

November 5, 2018

To: City Council
From: Olympia Heritage Commission
Re: Council Resolution 18-0904

Dear Councilmembers:

The Olympia Heritage Commission would like to take this opportunity to reach to you regarding Resolution 18-0904 regarding Authorization to Purchase Real Estate Owned by Minh Do Thi Smith at 112 and 116 4th Avenue West in downtown Olympia that was passed unanimously at the September 25, 2018 City Council meeting. Many of us learned about the pending transaction through an Olympian article written by Abby Spegman ([The Olympian](#), September 26, 2018) stating that "the City of Olympia wants to turn a downtown building - the former home of Ben Moore's Restaurant & Pub and current home to an Indian restaurant - into a mixed-use development that could including a parking garage." In short, we are extremely disappointed in the lack of transparency and communication with the Heritage Commission regarding this action.

An outline of our concerns includes the following, and serves as a starting point for continuing our discussions with you moving forward:

1. **Process improvement** and improving communication channels.
2. **Education** regarding what historic preservation is, and why the City values it.
3. **Identifying opportunities and risks** regarding 112 and 116 4th Avenue W, involving cultural heritage of the site, and economic development.
4. **Alternative site selection** for City-led development opportunities.
5. **Coordination** with City Planning documents, including the Comprehensive Plan, Downtown Strategy, and the Parking Strategy.
6. **Regulatory context.**

The bullet points above will be further elaborated upon below.

1. **Process improvement and improving communication channels.** The City of Olympia has a Heritage Commission that is specifically tasked to "Promote and facilitate the early identification and resolution of conflicts between the preservation of historic resources and alternative land uses." (OMC 18.12.020(F)). Should the City begin entering into negotiations for purchase of commercial property that may or may not have been for sale, the City Council and City Staff are fully able to reach out to the Commission to identify any opportunities or red flag concerns with redevelopment of a property involving historic properties regulated by OMC 18.12. This conversation does not necessarily have to include specifics about the pending real estate transaction for the sanctity of protecting those negotiations. The initial conversation can remain at the 30,000 foot level. When probed about the closed door negotiations, we were met with additional vague responses and continued lack of direct communication with City Council. We can do better, and we look forward to improving the communication between Council and Commission, and to establishing some protocol for improving the way we conduct business as a City in order to lead by example.

If the concern was public disclosure of a sensitive real estate transaction, the City is certainly aware that (like the disclosure of archaeological site locations) documents "prepared for the purpose of considering the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price" [RCW 42.56.26A (1) (b)] are exempt from public disclosure, which means any consultation or advisory discussions with the OHC or HRC about the proposal would have been exempt from public disclosure for the time period needed to complete the sensitive transaction.

This means that discussions in which the OHC could have been engaged with the City of Olympia staff and City Councilmembers *would have been exempt from public disclosure*, not that the discussion should not have taken place. With the professional experience of each individual commissioner, particularly those that must also follow the Public Records Act by virtue of working in state government, there is a keen understanding of sensitive matters such as real estate negotiations amongst OHC members.

The OHC would have happily been available and willing to meet in order to provide advice. The OHC as a whole or the Heritage Review Committee would have met before this decision just to consider this issue, if staff or leadership had brought it forward. The OHC could have been invited to comment to the City Council either as part of a public hearing or to provide the kind of advice to City government that the OHC's intended purpose as outlined in OMC 18.12.020.

Public Reaction. To say that this announcement caused an uproar in the historic preservation community and among Olympians in general would be an understatement. Not the least of the concerns are that the City's actions with regards to this purchase appear to be an intentional and deliberate exclusion of the appropriate citizens advisory committee from the decision-making process. Commissioners were pressed with questions we simply could not answer. We, too, represent the City and are expected to have knowledge of all matters concerning historic properties. But when the communication is clearly lacking, we are left scrambling and searching for answers ourselves without formal explanation.

2. **Education regarding what historic preservation is, and why the City values it.** Historic preservation is a field that is largely misunderstood. The OHC, as required by City Code, includes among its members experienced historic preservation specialists who regularly manage complex acquisition projects, projects with complicated funding sources, and projects requiring an awareness of sensitive contexts. Currently, members include professional archaeologists with decades of experience managing cultural resources, the State Historical Architect with the leading state agency with expertise in historic preservation matters, licensed architects from state and private sector with decades of experience working on historic preservation projects, and professional historians. Several members have served on the Commission for multiple terms and provide continuity in how preservation issues are managed by the city that have bridged staffing transitions by the previous three Historic Preservation Officers. There is no better authority providing civil service to the City than the OHC to advise City Council, City Staff, and the general public on historic preservation matters.

Obviously, if we still have a problem in Olympia with general understanding of historic preservation, any of us are happy to meet informally with anyone either individually or as a joint work session to provide our collective decades of experience and insight. At our core, we believe

historic preservation is an important tool to keep Olympia a great place to live, work, and play, and endeavor to protect our collective cultural heritage so that the City may grow upon its successes, learn from its mistakes, and provide tangible connections to the past through the built environment.

3. **Identifying opportunities and risks regarding 112 and 116 4th Avenue W, involving cultural heritage of the site, and economic development.** Opportunities at the existing site are plentiful. An opportunity to identify the history and cultural connection to anyone with memories of patronizing Ben Moore's or any business preceding or following it are clearly deeply rooted in those that have noted dismay in the City's decision to move forward on this development site.

The buildings located at 112 and 116 4th Avenue W rest on a site that is well documented to be in the vicinity of Native American canoe landing as it sits on the original landform, and could also be where a traditional longhouse once stood. The buildings themselves were design by prominent local architect Joseph Wohleb, who's characteristic style is evident in all corners of the City. He surely left a significant built legacy that paved the way for later architects and current architects practicing in the City to build upon those early successes. Moreover, an architect does not merely design buildings, but they are also place makers. Place makers create sense of place that oftentimes serves as a backdrop for business owners, patrons of those businesses, civic and cultural icons, and places that are tangible backdrops to history that has already been made and is currently made by significant - and seemingly insignificant - people and events.

Native American usage of the site.

Here is a detail of the 1873 "T-sheet" map by the US Coastal and Geodetic Survey, map # t1327. The red rectangle is the lot where the city is considering a purchase to allow a parking garage. Things to notice: it's not on fill, the Deschutes estuary channel came close to the west shore of downtown at the time, it was already in the urban core at that point, there are pre-Wohleb buildings.

In Rebecca Christie's book Workingman's Hill, quoting Sam Percival's wife in 1853, "All along the beach were Indian huts, and the whole beach was lined with canoes." Christie adds this tidbit (source unclear) "Indians inhabited a dwelling near Chinook St. (present day Columbia St.) and Fourth Ave." (p11). The wharf/bridge connecting downtown to the west side was an extension of Fourth Ave, and Percival's wharf was two blocks north of that. So the huts and canoe-lined beach would very likely include the shore just west of the Ben Moore's block. Christie doesn't mention whether the "dwelling" was north or south of Fourth, but the north side would place it immediately west of the Ben Moore's block, across Chinook/Columbia beneath Cascadia Grill - Mekong buildings. "A dwelling" inhabited by "Indians" sounds like something on the scale of a longhouse, rather than a single (nuclear) family dwelling, especially when Olympia had only been platted for 3 years at that point. So the Ben Moore's block may be the backyard of a longhouse, or maybe even part of the longhouse. Definitely an area of archaeological interest.

There have been many instances where a high likelihood of encountering archaeological resources on a site were blatantly ignored by the entity proposing construction and vast amounts of culturally and archaeologically important materials were obliterated. In these cases, had the city or regulatory authority been effective, this loss would have not occurred.

So, without any intent of detracting from Wohleb or the social meaning of the two Wohleb buildings, I just want to point out that you peel those back, and you get earlier historic buildings. You peel those back, and you get Tribal dwellings in the Contact era. You peel those back, and you are likely to find that people have been there since sea level stabilized around 5,000 years ago. You peel that back, and you get the Place of Bears.

Joseph Wohleb design.

Elaborate on architect history. Demolition would be a loss of the work of a significant architect.

Nankin Cafe.

History here. Demolition would obliterate any remaining physical vestige of Olympia's early Chinese community, which is all but otherwise extinct from the built environment.

Contemporary memory.

(Ben Moore's as a legacy business, story about "Patty and Selma" from the Simpsons were bartenders there, etc). Demolition would eliminate any physical connection to this clearly important place to Olympians, the memory of which cannot be memorialized in a plaque or a lecture. Without tangible connections to the past, our collective memory erodes and we begin to lose sense of place and legacy businesses that were critical to giving Olympia the unique soul that it possesses today. This conversation is enigmatic of the rampant redevelopment occurring in Seattle, where cultural icons and legacy businesses are lost daily.

Economic Development.

purchase price for two properties: \$950k paid in 4 installments.

Current value (Tax Year 2019 Thurston County Assessor):

112 4th Ave W - Land \$139,900 / Improvements: \$184,200 / Total: \$324,100

116 4th Ave W - Land: \$96,700 / Improvements: \$134,400 / Total: 231,100

Total assessed value two properties: \$555,200

This shouldn't even be a preservation issue - the fact that the City can shell out \$400k over assessed value when it is currently also trying to deal with a mental health crisis and other social issues is asinine.

Granularity is necessary for any urban neighborhood to survive. This means having a diverse mixture of building types and sizes. Single story commercial structures, multi story apartment houses, monumental civic buildings, parks and open spaces are all critical components to creating a healthy urban environment. In short, not everything can or should be replaced with a 5 over 1 half-block development. Furthermore, a much more viable strategy for enhancing the existing characteristics of downtown while providing adequate uses and space for the future would be to reuse all vacant spaces, and to redevelop a large amount of surface parking lots before considering any demolition.

Recently, a (immigrant entrepreneur) leased the Ben Moore's building to start her own business. While it was only open for a few months (??) and received rave reviews from its loyal patrons, this is a perfect example of smaller spaces enabling start-up businesses a chance to succeed. Without such places, entrepreneurs like (name) would not be able to set up shop in Olympia. This isn't saying that these two buildings are the only places that this can happen, but if they are replaced with a parking garage or a multi-story mixed-use development with assuredly higher

rental rates than the existing structures can provide, we begin eroding Olympia's granularity and its ability to support small business.

4. **Alternative site selection for City-led development opportunities.** As mentioned above, the OHC full supports the notion that mixed-use development is an ideal planning goal for the City in order to provide adequate living quarters and services for its citizens well into the future. However, we call into question the site selection. Based on the attached analysis, it is clear that other viable development opportunities exist within the "Downtown Core." Using satellite imagery and parcel data from Thurston County, several additional opportunity sites are identified that could "check all the boxes" in terms of mixed-use development and/or structured parking that are worthy of further research and analysis. None of these selected sites come at a cost of heritage, and with few exceptions do not even involve demolition of any building - historic or not. Key characteristics driving the analysis include walkability using a 5 minute walk time from the centroid of each potential development site, building upon existing surface parking lots - many of which include at least half of the potential site that is already owned by the City, proximity to the downtown core and major points of interest, and connection to major transit routes and arterials.
5. **Coordination with City Planning documents, including the Comprehensive Plan, Downtown Strategy, and the Parking Strategy.** We all understand that the City through its public outreach leading into the development of the Downtown Strategy and the Comprehensive Plan desires to create more mixed-use development downtown. We do not disagree with this trajectory. However, there are specific goals in each planning document that explicitly call for engagement with the OHC and for protecting historic properties. Historic places consistently come up as a key asset that the City possesses, and has generally done a great job at celebrating local, state, and national history that exists in Olympia's historic places. This instance should be no difference. With all of the development occurring downtown right now, the City is at a crossroads of identity. The City has the power to decide what kind of Olympia it wants for the future. **But will it be one that bulldozes the very places that gave it its soul and identity that it possesses today? (closing statement - don't diminish the cultural heritage identity that Olympia as we see it today was literally built upon.** Or will it be one that embraces and celebrates those places. Instead of abiding by the rest of the west coast's tear-down culture, let's be the Olympia we all came here - or stayed here for. Let's be a destination for visitors *because* of our heritage. Let's be a place that honors its citizens of the past, of today, and of the future by celebrating the legacy businesses like Ben Moore's.

See attached excerpts from the Downtown Strategy and the Parking Strategy.

6. **Regulatory Context.** The Weidner Rummy Club Building is within the National Register listed Olympia Downtown Historic District and considered a contributing property. By City Code (see attached), a demolition proposal for a building with this designation has to be reviewed by the Olympia Heritage Commission (OHC), and any alteration thereof must meet the *U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Additionally, demolition of a listed National Register property automatically triggers a *State Environmental Policy Act* (SEPA) review that includes a number of other environmental

considerations for any proposed action on the site involving demolition. The SEPA checklist must also be reviewed by several state agencies.

The Results. The City's failure to prepare and issue a public press release about the purchase and notify the Heritage Commission prior to public announcement, resulted in:

1. A missed opportunity to proactively handle the tidal surge of dismay and concern by the general population and effectively hamstringing the Heritage Commission's ability to provide clarity to the issue.
2. The City has opened itself to valid complaints of a lack of transparency. By neglecting to include some or all of the OHC, the citizens advisory commission charged with facilitating the early identification and resolution of conflicts between the preservation of historic resources and alternative land uses prior to proceeding with the decision.
3. By failing to provide the OHC members with a briefing concerning this decision immediately following the announcement at minimum, the City has created a breach of trust between the City and the OHC.
4. The lack of support and respect for the process, which was voluntarily established by the City almost three decades ago, does not instill confidence in the City's ability to lead by example. If the City believes it is above the law and can act in a manner that disrespects and ignores its own policies and code, why should any other entity doing business with the City do so?
5. And finally, in its failure to follow the process outlined by City Code and to appropriately use the technical expertise represented by the OHC to evaluate risk associated with the proposal, the City has potentially opened itself up to financial liability.

It is our sincere hope that the City will learn from its mistakes in this issue and take the opportunity to address all of the above concerns during the 60-day feasibility study period. To that end, it is our urgent recommendation that the City conduct its due diligence identifying alternative opportunity sites for this redevelopment project, and to avoid any negative impacts on heritage resources that could be eroded or completely obliterated by a City that has a reputation of protecting its historic properties.

Sincerely,
(OHC Members - need signature page)

Attachments:

- Memo from Leonard Bauer and Mike Reid to OHC, Dated October 10, 2018
- Excerpts from the Downtown Strategy
- Excerpts from the Parking Strategy
- The Olympian article by Abby Spegman. September 26, 2018
- Alternative Site Selection Study - Draft

cc: City Staff Directors
DAHP
WA Trust for Historic Preservation

Olympia Historical Society & Bigelow House Museum

