

Martin Way Land Use Plan and Rezone Amendment Comment Form

Answered

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10.3.24

Date of Response	Name	Comment
Oct 02 2024	Roland McGill	See Attached Letter
Oct 01 2024	Michael Citrak	I just want to know what type on traffic control you'll have at Martin Way for this property.
Oct 01 2024	Michael Citrak	Just you all make sure that the land does NOTE have road access to 3rd Ave SE and Choker St SE. Plus grow some trees along the south boarder, area has been very ugly since the trees were cut down.
Sept 26 2024	Micahel Bacon & Michelle Slater	See Attached Letter
Aug 29 2024	Roland and Roswitha McGill	We have several reasons to not support this <input type="checkbox"/> rezone. Not the least of which is <input type="checkbox"/> the rezoning requestor was dishonest and misleading in regards to illegally clear-cutting the forest in the proposed rezoning property and doing so in a dishonest and misleading manner. We have other items to support our disagreement on an approved form. Thank you
Aug 07 2024	B. Norton	I recommend that the 'mixed use' development provide additional landscaping and trees to buffer HD residents from the commercial businesses and the very intense traffic along Martin Way. I'm just imagining a family with small children trying to navigate the 5-6 lanes of traffic - without a stoplight - to get to a bus stop, and that makes me concerned for their safety. If HD housing is permitted here, a new traffic light should be a requirement, along with bus stop improvements that keep waiting transit riders safe while waiting for the bus. <input type="checkbox"/> Also concerned that the site be checked for contamination, given its history, and the site fully remediated to meet *residential* standards.

To: Thurston County Planning Commission

From: Michael Bacon & Michelle Slater, Owners (7706 3rd Ave SE, Olympia, WA 98503)

Subject: Proposed Rezone: 7809 Martin Way East (parcel # 11814210200)

Commission Members,

For **50 years** our family has called Tanglewilde our neighborhood/community. **Three generations** have lived in our home located at 7706 3rd Ave SE.; adjacent to and shares a street front with the property requesting a rezone. We have had the pleasure of living next to forested land that provided a barrier from the noise and lights from businesses in the Martin Way corridor. The trees provided shelter from the wind and hot/cold temperatures and the wildlife that inhabited the area has been both educational and breathtaking.

While we have always known that someday this would change...we never expected it to be done so drastically, without proper permitting and land use planning in accordance with Thurston County Code of Ordinances. Our family researched the zoning and the planning for the parcel adjacent to our property in 1974 to ensure that it was not commercial before purchasing the property. The original plan for the parcel zoned LDR3-6 was for it to be an extension of the neighborhood, not for a trailer business.

The Thurston County Pre-submission conference with Fine Holding Martin Way, LLC on 12/01/2022, provided a guidance summary pertaining to Parcel #1811341100 being zoned MHDC. The existing trailer sales facility is a legal non-conforming use and is allowed. But it is not allowed to expand on to the adjoining MHDC portion of parcel #1814210200 without a Special Use Permit. The expansion has occurred.

Has a Special Use Permit been obtained for the expansion onto the adjoining MHDC portion of parcel #1814210200?

After receiving the NOTICE OF APPLICATION for an **After the Fact** Class IV Forest Land Conversion, On August 12, 2022, we commented and voiced our concern about other permits and testing that needed to be obtained before more work was done. We were assured that any future development would trigger the need for additional permitting and testing, and Thurston County CPED would investigate it as soon as possible. The following is the timeline of what we have been dealing with:

- August 13, 2022 - We sent pictures of grading work being done and were concerned with our safety since no testing had been done per the Department of Ecology recommendation and our back yard was covered in dust and dirt.
- August 15, 2022 – Scott McCormick, MES, Associated Planner suggested that I forward the letter and pictures to the compliance/enforcement section. Forwarded 08/15/2022 7:11pm to Jason Morgan (CPED compliance coordinator).
- August 16, 2022- Jason Morgan informed us that a complaint was filed. The owner was contacted and told permits were required. “The owner is now in the permit process with Thurston County for the grading and forest practices. These applications and associated fees (with after the fact penalties) are currently being addressed within the planning and building departments.”
- October 20, 2022 – Emailed pictures of grading work being done and trailers being parked on property with no permits issued.
 - Received a response from Jason Morgan that he contacted the agent handling permits and that he was unaware of the work. The owner stated it was a small uneven spot on the property and did this with the recommendation of the engineer. Jason stated, he reiterated that no further development can be done prior to permit approval.
 - Sent more pictures of gravel being delivered ... approximately 195 yards to fill in a “small” uneven spot and trailers still being displayed.
- October 24, 2022 – The department said they were issuing an additional Notice of Violation for the new activities on the property.
- February 10, 2023 – Emailed to ask if permit was issued, because work was starting again. No Response.

- March 19, 2023 – Sent pictures of grading and more trailers being displayed.
- March 20, 2023- Informed of Voluntary Compliance Agreement signed by Joshua Cummings (Director of CPED) and Steven W. Fine (Property Owner) on 3/10/23 and that there would be no further enforcement from Thurston County Community Planning and Economic Development until the deadline of September 30,2023.

Below are questions and concerns about the Voluntary Compliance Agreement:

The list of citations and summary of conditions to be remedied included:

- | | |
|--|-----------|
| 1. North County U.G.A. conversion requirements | Count – 1 |
| 2. Section J103 amended-Permits required | Count – 1 |
| 3. LOW-Density Res (3-6) – Permitted uses | Count – 1 |
-
- Was a violation issued for the grading and fill of more than 500 cubic yards without a permit or was it also connected to the future development of the land like the cutting of the trees?
 - Would appreciate an explanation on how the Voluntary Compliance Agreement, dated 03/10/2023, gave permission to continue the unpermitted activity of grading and adding more trailers to the property for 6 months.
 - Were all the corrective actions taken?
 - Was the Compliance Agreement satisfied?
 - What is the status of the “Request for Release of Moratorium”?

Ordinance No.16740

17.25.200 - Definitions

“Development moratorium” means the department shall deny any and all applications for permits or approvals for a period of time established in Chapter 76.09. RCW. This shall include but not be limited to building permits, septic system permits, right-of-way permits, subdivision approvals, or change of zoning relating to the legal description described on the forest practices permit...”

17025.700 – Development moratorium requirements.

B. Applicability of Development Moratorium. The applicability of 6-year development moratoria pursuant to Chapter 76.09 RCW will be as follows:

1. The department will place a 6-year development moratorium on a property where any forest practices have been conducted in violation of Chapter 76.09.460 and 76.09.470 RCW or its rules, and Chapter 17.25 TCC including failure to comply with the conditions of an approved forest practices permit or failure to obtain required forest practices permits or approvals.

C. Consequences of a Development Moratorium.

6. If no forest practices permit was issued, the department shall apply the development moratorium to the entire parcel.

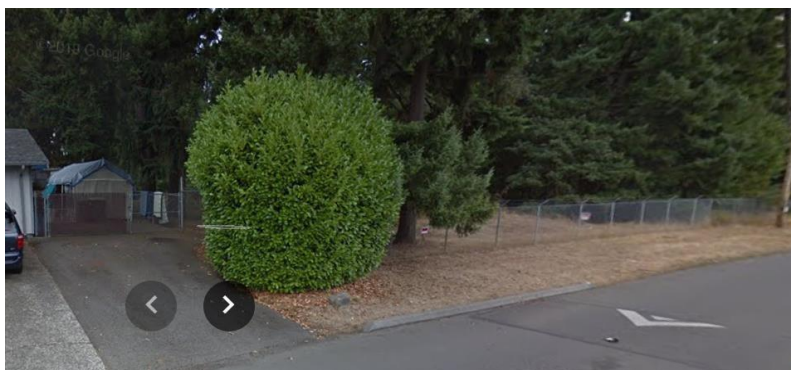
Not sure how or if the ordinance applies... but we would appreciate an explanation.

For over a year now, we have not been able to enjoy our backyard because of the dirt, noise, and lights caused by the unlawful work being done on the property adjacent to ours. Since no testing has been done...we are unsure if it is even safe to be outdoors. It is frustrating and stressful to know that if rezoning is approved, we are subject to more work being done without proper testing and permitting with no repercussions.

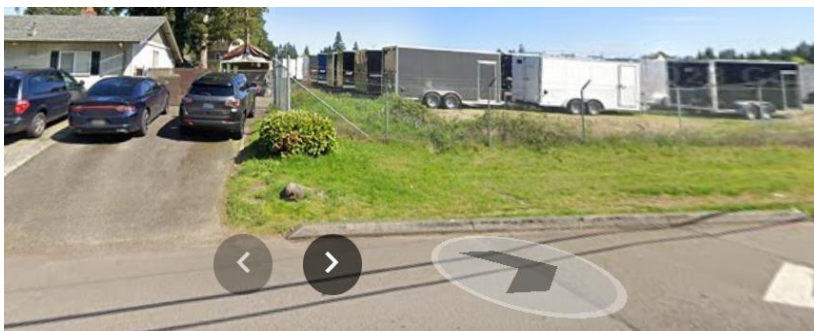
Clearly the current and future plan for this site is the expansion of the Trailer Boss business for the storage of trailers with no regard for the intent of the Thurston County Code of Ordinances. This type of business does not accommodate the pedestrian emphasis in an area where people enjoy walking, shopping, working, and living. The Martin Way Corridor study also emphasizes; "Any review of the mixed-use corridor designation should ensure

compatibility with adjacent low-density residential areas..." As you can see by the following pictures the property is in the middle of our neighborhood and clearly is not compatible. (visit [Googlemaps.com](https://www.google.com/maps))

BEFORE



AFTER





BEFORE

AFTER

We understand there is a need for more housing and commercial uses to further the development of the future growth of the Martin Way Corridor. Before rezoning is considered a development plan should be presented that is consistent with the policies, goals, and objectives of the Lacey Urban Growth Area. We have little faith in the current landowner abiding by the regulations in addition to Thurston County's inability to enforce these rules:

We are requesting that the Commission **NOT APPROVE** the rezoning of the property of 7809 Martin Way East (parcel # 814210200) from LDR 3-6 to MHDC/plus commercial.

Sincerely,

Michael R. Bacon & Michelle Slater

7706 3rd Ave SE Olympia, WA

98503

mmsrc@comcast.net

October 2, 2024

Roland and Roswitha McGill

242 Kingham Street SE
Lacey WA 98503
98503

To: County Commissioners and Citizen Advisory Board

Subject: Proposed Rezone: 7809 Martin Way East (Parcel 11814210200)

We have resided at 242 Kingham Street SE for the last 35 years. It abuts the discussed parcel on the western boundary. We have enjoyed the green space the trees provided for all those years. But, we are realists and have always expected that eventually there would be some development especially as the area's population has grown. We did not expect it to be this drastic.

We are proposing that the property at 7809 Martin way East remains in its current LD 3-6 . We strongly disagree with rezoning the property to a mixed use MHDC/commercial designation for the reasons stated below.

We have zero faith that the current owner would follow any of the expectations and recommended actions from the county or any other jurisdiction involved in the development of the property. That was very evident in the original illegal activities that included the clearcutting, grading and purpose of use of the parcel. To us it seemed like the owners and current espousers of the zone change were prepared to take any kind of citation and slap on the wrist to do what they wanted and wait out the process for their purpose. This request.

Our neighbor at 7706 3rd Avenue SE submitted a very clear and concise statement for the denial of the zoning change. It documented the exact timeline and activities as they occurred. We fully agree with their statement of facts relating to the illegal actions of the parcels owners and the county's interactions with them.

We were also involved with contacting the county through emails and by phone and had similar results.

This neighborhood is diverse and in parts of it in regards to demographics, a very fluid population. So it is often easy to quickly pass through and change rezoning status and build new projects without much comment. Many residents are renting or unaware of the impact a rezone can have on their lives and everyday activities.

Recently a new 177 unit apartment complex has been completed diagonally across from the parcel in question. (As a side note this development was supposed to be completed by fall of last year but the original purchasing group went bankrupt and were bought out by another corporation. It is just now being completed and rented out. That is worrisome in its own right.) We can see the 3 story buildings from our front yard. These apartments impact the neighborhood on 4 sides. School Street, Choker Street, 3rd Avenue and Husky Way surround the complex. I have yet to see new sidewalks, pedestrian crossings or road upgrades associated with this project. So many people, kids and adults, walk and bike and skateboard- on these neighborhood streets- to shop, to school, to catch the bus- every day. It is not safe.

Even at a very minimum of 2 residents per unit that translates to hundreds of automobile commute trips every day. The influx of vehicles will be greatly increased on streets that even now are over burdened with commuters taking a shortcut through the neighborhood to avoid an already congested Martin way. Imagine the addition of an 8 acre mixed use, commercial/ high residency complex within a couple hundred yards of a recently completed 177 unit apartment complex!. It does not make sense to us.

We are not against change for the good. Leave the designation as Low density residential. Build individual residences that are affordable and within financial reach of families that have been renting for years. Maybe even residents from our neighborhood that have been renting for years. That would be a pretty cool progression.

Forget a change in zoning designation. Why talk about building new businesses or squeezing as many buildings and people as possible into a

small space? This neighborhood is in need of an upgrade, or in many instances initial installation, of pedestrian and alternative transportation options.

To summarize:

We have no faith that the company proposing the rezone will adhere to the rules, regulations and expectations from the county based on prior actions.

The current total lack of reasonable, safe options for pedestrians, bikes and other alternative transportation options. These issues can only get worse with another high density project so close to one just completed.

Keeping the zoning designation as is would be the most sensible, safest and thoughtful decision that could be made on this issue. It would show a willingness by the county to ensure safe neighborhoods, a commitment to diverse housing that does not always mean huge apartment complexes and businesses and maybe even a small desire to keep some of the character of old neighborhoods like ours.

Sincerely,

Roland and Roswitha