



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, June 11, 2019

7:00 PM

Council Chambers

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION

- 2.A** [19-0510](#) Special Recognition - American Legion Officer of the Year 2018

3. PUBLIC COMMENT

(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)

During this portion of the meeting, citizens may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.

Individual comments are limited to three (3) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

4. CONSENT CALENDAR

(Items of a Routine Nature)

- 4.A** [19-0556](#) Approval of June 4, 2019 City Council Meeting Minutes

Attachments: [Minutes](#)

- 4.B** [19-0533](#) Approval of a Resolution Authorizing a 12-Year Multifamily Tax Exemption for Merritt Manor at 3335 Martin Way

Attachments: [Resolution](#)

[Agreement](#)**4. SECOND READINGS (Ordinances)**

- 4.C [19-0514](#) Approval of an Ordinance Establishing the Municipal Court Judge's Salary

Attachments: [Ordinance](#)

- 4.D [19-0511](#) Approval of an Ordinance Amending Ordinance 7173 (Operating Budget)

Attachments: [Ordinance](#)

- 4.E [19-0513](#) Approval of an Ordinance Amending Ordinance 7174 (Capital Budget)

Attachments: [Ordinance](#)

- 4.F [19-0512](#) Approval of an Ordinance Amending Ordinance 7175 (Special Funds)

Attachments: [Ordinance](#)

4. FIRST READINGS (Ordinances)

- 4.G [19-0535](#) Approval of an Ordinance Amending the Design Criteria for the Village at Mill Pond Master Plan

Attachments: [Ordinance](#)

5. PUBLIC HEARING - None**6. OTHER BUSINESS**

- 6.A [19-0552](#) Approval of an Amendment to the 2018 Community Development Block Grant (CDBG) Action Plan Amendment to Fund Relocation Assistance for Displaced Residents of the Angelus Hotel

Attachments: [Assistance for Displaced Tenants in CDBG Funded Properties](#)

7. CONTINUED PUBLIC COMMENT

(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)

8. REPORTS AND REFERRALS**8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS****8.B CITY MANAGER'S REPORT AND REFERRALS****9. ADJOURNMENT**

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City

Council meeting, please contact the Council's Executive Assistant at 360.753.8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Council

Special Recognition - American Legion Officer of the Year 2018

Agenda Date: 6/11/2019
Agenda Item Number: 2.A
File Number: 19-0510

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - American Legion Officer of the Year 2018

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recognize Officer Corey Johnson as the American Legion Officer of the Year for 2018.

Report

Issue:

Whether to recognize Officer Corey Johnson as the American Legion Officer of the Year for 2018.

Staff Contact:

Aaron Jelcick, Deputy Chief of Police, Olympia Police Department, 360.753.8255

Presenter(s):

Lt. Dan Smith, Olympia Police Department
American Legion Representative David Gedrose

Background and Analysis:

Each year, the Officer of the Year is selected by the Olympia Police Department and recognized with an award by the American Legion. The American Legion will be honoring Officer Corey Johnson for being selected as the Officer of the Year for 2018.

Attachments:

None



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of June 4, 2019 City Council Meeting Minutes

Agenda Date: 6/11/2019
Agenda Item Number: 4.A
File Number: 19-0556

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title

Approval of June 4, 2019 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, June 4, 2019

7:00 PM

Council Chambers

1. ROLL CALL

Present: 7 - Mayor Cheryl Selby, Mayor Pro Tem Jessica Bateman, Councilmember Jim Cooper, Councilmember Clark Gilman, Councilmember Nathaniel Jones, Councilmember Lisa Parshley and Councilmember Renata Rollins

1.A ANNOUNCEMENTS - None

1.B APPROVAL OF AGENDA

Mayor Selby noted item 6.A will be moved to follow Public Comment.

The agenda was approved as amended.

2. SPECIAL RECOGNITION - None

3. PUBLIC COMMENT

The following people spoke: Allan Hill, Jim Hill, Shannon Pardee, Linda Ann Moniz, Jim Reeves, and Jon Pettit.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION

Councilmember Cooper clarified the City assists the County with the Homelessness Census and the City does not act as the Thurston County Health Department.

Mayor Selby noted information related to homelessness response is available on the City's website.

4. CONSENT CALENDAR

4.A [19-0530](#) Approval of May 21, 2019 Study Session Meeting Minutes

The minutes were adopted.

4.B [19-0529](#) Approval of May 21, 2019 City Council Meeting Minutes

The minutes were adopted.

- 4.D** [19-0282](#) Approval of a Resolution Authorizing a Ground Lease with New Cingular Wireless PCS, LLC

The resolution was adopted.

4. SECOND READINGS (Ordinances) - None

4. FIRST READINGS (Ordinances)

- 4.E** [19-0514](#) Approval of an Ordinance Establishing the Municipal Court Judge's Salary

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

- 4.F** [19-0511](#) Approval of an Ordinance Amending Ordinance 7173 (Operating Budget)

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

- 4.G** [19-0513](#) Approval of an Ordinance Amending Ordinance 7174 (Capital Budget)

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

- 4.H** [19-0512](#) Approval of an Ordinance Amending Ordinance 7175 (Special Funds)

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

Approval of the Consent Agenda

Mayor Pro Tem Bateman moved, seconded by Councilmember Parshley, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Jones, Councilmember Parshley and Councilmember Rollins

PULLED FOR ACTION FOLLOWING CONSENT CALENDAR

- 4.C** [19-0141](#) Approval of a Resolution Authorizing an Interlocal Agreement with Yakima County for Use of Jail Facilities and Services

Councilmember Jones pulled Item 4.C for discussion.

Police Support Administrator Chandra Brady responded to questions regarding the contract with Yakima County. She noted the contract was created with the help of the American Civil Liberties Union (ACLU). Councilmember Jones asked clarifying questions regarding how the City will ensure the health and safety of inmates. Ms. Brady discussed the programs in place to ensure inmates access to safety and support. Councilmember Cooper requested a deeper discussion regarding the future of jail

services in Olympia.

Mayor Pro Tem Bateman moved, seconded by Councilmember Parshley, to approve the resolution authorizing an interlocal agreement with Yakima County for use of jail facilities and services and authorizing the City Manager to sign the agreement. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Jones, Councilmember Parshley and Councilmember Rollins

5. PUBLIC HEARING

5.A [19-0516](#) Public Hearing on a Community Development Block Grant (CDBG) 2018 Action Plan Proposed Amendment Adjusting Funding for Housing Assistance for Displaced Residents of the Angelus Hotel

Ms. Schlecht gave an overview of the proposed Program Year 2018 Community Development Block Grant (CDBG) Annual Action Plan amendment.

Mayor Selby opened the hearing at 8:13 p.m. The following people spoke in support of the amendment: Kirsten York and Holly Varela. Mayor Selby closed the hearing at 8:20 p.m.

Ms. Schlecht noted the topic will be on the June 11 agenda for City Council action.

The public hearing was held and written comments will be accepted through June 10.

5.B [19-0509](#) Public Hearing on the Draft Community Development Block Grant (CDBG) 2019 Action Plan

Ms. Schlecht gave an overview of the the proposed Program Year 2019 Community Development Block Grant (CDBG) Annual Action Plan.

Mayor Selby opened the public hearing at 8:38 p.m. The following people spoke in support of the Action Plan: Michael Cade, Meg Martin, Lisa Smith, Jamie Parker, and Mark Stearns. Mayor Selby closed the hearing at 8:53 p.m.

Ms. Schlecht discussed a request from the Foundation for the Challenged for \$60,000 to support a low income housing project.

Mayor Selby proposed addressing the issue of ad hoc requests for CDBG funds at the retreat on Saturday.

The public hearing was held and closed.

Mayor Pro Tem Jones moved, seconded by Mayor Pro Tem Bateman, to approve initiating a 30-day public process to consider the request for

additional funding for Foundation For the Challenged (FFC). The motion carried by the following vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Bateman, Councilmember Cooper, Councilmember Jones, Councilmember Parshley and Councilmember Rollins

Nay: 1 - Councilmember Gilman

6. OTHER BUSINESS

6.A [19-0472](#) Briefing on 2019 Thurston County Homeless Census Preliminary Results

Community Services Housing Coordinator Anna Schlecht noted the City of Olympia has been contracted by Thurston County for over ten years to conduct the Thurston County Homeless Census. She reviewed the census data from 2006 - 2019.

Thurston County Homeless Coordinator Keylee Marineau shared background and methodology regarding the Thurston County Homeless Census and it's results.

Councilmembers asked clarifying questions.

The information was provided.

6.B [19-0493](#) Update on Homeless Response Plan

Downtown Programs Manager Amy Buckler and Senior Planner Stacey Ray gave an update to the Homeless Response Plan process.

Citizen Selena Rodocker shared her experience working with the Community Work Group.

Councilmembers asked clarifying questions.

The report was received.

7. CONTINUED PUBLIC COMMENT - None

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

Mayor Selby noted the Council will meet in a retreat on Saturday. Councilmember Rollins discussed a referral to the General Government Committee regarding exploring a tenant a relocation assistance program. Councilmember Cooper requested the item go to the Finance Committee as well. The referral will come back to Council next week for action.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall discussed the EPA Brownsfield grant being given to the City.

9. ADJOURNMENT

The meeting adjourned at 10:03 p.m.



City Council

Approval of a Resolution Authorizing a 12-Year Multifamily Tax Exemption for Merritt Manor at 3335 Martin Way

Agenda Date: 6/11/2019
Agenda Item Number: 4.B
File Number: 19-0533

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title

Approval of a Resolution Authorizing a 12-Year Multifamily Tax Exemption for Merritt Manor at 3335 Martin Way

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the resolution authorizing the Multifamily Tax Exemption for Merritt Manor with 4th Street Housing and authorizing the City Manager to sign the agreement.

Report

Issue:

Whether to authorize the 12-Year Multifamily Tax Exemption for Merritt Manor at 3335 Martin Way with 4th Street Housing, LLC.

Staff Contact:

Cary Retlin, Home Fund Manager, Community Planning and Development, 360.570.3956.

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

This action is a significant milestone in affordable housing development in Olympia and Thurston County because it is the first 12-Year Multi-Family Tax Exemption that has been considered in Thurston County. It will create 82 new apartments on Martin Way. Olympia's Multi-family Tax Exemption ordinance currently incentivizes housing developers to build 20 percent of apartments for households that earn 80 percent or less of the Median Family Income (MFI) in order to qualify for this 12-Year Tax Exemption. Merritt Manor will create 82 units, many for households at or below 60 percent of MFI. HUD estimates Olympia's MFI was \$77,700 in 2018.

Background on the Multi-Family Tax Exemption in Olympia

The state legislature authorizes cities like Olympia to provide property tax exemptions from the value of new housing construction in defined areas (RCW 84.14). Olympia's exemption applies to all qualifying residential units for eight years, but can be extended to 12 years if 20 percent of the units serve households below 80 percent of MFI.

The property tax exemption applies to only the increased value of building housing (new construction). The exemption does not apply to the land or costs associated with any non-housing improvements. The units in this project meet all the requirements to be eligible for a tax exemption, including:

- The housing is located in the Target Area, which is one of three designated residential target areas adopted by the City Council (which was modified earlier this year);
- 50 percent of the space or more is for permanent residential occupancy;
- Four or more new housing units are created;
- The project complies with the City's comprehensive plan, building and zoning codes;
- The construction/rehabilitation will be completed within three years of approval of the application;
- The property was vacant at least 12 months prior to application; and
- No tenant displacement occurred.

Neighborhood/Community Interests (if known):

The project does not fall within a recognized neighborhood association. This new housing development occupies the former site of the Bailey Motor Inn on Martin Way.

Options:

1. Approve the resolution authorizing the Multi-family Tax Exemption agreement and authorizing the City Manager to execute the agreement
2. Do not approve the resolution and provide further direction to staff.
3. Direct staff to take other action.

Financial Impact:

Property taxes will continue to be paid on the underlying property, and on non-residential portions of the new construction. The value of the residential improvements will be exempt from Ad Valorem tax for 12 years after completion of construction.

Attachments:

Resolution
Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
APPROVING A MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION
AGREEMENT BETWEEN THE CITY OF OLYMPIA AND 4TH STREET HOUSING, LLC.**

WHEREAS, the City has an interest in encouraging new construction or rehabilitation of multi-family housing in Residential Target Areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use; and

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various Residential Target Areas for the provision of a limited property tax exemption for new multi-family residential housing; and

WHEREAS, the City has, through Olympia Municipal Code (OMC) Chapter 5.86, enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Thurston County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption; and

WHEREAS, 4th Street Housing, LLC, (hereafter "Applicant") is interested in receiving a limited property tax exemption for constructing eighty-two (82) units of new multi-family residential housing in the High Density Neighborhood Area; and

WHEREAS, Applicant has submitted to the City preliminary site plans and floor plans for new multi-family residential housing to be constructed on property situated approximately at 3335 Martin Way, Olympia, WA 98501; and

WHEREAS, the Director of the Department of Community Planning and Development has determined that the improvements will, if completed and operated as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; and

WHEREAS, the Olympia Municipal Code requires an applicant for a limited property tax exemption to enter into a contract with the City, in which the applicant agrees to implement the proposed project on terms satisfactory to the Olympia City Council so as to maintain the improvements' eligibility for the limited property tax exemption;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the form of Multi-Family Housing Limited Property Tax Exemption Agreement between the City of Olympia and 4th Street Housing, LLC and the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Multi-Family Housing Limited Property Tax Exemption Agreement, and any other documents necessary to execute said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

**MULTI-FAMILY HOUSING
12-YEAR LIMITED PROPERTY TAX EXEMPTION AGREEMENT**

THIS AGREEMENT is entered into this _____ day of June 2019 by and between 4th Street Housing, LLC, hereinafter referred to as “Applicant” and the City of Olympia, Washington, a municipal corporation hereinafter referred to as the “City”.

WITNESSETH:

WHEREAS, the City has an interest in encouraging new construction or rehabilitation of multi-family housing in Residential Target Areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use; and

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various Residential Target Areas for the provision of a limited property tax exemption for new multi-family residential housing; and

WHEREAS, the City has, through Olympia Municipal Code Chapter 5.86, enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Thurston County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption; and

WHEREAS, Applicant is interested in receiving a limited property tax exemption for constructing eighty-two (82) units of new multi-family residential housing in the High Density Neighborhood Area; and

WHEREAS, Applicant has submitted to the City preliminary site plans and floor plans for new multi-family residential housing to be constructed on property situated approximately at 3335 Martin Way, Olympia, WA and described more specifically as follows:

County Assessor’s Parcel Number: 41700100000
Legal Description: Section 18 Township 18 Range 1 W
 Quarter NW SE & NE NE
 Plat: College City Berry Tracts
 Records of Thurston County, WA
Street Address: 3335 Martin Way, Olympia, WA

Herein referred to as the “Site”; and

WHEREAS, the Director of the Department of Community Planning and Development has determined that the improvements will, if completed and operated as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; and

WHEREAS, the Olympia Municipal Code requires an applicant for a limited property tax exemption to enter into a contract with the City, in which the applicant agrees to implement the proposed project on terms satisfactory to the Olympia City Council so as to maintain the improvements' eligibility for the limited property tax exemption;

NOW, THEREFORE, in exchange for the City's consideration of Applicant's request for a Final Certificate of Tax Exemption, Applicant and the City mutually agree as follows:

1. Each of the recitals set forth above are by this reference incorporated into this Agreement as fully set forth herein.
2. The City agrees to issue Applicant a Conditional Certificate of Acceptance of Tax Exemption.
3. Applicant shall construct on the site multi-family residential housing substantially as described in the most recent site plans, floor plans, and elevations on file with the City as of the date of City approval of this Agreement. In no event shall such construction provide fewer than four new multi-family permanent residential units nor shall it provide fewer than half of its total residential units as permanent housing.
4. Applicant shall complete construction of the agreed upon improvements within three (3) years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption or within any extension thereof granted by the City.
5. Applicant shall, upon completion of the improvements and upon issuance by the City of a temporary or permanent Certificate of Occupancy, file with the City's Community Planning and Development Department the following:
 - A. A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
 - B. A description of the completed work and a statement of qualification for the exemption; and
 - C. A statement that the work was completed within the required three-year period or any authorized extension.
6. Upon Applicant's successful completion of the improvements in accordance with the terms of this Agreement and on Applicant's filing of the materials described in Paragraph 5 above, and upon the City's approval of a Final Certificate of Tax Exemption, the City shall file the Final Certificate with the Thurston County Assessor-Treasurer.

7. Applicant shall, within thirty (30) days following the first anniversary of the City's filing of the Final Certificate of Tax Exemption and each year thereafter for a period of twelve (12) years, file a notarized declaration with the City's Community Planning and Development Department indicating the following:
 - A. A statement of occupancy and vacancy of the multi-family units during the previous year;
 - B. A certification that the property continues to be in compliance with this Agreement;
 - C. A description of any subsequent improvements or changes to the property;
 - D. The total monthly rent by unit; and
 - E. The income of each renter household at the time of initial occupancy.
8. If, during the term of any Final Certificate of Tax Exemption, Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, Applicant shall notify the Thurston County Assessor-Treasurer and the City's Department of Community Planning and Development within sixty (60) days of such change in use. The City may, in its sole discretion, revoke and cancel the Final Certificate of Tax Exemption effective on the date of Applicant's conversion of any of the multi-family residential housing units to another use.
9. Applicant shall notify the City promptly of any transfer of Applicant's ownership interest in the Site or in the improvements made to the Site under this Agreement.
10. No rental occupancy will be permitted on a transient basis. This includes rental accommodation that is leased for a period of less than one (1) month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.
11. In addition to any other powers reserved to the City by law, the City may, in its sole discretion, cancel the Final Certificate of Tax Exemption should Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement.
12. No modifications of the Agreement shall be made unless mutually agreed upon by the parties in writing.
13. The venue for any dispute related to this Agreement shall be Thurston County, Washington.

14. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting terms or clause, and to this end, the terms of the Agreement are declared to be severable.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF OLYMPIA

4TH STREET HOUSING, LLC

By: _____
Steven R. Hall, City Manager

By: [Signature]
Print Name GLENN WELLS
Title MEMBER

APPROVED AS TO FORM:

By: Mark Barber
City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On this _____ day of _____, 2019, before me, the undersigned a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven R. Hall, to me known to be City Manager of the City of Olympia, a Washington Municipal Corporation, who executed the foregoing instrument and acknowledged the said instrument to be his free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument on behalf of the City of Olympia.

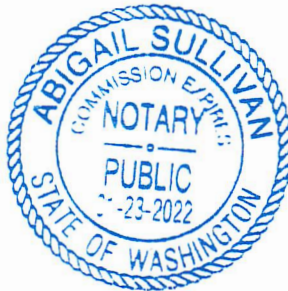
WITNESS my hand and official seal the day and year first above written.

Signature _____
 Print Name: _____
 NOTARY PUBLIC in and for the State of
 Washington, residing at _____
 My commission expires _____

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On this 31st day of May, 2019, before me, the undersigned a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Glenn Wells to me known to be the Member of 4th Street Housing, LLC, a Washington Limited Liability Corporation, who executed the foregoing instrument and acknowledged the said instrument to be his/her/their free and voluntary act and deed of said limited liability corporation, for the uses and purposes therein mentioned and on oath stated that he/she/they is/are authorized to execute the said instrument on behalf of 4th Street Housing, LLC.

WITNESS my hand and official seal the day and year first above written.



Abigail Sullivan
Signature
Print Name: Abigail Sullivan
NOTARY PUBLIC in and for the State of
Washington, residing at Tenino
My commission expires 1-23-2022



City Council

Approval of an Ordinance Establishing the Municipal Court Judge's Salary

Agenda Date: 6/11/2019
Agenda Item Number: 4.C
File Number: 19-0514

Type: ordinance **Version:** 3 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Establishing the Municipal Court Judge's Salary

Recommended Action

Committee Recommendation:

Not referred to a committee

City Manager Recommendation:

Move to approve the ordinance amending Olympia Municipal Code Section 2.14.030 to automatically adjust the Municipal Court Judge's Salary to reflect any future adjustments on the effective date set by the Washington Citizens' Commission on Salaries for Elected Officials on second reading.

Report

Issue:

Whether to approve an ordinance amending Olympia Municipal Code Section 2.14.030 to automatically adjust the Municipal Court Judge's Salary to reflect any future adjustments on the effective date set by the Washington Citizens' Commission on Salaries for Elected Officials.

Staff Contact:

Annaliese Harksen, Deputy City Attorney, 360.753.8338

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

Background and Analysis has not changed from first to second reading.

Pursuant to RCW 2.56.030, a city qualifies for State contribution to a municipal court judge's salary if the judge is serving in an elected position and if the city has certified that the judge is compensated at a rate of at least 95% of a district court judge's salary.

Pursuant to Chapter 43.30 RCW, the salary of a district court judge is set by the Washington Citizens' Commission on Salaries for Elected Officials (the Commission) for a two-year term, which is typically

effective September 1 of each year. However, to correct disproportionate lags in compensation in previous years, the Commission changed the effective date of the salary schedule for the years 2019 and 2020 to July 1.

It is staff's understanding that the effective date of future adjustments will return to September 1 for ensuing two-year terms. To better administer such a potential scenario in the future, staff recommends the Olympia Municipal Code (OMC) be amended to automatically adjust the Municipal Court Judge's salary to reflect any future adjustments on the effective date set by the Commission.

Neighborhood/Community Interests (if known):

None

Options:

1. Approve the ordinance amending OMC Section 2.14.030. This will automatically adjust the Municipal Court Judge's salary to reflect any future adjustments on the effective date set by the Washington Citizens' Commission on Salaries for Elected Officials
2. Do not approve the amendment to OMC 2.14.030. If the OMC is left unchanged, the Municipal Court Judge's salary will not qualify for contribution because it will fall below the 95% threshold required for contribution.

Financial Impact:

The budget impact is approximately \$5,000 for the 2019 budget year. However, the City will lose approximately \$20,000 if the OMC is left unchanged and the City fails to qualify for the State contribution.

Attachments:

Ordinance

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ESTABLISHING THE
SALARY FOR THE MUNICIPAL COURT JUDGE AND AMENDING OLYMPIA
MUNICIPAL CODE SECTION 2.14.030.**

WHEREAS, RCW 43.08.250(2) provides for contributions from the State of Washington (State) general fund to the salaries of qualifying elected municipal court judges; and

WHEREAS, under State law, full-time municipal court judge positions must be filled by election; and

WHEREAS, under State law, the salary for municipal court judges must be established by ordinance; and

WHEREAS, the salary for the Olympia Municipal Court Judge was established by Ordinance No. 6146; and

WHEREAS, in order to be eligible for the contribution to a municipal court judge's salary, RCW 2.56.030(22)(b) provides that a city must compensate its municipal court judge at a rate equivalent to at least ninety-five percent (95%) of a district court judge salary; and

WHEREAS, pursuant to Chapter 43.30 RCW, the salary of a district court judge is set by the Washington Citizens' Commission on Salaries for Elected Officials (the Commission) for a two-year term, which is typically effective September 1 of each year; and

WHEREAS, for the two-year term of 2019-2020, the Commission increased the base salary of the Judicial Branch positions to move towards "parity" with the Federal Bench; and

WHEREAS, to correct disproportionate lags in compensation in previous years, the Commission changed the effective date of the salary schedule to July 1 for the years 2019 and 2020; and

WHEREAS, the Commission set the salary for district court judges to \$181,846 effective July 1, 2019 and \$190,120 effective July 1, 2020; and

WHEREAS, the Olympia City Council deems it to be in the best interest of the City to automatically adjust the Municipal Court Judge's Salary to reflect any future adjustments on the effective date set by the Washington Citizens' Commission on Salaries for Elected Officials.

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 2.14.030 Olympia Municipal Code Section 2.14.030 is hereby amended to read as follows:

2.14.030 Olympia Municipal Court Judge's salary

A. ~~Effective January 1, 2008, the salary for the Olympia Municipal Court Judge position shall be set at 95% of a district court judge's annual salary.~~

B. Commencing September 1, 2008, and thereafter on the first day of September of each successive year, ~~the salary paid to~~ The Olympia Municipal Court Judge's salary shall automatically be adjusted on the same date and to an amount equal to 95% of the salary of district court judges as set by the Washington Citizens' Commission on Salaries for Elected Officials, which was established pursuant to the authority granted in Article 28 of the Washington State Constitution, RCW 43.03.300, RCW 43.03.305, and RCW 43.03.310.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7173 (Operating Budget)

Agenda Date: 6/11/2019
Agenda Item Number: 4.D
File Number: 19-0511

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7173 (Operating Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the Ordinance that amends Ordinance 7173 on forward to second reading.

Report

Issue:

Whether to amend Ordinance 7173 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Operating Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of ordinance 7173 on December 18, 2018, relating to the Operating Budget.

The attached ordinance includes recommended amendments to the 2019 Operating Budget for: 1) recognizing actual year-end fund balances; 2) 2018 year-end carry forward appropriations; and 3)

department appropriation requests for the First Quarter in 2019.

2018 Year-End Appropriations of \$1,351,418 include: year-end contractual obligations, and Council's direction to appropriate \$155,545 of end of year funds to Building Repair and Replacement (\$100,000) and to purchase Case Management Software for Public Defense and Prosecution (\$55,454). The budget stabilization reserve of \$7,760,038 is included in the "Additions to Fund Balance" on the ordinance.

2019 First Quarter department requests of \$10,688,308 include:

1. Parks

- \$8,400 for increased class offerings. Funding is from increased program revenue.
- \$310,306 for parks operations. Funding is from program revenue and additional OMPD funds after final property tax levy assessments.
- \$9,500 for Lodging Tax Advisory Committee. Funding provided from Oly-on-Ice revenue.
- \$3,336 to Special Revenue fund to support Parks program scholarships. Funding provided from existing Parks appropriations.

2. Public Works

- \$368,000 to Waste ReSources Capital fund from the Waste ReSources Operating fund. Capital funding was established as part of the 2018 rates to cover expenses related to a new maintenance center for Waste ReSources.

3. Administrative Services

- \$11,234 reduction in the Water/Sewer Bond fund as an administrative correction to the 2019 original budget.
- \$10,000,000 to refinance original 2016 BAN (bond anticipation note). Funding provided from proceeds of the 2018 BAN.

Neighborhood/Community Interests (if known):

None noted.

Options:

1. Approve ordinance amending ordinance 7173. This provides staff with budget capacity to proceed with initiatives approved by Council.

2. Do not approve the amending ordinance. The budget items not previously presented to the council would not be authorized.

Financial Impact:

Total increase in appropriations of \$12,039,726. The sources of funding are noted above.

Attachments:

Ordinance

Ordinance No.

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING
TO BUDGETS, FINANCE, AND SALARIES, AND AMENDING ORDINANCE
NO. 7173**

WHEREAS, the Olympia City Council passed Ordinance No. 7173 on December 18, 2018; and

WHEREAS, throughout the year, updates are required to recognize changes relating to budget, finance, and salaries; and

WHEREAS, the following amendments need to be made to Ordinance No. 7173;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. 2019 Budget. The budget for the calendar year 2019 is hereby adopted in the amounts and for the purposes as shown below; and the following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the City Treasury hereinafter named.

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
General, Regular Operations	\$383,681 \$18,316,893	\$82,012,958 \$82,615,187	\$82,396,639 \$83,849,078	\$- \$17,083,003
General, Special Sub-Funds				
Special Accounts	466,445 2,541,995	1,123,233 1,126,569	1,289,678 1,293,014	- 2,375,550
Development Fee Revenue	- 846,963	- 3,953,252	- 3,953,252	- 846,963
Parking	46,138 1,159,858	- 1,493,340	- 1,509,478	- 1,143,720
Post Employment Benefits	379,700 2,620,447	- 995,300	- 1,375,000	- 2,240,747
Washington Center Endowment	- 754,983	- 3,000	- 3,000	- 754,983
Washington Center Operating	5,000 85,179	- 503,000	- 508,000	- 80,179
Municipal Arts	- 472,663	- 59,000	- 59,000	- 472,663
Equip & Facilities Reserve	430,497 3,480,663	1,167,778 1,267,778	1,298,275 1,398,275	- 3,350,166
Total General Fund	1,081,461 30,279,645	91,310,861 92,016,426	92,392,322 93,948,097	- 28,347,974
LID Control	- 6	- -	- -	- 6
LID Guarantee	- 80,435	- -	- -	- 80,435

4 th /5 th Avenue Corridor Bridge Loan	- 86	546,084	546,084	- 86
UTGO Bond Fund – 2009 Fire	4,518 73,182	1,187,039	1,191,557	- 68,664
City Hall Debt Fund – 2009	3,880 11,206	2,418,038	2,421,918	- 7,326
2010 LTGO Bond – Street Projects	-	434,813	434,813	-
L.O.C.A.L. Debt Fund – 2010	-	178,282	178,282	-
2010B LTGO Bonds - HOCM	-	444,188	444,188	-
2013 LTGO Bond Fund	-	671,065	671,065	-
2016 LTGO Parks BAN	-	67,500 10,067,500	67,500 10,067,500	-
Water Utility O&M	565,704 38,144,708	14,186,171	14,751,872 14,861,872	- 37,469,007
Sewer Utility O&M	132,574 42,650,053	20,724,055	20,856,629	- 42,517,479
Solid Waste Utility	222,786 2,188,558	12,717,152	12,939,938 13,307,938	- 1,597,772
Stormwater Utility	- 23,780,104	5,716,809	5,595,703 5,612,888	121,106 23,884,025
Water/Sewer Bonds	-	2,044,782	2,044,782 2,033,548	- 11,234
Stormwater Debt Fund	-	123,650	123,650	-
Water/Sewer Bond Reserve	1,260,900	-	-	1,260,900
Equipment Rental	4,818 329,721	2,357,141	2,361,959	- 324,903
TOTALS	\$2,015,738 \$138,798,604	\$155,127,630 \$165,833,195	\$157,022,262 \$169,061,988	\$121,106 \$135,569,811

Section 2. Administration. The City Manager shall administer the budget, and in doing so may authorize adjustments within the funds set forth in Section 1 above, to the extent that such adjustments are consistent with the budget approved in Section 1.

Section 3. Salaries and Compensation. The salaries and compensation for the City of Olympia employees for the calendar year 2019 shall be as set forth in the "Supplementary Information" section of the 2019 Adopted Operating Budget document, or as the same may be amended by the City Manager as part of his administration of the budget pursuant to Section 2 above.

Section 4. Benefit Cost Sharing. The City Manager is authorized to modify and establish benefit cost sharing for City employees; and such programs may be based, in part, on an employee's start date with the City.

Section 5. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7174 (Capital Budget)

Agenda Date: 6/11/2019
Agenda Item Number: 4.E
File Number: 19-0513

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7174 (Capital Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the Ordinance amending Ordinance 7174 on second reading.

Report

Issue:

Whether to amend Ordinance 7174 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Capital Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of ordinance 7174 on December 18, 2018, relating to the Capital Budget.

The attached ordinance includes recommended amendments to the 2019 Capital Budget for: 1) recognizing actual year-end fund balances; 2) appropriating 2018 year-end carry forward appropriations; and 3) appropriating department requests for First Quarter in 2019.

2018 Year-End Appropriations of \$8,414,847 include year-end contractual obligations.

2019 First Quarter department requests of \$18,006,892 include:

1. Public Works

- a. Waste Resources: \$368,000 for capital planning. Funding is from Waste ReSources capital component of rates.
- b. Transportation: Reduce appropriation by \$98,085 for Pacific Avenue Pedestrian Crossing Improvements. Project is complete and the funds are not needed.
- c. Transportation: \$78,924 for improvements in Street Reconstruction program. Funding is from frontage deferred payment.
- d. Transportation: \$400,000 for Franklin Street overlay. Funding is from a Transportation Improvement Board grant.
- e. Transportation: \$269,250 to retrofit Harrison Avenue stormwater. Funding is from a State grant.
- f. Stormwater: \$208,374 for salaries and benefits for one associate planner and one program specialist. Funding is from existing Storm Water Capital resources.

2. Parks

- a. \$19,350 for future land acquisition. Funding is from rent proceeds received on Zahn property.
- b. \$1,681,098 for Parks capital projects. Funding is from a Recreation and Conservations Office grant

3. General Government

- a. Appropriate \$1,000,000 for Economic Development. Funding is from an insurance recovery.
- b. Appropriate \$79,981 for Economic Development. Funding is from an insurance recovery.

4. Administrative Services:

- a. Fiscal Services: \$14,000,000 for Parks Bond Anticipation Note (BAN) refinancing; \$10,000,000 for original BAN refinancing and an additional \$4,000,000 for installment payment on Zahn property. Funding is from the Bond Anticipation Note refinancing.

Neighborhood/Community Interests (if known):

None noted.

Options:

1. Approve the ordinance amending ordinance 7154. This allows staff to continue capital projects, complete seismic upgrades to reservoirs and return unused funds to be used on future projects.
2. Do not approve the amending ordinance. This would stop certain projects.

Financial Impact:

Total increase in appropriations is \$26,421,739. The sources of funding are noted above.

Attachment:

Ordinance

Ordinance No.

**AN ORDINANCE ADOPTING THE CITY OF OLYMPIA'S CAPITAL FACILITIES
PLAN FOR THE YEARS 2019-2024 AND AMENDING ORDINANCE NO. 7174.**

WHEREAS, the Olympia City Council adopted the Capital Facilities Plan for years 2019 through 2024 by passing Ordinance No. 7174 on December 18, 2018; and

WHEREAS, the CFP meets the requirements of the WASHINGTON State Growth Management Act, including RCW 36.70A.070(3); and

WHEREAS, the following amendments need to be made to Ordinance No. 7174;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. That certain document entitled the "Capital Facilities Plan," covering the years 2019 through 2024, a copy of which will be on file with the Office of the Director of Administrative Services and available on the City's web site, is hereby adopted as the Capital Facilities Plan for the City of Olympia and is incorporated herein as though fully set forth.

Section 2. Upon appropriation by the City Council of funds therefor, the City Manager shall be authorized to prepare plans and specifications, to take bids, and to make expenditures for the projects set forth in the CFP during the year for which said projects are scheduled; provided, however, that any award of bids and execution of contracts for construction shall be approved as provided in OMC Chapter 3.16.

Section 3. It is anticipated that the funding source and the construction schedule for projects identified in the CFP may be changed over the next year. Such changes shall not constitute an amendment to the Comprehensive Plan for purposes of RCW 36.70A.130.

Section 4. The Director of Administrative Services is hereby authorized to bring forward into fiscal year 2019 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

Section 5. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Impact Fee Fund	\$2,451,130 \$10,453,696	-	\$2,451,130	\$- \$8,002,566
SEPA Mitigation Fee Fund	211,451 1,609,899	-	211,451	- 1,398,438
Parks & Recreational Sidewalk, Utility Tax Fund	- 4,541,489	2,970,000	2,970,000	- 4,541,489
Real Estate Excise Tax Fund	- 6,171,866	1,500,000	1,500,000	- 6,171,866

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Capital Improvement Fund	500,000 8,016,156	12,269,468 31,789,710	12,769,468 32,289,710	- 7,516,156
Olympia Home Fund Capital Fund	-	1,495,000	481,000	1,014,000
City Hall Fund	4,043	-	-	4,043
Water CIP Fund	- 19,154,424	3,500,000 9,199,569	3,500,000 9,199,569	- 19,154,424
Sewer CIP Fund	1,537,796 9,394,530	756,204	2,294,000	- 7,856,734
Waste ReSources CIP Fund	-	390,300 758,300	- 368,000	390,300
Storm Water CIP Fund	- 1,427,176	2,514,000 3,139,555	2,514,000 3,347,929	- 1,218,802
Storm Drainage Mitigation Fund	- 1,069,576	-	-	- 1,069,576
TOTALS	\$4,700,377 \$61,842,845	\$25,394,972 \$51,608,337	\$28,691,049 \$55,112,788	\$1,404,300 \$58,338,394

Section 6. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:
APPROVED:
PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7175 (Special Funds)

Agenda Date: 6/11/2019
Agenda Item Number: 4.F
File Number: 19-0512

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7175 (Special Funds)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the ordinance amending Ordinance 7175 on second reading.

Report

Issue:

Whether to amend Ordinance 7175 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Special Funds Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of Ordinance 7175 on December 18, 2018, relating to the Special Funds Budget.

The attached ordinance includes recommended amendments to the 2019 Special Funds Budget for: 1) recognizing actual year-end fund balances; 2) appropriating 2018 year-end carry forward appropriations; and 3) appropriating department requests for the First Quarter in 2019.

2018 Year-End Appropriations of \$1,168,110 include year-end contractual obligations.

2019 First Quarter Department Requests of \$419,840 include:

1. Public Works

- \$389,000 for Fleet to replace a front loader vehicle that was not included in original 2019 budget. Funding is provided from the capital equipment replacement fund.

2. Community Planning and Development

- \$840 to purchase of outdoor cigarette disposal receptacles. Funding is provided from the Parking Business Improvement Area fund.
- \$30,000 transfer to the Home Fund to support the public process for the Homeless Response Plan. Funding is provided by the General Fund of the Council Goal money and was approved by Council on March 26, 2019.

Neighborhood/Community Interests (if known):

None noted.

Options:

1. Approve the ordinance that amends ordinance 7175. This authorizes staff to expend the funds.
2. Do not approve the proposed ordinance. The budget items not previously presented to the Council would not be authorized.

Financial Impact:

Total increase in appropriations is \$1,587,950. The sources of funding are noted above.

Attachments:

Ordinance

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, APPROPRIATING FUNDS WITHIN VARIOUS SPECIAL FUNDS AND AMENDING ORDINANCE NO. 7175.

WHEREAS, the Olympia City Council passed Ordinance No. 7175 on December 18, 2018, appropriating funds within various special funds; and

WHEREAS, the following amendments need to be made to Ordinance No. 7175;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
HUD Fund	\$8,166	\$740,000 <u>\$1,222,657</u>	\$748,166 <u>\$1,230,823</u>	-
Lodging Tax Fund	- <u>1,366,150</u>	1,000,000	883,000 <u>893,452</u>	117,000 <u>1,472,697</u>
Parking Business Improvement Area Fund	- <u>59,673</u>	100,000	100,000 <u>100,840</u>	- <u>58,833</u>
Farmers Market Repair and Replacement Fund	- <u>76,701</u>	-	-	- <u>76,701</u>
Hands On Children's Museum	- <u>528,637</u>	514,000	458,188	55,812 <u>584,449</u>
Home Fund Operating Fund	- <u>347,916</u>	1,070,506 <u>1,100,506</u>	1,070,506 <u>1,100,506</u>	- <u>347,916</u>
Fire Equipment Replacement Fund	-	297,387	152,869	144,518
Equipment Rental Replacement Reserve Fund	345,900 <u>11,776,033</u>	1,885,830	2,231,730 <u>3,295,730</u>	- <u>10,366,133</u>
Unemployment Compensation Fund	- <u>628,385</u>	99,400	85,000	14,400 <u>642,785</u>
Insurance Trust Fund	5,211 <u>105,444</u>	2,137,035	2,142,246	- <u>100,233</u>
Workers Compensation Fund	245,791 <u>2,689,704</u>	1,301,000	1,546,791	- <u>2,443,913</u>
TOTALS	\$605,068 <u>\$17,586,809</u>	\$9,145,158 <u>\$9,657,815</u>	\$9,418,496 <u>\$11,006,446</u>	\$331,730 <u>\$16,238,178</u>

Section 2. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances, shall be unaffected.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending the Design Criteria for the Village at Mill Pond Master Plan

Agenda Date: 6/11/2019
Agenda Item Number: 4.G
File Number: 19-0535

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title

Approval of an Ordinance Amending the Design Criteria for the Village at Mill Pond Master Plan

Recommended Action

Committee Recommendation:

The Hearing Examiner and the Design Review Board recommend amending the Village at Mill Pond Master Plan Design Criteria for single family dwellings, townhomes and apartment buildings.

City Manager Recommendation:

Move to approve the ordinance amending the Village at Mill Pond Master Plan Design Criteria for single family dwellings, townhomes and apartment buildings on first reading and forward to second reading.

Report

Issue:

Whether to approve an ordinance to amend the Village at Mill Pond Master Plan Design Criteria

Staff Contact:

Tim Smith, Principal Planner, Community Planning & Development Department, 360.570.3915

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Applicant Amos Callender of Thomas Architecture Studio submitted the Master Plan Amendment application in 2018. The application proposed twenty-three text amendments to the Design Criteria for Village at Mill Pond Master Plan. The intent of the amendments was to either provide clarifications to certain requirements, or to add flexibility to the building or site design requirements to meet market demand and/or customer preferences.

Master Planned Developments are regulated in Chapter 18.57 of the Unified Development Code. OMC 18.57.080.F states that amendments which change the character, basic design, density, open space or any other requirements and conditions contained in the master plan shall not be permitted

without prior review and recommendation by the Hearing Examiner and approval by the City Council. The Design Review Board is responsible for making a recommendation to the Hearing Examiner and City Council. If adopted by City Council, master plan amendments are amendments to the official zoning map of the City.

The City of Olympia Design Review Board (DRB) considered the proposed amendments at a public meeting on March 14, 2019. The City of Olympia Hearing Examiner held a duly-noticed public hearing on the proposed amendments on April 8, 2019. The ordinance incorporates the recommendations of both the DRB and Hearing Examiner. Sixteen of the 23 amendments are recommended for approval, several with modified language. While the Hearing Examiner did not recommend the approval of all the proposed amendments as requested by the applicant, the applicant has stated that they support the outcome of the recommendation and the final ordinance

The Village at Mill Pond Master Plan was approved by the City Council in 2011. The master plan consists of a mix of housing types totaling 299 residential units, commercial and community buildings and open space. Design standards for the development were also approved. Phase 1 of the master plan consisted of 45 single family detached lots and two townhome lots. Building permits have been issued for these lots over the past several years. Phase 2 will also consist of 45 single-family lots and construction will begin after the Final Plat has been approved. Phase 3 of the master plan will comprise the remainder of the project and will include single family lots, townhomes, apartments, commercial and community buildings. A timeline for the completion of Phase 3 is not known at this time.

Neighborhood/Community Interests (if known):

In accordance with the Olympia Municipal Code (OMC) 18.78, public notification for the March 14, 2019, Design Review Board meeting and the April 8, 2019, Hearing Examiner public hearing was posted onsite, and mailed on March 5, 2019, to property owners within 300 feet of the site, parties of record, and recognized neighborhood associations. No members of the public were present at the public hearing. One written comment letter was received. The letter addressed concerns about the project layout, alley widths, window placement on homes and crime in the area.

Options:

1. Approve ordinance
2. Approve ordinance with changes
3. Do not approve ordinance

Financial Impact:

N/A

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING THE VILLAGE AT MILL POND MASTER PLAN RELATED TO DESIGN CRITERIA FOR SINGLE FAMILY, APARTMENTS, AND COMMUNITY BUILDINGS.

WHEREAS, on September 27, 2011, the Olympia City Council adopted Ordinance No. 6773, which adopted the Council's Findings of Fact and Conclusions of Law approving and adopting the proposed Village at Mill Pond Master Plan and Design Criteria; and

WHEREAS, on July 2, 2018, the Community Planning and Development Department received an application for proposed text amendments to The Village at Mill Pond Master Plan (the Proposed Amendments) to provide clarification or to add flexibility to the design requirements; and

WHEREAS, Olympia Municipal Code (OMC) 18.57.080(F) requires that master plan amendments which change the character, basic design, density, open space or any other requirements and conditions contained in the master plan require review and recommendation by the Hearing Examiner before being considered, reviewed, and acted upon by the City Council; and

WHEREAS, the Olympia Design Review Board considered the Proposed Amendments at a public meeting on March 14, 2019; and

WHEREAS, on April 8, 2019, the Hearing Examiner held a duly-noticed public hearing to consider the recommendations of the Design Review Board and City staff; and

WHEREAS, following the public hearing and consideration of the Proposed Amendments and recommendations of staff and the Design Review Board, the Hearing Examiner issued a recommendation that certain amendments be approved; and

WHEREAS, on June 11, 2019, the City Council duly considered the recommendations of the Design Review Board and the Hearing Examiner; and

WHEREAS, this proposal is exempt from the State Environmental Policy Act (SEPA), under WAC 197-11-800(19)(b) because it is a text amendment with no substantive changes respecting use or modification of the environment; and

WHEREAS, Chapter 35A.63 and 36.70 RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance; and

WHEREAS, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia, including but not limited to documents relating to file 18-2776;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Adoption of Council Findings of Fact, Conclusions of Law and Decision. The following Council Findings of Fact, Conclusions of Law and Decision in the Village at Mill Pond Master Plan Amendment File No. 18-2776 are hereby adopted:

FINDINGS OF FACT

1. This matter came before the City Council on the recommendations of the City of Olympia Hearing Examiner and the City of Olympia Design Review Board.
2. On July 2, 2018, Thomas Architecture Studio (the Applicant) applied for amendments to the Village at Mill Pond Master Plan (the Master Plan). The proposed revisions, as summarized in the Hearing Examiner's Findings of Fact, were as follows:
 - a. Twenty-three text amendments to the Design Criteria for the Village at Mill Pond Master Plan. Proposed Amendments 1-15-A apply to single-family dwellings and townhomes. Proposed Amendments 16-22 apply to apartments and community buildings.
 - b. The Design Review Board (DRB) and City staff recommend that the following proposed Amendments be approved as requested: Amendment 1, Amendment 5, Amendment 7, Amendment 13, Amendment 15-A, Amendment 16, and Amendment 21.
 - c. The DRB and City staff recommend that the following proposed amendments be approved subject to additional language (and the Applicant concurred): Amendment 6, Amendment 8, Amendment 9, Amendment 11, Amendment 12, Amendment 16, Amendment 17, Amendment 19, Amendment 20.
 - d. The Applicant discontinued its request for Amendments 14 and 22.
 - e. The DRB and City staff opposed the following requested Amendments: Amendment 2, Amendment 3, Amendment 4, Amendment 10, and Amendment 18.

The Hearing Examiner's Corrected Findings of Fact, Conclusions of Law and Recommendation dated May 1, 2019, is attached hereto as Exhibit A.

3. The Design Review Board conducted a public meeting on March 14, 2019, to consider the Applicant's proposed amendments to the Master Plan Design Guidelines and issued its recommendation to approve certain amendments. The Design Review Board's Recommendation is attached hereto as Exhibit B.
4. The Olympia Hearing Examiner conducted an open record public hearing on the Proposed Master Plan amendments on April 8, 2019. On May 1, 2019, the Hearing Examiner issued his Corrected Findings of Fact, Conclusions of Law and Recommendation.
5. In regular session on June 11, 2019, the City Council, considered the record and the recommendations of the Design Review Board and the Olympia Hearing Examiner, and the staff report and recommendations of City staff.
6. The City Council accepts and adopts the March 14, 2019, recommendation of the Design Review Board on the Village at Mill Pond Master Plan Amendment.
7. The City Council adopts all Findings of Fact in the Hearing Examiner's Recommendation dated May 1, 2019.
8. Any finding of fact more properly deemed a conclusion of law shall be considered as such.

BASED ON ITS CONSIDERATION OF THE FOREGOING, the Olympia City Council hereby enters the following:

CONCLUSIONS OF LAW

1. The City Council adopts all Conclusions of Law and analysis in the Hearing Examiner's Recommendation dated May 1, 2019.
2. Consistent with the Hearing Examiner's Recommendation, the City Council determines there are no conflicts with the City's adopted plans, policies and ordinances, and sufficient evidence was presented as to the impact on the surrounding area.

BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, the Olympia City Council hereby enters the following:

DECISION

1. Ordinance No. 6773 is hereby amended by replacing the "Village at Mill Pond Master Plan Development Design Criteria, dated July 16, 2011" with the amended "Village at Mill Pond Master Plan Development Design Criteria" attached hereto as Exhibit C.

Section 2. Amendment of OMC 18.05.170. Olympia Municipal Code Section 18.05.170 is hereby amended to read as follows:

18.05.170 Village at Mill Pond

On July 26, 2011, the Olympia City Council approved and adopted the Village at Mill Pond Master Plan, the details and regulations of which are found in Ordinance No. 6773 on file with the City Clerk. Effective _____, 2019, the Olympia City Council approved and adopted amendments to the Village at Mill Pond Master plan, the details and regulations of which are found in Ordinance No. _____, on file with the City Clerk. The City Clerk is hereby authorized and directed to insert the effective date and number of this Ordinance in this section.

Section 3. Amendment of the Official Zoning Map. The Director of the Olympia Community Planning and Development Department is hereby authorized and directed to amend the City of Olympia Official Zoning Map as follows:

UV – Village at Mill Pond ORD. _____ [insert this ordinance #] and ORD. 6896.

The Mayor is authorized but not required to sign an Official Zoning Map reflecting this Ordinance.

Section 4. Ordinance No. 6773. All remaining provisions of Ordinance No. 6773 not herein amended or supplemented shall remain in full force and effect.

Section 5. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

EXHIBIT A

BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

IN RE:

HEARING NO. 18-2776

VILLAGE AT MILL POND,

CORRECTED FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND RECOMMENDATION

APPLICANT:

2400 Lilly Road, LLC
300 Deschutes Way S.E., Suite 110
Tumwater, Washington 98501

REPRESENTATIVES:

Ron Thomas
Amos Callender
Thomas Architecture Studio
109 Capitol Way North
Olympia, Washington 98501

SUMMARY OF REQUEST:

23 text amendments to the Design Criteria for the Village at Mill Pond Master Plan. Proposed Amendments 1-15-A apply to single-family dwellings and townhomes. Proposed Amendments 16-22 apply to apartments and community buildings.

The Design Review Board (DRB) and City Staff recommend that the following proposed Amendments be approved as requested: Amendment 1, Amendment 5, Amendment 7, Amendment 13, Amendment 15-A, Amendment 16, and Amendment 21

The DRB and City Staff recommend that the following proposed Amendments be approved subject to additional language (and the Applicant concurs): Amendment 6, Amendment 8, Amendment 9, Amendment 11, Amendment 12, Amendment 15, Amendment 17, Amendment 19, Amendment 20.

The Applicant has discontinued its request for Amendments 14 and 22.

The DRB and City Staff oppose the following requested Amendments: Amendment 2, Amendment 3, Amendment 4, Amendment 10, and Amendment 18.

LOCATION OF PROPOSAL:

Village at Mill Pond, 2400 Lilly Road N.E.

*Corrected Findings of Fact, Conclusions of Law
and Recommendation - 1*

CITY OF OLYMPIA HEARING EXAMINER
299 N.W. CENTER ST. / P.O. BOX 939
CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-3387

1 **SUMMARY OF RECOMMENDATION:**

2 The proposed Amendments 1, 5, 7, 13, 15-A, 16, and 21 should be **approved** as is.

3 The proposed Amendments 6, 8, 9, 11, 12, 15, 17, 19, and 20 should be **approved** subject to
4 the additional language requested by the City and agreed to by the Applicant.

5 Proposed Amendments 14 and 22 should be **dismissed** as requested by the Applicant.

6 Proposed Amendment 2, 3, and 10/18 should be **denied**.

7 Proposed Amendment 4 should be **partially approved** in a manner consistent with current
8 practice.

9 **BACKGROUND**

10 The Village at Mill Pond Master Plan development was approved by the City Council in
11 2011. The Master Plan provides for a mix of housing totaling 209 residential units, commercial
12 and community buildings as well as open space. Design standards were approved under
13 Ordinance No. 6773. The preliminary plat was approved by the Hearing Examiner in 2011 and
14 Phase 1 of the preliminary plat received final plat approval from the Council in 2015 for 45
15 single-family detached lots and 2 townhome lots. Much of the housing in Phase 1 has been
16 constructed.

17 Engineering permits for Phase 2 have been approved for construction of roads and other
18 site improvements. Once these improvements are made the final plat for Phase 2 will be
19 submitted to the City for approval. Phase 2 will provide an additional 45 single-family
20 dwellings east of Phase 1.

21 The majority of housing is proposed for the final, third, phase. It will include a much
22 more diverse mix of housing densities and uses. The timetable for Phase 3 has not been
23 determined.

1 As Phase 2 is preparing to get underway, the Applicant asks for 23 text amendments to
2 the Design Criteria in the Master Plan. Amendments 1 through 15-A apply to single-family
3 dwellings and townhomes, while Amendments 16 through 22 apply to apartments and
4 community buildings (but are essentially the same Amendments as proposed for single-family
5 dwellings).

6 The application for the text amendments was presented to the Design Review Board
7 (DRB) for recommendation. Following review by the DRB in March, City Staff independently
8 reviewed the application and provided recommendations. The recommendations of the DRB
9 and City Staff are identical.

10 The DRB/City Staff recommend approval of Amendments 1, 5, 7, 13, 15-A, 16, and 21
11 without any modification.

12 The DRB/City Staff recommend approval of Amendments 6, 8, 9, 11, 12, 15, 17, 19,
13 and 20 subject to modifications to the Amendments. In each instance the Applicant agrees to
14 the City's proposed changes.

15 The Applicant has agreed to rescind its request for Proposed Amendments 14 and 22.
16 This leaves only five Proposed Amendments in dispute: Proposed Amendments 2, 3, 4, and
17 10/18 (Amendment 18 is the multi-family version of Amendment 10).

18 **PUBLIC HEARING**

19 Once the Proposed Amendments have been reviewed by the DRB, the Amendments and
20 the DRB's recommendations are then presented to the Hearing Examiner for additional
21 recommendation to the City Council. The City Council then considers the recommendations of
22 the DRB and the Hearing Examiner and decides whether to approve the requested amendments.

23 The public hearing before the Hearing Examiner commenced at 6:30 p.m. on Monday,
24 April 8, 2019, in the City Council Chambers in the City Hall. The City appeared through Tim
25

1 Smith, Senior Planner and Cari Hornbein of Planning Staff. The Applicant was present and
2 appeared through its architects, Ron Thomas and Amos Callender. There were no members of
3 the public present. A verbatim recording was made of the public hearing and all testimony was
4 taken under oath.

5 In advance of the public hearing Mr. Smith presented the City Staff Report including
6 Attachments 1 through 7. At the commencement of the public hearing several additional
7 exhibits were submitted as follows:

8	Exhibit 8	Memorandum from City Staff with proposed language changes to Amendments 12 and 20
9	Exhibit 9	Email to the City from Stan Springer relating to various concerns about the development
10	Exhibit 10	Power Point demonstration provided by the Applicant
11	Exhibit 11	Report from the Design Review Board following its meeting on March 14, 2019

12 There were no members of the public present at the hearing and the application has
13 generated very little public comment. Two letters were received from the public during the
14 City's review but they addressed issues largely outside the scope of these Amendments.

15 As there has been no real public input, the purpose of the hearing was to engage in a
16 discussion of the five Proposed Amendments (2, 3, 4 and 10/18) opposed by the DRB/City
17 Staff.

18 In its support of the Proposed Amendments, the Applicant's architects candidly
19 acknowledge that the project has not been received by the public as well as had been hoped.
20 Despite a robust local real estate market, the Village at Mill Pond has been slow to find buyers
21 for its houses. The architects conclude that the project "overshot the mark", that is, that it aimed
22 too high on its level of quality, resulting in higher home prices than the market will support.
23 The developer acknowledges that it is committed to this higher level of quality but hopes that it
24 might be allowed a few efficiencies in design and construction that can reduce construction
25

1 costs - and home prices - without affecting quality. The architects believe that the last
2 remaining Amendments in dispute, if approved, will not impair the integrity of the project or
3 run afoul of the project's design concept. Conversely, the DRB and City Staff fear that the last
4 few requested Amendments will injure the project's promise of a rich, complex diversity of
5 character.

6 The following Findings address both the uncontested and contested Proposed
7 Amendments in their order in the application.

8 FINDINGS OF FACT

9 Proposed Amendment 1.

10 Homes should have significant variations in the floor plans, which allows for
11 variety in the massing of the home, **with the exception that townhomes may**
have the same floor plan within each building.

12 1. The Applicant seeks this modification to clarify any confusion over the right to
13 have each townhome within a building utilize the same floor plan. This will allow for
14 consistency in the exterior appearance of the building, economy in construction and clarity in
15 design.

16 2. DRB and City Staff support the Amendment.

17 Proposed Amendment 2.

18 No more than two of the same model in elevation will be built **within six**
19 **contiguous lots** ~~(within eight contiguous lots).~~

20 3. The design standards currently limit two of the same house design per eight
21 contiguous lots. The Applicant seeks to reduce this requirement to two per six contiguous lots.
22
23
24
25

1 4. The Applicant argues that there are currently eighteen model options available in
2 the development but several models are more popular than others. The current limitation of two
3 of the same model per eight contiguous lots restricts the options available to homebuyers.
4 Allowing more of the same models will address consumer demand and reduce construction
5 costs.

6 5. The DRB and City Staff disagree. The Village at Mill Pond has been promoted
7 on the concept of a diverse appearance of housing styles, giving added character to the
8 community. Indeed, the Master Plan promises that "there will be a wide range of variety,
9 complexity and richness inherent in the varying housing types and styles". The proposed
10 Amendment runs counter to this promise. Allowing more intense use of certain models will
11 harm this diversity, especially as it moves into Phase 2.
12

13
14 Proposed Amendment 3.

15 Each model will have ~~at least two different massing solutions and~~ a variety of
16 color schemes.

17 6. The Applicant proposes this amendment to eliminate the need to have "at least
18 two different massing solutions".

19 7. The term "massing" is not defined in the City's Development Regulations.
20 Wikipedia defines "massing" as:

21 "The structure in three dimensions (form), not just its outline from a single
22 perspective (shape). Massing influences the sense of space which the building
23 encloses, and helps to define both the interior space and the exterior shape of the
24 building . . . From a distance, massing, more than any other architectural detail,
25 is what creates the most impact on the eye. Architectural details or ornaments
serve to reinforce massing. Because it has a direct relation to the visual impact a
building makes, massing is one of the most important architectural design
considerations."

1 8. The Applicant again notes that it already has eighteen separate single-family
2 models. The requirement of having at least two different massing solutions for each model
3 effectively requires the development to have thirty-six different model homes. The Applicant
4 believes that this is unnecessary and unduly expensive. It adds that the City has not required the
5 second massing solution for each model during Phase 1 and questions why it is necessary for
6 later phases.

7
8 9. The City concedes that it has not required a second massing solution for each
9 model during Phase 1 but only because there have not been enough houses constructed to
10 require it. The City believes that the requirement of a second massing solution will become
11 increasingly important as the project moves into Phase 2. As the number of homes increase, the
12 diversity of house appearances becomes more important.

13 10. The City adds that changing colors and adding a few structural details is not
14 sufficient to mask the sameness of house designs over a larger area. Additional massing
15 solutions will ensure the diversity of character promised by the development.

16
17 Proposed Amendment 4.

18 ~~Side windows shall be located so as not to be directly in line with a neighbor's~~
19 ~~side window.~~

20 11. The Applicant requests that this requirement be stricken in its entirety so that
21 windows in one house can be directly aligned with windows in the adjoining house.

22 12. The Applicant argues that the project "suffers from its own high level of quality",
23 that is, its homes promise a greater number of windows along the sides of the house than are
24 currently found in most developments. These windows add natural lighting and improve the
25

1 overall quality of the house. Unfortunately, they also raise the likelihood that the windows on
2 the side of one house will align with those on the adjoining house. Houses in Phase 1 have been
3 required to be constructed in a manner which avoids this occurrence. The Applicant complains
4 that this requirement adds substantially to the cost of design and construction.

5 13. The Applicant argues that concerns over privacy can be easily addressed through
6 window coverings. A similar approach has been applied to other developments in the City
7 including Woodbury Crossing.
8

9 14. The City responds that many of the homes in the development are very close to
10 one another. Allowing side windows to be aligned would allow full and direct views into
11 neighbor's residences, eliminating all privacy. The City adds that the Applicant's suggestion of
12 using window coverings greatly reduces the benefit of having constructed the windows in the
13 first place.

14 15. The City argues that avoiding the alignment of windows maintains a sense of
15 privacy between adjacent residences. OMC 18.05A.290 requires that, to the extent practical,
16 privacy is to be maintained between adjoining residences.

17 16. The City acknowledges that it has allowed for some overlap of windows during
18 the construction of Phase 1. Attachment 5 to the Staff Report is a Memorandum dated April 20,
19 2017, which declares that "up to a twelve inch overlap of the side windows is allowed and will
20 not be considered to be directly aligned with one another".
21
22
23
24
25

1 Proposed Amendment 5 (Single-Family) and Amendment 16 (Apartments).

2 Any vertical changes in material in a vertical wall, such as from brick to wood,
3 shall wrap the corners no less than 24 inches. ~~The material change shall occur at~~
4 ~~an internal corner or a logical transition such as aligning with a window edge or~~
5 ~~chimney.~~

6 17. The Applicant argues that the term "logical transition" is subjective and the
7 second sentence is unnecessary.

8 18. The DRB and City Staff concur that the second sentence is unnecessary and
9 should be stricken.

10 Proposed Amendment 6 (Single-Family) and Amendment 17 (Apartments).

11 Any horizontal transition in material on a wall surface, such as shingle to lap
12 siding, shall have a material separation, such as trim band board. **Brick or**
13 **cultural stone are considered material separation. Trim band boards are**
14 **not required at horizontal brick or stone transition.**

15 19. The Applicant requests that the last two sentences be added to this requirement.
16 The sentences better define the purpose of the first sentence and offer useful guidance.

17 20. The DRB and City Staff concur with the Applicant's request to add the two
18 additional sentences to this condition subject, however, to added language requiring a ledge or
19 cap on the brick or cultured stone to provide a transition. City Staff therefore recommends that
20 the Proposed Amendment be revised as follows:

21 "Any horizontal transition in material on a wall surface, such as shingle to lap
22 siding, shall have a material separation, such as trim band board. **Brick or**
23 **cultural stone with a ledge or cap are considered a material separation.**
24 **Trim band boards are not required at horizontal brick or stone transition."**

25 21. The Applicant concurs with the change suggested by City Staff.

1 Proposed Amendment 7.

2 Front doors shall be made of vertical grain fir (finished to allow natural wood to
3 show) **or insulated fiberglass with a wood texture and painted finish**; all
4 other doors shall be made of wood, insulated fiberglass, or insulated metal.

5 22. The Applicant requests the addition of the highlighted language to allow the use
6 of insulated fiberglass front doors with a wood texture. The Applicant argues that fiberglass
7 doors can offer a greater variety in color; are more durable and having longer lasting finishes;
8 and provide a similar look and appearance to wood doors.

9 23. City Staff concurs with the Applicant. Fiberglass doors are already allowed for
10 use as garage doors. Allowing them to be used for front doors is consistent with other design
11 criteria.

12
13 Proposed Amendment 8.

14 **Townhome entry doors may be located next to each other.**

15 24. The Applicant requests the addition of this requirement to allow side-by-side
16 front entry doors on townhomes. The Applicant argues that this will allow better symmetry and
17 simplified construction.

18 25. City Staff concurs with the requested Amendment so long as language is added
19 requiring the doors to be either offset or have a divider between them, such as a railing. City
20 Staff recommends that this proposed Amendment be revised as follows:

21 **"Townhome entry doors may be located next to each other if the doors are**
22 **offset or a divider between the doors, such as a railing, is provided to**
23 **enhance a sense of privacy."**

24 26. The Applicant agrees with the additional language proposed by the City.

1 Proposed Amendment 9.

- 2 • Overhead garage doors shall be paneled, must have inset windows and
3 shall be in style that's consistent with Craftsman Bungalow theme.
4 • Overhead garage doors may be wood, insulated fiberglass, or metal.

5 27. The Applicant requests this change to clarify that this requirement is for
6 overhead garage doors, not other doors. Again, this is not intended to change the criteria but
7 merely to provide clarification.

8 28. The City approves the requested Amendment on the condition that there be
9 added language requiring garage doors (that are not overhead doors) to be paneled and in
10 character with the home if the door is visible from the street. The City therefore recommends
11 that this proposed Amendment be revised as follows:

12 **"Overhead garage doors shall be paneled, must have inset windows and shall be**
13 **in style that's consistent with Craftsman Bungalow theme. Overhead garage**
14 **doors may be wood, insulated fiberglass, or metal. Garage doors that are not**
15 **overhead doors shall be paneled and in character with the home if the door**
16 **is visible from the street."**

17 29. The Applicant accepts the City's additional language.

18 Proposed Amendment 10 (Single-Family) and Amendment 18 (Apartments).

19 Provide, relief, detail, and variation on the façade ~~by utilizing well proportioned~~
20 ~~openings that are designed to create shade and shadow detail.~~

21 30. The Applicant asks that the last portion of the requirement be stricken. It argues
22 that the term "well portioned" is subjective and lacks clarity. It further argues that the opening
23 clause is self sufficient and the remaining language is redundant and possibly confusing.

24 31. The City opposes the requested change. The term "well proportioned" is found
25 in OMC 18.05A.225. Since the language is drawn from the City's ordinances, its removal
26 would lead to unnecessary confusion.

1 Proposed Amendment 11 (Single-Family) and Amendment 19 (Apartments).

- 2 • Windows that are wider than tall are allowed when the following
3 mullion divides and proportions are used which make the windows look
4 taller than wide;
5 • A wide center vertical meeting stile in conjunction with;
6 • A wide (2" minimum) horizontal muntin at the mid-point of
7 the window to create an upper and lower, and;
8 • Narrow grid divides in the upper portion.

9 32. The Applicant requests the addition of this language to provide greater flexibility
10 in the design of windows while still maintaining the intent of the design criteria.

11 33. The City generally agrees with the Applicant but only with respect to windows
12 not facing a street or open space area. The additional language will allow some flexibility for
13 the design of windows not visible from public areas while still holding to the design criteria for
14 vertically proportioned windows facing the street, thus satisfying the requirements of OMC
15 18.05A.225. The City therefore recommends that the proposed Amendment be modified to read
16 as follows:

17 **"For windows not facing a street or open space area:**

- 18 • **Windows that are wider than tall are allowed when the**
19 **following mullion divides and proportions are used which make the**
20 **windows look taller than wide;**
21 • **A wide center vertical meeting stile in conjunction with;**
22 • **A wide (2" minimum) horizontal muntin at the mid-**
23 **point of the window to create an upper and lower, and;**
24 • **Narrow grid divides in the upper portion."**

25 Proposed Amendment 12 (Single-Family) and Amendment 20 (Apartments).

Windows shall have trim on all four sides. Trim must be appropriate to the
architectural character. ~~Windows shall be either recessed or protruding (such as a~~
~~bay window).~~ Windows not facing the front or street may be 'picture framed'
with same size trim piece around all four sides.

1 34. The Applicant concurs with City's added language.

2 35. The Applicant requests the elimination of the second sentence and the addition of
3 the third sentence. The Applicant believes the second sentence is unclear as it suggests that
4 all windows must be bay windows. The proposed additional sentence helps clarify that
5 windows not visible to the public may enjoy simpler framing.

6 36. The City agrees in part with the recommended changes. It agrees that the phrase
7 "such as a bay window" is unnecessary and possibly confusing, and that it should be eliminated.
8 It also agrees that the proposed additional sentence would be useful. The City therefore
9 recommends that these amendments be rewritten as follows:
10

11 "Windows shall have trim on all four sides. Trim must be appropriate to the
12 architectural character. Windows shall be either recessed or protruding ~~(such as~~
~~a bay window).~~ **Windows not facing the front or street may be 'picture**
13 **framed' with same size trim piece around all four sides.**"

14 37. The Applicant agrees with the added language.

15 Proposed Amendment 13 (Single-Family) and Amendment 21 (Apartments).

16 At least two of the following features will be used **at the front of the house and**
17 **at each street facing or public open space façade:** (a) Shutters, (b) Flower
18 Boxes, (c) Knee Braces, (d) Columns.

19 38. The Applicant proposes the addition of the highlighted language to clarify that
20 these features will be required only at the front of the house and at other areas of public
21 viewing. This will clarify that these details do not extend to the sides or backs of houses where
22 there is no visibility from the street. Houses on corner lots or adjacent to public open spaces
23 will still need to meet these requirements.

24 39. The City concurs with this Proposed Amendment without any recommended
25 changes.

1 Proposed Amendment 14 (Single-Family) and Amendment 22 (Apartments).

2 Develop landscape in layers. ~~Low at street level and then~~ **Provide low**
3 **landscaping near sidewalks**, foundation plantings at foundation, ~~with~~ **and**
4 specimen trees as intermediate layer.

5 40. The Applicant originally proposed this change to clarify the location of
6 landscape plantings. The City responded that the existing language is consistent with the
7 approved current landscape plan and that any change would therefore be inappropriate. The
8 Applicant agrees and has dropped these Proposed Amendments.

9
10 Proposed Amendment 15.

11 Rear and side yard fencing (4 to 6 ft in height) shall be of a consistent design
12 throughout. Side yard fencing shall be set back at least ~~4'~~ **20'** from front of home.

13 41. The Applicant requests this change to allow fences to begin much closer to the
14 front street. A fence setback of 4 feet provides a more usable side yard, engages the street better
15 and improves security.

16 42. The City concurs with the Applicant provided that there is additional language
17 that fences constructed closer than 20 feet from the front of the home shall be offset from a
18 neighboring side yard fence at a minimum distance of 2 feet. The City therefore recommends
19 that this Amendment be revised as follows:

20 "Rear and side yard fencing (4 to 6 ft in height) shall be of a consistent design
21 throughout. Side yard fencing shall be set back at least ~~4'~~ **20'** from front of
22 home, **provided that a fence constructed closer than 20 feet from the front of**
the home shall be offset from a neighboring side yard fence at a minimum
distance of 2 feet."

23 43. The Applicant agrees with the City's requested changes to the Amendment.
24
25

Proposed Amendment 15-A.

Secondary roof pitch perpendicular to primary roof pitch that does not face street or public open space can be 5:12 slope.

44. The Applicant asks for this Amendment to allow secondary roof slopes at the rear or sides of single-family homes to be of a lower slope. This will accommodate a variety in massing and allow for greater flexibility in floor plans. These secondary roof pitches would not be allowed to face the street or open public areas.

45. City Staff agrees with the Applicant's reasoning and recommends the approval of the Proposed Amendment without change.

ANALYSIS

To the credit of the Applicant, the DRB and City Staff, the majority of Proposed Amendments have either been accepted as is (Amendments 1, 5, 7, 13, 15-A, 16, and 21) or with accepted modifications (Amendments 6, 8, 9, 11, 12, 15, 17, 19, and 20) or have been rescinded by agreement (Amendments 14 and 22). This leaves only five Proposed Amendments subject to further discussion.

It goes without saying that it to everyone's benefit - the Applicant's, the City's and, perhaps most importantly, those who have already purchased homes - to have the Mill Pond Development completed and functioning as a community. Proposed Amendments which increase efficiencies in design and construction without harm to the character of the development should be encouraged and, indeed, are reflected by the many Amendments supported by City Staff.

1 The difficulty lies in those Proposed Amendments having the potential to adversely
2 impact the promised design concept. The Applicant believes that the five contested
3 Amendments will provide greater efficiencies without harm to the project's design. The DRB
4 and City Staff respectfully disagree and believe that these last Amendments will erode
5 fundamental concepts in the project's design. After carefully reviewing the positions of both
6 parties, I concur with the recommendations of the DRB and City Staff that these remaining
7 Amendments should be denied. My only deviation from the City's position is that I would
8 support Proposed Amendment 4 (relating to the alignment of windows with those in adjoining
9 houses) to the extent of the City Staff's current policy of allowing up to a twelve-inch overlap.
10

11 The following is a more complete analysis of these remaining contested Amendments.

12 Proposed Amendments 2 and 3. Proposed Amendment 2 would allow the same model
13 to be utilized twice within six contiguous lots (as opposed to eight contiguous lots) while
14 Proposed Amendment 3 would eliminate the need for two different massing solutions for each
15 model. While each of these Proposed Amendments would have a different impact on the
16 development, they share a common theme of improving construction efficiencies by reducing
17 the diversity of housing styles. The City correctly notes that the Village at Mill Pond promised
18 of a rich and complex diversity in its residences. City Staff has a legitimate reason to fear that
19 this diversity will be lost if the same popular house models, without meaningful variation in
20 their massing, are allowed to dominate the development. Stated slightly differently, while these
21 requested changes would undoubtedly improve the efficiency of development, they would do so
22 at a significant cost to the design concept. This is especially true as the development moves into
23 the second and third phases and the number of similar looking homes becomes more apparent.
24

1 A variety of colors and variation in detail will not sufficiently mask this sameness. I therefore
2 concur with the DRB that these two Amendments should be denied.

3 Proposed Amendment 4. The Applicant asks for greater ability to align side windows in
4 one house with those in an adjoining house. The Applicant suggests that it is being punished to
5 a certain extent for its liberal use of side windows to increase the aesthetics and quality of its
6 homes. The Applicant also suggests that much of the problem can be simply remedied through
7 window coverings as has been done in other developments. I respectfully disagree and join the
8 DRB in opposing this Amendment, at least as currently written. I concur with City Staff that
9 the City's ordinances, particularly OMS 18.05A.290, encourages the maintenance of privacy
10 between adjoining residences to the fullest extent practical. It is to be remembered that these
11 homes are being constructed on relatively narrow lots leaving little room between residences.
12 In this context, the direct alignment of windows will effectively eliminate any privacy. The
13 Applicant's suggestion of adding window coverings will restore privacy but at the cost of
14 largely eliminating the windows' purpose.
15

16 Nonetheless, I see no harm in formally recognizing the City's current policy of allowing
17 a twelve-inch overlap. There is no evidence that this policy has caused a significant loss of
18 privacy and, at the same time, offers the Applicant a certain degree of flexibility. I therefore
19 recommend that the Proposed Amendment be approved in a limited format, allowing for a
20 twelve-inch overlap in windows as is currently done. I recommend the approval of Proposed
21 Amendment 4 as modified as follows:
22

23 "Side windows shall be located so as to not be directly in line with a neighbor's
24 side window. Up to a twelve-inch overlap of the side windows is allowed and
25 will not be considered to be directly aligned with one another."

1 Proposed Amendments 10 and 18. The Applicant asks to eliminate certain language in
2 the Design Criteria that requires "well proportioned openings to create shade and shadow
3 detail." The Applicant argues that this language is vague and therefore troublesome and
4 difficult to implement. City Staff responds that this language is taken directly from OMC
5 18.05A.225. I agree with DRB and City Staff that this Design Criteria merely incorporates the
6 requirements of the ordinance and should therefore be maintained. Its removal could lead to the
7 unintended suggestion that the ordinance has been amended. Retention of the challenged
8 language will merely confirm that the conditions imposed by the ordinances remain in effect. I
9 therefore concur in the recommendation that this Amendment be denied.
10

11 SUMMARY

12 Based upon the foregoing Findings and Analysis I recommend that the Proposed
13 Amendments to the Design Criteria be **approved/denied** as follows:

14 **Proposed Amendment 1** should be **approved as is** and read as follows:

15 Homes should have significant variations in the floor plans, which
16 allows for variety in the massing of the home, with the exception that
townhomes may have the same floor plan within each building.

17 **Proposed Amendment 2** should be **denied**.

18 **Proposed Amendment 3** should be **denied**.

19 **Proposed Amendment 4** should be **partially approved** to read as follows:

20 Side windows shall be located so as to not be directly in line with a
21 neighbor's side window. Up to a twelve-inch overlap of the side
22 windows is allowed and will not be considered to be directly aligned with
one another
23
24
25

1 **Proposed Amendments 5 (Single-Family) and 16 (Apartments) should be approved**
2 **as is** and read as follows:

3 Any vertical changes in material in a vertical wall, such as from brick to
4 wood, shall wrap the corners no less than 24 inches.

5 **Proposed Amendments 6 (Single-Family) and 17 (Apartments) should be approved**
6 to read as follows:

7 Any horizontal transition in material on a wall surface, such as shingle to
8 lap siding, shall have a material separation, such as trim band board.
9 Brick or cultural stone with a ledge or cap are considered a material
10 separation. Trim band boards are not required at horizontal brick or stone
11 transition.

12 **Proposed Amendment 7 should be approved as is** and read as follows:

13 Front doors shall be made of vertical grain fir (finished to allow natural wood to
14 show) or insulated fiberglass with a wood texture and painted finish; all other
15 doors shall be made of wood, insulated fiberglass, or insulated metal.

16 **Proposed Amendment 8 should be approved** to read as follows:

17 Townhome entry doors may be located next to each other if the doors are
18 offset or a divider between the doors, such as a railing, is provided to
19 enhance a sense of privacy.

20 **Proposed Amendment 9 should be approved** to read as follows:

21 Overhead garage doors shall be paneled, must have inset windows and shall be in
22 style that's consistent with Craftsman Bungalow theme. Overhead garage doors
23 may be wood, insulated fiberglass, or metal. Garage doors that are not overhead
24 doors shall be paneled and in character with the home if the door is visible from
25 the street.

Proposed Amendment 10 should be denied.

1 **Proposed Amendments 11 (Single-Family) and 19 (Apartments) should be approved**
2 to read as follows:

3 For windows not facing a street or open space area:

- 4 • Windows that are wider than tall are allowed when the following
mullion divides and proportions are used which make the windows
look taller than wide;
- 5 • A wide center vertical meeting stile in conjunction with;
 - 6 • A wide (2" minimum) horizontal muntin at the mid-point
of the window to create an upper and lower, and;
 - 7 • Narrow grid divides in the upper portion.

8 **Proposed Amendments 12 (Single-Family) and 20 (Apartments) should be approved**
9 to read as follows:

10 Windows shall have trim on all four sides. Trim must be appropriate to
the architectural character. Windows shall be either recessed or
11 protruding. Windows not facing the front or street may be 'picture framed'
with same size trim piece around all four sides.

12 **Proposed Amendments 13 (Single-Family) and 21 (Apartments) should be approved**
13 **as is and read as follows:**

14 At least two of the following features will be used at the front of the house
and at each street facing or public open space façade: (a) Shutters, (b)
15 Flower Boxes, (c) Knee Braces, (d) Columns.

16 **Proposed Amendment 14 should be dismissed** as requested by the Applicant.

17 **Proposed Amendment 15 should be approved** to read as follows:

18 Rear and side yard fencing (4 to 6 ft in height) shall be of a consistent
19 design throughout. Side yard fencing shall be set back at least 4' from
front of home, provided that a fence constructed closer than 20 feet from
20 the front of the home shall be offset from a neighboring side yard fence at
a minimum distance of 2 feet.

21 **Proposed Amendment 15-A should be approved as is** and read as follows:

22 Secondary roof pitch perpendicular to primary roof pitch that does not
23 face street or public open space can be 5:12 slope.

24 **Proposed Amendment 18 should be denied.**



EXHIBIT B

OLYMPIA DESIGN REVIEW BOARD RECOMMENDATION

MASTER PLAN AMENDMENT

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

To: Hearing Examiner/City Council

Meeting Date: 3/14/2019

Time: 6:30PM

FROM: Principal Planner Tim Smith

PROJECT NAME: Village at Mill Pond

PROJECT No.: 18-2776

PROJECT ADDRESS: 2400 Lilly Rd NE

PROJECT DESCRIPTION: Amendments to the Design Criteria for the Village at Mill Pond – Master Plan

APPLICANT: Amos Callender, Thomas Architecture Studio, 109 Capitol Way N

ATTENDEES:

P = Present; A = Absent; X = Excused

P	JANE LACLERGUE, Vice chair (Citizen at Large)	P	JOSEPH LAVALLE, (Citizen at Large)	P	CARI HORNBEIN (Senior Planner)
P	DUANE EDWARDS (Citizen at Large)	P	MARNIE MCGRATH (Citizen at Large)	P	TIM SMITH (Principal Planner)
P	ROBERT FINDLAY (Architect)				CATHERINE MCCOY (Associate Planner)
	ANGELA RUSH (Citizen at Large)				NICOLE FLOYD (Senior Planner)
P	JAMI HEINRICHER Chair (Citizen at Large)				PAULA SMITH (Assistant Planner)

The Village at Mill Pond Master Plan Single Family and Apartment/Community Building Design Criteria Recommended Text Amendments

NOTE: The Design Review Board recommendations are as enumerated below. Amendments 1 through 15A pertain to single family dwellings and townhomes. Amendments 16 through 22 address apartment and community building design criteria and are the same as several of the amendments to the single family design criteria. The Board combined amendments in their motions where the same language for both single family and apartments are proposed. For example, Amendment #5 for single family is the

same as Amendment #16 for apartments, so the two amendments were addressed under the same motion.

Elevations and Models:

1. Homes should have significant variations in the floor plans, which allows for variety in the massing of the home, **with the exception that townhomes may have the same floorplan within each building.**
2. No more than two (2) of the same model and elevation will be built **within six continuous lots** ~~within eight contiguous lots.~~
3. Each model will have ~~at least two (2) different massing solutions and~~ a variety of color schemes.

Motion and Vote: Vice Chair Jane Laclergue motioned, seconded by Joseph LaValle, to recommend approval of #1; and not recommend approval of #2 and #3. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Building Placement:

- ~~4. Side windows shall be located so as not to be directly in line with a neighbor's side window.~~

Motion and Vote: Joseph LaValle motioned, seconded by Bob Findlay, to not recommend approval of #4. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Materials:

5. Any vertical changes in materials in a vertical wall, such as from brick to wood, shall wrap the corners no less than 24 inches. ~~The material change shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.~~
6. Any horizontal transition in material on a wall surface, such as shingle to lap siding, shall have a material separation, such as trim band board. **Brick or cultured stone are considered a material separation. Trim band boards are not required at horizontal brick or stone transition.**

Motion and Vote: Vice Chair Jane Laclergue motioned, seconded by Duane Edwards, to recommend approval of #5 and #16; and recommend approval of #6 and #17 with additional language requiring a ledge or cap on the brick or cultured stone to provide a transition. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Entrances to Homes:

7. Front doors shall be made of vertical grain fir (finished to allow natural wood to show) **or insulated fiberglass with a wood texture and painted finish**; all other doors shall be made of wood, insulated fiberglass, or insulated metal.
8. ADD ITEM: **Townhome entry doors may be located next to each other.**
9. **Overhead** garage doors shall be paneled, must have inset windows and shall be in a style that is consistent with the Craftsman Bungalow theme.
Overhead garage doors may be wood, insulated fiberglass, or insulated metal.

Motion and Vote: Joseph LaValle motioned, seconded by Bob Findlay, to recommend approval of #7; recommend approval of #8 with additional language that the doors must either be off-set or a divider between the doors, such as railing, is provided to enhance a sense of privacy; and recommend approval of #9 with additional language that requires garage doors that are not

overhead doors to be paneled and in character with the home if the door is visible from the street.
All in favor: Aye: 5, Nay: 0, Abstain: 0.

Primary Windows:

10. Provide relief, detail, and variation on the façade by ~~utilizing well-proportioned openings that are designed to create shade and shadow detail.~~
11. ADD ITEM: Windows that are wider than tall are allowed when the following mullion divides and proportions are used which make the windows look taller than wide:
 - a. A wide center vertical meeting stile in conjunction with:
 - b. A wide (2" minimum) horizontal muntin at the mid-point of the window to create an upper and lower portion, and;
 - c. Narrow grid divides in the upper portion.
12. Windows shall have trim on all four sides. Trim must be appropriate to the architectural character. ~~Windows shall be either recessed or protruding (such as a bay window).~~ Windows not facing the front or street may be 'picture framed' with same size trim piece around all four sides.

Motion and Vote: Marnie McGrath motioned, seconded by Jami Heinricher, to not recommend approval of #10 and #18; recommend approval of #11 and #19 with additional language that the proposed change applies to windows not facing a street or open space area; and to recommend approval of #12 and #20 as modified by the Board to retain that portion of the sentence: "Windows shall be either recessed or protruding", remove "(such as bay windows)" from the sentence, and add the proposed language regarding picture framed trim as proposed by the applicant. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Architecture Details and Features:

13. At least two of the following features will be used at the front of the house and at each street facing or public open space facade: (a) Shutters, (b) Flower Boxes, (c) Knee Braces, (d) Columns.

Motion and Vote: Vice Chair Jane Laclergue motioned, seconded by Marnie McGrath, to recommend approval of #13 and #21. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Associated Front and Street-side Landscaping and Fencing:

14. ~~Develop landscape in layers. Low at street level and then~~ Provide low landscaping near sidewalks, foundation plantings at foundation, with and specimen trees as intermediate layer.
15. Rear and side yard fencing (4 to 6 ft. in height) shall be of a consistent design throughout. Side yard fencing shall be set back at least 4' ~~20'~~ from front of home.

Motion and Vote: Vice Chair Jane Laclergue motioned, seconded by Duane Edwards, to not recommend approval of #14 and #22; and recommend approval of #15 with additional language stating that fences constructed closer than 20 feet from the front of the home be off-set from a neighboring side yard fence a minimum distance of 2 feet. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Roofs:

- 15.A ADD ITEM: Secondary roof pitch perpendicular to primary roof pitch that does not face street or public open space can be 5:12 slope.

Motion and Vote: Vice Chair Jane Laclergue motioned, seconded by Duane Edwards, to recommend approval of #15A. All in favor: Aye: 5, Nay: 0, Abstain: 0.

Memo Distribution:

- Applicant / Authorized Representative
- DRB Record
- DRB Members
- Parties of Record

Design Criteria

Note: Text shown in ~~strike through~~ is proposed to be removed from the design criteria.
Text shown in *Italics & underline* is proposed to be added to the design criteria.

These criteria supplement the city-wide design criteria and apply only to properties within The Village at Mill Pond. These criteria are intended to allow for a diverse range of building massing, detailing and color while creating a unified community.

The criteria are divided into three sections pertaining respectively to (1) "Single Family" detached housing, including zero-lots, and townhomes; (2) Apartments and Community Buildings; and (3) Commercial Buildings. Each section consists of "intent" statements and "requirements." Compliance with the requirements is necessary; the intent statements provide guidance in interpreting the purpose of the various requirements.

Single Family Building Design Criteria

Elevations and Models

Intent

- To reflect the Craftsman Bungalow architectural theme of the neighborhood.
- To provide a diverse streetscape and a variety of housing stock.
- Homes should have significant variations in the floor plans, which allows for variety in the massing of the home, *with the exception that townhomes may have the same floorplan within each building.*

Requirements

- No more than 2 of the same model and elevation will be built within eight contiguous lots.
- The same model and elevation will not be built next to each other.
- To differentiate the same models and elevations, different colors will be used.
- Each model will have at least 2 different massing solutions and a variety of color schemes.

Massing and Composition

Intent

- To reflect the Craftsman Bungalow architectural theme of the neighborhood.
- To reflect a clear hierarchy of forms and massing with expression of dominant and secondary forms.

Requirements

- Primary building forms shall be the dominating form; secondary formal elements shall include porches, principal dormers, or other significant features.
- Primary porch plate heights shall be one story; but stacked porches are allowed.

Building Articulation

Intent

- To avoid monotonous repetition of elevations along public areas and provide pedestrian scale elements to the streetscape. Articulation may be the connection of an open porch to the building, a dormer facing the street, well-defined entry elements and multiple front yard setbacks.

Requirements

- The primary building elevation oriented toward the street or village green shall have at least one articulation or change in plane. Such primary articulations shall be a minimum of 24 inches.
- A minimum of at least one 12 inch side articulation shall occur for side elevations facing streets or public spaces.

Building Placement

Intent

- Orient homes toward the public realm.
- Buildings will be designed to integrate with activities along the street frontage, village greens, and open spaces.
- All buildings should be sited in a logical way to maximize usable space while providing architectural elements at key locations. Window placement is an essential component to achieving this relationship.
- The open side is the side that is either facing a public street or green, or facing the usable side yard. This elevation should typically have more windows and detailing.

Requirements

- Each home shall have a covered porch, main entry, or main entry walk oriented toward the public realm. Each porch at the main entry shall be a minimum of 5' deep and a minimum of 50 SF in area. A variety of column shapes, consistent with the craftsman style, are allowed. Railings are not required unless otherwise needed for building code compliance.
- Side windows shall be located so as not to be directly in line with a neighbor's side window. Up to a twelve-inch overlap of the side windows is allowed and will not be considered to be directly aligned with one another.
- Within the range of allowable front yard setbacks (10' – 25'), there will be variation; no more than two homes on directly adjacent lots can share the same setback. The next home must vary its setback at least 3'-0".
- Any visible side of a building located on the corner or on the corner of a park, green, or pocket park shall meet the architectural standards of this section. Where a building is located on a corner lot, i.e. - the intersection of two roads or the intersection of a road and common open space, a wrapped porch is the preferred method of reducing the perceived scale of the house and engaging the street or open space on both sides.

Materials

Intent

- Provide a variety of materials appropriate to the architectural character of the building.

Requirements

To ensure a variety of appropriate materials, the following techniques shall be used:

- Any vertical changes in materials in a vertical wall, such as from brick to wood, shall wrap the corners no less than 24 inches. ~~The material change shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.~~
- Any horizontal transition in material on a wall surface, such as shingle to lap siding, shall have a material separation, such as a trim band board. Brick or cultured stone with a ledge or cap are considered a material separation. Trim band boards are not required at horizontal brick or stone transition.
- Acceptable Exterior Wall Material: wood or cementitious lapped siding, board & batten, shingles, standard sized brick (3-1/2 x 7-1/2 inches or 3-5/8 x 7-5/8 inches), stone or simulated stone (2 inch minimum depth). Vinyl siding is not allowed within the development.
- Trim is required around all doors and windows and must be consistent with the building style. The trim must be 3-1/2 inches in width minimum and be used on all elevations. Trim may be cement fiber board, wood, or stone material.

Colors

Intent

- Reduce the monotony of color and tone to create a more diverse palette within the Craftsman Bungalow Theme.
- Color should be used to emphasize building modulation and architectural details.
- A diversity of color should be used on homes (body and trim); consistent with the Craftsman Bungalow theme, as compared with monotonous shades of beige and gray throughout the community.
- Integrate the gutters and downspouts into the home's color scheme. Gutters and downspouts should reflect the architectural character of the home.

Requirements

- Provide at least three colors on buildings to reflect material changes and individuality of the residence.
- Gutters shall be painted of an integral color to closely match or complement either the body or trim color.

Roofs

Intent

- Provide variety of roof forms and profiles that add character and relief to the streetscape.
- Overhangs and eaves should be detailed and proportioned to compliment the architectural style of the home.

Requirements

- Primary roof pitches shall be a minimum of 6:12.
- Secondary roof pitch perpendicular to primary roof pitch that does not face street or public open space can be 5:12 slope.
- Porch roofs can be lower slope than 6:12.

- Roof overhangs, except for porches, shall be a minimum of 12 inches (excluding gutter) and a maximum of 36 inches, not including gutters and any other ornamental features.
- Roof material shall be fire retardant and shall consist of one of the following materials: architectural grade composition shingles, standing seam metal (pre-finished or copper), slate, or simulated slate.
- Bright color reflective roofing material is prohibited.

Entrances to Homes

Intent

- Design entrances that become a focal point of the buildings and allow space for social interaction.
- The style of front doors should be integral to the character of the homes.

Requirements

- Porches or stoops are required on all homes.
- Stoops and porches shall be raised above the grade except where access (ADA) is a priority. An accessible route may also be taken from a front driveway.
- Front doors shall face a street, park, common green, pocket park, or pedestrian easement.
- Front doors shall be made of vertical grain fir (finished to allow natural wood to show); or insulated fiberglass with a wood texture and painted finish; all other doors shall be made of wood, insulated fiberglass, or insulated metal.
- Front doors shall be paneled and may also have inset windows.
- Townhome entry doors may be located next to each other if the doors are offset or a divider between the doors, such as a railing, is provided to enhance a sense of privacy.
- Sidelights, maximum of 12" wide, are allowed at front doors. Material must be the same as adjacent front door or adjacent windows.
- Sliding glass doors are not prohibited along frontage elevation.
- Paired (double) front doors are prohibited.
- Head and jamb trim is required around all doors.
- Overhead Garage doors shall be paneled, must have inset windows and shall be in style that's consistent with Craftsman Bungalow theme.
- Overhead Garage doors may be wood, insulated fiberglass, or insulated metal.
- Garage doors that are not overhead doors shall be paneled and in character with the home if the door is visible from the street.

Primary Windows

Intent

- Use windows that are integral to the character of the homes.

Requirements

- Provide relief, detail, and variation on the façade by utilizing well proportioned openings that are designed to create shade and shadow detail.
- Primary windows shall be proportioned vertically rather than horizontality, i.e. – shall be taller than wide. Vertical windows may be combined together to create a larger window area.

- For windows not facing a street or open space area:
 - Windows that are wider than tall are allowed when the following mullion divides and proportions are used which make the windows look taller than wide:
 - A wide center vertical meeting stile in conjunction with:
 - A wide (2" minimum) horizontal muntin at the mid-point of the window to create an upper and lower, and;
 - Narrow grid divides in the upper portion.
- Windows shall have trim on all four sides. Trim must be appropriate to the architectural character. Windows shall be either recessed or protruding ~~(such as a bay window)~~. Windows not facing the front or street may be 'picture framed' with same size trim piece around all four sides.
- Any divided light windows must either be true divided light or have properly proportioned mullions applied to the window. Individual panes must be vertically proportioned or square.
- Acceptable window materials: frame: wood, vinyl, fiberglass, aluminum; glass: clear, double glazed (min).

Chimneys

Intent

- Any chimneys should reflect the architectural style of the home.
- Chimney form and shape should reflect the proportions of masonry tradition.
- Overly stylistic chimneys are discouraged.

Requirements

- Chimneys above the roof shall be at least 20 inches x 24 inches as measured in plan view.
- Skinny long chimneys out of concert with the house proportions or not naturally anchored into the roof forms and walls are prohibited.
- For materials allowed and prohibited on chimneys, see "Materials Requirements" for "Acceptable Exterior Wall Material" (page 234).

Columns, Trim and Corner Boards

Intent

- Design columns, trim work, and corner boards to add visual detail to the house.
- Columns, trim, and corner boards should reflect the architectural character of the home.

Requirements

- Character columns shall relate to the home's architectural style. Exposed 4x4 or 6x6 posts are prohibited.
- Metal corner clips or corner boards shall be used at corners where siding is used. Corner boards shall be a minimum of 2-1/2 inch in width. Corner boards shall be painted to match the building style.

Architecture Detail and Features

Intent

- Establish a desirable human scale by the use of shutters, knee braces, flower boxes, and columns.

Requirements

- At least two of the following features will be used at the front of the house and at each street facing or public open space facade: (a) Shutters, (b) Flower boxes, (c) Knee Braces, (d) Columns.
- Any shutters, flower boxes, and ornamental knee braces shall follow the building's architectural style.

Associated Front and Street-side Landscaping

Intent

- To establish a pedestrian oriented "feel" while promoting safety, security and privacy for residents.
- Front and side yards that abut a street should be visually open to the street.
- A variety of trees are recommended to add depth and diversity to the neighborhood.
- Backyards may be designed to suit residents' tastes.

Requirements

- Develop landscape in layers. Low at street level and then foundation plantings at foundation, with specimen trees as intermediate layer.
- For Rear Loaded Townhomes, consider site as one house in development of landscape design. Compose walk(s) and plantings with idea to providing unified identity to building façade.
- Front yard fencing is prohibited.
- Rear and side yard fencing (4 to 6 ft in height) shall be of a consistent design throughout. Side yard fencing shall be set back at least 20' from front of home, provided that a fence constructed closer than 20 feet from the front of the home shall be offset from a neighboring side yard fence at a minimum distance of 2 feet.

Apartment and Community Building Design Criteria

Massing and Composition

Intent

- To reflect the Craftsman architectural theme of the neighborhood.
- To reflect a clear hierarchy of forms and massing with expression of dominant and secondary forms.

Requirements

- Primary building forms such as roof pitch, architectural style, window fenestration, and building modulation shall be the dominating form while secondary formal elements shall include porches, principal dormers, balconies or other significant features.
- Primary porch plate heights shall be one story.

Building Articulation

Intent

- To avoid monotonous streetwalls and to provide pedestrian scale elements to the streetscape.
- To ensure that building elements, such as balconies, complement the building; and to encourage the inclusion of balconies as second and third story outdoor, covered or open living areas.
- Articulation may be the connection of an open porch to the building, a dormer facing the street, or a well-defined entry element.

Requirements

- The primary building elevation oriented toward the street or village center shall have at least one 48 inch or greater articulation or change in plane every 80' in building width.
- A minimum of at least one 12 inch side articulation shall occur for side elevations facing a street or public spaces.
- Entrances to the building(s) or internal courtyards shall be plainly visible from the surrounding public street or primary pedestrian walkways that access the building(s).
- If external stairways are utilized, to the greatest extent possible, they should be screened from direct view from surrounding public streets. The external stairs should be simple, clean, bold projections that incorporate architectural features of the adjacent structure through the use of common wall & roof forms, openings, columns, and materials. Freestanding stairways are prohibited.

Materials

Intent

- Provide a variety of materials appropriate to the architectural character of the building.

Requirements

- Any vertical changes in materials in a vertical wall, such as from brick to wood, will wrap the corners no less than 24 inches. ~~The material change shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.~~
- Any horizontal transition in material on a wall surface, such as shingle to lap siding, shall have a material separation, such as a trim band board. Brick or cultured stone with a ledge or cap are considered a material separation. Trim boards are not required at horizontal brick or stone transition.

- Acceptable Exterior Wall Material: wood or cementitious lapped siding, board & batten, shingles, standard sized brick (3-1/2 x 7-1/2 inches or 3-5/8 x 7-5/8 inches), stone or simulated stone (2 inch minimum depth). Vinyl siding is not allowed within the development.
- Trim is required around all doors and windows and must be consistent with the building style. The trim must be 3-1/2 inches in width minimum and be used on all elevations. Trim may be cement fiber board, wood, or stone material.
- Porches and balconies shall have open railings of painted wood consistent with the chosen architectural style.

Colors

Intent

- To create a consistent level of quality while allowing project identity and variety.
- Colors should be used to emphasize building modulation and architectural details.
- A diversity of color should be used on homes (body and trim); consistent with the Craftsman theme, as compared with monotonous shades of beige and gray.
- Integrate the gutters and downspouts into the building's color scheme. Gutters and downspouts should reflect the architectural character of the building.

Requirements

- Provide at least three colors on buildings to reflect material changes and enhance the architectural character of the building.
- Gutters shall be painted of an integral color to closely match or complement either the body or trim color.

Roofs

Intent

- Provide variety of roof forms and profiles that add character and relief to the streetscape.
- Overhangs and eaves should be detailed and proportioned to compliment the architectural style of the building.
- Dormers are encouraged and should complement the façade and align with windows, doors or façade modulation.

Requirements

- Primary roof pitches shall be a minimum of 6:12.
- Porch roofs can be lower slope than 6:12.
- Roof overhangs, except for porches, shall be a minimum of 12 inches (excluding gutter) and a maximum of 36 inches, not including gutters and any other ornamental features.
- Roof material shall be fire retardant and shall consist of one of the following materials: architectural grade composition shingles, standing seam metal (pre-finished or copper), slate, or simulated slate.
- Bright color reflective roofing material is prohibited.

Doors

Intent

- Use front doors that are integral to the character of the building.

Requirements

- Front doors shall be made of wood, insulated fiberglass, or insulated metal.
- Front doors shall be paneled and may also have inset windows.
- Paired (double) front doors are prohibited.
- Head and jamb trim is required around all doors.
- Sidelights, maximum of 12" wide, are allowed at front doors. Material must be the same as adjacent front door or adjacent windows.

Primary Windows

Intent

- Use windows that are integral to the character of the buildings.

Requirements

- Provide relief, detail, and variation on the façade by utilizing well proportioned openings that are designed to create shade and shadow detail.
- Primary windows shall be proportioned vertically rather than horizontally, i.e. – shall be taller than wide. Vertical windows may be combined together to create a larger window area.
- For windows not facing a street or open space area:
 - Windows that are wider than tall are allowed when the following mullion divides and proportions are used which make the windows look taller than wide;
 - A wide center vertical meeting stile in conjunction with:
 - A wide (2" minimum) horizontal mullin at the midpoint of the window to create an upper and lower, and;
 - Narrow grid divides in the upper portion.
- Windows shall have trim on all four sides. Trim must be appropriate to the architectural character. Windows shall be either recessed or protruding ~~(such as a bay window)~~. Windows not facing the front or street may be 'picture framed' with same size trim piece around all four sides.
- Any divided light windows must either be true divided light or have properly proportioned mullions applied to the window. Individual panes must be vertically proportioned or square.
- Acceptable window materials: frame: wood, vinyl, fiberglass, aluminum; glass: clear, double glazed (min).

Chimneys

Intent

- Any chimneys should reflect the architectural style of the building. Overly stylistic chimneys are discouraged.

Requirements

- Chimneys above the roof shall be at least 20 inches x 24 inches as measured in plan view.
- Chimney form and shape shall reflect the proportions of masonry tradition. Skinny long chimneys out of concert with the building proportions or not naturally anchored into the roof forms and walls are prohibited.
- For materials allowed and prohibited on chimneys, see “Materials Requirements” for “Acceptable Exterior Wall Material” (page 279).

Columns and Trim and Corner Boards

Intent

- Design columns, trim work, and corner boards to add visual detail to the building.
- Columns, trim, and corner boards should reflect the architectural character of the building.

Requirements

- Character columns shall relate to the building's architectural style. Exposed 4x4 posts are prohibited.
- Metal corner clips or corner boards shall be used at corners where siding is used. Corner boards shall be a minimum of 2-1/2 inch in width. Corner boards shall be painted to match the building style.

Architecture Detail and Features

Intent

- Establish a desirable human scale next to pedestrian routes by the use of shutters, knee braces, flower boxes, and columns.

Requirements

- At least two of the following features will be used at the front of the house and at each street facing or public open space facade: (a) Shutters, (b) Flower boxes, (c) Knee Braces, (d) Columns.
- Any shutters, flower boxes, and ornamental knee braces shall follow the building's architectural style.

Associated Landscaping

Intent

- To establish a pedestrian oriented apartment building “feel” while promoting safety, security and privacy for residents. Minimize the use of fencing and site walls.
- Front and side yards that abut a street should be visually open to the street.
- A variety of plantings are recommended to add depth and diversity to the neighborhood.

Requirements

- Develop landscape in layers. Low at street level and then foundation plantings at foundation, with specimen trees as intermediate layer.
- Landscape parking islands with trees, shrubs and groundcover.
- Landscape front, rear and side yards to help reduce the mass appearance of the buildings and to help blend into the surrounding neighborhood.

- Screen solid waste and recycling areas with fencing consistent with City of Olympia codes.
- Install fencing and site walls only where safety or security are needed or landscape/plant materials alone are insufficient in screening.

Lighting

Intent _____

- To promote safety, security, and privacy within the building and parking areas.

Requirements

- Provide lighting on all building entries including entry stairways, doorways, patios and decks. The style of all building lighting shall be consistent with the architectural character of the building.
 - Provide lighting in all parking areas as needed for safety.
 - Provide pedestrian scale lighting at all sidewalks as needed for safety.
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Commercial Building Design Criteria

Massing, Composition & Articulation

Intent

- To reflect the Craftsman architectural theme of the neighborhood.
- To reflect a clear hierarchy of forms and massing with expression of dominant and secondary forms; and to avoid monotonous repetition of elevations along public areas and provide pedestrian scale elements to the streetscape.

Requirements

- Primary building forms shall be the dominating form while secondary formal elements will include principal dormers, or other significant features.
- Storefront façade shall consist of multiple bays of windows and piers.
- The primary building elevation oriented toward the street or village green shall have at least one articulation or change in plane of at least 48 inches at least every 40 feet.
- A minimum of at least one side articulation of at least 12 inches every 30 feet shall occur for side elevations facing street or public spaces.
- There shall be a masonry veneer (brick, stone or simulated stone) base, a minimum of 3 feet in height, on 30 % minimum of the building's façade.

Building Placement

Intent

- To allow opportunities for an active, street-oriented commercial district and to minimize the distance to the community green.
- All buildings should be sited in a logical way to maximize usable space while providing architectural elements at key locations.

Requirements

- Sidewalk at front façade, facing village green and parking area, shall be a minimum of 15' to allow for outdoor display and/or dining.
- Primary architectural features shall face the village green/parking area and all other public streets.

Materials

Intent

- Use a variety of materials appropriate to the architectural character of the building.

Requirements

Where more than one material is used the following techniques shall be used:

- Any vertical changes in materials in a vertical wall, such as from brick to wood, will wrap the corners no less than 24 inches. The material change shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.
- Any horizontal transition in material on a wall surface, such as shingle to lap siding, shall have a material separation, such as a trim band board.
- Acceptable Exterior Wall Material: wood or cementitious lapped siding, board & batten, shingles, standard sized brick (3-1/2 x 7-1/2 inches or 3-5/8 x 7-5/8 inches), stone or simulated stone (2 inch minimum depth).
- Trim is required around all doors and windows and must be consistent with the building style. The trim must be 3-1/2 inches in width minimum and be used on all elevations. Trim may be cement fiber board, wood, or stone material. Vinyl siding is not allowed within the development.

Colors

Intent

- To create a consistent level of quality while allowing project identity and variety.
- Colors should be used to emphasize building modulation and architectural details.
- A diversity of color should be used on buildings (body and trim); consistent with the Craftsman theme, as compared with monotonous shades of beige and gray.
- Integrate the gutters and downspouts into the building's color scheme. Gutters and downspouts should reflect the architectural character of the building.

Requirements

- Provide at least three colors on buildings to reflect material changes and enhance the architectural character of the building.
- Gutters shall be painted of an integral color to closely match or complement either the body or trim color.

Roofs

Intent

- Provide variety of roof forms and profiles that add character and relief to the streetscape.
- Buildings should reflect a complementary architectural style in relationship with adjacent apartment buildings and single family homes in the neighborhood.
- Overhangs and eaves should be detailed and proportioned to compliment the architectural style of the building.
- Dormers are encouraged and should complement the façade and align with windows, doors or façade modulation.

Requirements

- Any gable forms on the public sides shall be a minimum of 6:12. Limited flat roofs are allowed as required for mechanical equipment. All mechanical equipment shall be visually screened from public view.
- Roof overhangs, except for porches, shall be a minimum of 12 inches (excluding gutter) and a maximum of 36 inches, not including gutters and any other ornamental features.

- Roof material shall be fire retardant and shall consist of one of the following materials: architectural grade composition shingles, standing seam metal (pre-finished or copper), slate, or simulated slate.
- Bright color reflective roofing material is prohibited.
- Gravel and red tile roofs are prohibited.

Awnings, Balconies, Arcades & Marquees

Intent

- To identify entryways, to provide shelter along sidewalks and opportunities for signage.
- An awning, porch or roof cover may be used for building entryways.

Requirements

- All commercial entries shall have awnings.
- Awning materials acceptable: wood, metal, glass, and fabric awnings.
- Awning projections must be a minimum of 5 foot deep.
- Signage is allowed on the awnings.
- Translucent, backlit awnings are prohibited.

Associated Signage

Intent

- To create the ability to display business signs while not overpowering the architectural style of the building.
- Signage perpendicular to front façade, mounted from awnings or building façade is preferred under or adjacent to awnings.

Requirements

- Freestanding, backlit, plastic signs are not allowed.
- Wall mounted signage, sizes consistent with City of Olympia Code, is allowed on façade facing public street and on façade facing parking/village green.
- Blade sign mounted on roof cover is allowed (i.e. canopy, awning, etc).

Doors

Intent

- Use front doors that are integral to the character of the buildings.

Requirements

- Doors shall be made of wood, fiberglass, steel or aluminum.
- Sliding glass doors are prohibited along frontage elevations.
- Overhead doors are allowed if fully glazed.
- Head and jamb trim is required around all doors.

Primary Windows

Intent

- Use windows that are integral to the character of the buildings. Maximize store display windows.

Requirements

- Provide relief, detail, and variation on the façade by utilizing well proportioned openings that are designed to create shade and shadow detail.
- Primary/store front windows shall be proportioned to be consistent with the architectural character of the building.
- All windows shall have a trim on all sides.
- Trim must be appropriate to the architectural character of the building.
- Acceptable window materials: frame: wood, vinyl, fiberglass, aluminum; glass: clear, double glazed (min).

Chimneys

Intent

- Any chimneys should reflect the architectural style of the building. Chimney form and shape shall reflect the proportions of masonry tradition. Overly stylistic chimneys are discouraged.

Requirements

- Chimneys above the roof shall be at least 20 inches x 24 inches as measured in plan view.
- Skinny long chimneys out of concert with the building proportions or not naturally anchored into the roof forms and walls are prohibited.
- Wood-framed chimney enclosures are permitted.

Columns, Trim and Corner Boards

Intent

- Columns, trim work, and corner boards that add visual detail to the building.
- Columns, trim, and corner boards should reflect the architectural character of the building.

Requirements

- Character columns shall relate to the building's architectural style. Exposed 4x4 or 6x6 inch posts are prohibited.
- Use metal corner clips or corner boards at corners where siding is used. Corner boards shall be a minimum of 2-1/2 inch in width. Corner boards shall be painted to match the building style.

Associated Landscaping

Intent

- To establish a pedestrian oriented "feel" while promoting safety, security and privacy for residents.

Requirements

- Develop landscape in layers. Low at street level and then foundation plantings at foundation, with specimen trees as intermediate layer.
- Landscape parking islands with trees, shrubs and groundcover.
- Landscape rear and side yards to help reduce the mass appearance of the buildings and to help blend into the surrounding neighborhood.
- Screen solid waste and recycling areas with fencing consistent with City of Olympia codes.
- Install fencing and site walls only where safety or security are needed or landscape/plant materials alone are insufficient in screening.

Lighting

Intent

- To promote safety, security, and privacy within the building and parking areas.

Requirements

- Provide lighting at all building entries. The style of all building lighting shall be consistent with the architectural character of the building.
- Provide lighting in all parking areas as needed for safety.
- Provide pedestrian scale lighting at all sidewalks as needed for safety.



City Council

Approval of an Amendment to the 2018 Community Development Block Grant (CDBG) Action Plan Amendment to Fund Relocation Assistance for Displaced Residents of the Angelus Hotel

Agenda Date: 6/11/2019
Agenda Item Number: 6.A
File Number: 19-0552

Type: decision **Version:** 1 **Status:** Other Business

Title

Approval of an Amendment to the 2018 Community Development Block Grant (CDBG) Action Plan Amendment to Fund Relocation Assistance for Displaced Residents of the Angelus Hotel

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the amendment to the Program Year 2018 Community Development Block Grant (CDBG) Action Plan to fund relocation assistance for displaced residents of the Angelus Hotel.

Report

Issue:

Whether to approve the proposed Amendment to the Program Year 2018 Community Development Block Grant Action Plan.

Staff Contact:

Anna Schlecht, Community Service Programs Manager, Community Planning and Development Department (360-753-8183)

Presenter(s):

Anna Schlecht, Community Service Programs Manager

Background and Analysis:

On June 4, 2019, the Council held a public hearing to receive public comments on the proposed Amendment to the Community Development Block Grant (CDBG) Program Year (PY) 2018 (September 1, 2018 - August 31, 2019) Action Plan. This public hearing was part of the 30-day CDBG Citizen Participation Process that runs from May 10 - June 10, 2019. This public comment period is running concurrent to the 30-Day period for the Draft PY 2019 CDBG Action Plan.

Proposed PY 2018 Substantial Amendment: Since the General Government Committee forwarded their recommendations, City staff learned that the Angelus Hotel was sold, which generated over \$56,000 in CDBG program income from repayment of a prior year CDBG loan. (Please note: there have been other recent CDBG Program Income receipts above and beyond the originally estimated \$100,000 for PY 2018.) Unfortunately, the City was also notified that the new owner plans a major renovation project that will potentially displace all 29 low-income households. In order to prevent potential homelessness, City staff recommended the creation of a limited scope Tenant Assistance program, to be operated in partnership with the Community Action Council of Mason, Lewis and Thurston Counties (CAC), a local rental assistance provider. Staff proposed that this program be funded with the estimated \$56,000 for the direct tenant assistance in CDBG loan repayments. Additionally, Staff recommend that we include \$5,600 for Activity Delivery Costs (ADC) to fund the CAC staff costs of running this program. This recommended program is described in greater detail in the attached, "Assistance for Displaced Tenants in CDBG-funded Properties." This recommendation is considered a "Substantial Amendment" by HUD regulations and was required to go through a public process ran concurrently with the public process for the 2019 Annual Action Plan.

Proposed PY 2018 Amendment: Add \$61,600 to total PY 2018 Allocations

\$ 61,600	<i>PROPOSED AMENDMENT: Tenant Assistance Program (One-time program)*</i>
\$400,000	Housing Activities - Land Acquisition
\$300,000	Public Facilities - Day Center
\$ 50,000	Micro-Enterprise Assistance/Business Training & Technical Assistance
\$ 50,000	Crime Prevention Through Environmental Design (CPTED)
\$ 55,000	Downtown Ambassador Program
\$ 45,000	Day Center Staffing
\$100,000	Program Administration - <i>Required</i>
\$1,061,600	TOTAL PROPOSED PY 2018 CDBG FUNDING AMENDMENT

**Includes \$56,000 in direct tenant assistance payments and \$5,600 or 10% Activity Delivery costs for CAC's staff services.*

Proposed Tenant Assistance Program: Staff sought the recommendation of the Family Support Center, which serves as the Thurston County Coordinated Entry coordinator. Family Support Center recommended that Community Action Council (CAC) would be ideal, given that CAC will be serving as the new Coordinated Entry sub-contractor to work with single adults and would be a sole-source provider of such resources for displaced tenants. City staff have been working with CAC to develop a one-time Relocation Assistance Program for Displaced Tenants of the Angelus Hotel, and in less than 30 days. CAC staff have identified additional resources to offer to displaced tenants from the Angelus Hotel. CAC has informed the City they would need 10 percent of the total program costs or \$5,600 for Activity Delivery Costs (ADC), which are available from other recent CDBG Program Income receipts.

CDBG Program Purpose: The CDBG Program was created as a "bundled" federal aid program intended to aid the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Regulations for the CDBG Program are contained in 24 CFR 570.

Please note that this Amendment will occur during the first year of the Five-Year CDBG Consolidated

Plan (2018 - 2022).

Prior Discussions: This item was discussed at a prior Council meeting on May 7 and June 4, 2019 during the same discussion on launching the CDBG PY 2019 Action Plan.

Neighborhood/Community Interests (if known):

All neighborhoods and community stakeholders have an interest in how federal CDBG funds are invested in community development programs and projects.

Options:

1. Move to approve the Amendment to the Community Development Block Grant (CDBG) 2018 Action Plan.
2. Do not move to approve the Amendment to the Community Development Block Grant (CDBG) 2018 Action Plan. This could leave 29 vulnerable households at risk of homelessness.

Financial Impact:

This proposed amendment would add \$56,000 for direct assistance and \$5,600 for Activity Delivery Costs (ADC) for a total amendment of \$61,600 added to the current CDBG 2018 Action Plan (September 1, 2018 - August 1, 2019) and create a revised total of \$1,061,600 of expenditures.

Attachments:

Assistance for Displaced Tenants in CDBG-Funded Properties

City of Olympia – Community Development Block Grant Program

Assistance for Displaced Tenants in CDBG-funded Properties

Overview: Staff recommend a *Substantial Amendment* to the current Program Year 2018 (9/1/18 – 8/31/19) CDBG Annual Action Plan to provide limited scope relocation assistance to households displaced from CDBG-assisted properties.

Property Sale Displaces Tenants: City staff recently learned that the Angelus Hotel (204 4th Avenue West in downtown Olympia) was sold to a new owner. This property has several commercial tenants on the first floor along with 29 residential units on the upper floors. The current rent structure has offered very low cost housing for years and it is anticipated that all occupants are very low income. Unfortunately, the City was also notified that the new owner plans a major renovation project that will most likely displace all 29 households. The property sale will generate nearly \$56,000 in CDBG program income from a prior year CDBG loan that funded the installation of a fire sprinkler system for the residential units only.

Homeless Prevention: In order to prevent potential homelessness, City staff recommend the creation of a limited scope Tenant Assistance program, to be operated in partnership with a local rental assistance provider and funded with the estimated \$56,000 in CDBG loan repayments.

Proposed Substantial Amendment: HUD requires a public process for any changes to an Annual Action Plan that involve one or more of the following:

- 1) New activity (not part of the original Annual Action Plan)
- 2) Change in location or address of activity
- 3) Increase in funding of more than 20% of the original project or program year budget.

This proposed change meets the first two of these criteria and so must be put out for community review through our “**CDBG Citizen Participation Plan**” with 30 days for public comment. This public process can run concurrent to the Program Year 2019 public process.

CDBG Eligibility: Assistance for displaced tenants is eligible for CDBG funding under a number of different categories, including:

Subsistence Payments: One time or short-term (no more than three months) emergency payments on behalf of individuals or families, generally for the purpose of preventing homelessness. **HUD Code 05Q**

Voluntary Relocation: Relocation payments and other forms of assistance for permanently or temporarily displaced individuals, families, businesses, non-profit organizations or farms. Please note: this activity would be defined as “Voluntary Relocation” meaning it is an optional relocation payment not subject to the federal Uniform Relocation Act (URA). **HUD Code 08**

Program Design: Staff recommend that Council allocate funds for a tenant assistance program to be run by a qualified sub-recipient. Assistance would be limited to displaced tenants of CDBG-funded properties. The program would be funded by the estimated \$56,000 in CDBG program income generated by the sale of the property. Assistance would be made available in the form of cash payments for relocation, limited to low and moderate income tenants of the subject property. Staff have made informal inquiries to service providers who currently administer rental assistance in order to identify a potential sub-recipient to administer rental assistance to the displaced tenants. Screening of tenant eligibility and processing of assistance payments would be managed by the sub-recipient. This contract would be subject to all applicable CDBG regulations.



Subject Property: ANGELUS HOTEL

Location: 204 4th Avenue West, Olympia

Description: Three story mixed-use building

Year of Construction: 1896

First floor: 5 commercial occupancies, including Cascadia Bar & Grill.

Upper two floors: 29 low-cost apartments

CDBG Loan: \$75,000 in 2013 for Fire Sprinkler in residential units only

CDBG Loan Balance: Approximately \$56,000

For More Information:

ANNA SCHLECHT

City of Olympia CDBG Program Manager

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