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EXHIBIT

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Written Testimony for the BranBar Public Hearing July 25, 2016

Introduction:

- As an original resident of Cooper Crest (CC), I have lived in CC for more than 10 years. As you may know, we are located in the sensitive Green Cove Creek basin that even has a special chapter in the land use guide, and yet, we are a failed experiment in low-impact development techniques that should have imparted lessons to developments that have happened since and are yet proposed.
- While I am not here tonight to belabor the past, it is important to note that many of us feel hard done by the city and CC developers alike and hope that we all can learn from the negative impacts that we've witnessed and endured over the years. One of the legacies of our neighborhood is a lack of adequate road capacity that has resulted in a side street with 500-day car capacity being used as a main thoroughfare: Cooper Crest PL NW.
- Through my comments tonight, I want to demonstrate, contrary to the staff report, the consultant's traffic report, and the application materials, that approving the BranBar re-zone will have deleterious effects on the people of Cooper Crest and the environmental conditions in the Green Cove Creek drainage basin. In addition to some general comments on the situation, my comments will specifically invoke OMC 18.59.050 and especially subsections B and E. This proposal, as I will demonstrate, fails to meet subsections B and E, and as a result, should be denied in full.
- I want to begin by commending city staff especially Dave Smith and Michelle Sadlier for their efforts in responding to our e-mails promptly, answering our questions, and including some of our concerns in the traffic studies.
- Both at the Planning Commission and at tonight's hearing, the city presented a one-sided case that attempts to neutralize our concerns in a minimizing dismissive manner while presenting an essentially do no harm picture of this re-zone request that defers essential questions about its potential harm to a development proposal in the future.
- Now is the time, before making a zoning "promise" to the applicant with a minimum density allowance, to identify essential questions and answers about

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harm, not after the developer has an “ironclad” re-zone in hand. As a community, we’ve identified important questions and issues, and to the extent possible with our limited resources, we’ve engaged the issues and identified important shortcomings in the city’s and applicant’s cases for the re-zone.

- I also want to comment on the record on the public process this re-zone request underwent. I understand tonight’s hearing is the single public hearing of record; however, at the Planning Commission meetings the public was denied the right to provide comment via the Planning Commission’s established public comment process that is utilized when the Planning Commission is not planning a public hearing either 45-days before or after a given meeting date.
- Let me be clear, we were not asking for a second public hearing. We were asking for the Planning Commission to follow its proscribed public process. We were denied this courtesy, and unfortunately, the staff report glossed over our neighborhood concerns presenting the one-sided version.
- While staff glossed over this point as well, several Planning Commissioners verbally indicated they decided to pass on making comments on the re-zone because of concerns over not hearing from the public and the lack of a full picture. Simply providing the Planning Commission a packet like the one available for tonight’s meeting would have gone a long ways toward assuaging our concerns about one-sidedness.

I want to move on now and more directly address the specific re-zone request at hand. I’ll begin with the traffic facility and resultant safety concerns as related to 18.059.050 B & E.

BranBar:

1. While the consultants are well-meaning, they clearly know very little about the conditions on the ground in our neighborhood. They focus almost exclusively on the streets feeding into our neighborhood as well as Cooper Crest Street and upper CC Drive with some mentions of BranBar’s access to Crestwood PL and to lower CC Drive.

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Those of us living in the neighborhood know that traffic does not flow in a predictable pattern, which would rely heavily on the neighborhood collector CC Street -- which is technically under utilized.

See especially pages 7-9 where the consultants are "concerned" about how traffic will flow on 20th and at key intersections completely ignoring conditions within Cooper Crest. While those effects are important, the real traffic effects occur on Cooper Crest PL.

2. With a maximum of 20 build-able lots, BranBar would deliver 170-200 vehicle trips per day at build out -- not to mention an extreme number of construction vehicles and heavy equipment.

I'll move now to the city's traffic report.

City Traffic Data

- The best way to characterize the city's report is on page. ² Dave Smith says it best that Cooper Crest PL would be a failing road as a result of BranBar. Further he requested additional incorporation of traffic data and mitigation planning into this re-zone request. For some reason, it appears no action was taken on this important request, which allows for significant impacts to CC to be glossed over. This study needs to happen.
1. On the single day count March 8, city traffic data shows 415 vehicle trips transiting through the intersection of Cooper Crest ST and the Fire Lane. This count may under represent the total actual traffic utilizing Cooper Crest PL because it excludes trips that do not begin or end on the fire access road at the intersection with Cooper Crest ST. As a reminder, CC PL was designed for a maximum of 500 trips per day. We are very near that maximum already, and during the March count period 3-4 homes on CC Place were vacant, and at least one home was on a several week vacation.
 2. From 3/1-3/3, traffic utilizing CC PL via CC Drive was an average of 296 trips per day.
 3. The CC Drive/CC PL 24-hour speed reports from 3-1/3-3 show approximately 35-42% of vehicles exceeding the 25 MPH speed limit, which is already too fast. We've long held that the narrow road and bulb-outs have produced a gauntlet effect instead of a traffic calming effect. According to city design criteria, the road is really designed for a 20 MPH max speed even through it is not signed.

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While the data arrangement, overall, is not straight forward, I believe we can easily see the traffic counts under counted full effects of traffic on Cooper Crest PL and that a 10-20 lot zone will cause CC PL to fail (exceed the 500 vehicle per day limit). **With as few as 8 new homes, CC PL would fail!**

Let me turn my attention now to some of the potential environmental effects of this re-zone proposal. I'll start with the SEPA checklist.

SEPA Checklist with city comments

1. See item #12: applicant is listing CC Drive, which does not directly access his property, as a possibility to connect with his property and "future development". Eventually, we can expect other landowners, should BranBar be successful, to petition for inclusion in the urban growth boundary, to petition for annexation to Olympia, and then to request up-zoning to our detriment and the environment's detriment.

Overall, the SEPA checklist document is a frustration as it defers all information on any deleterious effects to us and the environment until the zoning is changed and an actual development proposal is submitted. Even though comprehensive basin management documents and the Washington State mud minnow sensitive species studies are readily available, these have been ignored for this proposal.

With regard to the potential environmental degradation posed by this re-zone proposal, I want to make several points:

- It does not make sense to gloss over the traffic and environmental impacts that a potential re-zone could allow. Any rezone that allows more than 1 unit has significant health, safety, welfare, environmental (Green Cove basin), and traffic facility impacts that will cause Cooper Crest PL to fail.
- CC and BranBar are located in the environmentally sensitive Green Cove Creek drainage, and surface water is high and drainage from CC naturally flows downhill to BranBar. Further disruption of this cycle is not advisable. CC's failures likely exacerbate damage to an already fragile system.
- BranBar is located in a sensitive aquifer area of the Green Cove basin according to the basin management plan. BranBar parcel's specific sensitivity designation is "HIGH". This indicates that 1/5 zone is more appropriate to protect sensitive aquatic habitat from degradation (outlined in staff report page 4). Adjacent to BranBar's southern boundary is an important wetland as well.

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- In 1998-2001, when the basin management plan was developed, approximately 8-10% of the Green Cove basin was impervious surfaces. Since that time, numerous developments within the basin have been allowed – drastically increasing impervious surfaces. According to the basin management plan and its sources, once impervious surface areas exceed 10-15% hydrology, water quality, and habitat quality decline.
- The cumulative effects of all development within the basin will further exacerbate already existing flooding, water quality issues – including periodic fecal coliform contamination in Green Cove waters, and stresses to the various species like the mud minnow with its sensitive status and other species the state considers on watch lists. Development leads to alterations in hydrology, and the state already considers the watershed to be compromised – further development will cause further damage.

Concluding Remarks:

Based on our experiences in Cooper Crest, the City of Olympia will not stand up for us if a developer violates permit conditions, they will bend over backwards to avoid using the enforcement tools at their disposal including releasing bonds after negotiated conditions remain unmet. Cooper Crest is an environmental failure. We do not have confidence in Olympia to conduct a similar development in a similarly or more environmentally sensitive parcel. The degradation resulting from an up-zone will not be able to be designed in a manner that sufficiently protects the watershed. This is clearly inconsistent with OMC 18.59.050 sections B and E.

Failing traffic conditions are clearly contrary to OMC 18.59.050 sections B and E. Unless the City of Olympia guarantees to build a 65 Road extension prior to building on BranBar, we don't believe that it is ethical or compliant with the ordinance to allow this re-zone.

So, as a compromise, I would be willing to see this property re-zoned under the condition that the extension road is built first and that construction vehicles utilize that new road instead of sullyng and endangering our development. We'll still endure enough noise and disruption with all of the road construction and other activities that is more than enough for any established community to endure. For anyone who does not know, the Hearing Examiner's authority under OMC 18.82.220 section B allows such conditions.

Ultimately, however, let me be clear:

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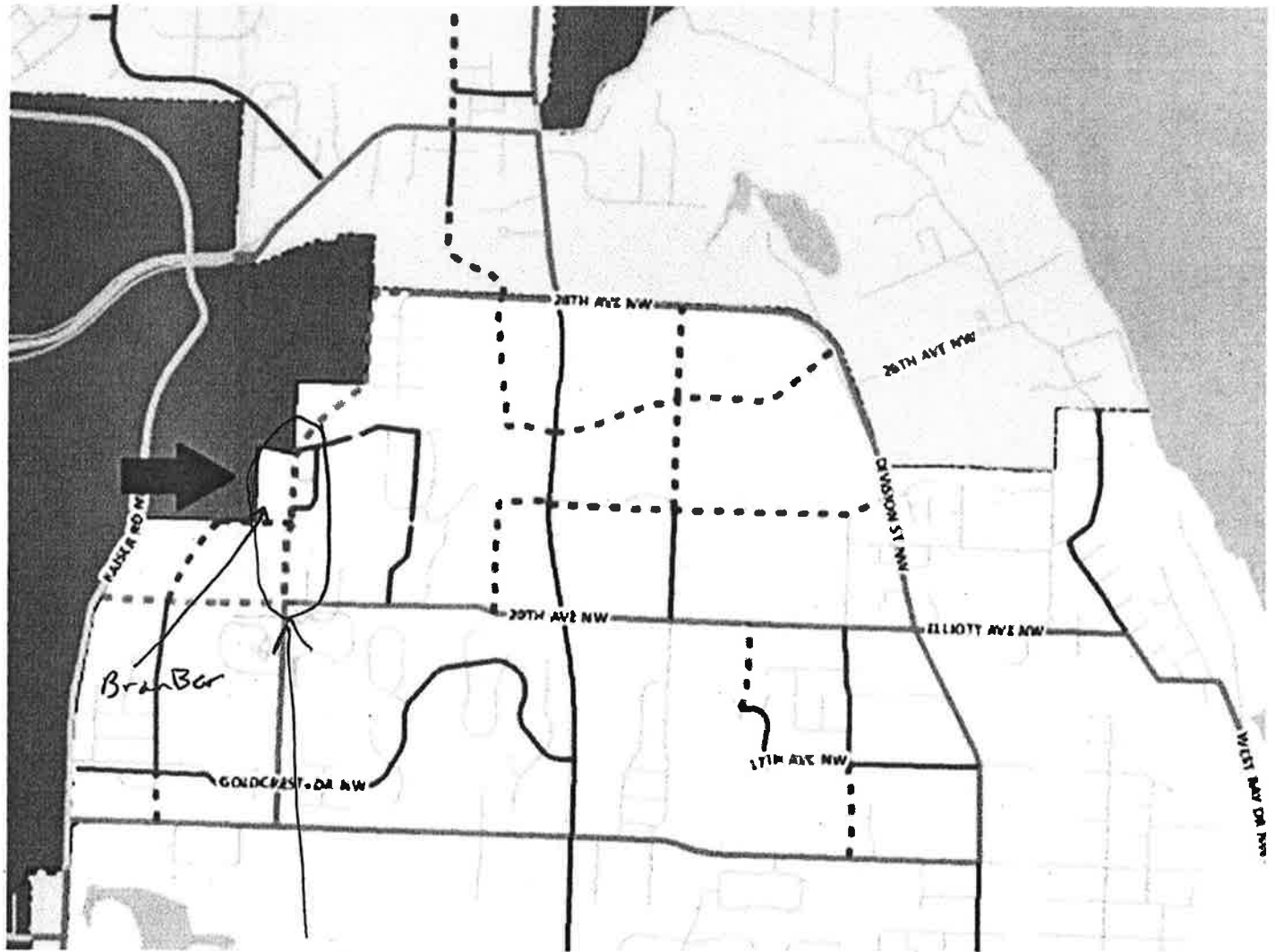
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- First, the existing zoning is consistent with the comprehensive plan's desire to accommodate more people -- adding one house would do that, and I support one house. The existing zoning is also consistent with the supposed residential low-impact nature of the adjoining parcels in CC, and there is also a parcel in Aztec Road adjoining CC to the North that is zoned 1/5. So, it's not out of character to have a 1/5 zone in this vicinity.
- It would actually provide a nice transition zone, as provided in city code, from incompatible rural and urban development levels. There is also demand within the city for larger lots and that allows a wider range of housing types. And certainly, our community's overwhelming preference, as alluded to in Policy 16.1 language, is not to move forward with greater density at the BranBar parcel.
- Finally, environmental constraints likely make this parcel unsuitable for denser development as encouraged in the staff report under 18.59.055 and Policy 16.1. Allowing any development in this area let alone development denser than a rural level of 1/5 will lead to significantly and cumulatively greater impacts on the Green Cove Creek watershed and the sensitive mud minnow that is only endemic to western Washington.
- It is more than questionable as to whether approving a re-zone of this parcel comply with GL 20 of the comprehensive plan – which asks that development “maintain and improve[s] neighborhood character and livability”. I cannot see that happening here.

Thank you all for your time this evening and work on this proposal. I appreciate the opportunity to provide additional information on the shortcomings of this re-zone proposal.

Sincerely,

Russell S. Horton, MPA
City of Olympia & Cooper Crest Resident
Cooper Crest HOA Committee Member



65 Road Extension from Cooper Crest DR
to the intersection of 65 Road & 20th.

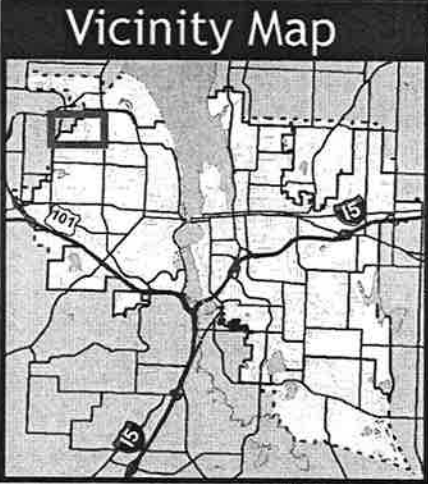
Source: Adapted from Transportation 2030:
Westside & downtown. City of Olympia map.



Community Planning & Development

Branbar Rezone

For more information, please contact:
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Branbar Rezone Site

City Limits and UGA

City Limits and UGA

6S Road Extension

Fire Access Road

KAISER RD NW

AQUA CT NW

PORTA CT NW

20TH AVE NW

COOPER CREST DR NW

CRESTWOOD PL NW

COOPER CREST PL NW

COOPER CREST ST NW

AZTEC DR NW

COOPER POINT RD NW

- Branbar Rezone
- City Limits
- City Parcels

Street Classification

- Arterial
- Major Collector
- Neighborhood Collector
- Local Access

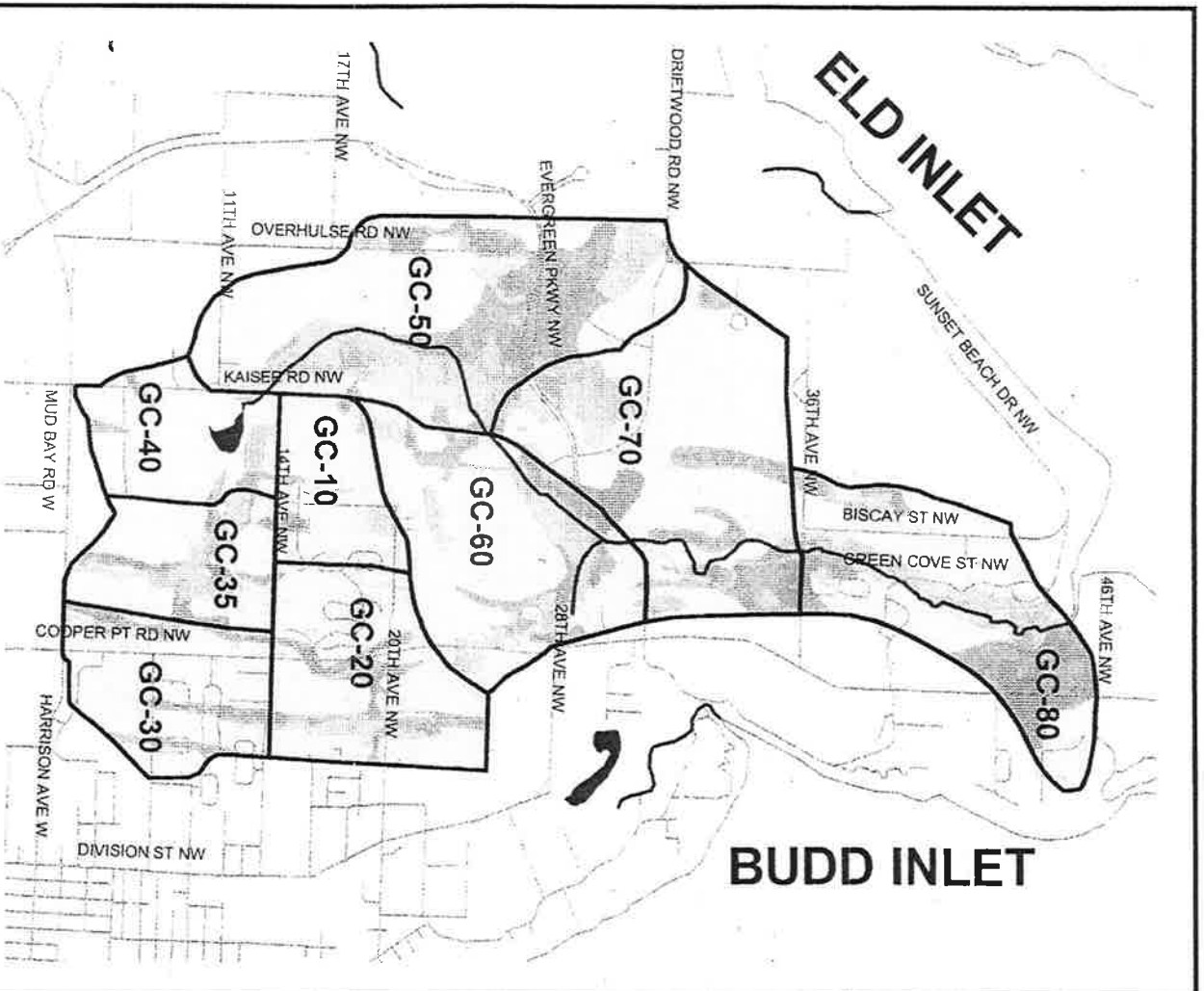
0 0.05 0.1 Miles
 1 inch = 483 feet

This map is intended for 8.5x11" landscape printing.

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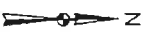
Map printed 7/8/2016



MAP 6:

AQUIFER SENSITIVE AREAS

GREEN COVE BASIN



- LEGEND**
- GREEN COVE BASIN
 - SUB-BASIN
 - WETLANDS
 - WETLANDS
 - AQUIFER SENSITIVE AREAS
 - ELD INLET
 - BUDD INLET

Map by Thurston County Storm and Surface Water Program
 Date: November 1998

