



## City Council

### Public Hearing -- Development Agreement with Intercity Transit

**Agenda Date:** 12/15/2015  
**Agenda Item Number:** 5.A  
**File Number:** 15-1226

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**Type:** public hearing **Version:** 1 **Status:** Passed

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#### **Title**

Public Hearing -- Development Agreement with Intercity Transit

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Hold the public hearing. After closing the public hearing, move to adopt the Resolution Approving a Development Agreement with Intercity Transit for proposed expansion of its transit base at 526 Pattison Street SE, projected to take place in two phases of development.

#### **Report**

##### **Issue:**

Should the City Council approve the development agreement with Intercity Transit?

##### **Staff Contact:**

Leonard Bauer, Deputy Director, Community Planning and Development, 360.753.8206

##### **Presenter(s):**

Leonard Bauer, Deputy Director, Community Planning and Development

##### **Background and Analysis:**

This development agreement is requested by City staff in accordance with Chapter 18.53 of the Olympia Municipal Code. Staff from the Departments of Community Planning and Development and Public Works have worked with Intercity Transit and the City Attorney's office to draft the proposed resolution adopting the development agreement (attached).

The development agreement is for two tax parcels located at 526 Pattison Street SE. The southern parcel currently contains the Intercity Transit base and administrative offices. Intercity Transit plans to rehabilitate existing facilities on the southern parcel and expand onto the northern parcel to improve operations. The project is being phased due to limited funding.

Phase 1 will replace existing single-walled underground storage tanks on its southern parcel with

new tanks on the northern parcel. In addition, Phase 1 includes upgrades to an existing lubricant room and fueling station, adding paved parking, dedication of right-of-way and construction of temporary sidewalk along the east side of Pattison Street from the existing offices to Martin Way, and a pedestrian crossing of Pattison Street at its intersection with Martin Way. Phase 1 also includes temporary landscape screening around the entire developed portion of the northern parcel.

Phase 2 will complete rehabilitation of the existing facility and expansion of the entire northern parcel, including frontage improvements along Pattison Street and Martin Way frontage according to City standards, an additional transit stop, and two new access points - one on Pattison Street and one on Martin Way. Phase 2 also includes a separately accessible van pool service center. Landscape and tree replacement for the project are specified to meet city requirements. Intercity Transit agrees to install a traffic signal and pedestrian crossings at the intersection of Martin Way and Pattison Street as part of Phase 2.

**This public hearing and decision are on the terms of a development agreement with Intercity Transit for the subject property. This Public Hearing is not a hearing or decision on the proposed development itself.** Consideration of proposed development on the property will occur in the future as part of the review of permit applications after they are received by the City.

#### Legal Requirements for Development Agreements

Chapter 36.70B.170 of the Revised Code of Washington authorizes cities to enter into a written development agreement with a property owner. The City of Olympia's procedures for development agreements are contained in Chapter 18.53 of the Olympia Municipal Code (OMC).

Following is a brief summary of those procedures as they relate to the development agreement with Intercity Transit:

- The City Council is the authority to make a final decision on a development agreement.
- The City Council must hold a public hearing on the development agreement. Notice was provided for tonight's hearing consistent with the City's public notice requirements (OMC 18.78.040).
- A development agreement must be heard by the City Council prior to consideration of any related project application.
- A development agreement may address the development standards and other provisions that apply to the proposed development and vest to the development, the time frame of the agreement, and any mitigation measures to address potential impacts of the agreement. The attached development agreement would not change any existing city regulations as they would apply to the development, but would ensure that current regulations apply to all phases of the development. The agreement includes exceptions for future state or federal regulations that may supersede the city's authority, and for new regulations addressing threats to public health and safety. The term of the draft agreement is ten years.
- Development agreements are recorded with Thurston County and remain in force and applicable to the property according to the terms of the agreement, even if the property is sold or transferred to another party.

#### **Neighborhood/Community Interests (if known):**

There has been no indication as of this writing of significant neighborhood interest in the development agreement. The expansion project is likely to be of interest throughout Intercity Transit's service area, as it will provide improved support to all its transit services.

**Options:**

Following the close of the public hearing:

1. Approve the resolution approving the development agreement.
2. Do not approve the resolution.
3. Continue consideration of the resolution until a future Council meeting.

**Financial Impact:**

None.