



# City of Olympia

City Hall  
601 4th Avenue E  
Olympia, WA 98501

## Meeting Minutes - Draft City Council

Information: 360-753-8447

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**Tuesday, July 9, 2013**

**7:00 PM**

**Council Chambers**

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### **1. ROLL CALL**

**Present:** 7 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Steve Langer, Councilmember Jeannine Roe and Councilmember Karen Rogers

### **1.A ANNOUNCEMENTS**

Mayor Buxbaum noted the Council met in Executive Session prior to the meeting to conduct the mid-year performance evaluation of the City Manager. He said no decision was made in Executive Session.

### **1.B APPROVAL OF AGENDA**

Councilmember Langer moved, seconded by Councilmember Hankins, to approve the agenda. The motion carried by the following vote:

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

### **2. SPECIAL RECOGNITION - None**

### **3. PUBLIC COMMUNICATION**

Mr. Terrence Zander spoke of the arrest of Scott Yoos two years ago.

Mr. Jeff Jaksich, 812 San Francisco Ave. NE, said a citizen budget task force would be able to provide a third party perspective and urged the Council to enlist their input.

Mr. Jim Reeves spoke of an impending eruption.

### **COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

Mayor Buxbaum noted the City will provide citizens opportunities to take part in the budget discussion.

### **4. CONSENT CALENDAR**

- 4.A 13-0543** Approval of June 25, 2013 City Council Meeting Minutes

The minutes were adopted.

- 4.B 13-0497** Approval of Puget Sound Energy (PSE) Utility Easement Along Delphi Road

The contract was adopted.

- 4.C 13-0499** Approval of Utility and Ingress/Egress Easement with the Olympia School District

The contract was adopted.

- 4.D 13-0520** Approval of Lift Station Easement from Holiday Hills Over Lot 56

The contract was adopted.

- 4.E 13-0529** Approval of Interlocal Agreement with Department of Enterprise Services/Consolidated Mail Services to Provide for the City's General Mailing Services

The contract was adopted.

- 4.F 13-0534** Interlocal Agreement between the City of Olympia and Washington State Department of General Administration for Fire Protection Services

The contract was adopted.

- 4.G 13-0536** CDBG Consolidated Plan and Annual Action Plan Approval

The decision was adopted.

- 4.H 13-0537** Approval of Permit for Public Fireworks Display at Lakefair.

The decision was adopted.

## **SECOND READINGS**

- 4.I 13-0313** Approval of Ordinance Amending OMC Chapter 18 Related to Large Commercial Buildings in Residential Neighborhoods

The ordinance was adopted on second reading.

## **FIRST READINGS**

- 4.J 13-0535** Approval of Designating Ordinance for the Issuance and Sale of Revenue Bonds not to Exceed \$9.2 Million

The ordinance was approved on first reading and moved to second reading.

### **Approval of the Consent Agenda**

Councilmember Langer moved, seconded by Councilmember Cooper, to adopt the Consent Calendar. The motion carried by the following vote:

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

## **5. PUBLIC HEARING**

- 5.A 13-0538** Shoreline Master Program Public Hearing

Community Planning and Development Director Keith Stahley introduced this item and provided a brief recap of the process to date. He noted this item has been before the Council 28 times since April, 2012, plus the Planning Commission had over 100 meetings regarding this item. He noted the written record will close at 5:00 p.m. on July 23, 2013.

Mayor Buxbaum reviewed process points and opened the public hearing.

Ms. Clydia J. Cuykendall, 4203 Amber Ct SE, said the current draft is a reasonable balance.

Mr. Kevin Stormans, 1932 East 4th Ave, thanked Councilmembers for their work on this and for listening to feedback. He commented on setbacks, mixed use facilities, and urged the Council to continue work on setback flexibility.

Mr. Neil Falkenburg, 2100 West Bay Dr NW, Manager of West Bay Marina, spoke of nonconforming uses, setbacks, and various other elements of the SMP.

Mr. Jeffrey Trinin, 1011 Wilson NE, thanked the Council for including nonconforming language. He urged them to make sure the draft is clear about when properites are developed or redeveloped and to allow for flexibility in design, especially on the west side.

Mr. Jerry Farmer provided a history of the shoreline and said flexibility makes common sense.

Ms. Sara Smyth McIntosh, 1801 West Bay Dr NW, attorney speaking on behalf of her clients, voiced concerns as to whether the SMP would encourage the creation of a trail.

Mr. Victor Zvirzdys, 612 5th Ave SW, owner of a local business located on the waterfront, believes small businesses were not considered when drafting the SMP. He said the setbacks, as proposed, will make his building and use non-conforming.

Mr. Ed Zvirzdys, 612 5th Ave SW, said if his building is destroyed, his family fears they would not be able to rebuild because of the new setback provisions.

Ms. Vida Zvirzdys, 612 5th Ave SW, encouraged flexibility in the SMP.

Mr. Tom Zvirzdys, 612 5th Ave SW, voiced his concern about the setbacks in the case of having to rebuild. He said even cosmetic changes would require a permit that would trigger other requirements.

Mr. Don Farler, 204 65th Lane NW, urged the Council to keep flexibility in SMP. He said zero foot setbacks will be improved and paid for by local private funding. He said he agrees with the Zvirzdys' comments and said the SMP needs to provide clarity for rebuilding.

Ms. Lisa Scott Zvirzdys, 415 7th Ave SW, read a letter solicited by a local banker regarding loan terms impacted by zoning restrictions.

Ms. Angela White, 1211 State Ave NE, Government Affairs Director for the Olympia Master Builders, said they support flexibility in setback provisions which will foster private/public relationships.

Ms. Kari Qvigstad, small business owner, and a member of various organizations, stated revitalization needs partnerships with private businesses.

Mr. Fred Finn, 1107 West Bay Dr, spoke on behalf of the Baywood Condo Homeowners Association. He said they like the flexibility included in the SMP but their major concern is where the mixed use area is defined as waterfront recreation.

Mr. David Schaffert, 809 Legion, President of the Thurston County Chamber of Commerce, said he supports the direction of the non-conforming development provisions and the flexibility in shoreline development.

Ms. Sherri Goulet, 3516 Pifer Rd SE, asked the Council to consider the rights of the non-property owners as well as those who don't come to meetings. She told the Council this is part of a "dream big" moment.

Mr. Jerry Budelman, 2204 Dublin Dr NW, a member of the Olympia Yacht Club, shared a parable about a long time homeowner and how the new provisions would be unfair.

Mr. Walt Schefter, Thurston County, posed questions about different setbacks. He said there is no meaningful scientific support for large setbacks in the urban intensity zones. He encouraged flexibility.

Mr. Mick Phillips, 724 Columbia St NW, said the draft is much improved and he would like to see redevelopment on West Bay Drive.

Mr. Steve Segall stated he believes the purpose of the SMP is to exert some control over the shoreline for the City and community, not only property owners.

Ms. Jennifer Sievert spoke in support of public access and said the SMP must take sea level rise into consideration.

Mr. Jeff Jaksich, 812 San Francisco Ave, suggested improvements to the draft with easier-to-read maps, better graphics, and corrections to the text.

Mr. Timothy Harris spoke on behalf of the Port of Olympia, and said they are concerned with restrictions on Reach 5C and how it will affect their comprehensive plan. They would like to see more flexibility in incentives.

Mr. George Smith, 8445 Bainbridge Loop, Lacey, and former Olympia resident, said he is the Chair of the Board of the Olympia Yacht Club and supports flexibility in the setbacks.

Mr. Robert Utter, 2110 52nd Ave NW, thanked the Council for their work.

Mr. Bob Wolf, 6810 Fairway Lane SE, a member of Olympia Yacht Club, spoke of the need to rebuild and/or remodel if necessary.

Ms. Theresa Madden, 304 West Bay Dr, a member of Olympia Yacht Club, supports the need to rebuild.

Ms. Sue Lean, 3035 Quince St SE, a Friend of the Waterfront, urged the Council to take zero setbacks for water oriented uses out of the SMP.

Mr. Bill McGregor, Port of Olympia Commissioner, urged the Council to provide flexibility in Reach 5C.

Mr. Michael Cade, Executive Director of the Economic Development Council, 3526 Holiday Dr SE, said he supports an economic development approach and sees the need to address flexibility.

Ms. Mary Wilkinson, 1903 Eskridge Blvd, SE, said she is concerned about zero and minimal setbacks from the shore that do not reflect this community's values.

Mr. Ross Irwin, 3528 Pinebrook Dr SE, a member of the Olympia Master Builders, commended staff and the Council for changes made over the past few revisions.

Mr. John McKinley, president of Olympia Master Builders, said this is a reasonable draft, but the non-conforming and conditional uses need more work. Also, he said he supports flexibility in setback reductions and incentives.

Mr. Richard Erwin, 3610 Forest Ct SE, a member of Olympia Yacht Club, pointed out the beautiful boardwalk and noted how dangerous the water's edge can be.

Ms. Tam Tocher, 321 19th Ave, SE, spoke against zero setbacks.

Ms. Ann Holm, 1616 Water St SW, a member of the Friends of the Waterfront, spoke for public access to the waterfront.

Ms. Barb Scavezze, 3008 Amhurst Ct, SE, spoke of sea level rise due to climate change and said the SMP needs sufficient setbacks to address this. She asked that zero setbacks be removed.

Ms. Lee Montecucco, 6948 44th Ave NE, spoke against zero setbacks.

Ms. Judy Bardin, 1517 Dickinson Ave NW, spoke as a scientist and said climate change impacts are worse than previously projected.

Mr. Walt Jorgensen, 823 North St SE, said many other cities are moving in an opposite direction from Olympia's. He said the SMP needs more balance and clarifying visuals from the City.

Ms. Lisa Riener, 2103 Harrison Ave #2, said everyone would like access to the salt water and the Council should consider the needs of everyone, not just the property owners or the Yacht Club. She asked that zero setbacks be removed from the SMP.

Mr. John Newman, 1925 Burbank Ave NW, said 30' setbacks are too close to the high tide line; increased setbacks would improve Budd Inlet.

Mr. Bob. Vadas, Jr., 1125 12th Ave, SE #F204, a scientist, said he is opposed to zero setbacks.

Mr. Christopher Stearns, 2910 36th Ave, said there is a need to balance private and public interests.

The public hearing was closed at 9:24 p.m.

Mayor Buxbaum reviewed the next steps on this issue.

**The public hearing was held and left open for written comments until 5:00 p.m. July 23, 2013.**

**6. OTHER BUSINESS - None**

**7. CONTINUED PUBLIC COMMUNICATION**

**8. REPORTS AND REFERRALS**

**8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Councilmember Langer reported the Land Use and Environment Committee recommended the Artesian Court be designated as a park in order to use impact fee money for development. He requested a referral to the Land Use and Environment Committee to

consider development of an urban tree plan. Council agreed.

Councilmember Rogers reported highlights of the Emergency Management Services (Medic I) meeting she attended. Council asked staff to provide a memo regarding a study done by Thurston Regional Planning Council on Medic I services.

Councilmember Cooper reported he attended the HOME Consortium meeting. He suggested staff work with Interfaith Works to conduct an analysis of strengths and weaknesses of available buildings for a low-barrier shelter. Council agreed.

Mayor Pro Tem Jones noted he will not be at next week's Council meeting or the Intercity Transit Board Meeting. Councilmember Rogers, as the Intercity Transit alternate, agreed to attend next week's board meeting.

Councilmember Jeannine Roe reported she attended the annual AWC Conference last week.

Mayor Buxbaum noted the Ad Hoc Community Renewal Area Committee met and additional meetings will be scheduled.

## **8.B CITY MANAGER'S REPORT AND REFERRALS**

City Manager Steve Hall reported the Liquor Control Board has given the City 90 days to amend our approach regarding forming an Alcohol Impact Area in the downtown.

Mr. Hall asked that the low-barrier shelter criteria and possible sites be referred to the Land Use and Environment Committee. Council agreed.

## **9. ADJOURNMENT**

The meeting adjourned at 10:07 p.m.