

CITY OF OLYMPIA HEARING EXAMINER
STAFF REPORT

Project Name/File No.: State and Water Mixed Use, File No. 19-1844

Applicant: Urban Olympia IX, LLC

Authorized Representatives: Tom Rieger, Michael Kershisnik, Thomas Architecture Studio

Requested Action: Approval of a Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, and Land Use Review for the construction of a five story mixed use building with four floors of apartment units over ground floor commercial uses and associated parking.

Project Location: 114 Water Street NW

Water Body: Budd Inlet, Puget Sound

Zone District: Urban Waterfront Housing (UW-H)

Shoreline Master Program Designation: Urban Intensity (Reach Budd 5A)

Comprehensive Plan Designation: Residential Mixed Use with High Density Neighborhood Overlay

SEPA: The project is exempt from a SEPA threshold determination per OMC 14.04.065.E.3.

Public Notification: Public notification for this hearing was mailed to property owners within 300 feet of the subject property, parties of record, and recognized neighborhood associations; posted on-site; and published in The Olympian on November 21, 2019 in conformance with OMC 18.78.020 (Attachment 2, Hearing Notice).

SPRC Recommendation: Approval, subject to conditions.

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I. BACKGROUND INFORMATION

A. Property Description and Context

The site is located in downtown Olympia in the southeast corner of State Avenue and Water Street. The project site is comprised of three lots, which will be consolidated prior to building permit issuance. The site is currently used as a parking lot with access off of both frontages. Existing frontage improvements include 9-1/2 foot sidewalks, street trees, streetlights, and overhead utility lines. Surrounding uses include residential development (under construction), restaurants, retail, services, and a parking lot as depicted on the figure below.



The western two-thirds of the site is located within the shoreline jurisdiction of Budd Inlet with a shoreline designation of Urban Intensity (UI, Reach Budd-5A). Additionally, the lot is in the Urban Waterfront-Housing zoning district, within the Downtown Design District, and abuts two frontages included in the Pedestrian Overlay district. Both State Avenue and Water Street are mapped as Pedestrian A streets and subject to the City's pedestrian street standards (OMC 18.16.040.B.3). Water Street is designated as a view corridor on official city maps as shown in the figure to the right. Protected views include those to Budd Inlet, the Olympics, and the Capitol Dome.



B. Project Description

The proposal is for the development of a five-story mixed-use building with four floors of apartment units (60 units total) over 2,968 square feet of restaurant and commercial space. A variety of amenities are proposed including wide sidewalks (19-22 feet wide), sidewalk benches, and rooftop deck for use by building residents. A new crosswalk with flashing beacons is proposed at the west end of the block.

Though not shown on the site plan, outdoor restaurant seating will be provided. Solid waste facilities are located at the back of the building with access off the alley. Landscaping will include street trees, landscape strips at the northwest corner of the site and either side of the State Avenue driveway, and parking lot landscape islands. Solid waste facilities (trash compactor and bins) will be located within the building footprint behind the retail space. Bins will be moved to the alley for pick-up. The trash compactor will be taken off-site to be emptied.

Although vehicular parking is not required for this project, thirty-nine parking stalls will be provided on-the site for use by building residents. Bicycle parking for forty-four of the residential units will be provided within each of the one- and two-bedroom units. Bike racks on the building exterior will provide visitor parking. Bicycle parking is not required for studio apartments, nor for the commercial uses because floor areas does not exceed 3,000 square feet. Additional discussion of parking requirements can be found on page 12 of this staff report.

C. City Review Process

Application Submittal: The application was submitted and deemed complete on May 9, 2019.

Neighborhood Meeting: The City and applicant co-hosted a neighborhood meeting on June 11, 2019. The purpose of this meeting was to enable early coordination and information sharing between the project proponent and applicant. The project architect provided an overview of the proposal, and staff responded to process-related questions. The meeting was attended by a handful of people. Written comments were provided by two of the attendees following the meeting, which can be found in Attachment 16. Key concerns and comments included:

- Include a building step-back on the west side of the building.
- Provide improved shoreline public access beyond providing for wider sidewalks. Provide a raised viewing area, e.g., rooftop deck or part of the suggested building step-back.

- The new crosswalk appears impractical and unsafe due to heavy traffic volumes and presence of signaled crosswalks nearby.

Design Review Board: The Design Review Board held a meeting on July 25, 2019 to consider the conceptual design of the project. The Board is responsible for reviewing project for compliance with the applicable design criteria and making a recommendation to the applicable decision making body (in this case, the Director). The Board recommended approval of the project’s design subject to conditions, which can be found in Attachment 8.

Staff Review: The City’s project review team evaluated the project for compliance with applicable codes and ordinances. The team found that additional information was necessary and provided written comments to the applicant on August 26, 2019. The applicant submitted revised plans and reports on October 2, 2019. Following a second review, the project was taken to the Site Plan Review Committee for a recommendation on November 13, 2019 where the Site Plan Review Committee recommended approval of the project subject to conditions.

II. POLICY AND REGULATORY FRAMEWORK

The proposal has been reviewed for compliance with City plans and regulations. This report addresses the project’s compliance with the following plans and regulations:

- Comprehensive Plan Goals and Policies;
- Shoreline Master Program Goals and Policies;
- Title 16, Buildings and Construction, in particular standards for tree protection/replacement and flood damage prevention;
- Title 17, Subdivision Code, in particular standards pertaining to lot consolidation.
- Title 18, Unified Development Code, in particular standards for residential and commercial development, parking, landscaping, design, pedestrian streets, shoreline development, hearing examiner authority; and
- Engineering Design and Development Standards.

A. Comprehensive Plan

The subject property is designated as Residential Mixed Use with a High Density Neighborhood overlay on the Future Land Use Map. Both designations support mixed-use development. Specific goals and supporting policies from relevant chapters are noted below:

1. Land Use and Urban Design

GL1: Land use patterns, densities, and site designs are sustainable and support decreasing automobile reliance.

Policy PL1.2 – Focus development in locations that will enhance the community and have capacity and efficient supporting services, and where adverse environmental impacts can be avoided or minimized.

Policy PL1.3 – Direct high-density development to areas with existing development where the terrain is conducive to walking, bicycling and transit use and where sensitive drainage basins will not be impacted.

Policy PL1.5 - Require new development to meet appropriate minimum standards, such as landscaping and design guidelines, stormwater and other engineering standards, and buildings codes, and address risks, such as geologically hazardous areas; and require existing development to be gradually improved to such standards.

Staff Findings: The project is located in an area that is well served by transportation and utility facilities, and as conditioned, will comply with current stormwater, engineering, and building codes. The draft geotechnical report (Attachment 10) indicates the site is highly susceptible to liquefaction. Given this condition, the use of piles is recommended. More detailed analysis will occur in conjunction with the city’s review of the building permit application.

GL9: Built and natural environmental designs discourage criminal behavior.

Policy PL9.1 – Incorporate crime prevention principles in planning and development review and educate designers regarding those principles.

Staff Findings: The project incorporates features such as lighting and the use of semi-transparent screens instead of solid walls. Staff will review proposed plant materials at the time of engineering permit review to ensure species are selected for crime prevention.

GL12: Commercial areas are attractive, functional and appealing.

Policy PL12.5 – Require site designs for commercial and public buildings that will complement nearby development and either maintain or improve the appearance of the area. This may include building designs with a defined bottom, middle, and top; appealing architectural elements such as window, wall detailing; fountains, vendor stations; and the use of balconies, stepped-back stories and pitched roofs that reduce the perceived size of the building.

Policy PL12.6 – Create visual continuity along arterial streets through coordinated site planning, landscaping, building designs, signage and streetscapes.

Policy PL12.7 – Require screening of unattractive site features such as mechanical equipment and large solid waste receptacles, while maintaining good access for collection and maintenance.

Policy PL12.9 – Require a form of parking that retains aesthetics and minimizes pedestrian barriers and inconvenience by including screening along streets.

Staff Findings: As conditioned, the project will comply with applicable design and pedestrian street standards, which address policies PL12.5 and 12.6. Solid waste facilities are located within the building footprint and will not be visible to the public except on collection days. Parking will be screened by the building to the west and decorative screening to the north.

2. Transportation

The Transportation chapter of the Comprehensive Plan addresses the intended growth of downtown Olympia and preferred strategies to address increased traffic:

“The area is a well-connected grid street network that can handle large volumes of traffic, and where plans are in place to provide excellent support to pedestrians, bicyclists and transit riders. Traffic congestion will continue in the city center, but the City focused on moving people and goods instead of accommodating only vehicles. Future capacity will come from improvements to walking, biking and transit.”

GT1: All streets are safe and inviting for pedestrians and bicyclists. Streets are designed to be human scale, but also can accommodate motor vehicles.

Policy PT1.4 – Reduce the impacts of traffic on pedestrians by creating buffers such as on-street parking, trees, planter strips, wide sidewalks, and creating interest along the street with amenities and building design.

Policy PT1.5 – Create attractive streetscapes with sidewalks, trees, planting strips, and pedestrian-scale streetlights. In denser areas, provide benches, building awnings, and attractive and functional transit stops and shelters.

Staff Findings: The proposal provides several of the elements noted above including on-street parking, planter strips, wide sidewalks, benches, storefront windows, lighting, and awnings.

GT9: The impacts of new land use development are mitigate appropriately.

Policy PT9.2 – Require new developments to construct improvements or contribute funds towards measures that will improve the function and safety of the streets, such as installing bike and pedestrian improvements, turn pockets or special lanes for buses, or roundabouts, or modifying traffic signals.

Staff Findings: The project will provide a pedestrian crossing and bulb-outs on both frontages. Transportation impact fees will be assessed at the time of building permit issuance.

GT14: Increased density along priority bus corridors optimizes investments in transit and makes transit an inviting mode of travel.

Policy PL14.1 – Encourage transit-supportive density and land use patterns along priority bus corridors, through zoning, incentives, and other regulatory tools.

Staff Findings: The project is adjacent to a corridor for multiple Intercity Transit bus routes.

GT24: Streetscapes buffer walkers from motor vehicle traffic, enhance the experience of walking, and increase the attractiveness of an area.

Policy PL24.1 – Separate sidewalks from motor vehicle traffic with buffers of trees and landscaping.

Policy PT24.2 – Allow on-street parking as a buffer, where appropriate, between walkers and motor vehicle traffic.

Policy PT24.3 – Provide sidewalks wide enough to include the “streetscape” elements and space needed to support active street life. In busy pedestrian areas, install benches, artwork and other features to make streets interesting and inviting, while maintaining safe walking surfaces and adequate spaces for those in wheelchairs.

PT 24.4 – Require continuous awnings over the sidewalk along building frontages in densely developed areas to protect pedestrians from weather; encourage them everywhere else.

Staff Findings: The amenities noted above are required in a variety of city codes including design, pedestrian street, and engineering standards. The project includes on-street parking, street trees, wide sidewalks, artwork, benches, and awnings. The use of wider sidewalks will allow ample space for those in wheelchairs.

B. Shoreline Master Program

The overall goal of the SMP is articulated as follows:

“Develop the full potential of Olympia’s shoreline in accord with the unusual opportunities presented by its relation to the City and surround areas, its natural resource values, and its unique aesthetic qualities offered by water, topography, views, and maritime character; and to develop a physical environment which is both ordered and diversified and which integrates water, shipping activities, and other shoreline uses within the structure of the City while achieving a net gain of ecological function.”

Applicable shoreline policies include:

PN12.3.A – All shoreline use and development should be carried out in a manner that avoids and minimizes adverse impacts so that the resulting ecological condition does not become worse than the current condition. This means assuring no net loss of ecological functions and processes and protecting critical areas that are located within the shoreline jurisdiction.

PN12.11.C – Non-water oriented uses may be allowed where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline.

PN12.14.A – Motor vehicle parking is not a preferred use within the shoreline jurisdiction and should be allowed only as necessary to support authorized uses.

PN12.14.B – Where feasible, parking for shoreline uses should be located in areas outside the shoreline jurisdiction; otherwise locate parking as far landward of the ordinary high water mark as feasible.

PN12.15.B – Incorporate public access into all new development or redevelopment where it creates or increases demand for public access.

PN12.19.B – Development should be designed to preserve and enhance the visual quality of the shoreline, including views over and through the development from the upland side of the subject property and views over and through the development from the water.

PN12.24.A – Give preference to water-dependent commercial uses, then to water-related, and then water-enjoyment commercial in shoreline jurisdiction. Non-water oriented commercial uses should require a conditional use permit if located within 100 feet of the water.

PN12.27.E – New residential development should provide opportunities for public access.

PN12.27.F – New residential development should minimize impacts upon views from adjacent residential areas, in keeping with the Shoreline Management Act.

Staff Findings: The proposed project complies and furthers applicable goals and policies of the Shoreline Master Program as follows:

- Mixed-use projects are allowed within the UI shoreline designation.
- The project provides visual public access to the shoreline.
- Parking is located behind the building.
- Views of the water will be maintained along the project’s frontage and adjacent residential areas (specifically, residential uses in the Laurana development).

C. Boundary Line Adjustments, OMC 17.30

The project site includes three individual lots, which will need to be consolidated prior to building permit issuance. The applicant has not yet applied for a boundary line adjustment.

Staff Findings: As a condition of approval, the applicant will need to apply for a boundary line adjustment and have it recorded prior to building permit issuance.

D. Tree, Soil, and Native Vegetation Protection and Replacement, OMC 16.60

The project is subject to standards in OMC 18.60 regarding tree densities and tree protection during construction.

Staff Findings: The City’s Urban Forester reviewed materials submitted by the applicant and determined that as conditioned, the project will comply with OMC 18.60. Existing street trees will be removed and replaced as part of frontage improvements.

E. Sea Level Rise Flood Damage Prevention, OMC 16.80

The subject property is located in a sea level rise flood damage area per official city maps. Because the site sits below an elevation of 16 feet (NAVD88), the lowest floor elevation must be elevated, dry flood proofed, or protected with other acceptable flood proofing methods as approved by the City to an elevation of 16 feet or greater.

Staff Findings: The finished floor elevation is proposed to be 14.3' (NAVD88). Dry flood proofing methods include the use of two-foot high sills around the base of the builds and the use of temporary barriers at building openings during flood events. Detailed plans will be submitted at the time of building permit application.

F. Commercial Districts, OMC 18.06

Permitted Uses - OMC 18.06.080, Table 6.01 – The subject property is located in the UW-H zone district and must comply with all of its development standards. The proposed project includes a mix of residential, restaurant, and retail uses, all of which are allowed in the UW-H zone.

Development Standards - Table 6.02, 18.06.100, Figure 6-2, Height Limits – There are no minimum setbacks required in the *UW-H* district. The maximum building height is 65 feet per Figure 6-2 (note that the maximum building height within the shoreline reach is 90 feet). One hundred percent of the site can be impervious, including the building footprint and paved surfaces. 100 percent building and impervious coverage is allowed. Roof structures and architectural features are allowed up to 18 feet above the district's height limit for an overall height of 108 feet.

Staff Findings: The proposed project complies with applicable development standards. Building height, as measured to the roofline, will be 60 feet. Including parapets and rooftop structures, the overall height of the building will be 70 feet. Proposed impervious coverage is approximately 98 percent.

G. Cultural Resources, OMC 18.12.120

The site has been identified as having high potential for cultural resources. The Department of Archaeology & Historic Preservation (DAHP), as well as the Squaxin Island and Nisqually tribes, submitted written comments requesting that a desktop survey be conducted, that an Inadvertent Discovery Plan be required, and that on-site monitoring occurs during ground-disturbing activities (see Attachment 15).

Staff Findings: The City's Historic Preservation Officer worked closely with DAHP and the tribes regarding cultural resources. Their recommendations have been included as conditions of approval.

H. Pedestrian Street Overlay District, OMC 18.16

State Avenue and Water Street are designated Pedestrian A streets and subject to provisions in OMC 18.16 (included in Attachment 7, DRB Packet). The intent of these provisions is to enhance the pedestrian environment through a variety of measures including maximum setbacks, minimum street wall heights, canopies, blank wall limitations, well-defined building entrances, and active street edges.

Staff Findings: The project provides the requisite elements of the pedestrian street standards including street wall heights, awnings, no blank walls, storefront windows, outdoor seating, artwork in the garage openings, street-facing building entrances, and parking placed behind the building or otherwise screened. The street wall setback on the west side of the building is greater than the ten-foot maximum allowed; a 13-foot setback to the street wall is proposed.

Exceptions to this maximum setback are allowed for purposes of retaining water views and providing pedestrian plazas. As described in the shoreline narrative (Attachment 3), a wider sidewalk is proposed

to create an enhanced pedestrian walkway. The increased setback also maintains views of Budd Inlet, the Olympic Mountains, and the Capitol Dome. Benches will be provided for pedestrians to stop and enjoy these views. Wider sidewalks will also allow for outdoor restaurant seating while maintaining pedestrian movement. Although a defined plaza is not proposed, staff is of the opinion that the wider sidewalks and provision of benches function in the same manner as a plaza.

I. Shoreline Master Program Regulations, OMC 18.20

The project has been reviewed for compliance with provisions applicable to both Shoreline Substantial Development Permits in OMC 18.20.210 and Shoreline Conditional Use permits in OMC 18.20.230. These sections reflect criteria spelled out in WAC 173-27-150 and 160, which require a proposal to be: 1) consistent with the local Shoreline Master Program, 2) not interfere with the normal public use of the shoreline, 3) be compatible with existing and planned uses in the area and with uses planned for under the Comprehensive Plan and Shoreline Master Program, 4) that no significant adverse impacts to the shoreline will occur, and 5) that the public interest suffers no substantial detrimental effect. The following analysis outlines how the proposed project is consistent with these criteria.

Shoreline Uses, OMC 18.20.620, Table 6.1 – The proposed project exceeds thresholds in WAC 173-27-040 and therefore requires a Shoreline Substantial Development Permit. As a mixed-use development, the project also requires a Shoreline Conditional Use Permit because the pedestrian plaza is located within 100 feet of the ordinary high water mark (OHWM) (see Attachment 6 for location of 100-foot line). Per OMC 18.72.100, the Hearing Examiner makes decisions regarding shoreline permits needed for this project. The Department of Ecology has final authority regarding the Shoreline Conditional Use Permit.

No Net Loss and Mitigation, OMC 18.20.410 – All shoreline uses and development shall be located, designed, constructed, and maintained in a manner that maintains shoreline ecological functions and processes. Because the subject property has been used as a parking lot for many years, no further impacts to shoreline ecological functions are anticipated. In fact, runoff generated from the site will be treated before entering a dedicated system for improved water quality.

Critical Areas, OMC 18.20.420 – All use and development within the shoreline shall comply with OMC 18.32. See page 12 of this report for discussion of critical areas.

Parking, OMC 18.20.440, Parking – Parking facilities area allowed on if they support authorized uses, and must be located landward of the building except when located within or beneath the structure and adequately screened. On-site parking will be located within the structure and screened with metal grid panels and landscaping (see elevations and landscape plan in the DRB Packet, Attachment 9).

Public Access, OMC 18.20.450 - 460 – Public access requirements are applicable to this project and must meet the design criteria of OMC 18.20.460. As discussed above, wider sidewalks are proposed on the north and west sides of the building for broader view corridors. Benches provide opportunities for pedestrians to sit and enjoy views of the water. These areas will be ADA accessible. The staff recommendation includes conditions regarding timing of plaza completion, recording of public access provisions, installation of signage indicating the public's right of access and hours of use (dawn to dusk), and maintenance responsibilities.

View Protection, OMC 18.20.500 – 504 – All development within the shoreline jurisdiction must comply with view protection standards in OMC 18.110.060 (Basic Commercial Design Criteria). No portion of the building within the shoreline jurisdiction will exceed a height of 35 feet (the maximum height allowed under OMC 18.20.620, Table 6.3). View impacts were addressed at the time of concept design review, where it was found that views would be maintained. The applicant prepared a visual impact assessment, which can be found in Attachment 7.

The project provides for wider sidewalks, which result in broader view corridors. Wider sidewalks also off-set the proposed building height and lack of step-back on the upper floor and maintain a more open streetscape between this project and the Laurana to the north. Services such as solid waste, meters, and vaults will be located behind the building.

Water Quality, OMC 18.20.510 – Stormwater facilities for new development must be designed per Olympia’s Drainage Design and Erosion Control Manual. To the extent feasible, low impact development (LID) practices must be utilized. New development in Reach 5A must comply with the DDECM without consideration of thresholds therein.

The project site is located in a flow control exempt area. The stormwater system was designed in compliance with the 2016 DDECM, which does not require LID in flow control exempt areas. If the thresholds and flow control exemption are eliminated as required under the shoreline regulations, the next step would be to evaluate LID feasibility using criteria in the DDECM. LID methods are not feasible at this site because of soil conditions and tidally-influenced groundwater levels.

Development Standards, OMC 18.20.620, Tables 6.2 and 6.3 – The maximum setback in Reach Budd 5A is 30 feet and the maximum height is 90 feet. The project complies with both standards.

Water-Oriented Commercial Use and Development, OMC 18.20.663 – The proposed project includes a restaurant, which is considered a water-enjoyment use as defined in WAC 173-27-020. Such uses are allowed if there is no net loss of shoreline ecological functions; does not have adverse impacts on other shoreline uses, public access, and design compatibility; and is designed and operated in a manner that meets the definition of a water-oriented use. Staff considers a restaurant to be a water-oriented use as defined in WAC 173-26-020 due to its orientation toward the water and the provision of outdoor seating with views to the water.

Non-Water-Oriented Commercial Use and Development, OMC 18.20.667 – The proposed project includes space for a retail use, which is considered a non-water-oriented use as defined in WAC 173-27-020. Such use is allowed only if part of a mixed-use development that includes water-oriented uses, provides public access, and shoreline enhancement/ restoration. The project satisfies the first two requirements, but since the property does not directly abut the shoreline, restoration and enhancement would not be required. In fact, the nearby shoreline was restored as part of the Percival Landing reconstruction.

Residential Use and Development, OMC 18.20.690 – New residential development must meet development standards set forth in Table 6.2 and 6.3. In addition, residential development must be designed to preserve the aesthetic character of the shoreline and minimize view obstructions. The proposed project complies with setback and height limitations in Table 6.2 and 6.3. Shoreline aesthetics

were considered by the project designers through the use of form, materials and colors, and provision of wider sidewalks and seating to enhance viewing opportunities.

Utilities, OMC 18.20.170 – Utility facilities/lines must avoid impacts to shoreline ecological functions and minimize conflicts with existing and planned uses. Installation of utilities (water, sewer, stormwater) will occur away from the shoreline within already-disturbed areas. Runoff from the parking lot will be treated and directed to a dedicated system. Runoff from the roof, roadways and sidewalks will be collected and directed to a dedicated system. Staff does not anticipate any impacts to shoreline ecological functions as a result of the proposed utilities (see Civil Plans, Attachment 6).

Staff Findings – Based on the foregoing analysis, the proposed project complies with the Shoreline Master Program, as well as criteria found in WAC 173-27-150 and 160 regarding shoreline substantial development and conditional use permits.

J. Critical Areas, OMC 18.32

Important Habitats and Species, OMC 18.32.300-325 – The subject property is located within 1,000 feet of Budd Inlet which has the potential for important habitat and species, defined as species that are federally listed as endangered or threatened, and state priority species identified on the Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) List and their habitats of primary association. According to information provided by the applicant in the Joint Aquatic Resources Permit Application (Attachment 4), three fish species may occur in Budd Inlet – Puget Sound Steelhead, Bull Trout, and Puget Sound Chinook.

Pursuant to OMC 18.32.325, the City can waive the requirement for a habitat management plan (HMP) after consultation with WDFW. Upon doing so, WDFW did not see the need for an HMP on the grounds that the site is already developed and contains no fish or wildlife habitat (see e-mail from Theresa Nation, Attachment 14). Based on this input, the City waived the requirement for an HMP.

K. OMC 18.36, Landscaping

A landscape plan was submitted with the land use application and reviewed by staff and the Design Review Board. The plan was conceptually approved with no modifications. As noted on page 5 of this staff report, proposed species will be evaluated at the time of engineering permit review to ensure they are appropriate for crime prevention (e.g., avoid using dense evergreen and coniferous species).

L. Parking, OMC 18.38

Parking Areas, OMC 18.38.160.C – The site is located in the Downtown Exempt Parking Area. All new residential buildings are exempt from vehicular parking standards. Commercial buildings with less than 3,000 square feet of gross leasable area is also exempt (the project proposes 2,968 square feet of gross leasable area) from the parking standards. Whenever parking is provided, it must dimensional standards, pedestrian street standards, and design review criteria.

The applicant has indicated to staff that on-site parking will be for the residential units only. Restaurant and retail customers will utilize on-street parking or nearby parking lots. Because the project is exempt from parking, staff does not have the authority to require that parking be allocated to a specific use.

Bicycle parking is being provided per OMC 18.38.100, Table 38.01. A total of 44 long-term spaces will be provided for the one and two bedroom units, likely with a hanging bike rack. Studio apartments do not have to provide for long-term parking. Six short-term spaces for all residential units will be provided at the street level. Bicycle parking is not required for the restaurant or retail uses.

Staff Findings: The project complies with vehicular and bicycle parking standards in OMC 18.38.

M. Design Review, OMC 18.100

The project is subject to design requirements outlined in OMC 18.110 and 18.120 and was reviewed for concept design by the Design Review Board on December 14, 2017. The Board recommended approval with conditions (Attachment 8). Detail design review will occur prior to building permit issuance.

N. Engineering Design and Development Standards (EDDS)

The project has been reviewed for compliance with the EDDS relative to traffic, water, stormwater, wastewater and solid waste. It was found to be generally compliant except for the underground of overhead lines for which the applicant is seeking a deviation. Recommended conditions of approval address items related to solid waste, lighting, curb ramps, lift station odors, and the overhead power lines.

Staff Findings: As conditioned, the project will comply with the EDDS.

O. PUBLIC COMMENT

The City received written comments for public agencies, tribes, and members of the public (see Attachments 15 and 16). Members of the public commented on the building form, shoreline access, pedestrian safety crossing State Avenue, and parking.

Comments from public agencies and tribes focused on schools and cultural resources. As discussed on page 9, conditions have been included in Part III to address cultural resources. In their comments, the Olympia School District noted which schools would serve the project.

III. CONCLUSION AND RECOMMENDATION

Pursuant to OMC 18.72.100, the Site Plan Review Committee finds that the project, as conditioned, meets all applicable provisions of the Comprehensive Plan, the Shoreline Master Program, the Municipal Code, and the Engineering Design and Development Standards. Therefore, the Site Plan Review Committee recommends approval the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit subject to the following conditions:

1. Development shall be substantially as shown on the architectural site plan (Sheet A-101, dated November 6, 2019).
2. Construction pursuant to the Shoreline Substantial Development and Conditional Use permits shall not begin prior to 21 days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, or until review proceedings initiated within 21 days from the date of such filing have terminated.

3. Per WAC 173-27-090(2), construction activities shall commence within two year of the effective date of the Shoreline Substantial Development and Conditional Use permits. The local government may authorize a single one-year extension based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and the Department of Ecology.
4. The following conditions apply to public access provided under OMC 18.34.450:
 - a. Public access provisions shall run with the land and be recorded via a legal instrument such as an easement prior to certificate of occupancy;
 - b. Public access areas shall be constructed and available for public use at the time of occupancy;
 - c. Signage shall be installed in conspicuous locations indicating the public's right of access and hours of access; and
 - d. Maintenance of the public plaza shall be the responsibility of the property owner, unless an accepted public or non-profit agency assumes responsibility through a formal agreement recorded with the Thurston County Auditor.
5. All structures that come in contact with water shall be constructed of materials that will not adversely affect water quality. If wood pilings are used, they shall not be treated with creosote, copper, chromium, arsenic or pentachlorophenol, unless the applicant demonstrates at the time of building permit review that there are no feasible alternatives. OMC 18.20.510.C and D
6. Bicycle parking shall meet the standards of OMC 18.38.220(c). All bike parking locations shall be shown on permit plans and clearly demonstrate compliance with these standards. Signage shall be provided in all locations where the customer entry is more than 50' from the required bicycle parking space or when the required bicycle parking space cannot be seen from building entrances.
7. The applicant shall submit for detail design review prior to or at the time of building permit submittal. The following items, required by the Design Review Board at the time of concept review, shall be addressed:
 - a. Provide types and cut sheets of all exterior building lighting; under canopies, at building entries, at the parking garage entry, pedestrian scale bollards, etc. Consider canopy cover with translucent or transparent material that allows natural light to reach the sidewalk. OMC 18.110.080
 - b. Provide design options for the proposed artwork installation on the north façade. OMC 18.110.090
 - c. Provide design details of the parking structure entrance from State Avenue, and details of pedestrian access to the building within the parking lot/structure. OMC 18.120.110
 - d. Provide details of lighting within the parking structure. Avoid fixtures that create glare for pedestrians and motorists at the street level and surrounding residential units. OMC 18.110.160
 - e. Provide design details of the hardy panel and windows on the south elevations. The level of articulation on the south elevation should be more consistent with that on the north and west elevations. OMC 18.110.140

8. Artwork is proposed in lieu of glazing as required in OMC 18.110.090, Basic Commercial Design Criteria. Design options are to be included in materials submitted for detail design review as noted under Condition 7. The final design shall be incorporated into plans submitted for building permit review, and installed prior to Certificate of Occupancy.
9. A final landscape plan, prepared in accordance with OMC 18.36, shall be submitted for review and approval at the time of engineering permit application submittal, and address the following items:
 - a. Depict all utility lines, hydrants, poles, mechanical equipment, etc., on the landscape plan. Where conflicts occur, adjust the location of trees and/or these elements; and
 - b. Parking lot landscape islands shall be provided at the end of every parking row located outside the building footprint. Each island must meet minimum standards in OMC 18.36.180 and contain a tree (providing canopy), shrubs, and groundcover.
 - c. Include a cost estimate for the purchase of plants (trees, shrubs, and groundcover), labor for installation, and three years of maintenance.
10. Signs shall comply with OMC 18.43 and require a separate sign permit application.
11. Pursuant to OMC 18.40.080.C.7, construction activity detectable beyond the site boundaries shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.
12. If contamination of soil or groundwater is encountered during site work and construction, the applicant shall notify the Department of Ecology's Environmental Report Tracking System Coordinator for the Southwest Regional Office at 360-407-6300.
13. An Inadvertent Discovery Plan shall be prepared and submitted with the construction permit application(s). The plan shall outline how the project proponent and site crew will respond in the event that archaeological resources are uncovered during the course of project work. The plan shall be completed and approved prior to issuance of any construction permits or commencement of any site work, and a copy of the plan maintained on site throughout construction. OMC 18.12.140
14. A professional archaeological desktop survey of the project area shall be conducted and submitted to the City prior to permit application. The City will make the survey available to DAHP and concerned tribes for review and acceptance prior to any ground disturbing activities. OMC 18.12.30
15. Concerned tribes shall be notified and given the opportunity to be present during ground disturbing activities. OMC 18.12.30
16. Prior to issuance of construction permits, the applicant shall submit a traffic control plan detailing how pedestrian and vehicular traffic will be routed around and through the project, including what impacts to the street and sidewalk system will occur during construction of the building.
17. The applicant shall submit detailed engineering design plans meeting the Engineering Design and Development Standards current at the time of submission to the Community Planning and Development Department for detailed technical review, approval and permitting.

18. A rapid flashing beacon system for a new crosswalk, located across State Avenue east of its intersection with Water Street, shall be installed.
19. The following minimum roadway lane widths shall be provided:
 - a. State Street: two twelve-foot travel lanes and two eight-foot parking lanes.
 - b. Water Street: One eight-foot parking lane, and three travel lanes with the following widths: 1) left lane – eleven feet, 2) center lane – ten feet, and 3) right lane – twelve feet.
20. Prior to engineering permit submittal, Section 10 of the Drainage Design Report shall be corrected to indicate that all site-generated stormwater will be discharged to the city's dedicated stormwater system on State Street.
21. The applicant shall apply for and receive a stormwater general permit from the Department of Ecology prior to any site work.
22. The condition of the existing alley structural section shall be assessed for expected impacts from site construction; restoration shall be in accordance with EDDS 4B.160.
23. The general layout and access for solid waste storage and collection shown on Sheets SW-01, SW-02, dated May, 6, 2019, and Sheets A-102, A-102.1 and A-102.2, dated May 8, 2019 complies with EDDS Chapter 8, Waste Resources. The following conditions shall be noted on the civil drawings or in a separate document signed by the applicant:
 - a. Building management/staff shall be responsible for placement of all containers - recycle, cardboard and organics - in accessible locations noted both in the final concept design review plans and annotated site plan.
 - b. Waste Resources may require the building owner/manager to adjust/refine container location and orientation after service is established.
 - c. The compactor enclosure shall have a clear opening at the doorway of at least 12 feet wide. The ceiling height at the door header shall be 14 feet.
 - d. Grease barrels and/or containers shall not be collocated with solid waste, whether for garbage, recycle, or organics.
24. A vegetation maintenance bond (or other assurance) shall be provided following City acceptance of the landscape installation including street trees before issuance of the Certificate of Occupancy. The bond amount shall be 125% of the cost estimate submitted with the Landscape Plan and approved by the City.
25. Bonds or other allowable securities will be required by the City to guarantee the performance of work within the subject site and rights-of-way, or maintenance of required public infrastructure intended to be offered for dedication as a public improvement. See both EDDS Section 2.030.F and Volume 1 Section 2.6.1 of the 2016 DDECM for more information.

26. The Boundary and Topographic Survey, Sheet SV-1, shall be revised to comply with WAC 332-130-145. See attached exhibit for specific items to be included on the survey.
27. The applicant shall apply for a lot consolidation to create a single lot. The lot consolidation map shall be recorded with Thurston County prior to issuance of the building permit.
28. The project shall adhere to IFC and IBC codes current at the time of permit application.
29. An Underground Fire Line(s) permit shall be submitted at the time of building permit application.
30. The project will be reviewed under the International Building Code (IBC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC), Washington State Energy Code (WSEC), Uniform Plumbing Code (UPC), and ICC A117.1 as adopted and amended by the state of Washington at the time of building permit submittal. Structural plans must be accompanied by design calculations and be stamped and signed by a Washington State licensed engineer.
31. Electric vehicle charging stations shall be provided in compliance with the 2015 IBC, Washington State Amendment Section 427.
32. The project shall comply with OMC 16.80, Sea Level Rise Flood Damage Reduction.
33. A geotechnical report shall be provided at the time of building permit submittal.
34. The number of trees, tree species, tree locations, and the fee in lieu of meeting the minimum tree density on site shall be determined at the time of engineering permit review.
35. Street trees proposed by the applicant to be planted on the adjacent parcel (address) will count toward the minimum tree density requirement for the subject parcel. OMC 16.60.080.c.
36. Addressing will be determined during building permit review. See attached exhibit for range of addresses for commercial spaces. The residential portion will be addressed as 120 Water Street NW, with individual apartments assigned during permit review.
37. Applicable development fees shall be paid prior to building permit issuance.

Submitted by: Cari Hornbein, Senior Planner, on behalf of the Site Plan Review Committee
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Attachments:

2. Public Hearing Notice
3. General Land Use Application and Supplement
4. Joint Aquatic Resources Permit Application
5. Architectural Site Plan
6. Preliminary Civil Plans

7. DRB Packet (includes view analysis)
8. DRB Recommendation Memorandum
9. Soil and Vegetation Report
10. Geotechnical Report
11. Phase I Environmental Assessment (full report provided in digital format)
12. Phase II Environmental Assessment
13. Preliminary Drainage Design Report
14. WDFW Waiver
15. Agency-Tribe Comments
16. Public Comments
17. Address Exhibit