

720 Governor Stevens Ave. SE, Olympia 98501

June 27, 2008

Ms. Jan Weydemeyer
CP&D

Dear Jan:

Please accept this communication as my official comments, both as an individual and as a member of Friends of the Waterfront, regarding the 5-30-08 DEIS on the Urban Waterfront Rezone and Height Amendment Proposal (Chapter 7 of the 2008 Comprehensive Plan Amendment Process).

Concentrated Housing

The Staff Analysis on pages 7-24 to 7-33 focuses heavily on the Growth Management Act's requirements (echoed in County-wide Planning Policies and the Olympia Comprehensive Plan) that cities like Olympia provide for higher concentrations of housing in order to achieve a number of objectives including reduced environmental degradation, reduced travel, and reduced conversion of forest and farm lands. The language transitions from the general ("urban areas") to the specific ("central locations") in the state, county-wide, and city policies (pp 7-24 and 7-25)

The Staff Analysis observes that these objectives can best be achieved by encouraging housing to be built in "central locations" and then more specifically "downtown."

I agree with all of that, but I believe that the staff report is flawed in its failure to consider the ways that the city has complied with all of these policies.

Olympia has zoned about 90% of its downtown to allow for the construction of large housing developments, whether condos or apartments. By "large" I mean up to eight stories, with full-block coverage. Even after deducting areas currently in dense development, this is a huge area, with provision for thousands of housing units. Essentially only areas along the waterfront and on Port of Olympia land are not included.

In addition, the city has other policies, including very lax rules for "remodeling" and a ten-year property tax exemption for new multi-family housing, that foster the addition of housing in this area.

Clearly, Olympia has met its obligation under the GMA and county-wide policies.

Staff has not demonstrated that additional land should be rezoned to meet the city's legal obligations, especially land that is a precious community amenity (see next section).

All of the advantages cited for the proposed rezone area would be present at many other sites in the downtown. In fact, in the case of transportation, the city should be looking for lower-intensity uses, such as the park proposed by OPC alums and the six former governors at the OPC hearing, to keep traffic in this corridor to a minimum. We must remember that this corridor (4th and 5th Avenues) is the only connection between East Olympia/Downtown Olympia and West Olympia, other than going via a circuitous route through Tumwater .

Finally, the "minimum target" of 50 housing units added per year in the downtown (Comp Plan page 102) seems unreasonably high. I don't believe it matches the rates in other cities such as Vancouver, and it is not borne out by the judgment of one local developer who testified at the OPC hearing. My recollection of this "minimum target" is that it was just made up, not derived from any study.

Views

The staff analysis on pages 7-26 and 7-27 focuses on Comp Plan language that relates to specifically protected views and viewpoints, while recognizing other views that are important to the community. The analysis recognizes that both the applicant's proposal and the staff alternative would have significant adverse impacts on views.

The analysis does not recognize the importance of views and view corridors more generally as community and state amenities.

The fact that these views and view corridors are significant community and state amenities has been made clear by written communications and testimony before the OPC, both of which occurred after the issuance of the DEIS:

- A group of former planning commission members who served in the late 1980s and early 1990s and who developed the current zoned heights at that time with significant public involvement have made clear that they regard the isthmus as an area which should remain in low-rise zoning in order to protect the openness and light in this area near the Capitol Lake and Budd Inlet waterfronts, and in order to protect highly valued views between various key areas including the Temple of Justice, Budd Inlet, and the Olympia Mountains.
- State officials and former state officials have made clear that they view this area as one in which the state has acquired an interest over a long period of time, starting with the design of the state capitol campus in 1911 and continuing with the funding of Heritage Park in recent years. This includes individual state legislators and the State Capitol Campus Design Advisory Committee. In addition, in an unprecedented action, a proclamation was issued by all six former governors and the former Secretary of State and a number of their wives. This proclamation calls for the proposed Comp Plan amendment to be rejected and for the area between 4th and 5th avenues to become an extension of Heritage Park.

It should go without saying that the city should not risk the potential political consequences of violating perceived state interests, because the city depends on the state for so many actions vital to the city's health. This includes funding for Heritage Park, funding for Percival Landing, location of state office buildings in the downtown, the operation of the beautiful state capitol campus which draws over 700,000 visitors per year, and so much else.

Thus, the analysis of Views is inadequate. However, much of the above information was not available when the DEIS was written.

The staff's assertion that 8-foot step-backs would "preserve distant views along major view corridors" (page 7-32) is simply wrong.

Olympia Municipal Code

This section, on pages 7-29 and 7-30, lists five criteria from OMC 18.59 that are to be used to evaluate a rezone request.

This proposal violates at least four of those criteria:

1. Consistency with an approved amendment to the future land use map. Clearly, this proposal is not consistent with any approved amendments, as the staff analysis acknowledges.
2. Consistency with the Comp Plan. It is inconsistent, as indicated above and below.
3. n/a

4. Warranted to achieve consistency with the Comp Plan, or need for additional property in the land use classification, or appropriate for reasonable development of the property. As indicated above, the proposal fails to meet any of these three criteria.
5. Not materially detrimental to uses or property in the immediate vicinity. Clearly, the massive structures that would be allowed by this proposal, nearly 40% more massive than either the largest building currently in downtown Olympia (Cherry Street Plaza) or the General Administration Building, would be strongly detrimental to the use of Heritage Park, Percival Landing, and the Fourth Avenue Bridge, not to mention the State Capitol.

Economic Analysis of Development Potential

This portion of the staff analysis says that the current demand for the type of condo units which the applicant has widely discussed is “relatively shallow”. I agree. The demand would not absorb either the 141 units that the applicant has widely discussed, or the \$1,000 per square foot price the applicant has discussed. This strongly hints that the amendment would set the city up for a bait-and-switch approach by the developer. This approach, commonly used by the development community, is to knowingly promise more than can be delivered, then come back for another amendment that would give the city some of what it wanted, but not all that it based its decision on. In this case, the applicant could come back and say that they’d need to change several of the stories from residential to office uses. The city would be placed in the difficult position of having to accede in order to get at least some of what it wanted – housing.

Comp Plan Quotes relevant to this application, with comments as appropriate:

Overview, Page 20: “In order to grow gracefully and remain a healthy and desirable community, tomorrow’s higher-density must also be accompanied by improved amenities for urban life.” The proposed zoning would do the opposite; it would reduce amenities for the whole community.

Overview, Page 20: “Olympia will be a showcase in the years to come, fulfilling its potential as the capital city of the Evergreen State.” This “capital city” theme has become ever more important for the city council in recent years. The proposed zoning would do the opposite of this statement by detracting from the capitol campus, recently named the most stunning state capitol setting in the country. That honor is due largely to the connection with Puget Sound, which would be severely harmed by the proposal. This has been made clear by state officials, as indicated above.

Overview, Page 20: “The City will view every major decision in light of the consideration, ‘How will this affect not just us, today, but the next seven generations? And the next seven after that?’” The proposed zoning would trade off long-term quality of life for short-term gains.

Overview, Page 22: “Our centerpiece will be Heritage Park, envisioned in 1911 by the designers of the original Capitol Campus. Stretching from Budd Inlet to the Temple of Justice, it will be a unique memorial to the lands, waters, and people of our great state.” The proposed zoning would negatively impact the use of Heritage Park. It would also drastically change the adjacent lands subsequent to the park’s construction. The city lobbied hard for the construction of Heritage Park, both directly and by funding the North Capitol Campus Heritage Park Development Association’s citizen lobbying efforts. To change the zoning as proposed would damage the city’s relationship with the state for years to come and would jeopardize state funding vital to the city budget. The city needs to maintain a good relationship with the state, by far its major industry, for many reasons, as outlined above.

Land Use and Urban Design, Page 1: Referring to the city’s “Urban Design Vision and Strategy”, developed by the city with community members, “The people participating in the study value the waterfront, downtown, the Capitol Campus, the older established neighborhoods, and views to the

Olympic Mountains and Black Hills.” Note that views of the Olympia Mountains are specifically referenced as valuable, and would be diminished by this proposal.

Land Use and Urban Design, Page 6: “Protect views and features of the regional landscape which are unique to Olympia, such as Budd Inlet, the Capitol Dome, the Black Hills, Mount Rainier, and the Olympic Mountains.” The proposal would violate this statement.

Land Use and Urban Design, Page 6: “LU 1.3, Increase the overall housing densities in Olympia, and ultimately in the unincorporated area...” This policy makes clear that the city needs to increase “overall” housing densities, which can be done in many areas of the city and does not require the rezoning of any particular parcels.

Land Use and Urban Design, Page 7: “LU 2.2, Protect, to the greatest extent practical, scenic views of the Capitol Dome, Budd Inlet, Mount Rainier, the Black Hills, Capitol Lake, and the Olympic Mountains from designated viewing points and corridors.” The proposal would violate this policy.

Land Use and Urban Design, Page 88: “The area between Fourth and Fifth Avenues west of Sylvester Street should be encouraged to develop in low-rise projects combining retail and residential uses.” The proposal clearly violates this goal.

Land Use and Urban Design, Page 88: “The State Capitol is visible from much of Percival Landing, establishing an important visual link. Completion of the Heritage Park Fountain block will complete the major visual link to the State Capitol. This link should be maintained as much as possible, as well as view corridors with Budd Inlet.”

Housing, Page 2: “The first goal of the Housing Chapter is to meet the current and future need for housing. At the same time, we want to preserve those qualities of life that are valued in Olympia – open space, parks, fine neighborhoods, and a vibrant downtown.” It is clear from the turnouts at public hearings in 2002 and again this year that the isthmus area is one of those “qualities of life that are valued in Olympia.” There has been no other issue in my memory of city government that even comes close to the level of concern shown by the general public about this issue. It’s a lot for 50 people to show up for a public hearing, but the hearings on this issue have been attended by 600-800 people in 2002 (city council) and at least 400 people last week (OPC).

Sincerely, Bob Jacobs
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DEIS Comments – 2008 Comp Plan