

# **TUMWATER PLANNING COMMISSION**

## **MINUTES OF VIRTUAL MEETING**

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**CONVENE:** 7:00 p.m.

**PRESENT:** Chair Elizabeth Robbins and Commissioners Grace Edwards, Nam Duc Nguyen, Nathan Peters, Meghan Sullivan, and Michael Tobias.

Excused: Commissioners Doty Catlin and Terry Kirkpatrick.

Staff: Planning Manager Brad Medrud.

Chair Robbins announced the resignation of Commissioner Hansen as he recently accepted an appointment to the Thurston County Planning Commission.

**CHANGES TO AGENDA:** There were no changes to the agenda.

**COMMISSIONER REPORTS:** Joel Hansen reported he had planned to attend the meeting as he was appointed to the Thurston County Planning Commission last week. He has enjoyed working with all members and looks forward to working with Commissioners in the future in various capacities within the community.

Chair Robbins congratulated Mr. Hansen on his recent appointment.

*Commissioner Nguyen joined the meeting.*

Commissioner Tobias noted the Board of County Commissioners voted two to one to approve the county's Home Fund.

Manager Medrud added that the passage will require several months to establish a committee to begin working on interlocal agreements with the intent to link the Home Fund with the City of Olympia's program. The City of Tumwater participates in the county's Home Fund Program, as sales tax revenue generated in the City helps to fund the county's Home Fund program. The City will be involved in the discussions as to how the funds are allocated through the Regional Housing Council process.

**MANAGER'S REPORT:** Manager Medrud reported the City Council approved the Emergency Housing Ordinance with one change of reducing the separation buffer from 1,320 feet to 400 feet.

**PUBLIC COMMENT:** **Peter Condyles** elected to defer his comments until later in the meeting.

**STREET TREE PLAN SCOPE OF WORK:** Manager Medrud reported the work program recently approved by the City Council includes the development of a Street Tree Plan as a requirement within the Urban Forestry Management Plan. The Tree

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Board recommended contracting with a consultant to assist staff and the Tree Board in developing the plan. To cover the cost, the City plans to apply for a Community Forestry Assistance Grant from the Department of Natural Resources (DNR). Submittal of the grant application is due on March 4, 2022. As part of the grant application submittal, staff is seeking input from the City Council and the Planning Commission on the scope of work accompanying the grant application. The Tree Board provided some initial input.

The scope of work defines users of the Street Tree Plan as property owners, homeowner associations, residential, commercial, and industrial developers, City tree maintenance staff, and tree cutting and landscaping maintenance companies.

The project schedule includes:

- Grant submittal
- Draft scope of work and RFP for consultant
- RFP process and consultant selection
- Community and stakeholder meeting schedule
- Determine type and content of work products
- Draft work product schedule for review by staff, Tree Board, Planning Commission, and City Council
- Tree Board, Planning Commission, and City Council meeting schedule

The scope of work products for the Street Tree Plan document include:

- 1) Street Tree Planning for Arterials and Connectors, and Guidance for other street types
- 2) Street Tree Planting and Maintenance Guidance
- 3) Summary of Street Tree management Responsibilities
- 4) Best Management Practices for Street Tree Care
- 5) Street Tree Planting List
- 6) Street Design Recommendations
- 7) Street Tree Planting Specifications and Details
- 8) Street Tree Pruning Guidelines

Amendments may be required to the following codes, regulations, and plans:

- 1) Other relevant sections of the Tumwater Municipal Code (TMC) in TMC Title 12 Streets, Sidewalks and Public Places (TMC 12.08 Street and Sidewalk Obstructions, TMC 12.12 Construction of Curbs and Sidewalks, and Tumwater Municipal Code 12.24 Street Trees), Title 16 Environment (TMC 16.08 Protection of Trees and Vegetation), and Title 17 Land Division (TMC 17.04 Definitions)
- 2) Tumwater Development Guide Chapter 3 General Engineering

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- Considerations and Chapter 4 Transportation, text and details
- 3) The Littlerock Road Subarea Plan, Chapter 5 Implementation
- 4) The Tumwater Town Center Street Design Plan
- 5) The Capitol Boulevard Community Zone Design Guidelines

Manager Medrud reviewed the schedule for the Street Tree Plan. Following input on the grant scope, staff plans to submit the grant application on March 4, 2022. The RFP process and consultant selection will occur during May and June. If awarded a grant, the City will receive funds by July 1, 2022 for utilization within one year. The project will begin in July and conclude by the end of the year.

DNR provided the City with a list of external resources for consultation comprised of all jurisdictions working on similar plans. Manager Medrud asked the Commission to provide any feedback on any actions that have not been addressed as part of the scope or additional areas that should be included.

Commissioner Tobias complimented Manager Medrud for the thoroughness of the proposal and for his efforts in developing the information.

#### **ORDINANCE NO. O2022-003, PRELIMINARY DOCKET FOR 2022 COMPREHENSIVE PLAN AMENDMENTS,:**

Manager Medrud described the preliminary and final docket process for considering annual Comprehensive Plan Amendments.

The 2022 Preliminary Docket includes the following amendments:

- Two proposed private map amendments and associated rezones:
  1. **Wells Littlerock Comprehensive Plan Land Use Map Amendment and Corresponding Rezone.** The application was submitted by proponent Glenn Wells, a local developer, for 2.76 acres comprised of three adjacent parcels located to the south of 7223 Littlerock Road SW owned by Marvin Beagles. The current Comprehensive Plan map designation and zone district is Single Family Medium Density Residential (SFM). The proponent proposes changing the map designation and zone district to Multi-Family Medium Density Residential (MFM). The parcels are undeveloped. Surrounding uses are zoned Mixed Use.
  2. **Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone.** The application was submitted by proponent Peter Condyles. The property owner is Dayabir Bath. The amendment applies to two adjacent parcels totaling 1.97 acres located at 6940 Littlerock Road SW and 1850 Israel Road SW. A single-family house is located

on one parcel. The second parcel is vacant. Current zoning of the surrounding area is Mixed Use. The applicant proposes changing the Comprehensive Plan Land Use designation and the zone district from Mixed Use to General Commercial. Historically, the two parcels proposed for the amendment were part of the 2017 Sullivan Comprehensive Plan Map and Zoning amendments considered by the City Council in 2017 and 2018. The 2017 amendments changed the two parcels in addition to four other parcels in the area from Mixed Use Overlay Comprehensive Map Designation and zone district, which requires components of residential and commercial uses, to Mixed Use. The City's Mixed Use zone district does not require a mix of uses. The Council did not approve the amendment in order to maintain some level of mixed use along Littlerock Road. Instead, parcels near I-5 were changed to General Commercial and those near Littlerock were changed to Mixed Use.

- Three proposed public text amendments include:
  - 3. Neighborhood Character.** Staff review of Comprehensive Plan Housing and Land Use Elements and determine if there are amendments needed to address “neighborhood character.”
  - 4. Thurston Climate Mitigation Plan.** Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311 and review any potential changes required as part of Phase 4 of the Thurston Climate Mitigation Plan.
  - 5. Essential Public Facilities Amendments.** Review the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities, including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; and recovery house facilities.
- One proposed public map amendment and associated rezone includes:
  - 6. Dennis/Linderson Triangle.** The City proposed the amendment for a portion of 5.73 acres of vacant land located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW. During the 1980s, Linderson Avenue was located along I-5 with no separation by streets. The area to the south has redeveloped to a multifamily development. The proposal would change the Comprehensive Plan map

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designation and zone district from Single Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH).

Staff recommends all amendments on the Preliminary Docket go forward with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872) because it was considered in 2017 and 2018 and conditions do not appear to have changed sufficiently since 2017 and 2018 for the Bath Littlerock Israel proposal to warrant another amendment.

The next step in the preliminary docket process is a recommendation on the final docket for consideration by the General Government Committee on February 9, 2022. The City Council has scheduled a worksession on February 22, 2022 with consideration of the Final Docket in March 2022. The Final Docket will be presented to the Commission at its second meeting in July 2022 for review and consideration.

**PUBLIC COMMENT:** **Peter Condyles** reported he is with Toyer Strategic Advisors, Inc., 10519 20<sup>th</sup> Street SE, Lake Stevens, Washington, and represents Dayabir Bath, the property owner. He previously submitted a letter outlining concerns. The property is located within the Littlerock Road Subarea Plan zone adopted in 1997 and envisioned as a mixed-use urban village. The plan was revised in 2006, 2013, and most recently in 2017. In 2017, the Tumwater Planning Commission recommended rezoning the property from Mixed Use to General Commercial as the property owner is seeking today. At that time, the request was the “Sullivan Amendment”; however, the Mayor and the City Council removed the parcels from final passage. It is worth noting that during that process in 2017, all public comments favored the Sullivan amendment and rezone of the parcels. Five years later and now 25 years since the original plan was adopted, there has been little interest in developing the property as Mixed Use, and there have been several companies interested in building on the property over the years to include Walgreen’s and Starbucks but each company was unable to build because of Mixed Use zoning restrictions. Mr. Bath has also attempted to sell the property with no interest from buyers or developers. The request to the Commission is to recommend adding the proposal to the docket for additional study. As witnessed over the last several years of the pandemic, market conditions have changed with work and retail patterns shifting with the market. Mixed-use development continues to be poor and is expected to continue for the immediate future as more work from work options expand and more businesses transition to curbside service. Mr. Condyles offered to answer any questions.

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Chair Robbins invited questions from the Commission.

Commissioner Tobias asked for clarification of the zoning surrounding the Bath property. Manager Medrud explained that the six parcels considered as part of the Sullivan Amendment included another four parcels and the two subject parcels located to the west of the four parcels. Commissioner Tobias questioned the reason for zoning the property to General Commercial, which is located to the east along Tyee Drive when Neighborhood Commercial is located across from the properties. He asked about the differences and the restrictions of Neighborhood Commercial versus zoning as General Commercial.

Mr. Condyles responded that the site located on a corner is near two major roads connected to a roundabout. Many businesses prefer to locate on corners because of high traffic visibility. Several businesses were unable to locate in the area because of the prohibition of drive throughs as both Walgreen's and Starbucks include drive through options, which is not allowed in the zone, which speaks to the request to change to General Commercial.

Manager Medrud affirmed Neighborhood Commercial restricts drive through uses, as the intent of the zone is to serve as a transition zone from Mixed Use and General Commercial, which moves away from a walkable environment to an environment of vehicle access to commercial uses.

Commissioner Sullivan said she participated in the 2017 discussion related to the property. She also recalls the sentiment as there was a thorough discussion by the Commission at that time. The reason the Commission recommended moving the amendment forward despite advice from staff, were concerns and testimony about the lack of development of the properties for an extended period. That point was addressed in the letter from Mr. Condyles. She prefers to consider ways to support development while also supportive of particular kinds of development to maintain the vision for the area. As she reviews changed conditions in the area, there has been much development occurring along Tyee Drive. However, Neighborhood Commercial promotes the most walkable environment followed by Mixed Use as General Commercial is designed to serve automobiles primarily and is not designed for walkability. She considers the task before the Commission as balancing current requests against the future vision of the City. She admitted she understands both viewpoints and has questions as to why the property is not viable for development. There is a truth and a reality, which can be subjective and she has often heard testimony that speaks to the lack of viability for construction of specific types of development in certain areas. She understands both viewpoints and wants to retain the vision of a walkable neighborhood while also

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having the ability to develop.

Commissioner Nguyen recommended deferring deliberations to enable the Commission to consider the issues. Manager Medrud advised that if the Commission believes a future discussion is a necessary part of the final docket process, a decision for inclusion of the amendment within the final docket is appropriate at this time. However, the Commission could also consider as part of the final docketing process whether the amendment should move forward. If the Commission believes the proposal is worthy of further discussion, he recommended including the proposal within the final docket. Commissioner Nguyen offered that he believes the proposal should be included.

Commissioner Tobias said he considers the affects a marquee property could have in transforming an intersection. He cited the conversion of the old Tumwater grange hall to a Starbucks business at the corner of Henderson Boulevard and Yelm Highway and the resulting residential development occurring around that area. New development can prompt vitalization of an area.

Commissioner Peters commented that the Starbucks has contributed to worsening conditions at the intersection as well as the Dutch Brothers business at the corner of Trospen Road and Capitol Boulevard. He tends to agree with Commissioner Sullivan because adding a use that drives high traffic volume in that location would not be beneficial to the area.

Commissioner Nguyen agreed but also believes the abandoned grange was not beneficial for the area. The area was already developing and he is unsure whether the property was rezoned to allow a Starbucks.

Manager Medrud noted that the grange completed a rezone to allow the use involving several processes. The area abuts the City of Olympia, which envisioned development of the area as the Briggs Village urban village with varying intensities of residential and commercial development to promote a walkable community.

Chair Robbins noted that many areas envisioned for particular types of development can take many years. She asked about the status of the four parcels from the earlier actions in 2017 and 2018. Manager Medrud noted that if the proposal moves forward, there likely would be some discussions about expanding the area of the rezone to ensure against creating an island of the four remaining properties.

**MOTION:**

**Commissioner Sullivan moved, seconded by Commissioner Tobias, to move all amendments, to include the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone for further investigation and discussion.**

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Commissioner Sullivan said the inclusion of the amendment promotes discussion by both the Commission and the Council on the vision for the existing designation (Mixed Use and Littlerock Road Subarea Plan).

**MOTION:** **Motion carried unanimously.**

**NEXT MEETING:** The next regular meeting of the Commission is on February 15, 2022.

Manager Medrud reported the February 15, 2022 meeting includes a briefing on an ordinance for revisions to the binding site plan process. The City offers a preliminary planning process for all uses. The binding site plan process is used for commercial and industrial projects or development involving condominiums and other residential uses. The separate process is intended to enable more flexibility for changes in sizes and types of uses as the site develops. One issue experienced by permitting staff involves the requirements for a planning site plan review, which are unclear. The intent of the review is to address those issues. The second briefing covers training for Commissioners. Staff will present some training options for discussion.

Chair Robbins asked Commissioners to notify staff of other desired training topics.

Manager Medrud encouraged Commissioners to contact him on any field trip ideas during the summer to visit particular types of development.

**ADJOURNMENT:** **Commissioner Sullivan moved, seconded by Commissioner Peters, to adjourn the meeting at 7:51 p.m. Motion carried unanimously.**

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