



# **West Bay Yards Development Agreement**

**City Council Meeting  
March 30, 2021**



# Development Agreement Requirements

**RCW 36.70B.170** – authorizes cities to enter into a written agreement with property owner

**OMC 18.53** – outlines Development Agreement procedures

- City Council must hold a public hearing
- City Council makes a final decision
- Development Agreement must be heard by City Council prior to consideration of any development application
- Agreements typically address development standards for a future project (vesting), phasing of improvements; timeframe



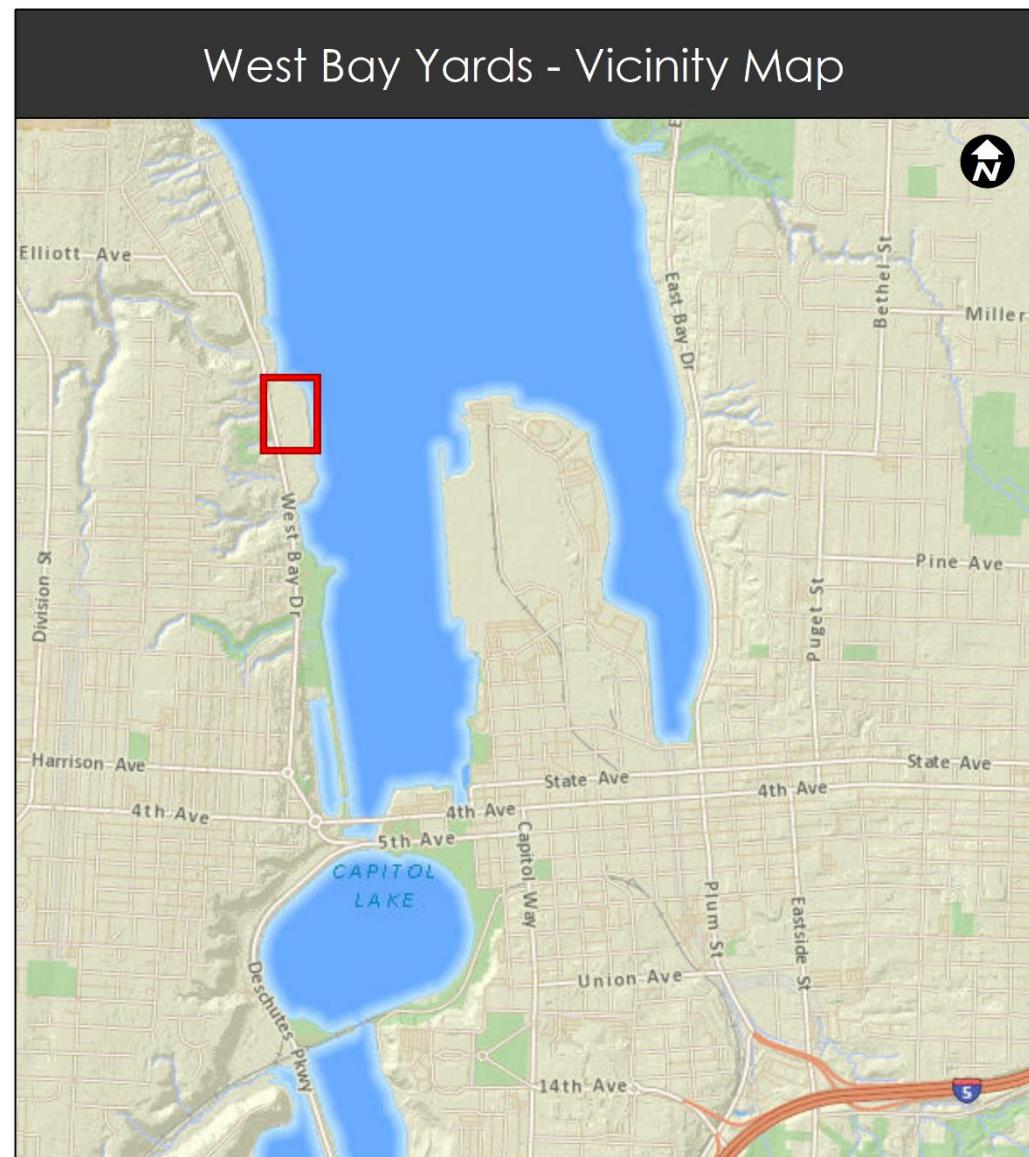
# Site Description

8-acre site

1210 West Bay Drive

Former Hardel Mutual  
Plywood manufacturing  
facility

North of former  
Reliable Steel site





# Site History

1996 – Fire Destroyed  
Lumber Mill

2003 – City amended its  
Comprehensive Plan and  
zoning from Industrial to  
Urban Waterfront

Maximum building height  
changed to 65 feet





# Site History

## Former Brownfield/Site Cleanup

- 2007 Clean up action plan between Hardel and State Department of Ecology; completed in 2010
- Applicant now conducting additional site investigations
- A development proposal must comply with Ecology requirements for any additional site cleanup



# West Bay Yards Timeline

- Presubmission Conference: **May 2020**
- Development Agreement Application: **August 2020**
- SEPA Appeal Filed: **December 2020**
- SEPA Appeal Decision: **February 2021**
- Public Hearing: **March 23, 2021 Council Meeting**
- Decision: **March 30, 2021 Council Meeting**
- Formal Shoreline/Land Use Application: **TBD**



# Anticipated Future Project

- Approximately 478 market-rate rental housing units
- Five mixed-use buildings
- Approximately 20,500 square feet of:
  - Retail
  - Restaurants
  - Recreational Uses



# City Plans and Development Standards

Shoreline Master Program

Comprehensive Plan

Zoning Code

Transportation Master Plan

West Bay Dr. Corridor Study

Storm Drainage Manual





# Development Agreement Summary

- Agreement is for 15 years
- Establishes vesting to current land use regulations
  - Comprehensive Plan
  - Shoreline Master Program
  - Zoning Map and Zoning Standards
  - Land Divisions Standards
  - Engineering, Design and Development Standards



# Development Agreement Summary

- Exceptions to Vesting Provisions
  - State Mandated Building and Fire Codes
  - City Council can make amendments to plans and codes affecting the property during the term of the agreement to the extent required by a serious threat to public health and safety, or as a result of superseding state or federal law



# Development Agreement Summary

- Establishes phases and timing for permitting, site improvements & payment of impact fees
- Requires project-level SEPA review by City during review of a project permit application
- Requires shoreline restoration and public access
- *Requires one-time payment of \$250,000 to the City of Olympia Home Fund (proposed by applicant on 3/25/2021)*



# Development Agreement Summary

## Section 12: One Time Payment to City of Olympia Home Fund.

The Property Owner shall make a one-time payment of  
\$250,000.00 (Two Hundred Fifty Thousand and No/100 Dollars)  
to the City of Olympia Home Fund to develop and sustain  
supportive and affordable housing in the City. This payment shall  
be made to the City as a condition of issuance of building permits  
for construction of the first building in Phase 1, and shall be  
separate from and in addition to any Home Fund levy applicable  
to the Property.



# Development Agreement Summary

- Home Fund Levy provides funding to develop and sustain supportive housing and affordable housing in Olympia
- RCW 36.70B.170(3)(b) states in part: “3) For the purposes of this section, "development standards" includes, but is not limited to: . . . (b) The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, **other financial contributions by the property owner**, inspection fees, or dedications . . .”



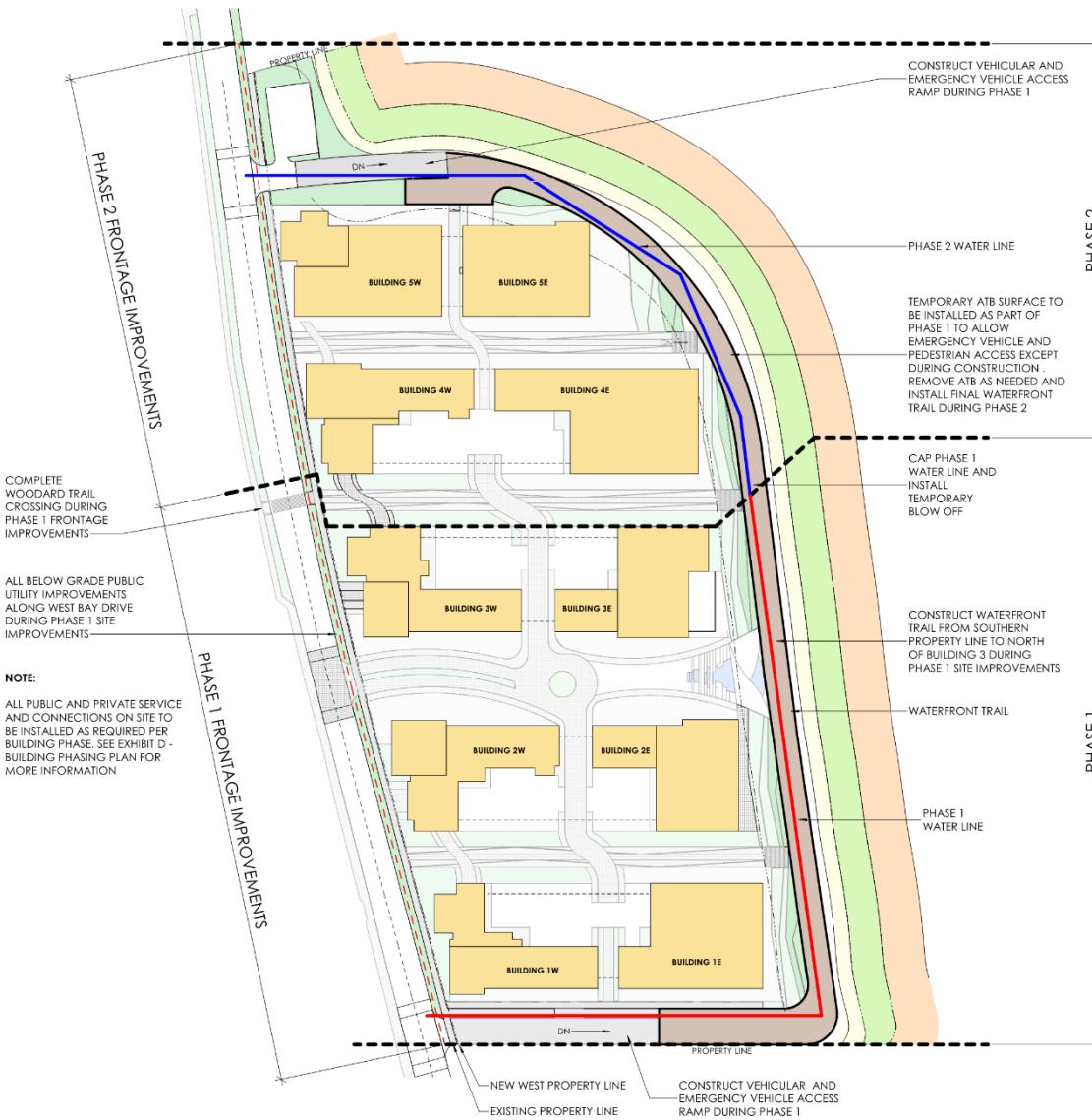
# Development Agreement Summary

## Shoreline Restoration

- *City of Olympia West Bay Environmental Restoration Final Report*
- Prepared by City, Port of Olympia and Squaxin Tribe
- Report identifies potential restoration projects to enhance ecological functions
- Creation of intertidal beach and marsh areas
- State and Federal Permits required
- **Shoreline Public Access Amenities**
  - Esplanade along waterfront
  - Parking lot for community use and access to trails



# Site Phasing Plan



## PHASE 2 NARRATIVE

1. CONSTRUCTION OF REMAINING SHORELINE IMPROVEMENTS ALONG PROJECT BOUNDARY
2. CONSTRUCTION OF REMAINING FRONTAGE IMPROVEMENTS
3. CONSTRUCTION OF REQUIRED PUBLIC UTILITY INFRASTRUCTURE RELATED TO IMPROVEMENTS FOR BUILDINGS 4 (4W AND 4E) AND 5 (5W AND 5E).

## SHORELINE PHASING

1. ENVIRONMENTAL PERMITS FOR SHORELINE RESTORATION WILL BE SUBMITTED FOR BOTH PHASE 1 AND PHASE 2 SIMULTANEOUSLY
2. NO CONSTRUCTION WILL OCCUR PRIOR TO APPROVAL OF ENVIRONMENTAL PERMITS FOR SHORELINE RESTORATION
3. SHORELINE RESTORATION WILL OCCUR IN TWO PHASES AS NOTED IN THE SITE PHASING DRAWING ON THIS SHEET
4. UPON APPROVAL OF ENVIRONMENTAL PERMITS FOR SHORELINE RESTORATION CONSTRUCTION OF SITE AND BUILDING IMPROVEMENTS FOR PHASE 1 WILL COMMENCE.
5. UPON COMPLETION OF PHASE 1 SHORELINE RESTORATION AND PHASE 1 SITE AND BUILDING IMPROVEMENTS PHASE 2 SHORELINE RESTORATION AND PHASE 2 SITE AND BUILDING IMPROVEMENTS WILL COMMENCE.

## PHASE 1 NARRATIVE

1. CONSTRUCTION OF FRONTAGE IMPROVEMENTS ALONG WEST BAY DRIVE SOUTHERN PROPERTY BOUNDARY TO THE NORTH OF THE WOODARD TRAIL PEDESTRIAN CROSSING.
2. CONSTRUCT BELOW GRADE UTILITY IMPROVEMENTS ALONG WEST BAY DRIVE ALONG THE ENTIRETY OF WESTERN PROPERTY BOUNDARY.
3. CONSTRUCTION OF SHORELINE ENHANCEMENTS FROM SOUTHERN PROPERTY LINE TO NORTHERN EXTENT OF PHASE 1
4. CONSTRUCTION OF WATERFRONT TRAIL ALONG SOUTH, EAST, AND NORTHERN PROPERTY
5. CONSTRUCTION OF WATER LINE TO THE NORTHERN EXTENT OF PHASE 1
6. CONSTRUCTION OF ASSOCIATED PUBLIC UTILITY INFRASTRUCTURE RELATED TO IMPROVEMENTS FOR BUILDINGS 2 (2W AND 2E) AND 3 (3W AND 3E) AND FUTURE CONSTRUCTION OF BUILDING 1 (1W AND 1E).



# Building Phasing Plan



## PHASE 2 NARRATIVE

1. CONSTRUCTION OF PLAZA LEVEL FROM NORTH OF BUILDING 3 (3W AND 3E)
2. CONSTRUCTION OF BUILDING 4 (4E AND 4W), BUILDING 5 (5E AND 5W)
3. CONSTRUCTION OF PARKING LEVEL BELOW BUILDING 4 (4E AND 4W) AND BUILDING 5 (5E AND 5W)
4. CONSTRUCTION OF ADJACENT SITE AND PLAZA LANDSCAPING, Hardscaping and pedestrian amenities

## PHASE 1 NARRATIVE

1. CONSTRUCTION OF PLAZA LEVEL FROM SOUTH OF BUILDING 2 (2W AND 2E) TO THE NORTH OF BUILDING 3 (3W AND 3E)
2. CONSTRUCTION OF BUILDING 2 (2E AND 2W) AND BUILDING 3 (3E AND 3W)
3. CONSTRUCTION OF PARKING LEVEL BELOW BUILDING 2 (2W AND 2E) AND 3 (3W AND 3E)
4. CONSTRUCTION OF ADJACENT SITE AND PLAZA LANDSCAPING, Hardscaping and pedestrian amenities
5. CONSTRUCT SOLID WASTE FACILITIES ADJACENT TO NORTHERN VEHICULAR RAMP. INTERNAL SOLID WASTE MANAGEMENT BY OWNER.
6. EMERGENCY VEHICLE ACCESS CONSTRUCTED DURING PHASE 1 AND MAINTAINED THROUGHOUT CONSECUTIVE PHASES

## PHASE 3 NARRATIVE

1. CONSTRUCTION OF PLAZA LEVEL FROM SOUTH OF BUILDING 2 (2W AND 2E) TO THE SOUTH PROPERTY LINE
2. CONSTRUCTION OF BUILDING 1 (1W AND 1E)
3. CONSTRUCTION OF PARKING LEVEL BELOW BUILDING 1 (1W AND 1E)
4. CONSTRUCTION OF ADJACENT SITE AND PLAZA LANDSCAPING, Hardscaping and pedestrian amenities



# Development Agreement

## What is the public benefit of agreement?

- Shoreline Restoration
- Public Access Amenities
- *Home Fund Contribution*

## What is the City benefit of agreement?

- Framework for timing of permitting and public infrastructure improvements

## What is the applicant benefit of agreement?

- Certainty of regulations, permit process and timing for required site improvements



# Recent Development Agreements

## **3333 Martin Way - 2015**

Public Benefit: demolition of dangerous building;  
redevelopment of blighted property (old Bailey  
Motor Inn site)

## **526 Pattison Street - 2015**

Public Benefit: expanded public transit options  
through development of headquarters site

## **2828 Martin Way - 2020**

Public Benefit: low income housing and shelter space

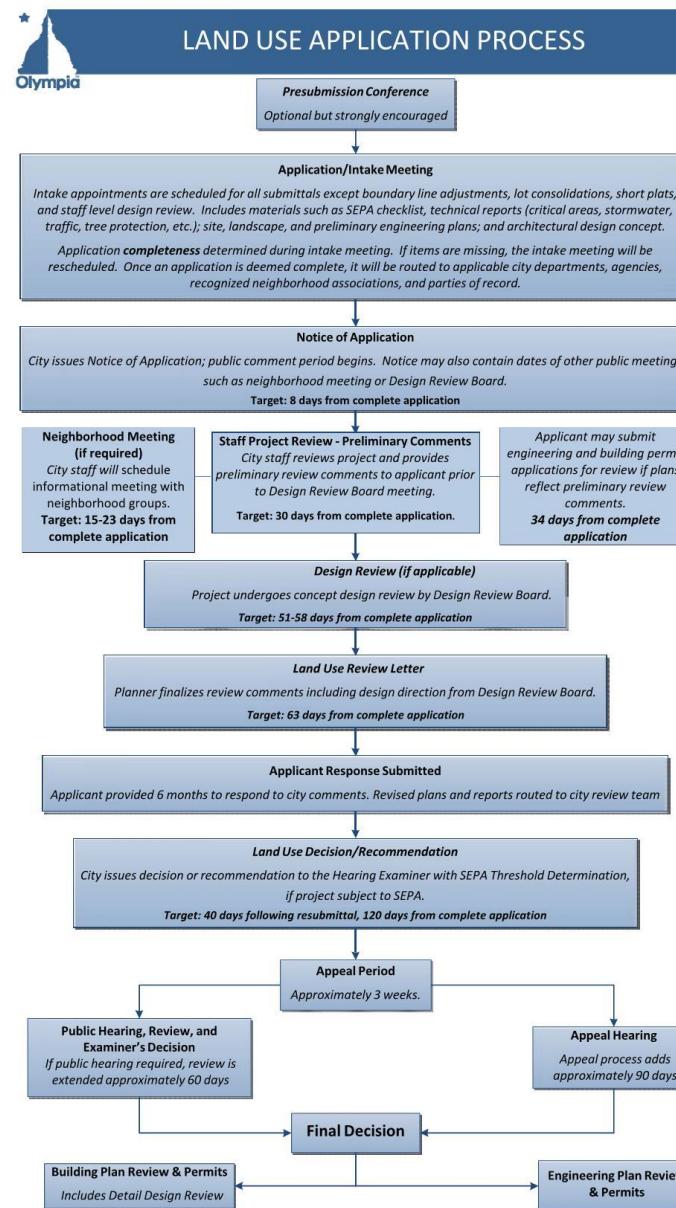


# What's Next?

- Council Vote on Resolution – March 30
- Applicant Submits Development Application
  - Shoreline Substantial Development Review
  - Land Use Review
  - Land Division Review
  - Design Review
  - SEPA Project-Level Environmental Review
  - Stormwater Management Review
  - Transportation Analysis Review
  - JARPA: Army Corps of Engineers, Department of Ecology, WA Departments of Fish & Wildlife and Natural Resources



# What's Next?





## Project Information can be found at:

<http://olympiawa.gov/news-and-faq-s/construction-news/west-bay-yards.aspx>

**Thank you**

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