

Lacy Garner

From: Lacy Garner
Sent: Thursday, September 1, 2022 12:42 PM
To: Aaron Fuller; Cassie Fuller
Cc: Stephanie Morris; ryan@nfrrealty.com
Subject: RE: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Aaron –

This needs to be the end of the lengthy emails, please. This is not how we operate.

If you would like to move forward to the Preliminary Plat Hearing for this project with things where they currently are, we can do so, and all reviewers will make their recommendations based on the information we have at this time, which will be part of the record. Based on code requirements, my recommendation can only be denial unless the Hearing Examiner approved a Variance request. As I state in the latest Comment Matrix, you could apply for this Variance and have the hearing for it at the same time as your Preliminary Plat hearing and avoid the double Hearing Examiner fee if you would like.

We do not invoice for variances, we invoice for review hours that are spent on a project beyond what is paid up front with the application. Variances require an additional application form and fees as I detailed in my last comments. When your team previously asked for a variance form it was regarding the road and not the setbacks. It could not be seen from the information you had provided at the time that this project would need a Hearing Examiner Variance for the setback requirements.

Please let me know how you would like to proceed.

Thank you,

Lacy Garner (she/her) | Associate Planner, ISA Certified Arborist, ISA Tree Risk Assessment Qualification
Thurston County Community Planning & Economic Development
 2000 Lakeridge Dr SW, Bldg 1, Olympia, Washington 98502 [Map](#)
Main (360) 786-5580 **Mobile** (360) 485.8272 | **Fax** (360) 754-2939 | **TDD** (800) 833-6388
lacy.garner@co.thurston.wa.us | www.thurstoncountybdc.com

This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.

Please be aware that I am a part time employee with Thurston County Development Services and this will affect my response times to you by both email and phone. I am not in the office every day of the week.

Thank you for your understanding and patience.

From: Aaron Fuller <a fuller@fullerdesigns.org>
Sent: Wednesday, August 31, 2022 6:27 PM
To: Cassie Fuller <c fuller@fullerdesigns.org>; Lacy Garner <lacy.garner@co.thurston.wa.us>
Cc: Stephanie Morris <smorris@fullerdesigns.org>; Christina Chaput <christina.chaput@co.thurston.wa.us>; Dawn Peebles <dawn.peebles@co.thurston.wa.us>; Arthur Saint <arthur.saint@co.thurston.wa.us>; Torren Valdez <torren.valdez@co.thurston.wa.us>; ryan@nfrrealty.com
Subject: RE: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Lacey,



I hear you but a lot of these comments come from mistakes or assumptions made on the reviewers side or mis-interpretation of the checklist. I totally disagree that these are clear comments and am actually wondering if you are looking at the most recent documents. Torren's letter in the matrix references a warehouse project in the title? We submitted a whole new master with correct information on it on 6/29 and it seemed to be ignored. We were told the owner would be invoiced for the fees. I'm still getting comments that a variance application was not paid. Was it invoiced?

Let's look at the clarity of just one of the comments

3.o Directions to the site.

This is still not shown on the preliminary map, as required per the checklist.

Here is a snapshot of the checklist you are quoting:

	new arrangement of the subdivision; the solid lines so as to avoid ambiguity.
	o. A north arrow, map scale, datum, date,
	p. Vicinity sketch, at a scale of not less than 1"=40' showing boundary lines and names of adjacent

As you can see there is no specific language saying directions to the site need to be specifically written on the plans with turning movements spelled out and done with language. Directions to the site can be shown in map form which is typically done in the vicinity map. What I'm saying is that your request is not valid to add this information in language format so we should ignore that comment. This also goes for the landscape items that are not applicable along with the advisory building permit items Torren talks about. We appreciate all the discussion but its not really applicable at this point and it can be ignored in the land use process. Over half the comments are not even valid. At an absolute minimum a new matrix should be developed which specifically identifies which checklist items were left out and which codes were broken.

Let's look at something a bit more important like the frontage grinding which Arthur talks about. Put that in the conditions of approval recommendation and let's move on. I can add it to the plans during the civil approval process through public works.

As for the variance I understand where your coming from and there are options. The owner is trying to not tear down the house. Its in a position that is totally doable but if you can't do an administrative variance then say that in your recommendation. If the hearings examiner still has an issue with it then can deny the variance and tell us the only way to approve the project is with the condition that the house is moved, tore down, or perhaps just remove the garage portion of the building. If you need a separate HE variance application I can provide that but you should also forward the information that was provided on the other variance form. It's just a form change and it will be the same info.

I've attached a response to the matrix items as I currently see them. There is a lot of confusion and it looks like only 3 small notes could be added to the plans to make everything kosher

1. Show an existing waterline from the existing well house to the existing house and note it as being abandoned.
2. Fake in a rough location of where we "think" the septic tank is and call it out for removal.

3. Add a note saying the existing building is 14' tall

I think all of this could just be written on the plans by you and we could move onto the hearing examiner. I'll make sure any handwriting on the plans is taken care of in the civil approval process.

Perhaps we have a meeting. If you disagree with my approach perhaps we should bring in the planning manager or get a commissioner in the room as well. When would you be available for a talk?

Aaron Fuller P.E., President



From: Cassie Fuller <cfuller@fullerdesigns.org>

Sent: Wednesday, August 31, 2022 2:35 PM

To: Lacy Garner <lacy.garner@co.thurston.wa.us>; Aaron Fuller <afuller@fullerdesigns.org>

Cc: Stephanie Morris <smorris@fullerdesigns.org>; Christina Chaput <christina.chaput@co.thurston.wa.us>; Dawn Peebles <dawn.peebles@co.thurston.wa.us>; Arthur Saint <arthur.saint@co.thurston.wa.us>; Torren Valdez <torren.valdez@co.thurston.wa.us>; ryan@nfrrealty.com

Subject: RE: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Hello Lacy,

I have attached the Master that was provided to the County on 6/29/2022. This has me listed on the application that was given during landuse. Hope you have a wonderful day!!

Thanks,

I have recently changed my email to cfuller@fullerdesigns.org so please update if you have not already 😊.

Cassie Fuller



"Well-behaved women rarely make history." ~Laurel Thatcher Ulrich

1101 Kresky Ave.

Centralia, WA 98531

(360) 807-4420

From: Lacy Garner <lacy.garner@co.thurston.wa.us>

Sent: Wednesday, August 31, 2022 1:12 PM

To: Aaron Fuller <afuller@fullerdesigns.org>

Cc: Cassie Fuller <cfuller@fullerdesigns.org>; Stephanie Morris <smorris@fullerdesigns.org>; Christina Chaput <christina.chaput@co.thurston.wa.us>; Dawn Peebles <dawn.peebles@co.thurston.wa.us>; Arthur Saint <arthur.saint@co.thurston.wa.us>; Torren Valdez <torren.valdez@co.thurston.wa.us>; ryan@nfrrealty.com

Subject: RE: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Hello, Aaron –

Please fill out the attached Master App form and return that to me with the new point of contact for this project. I have attached the original Master Application provided so that you can copy the rest of the information provided and needed onto the new form.

I can understand some frustration and this review process continuing slowly, but the majority of my review comments that you have thoughts about below are very simple, straightforward requirements in very clear text on the application checklists that this project had and every project has prior to application submittal. These apply to every application and are not optional. I did not create these checklists, myself – I and the rest of our staff are tasked with ensuring all items required, as stated on the applications, are provided for every project. Why a project would ignore required items on an application checklist and continue to ignore comments asking for these items to be shown on the maps, as required, is beyond understandable to me, for it seems like a very simple task that could easily be taken care of that is continuously prolonging the review and is no fault of ours. I don't know how much more straight forward an application checklist of items required on the map could be.

Regarding the need for a Variance - I cannot write a Preliminary Approval for this project if the project does not meet clear setback requirements required by county code and if the project conditions do not qualify for an Administrative Variance, which it doesn't as I detail in my comments of item 3.d. of the attached Comment Matrix. The code is clear on this. A Hearing Examiner approved Variance is the only option for this project to move forward as-is, and I was simply offering my belief that the project is going to have a hard time acquiring the required Variance approval from the Hearing Examiner for this situation, but I am not the one to prove this to. You are very welcome to apply for a Variance by Hearing Examiner, who will decide, as detailed in my comments.

As I stated in my email, I am waiting to hear back from Torren Valdez on his comments and if he is ok to move forward for his review. I also cannot move forward with writing a Preliminary Approval until I have approval from all other reviewers.

As I have been working with interpretation of the 5' required landscaping per the Grand Mound Development Guidelines (GMDGs) and how that correlates with the 5' required rear yard setback for this development, I have just realized that the GMDGs do not pertain to this project based on section I.2.b. As such, please disregard my comments referencing the GMDGs in the Comment Matrix 3 that I sent late yesterday. The attached Comment Matrix 3.1 attached replaces that – again, in Word format to allow responses within the document itself.

Let me know if you have any further questions on my part of this review.

Thank you,

Lacy Garner (she/her) | Associate Planner, ISA Certified Arborist, ISA Tree Risk Assessment Qualification
Thurston County Community Planning & Economic Development
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Please be aware that I am a part time employee with Thurston County Development Services and this will affect my response times to you by both email and phone. I am not in the office every day of the week.

Thank you for your understanding and patience.

From: Aaron Fuller <afuller@fullerdesigns.org>
Sent: Tuesday, August 30, 2022 10:46 PM
To: Lacy Garner <lacy.garner@co.thurston.wa.us>
Cc: Cassie Fuller <cfuller@fullerdesigns.org>; Stephanie Morris <smorris@fullerdesigns.org>; Christina Chaput <christina.chaput@co.thurston.wa.us>; Dawn Peebles <dawn.peebles@co.thurston.wa.us>; Arthur Saint <arthur.saint@co.thurston.wa.us>; Torren Valdez <torren.valdez@co.thurston.wa.us>; ryan@nfrrealty.com
Subject: RE: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Lacey,

Wanted to update you that Samantha Sansouci does not work here anymore and Cassie Fuller will be handling this project going forward. I believe you and her have already been talking. If you need something to change the contact info for this project we would be more than happy to provide it.

That being said, I have reviewed these comments and I have some concerns.

It appears that the majority of these comments don't add a lot of value to the plan set or the construction value of the project. They seemed to be more geared toward slowing the project and delaying the hearings examiner (HE) decision on the project. While I value the time you spent on the review, I think some of these comments will just add more design cost to the project with very limited value added. Many of these can be simply recommendations to the HE or perhaps ignored completely.

For instance:

- I'm being asked "again" to provide the existing building height. This was conveyed in the previous submittal but I'm guessing you want me to formally write it on the plans. I ask how is this not being written on the plans holding the county from writing a HE recommendation letter?
- I'm being required to hand write the directions to the site on the civil construction drawings with words instead of a map. Multiple maps were shown on the civil drawings and directions were written out in the applications portions of what was submitted. We also responded in depth as to where this info was provided in the last matrix. Adding the written directions to the civil plans adds nothing of value to the plans and is not really in the spirit of the checklist. Especially in this day in age when we can just get directions to the site from any cell phone. I can obviously add this is all typed out on the plans as well but doesn't a vicinity map which has been put in 2 places on the plans do the same thing? Where in the checklist does it say the directions have to be written out instead of provided in map form? How does this add value to the land use recommendation the county is being asked to prepare for the HE decision?
- There is a comment noting the "vicinity sketch" does not have adjacent property lines or the names of surrounding developments on it. I would ask how far out would the county like me to go when putting adjacent property info on my vicinity maps? Would you like me to show property lines to just the adjoining properties? This was done on all plan sheets submitted. Would you like me to go out to the edges of Grand Mound? Thurston County? Washington State? I'm getting a bit contentious but you get where I'm going. Also will these lines need to be surveyed? What is meant by the "names of developments in the vicinity"? I've shown VJ's

Builder Barn, Talking Cedar Brewery, Burger Claim, Great Wolf Lodge, Grand Mound Baptist Church, Maple Lane School, Rochester Primary School, etc.. on the vicinity map. I consider all these “developments”. I’m hoping that you can see that this does not stop the county from writing a recommendation the Hearings Examiner.

- I received comments saying the IPMP is a guide for future home owners. I believe that is the entire point of the IPMP. The comment is not supported with a code reference but has some reference to an internal policy that seems to not be code. This is a subdivision of land where the owner is going to install utilities and prep the land for sale to an eventual home owner. The subdivider does not intend to live on the property or perform many of the activities listed in the management plan. How is having a generic IPMP stopping the county from writing a recommendation to the HE?
- I received a comment regarding landscaping and building setback confusion. Per the zoning code the rear setbacks on this property are 5’ from property line. I’ve shown the building setbacks as defined by the zoning code. This creates a building envelope that the future owners may set a building into but does not define the exact position of each future residence. The county also has a requirement to landscape withing 5’ of buildings. The landscaping plan provided shows this around the property exterior. The comment references TCC 20.07.030 and the Grand Mound Landscaping guidelines section IV.E.2. I’ve reviewed both these sections and I cannot see anywhere stating that a landscaping strip and a building setback cannot overlap. I would consider the statement that the areas cannot overlap a reviewer opinion rather than a judgement based on code. Also I would like to remind everyone that this is a subdivision application. We are not applying for any building permits. Reading further into the code I’m unsure as to why a full landscaping plan was even needed since there are no building permits being asked for and since there are no buildings then why would we be required to show landscaping 5’ from them.
- I got a comment regarding placement of control valves for the irrigation system. While I agree with the comment that placing a control valve in a back yard is problematic, I also find that preparing a irrigation plan for everywhere on a subdivision when no buildings have been applied for is problematic. In fact the previous comment to provide irrigation and landscaping plans at this point in the development process is a bit problematic. I believe the intent is to subdivide the property and each individual home owner will provide a landscaping/irrigation plan for their individual home. If you need more common area open space then please feel free to ask for it. Please note that the parent property is less than 10 acres, does not ask for a rezone, and is not in the Lacey or Tumwater UGA. As such the open space chapter is not applicable per TCC 18.47.020.
- The majority of Torren’s comments seem to be more advisory of what will happen at the building application stage in the development. I totally appreciate the effort but the letter should not stop the process of HE recommendation being developed.
- As for the variance, I think there is a great reason as to why the circumstances are not the result of the actions of the applicant. The applicant did not build the existing house! It was built many years ago before the current conditions around the area existed. We are simply wanting to subdivide the land and are trying to work with existing conditions. The road has 2 access points and while the conditions squish the easement and road width, I believe from an engineering standpoint that these items do not provide a substandard condition. This is based on the intended use of the road (speed, type of use, expected loading, etc..). Arthur has agreed to this from a public works standpoint so I don’t see why it couldn’t be approved through the HE process.

These are just 8 of the comments I’ve received. I could go on but there are other projects to focus on.

I think the point of a land use decision has started to become lost. The intent of land use decision in the long plat process is to develop a “preliminary” set of plans which give the planners enough information to write a recommendation to a HE so they can make a decision. Instead of preliminary, these are construction worthy plans. I feel that my client and I have bent over backwards giving the County more than enough information to write that recommendation to the HE. I believe all these comments are minor enough that we can work together to write a recommendation of approval perhaps with conditions. I believe it would be detrimental and not in the spirit of the process to revise the documents, resubmit, wait another few months for review, and then proceed to the HE. If you or other staff feel the comment is significant enough to warrant a condition then lets talk. I don’t think that anything here is getting to that level except maybe the frontage improvements that Arthur discussed.

I would love to discuss this further but I believe the next step is to write the recommendation and progress this to the HE. I hope you agree with me and can help find ways to progress this through the County's process. Please give me a call so we can discuss.

Thank you,

Aaron Fuller P.E., President



FULLER DESIGNS

1101 Kresky Ave.

Centralia, WA 98531

Office: 360-807-4420

From: Cassie Fuller <cfuller@fullerdesigns.org>

Sent: Tuesday, August 30, 2022 5:28 PM

To: Aaron Fuller <afuller@fullerdesigns.org>

Subject: FW: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

I have recently changed my email to cfuller@fullerdesigns.org so please update if you have not already 😊.

Cassie Fuller



"Well-behaved women rarely make history." ~Laurel Thatcher Ulrich

1101 Kresky Ave.

Centralia, WA 98531

(360) 807-4420

From: Lacy Garner <lacy.garner@co.thurston.wa.us>

Sent: Tuesday, August 30, 2022 5:20 PM

To: Samantha San Souci <ssouci@fullerdesigns.org>

Subject: Project 2021106455 Deskins Prelim Plat - Comment Matrix 3

Hello, Samantha –

Please see the attached Comment Matrix 3 (the third round of comments) for the subject project review. Only the outstanding Thurston County reviewer comments are left within the Comment Matrix, though I am unsure where the project is on Torren Valdez's comments and requirements. I have sent him an email to check in, but did not receive any information addressing his comments in the last project submittals from the applicant. I know there has been some communication between Torren and the applicant team directly. It would be great to get an update on those comments from the applicant.

Please also have the applicant respond to each line item in the far right column of this document when providing a resubmittal – that is the intent of this Word format. It is more time consuming and disorganized to have comments and responses on separate documents.

There is one item in the attached that I am still working on a concrete answer to – my Comment #4 regarding the Irrigation Plan. I have noted in the attached that this comment is still pending. I hope to get back to you on this as soon as possible.

Please let me know if there are any questions.

Thank you,

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