

**TUMWATER PLANNING COMMISSION  
MINUTES OF MEETING  
August 28, 2018 Page 1**

**CONVENE:** 7:03 p.m.

**PRESENT:** Chair Dennis Morr, Jr. and Commissioners Terry Kirkpatrick, Joel Hansen, Nam Nguyen, Richard Manugian, and Meghan Sullivan Goldenberger.

Excused. Commissioners Jessica Hausman and Nancy Stevenson.

Absent: Commissioner Patrick Zitny.

Staff: Planning Manager Brad Medrud, Senior Planner David Ginther, and Recording Secretary Valerie Gow.

**APPROVAL OF  
PLANNING  
COMMISSION  
MINUTES –  
AUGUST 14, 2018:**

**MOTION:** **Commissioner Kirkpatrick moved, seconded by Commissioner Goldenberger, to approve the minutes of August 14, 2018 as published. Motion carried unanimously.**

**NEXT PLANNING  
COMMISSION  
MEETING:** The next meeting is scheduled on September 11, 2018.

**COMMISSIONER  
REPORTS:** There were no reports.

**MANAGER'S  
REPORT:** Manager Medrud reported on the cancellation of the November 27, 2018 Planning Commission meeting.

Manager Medrud encouraged members to email him with information on meeting availability to enable him to develop a schedule of individual meetings with each Commissioner to discuss current activities and any issues.

Commissioner Stevenson participated in the last tree count for preparation of the tree inventory as part of the development of Urban Forestry Management Plan. The last tree count is scheduled for the last Saturday in September. An open house on the Urban Forestry Management Plan is scheduled on October 8, 2018 from 6:30 p.m. to 8:00 p.m. at the Tumwater Fire Training Room with a Tree Board meeting directly following.

**PUBLIC  
COMMENT:** **Linda Barnett, 131 N 2<sup>nd</sup> Avenue SW, Tumwater,** commented on the zoning of her property. During the last 68 years, the City has not rezoned

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 2**

her property from the original zoning of a residential designation. The property houses a beauty salon business. She was able to purchase the building under the residential designation because the bank overlooked the detail. She purchased the building 13 years ago. During a recent conversation with a commercial realtor with Caldwell Bank, the realtor discovered the property is still zoned residential. A proposed designation is Neighborhood Commercial.

Because of issues associated with the building, the zoning designation only allows a maximum 3,000 square foot building. The current building is only 900 square feet in size. The building was built in 1955 to house the post office that was located next to the old City Hall building. As the area an iconic area of Tumwater, she asked whether the City would be interested in maintaining the existing building or redevelopment of the property to the maximum size allowed. Dependent upon the wishes of the City, the answer might help her determine the next steps for the property. Additionally, the property was supposed to serve as her retirement investment.

Earlier this year in the spring, she learned that many commercial properties are not selling or leasing. Because the property is located next to the brewery, which has been unoccupied for many years, it leaves her investment in a precarious situation. Thurston County continues to decrease the value of the property because it is beyond the 50-year horizon for the viability of a commercial building. The building has encountered several issues – aging of the building, lack of commercial construction in the local marketplace, and size of the existing building on a 7,000+ square foot lot. Today, she is encountering other problems, such as people urinating in the rear of the property during business hours and dumping on the property. The property is difficult to maintain in its current condition as it located next to a steep hill that continually sheds dirt and debris and impacts drainage. The issues are beginning to accumulate prompting her to question whether now is the time to sell the property. She asked the Commission to help resolve the zoning issue in a way that would benefit the property for both the City and for her moving forward. She became concerned when she learned that the proposal was to rezone the property to Neighborhood Commercial because it would be proper designation for the current building but it would restrict full build-out of the property.

Commissioner Kirkpatrick asked Mr. Barnett about her preference for rezoning the property. Ms. Barnett said she was unsure other than the property is located next to the Old Town Center. Possible future uses could include a meeting hall for Sunday or evening meetings to avoid impacts to uses during the day. Her concern is vandalism activity because once it begins, it is difficult to control and eradicate. The rear of the property is hidden from the street. She regularly inspects the rear of the property to determine whether homeless activity is occurring. Many

**TUMWATER PLANNING COMMISSION  
MINUTES OF MEETING  
August 28, 2018 Page 3**

people often dump debris behind the building, which she has to clean up and dispose of the debris at the dump. She performs all maintenance on the building and property, as the business does not generate sufficient revenue to pay for maintenance. She suggested an option that would afford a bigger or better use of the property. Additionally, if she had not become aware of the zoning, she likely could have sold the property in the spring or summer rather than delay listing the property.

She likely will not list the property until next year. She is also consistently hearing that the City of Tumwater is “breaking small businesses back” with the requirement that the business do all the infrastructure improvements. It is simply a mathematical formula in terms of having a property that is valued at \$500,000 at full buildout, as the bank will only loan 70% of the value. The City wants the owner to pay for the costs of infrastructure costs. However, the source of those funds is problematic, as the amount cannot be secured against the property. Subsequently, development is not occurring and people are becoming irate. A frequent customer who flips houses as a business shared that he renovated and sold one house in the City but would never flip another house in the City of Tumwater because of the difficulty he encountered with the City. She also understands the same issue exists for the brewery as infrastructure costs would be on the development. She believes Tumwater is a fairly well-to-do City with a large tax base. Although she loves Tumwater, the City is gaining the benefits from infrastructure improvements. The issue should be reexamined with the City paying at least half of infrastructure costs for any development because the City benefits from the improvements. She is unsure whether the City is undertaking the proper measures to ensure a thriving commercial City.

**WORKSESSION:**

**2018  
COMPREHENSIVE  
PLAN MAP  
AMENDMENTS  
AND REZONES –  
ORDINANCE NO.  
O2018-006:**

Planner Ginther referred to additional information provided to Commissioners on the proposed amendments. With respect to Ms. Barnett’s comments, one of the proposed code amendments would increase the maximum building size to 5,000 square feet.

Commissioner Kirkpatrick asked about the maximum size of the building if the maximum lot coverage is 85%. Manager Medrud explained that the maximum building size under the proposed code amendment would be 5,000 square feet regardless of the parcel size. However, the code also requires no more than 85% lot coverage of a building and/or surface parking. As an example, Ms. Barnett’s 7,000 square foot lot would be required to adhere to the 85% lot coverage limit in terms of the building size and required parking.

Planner Ginther cited the review and approval criteria for evaluating each amendment. The last two remaining amendments for review include

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 4**

Coralie Carlyon Park and Neighborhood Commercial.

Coralie Carlyon Park is a small triangular lot surrounded on three sides by Sunset Way SE, Fairfield Road SE, and Vista Avenue SE. The lot was dedicated to the City in 1953. The City Council adopted an ordinance accepting the dedication. Several stipulations in the ordinance required using the lot as a park, naming the park Coralie Carlyon Park, and not placing any utility poles on the parcel. A sign was recently installed naming the lot as Coralie Carlyon Park. The local neighborhood association uses the park as a gathering location. The parcel contains a park bench facing the street. Action is planned to relocate the bench to face the park internally. The amendment adds an appendix to the Parks, Recreation, and Open Space Plan to recognize the existence of the donated park as required by Ordinance No. 329 (1953). The park will be added to the plan during the next update of the Parks, Recreation, and Open Space Plan.

Commissioner Hansen asked about the difficulty of including the park within the Parks, Recreation, and Open Space Plan rather than adding an appendix. Planner Ginther advised that the last update of the plan was completed by a consultant in consultation with staff. At this time, the file containing the plan is unavailable and after an attempt to incorporate the language to add the park, formatting of the plan was severely affected. Staff determined that adding an appendix would resolve the issue until the next update of the plan.

Chair Morr recommended that in the future, consultant contracts should include provisions addressing ownership of documents in a format compatible for use by the City.

Planner Ginther reviewed the amendments for Neighborhood Commercial. The amendment covers 11 locations with eight locations in the City and three locations in the urban growth area. The amendment includes text and comprehensive plan text amendments, as well as map changes. The locations are scattered around the City with most located around the periphery of the City. Planner Ginther reviewed each location:

***Location #1: 68<sup>th</sup> Avenue SW and Kirsop Road SW.*** The location includes an auto repair shop on the northern section of the zone. The proposal would change the southern parcels from Neighborhood Commercial (NC) to Single-Family Medium (SFM) density, as the southern parcel is currently used as a stormwater retention pond for a subdivision located to the south. Staff recommends retaining NC for the northern parcel.

***Location #2: 70<sup>th</sup> Avenue SW and Littlerock Road SW.*** Staff recommends no change as the zone includes approximately eight small

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 5**

conforming buildings offering a range of professional and personal services. The uses conform to the code and the intent of the zone.

***Location #3: Crosby Boulevard SW and Barnes Boulevard SW.*** The proposal was submitted by the property owner. The proposal is to rezone the site from NC to Multifamily High (MFH) density.

***Location #4: Barnes Boulevard SW and Ridgeview Loop SW.*** The location includes structures developed in the late 1990s and early 2000s on the north side of the zone with several smaller buildings in conformance with the code offering professional and personal services. Staff recommends rezoning the southern parcel (south side of Barnes Boulevard) to Multifamily Medium (MFM) density to match adjacent MFM zones. A study is included in the information that speaks to the large size of the zone compared to similar NC zones in Olympia. Staff recommends rezoning some of the area as the NC zone is too large for successful development. The impacts of such a large NC zone would be contrary to the intent of the zone.

Commissioner Hansen asked how staff determines whether a NC zone is too large or too small and whether the zone should have some relationship to the number of people living within walking distance. Tumwater Hill has many apartment buildings with some single family homes built on small lots whereas the density in Olympia is different. Manager Medrud responded that one issue pertains to limits on building size. In those circumstances where the parcel is over an acre, much of the area would remain undeveloped because of the building size limitation. Conversely, if a zone includes three acres of developable area, an owner could subdivide and construct as many buildings up to 3,000 square feet (current code) as possible resulting in an intensity of uses greater than intended for the area. The amendment is to strike a balance between uses that could be too large or too small.

Commissioner Hansen offered that on the flip side of having too many businesses generating car traffic, the area of Tumwater Hill that lacks services requires those residents to drive to other locations offering those services. By not having sufficient NC in the neighborhood, the City would be generating too many car trips. Manager Medrud referred to the Olympia example whereby the City's vision of NC was attracting small businesses on single parcels, such as the San Francisco Bakery housing a bakery, a small restaurant, and residential on the second floor. However, most of the buildings located in the NC zone in the City of Olympia were constructed before 1950, which is difficult to redevelop unless the marketplace is actively promoting redevelopment opportunities.

Commissioner Manugian referred to the amendment for NC located near Crosby Boulevard SW and Barnes Boulevard SW to rezone to MFH.

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 6**

Except for one adjacent property, all other surrounding uses are medium density. It appears for consistency sake, it might make sense to rezone the location to MFM. Planner Ginther replied that a vacant lot located to the west of the zone is currently under construction for a multifamily high-density development. He acknowledged that the map failed to reflect the zone district (MFH) for the adjacent parcel.

Chair Morr asked whether location #4, Barnes Boulevard SW and Ridgeview Loop SW, was always zoned NC. It appears the buildings have been in existence for several years. Manager Medrud said the buildings were constructed in the late 90s and early 2000s. Since the initial development, no other development has occurred since then. The location was previously a much larger NC zone.

***Location #5: North 2<sup>nd</sup> Avenue SW and Custer Way SW.*** The NC zone includes Old Town Center. The zone is located north of Linda's Hair Design. Staff reviewed the zone and was not aware the zoning did not extend to the business. The proposal would change Old Town Center to Mixed Use and change the business from SFM to NC. Further discussion is warranted on the most appropriate zone for the business. Additionally, some code changes would enlarge the maximum building size from 3,000 square feet to 5,000 square feet for a single use.

Commissioner Hansen asked about considering a change in zoning of the parcels located immediately south of Ms. Barnett's business to Division Street to create a NC corridor. Manager Medrud said the only concern is how the change might interact with neighboring properties. The area is constrained because of the steep hillside. However, a rezone might help the site redevelop.

Ms. Barnett commented on the ability to build on the sites because of the steep hillside. She asked whether staff has any information about the geology of the area with respect to Old Town Center. Manager Medrud responded that typically for the purpose of the proposed amendments, a site-specific geological study would not be conducted. Ms. Barnett agreed her property would need to be rezoned to NC, otherwise she would be unable to sell the property because the bank would not loan on a parcel that is improperly designated.

Chair Morr supported Commissioner Hansen's recommendation to extend the NC zone to Division Street.

Commissioner Kirkpatrick supported staff's recommendation.

Commissioner Hansen asked for more information on the potential to rezone the three to four parcels fronting 2<sup>nd</sup> Avenue. Planner Ginther acknowledged that staff would follow up with additional information.

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 7**

Manager Medrud commented on the possibility of adjusting future meeting agendas to accommodate the Commission's review and discussion on the proposed amendments.

Ms. Barnett reiterated her request to receive some direction from staff on what the City would like to see developed on her parcel. She wants to ensure that the parcel is developed in the City's best interest because of the history of the area.

***Location #6: North Street SE and Hoadly Street SE.*** Staff is recommending no change to the NC zone.

***Location #7: Tumwater Boulevard SE and Henderson Boulevard SE.*** The zone is a large area that also included an area north of the zone that was rezoned approximately 10 years ago. Staff believes the site is too large for NC. The proposal would reduce the size of the zone by changing the northern portion of the north parcel from NC to SFM. The existing NC zone has a number of different residential uses consisting of a mobile home, a single-family house, and several other buildings. Manager Medrud explained that the zone includes a single parcel to the north that would serve as a logical division of the zones. Another logical division is located south of an existing ranch house with the second located midway between the two houses. Two parcels exist in the south end. One commercial use is located in the zone as well.

Commissioner Kirkpatrick said the purpose of NC is to provide services for a dense and walkable neighborhood. He asked about the option of rezoning to multifamily use as the area is located along a heavily used arterial (Henderson Boulevard) with a multiple family development planned adjacent to the zone. The two lots on the corner could be rezoned to NC surrounded by multifamily uses. Manager Medrud noted that one surrounding lot is currently under redevelopment and another preliminary plat for an adjacent property is anticipated for resubmittal. He is not aware of any multifamily development planned for the one parcel. Commissioner Kirkpatrick suggested buffering single-family parcels by rezoning some parcels off Henderson Boulevard to multifamily. It appears the City is short on multifamily opportunities rather than opportunities for single-family uses.

Commissioner Nguyen asked whether the proposal would rezone half of the zone to multifamily. He drives past the area every day and it appears the parcels would be too small for an apartment complex. He is also concerned about traffic density in the area because of the amount of residential development. Manager Medrud noted that the three parcels within the NC zone total approximately 6.3 acres.

**TUMWATER PLANNING COMMISSION  
MINUTES OF MEETING  
August 28, 2018 Page 8**

Commissioner Hansen asked how the City would zone one parcel as two different zones. Manager Medrud said the proposal for zoning and land use would not result in a subdivision but would result in a single parcel with two different land uses. Staff prefers not to create that type of situation, but for this particular NC zone, it is an option staff is offering for consideration.

Commissioner Hansen said he would like more information on proposed development for the parcels located on the north and west side of the NC zone as part of the review process because he was unaware of any development planned for those parcels. Manager Medrud offered to follow up with permitting staff to provide some updated development information.

Commissioner Kirkpatrick inquired about permitted uses for SFM zoning. Manager Medrud cited a draft document on current housing policies and regulations for all residential zones in the City to include all development regulations. Staff will provide information at the next meeting on all permitted uses for single-family medium density zone districts.

Chair Morr recessed the meeting from 7:58 p.m. to 8:06 p.m. to enable staff to copy the draft document.

Manager Medrud described the main elements of the document provided to Commissioners.

Commissioner Kirkpatrick commented on residing in a house with a zero lot line. Although each housing unit was independent of the other, it was not possible to walk between the units. He asked about the probability of allowing those types of structures within a Single-Family Medium density zone district. Manager Medrud advised that he would follow up with permitting staff and provide more information at the next worksession.

***Location #8: Tumwater Boulevard SE.*** Staff recommends changing the zone from NC to Light Industrial. A pest control company is located west of the zone. Light Industrial zoning borders the NC zone on the west and the south. The zone is subject to the Airport Overlay Zone covering more than half of the property. The location is also too close to another NC zone. The zone has limited development surrounding the site. The Airport Overlay Zone restricts uses allowed in the underlying zone. The restrictions are on uses that generate a large number of people, such as daycare centers, fitness clubs, schools, and churches.

**Urban Grown Area NC Zones:**

Staff will forward recommendations to Thurston County as part of the Joint Plan update process for the three NC zones.

**TUMWATER PLANNING COMMISSION  
MINUTES OF MEETING  
August 28, 2018 Page 9**

***Location #9 (UGA): 83<sup>rd</sup> Avenue SW and Center Street SW.*** The Olympia Campground is located within the zone. The campground houses a gas station and a convenience store. Staff proposes changing the eastern two-thirds to MFM and changing the remaining property from NC to General Commercial.

***Location #10 (UGA): Black Lake Belmore Road SW and 49<sup>th</sup> Avenue SW.*** The zone has a gas station and convenience store at the northern end of the property near 49<sup>th</sup> Avenue and Black Lake Belmore Road. The remaining property is vacant with the exception of one public structure. Surrounding uses include mobile home parks and SFM uses. The zone is located in one of the City's higher NC traffic zones. Staff recommends changing the southern two parcels to SFM and retaining the NC zone for the northern area.

***Location #11 (UGA): 93<sup>rd</sup> Avenue SE and Old Highway 99 SE.*** Staff recommends no change as the zone is the right size with future multifamily development occurring as utilities are extended to the area. Thurston County is considering a rezone of the site to a more commercial-oriented area, which is located south of the City's urban growth area. The City would likely want to expand the urban growth area. However, any action on the site is pending by the county for the next several months.

Commissioner Kirkpatrick inquired about the acreage of all NC zones before and after the amendments. He cited location #3 at 70<sup>th</sup> Avenue SW and Littlerock Road SW and asked about the possibility of rezoning the convenience store/gas station as NC. Manager Medrud said the area is currently zoned Mixed Use. Commissioner Kirkpatrick said the use is located next to a veterinary hospital. Manager Medrud advised that during the 2017 amendments, the entire area was reviewed with a recommendation to retain those parcels as Mixed Use. The City Council preferred to retain Mixed Use in that area because it connected to adjacent Mixed Use. Additionally, in terms of range of uses and impacts, Mixed Use has a higher probability of redeveloping than NC. Mixed Use zoning would be a better option at that location.

Commissioner Hansen said it would be helpful for the Commission to have information on the Littlerock Road Subarea Plan. Although the northwest corner was previously zone NC, current uses include medical offices, professional services, and other uses that do not benefit the local neighborhood. Although the area is zoned NC, the neighborhood lacks commercial uses. The area might need another corner of NC that would develop with neighborhood commercial uses.

Commissioner Kirkpatrick said he suspects that the amount of NC acreage would be less as most of the amendments eliminating some NC zone

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF MEETING**  
**August 28, 2018 Page 10**

designations. He questioned whether the Commission would have another opportunity to consider identifying NC in better places within the City. Manager Medrud recommended the Commission consider comparing the range of uses in the MU zone as opposed to the NC zone.

Commissioner Manugian asked whether staff has any research or analytics that speak to the market viability of NC in the near term. Manager Medrud referred to the Economic Assessment of NC Zone designations Report completed by Property Counselors in December 2014. The analysis was not positive because of challenging development constraints.

Commissioner Kirkpatrick remarked that the increase in traffic on Littlerock Road has significantly increased since the report was completed, as well as on Henderson Boulevard and Tumwater Boulevard. Additionally, the addition of two traffic lights on Henderson Boulevard must have been justified through a traffic study.

Commissioner Hansen suggested the notable increase in traffic is relevant to the conversation especially when considering a 10,000-foot view. There are several references in City documents that speak to the desire of a more walkable City and more opportunities to conduct business without driving a car. Developing a City that enables people to reduce the use of cars would reduce costs to the City to maintain and expand roadways. Traffic and potential traffic impacts are an important aspect of the discussion. Residents on Tumwater Hill must use a car to access services. Zoning all those properties for more residential and multifamily residential creates a City where residents must drive to access services.

Commissioner Nguyen remarked about his preference to use the bus, which currently doesn't serve his neighborhood located off Old Highway 99 in the Preserve subdivision.

Planner Ginther provided a brief overview of the code amendments for NC uses. Size limits were added to some uses to reduce impacts if the use was too large. They include restaurants and taverns. The building size for an individual use was increased from 3,000 square feet to 5,000 square feet with several exceptions. Some new uses were added, such as residential (minimum of 9 units per acre) and espresso stands. Manager Medrud said the intent for adding residential was as a part of a mixed-use development.

Commissioner Kirkpatrick asked whether an owner of a use in the NC zone could live on the site. Manager Medrud said that under the current code, it would be possible. However, the proposed changes would allow residing on site as a mixed use as long as density requirements are satisfied.

Manager Medrud asked Commissioners to review the proposed

**TUMWATER PLANNING COMMISSION  
MINUTES OF MEETING  
August 28, 2018 Page 11**

amendments by staff. Additionally, he cited some missing language in Section 18.18.050 A. (page 57 of the staff report).

Commissioners and staff discussed next steps. The Commission agreed a joint tour of the sites was not necessary as Commissioners can visit sites independently. The Commission scheduled another worksession on September 11, 2018 to continue the review of the proposed amendments.

**ADJOURNMENT:** Chair Morr moved, seconded by Commissioner Goldenberger, to adjourn the meeting at 8:44 p.m. Motion carried unanimously.

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