

Comments on the Draft SEIS Urban Waterfront Housing Rezone Proposal
2008 Comprehensive Plan Revision Process
To: Planning Staff and the Planning Commission
From: Thad Curtz, as an individual and a member of Friends of the Waterfront

This document refers repeatedly to the analysis I'm submitting to the Planning Commission as testimony on the Urban Waterfront Rezone and Height Amendment Proposal (Chapter 7 of the 2008 Comprehensive Plan Amendment Process). That testimony should be included by reference as part of my discussion here, and read in advance of this.

The last paragraph on p. 7-3 should be modified to more accurately reflect the traffic problems associated with adding density to this particular strip of land rather than other locations downtown, as follows:

Access to the analysis area is somewhat constrained by its location on {a} relatively narrow neck of land, and is predicted to end up with Level F rush hour traffic at Washington and 5th (like the Black Lake-Harrison intersection now) sometime before 2025.

Shoreline Management Act -

According to the Shoreline Management Act, "the interest of all the people shall be paramount in the management of shorelines of statewide significance." (RCW 90.58.020) Clearly, given over 700,000 visitors to the Capitol and its grounds each year, the amounts of money the state has expended to develop Heritage Park and to enhance both the pedestrian connections between the Capitol and the isthmus and the visual ones, and the State's plans for large additional investments in the Capitol Campus Heritage Center, designed to further realize the various Capitol designers' concern with creating a splendid visual experience for visitors looking over the Sound, this is a shoreline of statewide significance.

This section provides that local governments, in developing master programs for shorelines of statewide significance, shall "give preference to uses in the following order of preference which:

"(1) Recognize and protect the statewide interest over local interest;"
and
"(3) Result in long term over short term benefit..."

It concludes this list by specifying that:

"In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."

Extensive public testimony speaks to the large losses to "the public's opportunity to enjoy the ... aesthetic qualities of the natural shorelines of the state" that the public and the committee authorized by the State to make recommendations about aesthetic and design issues for the Capitol Campus expect granting this rezone would produce. Our attached testimony to the Planning Commission also argues that this project by itself will provide small gains at best to the public as compensation for those losses, either through helping develop the business and cultural life of the city or through environmental benefits. Since 90% of downtown is zoned to allow tall condominiums of this sort, and that area includes many other sites with sweeping waterfront views of East and West Bay, Capitol Lake and the Sound, granting the applicant a rezone to put such buildings on the isthmus certainly does not constitute an action by local government which preserves the "aesthetic qualities of the natural shoreline to the greatest extent feasible consistent with the overall best interest of the state and the people generally" (though it is perhaps in the short-term interests of a few private

parties). It's clearly in conflict with the state policy and enunciated intent of this Act.

Staff's discussion of the Shoreline Management Act on page 7-5 of the Draft SEIS should be amended to include additional portions of RCW 90.58.020 which are particularly pertinent to this decision, and read that the Act:

...requires local jurisdictions to develop Shoreline Master Programs to "recognize and protect the statewide interest over local interest," "result in long term over short term benefit;" encourage water-dependent uses along shorelines, ~~to~~ ensure that shoreline natural resources are protected, ~~and to~~ promote public access to shoreline, and preserve "the public's opportunity to enjoy the ... aesthetic qualities of natural shorelines of the state ... to the greatest extent feasible consistent with the overall best interest of the state and the people generally." (quotes from RCW 90.58.020)

Shoreline Master Program for the Thurston Region

In her letter to the Commission of June 6th. applicant's representative states herself that "the water view from the Hall of Justice of Budd Inlet" is protected under the Olympia Shoreline Master Program:

"The water view from the Hall of Justice of Budd Inlet which is protected under the Olympia Shoreline Management Act is ..."

(Hawkins letter to Mayor, Council and Planning Commission; June 6, 2008)

As discussed in the attached testimony to the Planning Commission, the way that this paragraph goes on to claim that the damage to that protected view would be "insignificant" by appealing to the 1% of the water that would be obscured basically turns a blind eye to how disruptions affect aesthetic experience. On this principle, having a cell phone go off during Desdemona's death scene is "insignificant" because it only interferes with less than 1% of the dialogue....

Page 7-6

"Since Comprehensive Plan application was filed," should be amended to read, "Although Triway included it in the rezone application in an attempt to avoid the appearance of spot zoning (as their letter to CP&D for June 20th indicates) the City had already purchased the Little DaNang Restaurant site and is listed as the owner in the application."

Obviously, page 7-6 needs to note that the State Capitol Campus Design Committee has now submitted a letter unanimously opposing the rezone application.

Page 7-8

This set of pictures should include similar photos from a boat on the other side of the inlet, from areas where the view of the dome clearly will be blocked by Triway's project.

Page 7-11

Amend the first paragraph, which now reads: "or are otherwise subsidized." to read "or are otherwise subsidized through a variety of programs, including the city's 10 year property tax exemption program for downtown housing."

Prominent views seem to be omitted from the last paragraph on this page.

Page 7-12

This section on Pedestrian Environment omits any reference to the negative effects of increased

arterial traffic on the experience of pedestrians on the sidewalks, and of the increased risk and negative effects of such traffic on pedestrians attempting to cross the street, particularly on the automatic crosswalks that the city has installed in this area to enhance the pedestrian connections between the park, Bayview, and the Boardwalk by allowing people to stop traffic and cross at will. The following should be added to the end of the second paragraph on this page:

".. can be highly pleasing to the pedestrian. On the other hand, heavy street traffic can be highly unpleasant to pedestrians both on sidewalks and when trying to cross back and forth between areas of interest on both sides of the street; it also reduces pedestrian safety, particularly on automatic crosswalks, although they're intended to enhance the pedestrian experience."

Page 7-13

"...perhaps as much as three feet in the next 100 years." should be amended to read "perhaps as much as three feet in the next 100 years, according to the estimates the City currently uses, although reputable scientists predict rises of as much as 20 feet in the event that the Antarctic and Greenland ice shelves collapse. (See the testimony submitted April 18th by Jim Lazar, who consults professionally with governments about this issue.)"

"It can also increase the pool of potential transit users and drive increased transit ridership." should be amended to read "It can also increase the pool of potential transit users and drive increased transit ridership, although except in very dense metropolitan areas the occupants of high-end housing very rarely use bus service."

Page 7-14

A sentence should be added at the end of this sentence to say: "The Conclusions of the market analysis submitted with this application strongly advise against proceeding with this project as a first step in developing housing in downtown Olympia, which raises significant questions about the economic feasibility of this plan. Applicant's desire to proceed in this way seems to reflect his sincere desire to build a grand "legacy" project in and for the city as much as sober economic calculations."

Similar uncertainties about the economic feasibility of the project as it's being presented to the community are raised by staff's comment that "In interviews with developers and experts in similar markets in Oregon and Washington, it was determined that an average housing unit size in similar markets with comparable locational amenities would be approximately 850 square feet," staff's decision that it's appropriate to conduct the traffic analysis for the entire rezone on the basis of 478 much smaller units (Triway's share of this would be 229 units, not 141.) (Draft SEIS, 7-23), and staff's estimate of demand for Triway's project as "shallow."

Page 7-23

As the analysis in comments to the Planning Commission shows, the sentence reading "Reduced trip rates for options with housing are indicative of the potential for residents to shop and work without making vehicle trips." is quite misleading about the potential of this project's downtown location to significantly reduce driving. This section should be amended as follows:

"Reduced trip rates for options with housing are indicative of the potential for residents to shop and work without making vehicle trips. However, the total reduction of trips due to locating this many multi-family units downtown rather than elsewhere would be quite small. Using the city's standard traffic handbook, we estimate that at an absolute maximum, Triway's proposed project would save no more than 20 trips during peak PM traffic out of tens of thousands in the city."

p. 7-24

The first paragraph of analysis under the Growth Management Act should be amended to add:

"... low-density development. However, to the extent that this rezone resulted in luxury condominiums which attracted new residents to the area who would not otherwise have moved to Olympia, it would merely add to the area's problems with growth, rather than helping to manage the ongoing growth which is occurring for other reasons."

As Rhonda Olnick's comments to the Commission indicate, the current market for million dollar residences in the county is tiny. (In the last year MLS statistics show "5 condos that sold in the high-end market priced between \$474,000 to \$625,000. Only 19 single family homes sold last year priced from \$800,000 to \$1.2 million.") Given this, TriWay can't expect most of its customers to be local residents shifting from the suburbs to downtown, or even the 19 households a year currently buying million dollar homes in the area. He must expect luxury condos to draw people looking at a lot of possible cities with waterfront retirement condos to choose Olympia.

Again, the end of the next to the last paragraph on this page should be amended to read "accommodate expected growth, or perhaps be a new factor creating additional growth."

p. 7-25

Should be amended to read:

"Concentrated intense development can benefit the environment by reducing urban sprawl (provided that it does not itself attract additional residents and generate extra growth beyond what would otherwise be expected."

and

"Residents would provide a base of customers for downtown commercial uses (although there would be more new retail space than new customers, requiring new customers who drove into town or customers attracted away from existing downtown businesses to be commercially viable.)"
(in two locations)

and

"Though many residents' pleasure in the openness of the streets there to the sky, surrounding water and hills will be lost, buildings that step up from low to tall will generate a more varied and interesting urban form with a sense of energy and enclosure.
(in two locations)

p. 7-26

Staff should prepare for the Planning Commission's consideration as part of this year's amendments to the Comprehensive plan modifications to City plans which would "specifically protect" "prominent views from vantage points" that are not now explicitly designated for protection by the City, including (but not limited to) the additional views discussed in staff's analysis of the rezone application.

p. 7-26

It's ironic to find staff characterizing Olympia as in need of creating a "vital, lively downtown" and in need of "creating downtown vitality" and a "livelier street environment" only seven years after *Time* characterized us as "the hippest small town in the West" and in the middle of a political fight about whether downtown is so lively at night that we need a strict noise ordinance. There are more posters for concerts and performances every week than one person can possibly get to. In fact, some people want a different sort of "vitality" and "liveliness" downtown, which is certainly their right, but planning staff should find some more truthful and accurate language to characterize this

aspect of what the city wants to gain - basically, I think, a more middle-class, comfortably bourgeois downtown. (Which I'd like too, incidentally.)

7-27

Option 1 should be amended by adding:

"However, many less impressive daily views, such as that of the dome from Bayview's parking lot, or views of the hillsides which define the river valley in which Olympia sits, views which many people have testified they value highly, would be preserved."

(And appropriately symmetrical language about losses, of the sort employed throughout staff's analysis, should be added to Options 2 and 3.)

"except where the north/south streets provide view corridors." should be amended to read "except where one of the three remaining north/south streets provided view corridors. (Yashiro Street and Sylvester Street would no longer exist, since they are not actually city streets and would be built over."

p. 7-28

Option 1 should be amended to read:

"At full build-out, there would be an estimated increase of more than 420 peak hour vehicle trips in this area where traffic is already a serious concern for Westside residents (according to Chris Stearns, the secretary of the Cooper Point Association, as quoted in *The Olympian* March 23rd, 2008), a roughly 20% increase from current levels. However, this represents the number of trips that were anticipated in the EIS for the 1994 Comprehensive Plan,"

"Substantial improvement in pedestrian environment would be realized at full build out as infill would create a more continuous pedestrian environment." should be amended to read:

"Though many residents' pleasure in the openness of the streets there to the sky, surrounding water and hills will be lost, infill would create a more continuous pedestrian environment." Or some other more accurate phrase, since staff's recommendation of Option 3 and Triway's agreement to removing four parcels from the rezone don't seem to leave much "continuity" as a feature of what we'd get from a rezone, and low office buildings would create an equally "continuous" pedestrian experience.

"This option promotes multi-modal transportation uses, and is generally consistent with City of Olympia's Comprehensive Plan Goals and Policies for Transportation." should be amended to read "This option would produce very minimal increases in multi-modal transportation uses; staff's standard methods of estimation predict a total reduction of peak PM drive trips of 20 per hour in comparison with a similar number of multi-family units in the suburbs, due to the use of other modes of transportation including walking and transit."

7-29

As Bob Jacobs details in his comments, this proposal violates at least four of the five OMC criteria listed here, and this section should be amended to discuss those objections.

7-30

"would not be materially detrimental to property in the vicinity." should be amended to read "although they would significantly reduce the value to the public of much of the property in the vicinity, particularly Heritage Park, the Fountain Block, and the pedestrian walkway by Image

Services."

Development Scenarios should be revised so its opening reads:

Given the gap between the development advice offered in applicant's own market analysis and the project to which Triway has committed itself, and between what developers and experts interviewed by staff said about average housing unit size in similar markets with comparable locational amenities, it is difficult to be confident about development scenarios for this project. As we have said, "under current market conditions, demand seems relatively shallow and would be fulfilled quickly."

(Obviously, you'd then need to reconcile that with the terms you've used in the table beneath on this page, which do not seem to fit the facts from elsewhere in the application and analysis currently omitted from this discussion.)

7-30

Opening should be amended to read,

"Although building at the current zoned height in this area has not been commercially attractive enough to take advantage of available land for a number of years, the area may eventually develop into replacement low-rise office or commercial space with associated parking. Commercial uses at the current height would not detract further from the community's views and their pleasure in the current pedestrian experience."

Obviously, I think that staff should significantly revise their final recommendations too, but you'll have to do any rewriting you decide is appropriate in that section.

Best wishes,
Thad Curtz