



**Notice of Land Use Approval  
and State Environmental Policy Act  
Mitigated Determination of  
Nonsignificance**

**ATTACHMENT 10**  
Community Planning & Development  
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**Project Name/Number:** Olympia Courtyard Hotel, Project No. 14-0157

**Description of Proposal:** Construction of a four story, 113-room hotel, surface parking for 116 vehicles, and associated improvements including landscaping, solid waste, stormwater, and utilities.

**Location:** 2301 Henderson Park Lane SE

**Applicant:** SPS Lands, LLC  
10720 Pacific Highway SW  
Lakewood, Washington 98499

**Representative:** Glenn Wells  
324 West Bay Drive, Suite 102  
Olympia, Washington 98502

**Lead Agency:** City of Olympia

**SEPA Official:** Tim Smith, Principal Planner

**Lead Planner:** Cari Hornbein, Senior Planner

**Date of Issue:** August 15, 2016

**Comment Deadline:** August 29, 2016

**Appeal Deadline:** September 6, 2016

**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 plans and reports received as follows: 1) December 29, 2014 – geotechnical engineering report, wetland study, and tree plan; 2) September 23, 2015 – site plan, context plans and elevations, architectural plans and elevations, preliminary drainage report and erosion control plan, traffic impact analysis, and environmental checklist; 3) April 27, 2016 – architectural site plan, civil plans, bike parking and landscape details; 4) May 6, 2016 – landscape plans; and 5) July 6, 2016 - updated sheets SP1.0 and C-2. This information is available to the public on request.

**SEPA-based conditions are specifically noted in this decision.** This determination is part of a phased review and 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 after the appeal deadline has expired and any other necessary permits have been granted. This MDNS is issued under Washington Administrative Code 197-11-350(2). If conditions are added, deleted, or modified during or following the 14-day comment period, a reviewed MDNS will be issued.

**Olympia Courtyard Hotel, Project No. 14-0157 is approved by the Director 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.

### **SEPA MITIGATION MEASURES**

1. Lighting shall be designed to avoid glare. Illumination of exterior building surfaces shall avoid impacts to uphill residential neighborhoods. *Comprehensive Plan Policy PN9.1*
2. The developer shall construct approximately 160 feet of 12-foot wide asphalt paved emergency access road, connecting Henderson Park Lane SE with Hillside Drive SE, complete with required barriers and signage. Said access road shall also serve as a path as required under in the Hearing Examiner's decision for the Henderson Park Binding Site Plan. *Comprehensive Plan Policy PR4.2; also required in the Henderson Commercial Park Binding Site Plan Hearing Examiner Decision, Condition #8B.*

### **CONDITIONS**

#### **PLANNING**

1. **Approved Plans** – Development shall be as shown on the approved site plan dated August 12, 2016, which includes sheet SP1.0 and C-2 (attached).
2. **Binding Site Plan** – The original binding site plan established office and stand-alone restaurant use on Lots 1 and 2. Prior to any certificate of occupancy for the Olympia Courtyard Hotel, the Henderson Commercial Park Binding Site Plan shall be amended, and at a minimum, address the following changes. Additional revisions may be required during the City's review of the amendment application.
  - a. Remove Lot 2 and show new property line;
  - b. Note the elimination of the stand-alone restaurant and change of use on Lot 1 from office to hotel.
  - c. Show a 22-foot wide easement for the future Woodland Trail.
  - d. Show easements associated with the path/emergency access connection to Hillside Drive.
  - e. Include provisions for shared access between the hotel sites.
3. **Detail Design Review** – The Design Review Board reviewed the project for concept design review on December 9, 2015. The Board recommended approval of the context plan and preliminary site, landscape and building design subject to the conditions listed below. These conditions shall be addressed at the time of detail design review.

#### **Site and Landscape Design**

- a. A pedestrian walkway from the north parking lot (Hilton Garden Inn) to the building entrance shall be provided. Pavement markings can be used to denote the walkways.
- b. Clearly marked pedestrian crossing across drive aisles in the parking lot shall be provided.

- c. On-site directional signage shall be provided. Examples include “main entrance”, “guest parking”, “bike parking”, etc.
- d. Pedestrian scale lighting shall be provided, in particular along walkways and drive aisle crossing for pedestrian safety.
- e. Provide seating in areas where guests would gather, such as in the courtyard and building entrance.
- f. Revise the landscape plan to meet the requirements of the Olympia Municipal Code (OMC) 18.36, as well as the following:
  - i. Select trees that will not cause damage to paving;
  - ii. Address conflicts between trees lights, hydrants, utilities, and meters;
  - iii. Provide the minimum width for parking lot landscape islands and trees on either side of the trash enclosure;
  - iv. Confirm that there is adequate soil depth over the stormwater vault to support plant growth;
  - v. Provide additional screening material including larger scale trees along the southern 230 feet of the western property line;
  - vi. Avoid the use of invasive species and incorporate more native species such as salal, fern, and Oregon grape in the plant pallette.
- g. In lieu of locating the building along the street as required by OMC 18.110.020 and 070, provide enhanced landscaping at the building entrance, site entrance, and along the street frontage.

#### Building Design

- a. Building modulation and architectural elements shall be provided to reduce the apparent size of the building, using methods such as cornices, window patterns, balconies, light fixtures, trellises, stepped roofs and other roof elements, a variety of cladding materials, and multiple paint colors.
  - b. Provide greater variation of window patterns and/or detailing including use of recesses and visually significant window elements.
  - c. Provide additional relief, detail, and variation of rooflines.
  - d. In responding to conditions a, b, and c above, maintain a consistent visual identity on all building sides.
  - e. Minimize the use of EIFS. At a minimum, replace the first floor with masonry, composite materials, wood, metal, or other materials that are well suited to the local climate and compliment materials used on the Hilton Garden Inn. The intent is to provide greater texture and patterns, and to use a material with longevity.
  - f. Reduce the visual bulk of the porte cochere to match the building design.
  - g. Relocate the primary sign on the east side of the building to be oriented to the north.
4. **Parking** – For restaurants located within hotels, parking is calculated separately using a ratio of 10 stalls/1,000 gross floor area of restaurant. Because this information was not provided during land use review as requested by the City, it will be reviewed at the time of building permit application. If the combined hotel/banquet/restaurant parking exceeds the number of spaces provided, the developer shall submit a request for shared parking pursuant to OMC 18.38.180. Under Subsection 4, a deed restriction defining the terms of shared parking between the restaurant and hotel uses shall be submitted to the Community Planning and Development Department and recorded with the County Auditor’s office. The deed shall be approved by the City Attorney and recorded prior to building permit issuance. City approval is required prior to any change or termination of the deed.

5. **Landscape Plan** – the following conditions shall be met at the time of engineering permit review:
  - a. Following detail design review, submit a final landscape plan in conjunction with the engineering permit application. In addition to meeting conditions of concept design review, the plan shall meet the requirements of OMC 18.36.
  - b. Until the Woodland Trail is constructed, the easement corridor shall be landscaped.
  - c. Avoid conflicts between trees and site elements including light poles, utility lines, hydrants, and meters.
  - d. Provide a cost estimate for the purchase, installation, and three years maintenance of landscape materials.
6. **Landscape Maintenance** – Landscaping shall be maintained in accordance with OMC 18.36.220. A three year maintenance bond shall be provided to the City following city acceptance of landscaping.
7. **Bicycle Parking** – Short and long term bicycle parking, designed in accordance with OMC 18.38.220.C, shall be included with engineering and building permit submittals.
8. **Retaining Walls** – Required yards shall be kept free of retaining walls taller than thirty (30) inches. A portion of the retaining wall along the rear property exceeds this height, and shall be modified at the time of engineering permit review. As an option, the developer may request an administrative exception under OMC 18.40.060.C.7.
9. **Hours of Operation/Construction Noise** – Pursuant to OMC 18.40.080.C.7, construction activity is restricted to the hours between 7:00 a.m. and 6:00 p.m.

## ENGINEERING

10. **Water Main Plan** – The developer shall install water facilities in accordance with the provisions of Chapter 6 of the 2014 Engineering Design and Development Standards (2014 EDDS). The location of the water main extension shall be shown on the approved site plan. The water service connection(s) will be reviewed as part of the Engineering Permit submittal.
11. **Sewer Main Plan** – The developer shall install sewer facilities in accordance with the provisions of Chapter 7 of the 2014 EDDS. The adjacent sewer main is a LOTT Cleanwater Alliance (LOTT) transmission main. Before an Engineering Permit is issued, the developer shall obtain written approval from LOTT of the method of connection to this main. Details of the sewer facilities and connection to the LOTT main will be reviewed and approved as part of engineering permit submittal process.
12. **Site Improvements** – Frontage improvements and site civil improvements shall be constructed according to the 2014 EDDS, as shown on the approved plans with the following conditions:
  - a. The project is required to construct and maintain an open bicycle/pedestrian connection to Hillside Drive SE. Emergency vehicle access to Hillside Drive is also required, so the two can be combined in the same connection. This connection shall be in the apex of the southeast corner of the loop road and shall be designed to a neighborhood connector standard (Standard Plan 4-2L). Bollards shall be used to deter motorized traffic. Design details shall be included in the engineering permit submittal.
  - b. Add keynote number 23 to the engineering permit plans stating “Construct approximately 160 feet of 12-foot wide asphalt paved emergency access road, connecting Henderson Park Lane SE with Hillside Drive SE, complete with barriers and signage.”
  - c. Construction drawings submitted for engineering permit review shall meet the requirements of Section 3.040 of the EDDS.

13. **Storm Drainage Improvements** – The stormwater system shall meet the 2009 Drainage Design and Erosion Control Manual (2009 Drainage Manual) requirements. The stormwater system is conceptually approved. Final engineering design review submittals shall address the following conditions on the plans and supporting reports:
- a. Flow control devices proposed for the onsite detention vaults shall match on both the plans and calculations in the WWHM modeling section of the Stormwater Site Plan report. The flow control structure details on the preliminary plans do not match the hydrologic modeling in the September 23, 2015 submittal.
  - b. Orifice sizes and weir widths for proposed flow control structures shall be evaluated for constructability, operability, and maintenance. The minimum orifice size for flow control is 0.5-inch diameter. Orifice sizes less than 2-inches in diameter shall be outfitted with an orifice protection screen per Section 3.2.4, Volume III of the 2009 Drainage Manual. Protection screens shall be oriented on the structure to facilitate routine maintenance and cleaning.
  - c. WWHM hydrologic modeling shall use the most current Thurston County rainfall data available. The engineering design review submittal shall include WWHM modeling files on disk for review in addition to a hard copy of the modeling results in the Stormwater Site Plan report.
14. **Solid Waste** – The developer shall provide for the waste management/recycling for collecting all solid waste a minimum of once per week. The system shall be designed in compliance with Chapter 8 of the 2014 EDDS.
15. **Utility General Facility Charges** – Per OMC 13.04, 13.08, 13.12 and 13.16, General Facility Charges for City utilities (water, sanitary sewer, stormwater, and solid waste) and the LOTT Cleanwater Alliance sanitary sewer Capacity Development Charge will be assessed at the time engineering construction permits are issued.
16. **Bonding** – Per Sections 2.030.E and 3.090 of the 2014 EDDS, and Appendix 1 of the 2009 Drainage Manual, the developer shall file an agreement with the City to assure the full and faithful performance of the operation and maintenance of all public improvements and the site stormwater facilities for a period of two years following final construction approval. This guarantee through the appropriate surety shall be in place and approved by the City before final construction approval. The amount of the bonding will be 25 percent of the cost of the improvements, or as determined by the Development Engineer. In addition, a bond or other allowable securities will be required by the City to guarantee the performance of work within existing public rights-of-way or maintenance of required public infrastructure intended to be offered for dedication as a public improvement. Bonds or other allowable securities to guarantee work in an existing public right-of-way is required to be in place and submitted to the City prior to release of any approvals or permits for such work. The type and amount of security will be pursuant to code or, if not specified, be at a minimum of \$10,000, or 125 percent of the value of the work performed, whichever is greater, at the discretion of the City. Types of securities include, but are not limited to, a bond with a surety qualified to do a bonding business in this state, a cash deposit, an assigned savings account, or a set-aside letter as acceptable by the City Attorney.
17. **Right-of-way permit** – Any work proposed to connect to, or to extend City and or LOTT Cleanwater Alliance-owned utilities (sewer) within Henderson Park Lane or existing and/or proposed easement will require a right-of-way obstruction permit.
18. **Traffic Control Plan** – Prior to issuance of construction permits, submit a traffic control plan detailing how traffic will be routed and what impacts to the street system will occur during construction of the building.

## **SURVEY**

19. **Right-of-Way Vacation** – Private improvements are shown within the right-of-way of Hillside Drive. The developer shall apply for a right-of-way vacation which shall be approved prior to issuance of construction permits. Said vacation shall not preclude the future connection of the Olympia Woodland Trail corridor (Tract A on BSP #3986666) to the Hillside Drive right-of-way. Right-of-way vacations require a public hearing and approval by City Council.

## **URBAN FORESTRY**

20. The grading plan shall include the following:
- Location of tree protection fencing along property lines where off site trees are within 20 feet of the property line.
  - Drawing detail of tree protection fencing.
  - Timeline for clearing, grading and installation of tree protection fencing, and including the following note:  
“Tree protection fencing shall be inspected by the applicant’s Urban Forester, prior to land clearing and grading, following grading and prior to landscaping.”
  - Add narrative description of tree maintenance measures to preserve the existing off-site trees (Chapter Two of the City of Olympia Urban Forestry Manual).
21. The landscape plan shall include the following:
- Timeline for site preparation, installation and maintenance of trees.
  - Location of Tree protection fencing along property lines where off site trees are within 20 feet of the property line.
  - Cost estimate for purchase, installation and 3 years maintenance of trees.
  - Verify accuracy of tree species graphic symbol and verbiage (Select Tupelo vs Select Parrotia.)
  - Nyssa Sylvatica not recommended for planting islands in parking lots due to roots that get large and aggressive. Recommend this species be located along perimeter unobstructed by impervious pavement.

## **FIRE PREVENTION**

22. The following are required and shall be reviewed at the time of building permit application:
- Fire sprinklers;
  - An addressable fire alarm system which reports by point;
  - Standpipes;
  - Knox key box.

## **PARKS AND RECREATION**

When the Henderson Commercial Park Binding Site Plan was approved in 2008, it was anticipated that the Olympia Woodland Trail (OWT) would extend along Henderson Park Lane, then skirt the south end of Lot 1 with an at-grade railroad crossing. In 2013, the City received a land use application for a hotel on Lot 3. The Olympia Parks and Recreation Department (OPARD) and the property owners agreed to an alternative trail alignment that would avoid an at-grade railroad crossing. This alignment has been incorporated into the site plan for the current proposal. The conditions below reflect the agreement between OPARD and the property owners.

23. **Olympia Woodland Trail** – The proposed alignment of the 22'-wide trail corridor between the hotel sites will accommodate future construction of the Olympia Woodland Trail. In the future, it is OPARD's intent to construct the trail across the two parking lot crossings as 16' wide x 30' long x curb-height-high (table-type) speed bumps. The asphalt surface of these two crossings will ultimately be painted and "Trail Crossing" signage will be installed. These actions will enhance driver awareness of the trail crossings, and reduce vehicle speeds in these areas. The parking lot drainage design must anticipate that when these table-type speed bumps are constructed in the future they will create "divides" in the surface drainage pattern. The following conditions shall be met:
- a. The applicant shall grant the City an easement on the amended Binding Site Plan for the construction, operation and maintenance of a public trail along the entirety of this 22'-wide corridor.
  - b. The stormwater drainage system in proximity to the trail corridor shall be designed to function without and with the speed bumps when they are installed in the future.
24. The original Henderson Commercial Park Binding Site Plan (BSP#3986666) included a "Tract C" which was dedicated to the City of Olympia for pedestrian ingress and egress. This dedication shall be retained on the amended Binding Site Plan in the event an at-grade trail crossing of the railroad becomes a viable option in the future. In the meantime, the City will enter into an encroachment agreement with the developer across "Tract C" for the construction, operation and maintenance of the proposed roadway and utility infrastructure. The encroachment agreement shall be fully executed and recorded prior to issuance of construction permits. Property right agreements may require City Council approval.
25. Enlarged details of the rights-of-way, ownerships and easements in this area shall be included with the Engineering permit application. This detail drawing is required to ensure that the existing OWT corridor ("Tract A" on BSP#3986666) can be connected to the Hillside Drive ROW via a minimum 12'-wide public trail corridor, staying clear of the toe of the adjacent steep slope, subsequent to the proposed ROW vacation.
26. Address stormwater drainage from the existing swale located on the east side of, and parallel to, the existing paved section of the Woodland Trail. If required, a culvert shall be installed to convey this water under the future Hillside Drive trail connector, along with necessary infrastructure for stormwater discharge. This will be addressed at the time of engineering permit review.

#### **Impact Fee Note:**

This project will be subject to impact fees. These fees will be due and payable when building permits are issued. Specific impact fees will be determined when a complete building permit application is submitted. Prior to that date, all impact fees are subject to change. Enclosed is the current impact fee handout for your reference.

#### **Appeal Period**

This Land Use Decision by the Director and this Threshold Determination by the SEPA official are final unless appealed prior to 5:00 p.m. September 2, 2016. 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. If an appeal is filed, no permits will be issued until the administrative appeal is resolved.

#### **Appeal Procedure**

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

#### **Expiration of Approval**

Pursuant to 18.60.240 and 18.72.140.D., this approval will expire two years from the date of the appeal period deadline, unless utilized by an application for unexpired construction permits or explicitly extended by the Director in response to a written request submitted prior to the expiration date.



**CARI HORNBEIN, SENIOR PLANNER**

Lead Planner on behalf of Keith Stahley,  
Director of Community Planning and  
Development.



**TIM SMITH, SEPA OFFICIAL**