967

New City Hall Offices Located: 601 - 4th Avenue E

Phone: [\(360\) 753-8591](tel:3607538591)

Email: [sfriddle@ci.olympia.wa.us](mailto:sfriddle@ci.olympia.wa.us)

Visit City of Olympia Website: [www.olympiawa.gov](http://www.olympiawa.gov)

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All correspondence to and from this email address is a public record, potentially eligible for release.

**Steve Friddle**

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**From:** Keith Stahley  
**Sent:** Friday, March 14, 2014 10:27 AM  
**To:** Steve Friddle  
**Cc:** Leonard Bauer  
**Subject:** FW: Columbia Heights project

And one more.

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**From:** CityCouncil  
**Sent:** Friday, March 14, 2014 10:07 AM  
**To:** 'Michael Fernandez'  
**Cc:** Councilmembers; Steve Hall; Jay Burney; Keith Stahley  
**Subject:** RE: Columbia Heights project

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

**Mary Nolan**  
Executive Secretary  
City of Olympia  
PO Box 1967  
Olympia WA 98507  
360-753-8244

Please note all emails may be considered as public records.

**From:** Michael Fernandez [<mailto:pandascoffee@gmail.com>]  
**Sent:** Friday, March 14, 2014 9:53 AM  
**To:** CityCouncil  
**Subject:** Columbia Heights project

We've waited too long for a project like this in the heart of downtown. The proposed Columbia Heights project will improve the character of downtown and increase the population in the core of our city.

I hope that we properly mitigate for impacts during construction to nearby businesses, but this shouldn't be a reason to stop or delay this much need project.

Thanks for your service,  
Emmett O'Connell

--

Michael (Panda) Fernandez



**Steve Friddle**

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**From:** Keith Stahley  
**Sent:** Friday, March 14, 2014 9:45 AM  
**To:** Steve Friddle; Leonard Bauer  
**Subject:** FW: Columbia Heights project

FYI:

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**From:** CityCouncil  
**Sent:** Friday, March 14, 2014 9:29 AM  
**To:** 'Mathias Eichler'  
**Cc:** Councilmembers; Steve Hall; Jay Burney; Keith Stahley  
**Subject:** RE: Columbia Heights project

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

**Mary Nolan**  
Executive Secretary  
City of Olympia  
PO Box 1967  
Olympia WA 98507  
360-753-8244

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**From:** Mathias Eichler [<mailto:mathias@einmaleins.co>]  
**Sent:** Friday, March 14, 2014 9:27 AM  
**To:** CityCouncil  
**Subject:** Columbia Heights project

We've waited too long for a project like this in the heart of downtown. The proposed Columbia Heights project will improve the character of downtown and increase the population in the core of our city.

I hope that we properly mitigate for impacts during construction to nearby businesses, but this shouldn't be a reason to stop or delay this much need project.

Thanks for your service,

**Mathias Eichler**  
**EINMALEINS**  
[@einmaleins](mailto:@einmaleins)



**Steve Friddle**

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**From:** Keith Stahley  
**Sent:** Friday, March 14, 2014 9:45 AM  
**To:** Steve Friddle  
**Cc:** Leonard Bauer  
**Subject:** FW: Downtown Olympia

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**From:** CityCouncil  
**Sent:** Friday, March 14, 2014 9:29 AM  
**To:** 'Seth Winterhalter'  
**Cc:** Councilmembers; Steve Hall; Jay Burney; Keith Stahley  
**Subject:** RE: Downtown Olympia

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Mary Nolan  
Executive Secretary  
City of Olympia  
PO Box 1967  
Olympia WA 98507  
360-753-8244

Please note all emails may be considered as public records.

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**From:** Seth Winterhalter [<mailto:sethwinterhalter@me.com>]  
**Sent:** Friday, March 14, 2014 9:25 AM  
**To:** CityCouncil  
**Subject:** Downtown Olympia

City Council Members,

I'm writing as a concerned resident of our beautiful city that believes our city is slowly decaying away due to lack of a vision and momentum regarding development. The proposed Columbia Heights project is an opportunity to build momentum and will improve the character of downtown and increase the population in the core of our city.

I hope that we properly mitigate for impacts during construction to nearby businesses, but this shouldn't be a reason to stop or delay this much need project. Not moving forward with projects like this will be the final dagger in the heart of our city and we will continue to see business after business either fail or pack up and leave. We cannot let Lacey become the epicenter of the South Sound. We are Olympia!

Thank you for serving the legacy we are leaving,

**Seth Winterhalter**

e-mail: [sethwinterhalter@me.com](mailto:sethwinterhalter@me.com)

Phone: 360-528-9763

Twitter: [@swinterhalter](https://twitter.com/swinterhalter)

[www.sethwinterhalter.com](http://www.sethwinterhalter.com)



**Steve Friddle**

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**From:** Keith Stahley  
**Sent:** Friday, March 14, 2014 9:46 AM  
**To:** Steve Friddle  
**Cc:** Leonard Bauer  
**Subject:** FW: I support the Columbia Heights project

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**From:** CityCouncil  
**Sent:** Friday, March 14, 2014 9:23 AM  
**To:** 'Emmett O'Connell'  
**Cc:** Councilmembers; Steve Hall; Jay Burney; Keith Stahley  
**Subject:** RE: I support the Columbia Heights project

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

**Mary Nolan**  
Executive Secretary  
City of Olympia  
PO Box 1967  
Olympia WA 98507  
360-753-8244

Please note all emails may be considered as public records.

**From:** Emmett O'Connell [<mailto:emmettoconnell@gmail.com>]  
**Sent:** Friday, March 14, 2014 8:55 AM  
**To:** CityCouncil  
**Subject:** I support the Columbia Heights project

We've waited too long for a project like this in the heart of downtown. The proposed Columbia Heights project will improve the character of downtown and increase the population in the core of our city.

I hope that we properly mitigate for impacts during construction to nearby businesses, but this shouldn't be a reason to stop or delay this much need project.

Thanks for your service,  
Emmett O'Connell

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[twitter.com/emmettoconnell](https://twitter.com/emmettoconnell)  
[olywa.blogspot.com](http://olywa.blogspot.com)



**Steve Friddle**

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**From:** Duane And Jenny Edwards <dj80.edwards@comcast.net>  
**Sent:** Monday, March 10, 2014 7:51 PM  
**To:** Steve Friddle  
**Subject:** Email address correction

Hi Steve,  
The email address to me had the first two letters switched so I did not get this thread until Tom Carver sent this email.  
Just FYI

Duane Edwards

Sent from my iPhone



**Steve Friddle**

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**From:** Michelle Sadlier  
**Sent:** Monday, March 10, 2014 8:49 AM  
**To:** Deborah  
**Subject:** RE: [BULK] RE: March 13th Design Review: #14-0015

Wow, Deb. I imagine he must've accessed the public rosters for citizen advisory committees to send his comments. Since you are not on the Joint Design Review Board, I would just set this aside/delete it. Hopefully these kinds of comments won't come to you too often.

I hope you had a great weekend. It was nice to see you on Wednesday!

Michelle

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**From:** Deborah [mailto:nrgdeb@msn.com]  
**Sent:** Sunday, March 09, 2014 7:21 PM  
**To:** Michelle Sadlier  
**Subject:** [BULK] RE: March 13th Design Review: #14-0015  
**Importance:** Low

What should we do with this? I'm afraid it's going to generate all kinds of "reply alls", etc. Should I delete? I am kind of freaked out at Dan's getting our private email addresses and using them this way.

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Date: Sun, 9 Mar 2014 17:12:14 -0700  
From: [danleahy43@yahoo.com](mailto:danleahy43@yahoo.com)  
Subject: March 13th Design Review: #14-0015  
To: [newmann45@msn.com](mailto:newmann45@msn.com); [nicholas.van@gmail.com](mailto:nicholas.van@gmail.com); [marycoacher@yahoo.com](mailto:marycoacher@yahoo.com); [markrentfrow@gmail.com](mailto:markrentfrow@gmail.com); [fifthcreekluke@yahoo.com](mailto:fifthcreekluke@yahoo.com); [hollygdavis@hotmail.com](mailto:hollygdavis@hotmail.com); [garnerm@msgarch.com](mailto:garnerm@msgarch.com); [dharkne@ga.wa.gov](mailto:dharkne@ga.wa.gov); [nrgdeb@msn.com](mailto:nrgdeb@msn.com); [ben.helle@gmail.com](mailto:ben.helle@gmail.com)  
CC: [thomas.carver@comcast.net](mailto:thomas.carver@comcast.net); [robertshirleyattorney@hotmail.com](mailto:robertshirleyattorney@hotmail.com)

Thomas Carver  
To Robert ShirleyMeJane Laclergue  
Today at 4:36 PM  
Mr. Shirley and Mr. Leahy,

Thank you for your messages. I have forwarded them and the attachments to Catherine McCoy and Steve Friddle at the city. As project #14-0015 is to be reviewed by a Joint Review Committee, this correspondence also needs to be shared with pertaining members of the Olympia Heritage Commission.

-Tom

**From:** [Robert Shirley](mailto:RobertShirley)  
**Date:** Sunday, March 09, 2014 4:22 PM  
**To:** [Dan Leahy](mailto:DanLeahy) ; [sierra.hiker@gmail.com](mailto:sierra.hiker@gmail.com) ; [david@davidgoularte.com](mailto:david@davidgoularte.com) ; [jd80.edwards@comcast.net](mailto:jd80.edwards@comcast.net) ; [Jamie Heinricher](mailto:JamieHeinricher) ; [jlaclergue@comcast.net](mailto:jlaclergue@comcast.net) ; [josephslavalle43@gmail.com](mailto:josephslavalle43@gmail.com) ; [rfindlay@iastate.edu](mailto:rfindlay@iastate.edu) ; [thomas.carver@comcast.net](mailto:thomas.carver@comcast.net)  
**Subject:** RE: March 13th Design Review: #14-0015

Dan -

I looked at the case law on this and there is a very recent decision, August 2013. It says that a notice with the wrong address is improper notice and sufficient grounds for the Superior Court to remand to the City to restart the process. Pasted below are the relevant paragraphs. Observe in the paragraphs below that noticing a location that is close but not exact will not do. Above is the .pdf of the entire decision.

If DRB holds meeting pursuant to improper notice, and if DRB review is required before the City can take a final land use action, then I predict there is a very good chance DRB will have to repeat the process if a notice with the correct address is not issued.

I also found that Columbia Heights LLC is inactive. It took about 30 seconds to determine that. A company not current in its registration should not be doing business in Washington. And a City would be unwise to do business with an unregistered LLC.

I feel like you and I are doing the basic work that should be done before any application is noticed and set for hearing. Sheesh--what are my tax dollars for?

Judy Bardin is courageous. It is sad that open government requires courage.

I am sending this to people on the original email. I think that makes this email, like yours, official public comment in File 14-0015.

Bob

¶ 24 Here, the proposed airstrip is not adjacent to a road; however, the two nearest roads are Spokane–Cheney, a paved, thoroughfare in the area; and Jensen, a dirt road that leads to a long driveway that services Dennis E. and Dawna Reed's property. SCC 13.700.106(2)(b) states that notice must be posted " along the most heavily traveled street." We give effect to a statute's plain meaning. *Dep't of Ecology v. Campbell & Gwinn, LLC*, 146 Wash.2d 1, 9–10, **43 P.3d 4**(2002). The plain meaning of most heavily traveled would be a paved, thoroughfare instead of a dirt road leading to a private residence. Moreover, SCC 13.700.106(2)(a) and (c) requires neighbors to receive written notice and the public to receive notice via the newspaper. Both of these methods of notice erroneously state that the

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site is located " north and west of Jensen Road." B.R. at 205–06. The site is actually north and west of Cheney–Spokane Road.

¶ 25 While the hearing examiner ruled the notice requirements were met because nothing indicated neighboring property owners were confused or did not receive notice, it is

difficult to measure the impact the faulty notice had on concerned individuals. In other words, it is difficult to prove a negative. " One purpose of specific statutory requirements for **public notice** of an impending **land use** decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision." *Prekeges v. King County*, **98 Wash.App. 275**, 281, **990 P.2d 405** (1999). The defective notice undermines the information-gathering process.

¶ 26 By comparison, in *Stritzel v. Smith*, **20 Wash.App. 218**, 220–21, **579 P.2d 404** (1978), a landowner brought an action to reclaim land that had been sold at a tax sale. The court ordered the tax foreclosure deeds set aside because there had been only 9 days' posting of **public notice** of the tax sale, not 10 days as required by the tax sale statute. The court held in *Stritzel* that strict compliance with the posting requirement was necessary to protect the landowner's interest in having as many bidders at the sale as possible, and to guarantee him a fixed number of days to redeem the property before the sale. *Stritzel*, 20 Wash.App. at 221, **579 P.2d 404**.

¶ 27 A neighboring landowner should be afforded a fair opportunity to be heard. See *Gardner v. Pierce County Board of Commissioners*, **27 Wash.App. 241**, 243–44, **617 P.2d 743** (1980) (court tolled the time period to appeal a **land use** decision when the lack of **public notice** deprived a neighboring landowner of a fair opportunity to be heard). Even applying the lesser standard of substantial compliance, " [t]he key to achieving substantial compliance with a procedural statute is the satisfaction of the substance essential to the purpose of the statute." *Prekeges*, 98 Wash.App. at 280, **990 P.2d 405**.

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Posting a sign contrary to the municipalities' placement requirement and to provide notice with the wrong property description is not within the substantial compliance standard.

¶ 28 In sum, because the notice sign was not posted near the required street and notice did not contain the correct property description, as required by the clear language of SCC 13.70.104(5) and SCC 13.700.106(2)(b), the trial court did not err in remanding the matter to the hearing examiner.

Date: Sun, 9 Mar 2014 15:27:23 -0700

From: [danleahy43@yahoo.com](mailto:danleahy43@yahoo.com)

Subject: March 13th Design Review: #14-0015

To: [sierra.hiker@gmail.com](mailto:sierra.hiker@gmail.com); [david@davidgoularte.com](mailto:david@davidgoularte.com); [jd80.edwards@comcast.net](mailto:jd80.edwards@comcast.net);  
[jamiheinricher@gmail.com](mailto:jamiheinricher@gmail.com); [jlaclerque@comcast.net](mailto:jlaclerque@comcast.net); [josephslavalle43@gmail.com](mailto:josephslavalle43@gmail.com); [rfindlay@iastate.edu](mailto:rfindlay@iastate.edu);  
[thomas.carver@comcast.net](mailto:thomas.carver@comcast.net)

Dear Chairman Carver and Board members,

I hope that you will reject present consideration of this project and return Steve Friddle's "Staff Report" of March 13th addressed to your Board.

The Notice of Land Use Application with regard to this project was deeply flawed and, if allowed to stand, makes a mockery of the need for informed public comment prior to the City's decision-making process. (Letter below)

The Olympia Planning Commission (OPC) and its assigned staff have just degraded the whole notion of public comment by holding private, off the record meetings with local developer Jim Morris on a rezoning issue. This has come to light due to a courageous and articulate memo by OPC member, Judy Bardin, dated March 8, 2014.

I hope that your Board will place a higher value on the practice of public comment than the OPC and reject Mr. Friddle's proposal until a legitimate public comment period has been concluded with regard to project #14-0015.

Sincerely,

Dan Leahy  
1415 6th Avenue SW  
Olympia, WA. 98502

March 7, 2014

Steve Friddle, Principal Planner  
Community Planning & Development  
City of Olympia  
Olympia, Washington

Dear Steve:

I am writing about your Notice of Land Use Application dated February 18, 2014 with regard to project number 14-0015.

I would like to be designated as a "party" to this project with all rights of appeal to the City's Hearing Examiner (HEX) and receive all future City of Olympia notices with regard to this proposed project.

This above referenced Notice issued by your office has a number of serious flaws and mistakes that have made it impossible for me to understand what is being proposed, where and by whom. These flaws and mistakes make this Notice invalid as a public notice requesting comment. A new and corrected notice should be re-issued and all listed hearings be rescheduled.



Your memo, dated March 13, 2014, to the Design Review Board should, of course, be withdrawn and corrected and the Board re-convened at the end the new public comment period.

Here are the mistakes I noticed:

You list the project address as "123 4<sup>th</sup> Avenue East". To the best of my knowledge there is no such address. This address is not listed in the data base of the Thurston County Assessor's Office.

If there were such an address, it would be exactly south of the Cafe Vita which is at 124 4<sup>th</sup> Avenue East. This area is a parking lot and could be a site for such a project.

However, your notice contains a drawing of a proposed building at the corner of Columbia and 5<sup>th</sup> Avenue approximately two blocks west of what could be "123 4<sup>th</sup> Avenue East."

You list the Applicant as "Columbia Heights, LLC". This corporate entity, associated with a Judith Colpitts Nielsen, is listed as "inactive" by the Washington State Secretary of State's office.

Please correct and re-issue your Notice of Land Use Application related to this project.

Sincerely,

Dan Leahy  
1415 6<sup>th</sup> Avenue SW  
Olympia, Washington 98502

cc: Steve Hall, City Manager  
Steven Buxbaum, Mayor and City Council Members  
City of Olympia Hearing Examiner  
Design Review B



**Steve Friddle**

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**From:** Thomas Carver <thomas.carver@comcast.net>  
**Sent:** Monday, March 10, 2014 7:31 PM  
**To:** Steve Friddle; Jami Heinricher; jlaclergue@comcast.net; sierra.hiker@gmx.com; david@davidgoularte.com; Duane Edwards; josephlavalley43@gmail.com; rfindlay@iastate.edu; Angela Rush  
**Cc:** Keith Stahley; Leonard Bauer; Darren Nienaber; Catherine McCoy; danleahy43@yahoo.com; robertshirleyattorney@hotmail.com; Cari Hornbein  
**Subject:** Re: emails

Steve, thank you for the reminders. Will this Joint Review Cmte project on March 27th still be on for 6:00 p.m., or is it 6:30 p.m.?

Catherine & Cari, does the full DRB board still have one project scheduled for March 13th at 6:30 p.m.?

-Tom

**From:** [Steve Friddle](#)  
**Date:** Monday, March 10, 2014 3:27 PM  
**To:** [Jami Heinricher](#) ; [jlaclergue@comcast.net](#) ; [thomas.carver@comcast.net](#) ; [sierra.hiker@gmx.com](#) ; <mailto:david@davidgoularte.com> ; [jd80.edwards@comcast.net](#) ; [josephlavalley43@gmail.com](#) ; [rfindlay@iastate.edu](#) ; [thomas.carver@comcast.net](#)  
**Cc:** [Keith Stahley](#) ; [Leonard Bauer](#) ; [Darren Nienaber](#) ; [Catherine McCoy](#) ; <mailto:danleahy43@yahoo.com> ; [robertshirleyattorney@hotmail.com](mailto:robertshirleyattorney@hotmail.com)  
**Subject:** FW: emails

Good Afternoon Joint Design Review Board.

Staff is aware that some or all of you are receiving emails concerning a project that was scheduled on your March 13 Agenda called Columbia Heights (File No.: 14-0015). As a result of these emails, that your review and recommendation is quasi-judicial and this event presents an opportunity to remind members of past training concerning "ex-parte communications" I wanted to take this opportunity to:

1. Confirm that the March 13 Columbia Heights meeting has been rescheduled to March 27;
2. Encourage that you "Do not reply" or forward your emails to others with or without comment.
3. Encourage that you do forward your emails and any other written comments directly to staff. Staff will collect and attach all comments to the staff report to be made part of the "record" for the DRB to review. Members of the public would have an opportunity to review those emails or any other correspondence.
4. Avoid conversations on the proposal.
5. Reminder, per the Board's standard protocol, members will need to acknowledge all communications at the beginning of the agenda item on March 27.

If you have any questions, please reply to me (not reply all) and I will respond appropriately.

Thank you!

**Steve Friddle | Principal Planner**

City of Olympia WA | POB 1967 | Olympia WA 98507-1967

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Phone: (360) 753-8591

Email: [sfriddle@ci.olympia.wa.us](mailto:sfriddle@ci.olympia.wa.us)

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All correspondence to and from this email address is a public record, potentially eligible for release.

**Steve Friddle**

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**From:** jlaclergue@comcast.net  
**Sent:** Monday, March 10, 2014 7:17 PM  
**To:** Steve Friddle  
**Subject:** Re: emails

Thank you for the clarification. FYI--I didn't respond to emails sent to me as I thought they were most inappropriate coming directly to me.

On a different note--What time will DRB meet on March 13 as first case is being delayed?

Jane Laclergue

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**From:** [jlaclergue@comcast.net](mailto:jlaclergue@comcast.net)  
**To:** [sfriddle@ci.olympia.wa.us](mailto:sfriddle@ci.olympia.wa.us)  
**Cc:** "thomas carver" <[thomas.carver@comcast.net](mailto:thomas.carver@comcast.net)>  
**Sent:** Sunday, March 9, 2014 7:29:02 PM  
**Subject:** emails

Hi Steve,

Should DRB be getting emails from anyone regarding the project. My understanding is that we should not discuss projects ahead of time either with the public or the board. Somehow getting emails from the public which have not gone through staff and made a part of the staff report doesn't seem quite correct.

Jane Laclergue



**Steve Friddle**

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**From:** Thomas Carver <thomas.carver@comcast.net>  
**Sent:** Sunday, March 09, 2014 4:29 PM  
**To:** Catherine McCoy; Steve Friddle  
**Subject:** Fw: March 13th Design Review: #14-0015  
**Attachments:** Prosser Hill v County of Spokane 176 WnApp 280.pdf; Comments on File 14-0210 - Bardin.pdf; File 14-0210 Comments of B Shirley 3-9-2014.pdf

Please find forwarded here 2 of 2 emails I received today in regards to project #14-0015.  
-Tom

**From:** [Robert Shirley](#)  
**Date:** Sunday, March 09, 2014 4:22 PM  
**To:** [Dan Leahy](#) ; [sierra.hiker@gmail.com](mailto:sierra.hiker@gmail.com) ; [david@davidgoularte.com](mailto:david@davidgoularte.com) ; [jd80.edwards@comcast.net](mailto:jd80.edwards@comcast.net) ; [Jamie Heinricher](#) ; [jlaclerque@comcast.net](mailto:jlaclerque@comcast.net) ; [josephslavalle43@gmail.com](mailto:josephslavalle43@gmail.com) ; [rfindlay@iastate.edu](mailto:rfindlay@iastate.edu) ; [thomas.carver@comcast.net](mailto:thomas.carver@comcast.net)  
**Subject:** RE: March 13th Design Review: #14-0015

Dan -

I looked at the case law on this and there is a very recent decision, August 2013. It says that a notice with the wrong address is improper notice and sufficient grounds for the Superior Court to remand to the City to restart the process. Pasted below are the relevant paragraphs. Observe in the paragraphs below that noticing a location that is close but not exact will not do. Above is the .pdf of the entire decision.

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Judy Bardin is courageous. It is sad that open government requires courage.

I am sending this to people on the original email. I think that makes this email, like yours, official public comment in File 14-0015.

Bob

¶ 24 Here, the proposed airstrip is not adjacent to a road; however, the two nearest roads are Spokane-Cheney, a paved, thoroughfare in the area; and Jensen, a dirt road that leads to a long driveway that services Dennis E. and Dawna Reed's property. SCC 13.700.106(2)(b)

states that notice must be posted " along the most heavily traveled street." We give effect to a statute's plain meaning. *Dep't of Ecology v. Campbell & Gwinn, LLC*, 146 Wash.2d 1, 9–10, **43 P.3d 4**(2002). The plain meaning of most heavily traveled would be a paved, thoroughfare instead of a dirt road leading to a private residence. Moreover, SCC 13.700.106(2)(a) and (c) requires neighbors to receive written notice and the public to receive notice via the newspaper. Both of these methods of notice erroneously state that the

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site is located " north and west of Jensen Road." B.R. at 205–06. The site is actually north and west of Cheney–Spokane Road.

¶ 25 While the hearing examiner ruled the notice requirements were met because nothing indicated neighboring property owners were confused or did not receive notice, it is difficult to measure the impact the faulty notice had on concerned individuals. In other words, it is difficult to prove a negative. " One purpose of specific statutory requirements for **public notice** of an impending **land use** decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision." *Prekeges v. King County*, **98 Wash.App. 275**, 281, **990 P.2d 405** (1999). The defective notice undermines the information–gathering process.

¶ 26 By comparison, in *Stritzel v. Smith*, **20 Wash.App. 218**, 220–21, **579 P.2d 404** (1978), a landowner brought an action to reclaim land that had been sold at a tax sale. The court ordered the tax foreclosure deeds set aside because there had been only 9 days' posting of **public notice** of the tax sale, not 10 days as required by the tax sale statute. The court held in *Stritzel* that strict compliance with the posting requirement was necessary to protect the landowner's interest in having as many bidders at the sale as possible, and to guarantee him a fixed number of days to redeem the property before the sale. *Stritzel*, 20 Wash.App. at 221, **579 P.2d 404**.

¶ 27 A neighboring landowner should be afforded a fair opportunity to be heard. See *Gardner v. Pierce County Board of Commissioners*, **27 Wash.App. 241**, 243–44, **617 P.2d 743** (1980) (court tolled the time period to appeal a **land use** decision when the lack of **public notice** deprived a neighboring landowner of a fair opportunity to be heard). Even applying the lesser standard of substantial compliance, " [t]he key to achieving substantial compliance with a procedural statute is the satisfaction of the substance essential to the purpose of the statute." *Prekeges*, 98 Wash.App. at 280, **990 P.2d 405**.



Posting a sign contrary to the municipalities' placement requirement and to provide notice with the wrong property description is not within the substantial compliance standard.

¶ 28 In sum, because the notice sign was not posted near the required street and notice did not contain the correct property description, as required by the clear language of SCC 13.70.104(5) and SCC 13.700.106(2)(b), the trial court did not err in remanding the matter to the hearing examiner.

---

Date: Sun, 9 Mar 2014 15:27:23 -0700

From: danleahy43@yahoo.com

Subject: March 13th Design Review: #14-0015

To: sierra.hiker@gmail.com; david@davidgoularte.com; jd80.edwards@comcast.net;

jamiheinricher@gmail.com; jlaclerque@comcast.net; josephslavalle43@gmail.com; rfindlay@iastate.edu; thomas.carver@comcast.net

Dear Chairman Carver and Board members,

I hope that you will reject present consideration of this project and return Steve Friddle's "Staff Report " of March 13th addressed to your Board.

The Notice of Land Use Application with regard to this project was deeply flawed and, if allowed to stand, makes a mockery of the need for informed public comment prior to the City's decision-making process. (Letter below)

The Olympia Planning Commission (OPC) and its assigned staff have just degraded the whole notion of public comment by holding private, off the record meetings with local developer Jim Morris on a rezoning issue. This has come to light due to a courageous and articulate memo by OPC member, Judy Bardin, dated March 8, 2014.

I hope that your Board will place a higher value on the practice of public comment than the OPC and reject Mr. Friddle's proposal until a legitimate public comment period has been concluded with regard to project #14-0015.

Sincerely,

Dan Leahy  
1415 6th Avenue SW  
Olympia, WA. 98502

March 7, 2014

Steve Friddle, Principal Planner

Community Planning & Development  
City of Olympia  
Olympia, Washington

Dear Steve:

I am writing about your Notice of Land Use Application dated February 18, 2014 with regard to project number 14-0015.

I would like to be designated as a “party” to this project with all rights of appeal to the City's Hearing Examiner (HEX) and receive all future City of Olympia notices with regard to this proposed project.

This above referenced Notice issued by your office has a number of serious flaws and mistakes that have made it impossible for me to understand what is being proposed, where and by whom. These flaws and mistakes make this Notice invalid as a public notice requesting comment. A new and corrected notice should be re-issued and all listed hearings be rescheduled.

Your memo, dated March 13, 2014, to the Design Review Board should, of course, be withdrawn and corrected and the Board re-convened at the end the new public comment period.

Here are the mistakes I noticed:

You list the project address as “123 4<sup>th</sup> Avenue East”. To the best of my knowledge there is no such address. This address is not listed in the data base of the Thurston County Assessor's Office.

If there were such an address, it would be exactly south of the Cafe Vita which is at 124 4<sup>th</sup> Avenue East. This area is a parking lot and could be a site for such a project.

However, your notice contains a drawing of a proposed building at the corner of Columbia and 5<sup>th</sup> Avenue approximately two blocks west of what could be “123 4<sup>th</sup> Avenue East.”

You list the Applicant as “Columbia Heights, LLC”. This corporate entity, associated with a Judith Colpitts Nielsen, is listed as “inactive” by the Washington State Secretary of State's office.

Please correct and re-issue your Notice of Land Use Application related to this project.

Sincerely,

Dan Leahy  
1415 6<sup>th</sup> Avenue SW  
Olympia, Washington 98502

cc: Steve Hall, City Manager  
Steven Buxbaum, Mayor and City Council Members  
City of Olympia Hearing Examiner  
Design Review B

**Steve Friddle**

---

**From:** Thomas Carver <thomas.carver@comcast.net>  
**Sent:** Sunday, March 09, 2014 4:29 PM  
**To:** Catherine McCoy; Steve Friddle  
**Subject:** Fw: March 13th Design Review: #14-0015

Please find forwarded here 1 of 2 emails I received today in regards to project #14-0015.  
-Tom

**From:** [Dan Leahy](#)  
**Date:** Sunday, March 09, 2014 3:27 PM  
**To:** [sierra.hiker@gmail.com](mailto:sierra.hiker@gmail.com) ; [david@davidgoularte.com](mailto:david@davidgoularte.com) ; [jd80.edwards@comcast.net](mailto:jd80.edwards@comcast.net) ; [Jamie Heinricher](#) ; [jlaclerque@comcast.net](mailto:jlaclerque@comcast.net) ; [josephslavalle43@gmail.com](mailto:josephslavalle43@gmail.com) ; [rfindlay@iastate.edu](mailto:rfindlay@iastate.edu) ; [thomas.carver@comcast.net](mailto:thomas.carver@comcast.net)  
**Subject:** March 13th Design Review: #14-0015

Dear Chairman Carver and Board members,

I hope that you will reject present consideration of this project and return Steve Friddle's "Staff Report " of March 13th addressed to your Board.

The Notice of Land Use Application with regard to this project was deeply flawed and, if allowed to stand, makes a mockery of the need for informed public comment prior to the City's decision-making process. (Letter below)

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I hope that your Board will place a higher value on the practice of public comment than the OPC and reject Mr. Friddle's proposal until a legitimate public comment period has been concluded with regard to project #14-0015.

Sincerely,

Dan Leahy  
1415 6th Avenue SW  
Olympia, WA. 98502

March 7, 2014

Steve Friddle, Principal Planner  
Community Planning & Development  
City of Olympia  
Olympia, Washington

Dear Steve:

I am writing about your Notice of Land Use Application dated February 18, 2014 with regard to project number 14-0015.

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However, your notice contains a drawing of a proposed building at the corner of Columbia and 5<sup>th</sup> Avenue approximately two blocks west of what could be “123 4<sup>th</sup> Avenue East.”

You list the Applicant as “Columbia Heights, LLC”. This corporate entity, associated with a Judith Colpitts Nielsen, is listed as “inactive” by the Washington State Secretary of State's office.

Please correct and re-issue your Notice of Land Use Application related to this project.

Sincerely,

Dan Leahy  
1415 6<sup>th</sup> Avenue SW  
Olympia, Washington 98502

cc: Steve Hall, City Manager  
Steven Buxbaum, Mayor and City Council Members  
City of Olympia Hearing Examiner  
Design Review B

**Steve Friddle**

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**From:** Sky Myers <svdervish@gmail.com>  
**Sent:** Saturday, March 08, 2014 2:40 PM  
**To:** Steve Friddle  
**Subject:** Columbia Heights

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello.

I was excited to hear about the proposed Columbia Heights mixed use housing project for downtown Olympia. I think having more people living downtown is good for downtown. I am wondering, however who Columbia Heights LLC is, and whether there will be a presentation or opportunity to meet the group publicly. I think it is important for the public to have an opportunity to hear what is intended for this project. What kind of apartments? a what prices? What is their vision for the retail spaces? Will the garage be for public or only resident use? How will they create relationships with their neighbors during the construction phase?

Please let me know if a public Q&A will be offered.

Sincerely,

Sky Myers



**Steve Friddle**

---

**From:** Kristy Keeley <keeleykristy@gmail.com>  
**Sent:** Friday, March 07, 2014 5:06 PM  
**To:** Steve Friddle  
**Subject:** Columbia Height Building Proposal

I have concerns about the accessibility of information about this proposal and the lack of public comment. I believe that this project originally started 2002, and though that has been stated as a point of accessibility, it does not address that there may be different groups of people who will be directly affected by this project than there was in 2002, who may not even know of this proposal. I believe that the only people have been directly notified are the property owners themselves. This ignores the fact that the impacts to the many business and residents in the surrounding area would be large enough that notification would be polite if not necessary. The other problem with the use of the statement that this project has been under way for many years is a lack of information, and blatant examples that some things have been copy pasted from 2008 such as the company name, as to whether or not the new building plans fit with the new codes and regulations of Olympia that may have changed since 2008 including such things as storm water regulations. Do we have current information about the environmental, traffic, and social impacts? Does this fit into the city's plans for downtown Olympia, especially if that plan hasn't even been finished? This project, though it has been in the works previously, is a new project with new impacts than when it was originally proposed. We have not been given enough time to process all of these impacts and implications .

Kristy





**Steve Friddle**

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**From:** Dan Leahy <danleahy43@yahoo.com>  
**Sent:** Friday, March 07, 2014 4:38 PM  
**To:** Steve Friddle  
**Cc:** Stephen Buxbaum; Nathaniel Jones; Stephen Langer; Jim Cooper; Julie Hankins; Jeannine Roe; Cheryl Selby  
**Subject:** Project # 14-0015: Proposed Apartment Building

March 7, 2014

Steve Friddle, Principal Planner  
Community Planning & Development  
City of Olympia  
Olympia, Washington

Dear Steve:

I am writing about your Notice of Land Use Application dated February 18, 2014 with regard to project number 14-0015.

I would like to be designated as a “party” to this project with all rights of appeal to the City's Hearing Examiner (HEX) and receive all future City of Olympia notices with regard to this proposed project.

This above referenced Notice issued by your office has a number of serious flaws and mistakes that have made it impossible for me to understand what is being proposed, where and by whom. These flaws and mistakes make this Notice invalid as a public notice requesting comment. A new and corrected notice should be re-issued and all listed hearings be rescheduled.

Your memo, dated March 13, 2014, to the Design Review Board should, of course, be withdrawn and corrected and the Board re-convened at the end the new public comment period.

Here are the mistakes I noticed:

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However, your notice contains a drawing of a proposed building at the corner of Columbia and 5<sup>th</sup> Avenue approximately two blocks west of what could be “123 4<sup>th</sup> Avenue East.”

You list the Applicant as “Columbia Heights, LLC”. This corporate entity, associated with a Judith Colpitts Nielsen, is listed as “inactive” by the Washington State Secretary of State's office.

Please correct and re-issue your Notice of Land Use Application related to this project.

Sincerely,

Dan Leahy  
1415 6<sup>th</sup> Avenue SW  
Olympia, Washington 98502

cc: Steve Hall, City Manager  
Steven Buxbaum, Mayor and City Council Members  
City of Olympia Hearing Examiner  
Design Review Board

**Steve Friddle**

---

**From:** Steve Friddle  
**Sent:** Friday, March 07, 2014 2:33 PM  
**To:** 'David Goldsmith'  
**Subject:** RE: 7 story, 138-unit building

Hi David,

Thank you for your comments. I will add your to our parties of record list.

**Steve Friddle | Principal Planner**

City of Olympia WA | POB 1967 | Olympia WA 98507-1967  
New City Hall Offices Located: 601 - 4th Avenue E  
Phone: (360) 753-8591  
Email: [sfriddle@ci.olympia.wa.us](mailto:sfriddle@ci.olympia.wa.us)  
Visit City of Olympia Website: [www.olympiawa.gov](http://www.olympiawa.gov)

Our Mission: Working Together to Make A Difference Connect With Us!

All correspondence to and from this email address is a public record, potentially eligible for release.

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**From:** CityCouncil  
**Sent:** Friday, March 07, 2014 2:00 PM  
**To:** 'David Goldsmith'  
**Cc:** Councilmembers; Steve Hall; Jay Burney; Steve Friddle  
**Subject:** RE: 7 story, 138-unit building

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

I have learned from Steve Friddle, the Principle Planner, that the comment period has been extended to March 28. I've attached a Notice that Mr. Friddle sent out regarding this issue.

**Mary Nolan**  
Executive Secretary  
City of Olympia  
PO Box 1967  
Olympia WA 98507  
360-753-8244

Please note all emails may be considered as public records.

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**From:** David Goldsmith [[mailto:d\\_l\\_goldsmith@yahoo.com](mailto:d_l_goldsmith@yahoo.com)]  
**Sent:** Friday, March 07, 2014 1:08 PM  
**To:** CityCouncil  
**Subject:** 7 story, 138-unit building

To City Council Members:

It has come to my attention that a public comment period for a proposed construction action at 123 4th ave E (sic) closes today at 5:00 pm, but that various procedural failures occurred in trying to properly notify the public and nearby businesses. I am concerned that if the Council does not restart the public comment solicitation and extend the deadline accordingly, it will be placing the City at risk of being sued over this. As a tax payer, I'd rather my tax dollars go to fixing mistakes and compliance with the law, rather than having to pay exorbitant legal fees to defend the City's mistakes in Court.

As to the issue itself of construction at that address: it would be foolhardy to permit any such that does not adequately address the likelihood that that area will be (perhaps only tidally) submerged in fifty years. Accordingly, any such permit should stipulate that no construction meant for occupation by either persons or property should be allowed below, say, 5 meters; in other words, IMO, any structure built there should be required to be built on stilts.

Thank you for your time and consideration.

Respectfully,

David Goldsmith  
3208 Meander Ln NW  
Olympia, WA 98502  
360-867-1729

**Steve Friddle**

---

**From:** cpdinfo  
**Sent:** Friday, March 07, 2014 2:01 PM  
**To:** Steve Friddle  
**Subject:** FW: Case #14-0015

**From:** Kerri Merrill [<mailto:kosmea@gmail.com>]  
**Sent:** Friday, March 07, 2014 1:53 PM  
**To:** cpdinfo  
**Subject:** Case #14-0015

Steve,

Please do not approve this proposed 7 story building in Downtown Olympia. This affects the feel and face of our downtown which is already struggling to preserve the small town, quint local business appeal. More traffic, more cars and large tall buildings blocking the sun and being completely out of context with our town. This will start a trend that will change who we are and why many people flee the big city to come here.

Thank you for your consideration  
Kerri Ward Merrill



**Steve Friddle**

---

**From:** David Scherer Water <david.scherer.water@gmail.com>  
**Sent:** Friday, March 07, 2014 10:45 AM  
**To:** Steve Friddle  
**Cc:** Anna Schlecht; Steve Hall; CityCouncil; Matthew Green; Meta; Olympia Power & Light  
**Subject:** [BULK] my thoughts on Columbia Heights

**Importance:** Low

Dear City of Olympia,

Less than four percent of Olympia's population lives downtown. This is the lowest this ratio has been in the City's history. A hundred years ago more than half the population of Olympia lived in downtown. Fifty years ago it was about ten percent. Today 96% of our population comes downtown to visit, to shop, to party and they leave. I believe this is the source of most if not all of the complaints commonly made about downtown. We need more people to live downtown. Downtown Olympia will be a better place for everyone when there are more people who go to sleep and wake up here, and downtown will be less reliant on paid staff and police.

I love the idea of big apartments going up in downtown Olympia, it represents less land that gets cleared for developments. As far as I'm concerned, you can wall off the waterfront. I could care less about blocking the view. I think the forested areas around Olympia are beautiful. By comparison, I think downtown Olympia is ugly and the perfect place for big buildings. Furthermore, if the Columbia Heights project caters to rich people, I say great, we could use some rich people, far as I can tell there aren't any living here now. So, bring them downtown, put some high-density McMansions downtown-- safely away from forested areas.

There's no question that the surrounding small businesses will suffer during the construction of the Columbia Heights project. I encourage all concerned shops, restaurants and property owners to reach out to Columbia Heights LLC. I suspect that they'll want to have good neighbors, that they'll want to avoid negative PR, that they'll want to get this building up without incident and are willing to help. Why? Because there's more profit in being good neighbors. That's just a fact. They're going to spend millions on putting this thing on the ground. They'll want a return on their investment. It won't cost them much to help ensure that their neighbors remain whole.

If I'm wrong about this last point, if they reject a request for help, then they don't know Olympia and this project will die from the negative PR like so many others have. But, if I'm right, everyone will come out of this ahead, including them.

I've lived on the corner of 5th and Washington for the last fourteen years. You can't be any more in the very core of downtown than when you're sitting in my kitchen. I've been looking out my window and talking to people who live in the downtown areas of similar sized cities. I've heard about what works and what doesn't. There's a consensus based on a simple thing that seems self-evident, but it has been tested and it has been proven successful by numerous urban planning studies. The best way to improve a downtown area is to get more people to live there. And, the best people are all people, a mix of rich and poor.

I support the Columbia Heights project.



Sincerely,  
David Scherer Water

David B. Scherer Water

PRESIDENT

The Flat Win Company  
Olympia, Washington

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(360) FLAT - WIN

[Flat Win on Facebook](#)



**Steve Friddle**

---

**From:** cpdinfo  
**Sent:** Friday, March 07, 2014 4:31 PM  
**To:** Steve Friddle  
**Subject:** FW: Public comment on Case # 14-0015 Attn: Steve Friddle, Principal planner

-----Original Message-----

From: victoria green [<mailto:victoriaigreen@yahoo.com>]  
Sent: Friday, March 07, 2014 4:17 PM  
To: cpdinfo  
Subject: Public comment on Case # 14-0015 Attn: Steve Friddle, Principal planner

Steve Friddle  
Principal Planner  
City of Olympia

Dear Mr. Friddle,

I am writing regarding my concerns about the approval of the proposed development at the location of the site between 4th and 5th Avenue and Columbia St. in downtown Olympia, otherwise known as Case #14-0015. Unfortunately I was unable to attend the public comment meeting last night due to my work schedule. I am very concerned about the impact that a seven story, 138 residential unit, with retail space and 121 parking stalls would have on the downtown community. I have lived in Olympia for more than 20 years and have been working downtown for the past 15 years at Radiance Herbs and Massage. I feel that more time is needed for the community at large to have a chance to respond to this request for development. The sign was only put up last week.

My main concern is the height limit for this building. It would dwarf the buildings around it and would block a lot of light. Why not 4 or 5 stories? Another major concern is the parking that it would displace. Parking is already such a huge issue for folks wanting to come downtown let alone those of us who work downtown. I hear complaints daily. We have had so many businesses go under during this economic downturn, most recently the beloved Wind Up Here toy store, that we cannot underestimate the role that parking downtown places on potential shoppers. I see that this building would supply parking but presumably that would be prioritized for the residents, shopkeepers, and the visitors of those occupying the building. As it is those I have to park at 9 hour meters or lease a spot, both of which are several blocks away. There aren't enough 9 hour meters especially when these are also used by downtown residents.

I support revitalizing downtown and adding more housing and businesses however the parking issue really needs to be addressed. The parking lot next to Olympia Federal Savings is one of the only places in the central core with 3 hour parking meters. It is also one of the few places where folks don't have to parallel park, which is an issue for many people. The fact that folks are always rushing and worrying about getting a parking ticket really impacts downtown businesses. When we have customers come for a 30 minute tub and a 90 minute massage or a 2 hour facial the 2 hour meters aren't enough time. I would also like to see the artful pines and other trees bordering this lot to be preserved and protected when this project moves forward. They are among the most beautiful trees downtown and they really add something priceless to the environment. I strongly urge you and the developers to give the community more time to respond to this request. After

all we are all in this together. We want to have a thriving, healthy, downtown core where folks want to come. Thank you.

Sincerely,

Victoria Green

# Neighborhood Meeting COMMENT SHEET

Columbia Heights  
123 4th Ave W

FN: 14-0015

Date: March 6, 2014

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
Dana Scott	Lily's What to Where Boutique	Ranchorelaxo13@ comcast.net	

COMMENTS:

Bring it on - Olympia downtown needs this  
HURRY!



# Neighborhood Meeting COMMENT SHEET

Attachment 7  
Columbia Heights  
123 4th Ave W

FN: 14-0015

Date: March 6, 2014

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
Clel Howard	n/a	clelhoward@gmail.com	

COMMENTS: confused about building giant condos when there are so many empty houses.  
also wondering why houseless people downtown are denied stable shelter while condos are built  
for people who may not even yet live here.





# Neighborhood Meeting COMMENT SHEET

Attachment 7  
Columbia Heights  
123 4th Ave W

FN: 14-0015

Date: March 6, 2014

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
JEFFERSON DOYLE	THE PEOPLES HOUSE	DOYLEJEFFERSON@GMAIL.COM	556-7416

COMMENTS:

WHAT ABOUT PROVIDING AFFORDABLE HOUSING IN DOWNTOWN?  
SEEMS AS THOUGH THIS PROPOSAL IS FOR "MARKET-RATE"  
APARTMENTS, ISNT THERE ENOUGH UNOCCUPIED "MARKET-RATE"  
HOUSING ALREADY?



# Neighborhood Meeting COMMENT SHEET

Attachment 7  
Columbia Heights  
123 4th Ave W

FN: 14-0015

Date: March 6, 2014

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
Jon Kempe		JonKempe@msn.com	

COMMENTS:

Entirely out of step with current development  
downtown. Cancel this project!



# Neighborhood Meeting COMMENT SHEET

Attachment 7  
Columbia Heights  
123 4th Ave W

Date: March 6, 2014

FN: 14-0015

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
Max Goldsmith	—	Maxbgoldsmith@gmail.com	—

COMMENTS:

It sounds as if the only applicable way an appeal process can take place is if the appeal process is around code issues. What about issues concerning whether or not the community wants this building? Whether or not this location is best for this complex when there are already a ton of vacant lots in the downtown area? Whether or not the businesses being directly affected by this have a say in it? Why this fancy place can be constructed when the low barrier shelter can't... I can tell you that many, many people including myself Do Not Want This Project to take place.



# Neighborhood Meeting COMMENT SHEET

Attachment 7  
Columbia Height  
123 4th Ave W

FN: 14-0015

Date: March 6, 2014

This form and the information provided on it are public record, potentially subject to public release.

PLEASE PRINT

NAME	ORGANIZATION	E-MAIL	PHONE NUMBER
LORI MAGGIANETTI	EARTH MAGIC	Maggi40@aol.com	754-0357

COMMENTS:

OUR MAIN CONCERNS ARE ABOUT PARKING. WILL PARKING BE DESIGNATED FOR WORKERS? THERE WILL NEED TO BE SOME PLACE OTHER THAN THE STREET PARKING SPACES WHICH OUR CUSTOMERS USE. WILL THE PARKING GARAGE HAVE ANY PUBLIC SLOTS?





**Steve Friddle**

---

**From:** Simon Gorbaty <simongorbaty@gmail.com>  
**Sent:** Wednesday, March 05, 2014 10:37 AM  
**To:** CityCouncil; Steve Hall  
**Cc:** Jay Burney; Steve Friddle  
**Subject:** Concerns with Columbia Heights  
**Attachments:** Public Notice (1).pdf; Concerns with Columbia Heights.doc

To: City Manager Steve Hall & Olympia City Council

My name is Simon Gorbaty, I spoke last night at the city council meeting concerning the Columbia Heights project. I've attached the letter and the first page of the notification--both of which you received last night.

To briefly address Steve Hall's response last night, by mentioning that businesses, workers and residents within 300 feet of the exterior boundaries of the assumed proposed site did not receive the notice, I was not challenging the legality of this but merely mentioning the importance of involving as many relevant stakeholders as possible to this discussion. I would encourage the city to involve more citizens in this process especially because of its size and scope.

I would like to reiterate and emphasize that the City did not get the "project address" right, nor the name of the "Applicant" right. Due to these errors, it is impossible for there to be any informed comment during the public meeting tomorrow. I am strongly urging you to please postpone any public meetings concerning Columbia Heights and resubmit the application with the correct information.

Simon Gorbaty, New Moon Cooperative Cafe



**g. miller - olympia**

February 20, 2012

Steve Friddle  
City of Olympia  
Community Planning & Development

Steve,

I would like to take a few moments of your time to voice my thoughts on the proposed apartment complex at 123 4<sup>th</sup> Avenue east.

For the record, while a proponent of downtown housing, I have always been opposed to this particular project. The details of my dissatisfaction are irrelevant at this point, but I do hope the city will consider actions to mitigate the parking loss to the neighborhood.

- 1) This building has 17 less parking spots than it does apartments. Since virtually all tenants will have at least one auto, and most couples or shared use tenants will have two, where will the additional cars park? Will they be able to get the same subsidized parking that the current downtown residents receive?
- 2) Is there a plan to designate any lot or lots as the replacement for the removed parking? Are the lots appropriately signed and well lit? Are they paved? We would like to be able to tell our customers where they can conveniently and safely park.
- 3) The construction workers at the project will undoubtedly need to park somewhere. Which lot will they be using? Is there a requirement of the builder to provide a parking plan for their employees? Will they be allowed to use the scarce remaining street parking that we need for customers?

Thank you for your prompt attention.

Greg Miller, Owner/General Manager

