

# Fact-Check of the Bar Holdings' application

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BarHoldingsApplicationandSupportingMaterials-2021  
106123.pdf)

**A. Identify the land uses surrounding the property would affect those surrounding land uses.**

Sheldon Road on the west side of the property provides a buffer for the two existing homes closest to 93<sup>rd</sup> Avenue that take access from it minimizing impacts from future commercial/industrial and multi-family uses contemplated on the subject property. City of Tumwater and City of Tumwater UGA landscaping requirements would apply to future commercial/industrial and multi-family uses on the site that will provide for a dense site obscuring landscape buffer on the Sheldon Road frontage to further minimize impacts to adjacent residential uses.

There are two additional homesites west of Sheldon Road SE along the west flank of parcel number 11719220101 that take access from Springer Lake Lane SE. The home located at 9520 Springer Lake Lane SE (Parcel No. 12724110802) is located on the far west side of the parcel and has a 450' forested buffer between the home and Sheldon Road. The home located at 9526 Springer Lake Lane SE is located at the center of the parcel and is approximately 315' from Sheldon Road right-of-way as a forest buffer from the improved

This "vacant land" on the southern border is 20 acres of stewardship forest being put into a working forestland conservation easement with Capitol Land Trust.

Existing land uses to the south and west of parcel number 11719220101 consist of vacant land and developed rural density residential located in the Rural Residential Resource RRR 1/5 zone district. The two parcels immediately south of parcel number 11719220101 owned by Ronda Larson (Parcel Nos. 11719230101 and 11719230102) were changed from residential to designated forest land in 2022.

Properties to the south of parcel number 11719240302 are developed rural density residential in the Rural Residential Resource RRR 1/5 zone district. Parcel number 11719240302 included in the comprehensive plan amendment and rezone request is currently in the rezoning process and is the home of vehicle storage.

In fact, on the parcel's northeastern border are 86 acres of designated forestland (Manke Timber Company), 278 acres of designated forestland (Timberline hall of fame coaches John and Nelda Patton), and 367 acres of preserve (Coalition for Ecosystems Preserve).

Properties east of the site consist of mostly existing commercial/industrial development. Existing uses include a business office for Sta-Built Construction, Great Western Supply, The Barn Nursery and Fire Station 64 operated by East Olympia Fire District 6. There is one single family home on the east side of Old Highway 99 across from the site that is located between the Sta-Built construction office and Great Western Supply.

There is one adjacent property to the north that is vacant. Properties on the north side of 93<sup>rd</sup> Avenue, west of Old Highway 99 consist of vacant property owned by Tumwater School District #33.

Generally, the main affects the zone change could have on surrounding properties if the BAR Holdings site was developed in the future would be increased traffic on surrounding streets, increased illumination during evening hours and increased noise typical of a mixed-use urban center.

In fact, the additional effects also include eliminating a 33-acre forest and putting development pressure on hundreds of acres of adjacent timberland.

**B. Explain why the existing land use designation is not appropriate.**

The properties involved in the rezone request are at the intersection of two major arterial roadways at the current southeast edge of the City of Tumwater Urban Growth Area. The two major arterial roadways, Old Highway 99 SE and 93<sup>rd</sup> Avenue SE, adjacent to the site carry thousands of vehicle trips per day. The latest traffic data from the Thurston Regional Planning Council (TRPC) indicates Old Highway 99 carries 721 vehicles per hour during the afternoon peak (the busiest 2-hour period on a typical weekday) and 93<sup>rd</sup> Avenue carries 311 vehicles per hour during the afternoon peak.

In fact, Spuds grocery store is only 1.3 miles from the Preserve housing development.

The nearest commercial service centers to the properties requested for rezoning are located approximately 3.5 miles west in the vicinity of the 93<sup>rd</sup> Avenue and Interstate 5 and approximately 3 miles to the north in the vicinity of Old Highway 99 and Tumwater Boulevard. These distances to the nearest commercial services for the rapidly growing neighborhoods in the area are not consistent with the Sustainable Thurston Plan's goal of providing commercial services within .5 miles

A new grocery store here would be no closer to the Preserve's homes than Spuds grocery is now. What's worse, Bar Holdings' development would increase emissions greatly due to daily commute trips to the urban core for work.

(a 20-minute walk) to urban density residential neighborhoods.

Parcel number 11719240302 is currently developed as a commercial use under a Special Use Permit issued by Thurston County. Similarly, The Sta-Build construction office, Great Western Supply, the Barn Nursery and East Olympia Fire District 6 Station 64 on the east side of Old Highway 99 have been in operation as commercial uses for years. Rezoning the property to a combination of Mixed Use, General Commercial and Light Industrial would result in future uses on the site being consistent with existing uses on the site developed with Special Use Permit and existing uses on the east side of Old Highway 99.

There is 61-acre block of property on the north side of 93rd Avenue west of Old Highway 99 within the current City of Tumwater UGA zoned Multi-Family Medium Density Residential (MFM) 9-15 dwelling unit per acre. This area is mostly underdeveloped for the MFM zoning designation. With development that has occurred in the last 10 years in this area of the City/County, City utilities have been extended to this area making the properties zoned MFM ripe for development/redevelopment to urban densities. It should be noted that the most easterly 11.6 acres of the 61-acre block of MFM property which is owned by the Tumwater School District is identified as an elementary school site Tumwater School Districts 2023-2029 Capital Facilities Plan.

This is correct. In other words, the UGA is not bursting at the seams here. Thus, this swap would not comply with the UGA swap law.

The current RRR 1/5 zoning would only allow subdivision of the undeveloped 52-acre property identified as tax parcel number 11719220101 into a maximum of 6 single-family residential lots due to water rights restrictions. This extremely low residential density at the intersection of two major arterial roadways in an area of the City/County that has seen considerable residential growth over the past several years is not appropriate for the property.

In addition, the existing commercial developments on parcel numbers 11719240302 and 11719210100 would be more appropriate in a commercial/industrial zone rather than a low density rural residential zone.

**C. How have conditions changed so that the proposed designation is more appropriate than the existing designation.**

Conditions in the vicinity of the project have changed significantly over the last several years. There have been more than 900 single-family lots created within 1 mile of the subject property creating a need for more commercial services near the new residential growth.

Costco, Walmart, Fred Meyer, and Home Depot are only a 10-minute drive away from the Preserve. Most shoppers will continue going to those cheaper stores.

The rezone would allow development of commercial services on the site which furthers the goals in the Sustainable Thurston Plan to create vibrant centers and corridors, create a robust economy, and provide commercial services to households within a half-mile of an urban center.

As a result of the considerable single-family residential growth north and west of the site, City utilities have been extended along both Old Highway 99 and 93rd Avenue to within .75 miles of the property proposed for rezoning. These utility extensions will likely result in development/redevelopment of additional properties north of the site on Old Highway 99 and west of the site on 93rd Avenue. The increased residential density provides a need/demand for commercial services near them.

Paving over 33 acres of forest and adding considerable traffic will further degrade the Deschutes River, not improve it.

Over the last several years Thurston County, in conjunction with the LOTT Wastewater Alliance, has been aggressively pursuing a septic to sewer conversion program. Bringing the properties into the Tumwater UGA and rezoning them will allow extension of City utilities allowing conversion of existing septic systems in the area to City sewer. This is particularly important for properties on the east side of Old Highway 99 north of the property that have frontage on the Deschutes River. The Deschutes River is on the US EPA 303d list of impaired water bodies for pH, dissolved oxygen, bacteria, temperature, and sediment.

Thurston County has gained coverage under the Federal Endangered Species Act (ESA) for several federally listed species through approval of a countywide Habitat Conservation Plan (HCP). The City of Tumwater is working with the U.S. Fish and Wildlife Service on their own HCP. The County approved HCP and the HCP being prepared by the City will have a significant impact on buildable lands in the City and the Tumwater UGA.

## BAR Holdings Analysis

Section II.B in Chapter 2 of the Comprehensive Plan outlines several points for properties to meet Growth Management Act (GMA) requirements for Urban Growth Areas. Our analysis of the applicable requirements are as follows:

- An urban growth area may include territory outside of a city or town only if the territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth.

*Analysis: The southeastern area of Tumwater and Tumwater UGA is one of the fastest growing areas in Thurston County. More than 900 single-family lots have been created in this area over the last 10 years, with more in the pipeline. As a result of this growth, the area in the vicinity of the subject property has rapidly changed from mostly rural character to an area with urban densities.*

*Two properties involved in the BAR Holdings application and properties on the east side of Old Highway 99 have long-time commercial/industrial uses in operation. The existing commercial/industrial uses on the Bar Holdings and other properties in the vicinity of the site are characterized by urban growth.*

If you compare the aerial maps from 2013 and 2023, you can see that the area is mostly unchanged. It was rural then and it's rural now.

- The urban growth areas in the county must be sufficient to permit the urban growth that is projected to occur in the county over the next 20 years.

This admission that the UGA has enough land to support future growth means that this application must be denied as a matter of law.

*Analysis: Although the recently published Buildable Lands Report issued by TRPC indicates there is enough buildable land in the current UGA's to support growth over the next 20 years, the report does not take into consideration Thurston County's and the City of Tumwater's Habitat Conservation Plans under the ESA. The final Thurston County HCP and City of Tumwater Draft HCP indicate that thousands of acres will be necessary to mitigate development impacts to the species covered under the plans.*

*The applicant is proposing that the County bring the BAR Holdings properties into the City of Tumwater UGA boundary while simultaneously removing properties in the City of Tumwater's northwest UGA. This type of adjustment of the UGA is allowed by RCW 36.70A.130(3)(c) as part of the 10-year Comprehensive Plan periodic update. See UGA adjustment analysis below.*

- Urban growth areas must permit urban densities and include open spaces.

*Analysis: The requested zoning of General Commercial (GC), Mixed Use (MU), and Light Industrial (LI) will allow for the BAR Holdings property to develop at urban densities. The vision for the property is a mixed-use neighborhood center that will include retail/commercial, a YMCA with splash park to serve south Thurston County, a 220+ unit apartment complex and a self-storage facility.*

- Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional public facilities and services needed.

*Analysis: The BAR Holdings property is located at the intersection of two arterial roadways (Old Highway 99 and 93<sup>rd</sup> Avenue). The BAR Holdings property and the SE Tumwater UGA are characterized by urban growth.*

*Thurston County's current Comprehensive Plan recognizes the City of Tumwater's UGA to be the most rapidly growing area in the County over the 20-year planning period. Table 2-1 in Chapter 2 of the Thurston County Land Use Plan projects the population in the Tumwater UGA to nearly triple (170%) by the end of the planning period. This rate of population increase is also triple the amount of the next closest jurisdiction (Lacey 66%).*