



COUNTY COMMISSIONERS

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HEARING EXAMINER

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THURSTON COUNTY

PRELIMINARY ORDER

LEAVING THE RECORD OPEN

PROJECT NO.: 2022105705
Lakeside Industries

SEQUENCE NO.: 2022 115152 ZM Special Use Permit
2022 115154 XA SEPA

TAX PARCEL NO.: 09580003000

LOCATION ADDRESS: 11125 Durgin Rd. SE
Olympia, WA 98513

LEGAL DESCRIPTION: Section 17 Township 18 Range 1E, Quarter SW NE NW SE
BLA980097 TRB Document 315588

APPLICANT/OWNER: Lakeside Industries
Atten: Kyler Danielson
PO Box 7016
Issaquah, WA 98027

COUNTY STAFF: Kraig Chalem, Senior Planner

Request:

Applicant Lakeside Industries is requesting to amend their Special Use Permit to allow for asphalt recycling at the existing Durgin Road Asphalt Plant. The Applicant has agreed with the County to

leave the record open to address the County's request for revisions to the County Community Planning and Economic Development Staff Report.

Public Hearing:

The Examiner conducted an open record public hearing on Tuesday, November 14, 2023. The hearing was opened at 10:00 a.m. and was concluded at 12:00 p.m. at which time the record was left open until December 15, 2023, as indicated in the Findings and Decision below.

Testimony:

At the open record public hearing, the following individuals presented testimony under oath:

Kraig Chalem, Thurston County Development Services Senior Planner
Dawn Peeples, Thurston County Senior Environmental Health Specialist
Arthur Saint, PE, Thurston County Public Works
Kyler Danielson, Lakeside Industries, Project Manager

Exhibits:

At the open record public hearing, the exhibits submitted and made a part of the record included Exhibit 1 entitled "Community Planning and Economic Development Staff Report" and Exhibit 2 entitled "Errata Memorandum Correcting Errors in the Staff Report, Dated November 13, 2023."

Findings:

1. At the conclusion of the public hearing, the Applicant and the County agreed that Exhibit 1 should be amended to include the revisions included in Exhibit 2.
2. The Applicant and the County agreed that the parties who had received Exhibit 1 should have the opportunity to receive, review and comment on the revisions to Exhibit 1 that were articulated in Exhibit 2.
3. The Applicant and the County agreed that they should have an opportunity to respond to the public comments submitted regarding the submitted revisions to Exhibit 1.
4. The Applicant and the County also agreed that the Department Recommendations regarding the conditions of approval be revised as follows:
 - Condition A be revised to delete the introductory paragraph and to separately list the conditions alluded to in subsections a through d;
 - Condition I be deleted as being duplicative;
 - All conditions be denoted numerically rather than alphabetically.

Conclusion of Law:

1. Pursuant to Thurston County Code (TCC) 2.06.010, the Hearing Examiner has the jurisdiction to consider and decide the issues presented by this request.

Decision:

On review of the agreement by the Applicant and Thurston County to revise Exhibit 1 entitled "Community Planning and Economic Development Staff Report" by including the revisions submitted in Exhibit 2 entitled "Errata Memorandum Correcting Errors in the Staff Report, Dated November 13, 2023," and to separate out and numerically delineate each of the County's recommended conditions of approval, the Examiner herein orders as follows:

1. Amended Exhibit 1 shall be designated as Exhibit 3 and entitled "Revised Community Planning and Economic Development Staff Report."
2. The County will send Exhibit 2 and Exhibit 3 to all parties who had previously been sent Exhibit 1.
3. Any party who receives Exhibits 2 and 3 may file comments to the County within two (2) calendar weeks from the date of mailing of such Exhibits.
4. At the expiration of the two (2) week public comment period, the Applicant and the County may respond to the comments within one (1) calendar week.
5. The record will be closed upon the Applicant and the County timely filing their responses or by December 15, 2023, whichever occurs first.

ORDERED this 20th day of November, 2023.



STEPHEN R. SHELTON
Pro Tem Hearing Examiner

TRANSMITTED this 20th day of November, 2023, to the following:

OWNER/APPLICANT: LAKESIDE INDUSTRIES
Atten: Kyler Danielson
PO Box #7016
Issaquah, WA 98027
kyler.danielson@lakesideindustries.com

THURSTON COUNTY Kraig Chalem, Senior Planner

OTHERS: Parties of Record
All Parties who were sent Exhibit 1