

**BEFORE THE HEARINGS EXAMINER
FOR THE CITY OF LACEY**

In the Matter of the Application of)	No. 20-310
)	
Brad Kaul, Kaul Design Architecture,)	Meridian Market and Gas CUP
on behalf of Navi Grewal, Northwest)	
Investors, LLC)	
)	
<u>For Approval of a Conditional Use Permit</u>)	FINDINGS, CONCLUSIONS, AND RECOMMENDATION

SUMMARY OF RECOMMENDATION

The Hearings Examiner recommends that the Lacey City Council **APPROVE** the proposal for a conditional use permit to allow construction of a 4,000 square foot convenience market, with 1,000 square feet of second-story, or half-story, office space; 4,000 square feet of commercial space; and other potential amenities and associated improvements, on a 1.5-acre property located at 8808 Campus Glen Drive NE. Conditions are necessary to address specific impacts of the proposed project.

SUMMARY OF RECORD

Hearing Date:

The Hearings Examiner for the City of Lacey held an open record hearing on the request on April 12, 2022, using remote access technology.

Testimony:

The following individuals presented testimony under oath at the open record hearing:

David McDonald, Applicant Representative
Aaron Van Aken, Applicant Traffic Engineer
Samra Seymour, City Senior Planner
Tom Stiles, City Development Review Engineer
Chris Stolberg, City Transportation Engineer
Doug Christenson, City Water Resources Engineer
Terry McDaniel, City Plans Examiner
Alan Rathbun
Zachary Fernandez
Gregory Kidwell
Elizabeth Van Hooser-Wilse
Griffin Wilde
Elaine Briggs
Brad Martell
Lori Martell
Chris Porrazzo

*Findings, Conclusions, and Recommendation
City of Lacey Hearings Examiner
Meridian Market and Gas CUP, No. 20-310*

Cheryl Ricevuto
Eugene Kyyan, CEO, VIS Group
Janet O'Halloran
Geoff Browning
Sarah Daniels
Nathan Peppin
Kimberly Coburn
Deborah Shawver
Jill Pelton
Bryan Cardoza
Scott Roth, VIS Group
Maureen Bard, Carmel Healthy Neighborhoods Alliance
Ron Germeaux
Sue Medeiros
Chris Valcho
Chris McAnnally
Ty Hill

Exhibits:

A list of the exhibits admitted into the record is provided as Attachment A, appended to this decision.

The Hearings Examiner enters the following findings and conclusions based upon the testimony and exhibits admitted at the open record hearing:

FINDINGS

Application and Notice

1. Brad Kaul, Kaul Design Architecture, on behalf of Navi Grewal, Northwest Investors LLC (Applicant), requests approval of a conditional use permit (CUP) to construct a 4,000 square foot convenience market, with 1,000 square feet of second-story, or half-story, general office space; four fueling islands; and 4,000 square feet of commercial/retail space, on an undeveloped 1.5-acre parcel. The property is located at 8808 Campus Glen Drive NE.¹ *Exhibit 2, Staff Report, page 1; Exhibit 3; Exhibit 4; Exhibits 6 through 9; Exhibit 16; Exhibit 18.*
2. The City of Lacey (City) determined that the application was complete on March 19, 2021. On March 23, 2021, the City provided notice of the application by routing notice to reviewing City departments and government agencies, publishing notice in *The Olympian*, and posting notice on-site, with a comment deadline of April 6, 2021. On March 25, 2022, the City provided notice of the open record hearing associated with the application by mailing notice to all property owners within 300 feet of the site, publishing

¹ The property is identified by tax parcel number: 11936340200. *Exhibit 2, Staff Report, page 1.*

notice in *The Olympian*, and posting notice on-site. The City received several comments from reviewing agencies specific to the environmental review of the proposal, which are detailed below. The City also received over 400 comments on the proposal from members of the public in advance of the open record hearing, which are discussed in detail later in this recommendation. *Exhibit 2, Staff Report, page 5; Exhibits 21 through Exhibit 23; Exhibits 26 through 32; Exhibits 34 and 35; Exhibits 37 through 41.*

State Environmental Policy Act

3. The City acted as lead agency and analyzed the environmental impacts of the proposal, as required by the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington (RCW). The City consolidated notice of the SEPA review and application comment periods under the optional process provided for by Washington Administrative Code (WAC) 197-11-355, with a comment deadline of April 6, 2021. The City's notice materials stated that it expected to issue a Mitigated Determination of Nonsignificance (MDNS) for the proposed development. The City received the following comments specific to SEPA environmental review of the proposal from reviewing agencies:²
- The Squaxin Island Tribe commented that work should be halted if any archaeological or cultural resources are uncovered.
 - The Nisqually Indian Tribe commented that it did not have any concerns about the proposal.
 - The Olympic Region Clean Air Agency (ORCAA) stated that all new gasoline dispensing facilities with a facility-wide gasoline storage capacity equal to or greater than 10,000 gallons are required to install a California Air Resources Board (CARB) certified Stage I Enhanced Vapor Recovery (EVR) system. ORCAA further stated that the project would likely require the agency's approval in the form of a Notice of Construction or Notice of Intent prior to the beginning of construction, as required by WAC 173-491-040(5)(c).
 - The Washington State Department of Ecology (DOE) commented that the proposed project is in an area that may have been contaminated with heavy metals due to emissions from the former Asarco smelter. DOE stated that a sample of soils on-site must be submitted to DOE to determine whether the site contains lead or arsenic exceeding the Model Toxic Control Act (MTCA) cleanup levels and, if so, certain remediation measures and precautions would be required. DOE also provided general comments noting the requirement that the project utilize only clean fill for all grading and filling activity and about the construction activities that would require coverage under the Construction Stormwater General Permit.

Exhibit 2, Staff Report, pages 2 and 3; Exhibit 5; Exhibit 22; Exhibit 30; Exhibit 33; Exhibit 34; Exhibit 36.

² The City also received comments from two members of the public in response to the City's SEPA determination (Exhibit 41). These concerns were reiterated in additional comments expressed by members of the public in response to the City's notice materials and, accordingly, are not specifically addressed here.

4. The City reviewed the Applicant's environmental checklist and other information on file, including the comments submitted by reviewing government agencies described above, and determined that, with mitigation measures, the proposal would not have a significant adverse impact on the environment. Accordingly, the City issued an MDNS on March 18, 2022, with an appeal deadline of April 1, 2022. The City provided notice of its determination by publishing the MDNS in *The Olympian* on March 22, 2022. The MDNS was not appealed. The MDNS requires the following mitigation measures:
- Traffic impact fees mitigating impacts to Thurston County roads in the amount totaling \$29,619 shall be paid prior to building permit issuance to the City. The City would then forward the collected impact fees to Thurston County.
 - Prior to site disturbing work, the soils on-site shall be sampled and analyzed for arsenic and lead. The soil sampling results shall be sent to DOE for review.
 - If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (WAC 173-340) the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The Applicant shall also contact the Environmental Report Tracking System Coordinator at the Ecology Southwest Regional Office. The MTCA cleanup level for arsenic is 20 ppm and for lead is 250 ppm.
 - If lead, arsenic, and/or other contaminants are found at concentrations above MTCA cleanup levels, prior to grading permit issuance, the Applicant shall: enter into a Voluntary Cleanup Program with DOE prior to issuance of any site development or disturbance permits; provide DOE with a tree retention survey of the subject site; obtain an opinion letter from DOE stating that the proposed soil remediation will likely result in further action under MTCA; and provide the City with written verification from DOE that development permits are consistent with the cleanup action plan developed under the requirements of the Voluntary Cleanup Program.
 - If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children's play areas.
 - Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.
 - All mitigation measures volunteered by the developer and described within each element of the submitted environmental checklist shall be implemented into the design and/or development of the proposed development.

Exhibits 24 and 25.

Existing Site

5. The project area is located on a 1.5-acre parcel that is currently undeveloped. The site is mostly flat with a short slope along the northern property line that runs from east to west. The majority of the site is characterized by scattered trees, open field, and understory vegetation consisting of Himalayan blackberry, scotch broom, grasses, and broadleaved weeds. The remainder of the site consists of dense stands of Douglas fir, Pacific madrone, Scouler's willow, red alder, and Pacific dogwood trees. *Exhibit 2, Staff Report, pages 1 and 2; Exhibits 6 through 10; Exhibit 13.*

Comprehensive Plan, Zoning, and Surrounding Uses

6. The City and Thurston County prepared a joint planning document, the "City of Lacey and Lacey Urban Growth Area Comprehensive Plan" (Comprehensive Plan) under the Growth Management Act, to account for long-term growth and planning within the community. The subject property is designated "Neighborhood Commercial" under the Comprehensive Plan and is within the Hawks Prairie Planning Area, which is characterized as the planning area with the most potential for economic development within the city. *Comprehensive Plan 5-1.* The Hawks Prairie Planning Area has extensive vacant land resources and has historically served a wide range of uses, including single-family residential development, commercial development, and industrial development. *Comprehensive Plan 5-1.* City staff identified the following Comprehensive Plan goals and policies as relevant to the proposal:
 - Commercial and Industrial Lands Goal 1: Designate an adequate supply of land for high quality commercial uses based on appropriate site characteristics, community needs, and adequacy of facilities and services.
 - Commercial and Industrial Lands Policy 1-A: Existing core commercial and mixed-used areas, including urban corridors and nodes, should be the primary focus for commercial development, redevelopment, and infill opportunities.
 - Commercial and Industrial Lands Policy 1-B: Provide for a compatible mix of housing and commercial uses in appropriate locations that enables people to walk to employment and shopping.
 - Commercial and Industrial Lands Policy 1-C: Provide neighborhood commercial zones near residential areas to provide opportunities for neighborhood shopping and services with pedestrian accessibility.
 - Commercial and Industrial Lands Goal 2: Create vibrant, integrated, and well-designed districts in designated areas in the community.
 - Commercial and Industrial Lands Policy 2-A: Utilize the City's design review standards to encourage clustered commercial and mixed-use development rather than strip commercial development in urban corridors and nodes.
 - Transportation and Land Use Goal 1: Enhance the function, safety, and appearance of the City's streets.
 - Transportation and Land Use Policy 1-A: Ensure implementation of the Transportation Element of the Comprehensive Plan, the Thurston County Transportation Plan, and the Thurston Regional Transportation Plan.

- Transportation and Land Use Goal 2: Support land use policies and plans to allow densities and a mix of uses that reduce the number and length of vehicle trips. Increase the opportunity to use public transportation and non-motorized modes of travel.
- Transportation and Land Use Policy 2-C: Ensure that destination sites, including job centers, commercial areas, office complexes, and other economic development generators are connected with multimodal transportation options.
- Transportation and Land Use Policy 2-D: Encourage land use policies that support destination sites where uses are close enough together that consumers, customers, and other users can access each without the need of an automobile.
- Transportation and Land Use Goal 4: Ensure that private development projects, including subdivision and commercial/retail project design, facilitate measures to improve multimodal transportation.
- Transportation and Land Use Policy 4-B: Require pedestrian-friendly building design within commercial nodes and along corridors. Parking lots serving mixed-use and commercial developments should be located to the rear or sides of buildings.
- Transportation and Land Use Policy 4-C: Private development projects shall provide bicycle parking and a site design that will accommodate transit.
- Utilities and Capital Facilities Goal 1: Ensure that existing utility customers, and future customers, are adequately served by water, sewer, and stormwater utility services that consider both growth demand projections and asset management.
- Utilities and Capital Facilities Policy 1-B: All proposed development should be analyzed for anticipated impact on utilities and services, whether as an element of the site plan review, subdivision review, or as part of the environmental impact assessment.
- Health and Human Services Goal 1: Work to achieve a safe, active, and healthy lifestyle for City citizens through community planning and design.
- Health and Human Services Policy 1-A: Provide opportunity for a distribution of land use types located within planning areas and within walking distance of one another to encourage pedestrian activity and minimize the need for automobiles.
- Health and Human Services Policy 1-B: Design neighborhoods to promote bicycling and walking, encouraging these activities and healthy lifestyle choices.
- Health and Human Services Goal 2: Work to achieve a community where residents have convenient access to healthy food, clean water, and affordable shelter.
- Health and Human Services Policy 2-C: Provide healthy food choice opportunities for urban farming and convenient access to grocery stores and farmers markets.
- Land Use Hawks Prairie Planning Area Goal 2: Recognize the planned community approvals for the Hawks Prairie and Meridian Campus Planned Communities.

- Land Use Hawks Prairie Planning Area Policy 2-A: Allow implementation of uses as designated in the Master Plans.

Exhibit 2, Staff Report, pages 3 through 5.

7. The Comprehensive Plan also designates the property as within a neighborhood node. The Comprehensive Plan states that “growth will need to be focused in our nodes and urban corridors. . . . The nodes (within the City) and urban corridor are well served by utilities.” *Comprehensive Plan 3-8.* The Commercial and Industrial Lands analysis in the Comprehensive Plan encourages commercial nodes in close proximity to neighborhoods. *Comprehensive Plan 3-9. Exhibit 2, Staff Report, page 6; Exhibit 19.*
8. The subject property is also located within the Meridian Campus Master Planned Community (Meridian Campus). Meridian Campus was approved in the late 1980s by Thurston County and established a range of land uses, including industrial, commercial, institutional, single-family and multi-family residential, and a variety of designated open space areas. The subject property was zoned Low Density Residential when the area was annexed by the City in 1992. In 2003, the City Council changed the site’s land use and zoning designation to Neighborhood Commercial (NC). Under Lacey Municipal Code (LMC) 16.36.010, the intent of the Neighborhood Commercial zoning district is to:
 - A. Provide the opportunity for the development of small commercial facilities in residential areas catering to the day to day needs of consumers for a limited range of convenience goods and services;
 - B. Limit such commercial facilities as to size of site, bulk of structures, and to such locations as to serve a relatively large number of persons in a relatively small geographic area. To that end, pedestrian accessibility shall be a major criterion in the location of neighborhood commercial facilities;
 - C. Limit such development to areas where local economic demand, local citizen acceptance and appropriate design solutions assure compatibility with the neighborhood.

Exhibit 2, Staff Report, pages 2 and 6.

9. The NC zone allows for retail, service, and office-type uses, including food stores and grocery and produce sales. *LMC 16.36.020.* The NC zone also allows for gas stations as a conditional use, subject to conditional use permit review and approval. *LMC 16.36.020.* The Applicant is proposing a 4,000 square foot convenience market/miniature grocery market, which would sell a variety of goods, including produce, baked goods, deli meats, dry and canned goods, health and beauty products, and other items. The proposal also includes four fueling islands with eight total positions, a 1,000 square foot second-story office space above the store, and an additional 4,000 square feet of speculative commercial space. A stand-alone market or convenience store would be permitted through the City’s administrative review, or Site Plan Review, process. The

gas station component of the proposal, however, requires review under the conditional use permit review process. *Exhibit 2, Staff Report, page 6; Exhibit 18.*

10. The property is bordered by London Loop NE to the east, Campus Glen Drive NE to the south, Willamette Drive NE to the west, and by single-family residential development to the north, specifically six single-family lots within the Moderate Density Residential zoning district that are a part of the Campus Pointe subdivision. Property across London Loop NE to the east is zoned Open Space Institutional and consists of a 30-acre forested parcel that is operated and maintained by the City. Property across Campus Glen Drive NE to the southeast is zoned Open Space Institutional Park and consists of Meridian Neighborhood Park, a 24-acre park with restrooms, picnic shelter, playground equipment, half basketball court, and open play area. Properties to the west across Willamette Drive NE are zoned Low Density Residential and consist of the Campus Glen subdivision. Properties to the south and southwest of the site are zoned High Density Residential and consists of the Campus Reserve subdivision. *Exhibit 2, Staff Report, page 2.*

Conditional Use Permit
General Considerations

11. The municipal code makes certain uses conditional in specific zoning districts. *LMC 16.66.010 and .020.* A *conditional use* is a use that, because of special requirements, unusual character, size or shape, infrequent occurrence or possible detrimental effects on surrounding property, or other, similar reasons, is allowed in certain districts only with a CUP granted by the City Council. *LMC 16.06.240.* All conditional uses must satisfy the environmental standards of Chapter 16.57 LMC. The standards govern: maximum noise levels; emissions, including those of air pollutants, toxic substances, sewage, waste, or radioactive materials; and vibration or concussions. *LMC 16.57.030 and .040.* The design standards for permitted uses in the underlying zoning district should be the initial basis of reference in determining the design standards for conditional uses in the same district. *LMC 16.66.050.* LMC 16.66.050 provides the authority to alter or vary the underlying district's design standards when the "alteration or variation is found to be reasonable to protect adjacent properties or the health or general welfare of the community." *Exhibit 2, Staff Report, pages 4, 5, and 7.*

Design Standards and Neighborhood Compatibility

12. LMC 16.36.030.B provides that development in the Neighborhood Commercial district should be characterized by small buildings (uses with less than 10,000 square feet), low traffic generation, considerable walk-in trade, moderate lighting, and quiet operations. The proposed development would include the construction of two buildings: one that would measure 4,000 square feet and another that would measure 5,000 square feet. Business Street, LLC, prepared a market assessment for the project site, dated July 28, 2021. The assessment determined that there are 15 single-family subdivisions and six multi-family projects, either constructed or in the development process, within one-half mile of the subject site. The assessment also determined that the location of the Meridian

Neighborhood Park across the street could increase opportunity for walk-in business. Pedestrian scale lighting would be used on the site to the greatest extent possible, including internal parking-lot, site, and security lighting. Lighting underneath the fuel canopy, however, would not constitute pedestrian scale lighting. The Applicant would be required to submit a final site lighting plan as part of the commercial design review for the proposal. The building placement and the orientation of the development would be sited to minimize noise impacts to adjacent residences, and operations at the site would be subject to the City’s noise ordinance, LMC 16.57.030. The application materials indicate that the proposed market and gas station would operate between the hours of 5:00 AM and 11:00 PM. *Exhibit 2, Staff Report, pages 7 through 9, and 11; Exhibits 6 through 9; Exhibit 17.*

13. Under LMC 14.23.082.G, “care shall be taken to ensure compatibility and integration of the development with the adjacent residential neighborhood.” Varying roof lines and pitch, glazing, weather protection, as well as colors and materials, can be used to blend the buildings with the adjacent neighborhood. *LMC 14.32.082.A.1 and .8.* The commercial design review process would consider how the proposed buildings would integrate with the existing residential areas. *Exhibit 2, Staff Report, page 11; Exhibits 6 through 9.*

Traffic and Access

14. City staff has noted that Neighborhood Commercial zones do not intend to exclude all auto dependent uses and, rather, that the intent of commercial nodes within residential areas is to reduce the number and length of vehicle trips. *See Transportation and Land Use Goal 2, discussed above.* On November 3, 2020, the Applicant completed a Traffic Generation Worksheet, and on June 7, 2021, Heath and Associates, Inc., completed a Land Use and Trip Generation Evaluation on behalf of the Applicant. The trips generated by a convenience market with gas pumps were compared to the same use without gas pumps. The evaluation found that a convenience market with gas pumps generates approximately 20 percent fewer average weekday daily traffic trips than a market without gas pumps. City staff concurred that vehicular travel for the proposed development would be equal to or less than the traffic that would be generated by a similar use without gas pumps—a use allowed by LMC 16.36.020 without a conditional use permit. A City transportation engineer reviewed the Applicant’s materials and determined that a full Traffic Impact Analysis (TIA) would not be warranted because a TIA was previously approved for a different project on the site that was expected to generate 89 new PM peak hour trips, which is more than the 80 new peak hour trips expected to be generated by the current proposal. The Applicant would be required to pay traffic mitigation fees to mitigate for the proposal’s impacts to the City’s transportation network. *Exhibit 2, Staff Report, pages 7, 8, and 12; Exhibit 14; Exhibit 16; Exhibit 32; Exhibits 38 and 39.*

15. The site would be accessed from both London Loop NE and Campus Glen Drive NE. The City transportation engineer determined that vehicle access must be limited to right-in right-out only and that the project must dedicate right-of-way at the southwest corner of the parcel to accommodate a future roundabout at the intersection of Campus Glen Drive NE and Willamette Drive. Intercity Transit reviewed the proposal and did not request any bus-related infrastructure along the property's frontage because it previously installed a bus stop adjacent to the site in 2020. Frontage improvements serving the property were installed during previous development in the area, with the exception of the remaining frontage along London Loop NE, which would be installed with the project consistent with the City's development guidelines. *Exhibit 2, Staff Report, pages 7, 8, and 12; Exhibit 14; Exhibit 16; Exhibit 32; Exhibits 38 and 39.*

Setbacks and Parking

16. The parcel is surrounded on three sides by public right-of-way, resulting in three "front yards" for purposes of assessing required setbacks. The yard adjacent to the existing residential structures is a side yard. The standard setbacks in the Neighborhood Commercial zone are 10 feet maximum for a front setback and 10 feet minimum for a side setback. *LMC 16.36.050.F. LMC 16.36.030.A* authorizes the alteration or variation of design standards when it is found to be reasonable to protect adjacent properties. City staff requests that the Hearings Examiner waive the setback requirements to enhance pedestrian access by siting the buildings closer to the sidewalk and to accommodate the 15-foot minimum landscaping area required between commercial and residential properties under *LMC 16.80.030.B*. City staff also request that the Hearings Examiner waive the parking requirement under *LMC 16.36.070.D* in order to locate the proposed buildings between the existing residential homes and the vehicles associated with the development. The buildings and existing mature vegetation would help mitigate noise and glare impacts to the existing residential homes from vehicular use of the site. In order to provide both screening for the fueling islands and to enhance the pedestrian environment along Campus Glen Drive NE and London Loop, the Applicant would install a pedestrian plaza and screening feature consisting of landscaping, trellises, and seating. *Exhibit 2, Staff Report, pages 9 through 11; Exhibit 9.*

Trees and Vegetation

17. The Meridian Campus Master Plan, approved and adopted by the City in 1992, required 20 percent of the Meridian Campus site to be set aside as open space. As a result of the initial land set aside as open space, all projects in the Meridian Campus are considered to be in compliance with the City's five percent tree tract requirement. *LMC 14.32.064*. Although the project would not be required to set aside an additional five percent of the site for a tree tract, the Applicant proposes to retain most of the existing trees on the north end of the site, which would help to screen the proposed development from the adjacent single-family residential development to the north. The City's contract forester reviewed the site plan and has provided recommendations for tree retention, which have been

incorporated into the recommended conditions of CUP approval. *Exhibit 2, Staff Report, page 11; Exhibit 15.*

Stormwater

18. ZipperGeo provided a geotechnical engineering report, dated May 22, 2020, and DECCIO Engineering, Inc., provided a stormwater drainage report on behalf of the Applicant, dated February 2, 2021. The drainage report notes that existing runoff drains to the south end of the site with all site runoff intercepted by adjacent streets. The geotechnical report determined that the site soil types preclude effective on-site infiltration of stormwater. The proposal would create a total of 32,293 square feet of impervious surface area. Stormwater from the proposed site improvements would be intercepted by catch basins and storm pipes, where the runoff would pass through a StormFilter catch basin for water quality treatment, then be detained in a detention vault for flow control before being released to the roadway storm system that drains to the Meridian Campus regional infiltration pond on the west side of Willamette Drive. City Water Resources Engineer Doug Christenson reviewed the Applicant's proposed stormwater site plan and determined that, with recommended conditions, it would comply with the requirements of the 2016 City of Lacey Stormwater Design Manual. *Exhibit 2, Staff Report, page 12; Exhibits 10 and 11; Exhibit 13; Exhibit 37.*

Written Comments

19. As noted above, the City received a substantial amount of public comments on the proposal, mostly from area residents opposed to the project. These comments generally related to the following topics:
- **Pedestrian Safety:** Comments on this topic expressed concerns that the proposal would increase traffic at the intersection of Willamette Drive NE and Campus Glen Drive NE and would pose safety hazards to pedestrians. Many commenters noted that this is already a busy intersection with heavy traffic and pedestrian use. For example, Chris Labrecque, Randy Wirtz, Ilicia Damschen, James and Lynne England, Mark Anthony Claudio, Cassy Randolph, Roberta Shawver, Cameron and Pov Grunberg, Mirchelle McKoy, Mims Gordon, Marie Williams, John Matykowski, John and Teresa Jeffreys, Marysa Stevens, Dennis Erixson, Regina LaMar, Jeannine Leitch, Mary Gardner, Myrna Williams, Stephanie Johnson, Ron Hall, Elaine Briggs, Ana Carrera, Rostem Bassalow and others expressed concerns that there would be increased traffic across the street from a heavily-used park that is frequently used by children. Several commenters also expressed concerns that there are no traffic controls at the intersection.
 - **School Impacts:** Comments on this topic expressed concerns that the location of the proposed development is near Salish Middle School, and many students pass through the intersection where the gas station would be located. For example, Chris Labrecque, Reginald Smith, Mark Anthony Claudio, Roberta Shawver, Mike and Jan Johnston, Krista McClellan, Melinda Santiago, Marysa Stevens, Dan Kurtz, Vlad Ivanenko, Janice Salois, Cammie Perretta, Alicia Cleland, and

Patrick McMillen expressed concerns for the safety of students walking to and from school through the intersection at Campus Glen Drive NE and Willamette Drive NE due to increased traffic. Curtis Richardson, Ilicia Damschen, Manuel Bravo, and Patricia and Robert Le Roy also expressed concerns about negative impacts to health of children and proximity to controlled substances such as alcohol and tobacco.

- **Environmental Impacts:** Comments on this topic expressed the following concerns: there are negative health impacts associated with living near gas stations; increases in toxins and noise emissions degrade air quality; gasoline could leak into drinking water; there would be increased light pollution; and the project was not consistent with environmental goals to eliminate gas-powered vehicles. For example, Brad Martell, Lori Martell, June Ziser, and Violet McWhirk expressed that increased vehicular and human activity would create noise pollution. Reginald Smith and Nancy and George Castro expressed concerns about leakage from the gas station polluting drinking water. Roberta Shawver, Brian and Jessica Nau, and Alfonso Magana expressed concerns that light from the gas station would shine into adjacent residences. Joseph Rinehart expressed concerns about the project eliminating carbon sinks through the removal of existing mature trees. Roberta Shawver, Tim and Linda Bates, and Mary Gardner raised concerns about the project encouraging gas-powered vehicles rather than electric vehicles. Maureen Bard expressed concerns about increased stormwater runoff from the proposed development.
- **No Demand for Services:** Comments on this topic expressed concerns that there is no current demand for a gas station or market in the community. For example, Reginald Smith, Marcena Fuller, Seraphine Moncada, Rachel Dobiyanski, Jan Wingerson, Javier Tejada, Lisa Lee, Phillip Zmuda, Eleanor Fischer, Elaine Briggs, Stephanie Barnett, Chris Cook, Jennifer Peppin, Daniel George, and Stephanie Heavner stated that the area is well served by nearby existing gas stations. Ava and Art McCluskey stated that few customers would be within walking distance of the convenience store.
- **Compatibility:** Comments on this topic expressed concerns that a gas station would not be a good fit for the site because it is located near a playground and residential areas. For example, Stephanie Johnson and Roberta Shawver said that the lighting of the development would not be compatible with the dimmed light of the residential area at night.
- **Property Values:** Comments on this topic expressed concerns that the proximity of the gas station would decrease residential property values. For example, Cassy Randolph said the gas station could attract individuals experiencing homelessness, which in turn could decrease property values.
- **Crime:** Comments on this topic expressed concerns that the proposed development would increase crime and the presence of individuals experiencing homelessness in the area. For example, Mirchelle McKoy stated that convenience

stores are associated with high crime rates. Brad Martell and Bryan Cardoza expressed concerns over increased risk of human trafficking.

Exhibit 40.

20. In addition to the individual written comments it received, the City also received a petition with over 550 signatories in support of denying the conditional use permit.
Exhibit 40.

Testimony

21. Applicant Representative David McDonald testified generally about the proposal. Mr. McDonald noted that the submitted drainage report indicates that the project would be capable of managing and treating stormwater in accord with applicable requirements of the City of Lacey Stormwater Design Manual. He noted that he had reviewed the numerous comments on the proposal submitted by members of the public and asserted that the site plan adequately addresses environmental and safety concerns. *Testimony of Mr. McDonald.*
22. Applicant Traffic Engineer Aaron Van Aken testified that he completed a trip generation analysis for the project and would be happy to answer any questions from members of the public regarding the proposal's traffic impacts. *Testimony of Mr. Van Aken.*
23. City Senior Planner Samra Seymour testified generally about the proposal and how it would comply with the City Comprehensive Plan, zoning ordinances, and the requirements for a conditional use permit. She explained that the open public hearing was supposed to be held the week prior but that a windstorm resulted in a power outage in the northeast area of the city (including Meridian Campus). Ms. Seymour stated that, in response to the power outage, City staff informed the Hearings Examiner and all parties of record that the hearing would be rescheduled for April 12, 2022. She also noted that City staff reposted the new hearing date at the proposed development site and informed those attending the original remote meeting that the hearing had been rescheduled. Ms. Seymour noted that the City issued an MDNS for the project with conditions that would mitigate the project's impacts to Thurston County roads through the payment of impact fees. She testified that the Applicant would be required to test on-site soils for potential heavy metals caused by the former Tacoma Asarco Smelter. Ms. Seymour noted that there has been significant growth in the Meridian Campus area over the last decade. She explained that gas stations are a conditional use in the Neighborhood Commercial zone, which is intended to serve the surrounding neighborhood and reduce vehicle miles travelled by bringing commercial services into the area. Ms. Seymour noted that the Applicant initially proposed six fueling islands but reduced the proposal to include only four fueling islands after City staff expressed concerns about the scale and size of the site and compatibility with the surrounding area. She stated that City staff recommends the front yard setback and parking standards be waived in order to construct the building in a way that preserves mature vegetation and prioritizes pedestrian access.

Ms. Seymour noted that City staff contacted Salish Middle School's transportation and facilities directors but did not receive any comments on the proposal from school representatives. *Testimony of Ms. Seymour.*

24. City Development Review Engineer Tom Stiles testified generally about the utility services and stormwater management at the site. He noted that the site currently has a water main, sewer line, and stormwater line. Mr. Stiles stated that the Applicant would install fueling area awnings, an oil water separator, a catch basin, and a wet vault to manage stormwater runoff. *Testimony of Mr. Stiles.*
25. City Transportation Engineer Chris Stolberg testified that a TIA was conducted for a proposed 10,000 square foot daycare at the site in 2020. He stated that he had determined that a new TIA would not be required because the proposal is expected to generate fewer PM peak hour trips than would have occurred with the proposed daycare. Mr. Stolberg noted that the Applicant would pay traffic mitigation fees to ameliorate traffic impacts of the project. He stated that existing crosswalks on London Loop and across Willamette Drive NE on Campus Glen Drive NE are left unmarked because there is evidence that pedestrians are more alert at unmarked crossings that lack a traffic control device. *Testimony of Mr. Stolberg.*
26. City Water Resources Engineer Doug Christenson testified that all of the development's stormwater runoff from impervious surfaces would be managed on-site, and stormwater would be collected in on-site catch basins and pipes, treated, and held in a detention tank for a controlled release downstream to a regional pond system. He also explained that, in addition, the fuel canopy area would be isolated from the rest of the impervious surfaces to ensure gasoline and other hazardous materials would not come in contact with the rest of the stormwater being managed on-site. *Testimony of Mr. Christenson.*
27. Alan Rathbun raised concerns about how the development would impact homelessness in the area. *Testimony of Mr. Rathbun.*
28. Zachary Fernandez expressed concerns over potential accidents or failures of the stormwater filtration system and how that would impact drinking water and health, including for children and pets. He also stated that the Meridian Campus area did not need the services offered by the proposed development. *Testimony of Mr. Fernandez.*
29. Gregory Kidwell stated that the proposed development would reduce the number of miles driven by people currently traveling to stores located further away. He noted this would result in lower insurance costs and less gas consumption. *Testimony of Mr. Kidwell.*
30. Elizabeth Van Hooser-Wilse raised concerns about potential fuel in drinking water and about the proposed development's potential impacts on traffic and homelessness. *Testimony of Ms. Van Hooser-Wilse.*

31. Griffin Wilde expressed concerns about siting the proposed development across from a playground and high-trafficked area. He also raised concerns about the development's impact on homelessness and public safety. *Testimony of Mr. Wilde.*
32. Elaine Briggs stated she reviewed the public comments in the record and did not see support for the project from anyone in close proximity to the site. She testified that the proposed development would be inconsistent with the Comprehensive Plan's goals and policies for the Hawks Prairie planning area and with LMC 16.37.070, which she asserted does not allow gas stations on corner lots within the Hawks Prairie Business District areas. Ms. Briggs stated that the Traffic Impact Analysis prepared for an earlier daycare proposal does not reflect changes that have occurred in the area since the daycare was proposed, including the extension of Campus Glen Drive to Hogan Bay Drive and employee traffic from an Amazon processing center on Campus Glen Drive. *Testimony of Ms. Briggs.*
33. Brad Martell presented a letter from a former resident of the area, which raised concerns that the MDNS did not address clean air concerns. *Testimony of Mr. Martell.*
34. Lori Martell raised concerns about the impact of the development on property values, pollution, congestion, crime, traffic, noise, and safety, particularly the safety of children walking to the nearby school. She also expressed concerns about siting a gas station near a school, in a densely populated residential area, and near a community park. *Testimony of Ms. Martell.*
35. Chris Porrazzo stated that the proposal would not be compatible with the neighborhood and is opposed by area residents. He expressed concerns that the traffic study did not adequately account for the proposal's likely traffic impacts. Mr. Porrazzo stated that the developer had not demonstrated that there was a local demand for a gas station. He also expressed concerns over pedestrian safety, noise pollution, light pollution, the parking setback requirements, and safety of runoff from the site. *Testimony of Mr. Porrazzo.*
36. Cheryl Ricevuto stated that she does not believe a gas station supports the community roles outlined in the City's urban growth plan and that the Applicant has not demonstrated demand for a gas station in the area. She also stated that use of automobiles is limited in the area and that the sidewalk is used daily by students and adults. *Testimony of Ms. Ricevuto.*
37. Eugene Kyyan, CEO of VIS Group, indicated that his group had received dozens of calls related to the proposal. He stated that there is another elementary school proposed on the other side of Willamette, which would increase the number of children walking in the area. *Testimony of Mr. Kyyan.*

38. Janet O'Halloran stated that the traffic report does not include a gas station in the area. She also expressed concerns that the geotechnical report is not valid because it does not consider the changes that have occurred since the daycare was proposed or the proposed gas station's storage tanks. Ms. O'Halloran also raised concerns about the proximity of the proposed gas station with a nearby park. She stated that the Applicant should be in conversations with nearby residents to develop the site. *Testimony of Ms. O'Halloran.*
39. Geoff Browning stated that over 500 people had signed a petition opposing the project. *Testimony of Geoff Browning.*
40. Sarah Daniels expressed concerns about the proximity of the proposed gas station with a park. *Testimony of Ms. Daniels.*
41. Nathan Peppin raised concerns about the consistency of the proposal with CUP requirements. He also expressed concerns about the demand for a gas station in the area, stating there are currently nine gas stations serving the community. Mr. Peppin stated that he has concerns that City staff is biased in approving the project. *Testimony of Mr. Peppin.*
42. Kimberly Coburn expressed concerns about health impacts resulting from proximity to environmental hazards associated with gas stations. *Testimony of Ms. Coburn.*
43. Deborah Shawver expressed concerns that the SEPA checklist was based on the geotechnical report for the daycare proposal. She also raised concerns about supporting gas vehicles, crime, child trafficking, light pollution, and parking. Ms. Shawver expressed concerns about the proximity of alcohol and tobacco sales to a park. She echoed concerns that the community did not want or need a gas station. *Testimony of Ms. Shawver.*
44. Jill Pelton raised concerns about traffic impacts, crime, and pedestrian safety, particularly for children in the area. She echoed concerns about using the traffic report from the daycare proposal for this proposal. *Testimony of Ms. Pelton.*
45. Bryan Cardoza asked for clarification about whether traffic mitigation fees had already been paid and when the roundabout at Willamette and Campus Glen would be built. He expressed concerns about public safety, particularly the safety of children, and the compatibility of a gas station with area. *Testimony of Mr. Cardoza.*
46. Scott Roth, VIS Group, raised concerns about the hearing process. He stated that LMC 16.37.070.H.2 does not allow gas stations on corner properties and raised concerns that the proposal did not conform with LMC 16.36.020 square footage requirements. Mr. Roth also echoed concerns about the demand for the gas station. He also raised concerns about the market study prepared for the proposed development, particularly regarding the

consistency of the gas station with the zoning goal of reducing traffic. *Testimony of Mr. Roth.*

47. Maureen Bard, Carmel Healthy Neighborhoods Alliance, provided a presentation detailing her concerns. She expressed concerns that the proposed development would increase traffic due to its proximity to an industrial area and raised concerns about crime, increased costs due to inflation for infrastructure, and speeding enforcement on Willamette Drive. Ms. Bard also raised concerns about the proposed development's proximity to a neighborhood park, a children's play structure, and a middle school. In addition, she expressed concerns about the types of retail on the site and the financial viability of the project. *Testimony of Ms. Bard.*
48. Ron Germeaux expressed concerns about the proximity of the gas station to residential homes, parks, and an elementary school. He stated that there are already several gas stations located close to the site. *Testimony of Mr. Germeaux.*
49. Sue Medeiros expressed concerns about the timeliness of the Campus Meridian Master Plan. *Testimony of Ms. Medeiros.*
50. Chris Valcho, employee of Salish Middle School, raised concerns that the school was not aware of the project. He encouraged communication between the Applicant and school administrators. Mr. Valcho echoed concerns about the proximity of the proposed development to the school and about pedestrian safety. *Testimony of Mr. Valcho.*
51. Chris McAnnally requested that community attendance be part of the record. She expressed concerns about speeding, traffic impacts, impacts to the park, and pedestrian safety, particularly that of school children. Ms. McAnnally also raised concerns about the consistency of the project with Washington State goals to increase electric vehicle use. In addition, she expressed concern over the lack of community support for the project and the health impacts of food products that would be sold at the market. *Testimony of Ms. McAnnally.*
52. Ty Hill expressed concerns over emissions and safety. He echoed concerns that there are other gas stations available and that there is no demand for a gas station in the area. *Testimony of Mr. Hill.*
53. Samra Seymour responded to public comments. She clarified that the development regulations of LMC 16.37.070 do not apply to the NC zone and, rather, apply only to the Hawks Prairie Business District. She noted that LMC 16.36.050 prevents a single-use building from exceeding 10,000 square feet and a multi-use building from exceeding 40,000 square feet. Ms. Seymour also clarified that the City does not have the ability to regulate vapor recovery as mentioned by the ORCAA comments. She stated that she and other City staff reached out to members of the school district, including Monty Sabin, the

district's superintendent, and the school district explicitly stated they would not provide comments on the application. Ms. Seymour also clarified that examining the financial feasibility of development proposals is outside the City's regulatory capacity. She noted that the project would be subject to additional technical review, including civil drawing approval and construction drawing approval through the City's Public Works Department. Ms. Seymour testified that many uses in the NC zoning district with similar impacts would not require a conditional use permit and that the project has been designed to be compatible with the surrounding area. *Testimony of Ms. Seymour.*

54. Chris Stolberg clarified that traffic impact fees are required to be paid before building permits are issued and that such fees are updated annually based on a construction-cost index. He stated that the Thurston County model for trip generation does not focus on land use types, but on volume of traffic. Mr. Stolberg stated that the Campus Glen extension was not included in the model that was used for the traffic study, but he is not concerned about the additional volume of the project because more recent traffic counts at the intersection have not demonstrated a dramatic increase in traffic volume since the street extension. Mr. Stolberg also stated that every traffic impact analysis must consider any previously approved projects in their traffic volume and that the TIA used for this project took into account the volumes of traffic created by the warehouse facilities. He explained that funding for the design of the roundabout on Willamette is available and that the roundabout would likely be built within the next five years. Mr. Stolberg noted that police are able to ticket speeding vehicles on Campus Glen Drive. *Testimony of Mr. Stolberg.*
55. Doug Christenson stated that his review of the project is to ensure that proposed stormwater management features would be feasible on the site and would meet the City's stormwater design manual. He stated the stormwater report is adequate for this stormwater management analysis. *Testimony of Mr. Christenson*
56. Tom Stiles clarified that assessing impacts of the fuel storage tanks would be part of the building permit process. *Testimony of Mr. Stiles*
57. City Plans Examiner Terry McDaniel testified that the City would ensure at the civil review phase that any underground tanks would comply with requirements of the International Fire Code. *Testimony of Mr. McDaniel.*
58. Aaron Van Aken clarified that a traffic impact analysis was not required and that the required trip generation report calculated traffic volumes based on the Institute of Transportation Engineering Trip Generation Manual. He explained that the traffic generation report showed that fewer PM peak hour trips would be generated for the project with the gas station as compared to a comparable proposal without a gas station. Mr. Van Aken also clarified that the TIA prepared for the previous daycare proposal was completed after the Campus Glen extension. *Testimony of Mr. Van Aken.*

59. David McDonald stated the project would be able to comply with the City's conditions. He testified that the project would commence in one to two years. *Testimony of Mr. McDonald.*

Staff Recommendation

60. City staff determined that the proposal would be consistent with the Comprehensive Plan, the zoning code, and other applicable codes and regulations, and with the requirements for approval of a conditional use permit if specific conditions are attached to approval. *Exhibit 2, Staff Report, pages 13 through 24.*

CONCLUSIONS

Jurisdiction

The Hearings Examiner has authority to receive and examine all available information, conduct public hearings, and prepare a record thereof, and make a recommendation to the City Council on Conditional Use Permits. *LMC 2.30.090.B.*

Criteria for Review

Conditional Use Permit

Conditional use permits are reviewed under Chapter 16.66 LMC. In order to recommend approval of a conditional use permit, the Hearings Examiner must:

- Ensure that conditional uses comply with the environmental performance standards, as described in Chapter 16.57 LMC, and meet stricter environmental performance standards upon a finding that stricter standards are necessary and reasonable to protect adjacent properties, community health, or the general welfare. *LMC 16.66.040.A.*
- Use the design standards for permitted uses in a given district as the initial base of reference in determining the design standards for conditional uses in the same district while allowing for alternations of those design standards, including size and shape of lots, building coverage, development coverage, parking, and landscaping. *LMC 16.66.050.*
- Impose all Title 16 LMC requirements for the proposed use, as well as other conditions and safeguards necessary to secure adequate protection for the locality where the use is to be permitted. *LMC 16.66.100.*
- Recommend a time limit for beginning or completion, or both, of action on the conditional use. *LMC 16.66.100.*

The criteria for review adopted by the Lacey City Council are designed to implement the requirement of Chapter 36.70B RCW to enact the Growth Management Act. In particular, RCW 36.70B.040 mandates that local jurisdictions review proposed development to ensure consistency with City development regulations, considering the type of land use, the level of development, infrastructure, and the characteristics of development. *RCW 36.70B.040.*

*Findings, Conclusions, and Recommendation
City of Lacey Hearings Examiner
Meridian Market and Gas CUP, No. 20-310*

Conclusions Based on Findings

- 1. With conditions, the proposal would satisfy the requirements for a Conditional Use Permit under Chapter 16.66 LMC.** The City gave reasonable notice of the application and provided sufficient opportunity to comment on the proposal. The City received over 400 public comments on the proposal from members of the public, as well as a petition urging denial of the permit with 550 signatories. The overwhelming majority of comments expressed opposition to the project and raised concerns about the proposed development's impacts on traffic, pedestrian safety, air pollution, noise pollution, light pollution, crime, property values, and neighborhood compatibility. Community displeasure alone, however, cannot be the basis of a permit denial. *Kenart & Assocs. v. Skagit Cy.*, 37 Wn. App. 295, 303, 680 P.2d 439, *review denied*, 101 Wn.2d 1021 (1984). Rather, the Hearings Examiner must review the proposal for compliance with municipal code requirements, the Comprehensive Plan, and other governing regulations.

The proposal would allow for construction of a 4,000 square foot convenience market, with 1,000 square feet of second-story, or half-story, office space; four fueling islands; 4,000 square feet of commercial space; a pedestrian pavilion; landscaping; and associated improvements. The proposed development would be consistent with several Comprehensive Plan goals and policies by providing neighborhood shopping and services within the Neighborhood Commercial (NC) land use designation and zone, while incorporating pedestrian-friendly features and utilizing design elements to ensure the use is compatible with surrounding uses. Gas stations are allowed in the NC zone with a conditional use permit and are not subject to the development regulations of LMC 16.37.070, which pertain only to development in the Hawks Prairie Business District. Although several concerns were raised by members of the public about the proposed commercial development's compatibility with surrounding residential land uses, the NC zone is specifically intended to accommodate small commercial facilities in residential areas. *LMC 16.36.010.A.*

Moreover, although the NC zone is intended, in part, to limit development to areas where "local citizen acceptance . . . assure[s] compatibility with the neighborhood," the Hearings Examiner must conclude that this intent is effectuated through the City's zoning code provisions specifying permitted and conditional uses in the NC zone; the dimensional and performance standards for development in the NC zone; and, where a proposed use is listed as conditional in the NC zone, through the conditional use permit process. *LMC 16.36.010.C.* Accordingly, although the Hearings Examiner recognizes that numerous area residents have expressed opposition to the proposal, the Hearings Examiner has reviewed the proposal for consistency with these governing regulations and determines that the proposal would include several features (described in more detail below) that, together with the recommended conditions of approval, would mitigate

impacts to surrounding residential land uses and ensure that the use is compatible with the existing neighborhood.³

LMC 16.66.050 requires that the design standards established for the underlying zoning district serve as the initial base of reference in determining the design standards for conditional uses in the zoning district. The 1.5-acre subject property consists of a corner lot surrounded on three sides by public rights-of-way, resulting in three front yards and a side yard. City staff recommends allowing a deviation from the maximum 10-foot front yard setback requirement and from the requirement that parking areas be located to the side or rear of buildings to allow the proposed buildings to be located between the proposed parking area/fueling stations and adjacent residential development to the north. The Hearings Examiner agrees with the recommended deviations because the proposed building location would help to screen noise and light associated with the gas station operations from adjacent residential uses to the north. In addition, although the project is not subject to the City's tree tract requirements, the Applicant would retain existing trees and vegetation at the north of the property to provide a minimum 15-foot landscape buffer from the adjacent residential development. The project would also provide a pedestrian plaza and screening features to help frame the site's southwest intersection and streetscape frontages, which would include landscaping, trellises, and seating. The proposed building design's compatibility with existing residential neighborhood would be further reviewed during the commercial design review process.

As noted above, several concerns were raised about the proposal's traffic and pedestrian safety impacts. Notably, absent the gas station component, the proposed project would be allowed outright in the NC zone and would generate a higher traffic count than with the gas station component. The City's transportation engineer determined that a full traffic impact analysis (TIA) would not be required for the proposed development because a TIA was submitted and approved for a previous daycare development project for the site that was expected to generate 89 new PM peak hour trips, exceeding the 80 new PM peak hour trips anticipated by the current market and gas station proposal. The Applicant would be required to pay traffic impacts fees to mitigate for the proposal's impacts to the City's transportation network. Vehicular access to the site would be provided from both London Loop NE and Campus Glen Drive NE. Frontage

³ That said, the Hearings Examiner acknowledges that LMC 16.36.010.C is explicit in stating that commercial development in the NC zoning district should be limited to "areas where local economic demand" and "local citizen acceptance" assure "compatibility with the neighborhood." In contrast, LMC 16.34.010.C, the "intent" section related to the Community Commercial zoning district, also references "economic demand" (though does not use "local" as a qualifier) but *does not* reference "citizen acceptance." Accordingly, the City Council may have intended—in adopting LMC 16.36.010—that some indication of "local citizen acceptance" be required when commercial development is proposed or, at the very least, that full-throated public opposition is absent. How to quantify or evaluate "local citizen acceptance," however, is the type of political decision more appropriately addressed by the City Council. Accordingly, while the Hearings Examiner acknowledges the *potential* to deny the present request on these grounds, such a determination is best left to the city's elected representatives.

improvements were previously installed during previous development in the area, and the Applicant would complete required frontage improvements along the remainder of London Loop NE. A geotechnical evaluation of the site determined that stormwater infiltration on-site would not be feasible. The Applicant proposes to collect and convey stormwater runoff through a system of catch basins to provide water quality treatment and detaining stormwater in a detention vault for flow control before discharging it to the existing roadway stormwater system. City Water Resources Engineer Doug Christenson reviewed the Applicant's proposed stormwater site plan and determined that, with recommended conditions, it would comply with the requirements of the 2016 City of Lacey Stormwater Design Manual. Concerns raised about potential stormwater and site pollution from the gas station use would be addressed through the City's subsequent technical review process, including civil drawing approval and construction drawing approval through the City's Public Works Department and review of underground storage tanks at the civil review and building permitting phase.

All conditional uses must ensure that adequate protection is provided for the locality where the use is to be permitted. *LMC 16.66.100*. The proposal would result in permanent light impacts to surrounding property owners. As addressed above, these visual impacts, as well as noise impacts of the proposed use, would be partially mitigated by siting the building between the parking lot and adjacent residences and by preserving existing mature vegetation on the property. In addition, the Applicant has indicated that the proposed facilities would operate only between the hours of 5:00 AM and 11:00 PM. The Hearings Examiner concludes that, to address light and noise concerns raised by members of the public and to further ensure compatibility with nearby residential uses, it would be appropriate to impose a condition limiting the facility's operating hours to that stated by the Applicant. Limiting the operating hours of the proposed facility could also help to address concerns raised about the potential for increased crime in the area by restricting public use of the property to these operating hours. The Applicant submitted a market analysis for the proposed development at the site and, although several members of the public expressed disagreement with the analysis and commented that a gas station is not needed in the area, City Senior Planner Samra Seymour explained at the hearing that examining the financial feasibility of development proposals is outside the City's regulatory capacity.

The City reviewed the Applicant's environmental checklist and other information on file and determined that, with mitigation measures, the project would not have a probable significant adverse impact on the environment. The City therefore issued an MDNS, which was not appealed. The MDNS would require the Applicant to address potential soil contamination from the former Asarco smelter, in accordance with recommendations from DOE, and would require the Applicant to pay traffic impact fees to Thurston County.

Conditions unique to the proposal and those required of all development permits are necessary to ensure development meets all requirements of the municipal code and the City's other development standards, and to ensure that all concerns raised by reviewing departments and agencies have been adequately addressed. *Findings 1 – 60.*

2. **The Hearings Examiner recommends a time limit for completion of development of basic infrastructure related to the proposal.** Applicant Representative David McDonald testified that work is anticipated to begin in approximately one to two years. Accordingly, the Hearings Examiner recommends that the CUP lapse if the basic infrastructure related to the proposal has not been completed within five years. *Finding 59.*

RECOMMENDATION

The Hearings Examiner recommends that the Lacey City Council **APPROVE** the proposal for a Conditional Use Permit to construct a 4,000 square foot convenience market, with 1,000 square feet of second-story, or half-story, office space; four fueling islands; 4,000 square feet of commercial space; and associated improvements, on a 1.5-acre property located at 8808 Campus Glen NE, with conditions:⁴

Conditions Unique to this Application:

The conditions below are those that the reviewing departments and agencies have determined are necessary to address unique aspects of this application.

1. All requirements of the MDNS issued on March 18, 2022, shall be satisfied.
2. Hours of operation for all businesses on-site shall be limited from 5:00 AM to 11:00 PM.
3. Prior to building permit issuance, the developer shall receive commercial design review. In addition to standard commercial design review criteria the submittal should include and/or address the following items:
 - A lighting plan, including site and building lighting. Pedestrian scaled lighting shall be used to the greatest extent possible;
 - Pedestrian plaza plan, including screening element for fueling islands, trellises, seating, and landscaping;
 - Narrative addressing how the project integrates with the existing residential development;
 - Analysis of fueling canopy height. The fueling canopy shall be the minimum height necessary to accommodate passenger vehicles.
4. The following note shall be on the building, grading, and land clearing permits:

⁴ Conditions include both legal requirements applicable to all developments and requirements to mitigate the specific impacts of this development.

When an unanticipated discovery of protected cultural materials (e.g. bones, shell stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains are discovered, the property owner or contractor will immediately stop all work, completely secure the location, and contact the Washington State Department of Archeology and Historic Preservation and other contacts as identified in the City of Lacey Standard Inadvertent Archeological and Historic Resources Discovery Plan (LMC 16.53.080).

5. All trees identified as cover Type I in Washington Forestry Consultants' April 12, 2021, report shall be retained unless deemed a hazard by the City's contract forester. Additional tree planting may be necessary if the minimum requirements for a Type I landscape buffer cannot be achieved by existing vegetation at the time of Certificate of Occupancy.
6. No trees shall be removed until a grading permit has been issued. Grading plans shall be designed to consider tree retention on the site. Prior to any site clearing and/or construction activities occurring all tree protection fencing shall be placed around the perimeter or the tree protection and tree tract areas, and around any individual trees selected to be retained. Tree protection fencing shall be shown on the grading plans for the proposed project. A detail of the tree protection fencing can be found in the tree report prepared for this project by Washington Forestry Consultants, dated April 12, 2021.
7. The final landscape plan shall identify and incorporate trees to be retained on-site. Tree replanting shall also be required within the tree tract if existing trees are not sufficient to meet canopy coverage requirements of Chapter 14.32 LMC. The trees to be planted within the tree tracts shall be identified on the landscaping plans prepared for this project and shall be subject to review and approval by the City Forester. All evergreen tree species shall be resistant to laminated root rot. Landscape and a separate irrigation plan shall be submitted to the Planning section of the Community and Economic Development Department for review and approval prior to the issuance of the vertical building permits for the project.
8. Tree protection shall follow the Timeline for Tree Protection Activity outlined on page six of the report dated April 12, 2021. Trees identified for protection shall be protected throughout all phases of construction activity, with orange, mesh, construction fencing on steel driven posts. A detail of the tree protection fencing, the locations of the tree protection fencing, and the Timeline for Tree Protection Activity, shall be shown on the grading plans for the project.
9. Prior to any site construction activities taking place, a preconstruction meeting shall be held with Washington Forestry Consultants to review the location of the tree protection fencing. A note stating that a preconstruction meeting shall be held with Washington

Forestry Consultants shall be shown on the grading plans for the project. Confirmation from the Forester that the meeting has been held shall be provided to the Community Development Department prior to the start of site construction or grading activity.

10. Prior to site construction activity the contractor completing any tree removal or logging work shall sign and submit the “Acknowledgement of Responsibilities for Professionals Doing Tree Removal in the City of Lacey.” The form shall be submitted to the Planning Department prior to issuance of the grading permit.
11. One fire hydrant shall be provided for the site. The required fire-flow for the building shall be not less than 1,500 gallons per minute (gpm) for 2 hours in accordance with IFC Appendix B. Said fire-flow is based on square footage/building construction type, including a 50% credit for the installation of automatic fire sprinkler systems. *IFC Section 507.1; LMC 14.07.015*. The initial calculation is based on type 5b wood framed construction as a worst-case scenario for fire flow.
12. The proposed building shall require an approved automatic sprinkler system. Installation shall be in accordance with NFPA 13 (2016 Edition) standards. In addition, a fire department connection shall be installed in accordance with LMC 14.07, and a fire department connection shall be located within 40 feet of a fire hydrant. The building shall have its own FDC line with KNOX locking caps or plugs.
13. An approved addressable fire alarm system with supervised monitoring shall be provided in the addition in accordance with LMC 17.07 and NFPA 72 Standards (2016 Edition).
14. An approved 20-foot-wide all-weather surface fire apparatus access roads shall be provided to within 150 feet of all exterior portions of the buildings at ground level. Said fire apparatus access road shall be located not less than 10 feet from the building. IFC Section 503.1.
15. The existing water extension to the site shall be utilized to provide domestic water service for the proposed building, meet Lacey Fire requirements and satisfy water quality requirements. If a main is extended on site, it shall be looped from the existing water extension to the site back to the main located in London Loop. Main extensions shall be located on the north/east side of the road or drive area 6 feet off center line. *Development Guidelines and Public Works Standards (DG&PWS) 6.010 and 6.020*.
16. An irrigation meter with a Double Check Valve Assembly backflow prevention device is suggested for all landscaped areas. *DG&PWS 6.120.F*.
17. A Reduced Pressure Backflow Assembly device shall be installed for the domestic meter. *DG&PWS, Appendix P*.

18. A side sewer shall be extended to provide sewer service to the proposed building and to collect runoff from under the fueling canopy area. The side sewer shall connect to a manhole. The side sewer shall not connect to the manhole with an angle less than 90 degrees in relation to the outlet pipe. *DG&PWS, Sewer 7A.015.*
19. Stormwater from this site shall be treated and infiltrated in accordance with Meridian Campus Master Drainage Design allowances.
20. An awning shall be installed above the fueling islands. The area under the awning shall be designed and constructed so it is collected and discharge to sewer. This area shall also be designed and constructed to prevent stormwater from entering the awning area.
21. An appropriately sized oil water separator shall be installed prior to the sewer connection associated with the fueling area.
22. At a minimum the following conditions/items shall be incorporated into the fueling area design and construction:
 - Double wall fiberglass or fiberglass clad tanks
 - Double wall fiberglass or flexible piping
 - Double wall piping on any phase 2 vapor recovery system installed
 - Interstitial monitoring of the tanks and piping system
 - Fiberglass or plastic turbine sumps (monitored as the interstitial space for the piping)
 - All interstitial monitoring systems should be able to alarm for water and petroleum products and should discriminate between the two
 - Fiberglass or plastic dispenser sumps (catch basing under the dispensers), interstitially monitored for releases
 - Automatic line leak detectors as standard leak detection equipment
 - Monitoring wells placed on the edge of the excavation for the tank pit, at least 1 foot below the level of the tank bottom and down gradient
 - Deeper monitoring wells placed at the edge of the property and down gradient.
 - At a minimum, yearly testing of any installed monitoring well
 - The site shall be attended during hours of operation
23. All State of Washington and Federal Fueling requirement shall apply to the fueling area design and construction.
24. Frontage improvements along Willamette and Campus Glen Drives were previously installed. Ramps adjacent to the project shall be brought up to current ADA standards. *DG&PWS, 4C.030 7.*

25. Adequate right-of-way for the future roundabout at Willamette and Campus Glen Drives shall be dedicated with this project.
26. The proposed access onto Campus Glen Drive is limited to a “Right in/Right out.” Full access to the site shall occur from London Loop.
27. Landscaping and irrigation matching the east side of London Loop shall be installed. If sod is not desired, other approved landscaping materials identified in section 4G 110 of the City of Lacey 2017 Development Guidelines and Public Works Standard Manual may be substituted.
28. The traffic mitigation identified as of October 26, 2021, is \$61,700.28, and will mitigate off site traffic impacts for this project. The actual fee will be determined at the date of payment for issuance of building permits, water meters, or other approval process. The fees increase annually in an amount equal to the increase in 18 the Engineering News Record Construction Cost Index over a date one year earlier. Chapter 14.21 LMC.

General Conditions

The conditions below are summaries of ordinances and standards that apply to approval of this application regardless of any specific impacts of this proposed development. The list is intended as a courtesy notice and not as an exhaustive list of legal requirements that may apply to an approval of the application. The list is also a summary of the legal requirement; if there is a conflict between the summary and the ordinance, the language of the ordinance controls.

29. A detailed landscaping plan shall be prepared by a licensed landscape architect, nursery person, or landscaper and submitted to the Planning Department for review and approval. The plan shall include the type, number, and location of the vegetative improvements as well as a specific timeline for completion of the improvements. A separate irrigation plan must also be submitted showing the location of all irrigation lines, location of sprinkler heads, and approximate coverage areas. The plans must include a note stating that the property owner is responsible for maintaining all plants in a healthy growing condition for the life of the project. All requirements of Chapter 16.80 of the Zoning Code shall be satisfied. *Chapter 16.80 LMC.*
30. If Certificate of Occupancy/Final Inspection is requested prior to the installation of the approved landscaping and irrigation, a detailed estimate from a landscape installer must be submitted to the Planning Department. The estimate should include all costs associated with installing landscaping and irrigation as called out on the approved plans, including labor. *Chapter 16.80 LMC.*
31. If condition #30 is required, a financial security must be provided to the Planning Department in the amount of 150 percent of the above-mentioned landscape estimate. The City shall release this financial security once the landscaping for the project is

installed and approved by the Planning Department and a financial security is in order to ensure that all plant materials are properly maintained. This security device shall be in the amount of 20 percent of the value of the vegetative improvements and shall be held for a period of two years. *Chapter 16.80 LMC.*

32. A note shall be placed on the face of the landscaping and irrigation plans stating that any irrigation lines placed within tree protection zones established for the project must be installed in such a manner as to not cause damage to the root protection zone, such as by cutting roots, digging trenches, operation of machinery, etc. Special care must be taken (hand digging trenches, designing lines to stay out of these areas where possible, etc.) to ensure damage to the trees does not occur. In the event damage to these areas does occur, the City may require, at their discretion, replacement of the comparable landscape value of the trees damaged or other means to make up that loss. *Chapter 16.80 LMC.*
33. Prior to the issuance of any building permits, the developer shall receive commercial design review approval from the City of Lacey. The site and building design shall be in conformance with section 14.23.082, 14.23.084, and 14.23.086 of the City of Lacey Design Review chapter. A Design Review application and supporting materials shall be submitted prior to submitting building applications. *Chapter 14.23 LMC.*
34. A sign permit shall be issued by the City of Lacey prior to the installation of any signs on the subject site. *Chapter 16.75 LMC.*
35. All applicable requirements of the City Zoning Code shall be satisfied.
36. The Applicant/developer shall be responsible for obtaining all applicable permits required for the project. For example, these may include a Construction Stormwater General Permit, Notice of Construction (ORCAA) and/or any others. These permits may require additional review time from the appropriate agencies.
37. Approved 6" minimum address numbers shall be provided on the building in a location facing the fire apparatus access roadway. The address numbers shall contrast the buildings color. *IFC Section 505.1; LMC 14.07.015.*
38. An approved Fire Department and Police Department key-box shall be provided on the building in accordance with IFC Section 506 and LMC 14.07. Said fire department key-box shall be installed in a location approved by the City of Lacey Fire Code Official. Said key-box shall contain keys necessary for fire department and police department access to the interior of the building and any other location necessary for fire department or police department operations. Go to knoxbox.com for City of Lacey key boxes for Lacey Fire District #3 and Lacey Police Department. Upon completion of the key-box installation, the City of Lacey Fire C Specialist shall install the necessary keys and cover. *IFC Section 506.*

39. Approved fire lane marking shall be provided where necessary to discourage obstructions by the parking of private vehicles. Upon completion of final road surfaces and curbing construction, the City of Lacey Fire Code Official shall perform a site inspection to determine locations where fire lane marking will be necessary to discourage the parking of private vehicles. Said fire lane marking, where applicable, shall be provided and approved prior to final occupancy approval. *IFC Section D103.6; LMC 14.07.015.*
40. Fire extinguishers shall be provided every 75 feet in accordance with Chapter 14.07 LMC. Fire extinguishers shall be the 2a10bc type.
41. The City of Lacey fire code official shall conduct the necessary inspections or witness required tests to ascertain compliance with applicable fire codes. The Applicant shall contact the City of Lacey Building Department, at (360) 491-5642, to schedule the required inspection or to request witness of required tests. At least 24 hours shall be allowed for scheduling. *IFC Section 106.2.*
42. For irrigation lines located in the right of way, the following shall be stated on the irrigation plans and is a condition of approval: "The property owner adjacent to the public right of way will be responsible for maintaining and locating all irrigation lines located in the public right of way." *DG&PWS, Water, Irrigation 6.210.*
43. Water system improvements shall meet the requirements of the City, the Coordinated Water System Plan (CWSP), Department of Health (DOH), City of Lacey Water System Plan, AWWA, Department of Ecology, Thurston County Environmental Health and City of Lacey Fire Code Official's standards. Actual main size, loop closures, and possible off-site improvements including the number and location of fire hydrants, will depend on the fire flows required and available to the site. *DG&PWS, Water 6.010.*
44. To assure adequate water is present for your project, modeling of the water system shall occur. Please contact Brandon McAllister (360.413.4386) to coordinate the fire flow modeling.
45. If utility extensions are needed for the proposed project for roads that were paved in the last five years and the roads must be "cut," a disruption fee will be charged in accordance with LMC 12.16.055.
46. The builder/Applicant/owner is required to purchase each water meter prior to the issuance of each building permit. *DG&PWS Water 6.121.*
47. All proposed structures shall be connected to sanitary sewer. *DG&PWS, Sewer 7A.010.*

48. Sanitary sewer improvements associated with this project shall meet the requirements of the City of Lacey Comprehensive Sanitary Sewer Plan, Thurston County Health Department, Washington State Department of Health (DOH), the LOTT Clean Water Alliance and Department of Ecology. *DG&PWS, Sewer 7A.010 and Subdivisions and Short Plat 2-21.*
49. This project shall comply with the City of Lacey 2016 Stormwater Design Manual (SDM). *Chapter 14.27 LMC.* Stormwater drainage and erosion control submittals shall be in conformance with the formatting, design and content requirements described in Chapter 3 of the 2016 Stormwater Design Manual.
50. A final Stormwater Site Plan, including a drainage report and drainage plans in conformance with current Stormwater Design Manual standards, shall be provided prior to final Public Works civil approval. Some key elements to be included within the report are: the project engineer's certification; descriptions of how each of the Core Requirements is being addressed; construction SWPPP; basin map and plan drawings; hydrologic modeling inputs and results (including the WWHM 2012 Data files produced with the model); summary data of sub-basin areas, design calculations, and facility sizing; soils report and infiltration analysis; soil management plan; maintenance agreement/covenant; and a stormwater facilities maintenance manual. *SDM 2.2.1.*
51. A Construction Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to and approved by the City prior to beginning site work or construction of the project. A complete SWPPP consists of both a narrative report and a temporary erosion and sediment control plan drawing. Each of the 13 SWPPP Elements as identified in Chapter 5 of the City of Lacey 2016 Stormwater Design Manual shall be addressed and included in the construction SWPPP. If site conditions render any SWPPP elements unnecessary, exemptions for each element shall be clearly justified in the narrative report.
52. A Stormwater Facility Maintenance Manual per chapter 3 of the City of Lacey 2016 Stormwater Design Manual shall be submitted to and approved by the City. The maintenance manual shall be included in the drainage report as part of the stormwater site plan. The maintenance manual shall be prepared as a stand-alone document for the post-development facility owner(s). The maintenance plan shall be submitted to and approved by the City prior to civil drawing approval.
53. From October 1 through April 30, clearing, grading, and other soil disturbing activities shall be prohibited unless shown to the satisfaction of the City of Lacey that sediment-laden runoff will be prevented from leaving the site. *SDM 5.2.3.*
54. Access shall be provided to the property as determined and approved by the City. All access points shall meet minimum access spacing, minimum corner clearance, sight

distance and minimum or maximum width requirements as outlined in the 22 Development Guidelines & Public Works standards. *DG & PWS, Transportation 4B.025.*

55. Utility easements are required for all mains, water and sewer located on private property. Easements shall include fire hydrants, water meters, sewer improvements and future extensions of mains to adjacent properties. Easements and stub outs shall be provided to serve adjoining properties as determined by the City. Rather than being designated as water or sewer, all easements shall be identified as “utility” easements on the civil drawings and in the easement document. Specific requirements will be determined at the of plan review. All easements shall be prepared by a licensed land surveyor and submitted prior to release of approved civil drawings. *DG&PWS Chapter 3.110.*
56. The City of Lacey Coordinate System is a ground scale coordinate system derived from the Washington Coordinate System, NAD 83/91. Units are expressed in feet. Data can be obtained from Lacey Public Works Department. Civil drawings shall be submitted utilizing the City Coordinate System. *DG&PWS 3.025.*
57. City of Lacey Vertical Datum has elevations referenced to the National Geodetic Vertical Datum of 1929 (NGVD29). Units are expressed in feet. A benchmark listing can be obtained from Lacey Public Works Department. Civil drawings shall be submitted utilizing the City of Lacey Vertical Datum. *DG&PWS 3.025.*
58. Immediately adjacent to the public Right of Way a 10-foot joint utility easement area shall be dedicated to accommodate the installation of private and public utilities. *2017 DG&PWS, Roadway details.*
59. All improvements shall satisfy City of Lacey Development Guideline Standards in place at the time complete application is obtained. Complete application is determined by the City of Lacey Community Development Department.
60. If any part of these comments as established by existing plans, guidelines, codes and the like as established by ordinances shall be found invalid, all other parts shall remain in effect. *DG&PWS 3.035.*
61. All Public Works improvements must be designed by an engineer licensed in the State of Washington and submitted to the City of Lacey Public Works Department for review and approval. *DG&PWS 3.040.*
62. All structures associated with this site shall be connected to City of Lacey utilities. *DG&PWS 6.010 and 7A.010.*
63. Prior to submitting civil drawings for review, Land Use Approval must be obtained.

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64. Prior to civil drawing approval, one paper set of drawings along with a PDF copy of the drainage report and civil drawings shall be submitted for all approved final plans. *DG&PWS Chapter 3.040, B.*
65. Prior to final Public Works Construction approval, “as-built” bonded paper drawings along with the revised civil drawings in AutoCAD and PDF formats shall be submitted for all approved final plans. *DG&PWS Chapter 3.040, J.*
66. Certificate of Occupancy for the building(s) will not be issued until all improvements shown on the approved civil drawings are installed by the applicant and approved by the City. *DG&PWS 4B.080.*
67. A 20 percent maintenance bond or financial guarantee of the engineer’s estimate or approved bid estimate is required for a period of 24 months upon construction completion and approval of Public Works improvements. The financial guarantee may be released after 18 months if all conditions of approval have been satisfied. The financial guarantee applies to sewer, stormwater and water improvements. *LMC 14.20.025.*
68. Along with the civil review application and the completed, signed and stamped checklist from Chapter 3 of the Development Guidelines, please provide three sets of civil drawings, two drainage reports and one electronic copy of the civil drawings (PDF format). These drawings shall be submitted directly to the City of Lacey Public Works Department. Drawings submitted to other City departments will not satisfy this requirement. *DG&PWS 3.040, B.*
69. The property owner(s) adjacent to the public Right-of-Way shall be responsible for maintaining the planter strip and median (weeding, pruning, irrigating, mowing, etcetera of the landscaping and street trees.) in the public Right of Way in a healthy and growing manner in perpetuity. If these areas are being maintained by another group or organization, then a maintenance agreement (or adequate documentation) that verifies these areas are being (and will continue to be) maintained shall be submitted to the City for review. *DG&PWS, Transportation 4G.100D.*
70. To protect the public interest on private property, utility mains located on private property shall be protected from damage. If on-site settling or other phenomenon occurs causing valve boxes, sewer manholes or other appurtenances to protrude above or settle below the driving surfaces or ground elevations, the owner will be notified and the problem shall be fixed within 30 days of notification. If the problem is not fixed within the 30 day time period, the City will fix the problem and bill the property owner. This language shall be included on the face of any binding site plan or easement documents submitted to the City.

71. A Bill of Sale for water and sewer improvements being installed with this project is a requirement for approval. Prior to Final Public Works approval of the project, Bill of Sale documents shall be submitted to and approved by the City.

RECOMMENDED this 3rd day of May 2022.



ANDREW M. REEVES
Hearings Examiner
Sound Law Center

Attachment A

The following exhibits were admitted into the record:

1. List of Exhibits
2. Staff Report, dated April 4, 2022
3. General Land Use Application, dated February 9, 2021
4. Conditional Use Permit Application, dated February 9, 2021
5. SEPA Environmental Checklist, dated February 9, 2021
6. Revised Site Plan (1 Sheet), undated
7. Preliminary Civil Plan (7 Sheets), dated January 21, 2021
8. Landscape Plan (2 Sheets), dated February 1, 2021
9. Conceptual Site Perspectives, (7 Sheets), dated October 29, 2021
10. Drainage Design Report, DECCIO Engineering, Inc., dated February 2, 2021
11. Operation and Maintenance Manual, DECCIO Engineering, Inc., dated February 2, 2021
12. Stormwater Pollution Prevention Plan, dated January 12, 2021
13. Geotechnical Engineering Report, ZipperGeo, dated May 22, 2020
14. Commercial Traffic Generation Worksheet, dated November 3, 2020
15. Tree Protection Plan, Washington Forestry Consultants, Inc., dated April 12, 2021
16. Land Use and Trip Generation Evaluation, Heath and Associates, Inc., dated June 7, 2021
17. Retail Market Assessment, dated July 28, 2021
18. Project Narrative, dated November 10, 2021
19. Commercial Center and Nodes Map, undated
20. Notice of Incomplete Application, dated March 5, 2021
21. Notice of Complete Application, dated March 19, 2021
22. Notice of Application, dated February 10, 2021
23. Notice of Application ad, dated March 22, 2021
24. Mitigated Determination of Nonsignificance, dated March 18, 2022
25. Affidavit of Publication of MDNS, dated March 22, 2022
26. Notice of Public Hearing, undated, with Site Plan, undated
27. Notice of Public Hearing ad, dated March 24, 2022
28. Certification of Public Notice, dated March 25, 2022
29. Agency Routing Sheet, dated March 23, 2021
30. Comment from Washington Department of Ecology, dated April 6, 2021
31. Fire Site Plan Review Comments, dated March 26, 2021
32. Comment from Intercity Transit, with thread, dated March 24, 2021
33. Comment from Nisqually Indian Tribe, dated March 29, 2021
34. Comment from Lauren Whybrew, Olympiac Region Clean Air Agency, dated March 29, 2021
35. Public Works Site Plan Review, dated May 11, 2021
36. Comment from Shaun Dinubilo, Squaxin Island Tribe, dated March 25, 2021
37. Comment from Doug Christenson, Development Review Manager, with thread, dated May 11, 2021

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38. Comment from Christopher Stolberg, City Transportation Engineer, dated October 26, 2021
39. Comment from Arthur Saint, Thurston County Public Works, dated May 7, 2021
40. Public Comments:
 - A. Comments from March 13, 2021, through March 25, 2022
 1. Comment from Curtis Richardson, dated March 7, 2022
 2. Comment from Chris Labrecque, dated March 7, 2022
 3. Comment from Regina LaMar, dated March 7, 2022
 4. Comment from Randy Wirtz, dated March 7, 2022
 5. Comment from Reginald Smith, dated March 6, 2022
 6. Comment from Ilicia Damschen, dated March 6, 2022
 7. Comment from James and Lynne England, dated March 5, 2022
 8. Comment from Mark Anthony Claudio, dated March 4, 2022
 9. Comment from Brittany Joseph, dated March 3, 2022
 10. Comment from Brad Martell, dated March 3, 2022
 11. Comment from Cassy Randolph, dated March 3, 2022
 12. Comment from Roberta Shawver, dated February 26, 2022
 13. Comment from King Palomar, dated March 2, 2022
 14. Comment from Cameron and Pov Grunberg, dated March 2, 2022
 15. Comment from Mirchelle McKoy, dated March 2, 2022
 16. Comment from Mims Gordon and Marie Williams, dated March 1, 2022
 17. Comment from Marcena Fuller, dated March 1, 2022
 18. Comment from Lori Martell, dated March 1, 2022
 19. Comment from John Matykowski, dated March 1, 2022
 20. Comment from Mike and Jan Johnston, dated March 1, 2022
 21. Comment from Gregory Kidwell, dated March 1, 2022
 22. Comment from Ava and Art McCluskey, dated March 1, 2022
 23. Comment from Cheri Smith, dated February 28, 2022
 24. Comment from Joseph Rinehart, dated February 26, 2022
 25. Comment from Krista McClellan, dated February 28, 2022
 26. Comment from Melinda Santiago, dated February 27, 2022
 27. Comment from John and Teresa Jeffreys, dated February 27, 2022
 28. Comment from Marysa Stevens, dated February 27, 2022
 29. Comment from Dan Kurtz, dated February 27, 2022
 30. Comment from Rene Savage, dated February 27, 2022
 31. Comment from Dennis Erixson, dated February 27, 2022
 32. Comment from Regina LaMar, dated February 26, 2022
 33. Comment from Peter Manibusan, dated February 26, 2022
 34. Comment from Louis Stout, dated February 26, 2022
 35. Comment from Roberta Shawver, dated February 26, 2022
 36. Comment from Chris McAnnally, dated February 26, 2022
 37. Comment from Jeannine Leitch, dated February 26, 2022
 38. Comment from Dennis Christianson, dated February 26, 2022

39. Comment from Vlad Ivanenko, dated February 25, 2022
40. Comment from Charles Clapp, dated February 25, 2022
41. Comment from Alan Rathbun, dated February 25, 2022
42. Comment from Steve Lake, dated February 25, 2022
43. Comment from Robert Rothwell, dated February 23, 2022
44. Comment from Mike Langston, dated February 24, 2022
45. Comment from Charles Clapp, dated February 24, 2022
46. Comment from Mary Gardner, dated February 24, 2022
47. Comment from Myrna Williams, dated February 24, 2022
48. Comment from Manuel Bravo, dated February 24, 2022
49. Comment from Seraphine Moncada, dated February 24, 2022
50. Comment from Joseph Rinehart, dated February 24, 2022
51. Comment from Leroy Fulfs, dated February 24, 2022
52. Comment from Rachel Dobiyanksi, dated February 23, 2022
53. Comment from Jake Uber, dated February 23, 2022
54. Comment from Robert Rothwell, dated February 23, 2022
55. Comment from Jan Wingerson, dated February 23, 2022
56. Comment from Jim Westberg, dated February 23, 2022
57. Comment from Karilix, dated February 23, 2022
58. Comment from Karandeep Kondal, with thread, dated February 16, 2022
59. Comment from Janice Salois, dated February 23, 2022
60. Comment from Stephanie Johnson, dated February 23, 2022
61. Comment from Tonia Seaman, dated February 22, 2022
62. Comment from Jack Coburn, dated February 21, 2022
63. Comment from Javier Tejada, dated February 20, 2022
64. Comment from Lyndsey Nelson, dated February 19, 2022
65. Comment from Bryan Cardoza, dated February 19, 2022
66. Comment from Cammie Perretta, dated February 18, 2022
67. Comment from Heather Keating, dated February 18, 2022
68. Comment from Marcena Fuller, dated February 17, 2022
69. Comment from Kevin Ewig, dated February 17, 2022
70. Comment from Alicia Cleland, dated February 17, 2022
71. Comment from Alfonso Magana, dated February 15, 2022
72. Comment from Patricia and Robert Le Roy, dated February 14, 2022
73. Comment from Joby W, dated February 11, 2022
74. Comment from Maureen Bard, dated February 11, 2022
75. Comment from Susie Lopez, dated February 11, 2022
76. Comment from John Green, dated February 10, 2022
77. Comment from Paul Watson, dated February 7, 2022
78. Comment from Chris Cook, dated July 30, 2021
79. Comment from Meridian Campus Residential Homeowners Association Board of Directors, dated July 21, 2021
80. Comment from Angela Perez, dated June 30, 2021

81. Comment from June and Denney Dawson, dated June 20, 2021
82. Comment from James and Lynne England, dated June 18, 2021
83. Comment from Yvette Moss, dated June 18, 2021
84. Comment from James Westberg, dated June 17, 2021
85. Comment from Ron Hall, dated June 13, 2021
86. Comment from Nancy and George Castro, dated June 9, 2021
87. Comment from Cassy Randolph, dated June 7, 2021
88. Comment from Roxanne and Johnny villa, dated June 7, 2021
89. Comment from Lisa Lee, dated June 7, 2021
90. Comment from Mary Gardner, dated June 6, 2021
91. Comment from Jamie Wingerson, dated June 4, 2021
92. Comment from Mary Gardner, dated June 4, 2021
93. Comment from Carlos Reising, dated June 4, 2021
94. Comment from Philip Zmuda, dated June 3, 2021
95. Comment from Jerry Kang, dated June 3, 2021
96. Comment from Rommel Dela Cruz, dated June 3, 2021
97. Comment from John and Teresa Jeffreys, dated June 3, 2021
98. Comment from Rich and Paula Volberg, dated June 1, 2021
99. Comment from John Gallagher, dated May 28, 2021
100. Comment from Susan Stone, dated May 28, 2021
101. Comment from Myrna Williams, dated May 28, 2021
102. Comment from Cheryl Ricevuto, dated May 28, 2021
103. Comment from Terry Mullane, dated May 28, 2021
104. Comment from Bruce Quam, dated May 21, 2021
105. Comment from Chris Cook, dated May 19, 2021
106. Comment from Steve Rosenoff, dated May 19, 2021
107. Comment from Bob Rothwell, dated May 15, 2021
108. Comment from Shamus Harmon, dated May 9, 2021
109. Comment from Michele Reay, dated May 3, 2021
110. Comment from Mr. Dizon, dated April 29, 2021
111. Comment from Zhou Lin, dated April 29, 2021
112. Comment from Chris Cook, dated April 28, 2021
113. Comment from Holly Grabow, dated April 28, 2021
114. Comment from Joby W, dated April 27, 2021
115. Comment from Sandy and Rodney Romberger, dated April 26, 2021
116. Comment from Virginia Frost, dated April 25, 2021
117. Comment from Chris Cook, with blog post, dated April 24, 2021
118. Comment from Christopher Graver, dated April 24, 2021
119. Comment from Andrea Flynn, dated April 24, 2021
120. Comment from Bruce Quam, dated April 22, 2021
121. Comment from Stephanie Heavner, dated April 21, 2021
122. Comment from Eleanor Fisher, dated April 21, 2021
123. Comment from Bruce Quam, dated April 20, 2021

124. Comment from Karandeep Kondal, dated April 19, 2021
125. Comment from Tim English, dated April 18, 2021
126. Comment from Cameron and Pov Greenburg, April 18, 2021
127. Comment from Jesselyn LaChapelle, dated April 17, 2021
128. Comment from Lynda France, dated April 17, 2021
129. Comment from Heather Keating, dated April 17, 2021
130. Comment from Susan Pinch, dated April 17, 2021
131. Comment from Kimberlee Spires, dated April 16, 2021
132. Comment from Myrna Williams, dated April 16, 2021
133. Comment from Christine Cook, with blog post thread, dated April 16, 2021
134. Comment from Richard Alumbaugh, dated April 16, 2021
135. Comment from Myrna Williams, dated April 15, 2021
136. Comment from Mary Ann Hirst, dated April 16, 2021
137. Comment from Matt and Vicky Pike, dated April 15, 2021
138. Comment from Sylwia Jarosz, dated April 14, 2021
139. Comment from Nathan Peppin, dated from April 13, 2021
140. Comment from Nancy Hernandez, dated April 13, 2021
141. Comment from Maly Sayasane, dated April 13, 2021
142. Comment from Nancy Castro, dated April 13, 2021
143. Comment from Julia D., dated April 12, 2021
144. Comment from Mary and Nathan Brown, dated April 11, 2021
145. Comment from Lori Niemtschk, dated April 10, 2021
146. Comment from Marc and Debbie Defreyn, dated April 10, 2021
147. Comment from Meghan Baxley, dated April 10, 2021
148. Comment from Pat and Hans Ebke, dated April 9, 2021
149. Comment from Scott Dittberner, dated April 9, 2021
150. Comment from Lisa Hayes, dated April 8, 2021
151. Comment from Ernest Byford, dated April 8, 2021
152. Comment from Steve Neuenschwander, dated April 8, 2021
153. Comment from Jeffrey and Heather Grods, dated April 7, 2021
154. Comment from Beverly Grantham, dated April 7, 2021
155. Comment from Dennis Christianson, dated April 7, 2021
156. Comment from Belinda Chow, dated April 7, 2021
157. Comment from Jordan Nelson, dated April 7, 2021
158. Comment from Daniel Smith, dated from April 6, 2021
159. Comment from Barbara Winans, dated April 6, 2021
160. Comment from Christopher Valcho, dated April 6, 2021
161. Comment from Cameron Harper, dated April 5, 2021
162. Comment from Leah Niccolocci, dated April 5, 2021
163. Comment from Danielle Wagner, dated April 5, 2021
164. Comment from John Grantham, dated April 5, 2021
165. Comment from James Fellows, to April 5, 2021

166. Comment from Niles and Cecilia Motschenbacher, dated April 4, 2021
167. Comment from Patricia and Joseph Simons, dated April 4, 2021
168. Comment from Anne Collins, dated April 4, 2021
169. Comment from Paul Watson, dated April 4, 2021
170. Comment from Margaret Lake, dated April 3, 2021
171. Comment from Romy deVenecia, dated April 3, 2021
172. Comment from Ken Mitchell, dated April 3, 2021
173. Comment from Nancy Byerly, dated April 3, 2021
174. Comment from Chris Sloan, dated April 3, 2021
175. Comment from Joanne Palomar, dated April 3, 2021
176. Comment from Kazumi Maruyama, dated April 3, 2021
177. Comment from Melissa Harris, dated April 3, 2021
178. Comment from Elaine Briggs, dated April 3, 2021
179. Comment from Athena Thomas, dated April 3, 2021
180. Comment from Lito, dated April 2, 2021
181. Comment from Patrick McMillen, dated April 2, 2021
182. Comment from Stephanie Barnett, dated April 2, 2021
183. Comment from Yvette and Dan Moss, dated April 2, 2021
184. Comment from Greg Kidwell, dated April 2, 2021
185. Comment from June and Denney Dawson, dated April 2, 2021
186. Comment from Deborah Shawver, dated April 2, 2021
187. Comment from Sara Woods, dated April 2, 2021
188. Comment from Christine Cook, dated April 2, 2021
189. Comment from Judith Love, dated April 2, 2021
190. Comment from HausofKrause, dated April 2, 2021
191. Comment from Smita Nilewad, dated April 2, 2021
192. Comment from John Matykowski, dated April 2, 2021
193. Comment from Jack Coburn, dated April 2, 2021
194. Comment from Kristine Padgett, dated April 2, 2021
195. Comment from Georgiana Kiester, dated March 31, 2021
196. Comment from Anthony Abas, dated April 2, 2021
197. Comment from Stephanie Kerle, dated April 2, 2021
198. Comment from Ron Goldstein, dated April 2, 2021
199. Comment from Katherine Anthony, dated April 2, 2021
200. Comment from David Doyle, dated April 2, 2021
201. Comment from Shilla Del Pilar, dated April 2, 2021
202. Comment from Sandra Rowe, dated April 2, 2021
203. Comment from Kermit and Dena Budinger, dated April 2, 2021
204. Comment from Curt and Joan Pintler, dated April 2, 2021
205. Comment from Kim Coburn, dated April 2, 2021
206. Comment from Stephen Roberts, dated April 2, 2021
207. Comment from Tim and Linda Bates, dated April 2, 2021
208. Comment from Mark and Estrella Strauss, dated April 2, 2021

209. Comment from Randy Wirtz, dated April 2, 2021
210. Comment from Eric Lain, dated April 1, 2021
211. Comment from Vlad and Galina, dated April 1, 2021
212. Comment from Hyunjung Lee, dated April 1, 2021
213. Comment from James Beeman, dated April 1, 2021
214. Comment from Tanya Deuel, dated April 1, 2021
215. Comment from Erik Wilson, dated April 1, 2021
216. Comment from Kevin Ewig, dated April 1, 2021
217. Comment from Alexandra Herrera, dated April 1, 2021
218. Comment from Griffin Wilde, dated April 1, 2021
219. Comment from Velvet Collins, dated April 1, 2021
220. Comment from Sigifredo Arellano, dated April 1, 2021
221. Comment from Dante Thompson, dated April 1, 2021
222. Comment from Robert Harris, dated April 1, 2021
223. Comment from Shermane Badr, dated April 1, 2021
224. Comment from Scott McBrayer, dated April 1, 2021
225. Comment from John Wingerson, dated April 1, 2021
226. Comment from Peter Manibusan, dated April 1, 2021
227. Comment from Linn and Carol Weiss, dated April 1, 2021
228. Comment from Curtis Sneddon, dated April 1, 2021
229. Comment from Art and Ava McCluskey, dated April 1, 2021
230. Comment from Lauren Romero, dated April 1, 2021
231. Comment from Robert Rothwell, dated April 1, 2021
232. Comment from Rachel Couchey, dated April 1, 2021
233. Comment from Barbel Goodman, dated April 1, 2021
234. Comment from Jan and Mike Johnston, dated April 1, 2021
235. Comment from Lynn Briggs, dated April 1, 2021
236. Comment from Dan Lafavor, dated April 1, 2021
237. Comment from Christine Rowe, dated April 1, 2021
238. Comment from James Westberg, dated April 1, 2021
239. Comment from Albert Massaquoi, dated April 1, 2021
240. Comment from Jordan Pelton, dated April 1, 2021
241. Comment from Sharon Logan, dated April 1, 2021
242. Comment from Kyle Dirkintis, dated April 1, 2021
243. Comment from Chris and Jill Travis, dated April 1, 2021
244. Comment from Susan and Alan Tennis, dated April 1, 2021
245. Comment from Benjamin Couchey, dated April 1, 2021
246. Comment from Nancy Wicker, dated April 1, 2021
247. Comment from Daniel Caffarel, dated April 1, 2021
248. Comment from Marcena Fuller, dated April 1, 2021
249. Comment from Jeff Haworth, dated April 1, 2021
250. Comment from Patricia Cook, dated April 1, 2021
251. Comment from Angie Pillow, dated April 1, 2021

252. Comment from Bill Hall, dated April 1, 2021
253. Comment from Meredith Knight, dated April 1, 2021
254. Comment from Melinda Santiago, dated April 1, 2021
255. Comment from Rachel Dobiyaniski, dated April 1, 2021
256. Comment from Liz Ruiz-Bostick, dated April 1, 2021
257. Comment from Cheryl Ricevuto, dated April 1, 2021
258. Comment from Stephanie Kerle, dated April 1, 2021
259. Comment from Jeff Brandt, dated April 1, 2021
260. Comment from Mary Porreca, dated April 1, 2021
261. Comment from Gary and Peggy Gatson, dated April 1, 2021
262. Comment from Carol Gross, dated March 31, 2021
263. Comment from Rene Savage, dated March 31, 2021
264. Comment from Terry Mullane, dated March 31, 2021
265. Comment from Kit Roberts, dated March 30, 2021
266. Comment from Brett and Lara Henderson, dated March 30, 2021
267. Comment from John Matykowski, dated March 29, 2021
268. Comment from Troy Paananen, dated March 29, 2021
269. Comment from Christine Cook, dated March 29, 2021
270. Comment from Christine Cook, with blog thread, dated March 29, 2021
271. Comment from Joshua Bogart, dated March 26, 2021
272. Comment from Rebecca Boor, dated March 29, 2021
273. Comment from Ivan Golovkin, dated March 29, 2021
274. Comment from Jennifer Peppin, dated March 27, 2021
275. Comment from Briana Navarro, dated March 28, 2021
276. Comment from Daniel George, dated March 27, 2021
277. Comment from Erica Van Ogle, dated March 25, 2021
278. Comment from Merja Mueller, dated March 25, 2021
279. Comment from Kelly Huber, dated March 25, 2021
280. Comment from Christine Cook, dated March 25, 2021
281. Comment from Rebecca Boor, dated March 25, 2021
282. Comment from Christine Cook, dated March 25, 2021
283. Comment from Jim Shadoff, dated March 25, 2021
284. Comment from Ana Carrera, dated March 25, 2021
285. Comment from Mary Gardner, dated March 25, 2021
286. Comment from Jennifer Peppin, dated March 25, 2021
287. Comment from Kelly Huber, dated March 25, 2021
288. Comment from Rebecca Wilcox, dated March 25, 2021
289. Comment from June Ziser, dated March 25, 2021
290. Comment from Rebecca Boor, dated March 25, 2021
291. Comment from Violet McWhirk, dated March 25, 2021
292. Comment from Steve Rosenoff, dated March 25, 2021
293. Comment from Ana Carrera, dated March 24, 2021
294. Comment from Rostem Bassalow, dated March 21, 2022

295. Comment from Vern Turner, dated March 21, 2022
296. Comment from William DeRanek, dated March 20, 2022
297. Comment from Sharon English,, dated March 20, 2022
298. Comment from Jude DeRanek, dated March 20, 2022
299. Comment from William and Judy DeRanek, dated March 13, 2022
300. Comment from Aric and Sarah Bowman, dated March 13, 2022
301. Comment from Paul and Jean Dennis, dated March 17, 2022
302. Comment from Jenilee Jaber, dated March 17, 2022
303. Comment from James Wolff, dated March 17, 2022
304. Comment from Mike Stout, dated March 16, 2022
305. Comment from Gretchen Talbott, dated March 15, 2022
306. Comment from Barbel Goodman, dated March 15, 2022
307. Comment from Justin Nelson, dated March 15, 2022
308. Comment from Corrina Healey, dated March 15, 2022
309. Comment from Brian Carpenter, dated March 15, 2022
310. Comment from Karen Castaneda, dated March 15, 2022
311. Comment from James Wolff, dated March 15, 2022
312. Comment from Corrina Healey, dated March 15, 2022
313. Comment from Trisha Tanginoa, dated March 15, 2022
314. Comment from Carol Tompkins, dated March 15, 2022
315. Comment from Amanda and Jared Merlin, dated March 15, 2022
316. Comment from Ana Ramos, dated March 14, 2022
317. Comment from Brett Henderson, dated March 14, 2022
318. Comment from Lizzie Bevier, dated March 14, 2022
319. Comment from Ernest Ibanga, dated March 14, 2022
320. Comment from Nancy Byerly, dated March 14, 2022
321. Comment from Mary Beth Colón, dated March 14, 2022
322. Comment from Joni Lynn and Jonathan Aevermann, dated March 14, 2022
323. Comment from Diane Dozal, dated March 14, 2022
324. Comment from Fritz Riddle, dated March 14, 2022
325. Comment from Mike and Jenny Gessler, dated March 14, 2022
326. Comment from the Eddy Family, dated March 14, 2022
327. Comment from Brian and Jessica Nau, dated March 13, 2022
328. Comment from Rich and Paula Volberg, dated March 13, 2022
329. Comment from Nancy Castro, dated March 13, 2022
330. Comment from Dawn Marie Rubio, dated March 13, 2022
331. Comment from Matthew Pike, dated March 13, 2022
332. Comment from Victor Talbott, dated March 12, 2022
333. Comment from Natalie Carpenter, dated March 11, 2022
334. Comment from Thomas Dozal, dated March 11, 2022
335. Comment from Elaine Briggs, dated March 11, 2022
336. Comment from Dan McKinney, dated March 11, 2022

337. Comment from Rebecca Wilcox, dated March 10, 2022
 338. Comment from Jeremy Wilmot, dated March 10, 2022
 339. Comment from Dianne Laslie, dated March 9, 2022
 340. Comment from Linn and Carol Weiss, dated March 8, 2022
 341. Comment from Kelly Wicker, dated March 8, 2022
 342. Comment from James Laslie, dated March 8, 2022
 343. Comment from David Doyle, dated March 8, 2022
 344. Comment from Mary Ann Rothwell, dated March 8, 2022
 345. Comment from Eric Lain, dated March 8, 2022
 346. Comment from Merja Mueller, dated March 25, 2021
 347. Comment from Kelly Huber, dated March 25, 2021
 348. Comment from Chris Cook, with blog post thread, dated March 25, 2021
 349. Comment from Rebecca Boor, dated March 25, 2021
 350. Comment from Chris Cook, with blog post thread, dated March 25, 2021
 351. Comment from Jim Shadoff, dated March 25, 2021
 352. Comment from Ana Carrera, dated March 25, 2021
 353. Comment from Gail Emerson, dated March 15, 2022
- B. Comments from March 25, 2022, through April 11, 2022
1. Comment from Anthony Porrazzo, dated March 29, 2022
 2. Comment from Anthony Porrazzo, dated April 3, 2022
 3. Comment from Anthony Porrazzo, dated April 11, 2022
 4. Comment from Stephanie Ballou, dated March 28, 2022
 5. Powerpoint, Carmel Healthy Neighborhoods Alliance, dated April 4, 2022
 6. Comment from Pat Barte, dated March 30, 2022
 7. Comment from Elaine Briggs, dated April 9, 2022
 8. Comment from Ernest Byford, dated April 3, 2022
 9. Comment from Charles Callis, dated April 1, 2022
 10. Comment from Nancy Callis, dated April 1, 2022
 11. Comment from Cort Campbell, dated March 28, 2022
 12. Comment from Kristina, Brodie and Beatrice Cox, dated March 29, 2022
 13. Comment from James Fellows, dated April 11, 2022
 14. Comment from Darren Healey, dated April 8, 2022
 15. Comment from Raymond Hyytinen, dated March 29, 2022
 16. Comment from Sylwia Jarosz, dated April 4, 2022
 17. Comment from Lori and Robert Johnson, dated March 28, 2022
 18. Comment from Bruce Koty, dated April 3, 2022
 19. Comment from LeRoy and Regina LaMar, dated March 30, 2022
 20. Comment from Patricia and Robert Le Roy, dated March 29, 2022
 21. Comment from Gail MacLean, dated April 8, 2022
 22. Comment from Gail and Steve Maddocks, dated April 3, 2022
 23. Comment from Peter Manibusan, dated March 18, 2022
 24. Comment from Chris McAnnally, dated March 30, 2022
 25. Comment from Luke McGowan, dated April 2, 2022

26. Comment from Sue and John Medeiros, dated April 4, 2022
 27. Comment from Susan Moreland, dated April 5, 2022
 28. Comment from Merja Mueller, dated April 2, 2022
 29. Comment from Janet O'Halloran, dated April 1, 2022
 30. Comment from Ila Olson, dated April 3, 2022
 31. Comment from Chris Porrazzo, dated April 3, 2022
 32. Comment from Courtney Pynch, dated April 10, 2022
 33. Comment from Joe Rinehart, dated March 28, 2022
 34. Comment from Robert Rothwell, dated March 25, 2022
 35. Comment from Robert Rothwell, dated March 25, 2022
 36. Comment, undated
 37. Comment from Kathalyn Tung-Goodblatt, dated April 3, 2022
 38. Comment from Vern Turner, dated March 29, 2022
 39. Comment from Danny K, dated March 26, 2022
 40. Comment from Carol Van Balen, dated April 3, 2022
 41. Comment from Paul Von Thun, dated April 10, 2022
 42. Comment from Marianne Webster and Marshall Johnson, dated April 3, 2022
 43. Comment from Andra Weddington, dated March 29, 2022
 44. Comment from Janet Wilde, dated April 4, 2022
 45. Comment from Amy Wilvert, dated April 11, 2022
 46. Comment from Bill and Judy DeRanek, dated April 11, 2022
 47. Comment from Irene Ritchie, dated April 11, 2022
 48. Comment from Bill Martin, dated April 11, 2022
 49. Comment from Patricia Le Roy, with blog post thread, dated April 11, 2022
 50. Comment from Gail Emerson, dated April 11, 2022
 51. Comment from Kathy and Steve Duden-Daviess, dated April 3, 2022
 52. Comment from Les Fosmire, dated April 3, 2022
 53. Comment from Sandra Sears, dated April 3, 2022
 54. Comment from Jeannine Leitch, undated
 55. Comment from Denise Peterson, dated March 30, 2022
 56. Comment from Elain Weber, dated April 4, 2022
 57. Comment from Beverly Orrock, dated March 29, 2022
 58. Petition to Deny Permit to Build Chevron Gas Station, dated April 4, 2022
 59. Comment from Bob and Martha Greene, dated April 11, 2022
 60. Comment from Zac Fernandez, dated April 11, 2022
 61. Comment from Sarah Daniels, dated April 3, 2022
41. SEPA Comments:
- A. Comment from Janet O'Halloran, dated March 15, 2022
 - B. Comment from James Westberg, dated March 18, 2022
 - C. Additional comment from James Westberg, dated March 18, 2022