

BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

IN RE:)	HEARING NO.
)	
STOLL ROAD SE REZONE,)	FINDINGS OF FACT AND
)	RECOMMENDATION TO CITY
Applicant.)	COUNCIL

APPLICANT: Fourth Street Housing, LLC
P. O. Box 159
Arlington, Washington 98223

REPRESENTATIVE:

Glen Wells
P. O. Box 159
Arlington, Washington 98223

SUMMARY OF REQUEST: Rezoning of property at 414 and 422 Stoll Road SE from Manufactured Housing Park (MHP) to High Density Corridor-4 (HDC-4).

SUMMARY OF DECISION:

The Hearing Examiner recommends to the City Council the properties be rezoned to HDC-4.

DESCRIPTION OF SITE

Stoll Road SE intersects with Lilly Road SE between Interstate 5 and Martin Way. It then travels west about a hundred yards, past the City's new Fire Station No. 4; a new public storage facility; a few residences and duplexes; and the south entrance to the Horseshoe Trailer Lodge, a mobile home park. The road then comes to a "T" intersection and continues both north and south to dead ends: Going south the road passes mostly single-family residences until its terminus at the north boundary to Interstate 5. Going north, the road passes a 48-unit apartment facility currently under construction, a few houses and some empty lots before coming to a terminus at a bluff above Martin Way.

The proposed rezone properties are along this north extension of Stoll Road, consisting of two lots containing just less than one acre and lying between Stoll Road to the west and the Horseshoe Trailer Lodge to the east. The southerly lot is vacant while the northerly one contains a single-family residence. South of these two lots are single-family residences and north of them is an existing commercial building. West of the lots, and across Stoll Road, is a large area being prepared for additional multi-family housing.

*Findings of Fact and
Recommendation
to City Council - 1*

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1 As Stoll Road currently has no outlet except onto Lilly road, it historically served as a
2 quiet residential backwater containing a mix of single-family residences, duplexes and the
3 Horseshoe Trailer Lodge. Its status is rapidly changing as hundreds of nearby residential units
4 are either recently constructed, are under construction, or are planned. As part of this approved
construction, Stoll Road will be extended and connected to Martin Way, turning it into an
important means of access for these new residences.

5 The two rezone lots were annexed into the City in 1970 and given a zoning designation of
6 Manufactured Housing Park (MHP) similar to adjoining properties to the south and east. This
7 zoning designation was most likely intended to allow for either the expansion of the Horseshoe
8 Trailer Lodge or the creation of an additional mobile home park. Since then Horseshoe Trailer
Lodge has not expanded (and does not intend to expand) and there has been no interest in
creating a new mobile home park on adjoining properties.

9 The Applicant requests that the zoning designation of the two properties be changed from
10 Manufactured Housing Park to High Density Corridor-4 (HDC-4). This is the present zoning
11 designation for properties immediately north and west of the site as well as all nearby properties
12 along Martin Way. These adjoining properties, as well as the site itself, also fall within the High
Density Neighborhoods Overlay. The proposed zoning change would result in the properties
having the same zoning designation and High Density Overlay as adjoining properties.

13 As noted earlier, the area surrounding these properties is currently undergoing a dramatic
14 transformation to high density residential use. Due west of the site, and along Martin Way, is the
15 recently completed Merrit Manor with 82 residential units. Between Merrit Manor and the
16 project site is a vacant lot where Phase 2 of the Merrit Manor project is in pre-submission
17 conference with the City. Once constructed, this project will add an additional 74 residential
18 units and will trigger the connection of Stoll Road to Martin Way. This Phase 2 project
19 envisions using a portion of the rezone property for parking. Just southwest of the rezone
properties are the Stoll Road Apartments currently under construction. This project will add 48
residential units along the west side of Stoll Road. Also in pre-submission conference is yet
another multi-family project on the east side of Stoll Road that will add 54 residential units. The
southern rezone lot is envisioned, in part, as the site of a three story, 22-unit apartment building.
In summary, there are nearly 300 residential units on or near the property that have recently been
constructed, are currently under construction or are in planning with the City.

20 The property's current zoning designation of Manufactured Housing Park is primarily
21 intended to accommodate mobile homes and manufactured housing in parks. It also allows for
22 manufactured housing on individual lots, single-family houses, duplexes and townhouses at
23 densities between 5 and 12 units per acre in locations where mass transit service exists or is
24 planned. By comparison, the proposed zoning designation of High Density Corridor allows for a
25 compatible mix of high intensity commercial office and multi-family residential uses, with
transformation of neighborhoods to commercial and residential activity centers over time. The
rezoning would therefore allow the properties to be developed at more intensive residential
levels similar to the nearby projects currently under development.

*Findings of Fact and
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to City Council - 2*

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1 The City's Manufactured Housing Park zoning designation requires that any new
2 manufactured housing park be developed on a minimum five-acre parcel. As these two
3 properties have a combined size of less than one acre, neither is capable of being developed as a
4 manufactured housing park. The property is therefore unsuitable for the primary purpose of the
MHP zoning designation. Development of the property under its present zoning would be
limited to relatively low density residential uses.

5 PUBLIC HEARING

6 Prior to the public hearing I undertook an independent site inspection consisting of a
7 drive along Stroll Road and surrounding arterials.

8 The public hearing commenced at 6:30 p.m. on Monday, February 23, 2020, in the
9 Council Chambers in City Hall. The hearing lasted less than half an hour. The City appeared
10 through Lydia Moorehead, Associate Planner, along with other members of City Staff. The
11 Applicant appeared through Glenn Wells of Fourth Street Housing, LLC. There were no
members of the public present. A verbatim recording was made of the public hearing and all
testimony was taken under oath. In advance of the hearing, Ms. Moorehead prepared a Staff
Report including attachments 1-11. No additional exhibits were received prior to or during the
hearing.

12 **City Staff Presentation.** As no members of the public were present, Ms. Moorehead
13 was allowed to reduce the length of her presentation and relied primarily on her written Staff
14 Report. As noted in the Staff Report, there has been no opposition to the proposed zoning
15 change. The City hosted a public information meeting at the nearby Fire Station No. 4 on
16 November 12, 2019. Only a few people attended the meeting and none expressed opposition to
the zoning change. The request was then reviewed by the Olympia Planning Commission on
January 13, 2020. The Commission recommends to the Hearing Examiner that the proposed
rezone is consistent with the City's Comprehensive Plan and should be approved. The
application also underwent SEPA review. In response, the City received general comments from
the Nisqually and Squaxin Tribes and the Department of Ecology as well as a few phone calls
from neighbors, but none of these comments expressed opposition. Finally, the Staff made
personal contact with adjoining landowners within the MHP zoning, particularly the Horseshoe
Trailer Lodge. Once again, there was no opposition from these adjoining property owners. The
owner of the Horseshoe Trailer Lodge also expressed no opposition and confirmed that he had
no plans for expansion.

21 Olympia Municipal Code 18.59.050 establishes five criteria for the rezoning of property.
22 Ms. Moorehead's Staff Report analyzes each of these criteria and finds that they have been fully
satisfied:

23 1. OMC 18.59.050(a). **The rezone is consistent with the Comprehensive Plan**
24 **including the Future Land Use Map.** Ms. Moorehead's report, at pages 6-8, carefully analyzes
this criteria. The two lots and all surrounding properties are identified as "Urban Corridor with
25

*Findings of Fact and
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1 a High Density Neighborhood's Overlay" in the City's Future Land Use Map. These
2 designations signal the City's desire for this neighborhood to see multi-family residential,
3 commercial and mixed use neighborhoods with densities of at least 25 dwelling units per acre, a
4 much greater intensity than is currently allowed in the site's MHP zoning. A rezone to HDC-4
would therefore be consistent with the Future Land Use Map as well as the Development
Regulations implementing the intent of the map.

5 Ms. Moorehead notes that a rezone to HDC-4 would also further the goals and policies of
6 the Comprehensive Plan including Goal GL1 and Policies PL1.1 and 1.4; Goal GL14 and Policy
7 PL14.2; and Goal GL16. Of all of these goals and policies, the most notable is Policy PL14.2
8 which expresses the City's goal of concentrating new housing into the "Pacific/Martin/Lilly
Triangle". The rezoning of this property, and its subsequent development into higher density
residential use, would help accomplish this goal.

9 Conversely, the site's current zoning serves little or no purpose as the two properties are
10 too small to be developed as mobile home parks and, under the MHP zoning, must be developed
11 at a lower intensity than the goal expressed in GL14. The City Planning Commission
recognized all of this and unanimously concluded that the rezone would be consistent with the
Comprehensive Plan.

12 2. OMC 18.59.050(b). **The rezone will maintain the public health, safety or**
13 **welfare.** This criteria is discussed at page 8 of Ms. Moorehead's Staff Report. She notes that any
14 increased development in accordance with the HDC-4 zoning would be subject to the City's
15 Development Regulations intended to assure adequate utilities and streets. Indeed, as part of
current development nearby the rezoning Applicant is arranging for a sewer main extension as
well as the connection of Stoll Road SE to Martin Way. City Staff collectively concludes that
there will be sufficient capacity for sewer, water, solid waste and emergency services to the site.

16 3. OMC 18.59.050(c). **The rezone will result in a district that is compatible**
17 **with adjoining zoning districts.** This criteria is discussed at page 8 of the Staff Report. As
18 noted earlier, the City's Future Land Use Map identifies these parcels and surrounding
19 neighborhoods as Urban Corridor with High Density Neighborhood Overlay and is otherwise
20 consistent with the City Comprehensive Plan. Envisioned development for this property would
21 be similar to, and compatible with, the rapid development of higher density residential projects
occurring on several nearby properties. Application of the City's Design Regulations will ensure
compatibility of any development on this property with project's being developed on nearby
properties.

22 4. OMC 18.59.050(d). **The rezone will result in a district that is compatible with**
23 **adjoining zoning districts.** All adjoining properties to the north and west, and all nearby
24 properties along Martin Way, are currently in the HDC-4 zoning district. Properties to the south
25 are in the General Commercial (GC) zoning district - a compatible zoning district. The rezoning
will therefore result in a zoning designation that is either the same as or comparable with the
zoning designation of adjoining properties. Property to the east of the parcels will remain in the
MHP zoning district but this designation is also compatible with the HDC-4 zoning district.

5. OMC 18.59.050(e). **Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone.** The requirements for OMC 18.59.050(b) discussed above, will generally apply to this requirement as well. The City's new Fire Station No. 4 is located just a short distance away on Stoll Road and fire service will be readily available. The development of other projects in the neighborhood is resulting in the extension of sewer and water mains along Stoll Road SE, ensuring adequate supplies of these utilities to the rezone properties. The development of the property immediately north of the rezone parcels will result in a connection between Stoll Road and Martin Way, and Stoll Road will be improved to current road standards. City Staff also finds that stormwater will be properly managed in accordance with City regulations. Thus, all basic utilities and services will be available to the rezone properties.

The Staff Report notes that there are no nearby parks within walking distance (one-half mile) but that a neighborhood/open space park is proposed nearby.

The Olympia School District has not expressed any opposition to the rezoning.

In summary, City Staff concludes that all important public facilities and services either exist or are planned for the area and are adequate and likely to be available to serve development of the rezoned properties.

FINDINGS OF FACT

There has been no public opposition to the proposed rezone. The rezone properties are not of sufficient size to qualify for new manufactured housing development in the MHP zoning district and thus would be relegated to low density residential development. City Staff recommends that the properties be rezoned to HDC-4 to allow for their development consistent with the City's Comprehensive Plan and Future Land Use Map, and consistent with the significant development currently taking place on adjoining properties. I concur with the Findings and Recommendations of City Staff and adopt them as my own. I therefore find that the proposed rezoning is:

1. Consistent with the Comprehensive Plan including the Future Land Use Map. OMC 18.59.050(a).
2. Will maintain the public health, safety or welfare. OMC 18.59.050(b).
3. Is consistent with other development regulations that implement the Comprehensive Plan. OMC 18.59.050(c).
4. Will result in a district that is compatible with adjoining zoning districts. OMC 18.59.050(d).

5. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed rezone. OMC 18.59.050(e).

Compliance with OMC 18.59.050(a) - (c) is mandatory for rezone approval while compliance with subsections (d) and (e) is optional, but the proposed rezoning easily satisfies all five of these requirements.

DATED this 28 day of February, 2020.

Mark C. Scheibmeir
City of Olympia Hearing Examiner