

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, GRANTING AND AUTHORIZING A PARTIAL PARK AND SCHOOL IMPACT FEE EXEMPTION TO FOURTH STREET HOUSING, LLC FOR ITS PROPERTY LOCATED AT 3335 MARTIN WAY E., ALSO KNOWN AS MERRITT MANOR.

WHEREAS, Olympia Municipal Code Section (OMC) 15.04.060 allows for certain exemptions for payment of impact fees; and

WHEREAS, OMC 15.04.060.A.10 permits exemption of impact fees for any form of low-income housing occupied by households whose income, when adjusted for size, is at or below eighty percent (80%) of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development; and

WHEREAS, OMC 15.04.060.D states that upon application by a property owner, a partial exemption of not more than eighty percent (80%) of park, transportation and school impact fees, with no explicit requirement to pay the exempted portion of the fee from public funds, may be granted to a low-income housing development; and

WHEREAS, OMC 15.04.060.D.4 requires the property owner to record a covenant approved by the Director of Community Planning and Development that prohibits using the property for any purpose other than for low-income housing as described in OMC Subsection 15.04.060.A.10. which, at a minimum, must address price restrictions and household income limits for the low-income housing, and require that if the property is converted to a use other than for low-income housing as defined in the covenant, the property owner or successor must pay the applicable impact fees in effect at the time of any conversion; and

WHEREAS, Fourth Street Housing, LLC has applied to the City of Olympia for a partial exemption of not more than eighty percent (80%) of park and school impact fees for its property located at 3335 Martin Way E., also known as Merritt Manor; and

WHEREAS, Olympia School District No. 111 has by resolution agreed to Applicant's application for a partial exemption of not more than eighty percent (80%) of school impact fees due to Applicant's use of the property for low-income housing that meets the statutory requirements of the Olympia Municipal Code for households whose income adjusted for size is at or below eighty percent (80%) of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Olympia City Council determines it to be in the best interest of the City of Olympia to grant a partial park and school impact fee exemption to Fourth Street Housing, LLC for its property located at 3335 Martin Way, E., also known as Merritt Manor;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby grants and authorizes a partial park and school impact fee exemption to Fourth Street Housing, LLC for its property located at 3335 Martin Way, E., also known as Merritt Manor, of eighty percent (80%) of the park and school impact fees due for the Applicant's property.
2. Interim City Manager, Steven J. Burney, is directed and authorized to execute all documents necessary to grant a partial impact fee exemption to Fourth Street Housing in an amount not to exceed eighty percent (80%) of the park and school impact fees due for the Applicant's property, and to make any minor modifications consistent with the intent of the agreement as may be necessary, or to correct any clerical or scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of January 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY