



Meeting Agenda

Hearing Examiner

City Hall
601 4th Avenue E
Olympia, WA 98501
Contact Tim Smith
360.570.3915

Monday, December 11, 2023

5:30 PM

Hybrid Council Chambers & Via
Zoom

23-2792 Evergreen Park PUD Text Amendment

Registration Link:

https://us02web.zoom.us/webinar/register/WN_Wzi-h-uiQjSLw7bB3EM2SQ

1. AGENDA REVIEW

2. PUBLIC HEARING

2.A [23-1053](#) PUBLIC HEARING - Case: 23-2792, Evergreen Park PUD amendment

Attachments: [Attachment 1 - Staff Report](#)

[Attachment 2 - Evergreen Park PUD use and development standards proposed amendment 2023](#)

[Attachment 3 - SEPA Environmental Checklist.](#)

[Attachment 4 - Public Comments Combined](#)

[Attachment 5 - Evergreen Park PUD Official Map](#)

[Attachment 6 - Evergreen Park PUD use and development standards amended June 1, 2006](#)

[Attachment 7 - Notice of Hearing and SEPA determination](#)

3. ADJOURNMENT

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the meeting, please contact Community Planning & Development by 10:00 a.m., 48 hours in advance of the meeting or earlier, if possible; phone: 360.753.8314; e-mail cpdinfo@ci.olympia.wa.us. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



Hearing Examiner

PUBLIC HEARING - Case: 23-2792, Evergreen Park PUD amendment

Agenda Date: 12/11/2023
Agenda Item Number: 2.A
File Number:23-1053

Type: decision **Version:** 1 **Status:** In Committee

Title

PUBLIC HEARING - Case: 23-2792, Evergreen Park PUD amendment

Report

Applicant:

Philip Stewart, P.O. Box 2010, Lake Oswego OR 97035

Staff Contact:

Jackson Ewing, Associate Planner, 360.570.3776

Type of Action Request:

Modify Evergreen Park PUD to permit residential/multifamily uses within the Commercial Retail Zone of the Evergreen Park PUD.

Project Location:

2300 Evergreen Park Dr SW

(Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13A, 14, 15A, and 51 through 66, Tracts F and G, and Lot 3 of Short Plat SS-5099.) (Also see Ordinance 5215 with regard to Lot 3 of SS-5099 and Ordinance 4192 with regard to lots 65 and 66.)

See Attachment 1 for more details

CITY OF OLYMPIA HEARING EXAMINER
STAFF REPORT

Project Name /File No.:	Evergreen Park PUD amendment; file number: 23-2792
Applicant:	Philip Stewart
Requested Action:	Modify Evergreen Park PUD to permit residential/multifamily uses within the Commercial Retail Zone of the Evergreen Park PUD.
Project Location:	Evergreen Park PUD; (Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13A, 14, 15A, and 51 through 66, Tracts F and G, and Lot 3 of Short Plat SS-5099.) (Also see Ordinance 5215 with regard to Lot 3 of SS-5099 and Ordinance 4192 with regard to lots 65 and 66.)
Zone District:	Planned Unit Development. (PUD)
Comp. Plan Designation:	Planned Development.
SEPA Determination:	A Determination of Non-significance (DNS) was issued for the proposed text amendment on November 17 th , 2023, with an appeal period that expired on December 8 th , 2023. No appeals were filed on the SEPA determination. (Attachment 7. Notice of Hearing and SEPA determination)
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; on November 17 th , 2023, and published in <i>The Olympian</i> on November 27, 2023, in conformance with OMC 18.78.020. (Attachment 7. Notice of Hearing and SEPA determination)
Staff Recommendation:	Approval, subject to approval by city council.
Staff Contact:	Jackson Ewing, Associate Planner Phone: 360.570.3776 E-mail: jewing@ci.olympia.wa.us

I. BACKGROUND INFORMATION

A. Property Description / Context / Site Conditions

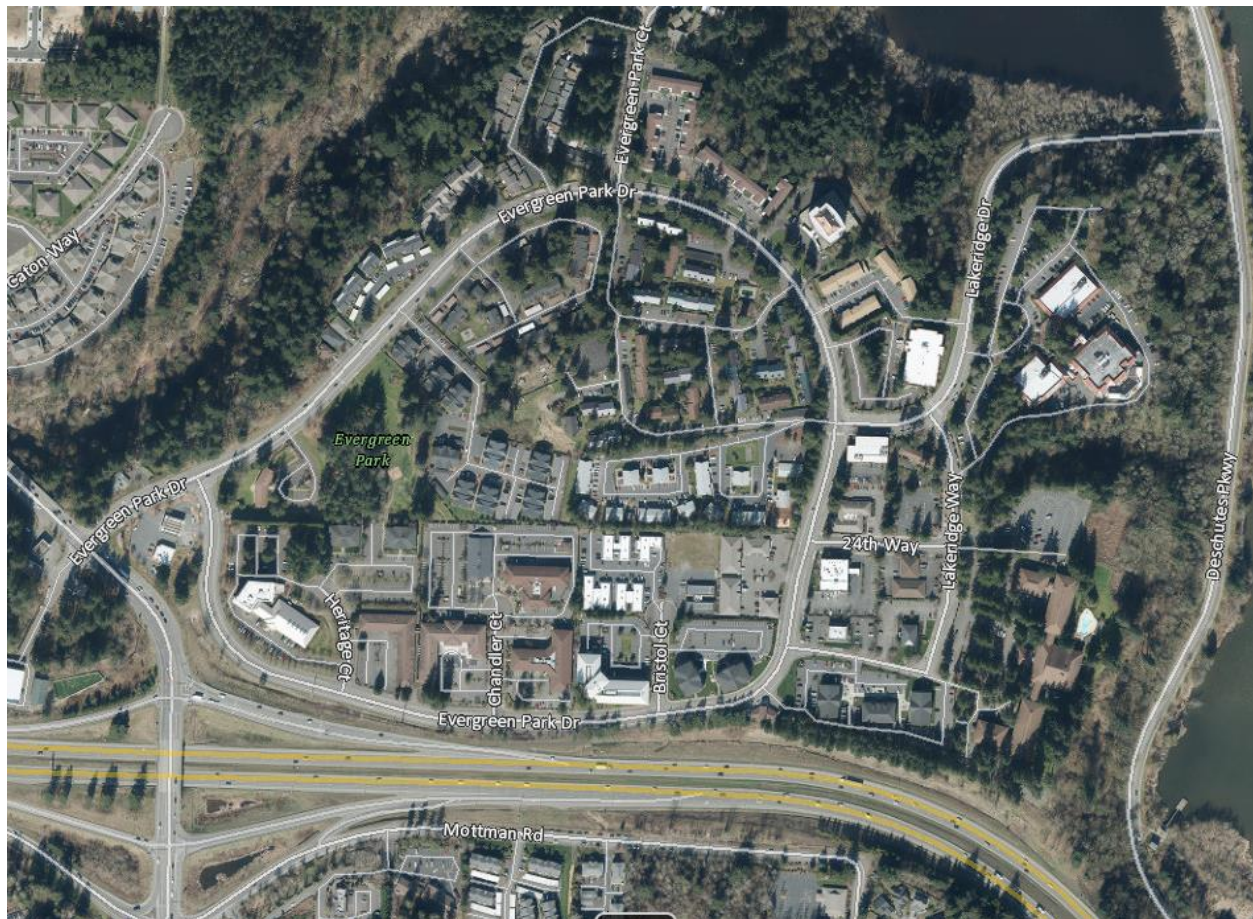
In 1973 the Olympia City Council first approved the Evergreen Park Planned Unit Development (PUD), one of a handful of PUDs approved under former provisions of the city's zoning code. The Evergreen Park development is located in southwest Olympia and is most commonly known by the Thurston County Courthouse location. It is bordered by Highway 101, the Deschutes Parkway, and Percival Creek. The Evergreen Park PUD, which has been amended a number of times over the years, most recently in 2006, and is the only remaining PUD of its kind in Olympia. There are very few undeveloped properties

remaining within the PUD, and redevelopment and adaptive re-use of existing structures is the predominant development pattern in the PUD.

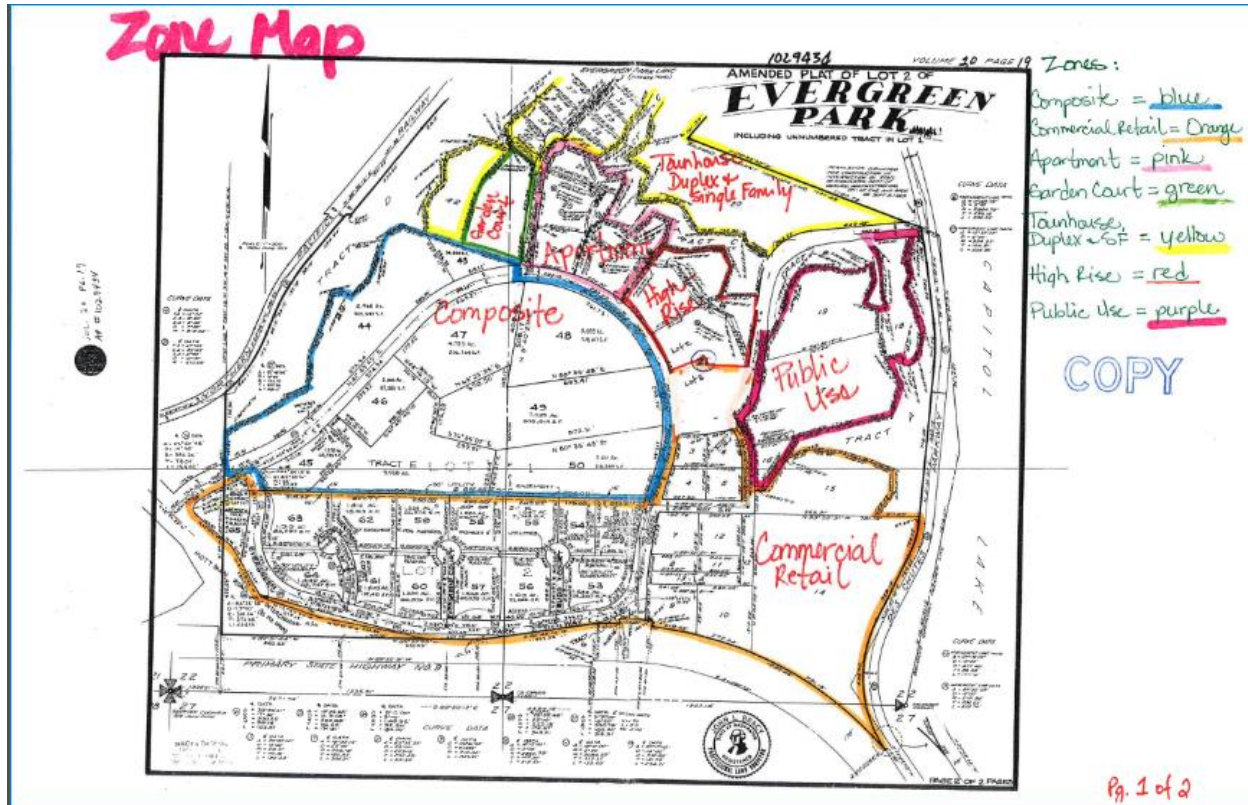
The PUD's adoption in 1973 is an important factor because it is rare to find code language that predates the Growth Management Act of 1990. The maps are hand drawn and some of the vocabulary within the documents text is a reminder of how language changes over time. Nevertheless, the content of the PUD has remained relevant over the last 50 years. The PUD was incorporated into the Comprehensive Plan and Zoning Code and establishes standards for the development of approximately 200 acres as a combined residential and commercial community. The general elements permit flexibility in the arrangement of structures on the sites in order to encourage good architectural design, to provide adequate greenbelt and open space areas, to provide the maximum possible protection of the natural amenities of the area, to provide adequate accesses and utilities for the uses permitted, to assure adequate light and air and to provide protection from discordant influences.

A portion of the PUD known as the retail/commercial zone does not allow for residential uses. This application proposes to amend the Evergreen Park PUD to allow for residential uses within the retail/commercial zone.

Evergreen Park PUD location



Evergreen Park PUD zone map (orange represents retail/commercial zone).



B. CITY APPLICATION AND PUBLIC NOTICING

Application Submittal: The application was submitted and deemed complete on May 22, 2023. Application materials were routed to City staff for review.

Notice of Application and anticipated SEPA determination was issued June 28th, 2023. Notice was sent to property owners within 300 feet of the PUD, Recognized Neighborhood Groups and Applicable Agencies following proper procedures OMC 18.78.020 which was applicable at the time of application. Several public comments were received and are summarized further in this report. (Attachment 4.)

Staff Review: City staff reviewed the project for compliance with applicable codes appropriate sections of the comprehensive plan and found that a recommendation could not be rendered without additional information. The application was then returned for revision on August 23, 2023, to the applicant. The requested revisions included city suggested changes to the proposal to include revisions to the development standards of the PUD to ensure consistency with the standards for multifamily housing in the other districts of the Evergreen Park PUD that already allow residential development. The applicant submitted the requested revisions on August 25, 2023. City staff reviewed the revisions and determined they adequately addressed the concerns raised.

II. POLICY AND REGULATORY FRAMEWORK

The proposal has been reviewed for compliance with applicable plans and regulations. This report addresses those comprehensive plan and code sections that are of applicability and addresses compliance in relation to the following:

- Comprehensive Plan Goals and Policies;
- Title 14.04 Environmental Policy; The PUD text amendment application is subject to the State Environmental Policy Act (SEPA)
- Evergreen Park PUD development standards.
- PUD/PRD Plan Amendment Process.

A. Comprehensive Plan

The city of Olympia considers the Evergreen Park PUD a Planned Development. The following are applicable sections of the Comprehensive Plan related to Planned Developments and housing. PL stands for policy throughout the following excerpts.

The Comprehensive Plan is available for review through the following link:

<https://www.codepublishing.com/WA/Olympia/?OlympiaNT.html>

The section on Planned Developments includes a robust discussion about the added value of creating new mixed-use areas, wider variety of housing, convenient businesses, open space etc. What is important to recognize however, is that the Evergreen Park PUD was already developed when the City's first Comprehensive Plan was adopted. Much of the aspirational language within the Comprehensive Plan is intended for the creation/development of new development.

Planned Developments. This designation includes areas of mixed uses where specific 'master plans' are required prior to development. This designation is intended to achieve more innovative designs than in conventional developments, but which are also compatible with existing uses in the area. Innovative designs may include offering a wider variety of compatible housing types and densities, neighborhood convenience businesses, recreational uses, open space, trails and other amenities. **Two unique planned developments include substantial government office buildings and related uses - these are the Capitol Campus; and Evergreen Park, which includes the site of the Thurston County courthouse.**

Sites for 'neighborhood villages,' one 'urban village,' and the older Evergreen Park planned unit development, each with a compatible mixture of single and multi-family housing and businesses, are designated within the urban area.

While these villages and the Evergreen Park PUD will have many characteristics in common, the design and composition of each project varies in response to site conditions, location, market demand, available street and utility capacity, and the character of the surrounding neighborhood and will evolve over time.

Planned development policies in the comprehensive plan:

GL1. PL1.6 Provide for a compatible mix of housing and commercial uses in commercial districts and village sites that enables people to walk to work and shopping, supports transit and includes convenience businesses for residents. Integrate adjacent uses with walkways and bike paths leading from residential areas to commercial districts and neighborhood-oriented businesses.

PL11.1 Encourage increasing the intensity and diversity of development in existing commercial areas by mixing commercial and multi-family development along with entertainment and cultural centers in a way that will reduce reliance on cars and enable people to work, shop, recreate and reside in the same area.

PL11.3 Work with developers to identify commercial areas for infill and redevelopment, to remove unnecessary barriers to this type of development, and to provide the infrastructure needed for intensive commercial and mixed-use development.

Staff Finding: The existing PUD was written at a time when there was less interest in mixed use within a district. While the existing PUD is mixed use because it allows a mix of uses the mix is separated by zoning district locations. This is unique to this PUD. The other Planned Developments within the City encourage mixed use buildings and allow residential within the commercial districts. The proposed amendment would bring the PUD into closer conformance with the Comprehensive Plan by increasing the residential density within the commercial district.

Housing chapter policies:

PL16.1 Support increasing housing densities through the well-designed, efficient, and cost-effective use of buildable land, consistent with environmental constraints and affordability. Use both incentives and regulations, such as minimum and maximum density limits, to achieve such efficient use.

PL16.2 Adopt zoning that allows a wide variety of compatible housing types and densities.

PL16.5 Support affordable housing throughout the community by minimizing regulatory review risks, time and costs and removing unnecessary barriers to housing, by permitting small dwelling units accessory to single-family housing, and by allowing a mix of housing types.

PL16.8 Encourage and provide incentives for residences above businesses.

PL16.13 Encourage adapting non-residential buildings for housing.

Staff finding: The policies of the housing chapter support the proposed amendment because the proposal is to increase the area within the City in which adaptive re-use of existing buildings can include housing options. The area is currently served by public streets and utilities adequate to provide for housing. The area has access to transit with ¼ mile of all lots affected by the proposal. And the proposed amendment would allow residential units to be built above existing or future office space. This proposal supports increasing housing stock and housing options which is consistent with the goals and policies of the City.

B. Zoning Compliance OMC Title 18:

Note: The permit processing sections of the OMC have been updated, but this application is vested to the provisions that were in effect at the time of the application being deemed complete (May 22, 2023) If using the online version of the code, use the correct version (January 2023).

OMC Title 18 provides the code path for modifying existing PUDs in the city of Olympia. The following outlines process, procedures and authority regarding the proposed PUD amendment.

OMC 18.54 provides for the regulations of a Planned Unit Development. OMC 18.54.060 specifically addresses the Evergreen Park PUD and states that any major adjustment shall be permitted only in accordance with the procedures of section 18.56.120.B.

OMC 18.56 regulates Planned Residential Developments (PRD), as opposed to PUD which are regulated in OMC 18.54. Given the similarities of these two development types the amendment process outlined in OMC 18.56 applies to both PRD and PUD's the same. According to OMC 18.56.120.b.2 major adjustments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the Planned Residential Development. When a change constitutes a major adjustment, no building or other permit shall be issued without prior review of such adjustment by the Hearing Examiner and approval by the City Council. As such, this amendment application is required to be reviewed by the Hearing Examiner. If recommended for approval, it would be forwarded to the City Council for review and approval.

OMC 18.82 outlines the Hearing Examiner Authority. OMC 18.82.120 identifies the types of projects the Examiner has the jurisdiction to review. This section identifies rezones, master planned developments and planned residential developments. PUD is not explicitly identified, likely because of the City's intent to prohibit new PUD applications. Nevertheless, the omission appears to be in error because the code specifically directs amendments of the PUD to the examiner review process. The City concludes the Examiner has the authority to review this application and the responsibility to conduct a public hearing as outlined in OMC 18.82.200 and make a recommendation to the City Council.

PRD Preliminary approval applies 18.56.060. Final approval is not necessary as this is not actually a PRD. The approval process follows the process outlined in section C. and D. of the subject sections. The City Council decision shall be based upon the record which was established at the hearing held by the Hearing Examiner, provided that new evidence which was not available at the time of hearing may be included.

18.72 processing SPRC to HEX to Council.

The Development Standards and other criteria outlined in the PRD section are not applicable as this is not a PRD, nor an amendment to a PRD, rather a PUD. OMC 18.54 provides very little regulatory guidance regarding the parameters of acceptable amendments. This is primarily due to the fact that it is the only PUD in the City and OMC 18.54.020 indicates that no new PUD's may hereafter be made. The only applicable guidance to the intended development character of the PUD within the municipal code is found in the purpose statement of OMC 18.54.020 which states:

“The Evergreen Park PUD district is intended to permit flexibility in design, placement of buildings and use of open spaces, including modification in requirements for lot frontage, building setbacks and design of circulation facilities to best use potentials of sites characterized by special features of geography,

topography, size or shape, and to encourage a more creative approach in the development of land that will result in a more efficient, aesthetic and desirable environment in harmony with that of the surrounding area.”

Staff Finding: In reviewing the proposed amendment, Staff looks to the intent to permit flexibility and creativity that would result in a more efficient and desirable environment in harmony with the surrounding area and the city at large. Staff finds that the proposal will be harmonious with the surrounding area because the area is served by utilities and public transit. The proposed changes are consistent with the goals of the Thurston County Housing Action plan which aim to increase housing stock within the city in areas already served by existing infrastructure. Staff also determined that areas which allow retail uses, generally allow residential uses in other zoning districts throughout the city. The only restriction on residential uses is in Industrial zone area where, residential uses are not compatible with typical industrial uses.

PUBLIC COMMENT

The city received a number of public comments which have been provided for review in (Attachment 4.) The following provides a summary of the major issues raised in the comment letters.

- Fear that increased residential use could result in increases of crime, reduced security for existing businesses and houselessness were brought up as concerns in letters and emails submitted to the city.
- potential loss of the Olympia Hotel located in the PUD within the retail/commercial PUD zone. These concerns relate to potential loss of jobs at the hotel and loss of lodging and conference space.
- Uncertainty regarding the application materials and a desire for increased clarity of project scope.

Staff response: Generally, the concerns expressed about crime, security and houselessness are faced throughout the city. The current application does not approve any construction or conversion of any existing structures. If the hotel is to be converted to multifamily housing, then applicable permits and review will be required. The city reached out to concerned community members to answer questions about what the application is proposing and to further explain the process.

The applicant has revised the Environmental Checklist, and the proposed code amendment is consistent with other areas allowing multifamily housing in the Evergreen PUD.

The concern regarding loss of hotel and conference space for events and the underlying jobs are not within the scope of this amendment. These issues are economic issues, and the application is to amend the PUD to allow more flexibility of use in the future, specifically to allow multifamily use where it is currently restricted. Future redevelopment will be initiated by individual property owners.

Staff has determined that the existing Comprehensive plan supports increased flexibility to provide additional housing units and that market conditions will determine future use.

C. Review of Proposed Code

The proposed changes to development standards would require new multifamily projects to comply with consistent zoning standards for multifamily development in the Evergreen Park PUD. Existing multifamily development standards would be followed. Section 2.C. of (attachment 2) covers how new multifamily projects shall follow the Development Standards found under Section III Apartment Zone. Any change of use to an existing building into apartments or other multifamily housing is permitted, regardless of the development standards being met as found under that section. Vehicle and bicycle parking requirements shall be required per OMC 18.38

Staff Finding: This amendment would allow for multifamily complexes similar to existing multifamily development in the Evergreen Park PUD. New projects and conversions would be allowed as described above.

III. CONCLUSION AND RECOMMENDATION

Staff recommends approval of attachment 2 as the new use and development standards adopted for the Evergreen Park PUD. The specific changes are shown highlighted in red throughout the document. If approved by the Hearing Examiner, the proposed amendment will go before city council for final approval as described in OMC 18.56.

On behalf of the site plan review committee:

Jackson Ewing, Associate Planner.

Attachments:

- 1 - Staff Report
- 2 - Evergreen Park PUD use and development standards proposed amendment 2023.
- 3 - SEPA Environmental Checklist.
- 4 - Public Comments Combined.
- 5 - Evergreen Park PUD Official Map.
- 6 - Evergreen Park PUD use and development standards amended June 1, 2006. (Currently Adopted)
- 7 - Notice of Hearing and SEPA determination.

APPENDIX A

May 22, 1973

AMENDED JUNE 1, 2006

AMENDMED XXXX

**EVERGREEN PARK PLANNED UNIT DEVELOPMENT
USE CLASSIFICATION AND DEVELOPMENT STANDARDS**

ARTICLE I. INTENT

The Evergreen Park PUD District is designed to establish standards for the development of an area containing approximately 200 acres on the west side of Olympia, as a combined residential and commercial community. The general elements are designed to permit flexibility in the arrangement of structures on the sites in order to encourage good architectural design, to provide adequate greenbelt and open space areas, to provide the maximum possible protection of the natural amenities of the area, to provide adequate accesses and utilities for the uses permitted, to assure adequate light and air, and to provide protection from discordant influences.

ARTICLE II -GENERAL PROVISIONS

SECTION I. SITE PLANS - Emphasis of the natural amenities shall be an integral part of all site plans.

- A. For Lots 43 through 66 detailed site plans, landscape plans, building elevations, color schemes, building plans, computation for vertical angle of light, horizontal light angles and floor area ratio where-ever applicable shall be submitted directly to the Olympia City Site Plan Review Committee for review and approval as to conformance with the nature and intent hereof, development standards provided herein, and as to the adequacy of the traffic plan for the traffic to be generated by the development of such property.
- B. For Lots 3 through 42, detailed site plans, landscape plans, building elevations, color schemes, building plans, computations for vertical angle of light, horizontal light angles and floor area ratios wherever applicable for each parcel shall be submitted to the City Planner and City Engineer for review and approval to determine conformance with the nature and intent hereof, the standards herein, and other applicable ordinances of the City of Olympia.

SECTION II. OPEN SPACE, GREENBELT AREA (Tracts A, B, C & D)

- A. Tracts A, B, C, and D shown on the site plan annexed hereto marked Exhibit "A- 1" shall

be maintained in perpetuity as natural landscaped open areas, owned by a property owners' association, municipal or state body, or by present property owners. Additional areas to be devoted to open space or greenbelt area shall be approved by the City Planner and City Engineer.

SECTION III. PEDESTRIAN WALKWAYS AND CIRCULATION

- A. Pedestrian easements shall be provided to permit reasonable access to the greenbelt area either at the locations shown in the site plan annexed hereto or at other locations providing more suitable access giving due consideration to geographical limitations. Exact locations of pathways shall be approved by the Hearing Examiner upon recommendation of the City Planner and City Engineer. Maintenance shall be by a property owners' association, municipal body or present property owners. Additional pedestrian circulation walk-way systems may be required by the City Commission upon recommendation of the Hearing Examiner. All pathways must be constructed by the developer prior to construction on 45 percent of the lots as shown on Exhibit "A-1". Pathways shall be constructed in conformance with such reasonable design criteria as shall be established by the City Engineer.

SECTION IV. SIDEWALKS

- A. Sidewalks shall follow the specifications and locations as follows:
1. Lakeridge Drive
 - a. Five foot (5') Portland Cement concrete integral curb and sidewalks along the north side of the street extending from Evergreen Park Drive to Deschutes Parkway.
 - b. Top of the cut to Evergreen Park Drive - eight foot (8') Portland Cement concrete integral curb and sidewalk along the south side of the street. This sidewalk will extend two feet onto private property.
 2. Evergreen Park Court
 - a. Five foot (5') Portland Cement concrete sidewalk along both sides of the street. There will be a 4-1/2 foot landscaped parking strip between the curb and the sidewalk. The cul-de-sac on the north end of Evergreen Park Court will have a five foot (5') Portland Cement concrete integral curb and sidewalk.
 3. Lakeridge Way and 24th Way, Southeast
 - a. Eight foot (8') Portland Cement concrete integral curb and sidewalk on both

sides of the roadway extending from Lakeridge Drive to Evergreen Park Drive. This sidewalk extends two feet onto private property.

- (1) Five foot (5') Portland Cement concrete sidewalk along the northerly side of the street between Lakeridge Drive and its intersection with Cooper Point Road. There will be a four and a half foot landscaped parking strip between the curb and the sidewalk. If the abutting property develops commercial, then the sidewalk width shall be increased to ten feet.
 - (2) Ten-foot integral curb and walk along the southwest side of the street extending from the existing temporary roadway easement shown on the plat westerly to Cooper Point Road.
4. Sidewalks for those portions of Lots 43 through 66 contained within Evergreen Park Drive will be located and sized in accordance with the development of this area. They shall be shown on the site plan as required in Section 1 of this article.

SECTION V. STREET SYSTEM

- A. The principal streets will be those that are shown and dedicated on the site plan, attached hereto, and marked Exhibit "A-1". Final alignment of any other streets necessary to serve any of the parcels of land and the location of all points of ingress and egress to the property abutting all existing or proposed streets shall meet with the standards established by the City of Olympia and approved by the City Engineer and the City Planner. New streets must be consistent with the nature and intent of this PUD.

SECTION VI. STREET LIGHTING

- A. Street lighting shall conform with the standards and policies of the City of Olympia applicable to the various land uses established for this development. Street lighting shall be installed to coincide with the development of each lot.

SECTION VII. WATER, SANITARY SEWER AND DRAINAGE SYSTEMS

- A. The PUD shall be served by the City of Olympia water distribution system, sanitary sewage collection system and storm drainage system. These systems shall meet the current standards and policies established by the City of Olympia at the time of development. Prior to construction detailed construction plans and specifications for all utilities and improvements shall be submitted to the City Engineer for review and approval. All proposed utilities shall conform to the provisions hereof and with the existing ordinances of the City of Olympia and the laws of the State of Washington.

SECTION VIII. UTILITIES

- A. All utilities, both private and public, will be placed underground. The undergrounding of all utilities will be completed prior to commencing construction on Lots 1 and 11 of this development.

SECTION IX. LANDSCAPING

- A. All improved areas shall be reasonably landscaped upon completion of building construction. Proposed landscaping plans shall be submitted to the City Planner and City Engineer for review when detailed site and building plans are submitted pursuant to Section I of this Article.
- B. In lieu of other specific requirements set forth herein or incorporated herein by reference, all areas other than access ways lying between the paved portion of streets and the parking areas of commercial zones shall be reasonably landscaped so as to provide a screening having a minimum height of six feet (6') at maturity for such parking areas lying adjacent to or across the street (excluding the Olympia-Aberdeen Freeway) from a residential area and a minimum height of three feet (3') at maturity for all such other parking areas.
- C. Developments completed prior to the adoption of an ordinance incorporating these requirements shall be exempt there from.

SECTION X. OFF-STREET PARKING

- A. Off-street parking shall meet the minimum standards provided under the City of Olympia code. In addition, no parking area shall be allowed with ten feet of the paved portion of a street.

SECTION XI. OFF STREET LOADING

- A. Off-street loading requirements shall meet the minimum standards provided under the Olympia City Code.

SECTION XII. SIGNS

- A. All signs shall be constructed and maintained in conformance with (Sign Standards) of the Olympia City Code. Signs maintained in residential use districts hereof which are not specifically provided for in said code shall meet the standards set forth in said Section for RM Zones.

ARTICLE III

PERMITTED USES AND DEVELOPMENT STANDARDS

SECTION I. COMPOSITE USE ZONE (Lot 1)

A. Purpose

1. The purpose of the Composite Use Zone is to provide for the use of Lot 1 for residential purposes and to establish standards which shall be applicable to such of the permitted uses as may be developed. Such uses will of course be dependent in fact upon the future growth of Olympia and the relative needs for such uses.

B. Special Provisions

1. A park area for the use of the owners of property within Evergreen Park, or the public, shall be established for the benefit of said property owners or dedicated to the City of Olympia for the benefit of the public. Such park area shall contain a minimum of two (2) acres and shall include 1.25 acres for each 100 dwelling units (or part thereof) to be constructed on said Lot 1. For example if 250 dwelling units are to be constructed on Lot 1, the minimum park area would be 3.75 acres.
2. There shall be no more than 500 residential units constructed on Lot 1.

C. Permitted Uses - Uses permitted as a matter of right:

1. High rise Apartments
2. Garden Court Apartments
3. Townhouses, Duplexes, Single-family residences

D. Conditionally Permitted Uses - Uses permitted pursuant to a Conditional Use Permit:

1. Churches

E. Use and Development Standards - High Rise Apartments

1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.1 above (High-Rise Apartments), the following use and development standards shall be applicable:
 - a. Height and Length: On any site the height of a building shall not exceed 120 feet,

provided, however, that where any portion or portions of a building extend above a height of 35 feet, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site. With the approval of the Hearing Examiner of the City of Olympia, after recommendation of the Site Plan Review Committee, the height may be in excess of 120 feet but not in excess of 200 feet where the geographical amenities of the site make such height possible. Where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that the area of each site so created is 25,000 square feet or more, and the parts of the building (towers) are not less than 80 feet apart. The height of a building shall be the vertical distance between the finished grades of the site and the hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.

- b. Front Yard: A front yard of not less than 20 feet.
- c. Side Yard: Side yards shall be provided on each side of the building such that the outer walls of building be contained within 135° horizontal angles subtended from all points along the side property lines, provided, however, in no case shall the side yard be less than seven feet (7').
 - a. In the case of a corner site where the side yard adjoins a flanking street, the above containing angle is not applicable, but the side yard shall be 20 percent of the width of the site, provided, however, this amount shall be increased by one foot, or fraction thereof, for every five feet (5') by which the highest height of the building exceeds 40 feet (measured as in (E.1.a) above), but in no case shall it be less than ten feet nor need it be more than 20 feet.
- d. Rear Yard: A rear yard minimum depth of 35 feet; this amount may be reduced to 25 feet in the following:
 - (1) When the building abutting the rear yard is not more than 30-feet wide or less than 25 feet from any adjoining site.
 - (2) When the average distance from the rear line of the site to the rear of the building taken over the full width of the site is not less than 35 feet and provided further; that no portion of such building abutting such rear yard so reduced shall have a width of more than 50 feet nor less than 25 feet from any adjoining site.
- e. Daylight Access:
 - (1) From the outside of the mid-point of the exterior wall (walls) of every habitable room, there shall be an unobstructed view for a distance of not less

than 80 feet measured horizontally three feet (3') above the floor of the habitable room. Such view shall extend through either a continuous horizontal arc of not less than 50° or through two or more horizontal arcs which in the aggregate contain not less than 70° . For the purpose of this subsection the following shall be considered to be obstructions.

- (a) The theoretical equivalent building located on any adjoining site of the zone areas in the corresponding position by rotating the plot plan of the proposed building 180° about the horizontal axis located on the property line of the proposed site.
 - (b) Part of the same building including permitted projections.
 - (c) Accessory buildings located on the same site as the principal building.
- (2) For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than ten percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet, whichever is greater.
- f. Vertical Angle of Light: In the case of buildings over 35 feet in height (measured from the finished grade at all points around and adjacent to the building) no part thereof shall project above lines extending over the site at right angles from:
- (1) All points along the ultimate centerline of the street (or streets) in front of the site inclined at an average angle of 25° to the horizontal.
 - (2) All points along the rear boundary line of the site and inclined at the average angle of 25° to the horizontal.
 - (3) All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an average angle of 30° to the horizontal.
 - (4) In the case of corner sites, all points along the ultimate centerline of the flanking street and inclined at an average angle of 25° to the horizontal.
 - (5) For the purpose of this section only, the principal building shall be considered as an obstruction.
- g. Floor Area Ratio: The maximum floor area ratio shall be 1.00 provided, however, this amount may be increased as follows:
- (1) Where the site coverage is 50 percent or less, an amount equal to 0.012 may

be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent.

- (2) Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet, or more, an amount may be added equal to 0.002 multiplied by each 100 square feet of site area in excess of 9,000 square feet but in no case shall this amount exceed 0.25.
- (3) Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount may be added equal to 0.20 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven feet (7') or more, but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven feet (7'), and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation, provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided in no case shall the top of any portion of such structure, extend more than three feet above the adjoining streets or adjacent sites.

- h. Accessory Buildings: A building or use customary to high-rise apartments, provided that:
 - (1) All accessory buildings shall not be located closer to the flanking street than the width of the side yard required for the principal building.
 - (2) The total accessory buildings located in any yard shall not occupy an

area greater than 25 percent of the minimum yard prescribed for high-rise apartments or 460 square feet, whichever is greater;

- (3) No accessory building shall exceed 15 feet in height.
- (4) No more than two-thirds of the width of front or rear yard of any lot shall be occupied by accessory buildings;
- (5) No accessory building shall be closer than 12 feet to any dwelling on the property;
- (6) No accessory building shall obstruct the daylight access as required by this high-rise apartment section.

i. Special Provisions:

- (1) Animals - No more than three (3) of any species of common four-legged household pets, four (4) months of age or older, shall be allowed per dwelling unit. Fowl such as chickens, ducks and geese are prohibited. This does not apply to song birds and the like. All other animals are prohibited.
- (2) Trailer house and mobile homes - no more than one (1) trailer house may be stored on the premises unless is determined by the Hearing Examiner that such storage will not be detrimental to surrounding property or to the neighborhood. Trailer houses shall not be used as living quarters at any time. Mobile homes may be used as living quarters only when located in Mobile Home Parks.
- (3) Pleasure Boats - Privately owned pleasure boats with an eight- (8) foot beam or less may be stored on the premises. Larger boats may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to the surrounding property or to the neighborhood. A boat in storage shall not be used as living quarters at any time.
- (4) Outside Storage - Inoperable motor vehicles may be stored on the premises no longer than thirty (30) days unless parked within an enclosed structure. A reasonable quantity of material normally accessory to the principal use may be openly stored in the buildable area. There shall be no open storage of other materials.

F. Use and Development Standards - Garden Court Apartments

- 1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.2 above (Garden Court Apartments) the standards set forth in Article III,

Section IV hereof, shall be applicable.

G. Use and Development Standards - Townhouses, Duplexes, Single-Family Residences.

1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.3 above (Townhouses, Duplexes, Single-Family Residences) the standards set forth in Article III, Section V hereof shall be applicable.

SECTION II. COMMERCIAL RETAIL ZONE: (Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13A, 14, 15A, and 51 through 66, Tracts F and G, and Lot 3 of Short Plat SS-5099.) (Also see Ordinance 5215 with regard to Lot 3 of SS-5099 and Ordinance 4192 with regard to lots 65 and 66.)

A. Permitted Uses: Uses permitted as a matter of right:

1. Retail stores and shops. This includes all types of retail stores except the following:
 - a. Automobile and truck sales and rentals.
 - b. Heavy farm and construction equipment.
 - c. Feed, grain and farm supply stores.
 - d. House trailers, mobile home sales & rental and truck and trailer rentals.
2. Banks and other financial institutions.
3. Offices.
4. Personal and business services.
5. Household and clothing services such as a tailor, janitor, self-service laundry, and dry cleaning. Laundry plants prohibited.
6. Repair shops for small equipment and items.
7. Eating and drinking establishments.
8. Commercial recreation.
9. Public buildings and facilities.
10. Parking facilities.
11. Service Stations.

12. Minor Auto Repair Accessory to Service Stations only.
13. Hotels and motels.
14. Auto rentals accessory to motel, hotel and service stations.
15. Churches.
16. Multi-Family Housing
17. Other uses similar to the above which are consistent with the intent.

B. Use Provisions: The following provisions shall apply to all of the above uses within this zone:

1. All businesses shall be retail or service establishments dealing directly with the consumer. Products produced on the premises shall be sold at retail on the premises where produced or delivered directly to the consumer. Slaughtering prohibited.
2. All businesses, excepting garden supply stores, restaurants', and parking facilities, shall be conducted wholly within an enclosed building.
3. Goods offered for sale shall consist principally of new merchandise, except in the case of antiques.

C. Development Standards: The following Development Standards shall be applicable to former Lot 2 and the other lots covered by this Article III, Section II. except any new multifamily housing (Apartments) shall follow the Development Standards found under Section III Apartment Zone. Any change of use to an existing building into apartments or other multifamily housing is permitted, regardless of the development standards being met as found under that section. Vehicle and bicycle parking requirements shall be required per OMC 18.38

1. Front Yard: No front yard shall be required.
2. Side Yard: No side yards shall be required except where the commercial area abuts the residential area; then the side yard shall be ten feet. For the next three stories above a height of three stories or 40 feet, whichever is lesser, no part of the building shall be nearer than five feet to the side lines of the site and this distance shall be increased by one foot for every additional story, providing, however, this requirement need not apply on a flanking street of a corner site.
3. Rear Yard: A rear yard shall be not less than ten feet except where the parcel abuts the residential area in which case the yard shall be 20 feet.

4. Height: The height of a building shall not exceed 60 feet nor three stories. Office, hotel buildings shall not exceed 80 feet.
5. Vertical Angle of Light: In the case of a building of more than three stories or 40 feet in height, no part of such building above the third story, or above 40 feet, shall project above lines extending toward the building at right angles from:
 - a. All points along the ultimate centerline of the street in front of the site and inclined at an angle of 60° to the horizontal;
 - b. All points along the rear boundary line of the site or the ultimate centerline of the lane where one has been dedicated and inclined at an angle of 60° to the horizontal;
 - c. All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an angle of 70° to the horizontal;
 - d. In the case of a corner site all points along the ultimate centerline of a flanking street or lane and inclined at an angle of 60° to the horizontal.
 - e. Any part of a building shall be exempt from the appropriate vertical angle control above, if the exempt part of the building:
 - (1) Has a horizontal dimension of 60 feet or less, measured parallel to the street, lane or boundary of the site, as the case may be, from which the said vertical angle is measured; and
 - (2) Is not less than 80 feet from any part of the same building similarly exempt, measured in the same direction as the 60 feet specified in clause (a) above.
6. Horizontal Light Angle (Hotels, Motels, Multi-Family Housing):
 - a. The window of every habitable room shall be not less than ten feet from the interior side boundary of the site onto which it faces.
 - b. Every such window shall permit an unobstructed view for a distance of not less than 80 feet measured horizontally from its center at sill level. Such view shall extend through either a continuous horizontal arc of not less than 50°, or through two or more horizontal arcs which in aggregate contain not less than 70°. For the purpose of this subsection the following shall be considered as obstructions:
 - (1) The theoretical equivalent building located on any adjoining site of the zone area in a corresponding position by rotating the plot plan of the

proposed building 180° above the horizontal axis located on the property line of the proposed site.

- (2) Part of the same building including permitted projections.

Accessory buildings located on the same site as the principal building.

7. **Floor Area Ratio:** The floor area ratio shall not exceed 2.50. Floor area ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two or more sides, areas having a ceiling height of less than seven feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

8. **Accessory Buildings:** Any use or structure customarily accessory to the principal uses shall be permitted, provided it shall not exceed a height of 15 feet,

SECTION III. APARTMENT ZONE (Lots 23, 24, 25 and 26)

- A. **Intent.** To provide for apartment development at a density standard that will attain a maximum density of 25 dwelling units per acre.
- B. **Permitted Uses.** Uses permitted as a matter of right.
1. Apartment houses.
 2. Fraternity or sorority houses.
 3. Public or commercial swimming pool.
- C. **Height.** The height of a building shall not exceed five stories or 50 feet.
- D. **Front yard.** The front yard shall have a minimum depth of 20 feet.
- E. **Side Yards.** A side yard of not less than ten feet shall be provided on each side of the building, provided, of on a corner site where a side yard adjoins a flanking street, the side yard shall be not less than 15 feet.

- F. Rear Yards. A rear yard shall be provided of not less than 25 feet.
- G. Vertical Angle of Light. In the case, of buildings over 35 feet in height (measured from the finished grade at all points around and adjacent to the building) no part thereof shall project above lines extending over the site at right angles from:
1. All points along the ultimate center line of the site and inclined at the average angle of 25° to the horizontal.
 2. All points along the rear boundary line of the site and Inclined at the average angle of 25° to the horizontal.
 3. All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an average angle of 30° to the horizontal.
 4. In the case of corner sites, all points along the ultimate center line of the flanking street and inclined at an average angle of 25° to the horizontal.
- H. Daylight Access.
1. The window of every habitable room shall be not less than ten feet from the interior side boundary of the site onto which it faces.
 2. Every such window shall permit an unobstructed view for a distance of not less than 80 feet measured horizontally from its center at sill level. Such view shall extend through either a continuous horizontal arc of not less than 50° , or through two or more horizontal arcs which In aggregate contain not less than 70° . For the purpose of this subsection the following shall be considered as obstructions:
 - a. The theoretical equivalent building located on any adjoining site of the zone areas in a corresponding position by rotating the plot plan on the proposed building 180° about the horizontal axis located on the property line of the proposed site.
 - b. Part of the same building including permitted projections.
 - c. Accessory buildings located on the same site as the principal building.
 3. For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than ten percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet whichever is greater.
- I. Floor Area Ratio. The maximum floor area ratio shall be 0.60, provided, however, this amount may be increased as follows:
1. Where the site coverage is 50 percent or less, an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50

- percent.
2. Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet or more, an amount may be added equal to 0.002 multiplied by each 100 square feet of site area in excess of 9, 000 square feet but in no case shall this amount exceed 0.25.
 3. Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount may be added equal to 0.20 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven (7) feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven (7) feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided in no case shall the top of any portion of such structure extend more than three feet above the adjoining streets or adjacent sites.

- J. Accessory Buildings. A building or use customarily accessory to the above uses (except for another dwelling unit), provided that:
 1. All necessary buildings shall be located not less than 15 feet from a flanking street.
 2. The total accessory buildings do not occupy an area greater than 25 percent of the minimum yard, or 460 square feet, whichever is greater.
 3. No accessory building shall exceed 15 feet in height.

4. Not more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.
5. No accessory building shall be closer than 12 feet to any dwelling on the property.
6. No accessory building shall obstruct the daylight access as required in this section.

K. Special Provisions.

1. Animals. No more than three (3) of any species of common four-legged household pets, four (4) months of age or older, shall be allowed per dwelling unit. Fowl, such as chickens, ducks and geese are prohibited. This does not apply to song birds and the like. All other animals are prohibited.
2. Trailer House and Mobile Homes - No more than one (1) trailer house may be stored on the premises. One (1) mobile home may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to surrounding property or to the neighborhood. Trailer houses shall not be used as living quarters at any time. Mobile homes may be used as living quarter only when located in Mobile Home Parks.
3. Pleasure Boats - Privately owned pleasure boats with an eight- (8) foot beam or less may be stored on the premises. Larger boats may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to the surrounding property or to the neighborhood. A boat in storage shall not be used as living quarters at any time.
4. Outside Storage - Inoperable motor vehicles may be stored on the premises no longer than 30 days unless parked within an enclosed structure. A reasonable quantity of material normally accessory to the principal use may be openly stored in the buildable area. There shall be no open storage of other materials.

SECTION IV. GARDEN COURT ZONE (Lots 33 and 41)

- A. Intent. To provide for Garden Court development at a density standard that will attain a maximum density of 15 dwelling units per acre but as to said lot 33, not to exceed a total of 150 dwelling units.
- B. Permitted Uses. Uses permitted as a matter of right:
 1. Single Family
 2. Townhouses
 3. Duplexes

4. Garden Court Apartments

- C. Height. The height of a building shall not exceed two stories or 35 feet.
- D. Front Yard. The front yard shall have a minimum depth of 20 feet.
- E. Side Yards. A side yard of not less than ten feet shall be provided on each side of the building, provided if on a corner site where a side yard adjoins a flanking street, the side yard shall be not less than 15 feet.
- F. Rear Yard. A rear yard shall have a minimum depth of 25 feet.
- G. Daylight Access. The daylight access provisions set forth in Article III, Section III, subsection "H" - Apartment Zone, shall apply hereto.
- H. Floor Ratio. The maximum floor area ratio shall be 0.50 computed as provided in and subject to modification as provided in Article III, Section III, subsection "I" - Apartment Zone, the provisions of which shall be applicable hereto.
- I. Accessory Buildings. A building or use customarily accessory to the Garden Court use, provided that:
 - 1. All accessory buildings shall be located a minimum of 15 feet from a flanking street.
 - 2. The total accessory buildings do not occupy an area greater than 25 percent of the minimum yard, or 460 square feet, whichever is greater.
 - 3. No accessory building shall exceed 15 feet in height.
 - 4. Not more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.
 - 5. No accessory building shall be closer than 12 feet to any dwelling on the property.
 - 6. No accessory building shall obstruct the daylight access as required in this section.
- J. Special Provisions. The provisions of Article III, Section III, subsection "K" - (Apartment Zone) shall apply.

SECTION V. TOWNHOUSE, DUPLEX. SINGLE-FAMILY ZONE (Lots 20, 27 - 32, 34 - 40, 42)

- A. Intent. To provide for townhouse and duplex development at a density standard that

will attain a density of a maximum of six dwelling units per acre for Lots 20, and a maximum density of eight dwellings per acre for Lot 27 to 32, 34 to 40 and 42.

B. Permitted Uses. Uses permitted as a matter of right:

1. Single-family.
2. Duplexes.
3. Townhouses.

C. Floor Area Ratio. The maximum floor area ratio shall be 0.45 computed as provided in and subject to modification as provided in Article III, Section III, subsection "I" - Apartment Zone, the provisions of which shall be applicable hereto.

D. Height. The maximum height of a building shall not exceed 35 feet or two stories.

E. Yards.

1. The front yard shall have a minimum depth of ten feet.
2. The rear yards shall have a minimum depth of ten feet.
3. The side yards shall have a minimum depth of five feet.

F. Accessory Buildings.

1. All accessory buildings shall be located a minimum of five feet from a flanking street.
2. No accessory building shall exceed 15 feet in height.
3. No more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.

G. Special Provisions. The provisions of Article III, Section III, subsection "K" subsection - Apartment Zone, shall apply.

SECTION VI. HIGH RISE ZONE (Lot 22 and Lots 1 and 2 of Short Subdivision SS-5099)

A. Intent. To provide reasonable site standards that can be applied when each site is created and working viable plans are presented. In this way there will be no chance of a monotonous row of towers being created.

Maximum allowable density will be 30 dwelling unit 's/acre on Lots 1 and 2 of SS-5099 and 25 dwelling unit's/acre on Lot 22.

B. Permitted Uses. Uses permitted as a matter of right:

1. High-rise Apartments (subject to standards in this Article III, Section IV, subsection "C through E.")
2. Garden Court Apartments (subject to standards of Article III, Section IV)
3. Townhouses, Duplexes, Single- Family Residential (subject to standards of Article III, Section V.)

C. Height and Length. On any site the height of a building shall not exceed 100 feet, provided, however, that where any portion or portions of a building extend above a height of 35 feet, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site. Where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that, the area of each site so created is 25,000 square feet, or more, and the parts of the building (towers) are not less than 80 feet apart. The height of a building shall be the vertical distance between the finished grades of the site and the hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.

D. Floor Area Ratio. The maximum floor area ratio shall be .75, provided, however, this amount may be increased as follows:

1. Where the site coverage is 50 percent or less, an amount equal to 0.09 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent.
2. Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet or more, an amount may be added equal to .0015 multiplied by each 100 square feet of site area in excess of 9,000 square feet but in no case shall this amount exceed 0.20.
3. Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount may be added equal to 0.15 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls. Including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven (7) feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven (7) feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided In no case shall the top of any portion of such structure extend more than three feet above the adjoining streets or adjacent sites.

SECTION VII. PUBLIC USE ZONE (Lots 15B, 16, 17, 18, and 19)

- A. Intent. To provide for development of a Thurston County Courthouse site.
- B. Permitted Uses. Use permitted as a matter of right.
 - 1. Public Use – Thurston County Courthouse.
- C. Development Standards. The development standards applicable to this use zone shall be those standards approved by the City Commission of the City of Olympia after recommendations by the Olympia Planning Commission when a detailed site plan for development was submitted thereto.

ARTICLE IV

LOT REFERENCES

All lots and tracts referenced herein are the lots and bearing the corresponding number or letter in the Plat of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, with the exception of Lots 15A and 15B.

Where used herein the terms Lot 15A and Lot 15B, shall respectively mean the real property described following each such designation below:

- Lot 15A: That part of Lot 15 of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, lying easterly of a line described as beginning at a point on the South line of said Lot 15, a distance of 363.18 feet S 89° 55' 51" E of the Southwest corner thereof;

thence N 13° 37' 53" E to the Northerly line thereof.

Lot 15B:

That part of Lot 15 of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, lying westerly of a line described as beginning at a point on the South line of said Lot 15 a distance of 363.18 feet S 89° 55' 51" E of the Southwest corner thereof, thence N 13° 37' 53" E to the Northerly line thereof.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background [Find help answering background questions](#)

1. Name of proposed project, if applicable:

Evergreen Park Planned Unit Development Text Amendment: May 2023

2. Name of applicant:

Philip Stewart

3. Address and phone number of applicant and contact person:

P.O. Box 2010, Lake Oswego, Oregon 97035

(503) 616-1936

4. Date checklist prepared:

May 16, 2023

5. Agency requesting checklist:

City of Olympia, Washington

6. Proposed timing or schedule (including phasing, if applicable):

If accepted by the jurisdiction, the Text Amendment would be put into effect in approximately August 2023.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

No new information has been prepared that we are aware of.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

We are aware of none.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed Text Amendment requires approval by a Hearings Officer and then by the City Council.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposed Text Amendment is to allow Multi-Family Housing as an outright permitted use in the 'Commercial-Retail' section of the Evergreen Planned Unit Development. This would affect approximately 25 existing properties.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The affected geographic area is located north of U.S. Highway 101 and southwest of Capitol Lake. It is along the southern portion of the Evergreen Park P.U.D. in the City of Olympia, Washington.

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

The proposal affects approximately 25 properties located in the 'Commercial-Retail' section of the Evergreen Park P.U.D.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The affected geographic area is generally flat with some sloping closer to the lake.

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable because the proposal is a Text Amendment and does not include new site or building construction.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable because the proposal does not include site modifications or building construction.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Presence of unstable soils is unknown at this time.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction activity.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Capitol Lake is on the east side of the affected properties.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction activities.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

According to current FEMA maps, the proposal does not include land within a 100 year floodplain.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

b. Ground Water: [Find help answering ground water questions](#)

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

c. Water Runoff (including stormwater):

a) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

b) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

c) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

d) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

4. Plants [Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards, or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

c. List threatened and endangered species known to be on or near the site.

The presence of threatened and endangered species around the proposed project areas is unknown.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

Not applicable because the proposal is a Text Amendment to existing P.U.D. standards and does not include any proposed construction.

e. List all noxious weeds and invasive species known to be on or near the site.

The presence of noxious weeds and invasive species around the site is unknown at this time.

5. Animals [Find help answering animal questions](#)

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

The project site falls within the potential habitat area for birds such as hawks, heron, eagles, and songbirds, and mammals such as deer. Freshwater fish such as bass, salmon, and trout may live in Capitol Lake.

Examples include:

- **Birds: hawk, heron, eagle, songbirds, other:**
- **Mammals: deer, bear, elk, beaver, other:**
- **Fish: bass, salmon, trout, herring, shellfish, other:**

b. List any threatened and endangered species known to be on or near the site.

No threatened and endangered species have been observed to be on or near the site.

c. Is the site part of a migration route? If so, explain.

Migratory birds may utilize Capitol Lake which is directly east of the project site.

d. Proposed measures to preserve or enhance wildlife, if any.

No measures are proposed to preserve or enhance wildlife as part of this application.

e. List any invasive animal species known to be on or near the site.

No invasive animal species are known to be on or near the site at this time.

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

7. Environmental Health [Find help with answering environmental health questions](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

Not applicable because the proposal is a Text Amendment to allow multi-family housing as an outright use in the Commercial / Retail zone of the Evergreen Park P.U.D.

1. Describe any known or possible contamination at the site from present or past uses.

None known at this time in the proposed project area.

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known at this time in the proposed project area.

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

4. Describe special emergency services that might be required.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

5. Proposed measures to reduce or control environmental health hazards, if any.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

b. Noise**1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

Not applicable because the proposal is a Text Amendment and does not include new construction work.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Not applicable because the proposal is a Text Amendment and does not include new construction work.

3. Proposed measures to reduce or control noise impacts, if any.

Not applicable because the proposal is a Text Amendment and does not include new construction work.

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)**a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

The current uses of the project area are commercial and retail uses. The proposal would allow for multi-family housing as a permitted use which would increase the flexibility of allowed uses for existing properties in the Commercial / Retail zone of the Evergreen Park P.U.D.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The project site in the recent past has not been used as working farmland or working forest land.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

The proposal will not affect or be affected by surrounding working farm or forest land normal business

operations.

c. Describe any structures on the site.

There is one existing structure on the site which currently functions as a hotel.

d. Will any structures be demolished? If so, what?

No structures will be demolished as part of this application.

e. What is the current zoning classification of the site?

The project area is designated as a Commercial / Retail zone within the Evergreen Park P.U.D.

f. What is the current comprehensive plan designation of the site?

The comprehensive plan designation for the site matches the current zoning: Planned Development.

g. If applicable, what is the current shoreline master program designation of the site?

There is no shoreline designation for the site.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

The proposed site area has not been classified as a critical area by the City of Olympia.

i. Approximately how many people would reside or work in the completed project?

The number of people who would reside in the completed project would be similar to the number of people currently staying in or working at the existing hotel on the site.

j. Approximately how many people would the completed project displace?

No residents would be displaced as a result of this application.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable because no residents would be displaced as a result of this application.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The proposal would be consistent with other land use designations in the City of Olympia because all Commercial Zones currently allow multi-family housing as a permitted use.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

No measures are proposed because the project is not expected to impact agricultural or forest lands of long-term commercial significance.

9. Housing [Find help answering housing questions](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Even though the project proposal is to allow multi-family housing as a permitted use in the Commercial / Retail zone of the Evergreen Park P.U.D., no specific housing project is proposed by this Land Use action.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable because the project proposal is a Text Amendment which does not include a specific development.

c. Proposed measures to reduce or control housing impacts, if any.

Not applicable because the project proposal is a Text Amendment which does not include a specific development.

10. Aesthetics [Find help answering aesthetics questions](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- b. What views in the immediate vicinity would be altered or obstructed?**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- c. Proposed measures to reduce or control aesthetic impacts, if any.**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

11. Light and Glare [Find help answering light and glare questions](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- c. What existing off-site sources of light or glare may affect your proposal?**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- d. Proposed measures to reduce or control light and glare impacts, if any.**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

12. Recreation [Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

There are neighborhood parks and a public access walking path along Capitol Lake in the immediate vicinity.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable because the project proposal is a Text Amendment which does not include construction work.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

Not applicable because the project proposal is a Text Amendment which does not include construction work.

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

We don't believe that there are buildings, structures, or sites in the project area that are eligible for listing on historic registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

Nothing to our knowledge. Please note that this proposal is for a Text Amendment and does not include new construction. Any new construction proposed as a result of this Text Amendment will require a separate SEPA checklist.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

14. Transportation [Find help with answering transportation questions](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The project site is accessed only by Evergreen Park Drive SW on the west side. U.S. Highway 101 is on the south side of the site. Access to the highway is via Cooper Point Road SW which connects with Evergreen Park Drive SW. Deschutes Parkway runs along the east side of the site and connects to the downtown area. It is accessed from the site via Lakeridge Way SW.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The site is served by bus route 12 which connects Tumwater to downtown Olympia. A transit stop is located at the northwest side of the site.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

The proposal should not require transportation system improvements because a potential use change from hotel to multi-family would not generate additional traffic.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The proposal would not result in an additional demand on water, rail or air transportation.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

If the proposed site is converted to multi-family as a result of the text amendment, the number of tenants would not be expected to increase the number of vehicle trips per day already used by hotel guests and employees. Both uses have similar peak volumes occurring in the morning and evenings.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

The proposal is not expected to interfere or be affected by the movement of agricultural or forest products because these uses do not occur near the project site.

- g. Proposed measures to reduce or control transportation impacts, if any.**

None are proposed because traffic demands from a multi-family use would be similar to the existing hotel use currently on the site.

15. Public Services [Find help answering public service questions](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

If a multi-family development is created as a result of the Text Amendment, there may be an increased need for public transit for tenants to access downtown area). Health care may be impacted with additional need due to tenants living in apartments instead of customers having short term stay at the existing hotel. Tenants also would utilize the school system where hotel occupants would not.

- b. Proposed measures to reduce or control direct impacts on public services, if any.**

None are proposed because the change in impact to the services described above would be minimal relative to the current demand.

16. Utilities [Find help answering utilities questions](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

The proposal is a Text Amendment to allow multi-family housing as a permitted use for sites in an area that is already developed. Therefore, all of these services are currently in place in the proposed project area.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Not applicable because the project proposal is a Text Amendment which does not include construction work.

C. Signature [Find help about who should sign](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

 Recoverable Signature

X Philip Stewart

Signed by: 751731dd-1419-4d7e-a104-78d046b60e52

Type name of signee: Philip L. Stewart

Position and agency/organization: President, PSA Inc.

Date submitted: 8/23/2023

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed Text Amendment may result in additional multi-family housing developments in the Commercial / Retail Zone of the Evergreen Park P.U.D. which would bring water use and emissions typical for such developments. We do not expect that hazardous substances would be introduced or released as a result.

- **Proposed measures to avoid or reduce such increases are:**

None at this time because no specific project is proposed as part of this application.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Unknown because though the proposal would allow multi-family housing as a permitted use, we cannot anticipate if any additional projects would be developed.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

None at this time because no specific project is proposed as part of this application.

3. How would the proposal be likely to deplete energy or natural resources?

Unknown because though the proposal would allow multi-family housing as a permitted use, we cannot anticipate if any additional projects would be developed. Multi-family projects developed as a result of this proposal would have a degree of impact on energy and natural resources that is typical for such a development.

- **Proposed measures to protect or conserve energy and natural resources are:**

None at this time because no specific project is proposed as part of this application.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No impact because the Text Amendment would be applicable to existing sites that are already developed.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

None at this time because no specific project is proposed as part of this application.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Not applicable because the project area does not include sites that have a shoreline edge.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

None at this time because no specific project is proposed as part of this application.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Demand for public transportation would increase to the degree relative to a typical multi-family development. However, since no specific development is proposed, the impact cannot be specifically determined.

- **Proposed measures to reduce or respond to such demand(s) are:**

None at this time because no specific project is proposed as part of this application.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

We do not believe that the Text Amendment to allow multi-family housing would conflict with local, state, or federal law because the use is typically allowed in commercial zones in the City of Olympia.



NISQUALLY INDIAN TRIBE
Tribal Historic Preservation Office

4820 She-Nah-Num Drive S.E.
Olympia, Washington 98513
360.456.5221 (main)
877.768.8886 (toll free)
www.nisqually-nsn.gov

July 6, 2023

To: Jackson Ewing, Associate Planner
City of Olympia
Community Planning and Development Department
601 4th Avenue E
Olympia, WA 98507

Re: **23-2792**

The Nisqually Indian Tribe's THPO has reviewed the notice of application and supplemental materials that you provided for the above-named project and has no specific comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Although the Nisqually Indian Tribe doesn't have any specific concerns at this time, we respect the traditional cultural knowledge of affected tribes and support their opinions on this matter as well.

Sincerely,

Brad Beach, THPO
Nisqually Indian Tribe
360-528-1084
360-456-5221 ext 1277
beach.brad@nisqually-nsn.gov

cc: Annette Bullchild, Director, Nisqually Indian Tribe

From: Bev Garrick <begar47@outlook.com>
Sent: Thursday, July 13, 2023 8:51 AM
To: Jackson Ewing
Subject: Olympia Hotel at Capitol Lake - Owner Requesting Re-zoning to Multi-Family Housing

This memo is in response to the above request for multi-family rehousing of the Olympia Hotel.

I oppose this request for the following reasons:

Historical Hotel: Historically this has been one of the main hotels to serve the Washington State Government during its legislative sessions. There are a number of other organizations that have supported this hotel throughout time because of its location (near freeway) and its close proximity to the downtown businesses and close access to walking and enjoying Capitol Lake. Its beautiful grounds and view gives customers a chance to relax within a bursting urban expansion while attending their conferences and business commitments.

Covid And Economic Impacts: These impacts brought the drug scene and its associated crimes to Evergreen Park Drive. Having a hotel in the area has strengthened the commitment by the community to cleanup the area and to discourage the destructive behaviors of serious drug use such as meth and heroin along with theft to this community which already has numerous condos and apartment complexes. Businesses that maintain a higher standard of quality assurance can enhance a community's need for safety.

Intention comes into play here. I question whether this is the right place for a low-income housing project which I know our community is looking to address.

Sincerely,

A Concerned Citizen

Sent from [Mail](#) for Windows



CAP CITY LAW PS
ATTORNEYS FOR THE BUSINESS OF LIFE

VIA EMAIL ONLY JEWING@CI.OLYMPIA.WA.US

July 19, 2023

Jackson Ewing, Associate Planner
Community Planning & Development
601 4th Ave E. 2nd Floor
Olympia, WA 98501

Re: File Number 23-2792
Evergreen Park Hotel Text Amendment
2300 Evergreen Park Dr. SW

Dear Mr. Ewing:

Please accept this letter as my comment individually and as a business leader regarding the above project. I currently serve on the Thurston Economic Development Counsel and I'm the current president of the West Olympia Business Association. I am also a business owner on the Olympia west side and member of the Bristol Court Condominium Association.

Well, I agree that we need more affordable housing in our community, I am concerned about the current proposal for these reasons:

1. The current proposal lacks detail to fully evaluate as the application was not available online;
2. The Olympia hotel is only one of two full-service conference centers in Thurston County. Losing this facility would be a great loss to our community;
3. It appears that the property borders on an environmentally sensitive area as identified by the city. This should be fully explored before a Determination of Nonsignificance is issued;
4. Evergreen Park Drive has become a magnet for campers with the associated trash and human waste. The city has been slow to respond to requests for cleanup. As a property

owner in this area, I would not want to see any further housing density until this issue is addressed.

I would be happy to have an in-depth discussion concerning these issues and would be interested in having the West Olympia Business Association host an information meeting regarding the proposal.

Sincerely,

A handwritten signature in black ink that reads "Jessica M. Jensen". The signature is written in a cursive, flowing style.

Jessica M. Jensen

From: Maris Zivarts <mzivarts@unitehere.org>
Sent: Thursday, September 7, 2023 10:14 AM
To: Jackson Ewing
Subject: FW: Written comment on Evergreen Park Hotel Text Amendment

Jackson Ewing,

I was just looking and I didn't see my comment below included in the combined public comments for the proposed text amendment. I'm hoping you can include it. Thanks much.

Maris

From: Maris Zivarts
Sent: Wednesday, July 19, 2023 3:25 PM
To: jewing@ci.olympia.wa.us
Subject: Written comment on Evergreen Park Hotel Text Amendment

Dear Jackson Ewing,

I am writing on behalf of UNITEHERE Local 8. We are the union that represents workers at the Olympia Hotel at Capitol Lake. We would like raise the following concerns that we think the City of Olympia should consider when deciding on the proposed Evergreen Park PUD text amendment:

1) Changing the land use at the site to enable the conversion of the property to residential will result in the loss of what are currently good jobs, with good wages and benefits that have been collectively achieved over a period of many years. We recognize that the region could certainly use more housing, but we hope the City reckons with the resulting direct and long-term job impact.

2) The Olympia Hotel has been an important property for lodging, meeting space, and conferences in the Olympia for both state and political related business. Losing this function would be a blow to our State Capitol and its related operations and business activity, which may not easily be replaced

3) In deciding whether or not to approve a text amendment, we hope Olympia would weigh any promised future benefits, such as future affordable housing, against the immediate, direct loss of good jobs. And if the decision is made to move forward, that any promised future benefits be guaranteed and codified.

Thank you for your attention.

Sincerely,

Maris Zivarts
Research Director
UNITEHERE Local 8

From: Maris Zivarts <mzivarts@unitehere.org>
Sent: Monday, July 17, 2023 1:08 PM
To: Jackson Ewing
Subject: RE: 2300 Evergreen VOCO conversion
Attachments: [924D40EB-686A-4616-8B92-BF33C432E059.PDF](#)

Thank you very much. It appears that the corporate entity which owns the property has been administratively dissolved. Can such an entity move through the text amendment process? Corporate filing attached.

Maris Zivarts

From: Jackson Ewing <jewing@ci.olympia.wa.us>
Sent: Thursday, July 13, 2023 2:46 PM
To: Maris Zivarts <mzivarts@unitehere.org>
Subject: RE: 2300 Evergreen VOCO conversion

Good afternoon,

Thank you for taking the time to provide input on this proposal. This comment will be part of the project record and I will forward your comments to the applicant, applicable members of the City review team, and to the Hearing Examiner for review. These comments will also be responded to in a staff report prepared for the future hearing. The Hearing Examiner is the decision maker on this project with the City Council approving the final action. A Public Hearing has not been scheduled yet. Public comments are accepted throughout the permit process through the public hearing. I will also add your email address to the distribution list so that you will receive updates as the project progresses through the review process. Please let me know if you have any questions.

The Text Amendment Application has been submitted to propose allowing housing within the commercial/retail zone of the Evergreen Park PUD. Currently this zone within the PUD does not allow residential uses. The intent would be to allow more flexibility in allowed uses and increase housing availability.

To view the complete submittal including a color copy of the map please follow the below link and input project number 23-2792 into the search bar.

<https://ci-olympia-wa.smartgovcommunity.com/PermittingPublic/PermitLandingPagePublic/Index/893ad460-428a-4c89-ade5-b00601547871?conv=1>

Best regards,

Jackson Ewing | Associate Planner
City of Olympia Community Planning & Development Department

P.O. Box 1967 | 601 4th Avenue E | Olympia, WA 98507-1967
(360) 570-3776
jewing@ci.olympia.wa.us

**All correspondence to and from this address is a public record*

From: Maris Zivarts <mzivarts@unitehere.org>
Sent: Thursday, July 13, 2023 8:06 AM
To: Jackson Ewing <jewing@ci.olympia.wa.us>
Subject: 2300 Evergreen VOCO conversion

Jackson,

I left a voicemail for you yesterday. I saw there was a story on a notice of application for the potential residential conversion of the Olympia Hotel at Capitol Lake. I was hoping to get the notice and any related documents. I'd appreciate any help. Thanks much.

Best,

Maris Zivarts
Research Director
UNITEHERE Local 8
206-963-6458

From: Patrick McClelland <patman1956@live.com>
Sent: Sunday, July 2, 2023 9:24 AM
To: Jackson Ewing
Cc: ED & NAOMI OBIE; Melissa Denton; Jessica Jensen; greyhawk57@comcast.net; Francis Geissler; Chad "CJ" Poundstone; Chad "CJ" Poundstone; tputaansuu@gmail.com; Christopher Desmond; Barb Mueller; mkrachel8081@gmail.com; bnafco@live.com; Patrick McClelland
Subject: 2300 Evergreen Park Dr SW Land Use Application

Dear Mr. Jackson Ewing,

Thank you for sending out notification of the land use application for the hotel property located at 2300 Evergreen Park Dr SW, now known as the IHG Olympia Hotel at Capitol Lake.

As President of the Bristol Court Condominium Association, a complex of class B commercial office space, and as an owner of two of the office suites located there, I'd like to comment on the proposed use changes for the hotel as presented. Please note the hard copy letter received today was delivered in black ink only, so I cannot identify from the letter dated June 28, 2023 what the color coding references on the second page represent in the legend. Please forgive me, then, if I'm missing something more obvious to you than to it is to me.

Though not spelled out in your letter, if I recall correctly a proposal has been submitted to convert the current hotel suites at this location into multi-family living units. On the surface it may seem there should effectively be little impact on surrounding properties, and maybe from a simple environmental perspective that's correct and why you're moving toward a SEPA determination. But, what will most certainly be consequential fallout to this project are, *at minimum*, issues that will include significant increases in automobile and pedestrian traffic. Not that that's at all bad, but if the target demographic for said units is to provide "affordable" housing, statistics tell us there will most certainly be an increase in crime rates of all types as well.

A current example of this - directly behind our complex are apartment buildings whose residents frequent our complex late at night and test doors to try and gain access. We know from our security cameras there is already too much of this kind of activity going on, and this new project will only increase such behavior. Our dumpster area had to be both exposed (to prevent people from camping out there) and locked. Yet, we find discarded needles, clothing and garbage strewn about our grounds, and during the day people who

have no business with our tenants wander in to use our restrooms. Safety has become a growing concern where before we barely gave it a second thought.

Just recently we had to reach out to the city of Olympia, again, to request removal of dilapidated and/or abandoned vehicles parked along Evergreen Park Dr SW. In the last two weeks the number of such vehicles has increased from 5 to 9. With the cleanup the city of Lacey is doing of the homeless encampment located at Sleater-Kinney Rd and I-5, and other locales, we are receiving increasing numbers of homeless presence near all the commercial buildings located on and off Evergreen Park Dr SW. We are still waiting for the removal of these vehicles, and I receive complaints weekly from our tenants and/or their clients about them no longer feeling safe coming here. It has been rightly suggested the City install "no overnight parking" signs along Evergreen Park Dr SW and enforce the ordinance. Also, when all the buildings along this Drive are filled that space is needed as daytime overflow parking. If you allow this site to be converted to low income housing I can pretty much guarantee you building owners seeking tenants now will not be successful in doing so.

As President of our association I cannot in good faith get behind the environmental proposal as submitted. When the property in question was built as a hotel many decades ago it fit the neighborhood as it was consistent with what's around it, a hotel serving very short term business and vacation travelers. If the city council moves forward with converting this space to a large apartment complex it will deprive our owners of the benefits they had to investing in their own office space. Our complex, like many others, hold appeal because they provide a safe and convenient, viable location to provide professional services to the public. Indeed, many millions of dollars have recently been invested to bring a number of the buildings in our area up to current standards, and they stand ready to be occupied by more businesses. The type of project being suggested for 2300 Evergreen Park Dr SW would very much discourage that.

PLEASE, I beg of the City and its Council to reconsider any plans to change this property into housing units of any type. If a transformation is required, why not bring office building developers into the discussion? Or, if more housing really is needed, consider steering this property toward condominium development where pride of ownership is a frequent result and more befitting an area like ours. Mine is not a "NIMBY" argument, but one of practicality considering the office buildings that surround this specific location. There's nothing so pressing in the current proposal that requires immediate action, so let me encourage the City to seek other investor types, and **deny** the current proposal. The highest and best use of this real estate can be found, just not within the confines of what's been presented in today's land use application.

Thank you,

Patrick McClelland
360-701-9193

Zone Map

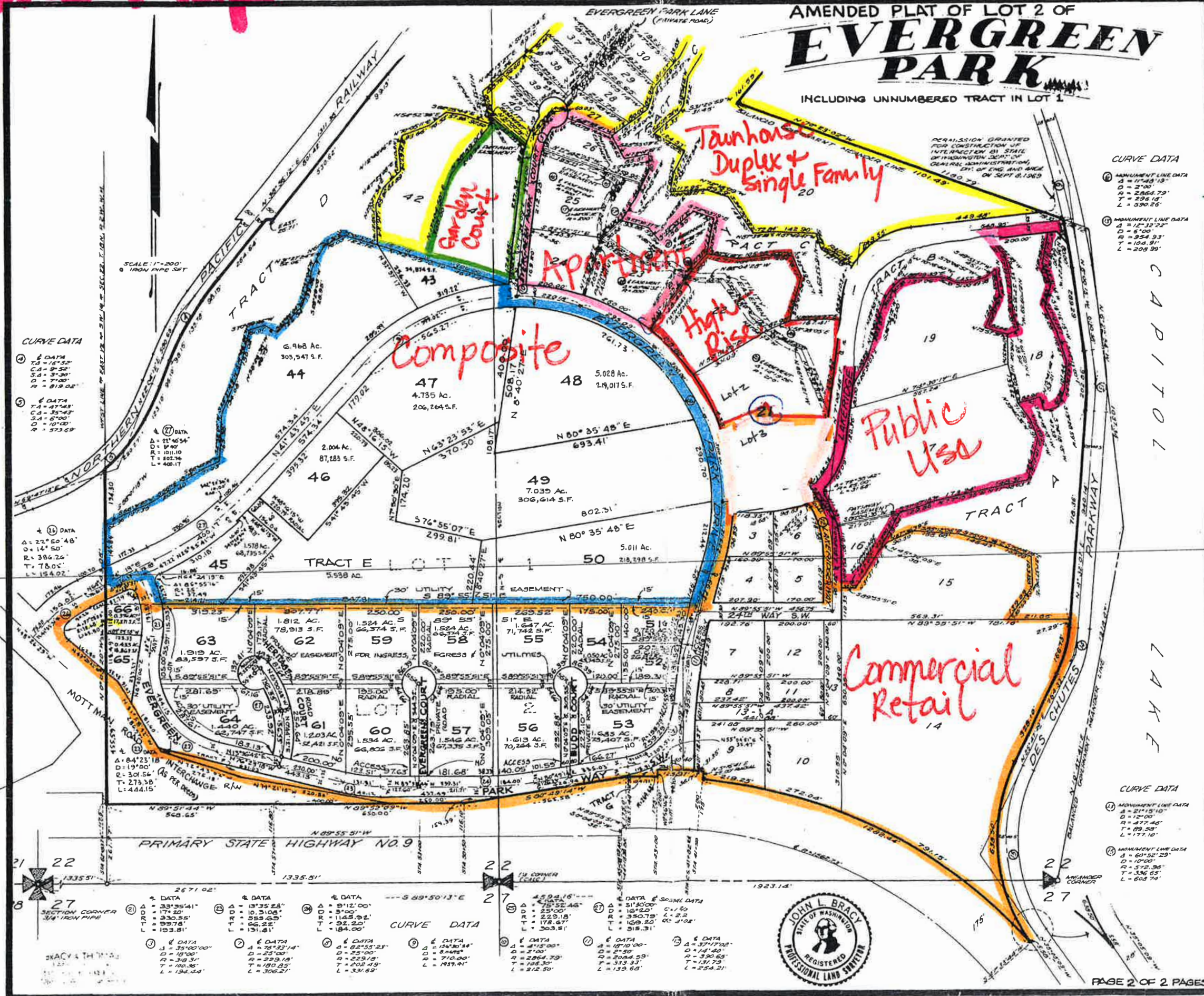
1029434

VOLUME 30 PAGE 19

Zones:

AMENDED PLAT OF LOT 2 OF EVERGREEN PARK

INCLUDING UNNUMBERED TRACT IN LOT 1



Composite = blue
 Commercial Retail = Orange
 Apartment = pink
 Garden Court = green
 Townhouse, Duplex + SF = yellow
 High Rise = red
 Public Use = purple

COPY

JUL 20 P6.19
AP # 1029434

APPENDIX A

May 22, 1973

AMENDED JUNE 1, 2006

**EVERGREEN PARK PLANNED UNIT DEVELOPMENT
USE CLASSIFICATION AND DEVELOPMENT STANDARDS**

ARTICLE I. INTENT

The Evergreen Park PUD District is designed to establish standards for the development of an area containing approximately 200 acres on the west side of Olympia, as a combined residential and commercial community. The general elements are designed to permit flexibility in the arrangement of structures on the sites in order to encourage good architectural design, to provide adequate greenbelt and open space areas, to provide the maximum possible protection of the natural amenities of the area, to provide adequate accesses and utilities for the uses permitted, to assure adequate light and air, and to provide protection from discordant influences.

ARTICLE II -GENERAL PROVISIONS

SECTION I. SITE PLANS - Emphasis of the natural amenities shall be an integral part of all site plans.

- A. For Lots 43 through 66 detailed site plans, landscape plans, building elevations, color schemes, building plans, computation for vertical angle of light, horizontal light angles and floor area ratio where-ever applicable shall be submitted directly to the Olympia City Site Plan Review Committee for review and approval as to conformance with the nature and intent hereof, development standards provided herein, and as to the adequacy of the traffic plan for the traffic to be generated by the development of such property.
- B. For Lots 3 through 42, detailed site plans, landscape plans, building elevations, color schemes, building plans, computations for vertical angle of light, horizontal light angles and floor area ratios wherever applicable for each parcel shall be submitted to the City Planner and City Engineer for review and approval to determine conformance with the nature and intent hereof, the standards herein, and other applicable ordinances of the City of Olympia.

SECTION II. OPEN SPACE, GREENBELT AREA (Tracts A, B, C & D)

- A. Tracts A, B, C, and D shown on the site plan annexed hereto marked Exhibit "A- 1" shall be maintained in perpetuity as natural landscaped open areas, owned by a property

owners' association, municipal or state body, or by present property owners. Additional areas to be devoted to open space or greenbelt area shall be approved by the City Planner and City Engineer.

SECTION III. PEDESTRIAN WALKWAYS AND CIRCULATION

- A. Pedestrian easements shall be provided to permit reasonable access to the greenbelt area either at the locations shown in the site plan annexed hereto or at other locations providing more suitable access giving due consideration to geographical limitations. Exact locations of pathways shall be approved by the Hearing Examiner upon recommendation of the City Planner and City Engineer. Maintenance shall be by a property owners' association, municipal body or present property owners. Additional pedestrian circulation walk-way systems may be required by the City Commission upon recommendation of the Hearing Examiner. All pathways must be constructed by the developer prior to construction on 45 percent of the lots as shown on Exhibit "A-1". Pathways shall be constructed in conformance with such reasonable design criteria as shall be established by the City Engineer.

SECTION IV. SIDEWALKS

- A. Sidewalks shall follow the specifications and locations as follows:
1. Lakeridge Drive
 - a. Five foot (5') Portland Cement concrete integral curb and sidewalks along the north side of the street extending from Evergreen Park Drive to Deschutes Parkway.
 - b. Top of the cut to Evergreen Park Drive - eight foot (8') Portland Cement concrete integral curb and sidewalk along the south side of the street. This sidewalk will extend two feet onto private property.
 2. Evergreen Park Court
 - a. Five foot (5') Portland Cement concrete sidewalk along both sides of the street. There will be a 4-1/2 foot landscaped parking strip between the curb and the sidewalk. The cul-de-sac on the north end of Evergreen Park Court will have a five foot (5') Portland Cement concrete integral curb and sidewalk.
 3. Lakeridge Way and 24th Way, Southeast
 - a. Eight foot (8') Portland Cement concrete integral curb and sidewalk on both sides of the roadway extending from Lakeridge Drive to Evergreen Park

Drive. This sidewalk extends two feet onto private property.

- (1) Five foot (5') Portland Cement concrete sidewalk along the northerly side of the street between Lakeridge Drive and its intersection with Cooper Point Road. There will be a four and a half foot landscaped parking strip between the curb and the sidewalk. If the abutting property develops commercial, then the sidewalk width shall be increased to ten feet.
 - (2) Ten-foot integral curb and walk along the southwest side of the street extending from the existing temporary roadway easement shown on the plat westerly to Cooper Point Road.
4. Sidewalks for those portions of Lots 43 through 66 contained within Evergreen Park Drive will be located and sized in accordance with the development of this area. They shall be shown on the site plan as required in Section 1 of this article.

SECTION V. STREET SYSTEM

- A. The principal streets will be those that are shown and dedicated on the site plan, attached hereto, and marked Exhibit "A-1". Final alignment of any other streets necessary to serve any of the parcels of land and the location of all points of ingress and egress to the property abutting all existing or proposed streets shall meet with the standards established by the City of Olympia and approved by the City Engineer and the City Planner. New streets must be consistent with the nature and intent of this PUD.

SECTION VI. STREET LIGHTING

- A. Street lighting shall conform with the standards and policies of the City of Olympia applicable to the various land uses established for this development. Street lighting shall be installed to coincide with the development of each lot.

SECTION VII. WATER, SANITARY SEWER AND DRAINAGE SYSTEMS

- A. The PUD shall be served by the City of Olympia water distribution system, sanitary sewage collection system and storm drainage system. These systems shall meet the current standards and policies established by the City of Olympia at the time of development. Prior to construction detailed construction plans and specifications for all utilities and improvements shall be submitted to the City Engineer for review and approval. All proposed utilities shall conform to the provisions hereof and with the existing ordinances of the City of Olympia and the laws of the State of Washington.

SECTION VIII. UTILITIES

- A. All utilities, both private and public, will be placed underground. The undergrounding of all utilities will be completed prior to commencing construction on Lots 1 and 11 of this development.

SECTION IX. LANDSCAPING

- A. All improved areas shall be reasonably landscaped upon completion of building construction. Proposed landscaping plans shall be submitted to the City Planner and City Engineer for review when detailed site and building plans are submitted pursuant to Section I of this Article.
- B. In lieu of other specific requirements set forth herein or incorporated herein by reference, all areas other than access ways lying between the paved portion of streets and the parking areas of commercial zones shall be reasonably landscaped so as to provide a screening having a minimum height of six feet (6') at maturity for such parking areas lying adjacent to or across the street (excluding the Olympia-Aberdeen Freeway) from a residential area and a minimum height of three feet (3') at maturity for all such other parking areas.
- C. Developments completed prior to the adoption of an ordinance incorporating these requirements shall be exempt there from.

SECTION X. OFF-STREET PARKING

- A. Off-street parking shall meet the minimum standards provided under the City of Olympia code. In addition, no parking area shall be allowed within ten feet of the paved portion of a street.

SECTION XI. OFF STREET LOADING

- A. Off-street loading requirements shall meet the minimum standards provided under the Olympia City Code.

SECTION XII. SIGNS

- A. All signs shall be constructed and maintained in conformance with (Sign Standards) of the Olympia City Code. Signs maintained in residential use districts hereof which are not specifically provided for in said code shall meet the standards set forth in said Section for RM Zones.

ARTICLE III

PERMITTED USES AND DEVELOPMENT STANDARDS

SECTION I. COMPOSITE USE ZONE (Lot 1)

A. Purpose

1. The purpose of the Composite Use Zone is to provide for the use of Lot 1 for residential purposes and to establish standards which shall be applicable to such of the permitted uses as may be developed. Such uses will of course be dependent in fact upon the future growth of Olympia and the relative needs for such uses.

B. Special Provisions

1. A park area for the use of the owners of property within Evergreen Park, or the public, shall be established for the benefit of said property owners or dedicated to the City of Olympia for the benefit of the public. Such park area shall contain a minimum of two (2) acres and shall include 1.25 acres for each 100 dwelling units (or part thereof) to be constructed on said Lot 1. For example if 250 dwelling units are to be constructed on Lot 1, the minimum park area would be 3.75 acres.
2. There shall be no more than 500 residential units constructed on Lot 1.

C. Permitted Uses - Uses permitted as a matter of right:

1. High rise Apartments
2. Garden Court Apartments
3. Townhouses, Duplexes, Single-family residences

D. Conditionally Permitted Uses - Uses permitted pursuant to a Conditional Use Permit:

1. Churches

E. Use and Development Standards - High Rise Apartments

1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.1 above (High-Rise Apartments), the following use and development standards shall be applicable:
 - a. Height and Length: On any site the height of a building shall not exceed 120 feet, provided, however, that where any portion or portions of a building extend above

a height of 35 feet, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site. With the approval of the Hearing Examiner of the City of Olympia, after recommendation of the Site Plan Review Committee, the height may be in excess of 120 feet but not in excess of 200 feet where the geographical amenities of the site make such height possible. Where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that the area of each site so created is 25,000 square feet or more, and the parts of the building (towers) are not less than 80 feet apart. The height of a building shall be the vertical distance between the finished grades of the site and the hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.

- b. Front Yard: A front yard of not less than 20 feet.
- c. Side Yard: Side yards shall be provided on each side of the building such that the outer walls of building be contained within 135° horizontal angles subtended from all points along the side property lines, provided, however, in no case shall the side yard be less than seven feet (7').
 - a. In the case of a corner site where the side yard adjoins a flanking street, the above containing angle is not applicable, but the side yard shall be 20 percent of the width of the site, provided, however, this amount shall be increased by one foot, or fraction thereof, for every five feet (5') by which the highest height of the building exceeds 40 feet (measured as in (E.1.a) above), but in no case shall it be less than ten feet nor need it be more than 20 feet.
- d. Rear Yard: A rear yard minimum depth of 35 feet; this amount may be reduced to 25 feet in the following:
 - (1) When the building abutting the rear yard is not more than 30-feet wide or less than 25 feet from any adjoining site.
 - (2) When the average distance from the rear line of the site to the rear of the building taken over the full width of the site is not less than 35 feet and provided further; that no portion of such building abutting such rear yard so reduced shall have a width of more than 50 feet nor less than 25 feet from any adjoining site.
- e. Daylight Access:
 - (1) From the outside of the mid-point of the exterior wall (walls) of every habitable room, there shall be an unobstructed view for a distance of not less than 80 feet measured horizontally three feet (3') above the floor of the

habitable room. Such view shall extend through either a continuous horizontal arc of not less than 50° or through two or more horizontal arcs which in the aggregate contain not less than 70° . For the purpose of this subsection the following shall be considered to be obstructions.

- (a) The theoretical equivalent building located on any adjoining site of the zone areas in the corresponding position by rotating the plot plan of the proposed building 180° about the horizontal axis located on the property line of the proposed site.
 - (b) Part of the same building including permitted projections.
 - (c) Accessory buildings located on the same site as the principal building.
- (2) For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than ten percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet, whichever is greater.
- f. Vertical Angle of Light: In the case of buildings over 35 feet in height (measured from the finished grade at all points around and adjacent to the building) no part thereof shall project above lines extending over the site at right angles from:
- (1) All points along the ultimate centerline of the street (or streets) in front of the site inclined at an average angle of 25° to the horizontal.
 - (2) All points along the rear boundary line of the site and inclined at the average angle of 25° to the horizontal.
 - (3) All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an average angle of 30° to the horizontal.
 - (4) In the case of corner sites, all points along the ultimate centerline of the flanking street and inclined at an average angle of 25° to the horizontal.
 - (5) For the purpose of this section only, the principal building shall be considered as an obstruction.
- g. Floor Area Ratio: The maximum floor area ratio shall be 1.00 provided, however, this amount may be increased as follows:
- (1) Where the site coverage is 50 percent or less, an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is

reduced below 50 percent.

- (2) Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet, or more, an amount may be added equal to 0.002 multiplied by each 100 square feet of site area in excess of 9,000 square feet but in no case shall this amount exceed 0.25.
- (3) Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount may be added equal to 0.20 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven feet (7') or more, but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven feet (7'), and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation, provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided in no case shall the top of any portion of such structure, extend more than three feet above the adjoining streets or adjacent sites.

- h. Accessory Buildings: A building or use customary to high-rise apartments, provided that:
 - (1) All accessory buildings shall not be located closer to the flanking street than the width of the side yard required for the principal building.
 - (2) The total accessory buildings located in any yard shall not occupy an area greater than 25 percent of the minimum yard prescribed for high-

rise apartments or 460 square feet, whichever is greater;

- (3) No accessory building shall exceed 15 feet in height.
- (4) No more than two-thirds of the width of front or rear yard of any lot shall be occupied by accessory buildings;
- (5) No accessory building shall be closer than 12 feet to any dwelling on the property;
- (6) No accessory building shall obstruct the daylight access as required by this high-rise apartment section.

i. Special Provisions:

- (1) Animals - No more than three (3) of any species of common four-legged household pets, four (4) months of age or older, shall be allowed per dwelling unit. Fowl such as chickens, ducks and geese are prohibited. This does not apply to song birds and the like. All other animals are prohibited.
- (2) Trailer house and mobile homes - no more than one (1) trailer house may be stored on the premises unless is determined by the Hearing Examiner that such storage will not be detrimental to surrounding property or to the neighborhood. Trailer houses shall not be used as living quarters at any time. Mobile homes may be used as living quarters only when located in Mobile Home Parks.
- (3) Pleasure Boats - Privately owned pleasure boats with an eight- (8) foot beam or less may be stored on the premises. Larger boats may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to the surrounding property or to the neighborhood. A boat in storage shall not be used as living quarters at any time.
- (4) Outside Storage - Inoperable motor vehicles may be stored on the premises no longer than thirty (30) days unless parked within an enclosed structure. A reasonable quantity of material normally accessory to the principal use may be openly stored in the buildable area. There shall be no open storage of other materials.

F. Use and Development Standards - Garden Court Apartments

1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.2 above (Garden Court Apartments) the standards set forth in Article III, Section IV hereof, shall be applicable.

G. Use and Development Standards - Townhouses, Duplexes, Single-Family Residences.

1. In the event that any portion of Lot 1 shall be developed for the permitted use set forth in subsection C.3 above (Townhouses, Duplexes, Single-Family Residences) the standards set forth in Article III, Section V hereof shall be applicable.

SECTION II. COMMERCIAL RETAIL ZONE: (Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13A, 14, 15A, and 51 through 66, Tracts F and G, and Lot 3 of Short Plat SS-5099.) (Also see Ordinance 5215 with regard to Lot 3 of SS-5099 and Ordinance 4192 with regard to lots 65 and 66.)

A. Permitted Uses: Uses permitted as a matter of right:

1. Retail stores and shops. This includes all types of retail stores except the following:
 - a. Automobile and truck sales and rentals.
 - b. Heavy farm and construction equipment.
 - c. Feed, grain and farm supply stores.
 - d. House trailers, mobile home sales & rental and truck and trailer rentals.
2. Banks and other financial institutions.
3. Offices.
4. Personal and business services.
5. Household and clothing services such as a tailor, janitor, self-service laundry, and dry cleaning. Laundry plants prohibited.
6. Repair shops for small equipment and items.
7. Eating and drinking establishments.
8. Commercial recreation.
9. Public buildings and facilities.
10. Parking facilities.
11. Service Stations.

12. Minor Auto Repair Accessory to Service Stations only.
13. Hotels and motels.
14. Auto rentals accessory to motel, hotel and service stations.
15. Churches.
16. Other uses similar to the above which are consistent with the intent.

B. Use Provisions: The following provisions shall apply to all of the above uses within this zone:

1. All businesses shall be retail or service establishments dealing directly with the consumer. Products produced on the premises shall be sold at retail on the premises where produced or delivered directly to the consumer. Slaughtering prohibited.
2. All businesses, excepting garden supply stores, restaurants', and parking facilities, shall be conducted wholly within an enclosed building.
3. Goods offered for sale shall consist principally of new merchandise, except in the case of antiques.

C. Development Standards: The following Development Standards shall be applicable to former Lot 2 and the other lots covered by this Article III, Section II.

1. **Front Yard:** No front yard shall be required.
2. **Side Yard:** No side yards shall be required except where the commercial area abuts the residential area; then the side yard shall be ten feet. For the next three stories above a height of three stories or 40 feet, whichever is lesser, no part of the building shall be nearer than five feet to the side lines of the site and this distance shall be increased by one foot for every additional story, providing, however, this requirement need not apply on a flanking street of a corner site.
3. **Rear Yard:** A rear yard shall be not less than ten feet except where the parcel abuts the residential area in which case the yard shall be 20 feet.
4. **Height:** The height of a building shall not exceed 60 feet nor three stories. Office, hotel buildings shall not exceed 80 feet.
5. **Vertical Angle of Light:** In the case of a building of more than three stories or 40 feet in height, no part of such building above the third story, or above 40 feet, shall project above lines extending toward the building at right angles from:

- a. All points along the ultimate centerline of the street in front of the site and inclined at an angle of 60° to the horizontal;
 - b. All points along the rear boundary line of the site or the ultimate centerline of the lane where one has been dedicated and inclined at an angle of 60° to the horizontal;
 - c. All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an angle of 70° to the horizontal;
 - d. In the case of a corner site all points along the ultimate centerline of a flanking street or lane and inclined at an angle of 60° to the horizontal.
 - e. Any part of a building shall be exempt from the appropriate vertical angle control above, if the exempt part of the building:
 - (1) Has a horizontal dimension of 60 feet or less, measured parallel to the street, lane or boundary of the site, as the case may be, from which the said vertical angle is measured; and
 - (2) Is not less than 80 feet from any part of the same building similarly exempt, measured in the same direction as the 60 feet specified in clause (a) above.
6. Horizontal Light Angle (Hotels, Motels):
- a. The window of every habitable room shall be not less than ten feet from the interior side boundary of the site onto which it faces.
 - b. Every such window shall permit an unobstructed view for a distance of not less than 80 feet measured horizontally from its center at sill level. Such view shall extend through either a continuous horizontal arc of not less than 50° , or through two or more horizontal arcs which in aggregate contain not less than 70° . For the purpose of this subsection the following shall be considered as obstructions:
 - (1) The theoretical equivalent building located on any adjoining site of the zone area in a corresponding position by rotating the plot plan of the proposed building 180° above the horizontal axis located on the property line of the proposed site.
 - (2) Part of the same building including permitted projections.
 - Accessory buildings located on the same site as the principal building.

7. **Floor Area Ratio:** The floor area ratio shall not exceed 2.50. Floor area ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two or more sides, areas having a ceiling height of less than seven feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

8. **Accessory Buildings:** Any use or structure customarily accessory to the principal uses shall be permitted, provided it shall not exceed a height of 15 feet,

SECTION III. APARTMENT ZONE (Lots 23, 24, 25 and 26)

- A. **Intent.** To provide for apartment development at a density standard that will attain a maximum density of 25 dwelling units per acre.
- B. **Permitted Uses.** Uses permitted as a matter of right.
1. Apartment houses.
 2. Fraternity or sorority houses.
 3. Public or commercial swimming pool.
- C. **Height.** The height of a building shall not exceed five stories or 50 feet.
- D. **Front yard.** The front yard shall have a minimum depth of 20 feet.
- E. **Side Yards.** A side yard of not less than ten feet shall be provided on each side of the building, provided, of on a corner site where a side yard adjoins a flanking street, the side yard shall be not less than 15 feet.
- F. **Rear Yards.** A rear yard shall be provided of not less than 25 feet.
- G. **Vertical Angle of Light.** In the case, of buildings over 35 feet in height (measured from the finished grade at all points around and adjacent to the building) no part thereof shall project above lines extending over the site at right angles from:
1. All points along the ultimate center line of the site and inclined at the average angle of 25° to the horizontal.

2. All points along the rear boundary line of the site and Inclined at the average angle of 25° to the horizontal.
3. All points along the interior side boundary (or boundaries) of the site at ground level and inclined at an average angle of 30° to the horizontal.
4. In the case of corner sites, all points along the ultimate center line of the flanking street and inclined at an average angle of 25° to the horizontal.

H. Daylight Access.

1. The window of every habitable room shall be not less than ten feet from the interior side boundary of the site onto which it faces.
2. Every such window shall permit an unobstructed view for a distance of not less than 80 feet measured horizontally from its center at sill level. Such view shall extend through either a continuous horizontal arc of not less than 50°, or through two or more horizontal arcs which in aggregate contain not less than 70°. For the purpose of this subsection the following shall be considered as obstructions:
 - a. The theoretical equivalent building located on any adjoining site of the zone areas in a corresponding position by rotating the plot plan on the proposed building 180° about the horizontal axis located on the property line of the proposed site.
 - b. Part of the same building including permitted projections.
 - c. Accessory buildings located on the same site as the principal building.
3. For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than ten percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet whichever is greater.

I. Floor Area Ratio. The maximum floor area ratio shall be 0.60, provided, however, this amount may be increased as follows:

1. Where the site coverage is 50 percent or less, an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent.
2. Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet or more, an amount may be added equal to 0.002 multiplied by each 100 square feet of site area in excess of 9,000 square feet but in no case shall this amount exceed 0.25.
3. Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest

point of the finished grade around the building) an amount may be added equal to 0.20 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven (7) feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven (7) feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided in no case shall the top of any portion of such structure extend more than three feet above the adjoining streets or adjacent sites.

- J. Accessory Buildings. A building or use customarily accessory to the above uses (except for another dwelling unit), provided that:
1. All necessary buildings shall be located not less than 15 feet from a flanking street.
 2. The total accessory buildings do not occupy an area greater than 25 percent of the minimum yard, or 460 square feet, whichever is greater.
 3. No accessory building shall exceed 15 feet in height.
 4. Not more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.
 5. No accessory building shall be closer than 12 feet to any dwelling on the property.
 6. No accessory building shall obstruct the daylight access as required in this section.

K. Special Provisions.

1. Animals. No more than three (3) of any species of common four-legged household pets, four (4) months of age or older, shall be allowed per dwelling unit. Fowl, such as chickens, ducks and geese are prohibited. This does not apply to song birds and the like. All other animals are prohibited.
2. Trailer House and Mobile Homes - No more than one (1) trailer house may be stored on the premises. One (1) mobile home may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to surrounding property or to the neighborhood. Trailer houses shall not be used as living quarters at any time. Mobile homes may be used as living quarter only when located in Mobile Home Parks.
3. Pleasure Boats - Privately owned pleasure boats with an eight- (8) foot beam or less may be stored on the premises. Larger boats may be stored on the premises if it is determined by the Hearing Examiner that such storage will not be detrimental to the surrounding property or to the neighborhood. A boat in storage shall not be used as living quarters at any time.
4. Outside Storage - Inoperable motor vehicles may be stored on the premises no longer than 30 days unless parked within an enclosed structure. A reasonable quantity of material normally accessory to the principal use may be openly stored in the buildable area. There shall be no open storage of other materials.

SECTION IV. GARDEN COURT ZONE (Lots 33 and 41)

- A. Intent. To provide for Garden Court development at a density standard that will attain a maximum density of 15 dwelling units per acre but as to said lot 33, not to exceed a total of 150 dwelling units.
- B. Permitted Uses. Uses permitted as. a matter of right:
 1. Single Family
 2. Townhouses
 3. Duplexes
 4. Garden Court Apartments
- C. Height. The height of a building shall not exceed two stories or 35 feet.
- D. Front Yard. The front yard shall have a minimum depth of 20 feet.
- E. Side Yards. A side yard of not less than ten feet shall be provided on each side of the building, provided if on a corner site where a side yard adjoins a flanking street, the

side yard shall be not less than 15 feet.

- F. Rear Yard. A rear yard shall have a minimum depth of 25 feet.
- G. Daylight Access. The daylight access provisions set forth in Article III, Section III, subsection "H" - Apartment Zone, shall apply hereto.
- H. Floor Ratio. The maximum floor area ratio shall be 0.50 computed as provided in and subject to modification as provided in Article III, Section III, subsection "I" - Apartment Zone, the provisions of which shall be applicable hereto.
- I. Accessory Buildings. A building or use customarily accessory to the Garden Court use, provided that:
 - 1. All accessory buildings shall be located a minimum of 15 feet from a flanking street.
 - 2. The total accessory buildings do not occupy an area greater than 25 percent of the minimum yard, or 460 square feet, whichever is greater.
 - 3. No accessory building shall exceed 15 feet in height.
 - 4. Not more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.
 - 5. No accessory building shall be closer than 12 feet to any dwelling on the property.
 - 6. No accessory building shall obstruct the daylight access as required in this section.
- J. Special Provisions. The provisions of Article III, Section III, subsection "K" - (Apartment Zone) shall apply.

SECTION V. TOWNHOUSE, DUPLEX. SINGLE-FAMILY ZONE (Lots 20, 27 - 32, 34 - 40, 42)

- A. Intent. To provide for townhouse and duplex development at a density standard that will attain a density of a maximum of six dwelling units per acre for Lots 20, and a maximum density of eight dwellings per acre for Lot 27 to 32, 34 to 40 and 42.
- B. Permitted Uses. Uses permitted as a matter of right:
 - 1. Single-family.
 - 2. Duplexes.

3. Townhouses.
- C. Floor Area Ratio. The maximum floor area ratio shall be 0.45 computed as provided in and subject to modification as provided in Article III, Section III, subsection "I" - Apartment Zone, the provisions of which shall be applicable hereto.
- D. Height. The maximum height of a building shall not exceed 35 feet or two stories.
- E. Yards.
1. The front yard shall have a minimum depth of ten feet.
 2. The rear yards shall have a minimum depth of ten feet.
 3. The side yards shall have a minimum depth of five feet.
- F. Accessory Buildings.
1. All accessory buildings shall be located a minimum of five feet from a flanking street.
 2. No accessory building shall exceed 15 feet in height.
 3. No more than two-thirds of the width of the front or rear yard of any lot shall be occupied by accessory buildings.
- G. Special Provisions. The provisions of Article III, Section III, subsection "K" subsection - Apartment Zone, shall apply.

SECTION VI. HIGH RISE ZONE (Lot 22 and Lots 1 and 2 of Short Subdivision SS-5099)

- A. Intent. To provide reasonable site standards that can be applied when each site is created and working viable plans are presented. In this way there will be no chance of a monotonous row of towers being created.

Maximum allowable density will be 30 dwelling unit 's/acre on Lots 1 and 2 of SS-5099 and 25 dwelling unit's/acre on Lot 22.

- B. Permitted Uses. Uses permitted as a matter of right:
1. High-rise Apartments (subject to standards in this Article III, Section IV, subsection "C through E.")
 2. Garden Court Apartments (subject to standards of Article III, Section IV)
 3. Townhouses, Duplexes, Single- Family Residential (subject to standards of

Article III, Section V.)

- C. Height and Length. On any site the height of a building shall not exceed 100 feet, provided, however, that where any portion or portions of a building extend above a height of 35 feet, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site. Where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that, the area of each site so created is 25,000 square feet, or more, and the parts of the building (towers) are not less than 80 feet apart. The height of a building shall be the vertical distance between the finished grades of the site and the hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.
- D. Floor Area Ratio. The maximum floor area ratio shall be .75, provided, however, this amount may be increased as follows:
1. Where the site coverage is 50 percent or less, an amount equal to 0.09 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent.
 2. Where the area of a site exceeds 9,000 square feet and the frontage of such site is 75 feet or more, an amount may be added equal to .0015 multiplied by each 100 square feet of site area in excess of 9,000 square feet but in no case shall this amount exceed 0.20.
 3. Where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount may be added equal to 0.15 multiplied by the ratio of parking spaces provided which are completely under cover, to the total required parking spaces.

Floor Area Ratio is a computation of density that indicates the permissible amount of floor area that may be developed on a specific amount of land area. Figure obtained when the area of all the floors of the buildings on the site is divided by the area of the site.

Floor Area is the sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls. Including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven (7) feet or more; but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven (7) feet, and basements used exclusively for storage or housing of mechanical or central heating equipment.

For the purpose of this section, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

If any of the buildings are on a sloping site where a structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover) is located beneath the average elevation of the portions of the streets, or adjacent sites, located adjacent to such structure, provided In no case shall the top of any portion of such structure extend more than three feet above the adjoining streets or adjacent sites.

SECTION VII. PUBLIC USE ZONE (Lots 15B, 16, 17, 18, and 19)

- A. Intent. To provide for development of a Thurston County Courthouse site.
- B. Permitted Uses. Use permitted as a matter of right.
 - 1. Public Use – Thurston County Courthouse.
- C. Development Standards. The development standards applicable to this use zone shall be those standards approved by the City Commission of the City of Olympia after recommendations by the Olympia Planning Commission when a detailed site plan for development was submitted thereto.

ARTICLE IV

LOT REFERENCES

All lots and tracts referenced herein are the lots and bearing the corresponding number or letter in the Plat of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, with the exception of Lots 15A and 15B.

Where used herein the terms Lot 15A and Lot 15B, shall respectively mean the real property described following each such designation below:

Lot 15A: That part of Lot 15 of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, lying easterly of a line described as beginning at a point on the South line of said Lot 15, a distance of 363.18 feet S 89° 55' 51" E of the Southwest corner thereof; thence N 13° 37' 53" E to the Northerly line thereof.

Lot 15B:

That part of Lot 15 of Evergreen Park according to the plat thereof recorded in Volume 16 of Plats, page 61, records of Thurston County, Washington, lying westerly of a line described as beginning at a point on the South line of said Lot 15 a distance of 363.18 feet S 89° 55' 51" E of the Southwest corner thereof, thence N 13° 37' 53" E to the Northerly line thereof.



NOTICE OF PUBLIC HEARING
DECEMBER 11, 2023 @ 5:30 PM & State
Environmental Policy
Act Determination of Nonsignificance
(SEPA DNS)

Community Planning & Development
 601 4th Avenue E. – PO Box 1967
 Olympia WA 98501-1967
 Phone: 360.753.8314
 Fax: 360.753.8087
cpdinfo@ci.olympia.wa.us
www.olympiawa.gov

<u>Project Name and No.:</u>	Evergreen Park PUD text amendment; 23-2792
<u>Required Approvals:</u>	PUD Amendment
<u>Description of Proposal:</u>	Text Amendment to Evergreen Park PUD to allow multi-family housing as a permitted use in the Commercial/Retail Zone. This would allow for additional housing units within the PUD.
<u>Location of Proposal:</u>	Evergreen Park PUD retail/commercial zones
<u>Applicant/Representative:</u>	Philip Stewart
<u>Public Hearing:</u>	Monday, December 11 th , 2023, 5:30 p.m.
<u>Hybrid In-Person & Virtual Hearing (Zoom Webinar):</u>	City Hall at 601 4th Ave East in Olympia, Council Chambers https://us02web.zoom.us/webinar/register/WN_Wzi-h-uiQjSLw7bB3EM2SQ
<u>Staff Contact:</u>	Jackson Ewing, Associate Planner Phone: 360.570.3776 Email: jewing@ci.olympia.wa.us

NOTICE OF PUBLIC HEARING

The City of Olympia Hearing Examiner will hold a hybrid, in person and virtual public hearing to receive additional public comments prior to making a decision on the above referenced project. Anyone interested is invited to attend via Zoom Webinar or in person in Council Chambers and present testimony regarding the above proposal. At the time you register and sign up, you will have the option of indicating if you want to give public testimony. To register use the link listed above.

Written statements may be submitted to the staff contact listed or to Olympia Community Planning and Development Department, PO Box 1967, Olympia WA 98507-1967 for consideration by the hearing examiner. Written statements must be received prior to the public hearing. They can also be submitted by e-mail to the Lead Planner listed above up to two hours prior to the public hearing. All public comments previously submitted are also provided to the hearing examiner for consideration.

If you require special accommodations to attend and/or participate in this meeting, please contact Community Planning and Development by 10:00 a.m., 48 hours in advance of the meeting or earlier, if possible; phone: 360.753.8314; e-mail: cpdinfo@ci.olympia.wa.us. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384. The City of Olympia is committed to the non-discriminatory treatment of all persons in the delivery of services and resources.

The staff report and supporting documents will be available for review through the following link 10 days prior to the scheduled public hearing. <https://olympia.legistar.com/Calendar.aspx>

NOTICE OF SEPA DETERMINATION OF NON-SIGNIFICANCE**Lead Agency:** City of Olympia**SEPA Official:** Nicole Floyd AICP**Date of Issue:** November 17th, 2023**Appeal Deadline:** 5:00 p.m., December 8th, 2023

Threshold Determination: The lead agency for this proposal has determined that this action is not likely to have a significant adverse impact upon the environment. Therefore, an Environmental Impact Statement is not required under RCW 43.21C.030(2)(C). The environmental review and SEPA threshold determination of this proposed action are based upon the environmental checklist and related information on file with the City. This information is available to the public on request.

This DNS is issued under Washington Administrative Code 197-11-340. The applicant shall not begin work until after the appeal deadline has expired and any other necessary permits have been granted.

APPEAL DEADLINE: 5:00 p.m., December 8th, 2023. Pursuant to RCW 43.21C.075(3) and Olympia Municipal Code 14.04.160(A), this DNS may be appealed by any agency or aggrieved person. Appeals must be filed with the Community Planning and Development Department at the address above within twenty-one (21) calendar days of the date of issue. Any appeal must be accompanied by the requisite administrative appeal fee.



**Nicole Floyd AICP, Principal Planner, SEPA
Official**