

**From:** [John Sladek](#)  
**To:** [Casey Schaufler](#)  
**Subject:** RE: City of Olympia - Notice of Public Hearing and SEPA DNS - 21-1729 Smith Lake Cove Rezone  
**Date:** Friday, October 15, 2021 9:05:44 AM  
**Attachments:** [15 October 2021 Smith Lake ReZone JRS Letter to 25 October 2021 Hearing Examiner Public Hearing.docx](#)

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Hello Casey.

Please add the attached letter to the October 25 2021 HA Public Hearing file. I have also printed it below.

Thanks.

John Sladek  
360 438-3593

15 October 2021

Mr. Casey Schaufler, Assistant Planner  
City of Olympia Community Planning and Development  
P.O. Box 1967, Olympia WA 98507-1967

**Subject: Project 21-1729 Smith Lake Rezone**

I support the proposed rezoning of parcels north of Smith Lake to Residential – 4 Chambers Basin District (R-4CB).

My wife and I own a home in Shana Park, south of Smith Lake. We also own an undeveloped parcel along Fuller Lane and are co-owners of an adjacent road easement parcel.

I serve on the Shana Park Homeowners Association Board of Directors. I fully support the October 14, 2021 letter prepared by Warren Devine on behalf of the SPHA BOD. **However, I am writing this letter as an individual property owner.** My comments:

- 1) I find the proposed rezone consistent with existing land use west of the Chehalis Western Trail. It allows responsible development of a sensitive area having seasonally high water table and flooding issues.
- 2) As a longtime consulting engineer, I have been part of many development projects throughout the PNW. I believe private property rights are a cornerstone of our democracy. The proposed R-4CB zoning gives Blackbird LLC a means to develop its property. R-4CB also respects Smith Lake's existing natural condition and the property rights of adjacent parcels and lots.
- 3) Blackbird's consultant, Jim Peshek of Bask Enterprises LLC made several comments at the Olympia Planning Department's June 17 2021 preliminary Zoom meeting. Examples of Bask's previous work in the Gig Harbor area, referenced by Mr. Peshek, appear consistent with R-

4CB zoning.

- 4) Transportation access to any Smith Lake Development is a major concern. The rezone's SEPA Environmental Checklist, Item 14-a identifies three access routes. Two of these routes: Normandy Drive and Fuller Lane are not adequate to handle additional traffic. Furthermore, Fuller Lane's connector Wiggins Road does not meet current standards and is presently overburdened by traffic. 45<sup>th</sup> Avenue with its direct connection to an existing roundabout at College Street has adequate capacity. I believe 45<sup>th</sup> Avenue is the best choice.
- 5) 45<sup>th</sup> Avenue's challenge is crossing the Chehalis Western Trail and adjacent utilities. Several years ago, while a Civil Engineering Professor at Saint Martin's University, I had a group of senior engineering students design a crossing of the trail to a hypothetical Smith Lake development. (This was the students' Capstone Design Project.) The students' completed design respects the trail's integrity. It is reasonably attractive, practical, and cost effective.

Thank you for your consideration. I am pleased to answer any questions concerning my comments and recommendations.

Very truly yours,

John R. Sladek, P.E., S.E.  
5531 Clearfield Drive SE  
Olympia, WA 98501  
360 438-3593  
[jrs.pe.se@outlook.com](mailto:jrs.pe.se@outlook.com)

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**From:** Casey Schaufler [mailto:[cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)]

**Sent:** Friday, October 08, 2021 10:18 AM

**Subject:** City of Olympia - Notice of Public Hearing and SEPA DNS - 21-1729 Smith Lake Cove Rezone

The City of Olympia has issued the following **Notice of Public Hearing** with the **Hearing Examiner** and **State Environmental Policy Act Determination Of Nonsignificance (SEPA DNS)** for the project known as **Smith Lake Cove Rezone** located at **4900 Blk Normandy Drive SE**.

PROJECT: **21-1729**

See the above attachments for further details.

Please forward questions and comments you may have regarding this project to the staff contact listed below:

- **Casey Schaufler, Assistant Planner, 360.753.8254, [cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)**

Kind regards,

Casey Schaufler | Assistant Planner  
City of Olympia | Community Planning and Development  
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967  
360.753.8254 | [cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)

15 October 2021

Mr. Casey Schaufler, Assistant Planner  
City of Olympia Community Planning and Development  
P.O. Box 1967, Olympia WA 98507-1967

**Subject: Project 21-1729 Smith Lake Rezone**

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Very truly yours,

John R. Sladek, P.E., S.E.  
5531 Clearfield Drive SE  
Olympia, WA 98501  
360 438-3593  
[jrs.pe.se@outlook.com](mailto:jrs.pe.se@outlook.com)

**From:** [Warren Devine](#)  
**To:** [Casey Schaufler](#)  
**Cc:** [Nicole Floyd](#)  
**Subject:** Written statement for Hearing Examiner  
**Date:** Saturday, October 16, 2021 12:02:39 PM  
**Attachments:** [1025 Hearing letter \(Word\).docx](#)

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Hello Casey

Attached please find a statement dealing with the Smith Lake Rezone, Project 21-1729. We note that you have already attached written public comments to the October 25 Hearing Examiner Meeting Agenda, and ask that you kindly attach this statement as well.

To avoid repetition and shorten our correspondence, we have structured this statement to refer to our two earlier submissions: our letter to you of June 29, and our semi-technical paper "Smith Lake: Arguments for Preservation."

The Shana Park homeowners will participate in the Zoom meeting on October 25. Will you please let us know how many minutes each of us may speak. If possible, I would like five minutes.

Thank you for your obvious hard work on this issue and your prompt responses to our questions.

Warren Devine  
Member, SPHA Board of Directors

To: Mr. Casey Schaufler, Assistant Planner  
City of Olympia Community Planning and Development  
P.O. Box 1967, Olympia WA 98507-1967

From: Shana Park Homeowners Association Board of Directors  
5012 Viewridge Drive SE  
Olympia, WA 98501

Date: 14 October 2021

Subject: Project 21-1729 Smith Lake Rezone

1. The Shana Park Homeowners Association (SHPA) Board of Directors strongly supports the rezoning of our property (Parcel # 73810015200) from the existing R-4-8 to your proposed R-4CB.

The existing zoning of our property is totally inappropriate. First, as stipulated in our Protective Covenants, this 6.2-acre parcel is part of our community's greenbelt. No structures may be built thereon. Second, approximately 90% of the parcel is covered by Smith Lake and the remainder is high-quality wetland. Your proposed designation, on the other hand, recognizes reality: it does not stipulate a minimum number of housing units on parcels where none should ever be built.

2. The Board also supports the rezoning of Parcels 11832240000, 11832130201, and 11832130300 from R-4-8 to R-4CB. These parcels lie just to the north of Shana Park. Three Shana Park properties are adjacent to Parcel 11832240000; 12 Shana Park properties border Smith Lake and its wetland.

In June, you solicited opinions on the rezoning of the above three parcels from R-4-8 to R-4. After careful study, the Board took no position on the zoning; we were—and are—concerned about the impacts of **any** development on these parcels. In our letter to you of June 29, we described three areas of concern: access, flooding, and environmental impact. (We also submitted a semi-technical paper which provided more detail on the latter issue.) Here we very briefly summarize each concern, state why we believe R-4CB is appropriate, and then state why this designation complies with the City's decision criteria for rezone requests.

## 2.1 Access

Our families and their pets walk, run, and bike on Normandy Drive and its side streets because our neighborhood has no sidewalks and sees very little traffic. Any extension of Normandy will increase traffic and noise, decrease safety, and destroy a Category I wetland and the sensitive wildlife habitat at the western end of Smith Lake.

We believe R-4CB is more appropriate than R-4-8 because it could result in fewer housing units and less need for roads; access to development via Normandy Drive will neither be needed nor should be permitted on environmental grounds.

R-4CB is consistent with Decision Criterion B because it could help maintain the safety and well being of the Shana Park community. In addition, R-4CB complies with Decision Criterion C because its regulations are consistent with the Comprehensive Plan's intent to protect environmentally sensitive areas and aquatic habitats.

## 2.2 Flooding

Smith Lake lies at the southern end of Chambers Basin, draining an area much larger than its nominal 16 acres. As no surface streams enter or leave the lake, its level is constant only as long as precipitation, evaporation, and groundwater exchanges remain in delicate balance. Thus Smith Lake is highly susceptible to runoff from developed areas; moreover, it has been shown to be in direct hydraulic connection with the nearby shallow groundwater aquifer.

High precipitation and groundwater led to inundation of two Shana Park lots on at least two occasions. All twelve lots on Viewridge Drive are at risk. The owners are rightly concerned that development will augment natural flows and damage their property.

R-4CB is appropriate because its regulations reflect an attempt to address the special hydrogeologic characteristics of the Chambers Basin: high groundwater, flat topography, and poor drainage. The present R-4-8 zoning lacks requirements specific to this area.

R-4CB complies with Decision Criterion A because it is consistent with the Comprehensive Plan's intent to establish zoning and administer regulations that protect drainage basins. R-4CB is also consistent with Decision Criterion B in that it could help protect the health and safety of residents living in and near the Basin who are at risk from flooding.

## 2.3 Environment

Smith Lake is surrounded by wetlands and by a belt of forest. This forest is a natural buffer zone for the lake and its wildlife and—if left undisturbed—will continue to function as such.

The area is a nesting and feeding habitat and migration corridor for over 95 bird species. Great blue herons hunt regularly, there is a nesting family of bald eagles, and beavers raise their young in a lodge protruding from the lake. Moreover, the presence of certain “indicator species” suggests that Smith Lake has so far been little affected by human activities.

Smith Lake has little existing development, high environmental quality, charismatic wildlife, and access from the popular Chehalis-Western Trail. Unfortunately, because it is a closed system, Smith Lake is highly vulnerable to new development.

We feel R-4CB is appropriate because it restricts building density and does not stipulate a minimum number of units per acre. This leaves room for open space and natural areas, such as the lake's critical forested buffer. Moreover, a lower level of traffic and other human activity is less likely to disturb or drive away wildlife.

R-4CB complies with Decision Criterion C because its regulations are consistent with the Comprehensive Plan's intent to protect environmentally sensitive areas and aquatic habitats. It also complies with Decision Criterion D because the rezone will complete a large district with uniform zoning that reflects the special characteristics peculiar to that district.

#### 2.4 Conclusion

If strictly followed, development in accordance with R-4CB regulations could ameliorate some of our concerns regarding flooding of our properties and degradation of the wildlife habitat of Smith Lake. Please note, however, that the Board will challenge any proposal to extend Normandy Drive to access the subject parcels.

Sincerely,

Arlene McMahon, President/Treasurer  
Kathleen Kaynor, Website Coordinator  
Warren Devine, Member-at-Large  
John Sladek, Member-at-Large

**From:** [Barbara Craven](#)  
**To:** [Casey Schaufler](#)  
**Subject:** Project 21-1729 Smith Lake Cove Rezone letter for Hearing Examiner  
**Date:** Thursday, October 21, 2021 1:24:42 PM  
**Attachments:** [Letter Hearing Examiner Smith Lake October 2021.docx](#)  
[Staff report 2010 denial.pdf](#)

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To: Casey Schaufler, Assistant Planner  
City of Olympia Community Planning and Development  
P.O. Box 1967  
Olympia, WA 98507

From: Barbara Craven, Owner  
5010 Viewridge Dr. SE  
Olympia, WA 98501

October 20, 2021

Subject: Project 21-1729 Smith Lake Rezone

Dear Hearing Examiner:

This letter replaces my June 29 letter to the City Planners, and it addresses the changed zoning proposal to R-4CB.

While an R-4CB zoning would likely have less detrimental effects per the Criterion than the developer's proposal for R-4, the City could do better. I request that the Hearing Examiner ask the City Council to rezone for 1/5 acres, that is, one residence per 5 acres. This is how the properties along Fuller Lane were originally zoned. Unfortunately, the change in zoning there to R-4CB, and zoning changes in the parcels surrounding those parcels now under consideration has gotten out of hand. The entire Chambers Basin is subject to flooding, and there is already too much development. One of the most recent is adjacent to the parcels to be rezoned, and just over the border in Lacey where a large, multi-storied complex has gone up where in just the last year cows were grazing. Zoning of R-4CB would reduce my concerns, but would not entirely alleviate them. 1/5 would do so. Completion of the rezoning process now, instead of postponing the decision, would provide certainty to the nearby residents and also to the developer.

I've attached a denial by the City of Olympia for a proposed development in the Chambers Basin on the parcels almost adjacent to those in Project 21-1729, just north of Herman Rd. Although the denial was for a project, not a zoning change, it provides valuable information about the most concerning issues, especially the flooding, hydrology, and sewerage concerns.

I am the owner of a property on Smith Lake that has been inundated by high water during separate heavy rain years. In the late 1990s, water was so high that a sump pump had to be placed under the kitchen to prevent water from reaching floorboards. The pump was operating for four months. In 2016, high water remained on my lawn for so long that it killed the grass, and I had to replace a large section. When the water rises, I am often concerned that it will overtake the house, and that a sump pump will not be able to prevent it from getting higher than in the 1990s. There is nowhere the water can be pumped to that is not back into the water surrounding the house.

The house next door was also affected during those years, even more so than mine.

Development brings with it hardscape that prevents water from its natural flow into the ground, and thus, it is likely that those of us living in the Smith Lake basin will experience even more high water than in those other years if development above us proceeds. This directly affects public health, safety, and welfare (Criterion B). It is not reasonable to expect a developer to mitigate these effects enough, nor is it smart for residents to believe they'll do everything they say they will.

The lake is home to beaver who have a lodge there, and to nesting bald eagles. There are muskrats, raccoons, coyote, and weasel, and 95 bird species, most of them identified by a Wildlife Biologist who lived on the lake. Great Blue Heron have been seen as well as swans. A U.S. Fish and Wildlife Service's evaluation of wetlands and wildlife states that Great Blue Heron need a 750 foot buffer for rookeries. Beaver and Great Blue Heron need a 330 foot disturbance free zone for feeding. We have many wood ducks. They need 660 feet for nesting, and they nest in trees. The large copse of trees within the parcels is of great concern.

A report from the State of Washington Department of Wildlife says, "The plants and animals of the wetland are determined by the vegetation and disturbance on adjacent uplands," and "Adjacent uplands (buffers) themselves provide critical habitat." Also, loss of buffers "reduces recreational and economic opportunities associated with bird watching, photography," and "total species are reduced." Please keep in mind that there's a public viewing area on the east side of Smith Lake accessible from the Chehalis-Western Trail.

"Buffers provide travel corridors," says the report. The beaver left when the lake dried up, then they returned. Three were seen recently swimming in Smith Lake. They have to come from somewhere, and it's likely they use the corridor on the parcels to come from Chambers Lake.

I bought my property 15 years ago because of the lake, and the wildlife there. To affect it is to affect my welfare, and certainly my safety due to the risk of flooding. (Criterion B)

Increased traffic is a great concern. There's no way to sufficiently mitigate that if the property is developed at a higher density than 1 residence/5 acres.

Please carefully consider what the ramifications of this rezone will be.

Thank you,

Barbara Craven

City of Olympia  
OLYMPIA HEARING EXAMINER  
April 26, 2010  
STAFF REPORT

Case: Chambers Lake Residential (File No. 04-2075)

Proposed Action: Subdivision of 39.55 acres of land into 221 dwelling units, including 60 multifamily, 39 single family townhomes, and 122 single family detached homes (zero lot line).

Applicant: Triway Enterprises  
Tri Vo  
1500 79<sup>th</sup> Avenue E  
Olympia, WA 98501

Representative: Hatton Godat Pantier  
Jeff Pantier  
1840 Barnes Boulevard SW  
Tumwater, WA 98512

Site Area: 39.55 Acres

Project Location: 4400 37<sup>th</sup> Avenue SE

Property Description: On File with the City of Olympia

Comprehensive Plan Designation: Residential 4 (R-4)

Zoning Designation: Vested Zoning = Multifamily Residential (MR 7-13)  
Current Zoning = Single Family Chambers Basin (R4CB)

SEPA: A Mitigated Determination of Nonsignificance was issued on March 31, 2010 (Attachment N)

PUBLIC NOTIFICATION: Public notice for this hearing was mailed to the property owners within 300 feet of the subject site and the recognized neighborhood association(s), posted on the site, and published in the Olympian on or before April 16, 2010, in conformance with OMC 18.78.020.

Staff Recommendation: Denial

## **Project Description (Existing Site Conditions/Adjacent Development):**

### **Background:**

When this application was submitted, the zoning for the proposed project was Multi-Family Residential 7-13 (MR 7-13). This project is vested to those standards. However, since the application was submitted, the zoning has changed to Residential Single Family Chambers Basin (R4CB). This project has gone through many reviews of materials: 2005, 2006, and two in 2007. The proposal has been modified from its original submittal and now depicts 221 dwelling units including multi-family, single-family, and townhomes. On March 26, 2010, a SEPA Mitigated Determination of Nonsignificance was issued; the determination also noted that the public hearing had been scheduled. To date, several agencies, and interested parties have commented on this requested action, their comments are included with this staff report.

### **Applicable Policies and Regulations:**

This proposed preliminary subdivision is subject to the Revised Code of Washington (RCW) 58.17, governing subdivisions; the City of Olympia's Comprehensive Plan, Olympia Municipal Code, Title 12, Chapter 12.02, Olympia Development Standards, Section 12.02.020, Engineering Design and Development Standards (EDDS), November 2004 Edition (Standards) was adopted by Ordinance No. 6321. Olympia Municipal Code Title 13, Chapter 13.16, Storm and Surface Water Utility, Section 13.16.017, City of Olympia Stormwater Manual 2005 (Manual) was adopted by Ordinance No. 6345. The Olympia Environmental Code (OMC; Title 14 and 18), which adopts the RCW 197.11 by reference; the Olympia Development Guidelines and Public Works Standards, and the Tree Protection and Replacement Ordinance (OMC 16.60), Olympia Municipal Code (OMC; Title 17) regulating subdivisions within this jurisdiction and adopting the RCW by reference, the Olympia Zoning Code (OMC; Title 18).

### **Analysis:**

The following analysis addresses each of the required elements of review and findings required for approval of a preliminary subdivision plat. Included is a brief summary of applicable regulations. Except as provided by OMC 17.20.100, any preliminary plat approval expires in five years and, thus, required improvements must be constructed and the final plat application submitted within that period. Pursuant to OMC 17.44.020, financial guarantees can only be provided in lieu of minor improvements, unless specifically authorized by the Examiner. The applicant has not requested authorization of such a deferral agreement for any major improvements.

Revised Code of Washington (RCW) 58.17.110 provides that the City shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and related dedications. The City shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision. A proposed subdivision shall not be approved unless the City makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,

playgrounds, schools and school grounds, and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by platting of such subdivision and dedications. Upon finding that the proposed subdivision makes such appropriate provisions and that the public use and interest will be served, then the City is to approve the proposed subdivision.

Dedication of land to any public body, provisions of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. However, no dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 is allowed that constitutes an unconstitutional taking of private property. The City cannot, as a condition of approval of any subdivision, require a release from damages to be procured from other property owners. RCW 58-17-120 provides that the City shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. Comparable requirements are set forth in OMC 17.16.090, plus provisions for requiring other dedications consistent with adopted plans of the City and other agencies.

In general whether the required “appropriate provisions” have been made is determined by reference to the applicable Olympia Municipal Code sections and the Development Guidelines and Public Works Standards and other regulations. Each appropriate item is addressed below.

## **RECOMMENDATION FOR DENIAL**

Recommendation for denial of the proposed Chambers Lake Residential Plat project is based on the following issues not meeting the applicable policies and standards.

1. The applicant proposes, in the area labeled South Detention Basin, to install two detention ponds and one combination detention with wet pond facility. As part of the design requirements, the applicant monitored high ground water through the winter of 2007 and measured the high ground water elevation in six locations throughout the proposed plat. The high ground water elevation varies in elevation from 197.74 to 200.29 with the lowest elevation along the southeastern side of the project to the highest along the northwestern side of the site; see Drainage Report, Appendix A, Special Reports and Studies. The high ground water elevation was found to be in the range of one inch above ground to six inches below the ground. This information closely matches City monitoring in the surrounding areas. The two detention ponds labeled as South B and South C along with the combination facility labeled as South A propose to use PVC liners for the detention and wet ponds to prevent infiltration and inflow between ground water and the pond. The ground water elevation shown for South A is 197.74 with the detention pond Design Water Level (DWL) at 197.60, approximately two inches below the high ground water elevation. South B also has a ground water elevation of 197.74 with a detention pond DWL at 197.60. South C has a ground water elevation of 198.25 with a detention pond DWL at 197.60. All three detention ponds' entire storage is designed below the high ground water elevation. The Drainage Manual, Volume V, BMP T10.40, Combined Detention and Wetpool Facilities states; “Unlike the wetpool volume,

the live storage component of the facility shall be provided above the seasonally high water table. This design clearly does not meet this requirement. The applicant has requested a variance to the standards (Drainage Report, Page 29, South Basin Pond System). The City recommends denial of the variance request for the following reasons:

Placing live storage below groundwater elevation creates the potential for a failure of the liners which result in failure to meet detention requirements without the owners knowing of the problem. Even if technology exists to detect leaks in PVC liners there is no way the owners would know if the facility is operating correctly. The owners will not be able to distinguish between stored rainfall and exfiltrated ground water. Without adequate detention, volume in the live storage component of the pond would release increase peak and duration of flows downstream resulting in adverse downstream impacts.

2. South A, South B, and South C ponds propose to use low permeability liners, 30 mil PVC liners, on slopes of 3H:1V, with no soils shown on the liner on the pond details within the plans. The drainage report states the liner will require 1.2 feet of soil cover, but this is not reflected on the plans. This proposed design does not meet the requirements of the Drainage Manual, Volume V 4.4, Facility Liners.

Section 4.4.1 – 1 states: “Where the seasonally high ground water elevation is likely to contact a low permeability liner, liner buoyancy may be a concern. A low permeability liner shall not be used in this situation unless evaluated and recommended by a geotechnical engineer.”

Section 4.4.1 goes on to state: “If a treatment liner will be below the seasonal high water level, the pollutant removal performance of the liner must be evaluated by a geotechnical or groundwater specialist and found to be as protective as if the liner were above the level of the groundwater.”

Section 4.4.3 Geomembrane Liners states: “Geomembrane liners shall not be used on slopes steeper than 5H:1V to prevent the top dressing material from slipping. Textured liners may be used on slopes up to 3H:1V upon recommendation by geotechnical engineer that the top dressing will be stable for all sited conditions, including maintenance. “

There are no geotechnical evaluations submitted for the required information for the liner installation as noted above.

3. The design of this plat is based upon analysis that the filling on the site which has high ground water elevations will not alter the ground water flow patterns or capacities of the underlying soil. This is not a typical development practice in Olympia. There are no examples provided of other sites where this method has been successfully used and verified that it is working correctly over the long term. City of Olympia staff does not have standards or experience to be able to support or deny the proposal to fill on this site and its impacts on the immediate and future ground water flow of the site and surrounding area.
4. Tracts G and I are shown as proposed tree tracts. This area is the collection area for the off-site surface flow and is covered by a drainage easement. Tracts G and I cannot be used for both trees and drainage.

5. The City of Olympia does not allow the use of Thirsty Ducks in detention facilities. These devices have not been proven to operate successfully over the long term. In addition, the Department of Ecology has not approved the use of Thirsty Duck. DOE states: "It will reduce land area needed for ponds, but it does so by increasing the risk of destabilization of streams." According to information from Thirsty Ducks, Incorporated, the ponds are sized from 10 – 50% smaller than required by WWHM for release rates in the Drainage Manual. The risk of using the Thirsty Duck and sizing the detention facilities for the discharge rate of this device could leave the development, in the long term, with detention ponds undersized and releasing a higher flow than allowed by the Drainage Manual.
6. The downstream conveyance backwater analysis appears to contain some errors. The South pond outlet backwater analysis does not calculate any head loss, the pipe flow velocity is also much less than the minimum 2 fps allowed in the Stormwater Manual, Volume I, Appendix F.
7. The ditch backwater analysis does not use the tail water elevation of 195 of the outfall as stated in column 11. The Headwater at CBI is shown to be outlet control, but this determination is not used in the rest of the analysis.
8. The Non-jurisdictional wetland at the north end of the plat is proposed to be surrounded by lots with significant amounts of fill. The proposal does not maintain the hydrologic flow to the wetland. The Drainage Manual, Minimum Requirement #8 Wetland Protection, defines allowable impacts to existing wetlands; the applicant has not demonstrated that changes to the wetland hydrology are within the allowable limits.

In the event the Hearing Examiner determines a need to review the remainder of the proposed plat, the following is the complete review.

#### Comprehensive Plan and Public Health and Safety

The Comprehensive Plan identifies the zoning designation of Single Family Residential 4 (R-4) in Chapter 1, page 72.

*Findings: The proposed plat complies with the Comprehensive Plan (see Land Use Chambers, Section LU1, LU2, and LU4p; also see Housing Sections: H1, H2, and H3).*

#### Open Spaces, Parks, Recreation and Playgrounds

Olympia Municipal Code 18.04, Table 4.04, requires projects within the MR 7-13 zone to provide a minimum 30% of open space for multi-family projects.

*Findings: Appropriate provisions have been made. The applicant is proposing multi-family as part of the development application. In addition to the area around each multi-family building, the applicant is proposing an open space area, Tract H, totaling .50 acres of land*

#### School and School Grounds

This project is located within the Olympia School District and is subject to payment of School Impact Fees.

*Findings: The school age students who reside in this development are intended to attend McKenny Elementary, Washington Middle School, and Olympia High School. This district has no capacity for any students of the elementary, middle and high schools currently serving the*

*proposed project's area. Therefore, the school district will bus students from this development to either Madison or Garfield Elementary School until a new school is built to serve the students residing in this development (See Attachment O).*

#### Safe Walking Routes for School Children

RCW 58.17 requires all plats to provide safe walking routes for school children. In addition, it is a City policy that all projects within one mile of elementary school or middle schools are to provide walking routes directly to the school. If a project is located further than one mile from an elementary or middle school, then a safe walking route to the nearest bus stop is required.

*Findings: This project falls within one mile of McKenny Elementary School located on Morse Merryman Road. Therefore, a safe walking route to the school is required, per RCW 58.17. A safe walking route improvement shall be constructed from the project site and connect this walking route with an existing sidewalk at the intersection of Morse Merryman Road and Hoffman Road.*

#### Drainage Ways (Stormwater)

The developer will provide for the treatment, storage, and disposal of surface drainage through a storm drainage system designed to the current City of Olympia Stormwater Manual (Manual) and Chapter 5 of the Engineering Design and Development Standards (EDDS). The standards established by this chapter are intended to represent the minimum standards for the design and construction of storm drainage facilities. The referenced document "City of Olympia Stormwater Manual," (Manual) is considered a part of this chapter of the Development Standards. The Manual sets forth the minimum drainage and erosion control requirements as supplemented herein.

*Findings: Appropriate provisions have not been made for stormwater. The proposed design on the plans and drainage report do not reflect the design that will meet the Drainage Manual for the following reasons:*

- A. See "Recommendation for Denial" above.*
- B. In order to maintain the existing ground water flow patterns, the soils reports discuss the use of sand and gravel borrow as fill material. Provide a gradation/specification for this material to meet the ground water flow requirements of the site.*
- C. According to Minimum Requirement #5, a 20-foot easement is needed over all conveyance pipes. The easement should be centered on the pipe. Provide a 20-foot easement of the collection and dispersion system on the east and west side of the development.*
- D. The cross section drawings show the fill from the lots covering the inlets in the offsite collection system. Modify the grading plan to allow the inlets to be placed at existing grade without fill encroaching upon them.*
- E. The flow spreader is shown to be backfilled with amended soil. Replace the amended soil with cleaned gravel that would allow the water to exit freely.*
- F. Provide a conveyance system design which provides a minimum velocity in the storm sewer of 2 feet per second at the design flow. See Volume I, Appendix F, for conveyance system design information.*

- G. *Remove the conflicts between the offsite flow bypass conveyance and the street drainage system; on the north-south street both systems occur in the same location (i.e., one on top of the other).*
- H. *On the offsite conveyance system, provide a structure on either side of the right-of-way crossings. The City will maintain the conveyance system within the right-of-way and the homeowners will maintain the system in the utility easements, placing structures at the right-of-way edges allows a delineation of responsibility.*
- I. *The stormwater site plan includes calculations for a 10-foot wide by 2-foot deep by 3-inch per hour infiltration area to manage the offsite flow. This appears to be from past submittals and should be removed from the report.*
- J. *Remove the trees from the North Pond Detention facility berm. The berm should be landscaped, but trees should not be used because of the risk of piping failure of the berm due to tree roots.*
- K. *Provide landscaping for the ponds which meets the Stormwater Manual requirements for detention facilities found in Volume II, Section 3.2.1. Landscaped islands covering at least 10 percent of the pond must be used.*
- L. *The discharge from the North Pond is into the wetland buffer of Chambers Lake. It appears that the discharge will concentrate on the adjacent property quickly after discharging. Move the outlet system so that the flows disperse more before reaching the adjacent property.*
- M. *In the final design provide access roads into the wetpond and detention facilities and provide access to control structures.*
- N. *Provide a 20-foot easement centered over the pipe for all storm sewer conveyances which are not in the public right-of-way.*
- O. *Provide structures at all changes in direction of stormwater conveyance systems. On private property, cleanouts may be used at these locations. Design all conveyances per Volume I, Appendix F. Show that the designs meet the minimum velocity criteria.*
- P. *Minimum Requirement #5 necessitates the use of Soil quality and Depth BMP's equivalent to those of BMP T5.13. Add the specifications needed to comply with this BMP to the stormwater site plan and construction plans. Show the areas to be amended.*
- Q. *Change the name of the Integrated Pest Management Plan (IPMP) to Source Control Plan, the IPMP is an element of the source control plan.*
- R. *The base map for the off-site sewer figures is incorrect. The streets shown as Mapleview, 15<sup>th</sup> Court, and 18<sup>th</sup> Avenue do not exist at this site within the city. These streets are located in Section 8, not Section 29.*

#### Hydrogeological Report

OMC 18.32 regulates the wellhead protection areas of the City of Olympia. The proposed development is located within the designated five-year time of travel zone for the City of Olympia's Hoffman Well #3.

As stated in the OMC, Hydrogeological Reports "shall identify the proposed development plan and the risks associated with on-site activities which may degrade the ground water within a designated wellhead protection area." The report is required to "be prepared, signed, and dated

by a state-licensed geologist or hydrogeologist,” and include the following revisions to the report at the time of engineering plan application submittal:

- A. Geologic setting, including well logs or borings and available data on wells located within ¼ mile of the site:

*Findings: The revised report shall include a statement regarding the susceptibility of the deep aquifer (and the supply at Well #3) to downward migration of shallow contaminants via existing private wells.*

- B. Any proposed monitoring sampling schedules;

*Findings: City staff will work with the applicant to identify a monitoring well location and a sampling approach at time of engineering submittal.*

- C. Analysis of the possible effects on the ground water resource of the proposed project including the storage or use of any hazardous materials;

*Findings: The report did not address the likelihood of untreated stormwater being in direct connection with shallow ground water – which is not an acceptable practice within a wellhead protection area. Also, in the interests of providing protection of ground water quality, ponds -- where there is likely contact between ground water and untreated stormwater -- should be lined wherever possible.*

- D. Discussion of potential mitigation measures, should it be determined that the proposed project will have an adverse impact on ground water resources;

*Findings: The report did not address the likelihood of untreated stormwater being in direct connection with shallow ground water – which is not an acceptable practice within a wellhead protection area. Also, in the interests of providing protection of ground water quality, ponds where there is likely contact between ground water and untreated stormwater should be lined wherever possible.*

- E. The applicant shall install a monitoring well on site to City standards at a location to be determined by the City.

#### Pollution Prevention Plan

Submit a revised Pollution Prevent Plan (PPP) in the Drainage Report at time of engineering plan submittal with the following corrections:

- A. A grant to the Department of access to the site and plan implementation records upon request.

*Findings: The City must be granted access to the site and Pollution Prevention Plan implementation records specifically for the Wellhead Protection purposes outlined in these requirements. This can be added in the Source Control Plan agreement. The agreement should also note that a Pollution Prevention Plan is required under OMC 18.32.235. This plan goes above and beyond the requirements of a Stormwater Source Control Plan.*

- B. Best Management Practices – In the plan, landscaping and yard care BMP's need to be refined, and BMP's related to outdoor pressure washing and pet waste management need to be included.

*Findings: For example, with specific landscaping BMP's, please reference the Thurston County Common Sense Gardening Program for locally acceptable practices. Also, refer to the County's website and telephone number (360) 754-4111 for copies of the plant list and Common Sense Gardening Guides. Reference the "Common Sense Gardening*

*Natural Lawn Care Guide” specifically for acceptable lawn care practices including recommended turf varieties in Wellhead Protection Areas. Reference that these guides are widely available at local nurseries and stores in Thurston County.*

*Also reference BMP’s for Landscaping and Lawn/Vegetation Management from Drainage Manual Volume IV.*

*Please reference the Saving Water Partnership website and materials (www.savingwater.org) for BMP’s on efficient irrigation.*

*These specific landscaping BMP’s are required in the Pollution Prevention Plan:*

- *On page 70 “fertilizer management” add this information – Only slow release fertilizers shall be applied for the life of the development at a maximum amount of 4 lbs. N annually and no more than 1 lb. per application for turfgrass. Only slow-release, or at least 90% water insoluble formulas, are permitted for use.*
- *To mitigate the use of pesticides, fertilizers, and excessive watering the applicant will plant at least 75% native and/or drought tolerant plants in the landscape, and limit the total lawn area of the development to 25% of the total landscaped area, including individual home and business sites.*
- *Irrigation systems should be designed and managed to maximize efficient use of water. Lawns will not be watered more than 1 inch per week, including rainfall. The plan must outline specifically how irrigation systems will be designed, managed and maintained to ensure that lawns are not watered more than 1 inch per week, including rainfall. Please refer to the Saving Water Partnership website and materials (www. Savingwater.org) for information on efficient irrigation.*
- *3 inches of mulch will be required on all landscaped areas.*

**C. Hazardous Material use, storage, and disposal practices.**

*Adequate, assuming a more detailed Pollution Prevention Plan is developed for this site as noted on Page 64, item 2.*

**D. Description of employee education.**

*Proposal is inadequate. On Page 64, item 2, notes that a stormwater Pollution Prevention Plan should be developed. This needs to also focus on ground water and the development is located within a wellhead protection area for the Hoffman Well #3. This Pollution Prevention Plan needs to be developed and reviewed by city staff. It must include specific BMP’s for all potential polluting activities within the commercial and residential areas of the site. Item 3, if storm drain markers are installed, they should note that the storm drain inlets drain to both ground water and surface water. There is no explicit description of how a long-term residential education program will be implemented.*

*As part of the education program, the City of Olympia Groundwater Protection Program will:*

- *Design and install (up to) three educational signs in common areas.*
- *Provide information materials to the developer and facilities manager that they will provide to employees, contractors, and residents about PPP requirements within the development.*

- E. Procedure for implementation, including record keeping and verifying effective implementation.

*The applicant must develop verifiable operating procedures for the Homeowner's Association that certifies effective implementation of all practices described in the plan, including record keeping. There is no description of who will be responsible for verifying implementation for either commercial or residential activities. There is a suggestion to form a Pollution Prevention Team for the business on site; but who will organize and set up that team and ensure it fulfills these requirements?*

#### Streets, Roads, Alleys, and other Public Ways

Streets and alleys will be designed and constructed in conformance with the provisions of Engineering Design and Development Standards, Chapter 4. The minimum requirements established by the current editions of the American Association of State Highway and Transportation Officials (AASHTO) and the Institute of Transportation Engineers (ITE) standards, and as identified by Table 11, Chapter 4 – Access to Developments 2.040.B.2 (Standards) – A development will abut a public right-of-way and have public right-of-way frontage with site access to one or more streets improved to comply with the standards as set forth in Table 1, Chapter 4 of the Development Guidelines and Public Works Standards.

*Findings: Appropriate provisions have been made. See Frontage Improvements, below, for findings.*

#### Sewer

The developer will install sewer facilities in accordance with the provisions of Chapter 7 of the Engineering Design and Development Standards (EDDS).

*Findings: With the conditions listed herein, appropriate provisions for sewer have been made. The capacity for this development's anticipated sanitary sewer discharge will come from the applicant's improvements. This project along with potential other projects in this sewer basin will be required to install a sewer lift station, gravity sewer mains, and sewer force mains. The sewer lift station is to be installed at the intersection of Fuller Land and Wiggins Road as shown on the proposed plans. The lift station site shall be a fee simple property, per EDDS 7C.020. The applicant's project will be required to install a gravity sewer system which will meet basin requirements at the depths as shown in the City's plan for this area. The plat will also be required to extend a sewer force main from the proposed lift station at Fuller Land and Wiggins Road, north to Morse Merryman Road, west to Morse Merryman Road to a point around Sugar Loaf Drive. At this point, a gravity sewer main will be constructed by the applicant continuing west to Boulevard Road. The final leg of the required installation of gravity sewer main will be on Boulevard Road from Morse Merryman to the existing gravity sewer main located just south of 31<sup>st</sup> Court. At this point, the City of Olympia has the capacity for this development's sewer. There are other potential developments in the area which could allow for alternative routes for the sewer force main with approval by the City. This proposal can be connected to the sanitary sewer and is conceptually approved with the following conditions:*

- 1. In accordance with the EDDS, Section 7B.080, each property will be served by an individual building sewer. Engineering submittal shall meet the requirements of the EDDS.*
- 2. Assuming the Chambers Basin rezoning occurs with a reduction in units per acre, all sewer mains shall be 8-inch with the exception of the 15-inch sewer main on Wiggins*

*Road. The gravity sewer main on Morse Merryman and Boulevard road will be a 15-inch gravity sewer main.*

3. *The lift station and sewer interceptors will be designed and constructed to convey projected sewer flows from the full sewer basin.*

#### Water

The developer will install water facilities in accordance with the provisions of Chapter 6 of the Engineering Design and Development Standards (EDDS).

*Findings: Appropriate provisions for water have been made. The City has capacity for this development's domestic water system and fire suppression system requirements. A City water main exists on Wiggins Road. The proposed water main extension on 37<sup>th</sup> Avenue along with the proposed onsite water main improvements and connections are conceptually approved.*

#### Solid Waste

The developer will provide for the waste management / recycling for collecting of all solid waste generated from all occupied commercial premises within this development a minimum of once every two weeks, except recyclable materials collection from commercial clients. System improvements shall be designed to the current Chapter 8 of the Development Guidelines and Public Works Standards.

*Findings: Appropriate provisions have been made. The City has capacity for this development's anticipated solid waste. The project will be required to comply with EDDS, Chapter 8, solid waste standards for enclosures and locations.*

#### Frontage Improvements

Unless deferred or exempt, as provided for in the Standards, any development permit authorizing a development will require that the developer construct or install frontage improvements

*Findings: Appropriate provisions have been made. This development is located east of Wiggins Road between 37<sup>th</sup> Avenue and Chambers Lake. The existing frontage improvements along this project consist of two lane pavement with road side ditches. In accordance with Engineering Design and Development Standards, Section 2.040, this development will construct the frontage improvements as shown on the proposed plans. The proposal is conceptually approved with the following condition:*

1. *Overhead utilities along the frontages shall be placed underground, per EDDS, 2.040 C Franchise Utilities.*

#### Transit Stops

This project will be served by Intercity Transit.

*Findings: Adequate provisions for transit have been made. Intercity Transit was sent notice of this application. A response from Intercity Transit was not received and, therefore, it is determined that no mitigation for transit is required.*

#### Trees

In this application, the applicant proposed to meet approximately ¼ of their required tree density by planting trees within the proposed stormwater pond and 1/4<sup>th</sup> of their required tree density with trees planted on the individual lots. The plan is not specific as to how it will achieve this.

*Findings: Appropriate provisions have not been made. Prior to further review of this project the following needs to be submitted:*

- 1. Detailed storm pond design, grading, and erosion control plan that includes a detailed landscaping plan.*
- 2. Detailed landscaping "concept" plans for the individual residential lots showing how the required trees will be incorporated into the landscaping of the individual lots.*

*Any trees to be planted as part of required compliance with the "tree tract" requirements of OMC 16.60 need to ensure the trees are located within a separate deeded tract specifically designed to support the growth of trees. Specifically, if trees are planted around storm ponds they need to be located and the pond designed in a way that will not require trees to be removed in the future for pond maintenance (i.e., not on the side slope of the pond).*

### Zoning

This project is required to meet the zoning requirements outlined in Title 18 of the Olympia Municipal Code.

*Findings: Appropriate provisions have been made. The project appears to meet all development requirements for lot size, density, lot width, and setbacks.*

*The applicant is showing on the plans a commercial center which is required for development as part of the existing Neighborhood Center (NC) zoning classification. However, the NC zoning classification requires a Master Plan development application for a decision. In this case, the applicant has not applied for a Master Plan development application and, therefore, the commercial center is not approved.*

### Critical Areas

The standards regulating wetlands and their protection are identified in OMC 18.32.500-18.32.595.

*Findings: Appropriate provisions have been made. The applicant has provided the analysis and shown on the plans that the proposed wetland delineation and buffer are consistent with OMC 18.32.*

## **SUMMARY OF RECOMMENDATION**

City staff recommends that the Olympia Hearing Examiner deny the Preliminary Plat application known as the Chambers Lake Residential (04-2075). Should the Olympia Hearing Examiner rule to approve the proposed plat of Chambers Lake Residential, then staff recommends the following conditions:

1. In order to maintain the existing ground water flow patterns, the soils reports discuss the use of sand and gravel borrow as fill material. Provide a gradation/specification for this material to meet the ground water flow requirements of the site.
2. According to Minimum Requirement #5 a 20-foot easement is needed over all conveyance pipes. The easement should be centered on the pipe. Provide a 20-foot easement of the collection and dispersion system on the east and west side of the development.

3. The cross section drawings show the fill from the lots covering the inlets in the off-site collection system. Modify the grading plan to allow the inlets to be placed at existing grade without fill encroaching upon them.
4. The flow spreader is shown to be backfilled with amended soil. Replace the amended soil with cleaned gravel that would allow the water to exit freely.
5. Provide a conveyance system design which provides a minimum velocity in the storm sewer of 2 feet per second at the design flow. See Volume I, Appendix F, for conveyance system design information.
6. Remove the conflicts between the offsite flow bypass conveyance and the street drainage system. On the north south street both systems occur in the same location (i.e., one on top of the other).
7. On the off-site conveyance system, provide a structure on either side of the right-of-way crossings. The City will maintain the conveyance system within the right-of-way and the homeowners will maintain the system in the utility easement, placing structures at the right-of-way edges allows a delineation of responsibility.
8. The stormwater site plan includes calculations for a 10-foot wide by 2-foot deep by 3-inch per hour infiltration area to manage the off-site flow. This appears to be from past submittals and should be removed from the report.
9. Remove the trees from the North Pond Detention berm. The berm should be landscaped, but trees should not be used because of the risk of piping failure of the berm due to tree roots.
10. Provide landscaping for the ponds which meets the Stormwater Manual requirements for detention facilities found in Volume II, Section 3.2.1. Landscaped islands covering at least 10 percent of the pond must be used.
11. The discharge from the North Pond is into the wetland buffer of Chambers Lake. It appears that the discharge will concentrate on the adjacent property quickly after discharging. Move the outlet system so that the flow disperses more before reaching the adjacent property.
12. In the final design, provide access roads into the wetpond and detention facilities and provide access and control structures.
13. Provide a 20-foot easement centered over the pipe for all storm sewer conveyances which are not in the public right-of-way.
14. Provide structures at all changes in direction of stormwater conveyance systems. On private property, cleanouts may be used at these locations. Design all conveyances per Volume I, Appendix F. Show that the designs meet the minimum velocity criteria.
15. Minimum Requirement #5 necessitates the use of Soil Quality and Depth BMP's equivalent to those of BMP T5.13. Add the specifications needed to comply with this BMP to the Stormwater Site Plan and construction plans. Show the area to be amended.
16. Change the name of the Integrated Pest Management Plan (IPMP) to Source Control Plan. The IPMP is an element of the source control plan.
17. The base map for the off-site sewer figures is incorrect. The streets shown as Maplevue, 15<sup>th</sup> Court, and 18<sup>th</sup> Avenue do not exist at this site within the City. These streets are located in Section 8, not Section 29.

18. Revise the hydrogeological report to include a statement regarding the susceptibility of the deep aquifer (and the supply at Well #3) to downward migration of shallow contaminants via existing private wells.
19. The hydrogeological report did not address the likelihood of untreated stormwater being in direct connection with shallow ground water – which is not an acceptable practice within a wellhead protection area. Also, in the interest of providing protection of ground water quality – ponds, where there is likely contact between ground water and untreated stormwater, should be lined wherever possible.
20. The City must be granted access to the site and Pollution Prevention Plan (PPP) implementation records specifically for the Wellhead Protection purposes outlined in these requirements. This can be added in the Source Control Plan agreement. The agreement should also note that a Pollution Prevention Plan is required under OMC 18.32.235. This plan goes above and beyond the requirements of a Stormwater Source Control Plan.
21. In the Pollution Prevention Plan, landscaping and yard care BMP's need to be refined, and BMP's related to outdoor pressure washing and pet waste management need to be included. Please reference the Thurston County Common Sense Gardening Program for locally acceptable practices. Also refer to the County's website and telephone number (360) 754-4111 for copies of the plant list and Common Sense Gardening Guides. Reference the Common Sense Gardening Natural Lawn Care Guide specifically for acceptable lawn care practices including recommended turf varieties in Wellhead Protection Areas. Reference that these guides are widely available at local nurseries and stores in Thurston County. Also reference BMP's for Landscaping and Lawn/Vegetation Management from the Drainage Manual, Volume IV. Please reference the Saving Water Partnership website and materials ([www.savingwater.org](http://www.savingwater.org)) for BMP's on efficient irrigation.

These specific landscaping BMP's are required in the Pollution Prevention Plan:

- A. On page 70 "fertilizer management," add this information - Only slow release fertilizer shall be applied for the life of the development at a maximum amount of 4 lbs. N annually and no more than 1 lb. per application for turfgrass. Only slow-release, or at least 90% water insoluble formulas, are permitted for use.
  - B. To mitigate the use of pesticides, fertilizers, and excessive watering the applicant will plant at least 75% native and/or drought tolerant plants in the landscape, and limit the total lawn area of the development to 25% of the total landscaped area, including individual home and business sites.
  - C. Irrigation systems should be designed and managed to maximize efficient use of water. Lawns will not be watered more than 1 inch per week, including rainfall. The plan must outline specifically how irrigation systems will be designed, managed and maintained to ensure that lawns are not watered more than 1 inch per week, including rainfall. Please refer to the Saving Water Partnership website and materials ([www. Savingwater.org](http://www.Savingwater.org)) for information on efficient irrigation.
  - D. 3 inches of mulch will be required on all landscaped areas.
22. In the Pollution Prevention Plan, the proposal referring to the description of employee education is inadequate. Page 64, Item 2, notes that a stormwater Pollution Prevention Plan should be developed. This needs to also focus on ground water, and the

development is located within a wellhead protection area for the Hoffman Road Well #3. This Pollution Prevention Plan needs to be developed and reviewed by City staff. It must include specific BMP's for all potential polluting activities within the commercial and residential areas of the site. Item 3, if storm drain markers are installed, they should note that the storm drain inlets drain to both ground water and surface water. There is no explicit description of how a long-term residential education program will be implemented.

23. The Pollution Prevention Plan must provide procedures for implementation including record keeping and verifying effective implementation. The applicant must develop verifiable operating procedures for the Homeowner's Association that certifies effective implementation of all practices described in the plan, including record keeping. There is no description of who will be responsible for verifying implementation for either commercial or residential activities. There is a suggestion to form a Pollution Prevention Team for the business on site, but who will organize and set up that team and ensure it fulfills these requirements?
24. The capacity for this development's anticipated sewer discharge will come from the applicant's improvements. This project along with potential other project in this sewer basin will be required to install a sewer lift station, gravity sewer mains, and sewer force mains. The sewer lift station is to be installed at the intersection of Fuller Lane and Wiggins Road as shown on the proposed plans. The lift station site shall be a fee simple property, per EDDS, 7C.020. The applicant's project will be required to install gravity sewer system meeting basin requirements at the depths as shown in City's plan for this area. The plat will also be required to extend a sewer force main from the proposed lift station at Fuller Lane and Wiggins Road, north to Morse Merryman Road, west to Morse Merryman Road, to a point around Sugar Loaf Drive. At this point, a gravity sewer main will be constructed by the applicant continuing west to Boulevard Road; the final leg of the required installation of gravity sewer main will be on Boulevard Road, from Morse Merryman, to the existing gravity sewer main located just south of 31<sup>st</sup> Court. At this point the City of Olympia has the capacity for this development's sewer. There are other potential developments in the area which could allow for alternative routes for the sewer force main with approval by the City. This proposal can be connected to the sanitary sewer and is conceptually approve with the following conditions:
  - A. In accordance with the EDDS, Section 7B.080, each property will be served by an individual building sewer. Engineering submittal shall meet the requirements of the EDDS.
  - B. Assuming the Chambers Basin rezoning occurs with a reduction in units per acre, all sewer mains shall be 8-inch with the exception of the 15-inch sewer main on Wiggins Road. The gravity sewer main on Morse Merryman and Boulevard Roads will be a 15-inch gravity sewer main.
  - C. The lift station and sewer interceptors will be designed and constructed to convey projected sewer flows from the full sewer basin.
25. Overhead utilities along the frontages shall be placed underground per EDDS, 2.040.C – Franchise Utilities.
26. Any trees to be planted as part of required compliance with the tree tract requirements of OMC 16.60 need to ensure the trees are located within a separate deeded tract specifically designed to support the growth of trees. Specifically, if trees are planted

around storm ponds they need to be located and the pond designed in a way that will not require trees to be removed in the future for pond maintenance:

- A. Detailed storm pond design, grading, and erosion control plan must be submitted that includes a detailed landscaping plan.
  - B. Detailed landscaping “concept” plans for the individual residential lots showing how the required trees will be incorporate into the landscaping of the individual lots must be submitted.
27. Before construction begins the applicant shall submit a complete set of detailed construction drawings to the Community Planning and Development Department for review and approval. Construction drawings shall be prepared according to the Engineering Design and Development Standards. All right-of-way dedications shall be submitted and recorded prior to final acceptance by the City of Olympia.
28. General facility charges for city utilities (water, sewer, stormwater, and solid waste) and the LOTT sanitary sewer capacity development charge will be assessed at the time engineering construction permits are issued.
29. The developer shall file an agreement with the City to assure the full and faithful performance of the operation and maintenance of all public improvements and the site stormwater facilities for a period of two years following final construction approval. This guarantee through the appropriate surety shall be in place and approved by the City before final construction approval. The amount of the bonding will be 25 percent of the cost of the improvements, or as determined by the Development Engineer. In addition, a bond or other allowable securities will be required by the City to guarantee the performance of work within existing public rights-of-way or maintenance of required public infrastructure intended to be offered for dedication as a public improvement. Bonds or other allowable securities to guarantee work in an existing public right-of-way is required to be in place and submitted to the City prior to release of any approvals or permits for such work. The type and amount of security will be pursuant to code or, if not specified, be at a minimum of \$4,000 or 125% of the value of the work performed, whichever is greater, at the discretion of the City. Types of securities include, but are not limited to, a bond with a surety qualified to do a bonding business in this state, a cash deposit, an assigned savings account, or a set-aside letter as acceptable by the City attorney.
30. A safe walking route improvement shall be constructed from the project site and connect this walking route with an existing sidewalk at the intersection of Morse Merryman Road and Hoffman Road.

Submitted By: Brett Bures, Associate Planner  
on behalf of the Site Plan Review Committee.

Staff Contact: Brett Bures, Associate Planner  
360) 753-8568, [bbures@ci.olympia.wa.us](mailto:bbures@ci.olympia.wa.us)

Date Issued: April 19, 2010

**Attachments:**

Attachment A:	Application
Attachment B:	SEPA Checklist
Attachment C:	Preliminary Plat Map, date-stamped 06/18/08
Attachment D:	Landscaping Plan, date-stamped, 06/18/08
Attachment E:	Engineering Plan Set (Sheets 1 of 11 to 11 of 11), date-stamped 06/18/08
Attachment F:	Traffic Impact Analysis, date-stamped 05/8/06
Attachment G:	Hydrogeologic Assessment, date-stamped 06/18/08
Attachment H:	Stormwater Site Plan Report, date-stamped 06/18/08
Attachment I:	Chambers Basin Monitoring Wells Analysis, dated 03/15/07
Attachment J:	Wetland Delineation Letter Addendum, date-stamped 10/19/07
Attachment K:	Public Hearing Questions about Wetland Hydrology Determination Letter, date-stamped 11/18/05
Attachment L:	Hydrogeologic Assessment Additional Information Report, date-stamped 06/18/08
Attachment M:	Integrated Pest Management Plan, date-stamped 06/18/08
Attachment N:	SEPA Determination, dated 03/31/10
Attachment O:	Letter from Olympia School District, dated April 15, 2010
Attachment P:	SEPA Comment from Susan Doolittle, dated April 13, 2010
Attachment Q:	SEPA Comment from Daniel Perry, dated April 12, 2010
Attachment R:	SEPA Comment from Lou Guethelin, dated April 12, 2010
Attachment S:	Comment E-mail from Gus and Lou Guethelin, dated April 9, 2010
Attachment T:	Letter from the Chambers Ditch District, date-stamped 08/27/08
Attachment U:	Comment Letter from Keith Johnson, date-stamped 04/15/10
Attachment V:	Amended Tree Plan, dated April 7, 2005
Attachment W:	Soils Investigation Report, date-stamped 06/03/05
Attachment X:	Response Letter from Brett Bures, dated 10/04/05
Attachment Y:	Comment Letters from Neighbors, various dates.

**From:** [Cheryl Christensen](#)  
**To:** [Casey Schaufler](#)  
**Subject:** Re: City of Olympia - Notice of Public Hearing and SEPA DNS - 21-1729 Smith Lake Cove Rezone  
**Date:** Monday, October 25, 2021 10:12:39 AM

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Hello Casey,

Here are our written comments regarding the Smith Lake Cove Rezone project:

While we are not opposed to the rezone of the parcels, **we ARE opposed to what will happen to our Shana Park neighborhood**. We have lived in Shana Park for a little over 25 years. Our neighborhood is currently a quiet little area with very little car traffic, people that walk regularly, children that catch their schoolbus in the morning and dropped off in the afternoon - without traffic fears! Normandy Drive SE would not be able to handle the additional traffic - there are blind spots, people park their additional cars on the side of the road (which narrows the road to almost one "lane" from time to time) - punching the road through would literally destroy this neighborhood. The only real "traffic" in this neighborhood are the people that **LIVE** here or are visiting.

During the original (so called) Neighborhood Meeting occurred on June 17, the proposal request was to rezone THREE PARCELS from R-4-8 to R-4. NOW it is proposed that along with the original THREE PARCELS to include ELEVEN OTHER PARCELS - a total of 14 parcels with a proposed 4 houses per parcel = 56 potential houses with 2 cars per house = 112 additional cars potentially on both Normandy Drive SE is just NOT acceptable! Yes, some traffic will also use Wiggins Road - but Wiggins has its own set of issues.

We have noticed that the sign that was posted in the woods at the end of Normandy Drive SE has been moved more out into the open. The problem with this signage is that the ONLY neighborhood residents that actually SEE the sign are those that live at the end of the road or live on that end of Viewridge Dr SE. We are sure that what you have done meets the legal limits of what is expected, yet this sign should also be posted along Normandy Dr SE so that ALL affected residents see it - not just those who live within 200 feet of the end of the road. ALL RESIDENTS of Shana Park will be affected by this.

Is there an impact study that shows the projected impact to the area. i.e. increased traffic? If so, would you please provide us with a copy? If one has not been done, what are the reasons for not doing one?

We would like to know what the definition of the word NONSIGNIFICANCE means in the following: State Environmental Policy Act Determination of Nonsignificance. Anything and everything that affects our neighborhood is significant.

We have registered for the Virtual Meeting via Zoom for this evening.

Thank you,

Scott and Cheryl Christensen

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**From:** Casey Schaufler <[cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)>

**Sent:** Friday, October 8, 2021 10:17 AM

**Subject:** City of Olympia - Notice of Public Hearing and SEPA DNS - 21-1729 Smith Lake Cove Rezone

The City of Olympia has issued the following **Notice of Public Hearing** with the **Hearing Examiner** and **State Environmental Policy Act Determination Of Nonsignificance (SEPA DNS)** for the project known as **Smith Lake Cove Rezone** located at **4900 Blk Normandy Drive SE**.

PROJECT: **21-1729**

See the above attachments for further details.

Please forward questions and comments you may have regarding this project to the staff contact listed below:

- **Casey Schaufler, Assistant Planner, 360.753.8254, [cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)**

Kind regards,

Casey Schaufler | Assistant Planner

City of Olympia | Community Planning and Development

601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967

360.753.8254 | [cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)