



**Notice of Land Use Approval
and State Environmental Policy
Act Mitigated Determination of
Non-significance (MDNS)**

April 9, 2014

Community Planning & Development
601 4th Avenue E. – PO Box 1967
Olympia WA 98501-1967
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Project Name:	Columbia Heights (Case File No.: 14-0015)
Description of Proposal:	Construct new seven-story mixed use building with 138-market rate residential apartments, approximately 7,600-square foot ground floor commercial space along all street frontages, and structured parking for 121-vehicles
Location of Proposal:	123 4 th Avenue West
Applicant/Proponent:	Columbia Heights Partners, LLC 66 S. Hanford Street, Suite 300 Seattle, Washington 98134
Representative:	Kent Smutny, Veer Architecture, 600 108 th Ave. NE, Suite 503 Bellevue, Washington 98004
Lead Agency:	City of Olympia
SEPA Official:	Cari Hornbein, Senior Planner
Lead Planner:	Steven Friddle, Principal Planner
Date of Issue:	April 9, 2014
Comment Deadline:	5:00 p.m., April 23, 2014
Appeal Deadline:	5:00 p.m., April 30, 2014

Threshold Determination: The lead agency for this proposal has determined that with the mitigation listed in this decision; this action probably will **not** have a significant adverse impact upon the environment. Therefore, an Environmental Impact statement is **not** required under RCW 43.21C.030(2)(C). The environmental review and SEPA threshold determination of this proposed action are based upon that proposed site plan date stamped received February 13, 2014, Sheet 9 of 14; that Columbia Heights Level II Traffic Impact Analysis – Technical Memorandum Transportation Trip Generation Analysis submitted on February 13, 2014 and revised 14-0015 NOLUA & SEPA MDNS
April 9, 2014

on March 3, 2014; the City of Olympia Public Works 5th Avenue Paving Project – Revised Traffic Volume counts dated February 20, 2014; context photos presented to the Joint Design Review Board and those revised elevations, floor plans and cross sections date stamped received March 17, 2014, Sheets A1.1, A5.1, A5.2, A2.1 - A2.3 and A6.1; the previously submitted Geotechnical Report, Phase 1/II Environmental Site Characterization July 2002; Supplemental Phase II Environmental Assessment dated October 2007; Clean-up Action Plan dated December 2007 by Kane Environmental Dated December 2007; Preliminary Subsurface Investigation dated July 2002 and Soils Investigation Report October 2008 by David C. Strong, L.E.G., with Bradley Noble Geotechnical Services; Stormwater Site Plan dated July 2008 by Osborn Consulting; and, the accompanying environmental checklist received February 13, 2014. This information is available to the public on request.

SEPA-based conditions are specifically noted in this decision. This determination is limited to the site plan described above. This determination is based on a presumption that this project will include all mitigation measures proposed to be implemented by the applicant, and will conform to all applicable standards and regulations and to the conditions listed herein. Should any mitigation measure be removed by the applicant, be infeasible, or be held to be invalid or unconstitutional, a new threshold determination may be required.

Comments regarding this Mitigated Determination of Non-Significance (MDNS) should be directed to the SEPA Official at the address above. This MDNS is **not** a permit. No construction permits will be issued for this proposal prior to the appeal deadline. The applicant shall not begin work until other necessary permits have been granted. This DNS is issued under Washington Administrative Code 197-11-350.

The proposed 4th Avenue Mixed Use Building and attached Site Plan **is APPROVED by the Site Plan Review Committee with the following conditions.** These conditions must be met prior to issuance of construction permits or Certificate of Occupancy, or as specifically noted in the condition.

I. SEPA-based Conditions

1. **Contaminated Soils & Groundwater** (Olympia Comprehensive Plan Public Facilities Policy 19.3 and Environmental Policy 5.5). In 2013, the applicant re-enrolled the site with the Department of Ecology under the Voluntary Cleanup Program (VCP) submitting environmental site assessment, geotechnical engineering evaluation and remedial cleanup action plan. Ecology is lead agency in meeting the substantive requirements contained in the Model Toxics Control Act (MTCA).” Therefore, the applicant shall ensure that:
 - A. Prior to issuance of building permits, the applicant shall provide the Building Official written evidence of the approved Voluntary Cleanup Plan and that all work on the property will be conducted consistent with the cleanup plan approved by the WA State Dept. of Ecology.
 - B. If contaminated media is encountered during construction activity on site or beyond the property line of the site at 123 4th Avenue, the applicant shall contact the WA State Dept. of Ecology at (360) 407-6300 and the excavated material shall be properly handled, characterized, and disposed of consistent with applicable regulations.
2. **Historic Preservation/Archeology** (Olympia Comprehensive Plan Historic Preservation Policy 8.2). Although the site is not listed as a potential historic or cultural resources site, there is the possibility that archaeological material could be on-site. Therefore, should historic archaeological material be encountered during ground disturbing activities or construction:
 - A. Construction shall be suspended immediately at that location; and
 - B. The contractor shall immediately contact the City of Olympia at (360) 753-8314 or Michelle Sadlier, Historic Preservation Officer at (360) 753-8031; and

- C. A qualified professional archaeologist shall be retained by the applicant to document and assess the discovery; and
 - D. If the discovery involves potential Native American resources, the applicant shall also contact the Washington State Department of Archeology and Historic Preservation (DAHP) and the affected tribe for additional consultation; and
 - E. In no case should additional excavation be undertaken until a protocol has been agreed upon by the above mentioned parties.
3. **Sea Level Hydrology** (Sea level Rise Pursuant to Olympia Comprehensive Plan Policy ENV 5.2) Pursuant to the February 2003 Capitol Lake Floodplain Analysis; Olympia's accepted January 2012 Sea Level Rise Updated Report; the Federal Floodplain Management Higher Regulatory Standards; and the October 16, 2012 Federal Emergency Management Flood Insurance Rate Map (Panel 0167E), the applicant shall include in the building plan submittals information ensuring that the finished floor elevation is two-feet above flood elevation. As such the Building Official has determined a finished floor elevation of not less than 12.2-feet.

II. Planning

1. **Design Review.** The Joint Review Committee, consisting of five members of the Design Review Board and three members of the Heritage Commission, met on March 27, 2014, to review the proposed mixed use building. The Committee recommended approval of the context plan, preliminary site plan, landscape design and preliminary building design subject to the conditions listed below. The SPRC concurs and incorporates the recommendations as condition of land use approval as follows:
- A. The applicant is encouraged to explore and explain, with the Detailed Design Review application, how the proposed material details work together in context to with other historic buildings in the District
 - B. The applicant will work with staff and provide the Board with material details for the 18-foot 5th Avenue sidewalk and proposed landscape opportunities.
 - C. The applicant shall provide details of building colors and materials, windows, lighting, and other details as required for Detail Design Review and include:
 - i. Re-study of 3-stories of brick at the residential entry at 4th and Columbia;
 - ii. Information on the level-2 parking garage windows and the overall look with 1st floor retail and upper-floor residential;
 - iii. Provide transition details between materials; and
 - iv. Examine details for retail commercial entries.
2. **Parking.** Vehicular and bicycle parking meets city parking standards. Pursuant to OMC 18.38, the 138 units of downtown multifamily is exempt from vehicular parking requirements; however, bike parking standards must be met. In addition, the retail space totaling approximately 7,600 square feet requires vehicular and bicycle parking as provided below. The detailed design review and building permit application must clearly depict to demonstrate that vehicular and bike parking facilities provide protection pursuant to OMC 18.38.220(C)(1-5). The applicant will need to clearly show the bicycle parking details at Detailed Design Review and in subsequent engineering and building permit applications as follows:
- A. The required retail vehicular parking totals 25-spaces, two-long term secure bicycle stalls and at least three-short term covered bicycle parking spaces.
 - B. The 138-multifamily dwelling units require 138-tenant long term secure bicycle stalls; 14-short term covered bicycle stalls.

- C. The 121-vehicular stall structured parking must meet applicable design guidelines and pedestrian street standards.

(Note: Areas designated for bike parking within the parking structure shall not be allowed in areas within the accessible route of travel.)

- 3. **Urban Forestry.** Removal of existing trees is permitted to accommodate the 100% development coverage allowed by the zoning code. The applicant shall:

- A. Make payment of a \$7,140.00 "in-lieu fee" into the City Tree Account is accepted pursuant to 16.60.080.C.3 as the appropriate method to meet the tree density requirement of 20 trees for this .66 acre site. The fee is due at the time of issuance of the building permit unless other payment provisions are approved.
- B. Install street trees consistent with Street Standards. Due to Olympia Fire Department specialized emergency ladder ingress/egress concerns, we recommend a narrow columnar tree species that does not exceed 20-25 feet in height at maturity.

One such tree is the Kobus Magnolia, a flowering tree, which has a proven record in our downtown and is consistent with a tree located on the west side of Columbia. Other options may include the Thornless Cockspur Hawthorn or other similar species recommended by a qualified arborist.

- C. Provide a bond for installation and three years maintenance for the street trees.

- 4. **Construction Noise and Vibration Attenuation.** To minimize the impact to nearby residents' construction – related, concussion and vibration-inducing activities shall be restricted to between 7:00 a.m. and 6 p.m. (OMC 18.40.080(C) (7).

- 5. **Signs.** Submit separate building permit applications for signs.

III. **Engineering:**

- 1. **Water 2.050.B (Standards)** – The City has capacity for this development's domestic water system and fire suppression system requirements. The onsite water main improvements and connections generally appear in accordance with Chapter 6 of the Design Development guidelines and are conceptually approved. The proposed to relocate the existing hydrant from its current location, out of the future ADA accessible sidewalk and ramps off Columbia Street and 5th Avenue, are conceptually approved. At the time of engineering permit application, the applicant shall provide:
 - A. Engineering design plans for water facilities in accordance with the provisions of Chapter 6 of the Engineering Design & Development Standards, (EDDS), (2.050 B.) water. The water system shall be designed to provide adequate domestic, irrigation and fire flow at the required residual pressure.
 - B. Indicate the size, location and type of service connections proposed on the Engineering Permit application. The applicant shall install water facilities in accordance with approved Engineering Plans.
 - C. All domestic, irrigation and fire suppression lines must provide for the required backflow prevention devices to city standards.
- 2. **Sewer 2.050.A (Standards)** - The City has capacity for this development's anticipated sanitary sewer discharge. The design previously approved provides that the sewer main be relocated south along the Alley to 5th Avenue and then west along 5th Avenue to Columbia Street in accordance with Chapter 7 of the Design Development Standards. At the time of engineering permit application the applicant shall provide a site plan indicating the location and size of the proposed sewer service to the new building.

3. **Stormwater System and Drainage Report (hydra & work map).** - The City has capacity for this development's anticipated stormwater discharge. The project will require resubmittal of the conceptually approved stormwater site plan consistent with Volume I of the Drainage Design and Erosion Control Manual for Olympia 2009. The resubmitted stormwater site plan will need to address compliance with (or exemption from) Minimum Requirements #1 through #10 as well as the additional financial and offsite analysis requirements.
4. **Solid Waste** – The City has capacity for this development's solid waste requirements. The 138 residential units have the potential to generate upwards of 150 cubic yards of total waste (garbage, recycle and organics) by volume. That equates to 35 cubic-yards per week - with roughly 1/2 of the volume garbage and the other half recycle and organics. This is not counting the commercial generation. The applicant shall be required with the building permit to:
- A. Scope with city staff for a compactor for garbage and multiple containers for cardboard recycle and compost. (Note: If not using a compactor for garbage then additional containers and/or multiple pick-ups per week may be required.)
 - B. Per chapter 8 of the EDDS provide for front load collection is the standard for garbage with no manual manipulation of containers.
5. **Site Improvement Plan** The elements of the site plan are conceptually approved to include street trees and pedestrian bulb-out. The applicant shall provide a site plan that graphically represents all required site elements of the project, such as architectural, ADA parking and routes of travel and civil for the project at the time of engineering permit application to include:
- A. Additional details are required for all curb and sidewalk improvements, including additional changes along the 4th Avenue, 5th Avenue and Columbia Street frontages.
 - B. The bulb-out designs at Columbia Street and 5th Avenue and Columbia Street and 4th Avenue will require redesign to the new 5th avenue frontage and the 4th Avenue frontage to accommodate the intercity transit bus maneuverability needs.
 - C. Finalize driveway approach prior to engineering submittal.
 - D. Provide limits of pavement restoration in accordance with EDDS, Chapter 4, Section 4B.175 with engineering submittal.
 - E. Install bulb-outs, street lights, as well as type and location of curb ramps, striping, signage, street trees and parking meter installation.
6. **Clearing/Grading/Erosion Control Plan.** Provide a Demolition & TESC plan to meet current conditions and further details will be required with engineering permit application.
7. **Traffic Study.** The gridded commercial street system has sufficient capacity for this development's anticipated transportation demand. Elimination of the two driveways on both 4th and 5th Avenues with a new vehicular entry on Columbia will enhance public safety. (Note: Transportation impact fees will be required at the building permit).
8. **Right-of-Way Obstruction.** Pursuant to OMC 12.24 - Use of the public right-of-way for construction staging and temporary installations for public safety during construction will require separate engineering and

building permit approval. The applicant shall apply for required permits for use of public right-of-way for construction purposes

IV. Building

1. **Permits.** The applicant shall submit building permit applications for applicable construction.
2. **A Geo-technical Report** containing recommendations associated with constructing the proposal shall be resubmitted to the building official with the building permit applications.
3. **Addressing.** Addresses will be assigned based upon the specific locations of tenants and studio apartments when applications for building permits are submitted.

V. Fire Prevention. The proposal is conceptually approved. The applicant shall:

1. **Ensure** all hydrant and water main installations are accepted by the City prior to any vertical combustible construction. Hydrants must provide fire suppression.
2. All public streets shall be accessible throughout construction prior to any combustible construction on site.
3. A complete Fire Sprinkler system as determined by the Fire Marshall. (Contact the Fire Marshal for details). Sprinkler plans shall be submitted under separate permit and approved by the Fire Marshall.
4. Install addressable fire alarms to cover the entire building. A central fire panel and annunciator shall be provided in a location TBD by the Fire Marshall.
5. Knox key boxes are required in locations determined by the Fire Marshall.
6. Provide a graphic map at each entry to the complex to provide emergency responders (and visitors) a visual reference to access the buildings.
7. The project is subject to OMC 16.05.090 got mixed use which requires the owners of mixed-use apartment buildings of Type VA construction be responsible for assuring that the fire and life-safety systems required by the Building Code and Title 16 are maintained in an operable condition at all times and testing as determined by the Fire Marshall by testers approved by the City. A written record shall be maintained and shall be forwarded to the Fire Marshal and be available to the inspection authority.

End of Appealable Conditions.

Impact Fee Note:

This project will be subject to transportation, school, and park impact fees. These fees will be due and payable when building permits are issued. Specific fees will be determined when a complete building permit application is submitted. Prior to that date, all fees are subject to change. Impact fees are due and payable when a building permit is issued.

Transportation fee credits (reductions) of up to 20% may be granted on request for certain Transportation Demand Management (TDM) or Commute Trip Reduction (CTR) measures. Any request for credits must be submitted within 20 days after applying for the building permit.

A fee payer may also prepare and submit in writing an independent fee calculation for the proposed development. The independent fee calculation must accurately and reliably present grounds for adjusting the fee based on

specific characteristics of the project and/or principles of fairness. An application fee of \$200.00 is required for review of an independent fee calculation.

No appeal of impact fees will be permitted until the fee at issue has been paid. Any appeal of an impact fee must be preceded by a request for review by the Department Director. Such request must be filed within fourteen (14) calendar days of payment of the impact fee at issue. The request must be in writing and in the form specified by Olympia Municipal Code. The Director will then issue a written determination which will be subject to a 14-day appeal period. (Appropriate forms are available from the City.)

Other Fees Note: Utility General Facility Charges and Capacity Development Charge. 13.16 (Municipal Code)
– The applicant will be assessed any applicable General Facility Charges for city utilities (Water, Sanitary Sewer, Storm water, and Solid Waste) and the LOTT sanitary sewer Capacity Development Charge at the time engineering construction permits are issued. Building Permit and Engineering fees will be assessed.

Expiration Date

Unless utilized by application for unexpired construction permits, or explicitly extended by the Site Plan Review Committee, the final approval of this land use application shall expire in two (2) years, or on April 30, 2016.


Appeal Period

This Land Use Decision by the Site Plan Review Committee and this Threshold Determination by the SEPA Official are final unless appealed prior to 5:00 p.m., April 30, 2014. The filing fee for appeals to the Hearing Examiner is \$1,000.00. Any appeal must be submitted in writing to the Community Planning and Development Department on forms provided by the Department.

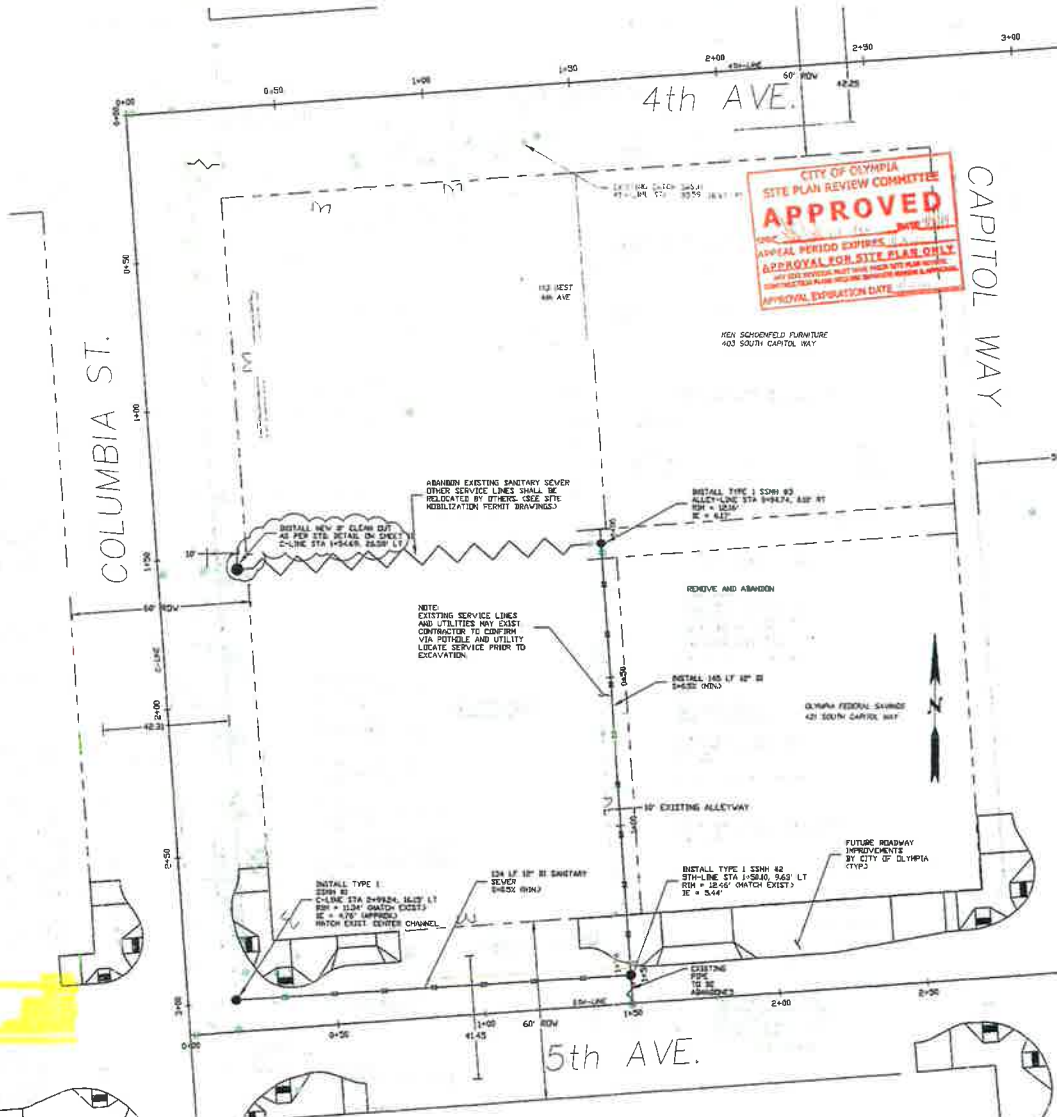
Appeal Procedure

Pursuant to RCW 43.21C.075(3) and Olympia City Code 14.04.150(A), the conditions or lack thereof in this MDNS may be appealed by any agency or aggrieved person.

Issued by:


STEVE FRIDDLE, PRINCIPAL PLANNER
CARI HORNBEIN, SENIOR PLANNER AND SEPA OFFICIAL

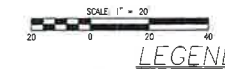
Lead Planner and SEPA Official, on behalf of the Site Plan Review Committee consisting of Alan Murley, Engineer; Tom Hill, Building Official; Rob Bradley, Fire Marshall; SEPA Official & Senior Planner and Steve Friddle, Lead Planner.



GENERAL NOTES (SANITARY SEWER MAIN)

INSTALLATION

1. All materials and methods of construction shall conform to the standards and specifications of the Washington State Department of Ecology (WSDOE) and the Thurston County Department of Public Works (TPW).
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LEGEND

- EXISTING WATER
- UTILITY TO BE REMOVED
- EXISTING GAS
- EXISTING OVERHEAD POWER
- EXISTING FIBER
- PROPERTY LINE/ROW
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- EXISTING DITCH
- PROPOSED CONTOUR (SEE CONTOUR NOTE 1)
- CONCRETE SIDEWALK
- EXISTING CONCRETE SIDEWALK
- EXISTING DITCH BUSH
- PROPOSED DITCH BUSH
- PROPOSED DITCH SPILT
- EXISTING WATER UTILITY
- EXISTING STREET LIGHT
- FIRE HYDRANT
- EXISTING FIRE HYDRANT
- FIRE DISTRICT CONNECTION
- EXISTING MANHOLE
- PROPOSED MANHOLE
- PROPOSED STREET FLEX DRAIN
- PROPOSED FIBER

WATER CONNECTION DETAIL

SCALE 1" = 10'

FEB 1 2016

811

Know what's below. Call before you dig.

APPROVED FOR CONSTRUCTION

DATE: 2/1/2016

BY: [Signature]

PROJECT: 10-140003 OLIMPIA 4TH AVENUE OVERLAY

DATE: FEB 2016

SHEET: 9 of 14

DESIGNED BY: TAD
 DRAWN BY: RCH
 CHECKED BY: TCD
 OSBORN CONSULTING, INC.
 1800 112th Ave NE, Suite 220E Ph (425) 451-4009
 Bellevue, WA 98004 Fax (425) 451-4901

1 8-17 CITY OF OLIMPIA COMMENTS
 NO. DATE REVISION BY

COLUMBIA HEIGHTS PARTNERS LLC
 1120 SPRING STREET #1403
 SEATTLE, WA 98104

4TH AVENUE MIXED USE
 WATER/SEWER/STORM MAIN PLANS
 OLIMPIA, WA 98501

DATE: FEB 2016
 SCALE: 1" = 20' v n/c
 SHEET: 9 of 14