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December 12, 2023

Chief Clerk, Boundary Review Board
Thurston Regional Planning Council
2411 Chandler Court SW
Olympia, WA 98502

Subject: Notice of Intention Thurston County Boundary Review Board—Draham Road Annexation

Enclosed are the materials related to the Notice of Intention for the Thurston County Boundary Review Board for annexation of property generally located east of Judd Street NE, west of the Woodland Creek Estates subdivision, north of 15th Avenue NE and south of property owned by the City of Lacey for the future Greg Cuoio Park known as the Draham Road Annexation.

Please let me know if you have any questions. I can be reached at (360) 412-3190 or randrews@ci.lacey.wa.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Andrews".

Ryan Andrews
Planning Manager



November 30, 2023

Washington State Boundary Review Board
Thurston County
2411 Chandler Court SW
Olympia, WA 98502

LACEY DRAHAM ROAD ANNEXATION

Dear Board Members:

Our firm represents the initiators of the Draham Road Annexation, which Notice of Intent (NOI) is being submitted by the City of Lacey. The initiators support the proposed annexation.

Further, the initiators recognize that the proposed annexation would create an unincorporated island of UGA surrounded by the City of Lacey, which may tempt the Board (or others) to invoke Board's jurisdiction in the matter.

Initiators respectfully request that members of the Board **not** seek to invoke the Board's jurisdiction as allowed by RCW 36.93.100(1). In support of this request, we offer the following analysis:

1. The initiators of the annexation included as large of an area within the proposed annexation as possible based on the annexation views of property owners in the area. It should be noted there are property owners within the area that are adamantly opposed to being annexed.
2. The city provides substantive analysis of the Board's Objectives within its NOI document, demonstrating that the annexation would further rather than hinder the Objectives the Board is asked to attempt to achieve. We note that RCW 36.93.180 directs that the Board "*shall **attempt to achieve the following objectives . . .***" As interpreted and decided by the Washington Supreme Court, a Board does not have to find an annexation meets every objective, but merely that a fair-minded person can be convinced that the annexation furthers the objectives more so than it hinders them. See *King County v. Wash. State Boundary Review Bd.*, 122 Wn.2d 648, 860 P.2d 1024, 1993 Wash. LEXIS 315 and *Leer v. Whatcom Boundary Review Bd.*, 91 Wn. App. 117, 957 P.2d 251, 1998 Wash. App. LEXIS 753, which latter case the Division I of the Washington Court of Appeals found that a fair-minded person should be convinced that "*overall, the objectives of RCW 36.93.180 would be furthered rather than hindered by approval of the proposed annexation.*" In sum, the NOI demonstrates that the annexation furthers the Objectives in RCW 36.93.180.
3. In further support of #2 above, the initiators specifically point out that the proposed annexation furthers the Objectives as follows:
 - a. First, as an overriding part of considering the Objectives in RCW 36.93.180, the Board must first account for RCW 36.93.157, which requires decisions to be consistent with the Growth Management Act. It states that:

*"The decisions of a boundary review board located in a county that is required or chooses to plan under RCW 36.70A.040 **must be consistent** with RCW 36.70A.020, 36.70A.110, and 36.70A.210."*

→ RCW 36.70A.020 contains the GMA's Planning Goals. As noted in the NOI, the annexation is consistent with these planning goals. We wish to emphasize the following:

- **Goal 1 – Urban Growth.** GMA requires that development be encouraged in urban areas where adequate public facilities and services exist or can be provided in an efficient

manner. The city has accepted the annexation petition and filed the NOI because it can provide the annexation area (and future development anticipated within it) with connections to water and sewer service consistent with city policy, which requires annexation prior to connection. The city has this policy in place to (a) ensure that services are extended only as the city has the available capacity to provide the services, (b) that services are provided efficiently for current and future growth, and (c) that development occurs consistent with city development standards, including engineering and design standards for its system.

- **Goal 12 – Public Facilities and Services.** GMA requires that public facilities and services necessary to support development be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels. Again, the proposed annexation is consistent with this goal as the city is better equipped to provide police and other services to the proposed annexation area, especially as the area develops. This is evidenced by the fact that the Thurston County Sheriff's Office has declared a staffing emergency based on having only 36 deputies to serve 150,000 people, resulting in response times of 30-45 minutes, and leading to the county deprioritizing handling calls for non-violent property crimes.

→ RCW 36.70A.110 includes key GMA provisions that prioritize having cities be the providers of urban services within UGAs. Specifically, we call attention to:

- Subsection (4) which states: *"In general, cities are the units of local government most appropriate to provide urban governmental services."*
- Subsections (2) and (7) which provides that urban growth areas can include unincorporated potential annexation areas and that cities have discretion in comprehensive plans allowing them to make choices about accommodating growth. In sum, GMA requires urban growth areas be large enough to accommodate future growth but allows cities the flexibility to annex these areas gradually based on their ability to provide the facilities and services (and levels of service) needed to serve future growth as it happens.

→ 36.70A.210 is the section of GMA that addresses Countywide Planning Policies. As mentioned in the city's NOI, the proposed annexation is consistent with the Countywide Planning Policies. Specifically, Policy 3.3 stipulates that the County and City will cooperate on annexations to ensure an orderly transfer of contiguous lands within growth areas into the adjoining city and that they will cooperate on an efficient and streamlined process for annexation. The proposed annexation is part of the city's efforts to orderly annex contiguous lands into the city as such time owners in those areas wish to be annexed.

- b. Objective 3 in RCW 36.93.180 asks the Board to consider both the creation and preservation of logical service areas, which the initiators believe is fulfilled by the proposed annexation because (i) the annexation area creates a logical extension of city utilities and services and (ii) simultaneously preserves an unincorporated area that is of a size and taxable valuation to reasonably and logically support the continued services provided by the county until such time as the city annexes that area.

→ This annexation provides the city and the adjacent owners within the remaining unincorporated area with more options for pursuing timely annexations in the future. Specifically, completion of this annexation would allow the city to have more than 80% of its boundary contiguous with the unincorporated area, which would permit the city (if it chooses) to pursue annexation by resolution in accordance with 35A.14.295. This annexation alternative is not presently possible.

- c. The initiators wish to further point out that Objectives (2), (3), (4) and (7) have historically been important to discourage cities from pursuing annexations that were purposefully drawn to include high value properties (like commercial shopping centers and industrial parks) while conveniently excluding residential areas. The present annexation proposal is the city's attempt to methodically act on annexations within its urban growth area as the annexations are brought forward by initiators and found to be practical.
4. The initiators concur with the NOI's identification that there are and have been unincorporated islands and unincorporated urban areas (unincorporated UGA areas bordered on all sides by city limits except for a portion that borders the rural area of the county). In each of those cases, the areas require county services (i.e., police services) that must typically travel through city boundaries. In sum, the proposed annexation and the unincorporated island it creates does not result in an abnormal or atypical outcome in respect to Thurston County, but it does support measured and logical progress being made by the city to annex its remaining unincorporated UGA areas.

Lastly, initiators wish to point out that if the Board were to invoke its own jurisdiction (or have jurisdiction invoked by a third-party), the Board must ultimately determine where to approve, modify, or disapprove the annexation proposal. Initiators contend that the NOI and the information presented in this letter clearly demonstrate that there is substantial evidence present to allow a fair-minded person to find that overall this annexation furthers rather than hinders the Objectives, especially in light of RCW 36.93.157 requiring consistency with GMA planning.

Thank you for your time and consideration. Should you have any questions, please do not hesitate to contact me at david@toyerstrategic.com or 425-344-1523.

Very Sincerely,

A handwritten signature in blue ink that reads "David K. Toyer". The signature is stylized and cursive.

David Toyer
President

NOTICE OF INTENTION

(Application for Annexation/Merger)

Thurston County Boundary Review Board

2411 Chandler Court SW, Olympia, WA 98502

360.741.2514 (Direct) | 360.956.7575 (Main) | 360.741.2545 (Fax)

Email: brbchiefclerk@trpc.org

Website: www.trpc.org/brb



SUBMITTAL REQUIREMENTS

Annexation: Original + 6 copies

CD containing all documents as separated .pdf format files

Waiver:Original + 8 copies

CD containing all documents as separated .pdf format files

1. Jurisdiction Requesting Annexation/Merger: [City of Lacey](#)

Responsible Official: [Ryan Andrews, Planning Manager](#)

Phone: [360.412.3190](tel:360.412.3190)

FAX: [N/A](#)

E-mail: randrews@ci.lacey.wa.us

2. If number of parcels is less than three, please list the owners: [See attached list of owners and parcels.](#)

3. Method used to initiate the proposed action: [Direct Petition Method \(60% method\) in RCW 35A.14.120](#)

4. Location (address, if assigned): [See petition for individual addresses.](#)

5. Legal Description. A copy of the legal description of the perimeter boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor (attach as a separate exhibit): [See attached.](#)

6. Size in Acres: [42.14 acres](#)

7. Assessed Valuation (attach Assessor's information): [\\$4,180,500](#)

8. Please state the nature of this action and the relevant statutory citation (i.e., annexation for municipal purposes pursuant to RCW 35.13.180): [Direct petition method annexation pursuant to RCW 35A.14.120 et. seq.](#)

9. Current Joint Plan Designation: **Moderate Density Residential, High Density Residential & Low Density Residential 0-4.**

10. Is the site currently served by sewer or water?

Sewer Water Neither

If no, specify services desired: **Water and sewer are desired in the area. The city anticipated future development proposals to request both services as mains exist nearby in 15th Avenue NE and the city requires annexation as a condition of connection.**

If sewer or water desired, include map showing location of nearest lines. **See attached maps showing the locations of water and sewer lines.**

11. When is extension of water and sewer service planned to the area: **Upon development, redevelopment, or failure of an existing system within the annexation area, sewer service is required to be extended in accordance with the city's development guidelines and public works standards. Water service would be extended based on customer request.**

12. Does this proposal affect any other interjurisdictional agreements?

Yes No

If yes, please list these agreements: **Not applicable.**

13. Does this proposal conform to adopted county-wide planning policies on annexation? **Yes. Specifically, the proposal complies with [note: relevant policy shown in bold]**

3.3 Cooperate on annexations in order to accomplish an orderly transfer of contiguous lands within growth areas into the adjoining cities and towns. Cooperate on developing a streamlined and efficient process for annexation, while maintaining appropriate environmental review.

The proposed annexation will allow for the orderly transfer of contiguous lands within the Lacey UGA, ultimately connecting two existing areas of the city limits. The process for this annexation is consistent with statute and is being processed a timely as is permitted.

4.3 The jointly adopted plan or zoning will serve as the basis for county planning decisions and as the pre-annexation comprehensive plan for the city to use when annexations are proposed.

The proposed annexation is consistent with the joint plan land use designations as agreed to between the city and county.

4.4 Each joint plan or zoning will include an agreement to honor the plan or zoning for a mutually agreeable period following adoption of the plan or annexation.

The city's exiting land use and zoning for the annexation area is consistent with the city-county joint plan. No changes are anticipated unless required by the forthcoming GMA mandated periodic update to the city's Comprehensive Plan.

6.2 Cooperatively explore a method to mitigate the fiscal impact on county government of annexation of significant developed commercial and industrial properties.

Not applicable. This annexation does not involve commercial or industrial properties.

14. Other specific Reason(s) for Annexation: The city requires annexation as a condition to connecting to the city's water and sewer utilities. The city received a petition from owners of not less than 10% of the area proposed for annexation which initiated the annexation process for a direct petition method annexation.

15. Explain how this proposal furthers the objectives of the Boundary Review Board (as applicable) (RCW 36.93.180) [attach additional pages if necessary] (Some of these items may not apply because of Growth Management Agreements.):

a. Preservation of natural neighborhoods and communities:

The proposed annexation area is underdeveloped and does not contain any existing neighborhoods.

However, the proposed annexation area consists of 42.14 acres of which the city anticipates development applications for ±31.28 acres (74%) of the area. Thus, by bringing these parcels into the city as a single annexation, future developments within this annexation area will be developed under the same design and other standards, which is likely to create future natural neighborhoods.

The annexation area did not include the Woodland Creek neighborhood to the east as this area has not previously expressed interest or support for annexation. And based on the location and assessed valuation of the annexation initiators, it was likely only a portion of the neighborhood could be included in the proposal. Thus, this neighborhood was left out of the current proposal to not divide the neighborhood.

The subject annexation creates a large island of unincorporated Thurston County surrounded by the city, but given the size of the unincorporated area and relative lack of development within the area, this is not anticipated to cause issues for the city or county to provide services.

However, a benefit to the annexation and the creation of this unincorporated island is that this provides an opportunity for the city to pursue annexation of this area via RCW 35A.14.296 (*annexation by interlocal agreement*), which would allow the city and county to reach agreement on future transportation improvements needed in that area or 35A.14.295 (*annexation by resolution of an unincorporated area*), which would be possible because the city would finally have a contiguous boundary with at least 80% of that future annexation area. Further, annexation may also continue in this area as new development is proposed, necessitating connection to city water/sewer services.

b. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours:

The subject annexation was planned to use Judd Street as the western boundary, 15th Ave NE as the southern boundary, the existing city limits at the northern boundary, and the Woodland Creek subdivision as the eastern boundary. Each of these are logical physical boundaries that clearly differentiate between incorporated and unincorporated areas.

- c. **Creation and preservation of logical service areas:** The City of Lacey already provides services to the south of the annexation area across 15th Avenue NE. Additionally, the city owns future park property (that is within the city limits) to the north of the subject annexation area. The city can logically provide water, sewer, police, and road/public works services to the annexation area given the location of existing city limits and city services.

Although the subject annexation would result in an unincorporated area surrounded by the city, the annexation does not create an illogical service area. Presently, the county must already travel through the cities of Olympia (to the west) or Lacey (to the north, south and east) to provide existing services to the area east of the proposed annexation. Because of the boundaries used, the areas served by the city and county can be clearly delineated.

Further, it should be noted that there are numerous unincorporated urban areas within the UGAs of Thurston County that are effectively surrounded by the city except for an area that abuts rural lands outside the UGA. In many of these cases, the county must provide services to those unincorporated urban areas by traveling through the city in question to reach the area (especially as in many cases there aren't county roads leading from the rural areas into these unincorporated areas). A few prominent examples include:

- southeast Tumwater along Old Highway 99
- south Tumwater east of Tilley Rd and north of 93rd Ave SE
- central Tumwater south of 83rd Ave SW, east of Kimmie St, west of Armstrong Rd, and north of 93rd Ave SE
- south Tumwater east of Interstate 5, south of the new Costco Distribution Center
- southwest Olympia, southwest of Interstate 5 along Kaiser Rd SW
- northwest Olympia along 5th Ave NW and Overhulse Rd NW
- north Olympia along Kaiser Rd NW
- Yelm east of Rhoton Rd SE, north of the city limits, and west and south of Canal Rd SE
- A strip of unincorporated Yelm UGA east of Cullens Rd SE, south of a parcel owned by the City of Centralia
- southcentral Tenino south of Old Highway 99 SE west of Nelson Lane/H Street, east of the plat of Hidden Meadow
- NE Rainer, east of Highway 507

- d. Prevention of abnormally irregular boundaries: The proposed annexation boundaries are not irregular as they follow existing parcel and neighborhood boundaries, incorporate their full rights-of-way along Judd Street NE and 15th Ave NE, are consistent with the existing length of Judd Street NE, and connect the existing city limits (south of 15th Ave NE) with the existing city limits (north of the annexation area).
- e. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas Not applicable.
- f. Dissolution of inactive special purpose districts: Not applicable.
- g. Adjustment of impractical boundaries: Not applicable. The proposed annexation area has practical, logical boundaries based on existing city limits and available city utilities.
- a. h. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character The proposed annexation area is within the Lacey UGA and is anticipated to develop at urban densities. The city and county have a joint plan, which the annexation is consistent with, and the annexation supports locating urban growth within cities (which are GMA's preferred providers of services). The proposed annexation is consistent with RCW 36.70A.110(4) which generally states that cities are the preferred providers of urban services within the UGAs and (7) which states that UGAs may be created which have unincorporated areas that are subject to future potential annexation.
- b. i. Protection of agricultural lands: Not applicable.

NOTE:

The Boundary Review Board can consider the following factors (RCW 36.93.170) in deciding whether a particular decision furthers the objectives stated above:

- 1. Population and territory*
- 2. Population density*
- 3. Land area and land use*
- 4. Comprehensive use plans and zoning*
- 5. Per capita assessed valuation*
- 6. Topography, natural boundaries and drainage basins, proximity to other populated areas*
- 7. The existence of prime agricultural soils and agricultural uses*
- 8. The likelihood of significant growth in the area and in adjacent incorporation and unincorporated areas during the next ten years*
- 9. Location and most desirable future location of community facilities*
- 10. Municipal services*
- 11. Need for municipal services*
- 12. Effect of ordinances, governmental codes, regulations and resolutions on existing uses*
- 13. Present cost and adequacy of governmental services and controls in area*
- 14. Prospects of governmental services from other sources*
- 15. Probable future needs for such services and controls*
- 16. Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area*
- 17. The effect of the finances, debt structure, and contractual obligations and rights of all affected governmental units*
- 18. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county*
- 19. Decisions of the Boundary Review Board must also be consistent with the Washington State Growth Management Act RCW 36.70A.020, 36.70A.110, and 36.70A.210.*

To assist the Board in reviewing the Factors in *RCW 36.93.170*, the Annexation Proponent submits the following additional information of which the :

POPULATION AND LAND USE

1. Current population and planning information:

Characteristics of Existing Entity				Characteristics of Proposed Annexation Area			
Existing		20-year Projection ¹		Existing ⁴		20-year Projection ¹	
59,430	People ²	60,110 ⁵	People	±18	People	±750	People
24,963	Residences ³	27,640 ⁶	Residences	7	Residences	±382	Residences
				N/A	Businesses	N/A	Businesses

2. What source is the basis for these projections? **See reference notes below.**
3. Acres of the existing entity: **12,176 Acres**
4. Acres of the proposed annexation area: **42.14 acres**
5. Assessed valuation of existing entity: \$12.5 Billion (approx.) Of proposed annexation area: **\$4,180,500**
6. Existing land uses of the proposed annexation area: **Vacant land and single-family residential homes.**
7. Existing land uses of the area surrounding the proposal: **Vacant land, as well as single-family and multiple-family residential development.**
8. Existing Comprehensive Plan designations for the proposed annexation area: **Moderate Density Residential (MDR) and High Density Residential (HDR)**
9. Comprehensive Plan designations for the area surrounding the proposal: **Moderate Density Residential (MDR), High Density Residential (HDR), and Low Density Residential (LDR).**
10. Existing zoning designation for the proposed annexation area: **High Density (HD), Moderate Density (MD) and Low Density 0-4 (LD 0-4).**
11. Zoning designation for the area surrounding the proposal: **The same mix of residential zoning is located in the area surrounding the proposed annexation.**
12. If the proposal is approved, will any changes to the zoning or the Comprehensive Plan

¹ Estimate based on land area, development applications, and UGA population target current planning period
² OFM April 1, 2023 Estimates
³ OFM Postcensal Estimate of Housing Units, Release Date April 1, 2023
⁴ Estimated based on area drive (businesses) and approximate housing unit count (aerial maps)
⁵ Thurston County Regional Planning Forecast for Year 2040 (Adopted 2018 based on current boundaries at that time)
⁶ Thurston County Regional Planning Forecast for Year 2040 (Adopted 2018 based on current boundaries at that time)

designations be required within the next 18 months? **Not because of annexation. However, the city is required to complete a periodic update of its Comprehensive Plan and development regulations by June 30, 2025.**

13. Has any portion of this area been previously reviewed by the Boundary Review Board? **No.**

MUNICIPAL SERVICES

The following provides information about services to the proposed annexation area.

Water Service

1. Existing provider of water: **No water service within the annexation area, but city has water main in 15th Ave NE abutting the property.**
2. Will the provider of water to the site change if the proposal is approved? **No.**
3. If the provider of water is proposed to be changed, is the annexation area included within their capital facilities plan? **Not applicable.**
4. Please describe the water source (i.e. water rights and wells) that will serve the annexation area. **The area is located within the City of Lacey Water Service Area and will be served by the municipal utility.**
5. Will additional water rights be necessary to serve the area? **No. The city has ample water rights and available capacity to serve the annexation area.**
6. Please describe the water mains that serve the property, including their location and diameter (attach a map if necessary). **An existing 12-inch water main is located in 15th Ave NE. Additionally, a 2-inch main is located in Judd Street, extending ±325 feet north from 15th Ave NE.**
7. Will additional water line capacity be necessary to accommodate the proposed annexation? **No.**
8. Will additional water pressure be necessary to serve the area? **No.**
9. Please describe any reservoirs/water storage facilities that will serve the site. **Site will be served by municipal wells and water storage facilities located in Northeast Lacey.**
10. Will additional storage capacity be necessary to accommodate the proposed annexation? **No.**
11. If additional capacity will be required to serve the annexation area (for water rights, water distribution, water storage, additional pressure, or other issues), please describe how and when these capacity increases will be provided. **Not applicable, additional capacity is not required as the result of annexation.**

Sewer Service

1. Existing provider of wastewater treatment: **City of Lacey**
2. Will the provider of wastewater treatment for the annexation area change if the proposal is approved? **No.**

3. If the provider of wastewater treatment is proposed to be changed, is the annexation area included within their capital facilities plan? **N/A.**
4. Will any additional wastewater treatment plant capacity be needed to accommodate the proposed annexation? **No.**
5. Please describe the wastewater treatment lines that serve the property, including the location and diameter (attach a map if necessary). **An existing 4-inch force main is located in 15th Ave NE. With the development of the Modera Apartments on the south side of 15th Avenue NE, gravity sewer is being made available to the area.**
6. Will additional wastewater treatment lines be necessary to accommodate the proposed annexation? **No.**
7. Will a lift station be required to serve the proposed annexation area? **No.**
8. If additional capacity will be required to serve the annexation area (for wastewater treatment lines, plants or lift stations), please describe how and when these capacity increases will be provided. **Not applicable.**

Fire Service

1. Existing provider of fire service: **Lacey Fire District 3**
2. Will the provider of fire service for the annexation area change if the proposal is approved? **No.**
3. Please describe the nearest station that will serve the proposed annexation area (and provide the station address). **Station 03-1 is nearest station 1231 Franz St SE and it is staffed 24/7/365. The station is located approximately 2.4 miles away and home to Battalion 31, Engine 31, Truck 31 and Medic 3.**
4. Will the response time increase or decrease as a result of the proposed annexation? **No change anticipated.**
5. Will the annexing agency require additional fire personnel or equipment to serve the proposed annexation area? **No. The area is already served by Lacey Fire District 3.**
6. If additional personnel or equipment will be required to deliver fire service, please describe how and when these capacity increases will be provided. **Not required.**

Police Service

1. Existing provider of police service: **Thurston County Sheriff**
2. Will the provider of police service for the annexation area change if the proposal is approved? **Yes.**
3. Who will be the provider of police services after annexation: **City of Lacey**
4. Will the annexing agency require additional police personnel or equipment to serve the proposed annexation area? **Not likely as a result of annexation, but future development in the annexation area may require additional personnel or equipment.**

5. If additional personnel or equipment will be required to provide police service, please describe how and when these capacity increases will be provided. **The city anticipates reviewing the staffing and equipment needs annually as part of its budget process which considered newly annexed areas, current population, and future population growth.**

ECONOMIC IMPACT

What are some of the revenue and cost implications anticipated from the annexation (i.e. additional tax revenues, added police service to serve area, etc.)?

The annexation area as it exists today will require minimal services and is expected to have little cost implications that are likely offset by tax and other revenues (e.g. state shared revenue, property taxes, sales tax on items purchased and delivered into the area, etc.). However, the city anticipates cost implications associated with some additional services that will need to be provided as the area develops (primarily police services, road maintenance, parks, etc.). By annexing the area prior to future development, the city ensures it will collect one-time revenues related to development, including real estate excise taxes, construction sales and use taxes, permit and inspection fees, impact fees, etc. Additionally, as development occurs the city's taxable valuation will increase, and the city will receive additional state shared revenues resulting from future residents within the annexation area.

What are some of the revenue and cost implications anticipated for junior taxing districts and other agencies as a result of the annexation? As part of the response, please note any infrastructure investments (i.e. roads, sewer, water, etc.) that have been previously made that are proposed to be annexed.

The proposed annexation will not affect junior taxing districts as these districts (e.g. Timberland Library System, North Thurston School District, Port of Olympia, PUD, etc. will be unchanged). The agency that will be minimally affected is Thurston County as they will no longer be able to collect taxes from one of their existing levies.

LOCAL REVIEW

1. Describe the environmental review process completed for the proposed action. Attach a copy of the SEPA checklist and determination if complete. **A SEPA checklist was not completed as no changes are proposed to the land use designations or zoning adopted by the city for this area.**

2. Describe how the proposal is consistent with the Growth Management Act (RCW 36.70A) (attach additional sheets if necessary). **The area is consistent with the Growth Management Act as follows:**

✓ **RCW 36.70A.020:**

- (1) **Urban Growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.**

This annexation will continue to encourage development (residential and economic development) in urban areas where adequate public facilities and services existing and/or can be provided in an efficient manner. Further, it ensures that this development will take place within a city, which is the preferred provider of urban levels of service per RCW 36.70A.110(7).

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

This annexation will facilitate the development of land within a designated urban growth boundary, which relieves pressures upon the conversion of undeveloped lands outside urban growth boundaries – an action which produces sprawling, low density development.

(3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

This annexation will support future development responsible for constructing frontage and certain intersection improvements along 15th Avenue NE.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

The annexation process by design encourages citizen participation as citizens (more specifically landowners) are the initiators of annexations. The city received the 10% petition and held a public meeting with the initiators as required by statute. Most of the property owners within the proposed annexation area were contacted directly by the initiators as they sought signatures for the 60% petition. Upon certification of the 60% petition, the city held a duly noticed public hearing at a regular city council meeting.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

GMA envisions cities as the appropriate providers of urban services. Annexation of the city's UGA is intended to allow the city to uniformly plan for the public facilities and services needed to serve the future residents and businesses within this growing area. This will ensure that there are public facilities and services in place at the time development is available for occupancy and use without decreasing levels of service below minimum standards.

✓ **RCW 36.70A.100 – Comprehensive Plans-Must Be Coordinated.**

The comprehensive plan of each county or city that is adopted pursuant to RCW 36.70A.040 shall be coordinated with, and consistent with, the comprehensive plans adopted pursuant to RCW 36.70A.040 of other counties or cities with which the county or city has, in part, common borders or related regional issues.

The proposed annexation is for land within a joint planning area, and the city and county have adopted consistent land use designations and zoning for the area. The annexation is consistent with the joint plan.

✓ **RCW 36.70.110 – Comprehensive Plans-Urban Growth Areas, including:**

- (4) In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.**

The proposed annexation ensures urban development within the city with the city providing water, sewer, and building inspections and services. Consistent with GMA, the city is the most appropriate governmental subdivision to review and permit urban levels of development, as well as to plan and provide for future urban levels of service.

3. Describe the outreach conducted with affected jurisdictions. Please provide a copy of any notices to the jurisdictions. **The public hearing on the 60% petition was duly noticed as required by statute. The city has had conversations with Thurston County in anticipation of this annexation.**

4. Describe the effect of the proposal on adjacent areas. **The proposal should not affect adjacent areas that are not in the UGA. Development at urban densities has been planned for within the UGA consistent with the joint plan and the annexation will not change the zoning or intensity of land uses.**

REQUIRED ATTACHMENTS:

SUBMITTAL REQUIREMENTS

Annexation: Original + 6 copies

CD containing all documents as separated .pdf format files

Waiver:Original + 8 copies

CD containing all documents as separated .pdf format files

THURSTON COUNTY BOUNDARY REVIEW BOARD:

- I. **Notice of Intention** (the Boundary Review Board’s Notice).
- II. **Maps** (*NOTE: Must have legends/Colored maps no larger than 11 x 17 inches are encouraged in pdf format and attachments.*)

The following maps must be submitted with all notices of intention:

- A. **Map of Entire City/Area.** No larger than 11 x 17 inches:
 1. The general vicinity of the proposal.
 2. The area proposed for annexation, highlighted in some manner.
 3. The boundaries of other cities near the annexation area (highlighted if not readily discernable).
 4. Major streets/roads identified.
 - B. **Assessor's Map** showing specific parcel(s) and immediate vicinity, (reduced copy is preferable). Valuable, but not required:
 1. Map showing parcel numbers for the proposal and immediate vicinity
 2. Map showing owner names for the proposal and immediate vicinity
 - C. **Physical Features.** One or more maps showing the following (when available):
 1. Dominant physical features such as lakes, creeks, and ravines
 2. Flood plain boundaries (100-year)
 3. Railroad lines
 4. All public roads near the annexation/merger
 5. Commercial agriculture lands (when this information is available)
 - D. **Service Area and Other Boundaries.** Map showing the proposed annexation and its relationship to the Urban Growth Boundary.
 - E. **Other Maps**
 1. Existing joint plan zoning.
 2. Location of water and sewer mains within proposed annexation, if any, and those nearby (any jurisdiction).
- III. **Filing Fee.** \$50.00 check made out to “Thurston Regional Planning Council”. (*Note: the fee will not be processed until the application is determined complete*)

IV. **Method of Annexation** (only one will apply)

1. Election Method: Complete copy of minutes of the meeting during which the City Resolution calling for annexation election is adopted or the city accepted the petition for election (certified if appropriate);

OR

2. Direct Petition Method:
 - a. Affidavit of publication of the initial public meeting notice.
 - b. Copy of minutes of the public meeting required in which the city accepts the proposed annexation.
 - c. A signed copy of the decision by the city accepting the proposed annexation. The Notice on Intent to annex needs to be filed with the Boundary Review Board within 180 days of the date when the city accepts the proposed annexation.
 - d. Affidavit of publication of the public hearing as required under RCW35A.14.130.
 - e. For non-city annexations, copies of the signed petitions for annexation with parcel numbers of the properties, which are represented by the signatures.
 - f. Copy of the Declaration of Petition Sufficiency from the Office of the Thurston County Assessor (see RCW 35.21.005(4) for non-code cities, or 35A.01.040(4) for code cities).

V. **SEPA Determination** (does not apply to city/town annexations per RCW 43.21C.222)



October 23, 2023

Ryan Andrews, Planning Manager
Community Development
City of Lacey
420 College St SE
Lacey, WA 98503

DRAHAM ROAD 60% PETITION FOR ANNEXATION

Dear Ryan:

Our firm represents the petitioners for the Draham Road annexation. Attached you will find signed petitions representing 62.55% of the annexation area as depicted (highlighted) on the attached map.

The contents attached include:

1. Original 10% petition (Three's Company).
2. Parcel outlining the properties which have signed the petition.
3. Spreadsheet showing the parcels, ownership, and valuation for each parcel within the annexation area.
4. Original map and legal description for the annexation area.
5. Original copies of the signed annexation petitions (includes the petition, copy of map & legal, and any documentation necessary to demonstrate under RCW 35A.01.040 the sufficiency of the petition signatures).

Please advise our firm as to the soonest date in which we can proceed to a public hearing on the 60% resolution.

Should you have any questions or require additional documentation, please do not hesitate to contact me.

Sincerely,

David Toyer
President

ORIGINAL 10% PETITION

NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS

The following owners of land do hereby certify that we are the owners of not less than 10% in value, according to assessed valuation for general taxation, of the following described property (as generally described on the attached exhibit and legal description) which is contiguous to the City of Lacey and hereby provide notice to the City Council of the City of Lacey of the landowners intent to commence annexation proceeding pursuant to Ordinance 510. Pursuant to Section 35A.14.120 of the Revised Code of Washington, the landowners request the Council to set a public meeting at which time this annexation proposal may be considered.

Exhibit and Legal Description (see attached)

Warning: Every person who signs this notice with any other that his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

<u>Property Owner</u>	<u>Signature</u>	<u>Date</u>	<u>Address</u>	<u>Acreage</u>	<u>Parcel No.</u>
Three's Company, LLC	<i>Bea D. Reas</i> Managing Member	6/3/2023	5216 NE 15 th Av	4.92	11809310100
Three's Company, LLC	<i>Bea D. Reas</i> Managing Member	6/3/2023	5228 NE 15 th Av	9.15	11809310600
Three's Company, LLC	<i>Bea D. Reas</i> Managing Member	6/3/2023	5224 NE 15 th Av	4.63	11809310700

I hereby certify that I have examined the above petition as well as the Assessor's rolls for the area described and I have determined that the petitioners are the owners of not less than 10% in value, according to the assessed valuation for general taxation, of the described area to be annexed.

In determining whether this petition contains the signatures of owners of not less than 10% in value according to the assessed valuation for general taxation purposes I have used the same method that the Thurston County Assessor would use to define assessed valuation for general taxation purposes as the date affixed below.

Signed this _____ day of _____, 20__

Director, Community & Economic Development Department

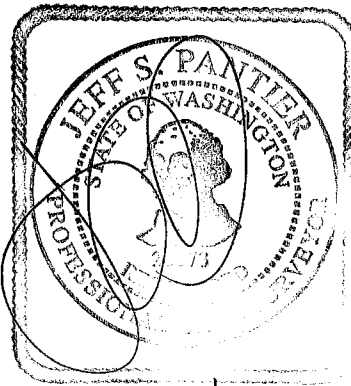
PARCEL OUTLINE

**ORIGINAL MAP & LEGAL
DESCRIPTION**

EXHIBIT "A"
DESCRIPTION OF
ANNEXATION AREA

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; TOGETHER WITH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTH 30.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; ALSO TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, BEING A TRIANGLE OF LAND, LYING WESTERLY OF THE EAST LINE OF LOTS 1, 2 AND 3 OF SHORT SUBDIVISION NO. SS 1563, AS RECORDED OCTOBER 23, 1980 UNDER AUDITOR'S FILE NO. 1126108, RECORDS OF THURSTON COUNTY, WASHINGTON.

(CONTAINING 42.14 ACRES)



Dec. 9, 2023

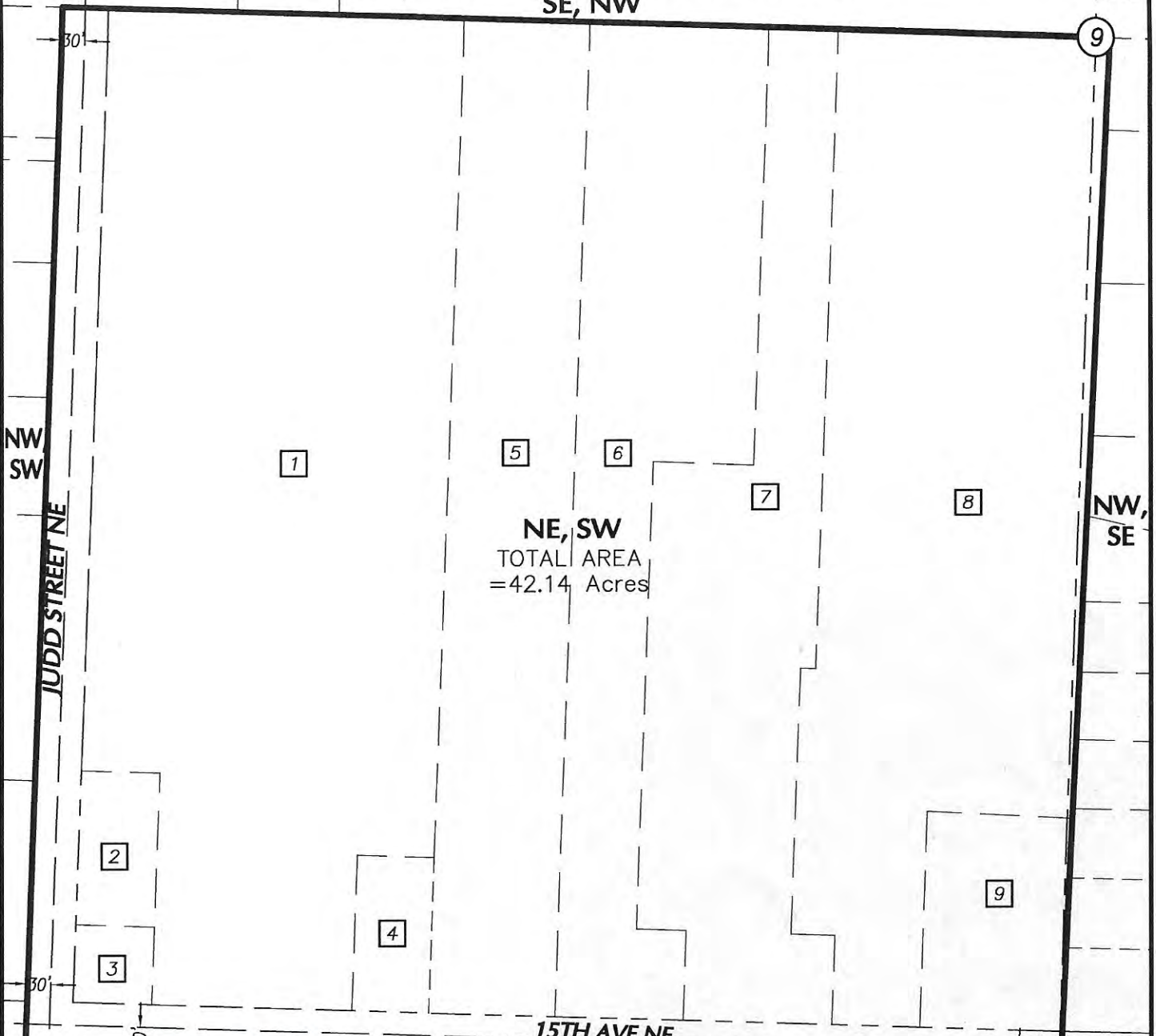
EXHIBIT "B"

DEPICTION OF ANNEXATION AREA

A PORTION OF THE SOUTHEAST QUARTER & THE SOUTHWEST QUARTER
OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.
SE, NW

SW,
NW

SW,
NE



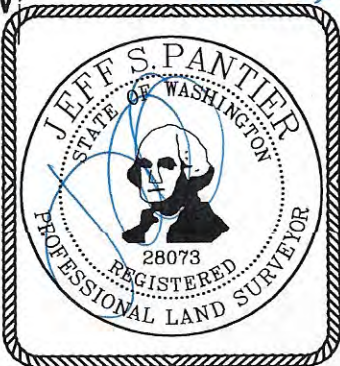
NE, SW
TOTAL AREA
= 42.14 Acres

SW,
SW

SE, SW

SW,
SE

9/24/2023



LEGEND

- 1 APN: 11809310400
- 2 APN: 11809310403
- 3 APN: 11809310404
- 4 APN: 11809310300
- 5 APN: 11809310200
- 6 APN: 11809310100
- 7 APN: 11809310700
- 8 APN: 11809310600
- 9 APN: 11809310500

SCALE: 1"=200 FEET



HATTON GODAT PANTIER

ENGINEERS AND SURVEYORS

3910 MARTIN WAY E, SUITE B
OLYMPIA, WA 98506

TEL: 360.943.1599 FAX: 360.357.6299

hattonpantier.com

EEP
14-097

PARCEL DATA SHEET

Parcel #	Owner Name	Mailing Address	City	State	Zip Code	Site Address	Site City	Site Zip	Acres	Total Value
11809310100	THREES COMPANY LLC	17403 162ND AVE SE	RENTON	WA	98058-9137	5216 NE 15TH AVE	OLYMPIA	98516	4.92	\$ 245,300.0
11809310200	CANFIELD, LINDA D	5118 15TH AVE NE	OLYMPIA	WA	98516	5118 NE 15TH AVE	OLYMPIA	98506	4.9	\$ 477,300.0
11809310300	GRIFFIN, BERNARD D	5044 15TH AVE NE	OLYMPIA	WA	98506	5044 NE 15TH AVE	OLYMPIA	98506	0.46	\$ 327,900.0
11809310400	DALTON CROSSING LLC	13123 GRAYSTONE AVE	NORWALK CA		90650	1630 JUDD ST NE	OLYMPIA	98516	12.58	\$ 876,300.0
11809310403	OVERTON, DAVID W	5408 SOUTH BAY TER NE	OLYMPIA	WA	98516	1512 JUDD ST NE	OLYMPIA	98516	0.61	\$ 632,700.0
11809310404	GALLIVAN PROPERTIES LLC	1705 DOCK ST # 131	TACOMA	WA	98402	1504 JUDD ST NE	OLYMPIA	98516	0.23	\$ 228,800.0
11809310500	MCVEY, ROSEMARY C	5346 15TH AVE NE	OLYMPIA	WA	98516	5346 15TH AVE NE	OLYMPIA	98516	1.17	\$ 531,800.0
11809310600	THREES COMPANY LLC	17403 162ND AVE SE	RENTON	WA	98058-9137	5228 NE 15TH AVE	OLYMPIA	98516	9.15	\$ 616,900.0
11809310700	THREES COMPANY LLC	17403 162ND AVE SE	RENTON	WA	98058-9137	5224 NE 15TH AVE	OLYMPIA	98516	4.63	\$ 243,500.0
									38.65	\$ 4,180,500.0

Signed: \$2,614,700.0
62.55%

THREE'S COMPANY

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON
420 College Street SE, Lacey, WA 98503

We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Lacey, Washington, but contiguous thereto and designated as part of the Lacey urban growth boundary.

We, the undersigned, owning in excess of 60% of the current assessed value of the properties within the area depicted by the maps and legal descriptions attached hereto as Exhibits A & B, do hereby petition the City Council of Lacey to annex this area into the City's corporate limits pursuant to RCW 35A.14.120, using the pre-designated zoning and comprehensive plan land use designation subject to the following condition(s):

- a. The annexation area, if annexed, shall be required to assume it's proportionate share of the general indebtedness of the City of Lacey at the time of the effective date of such annexation.
- b. The annexation area shall retain the city land use and zoning designations of High Density Residential, which have previously be established by the City and Thurston County as part of the city-county joint planning.

This petition along with its exhibits shall be presented together as one document. Multiple copies of the petition may be circulated and thenceforth filed, each which may be signed separately, but together constituting the signatures of those owners of more than 60% of the assessed value of the annexation area.

NOTE: READ BEFORE SIGNING

The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.

- In case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse.
- In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient without the signature of his or her spouse.
- Any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
- When property stands in the name of a deceased person or any person for whom a guardian has been appointed the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
- When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.
- Names of the petitioners should be in identical form as the same appear of record in the chain of title to the real estate.

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310600	<i>Ben Reas</i> <i>Managing Member of</i> <i>THREES Company</i>	<i>9/29/23</i>	5228 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$616,900	9.15

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation
PAGE 2

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310100	<i>Bea Peas Managing Member of Threes Company</i>	<i>9/29/23</i>	5216 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$245,300	4.92
11809310700	<i>Bea Peas Managing Member of Threes Company</i>	<i>9/29/23</i>	5224 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$243,500	4.63
11809310400			1630 JUDD ST NE, OLYMPIA 98516	DALTON CROSSING, LLC	\$876,300	12.58
11809310404			1504 JUDD ST NE, OLYMPIA 98516	GALLIVAN PROPERTIES LLC	\$228,800	0.23
11809310200			5118 NE 15TH AVE, OLYMPIA 98516	LINDA CANFIELD	\$477,300	4.90
11809310300			5044 NE 15TH AVE, OLYMPIA 98516	BERNARD GRIFFIN	\$327,900	0.46
11809310403			1512 JUDD ST NE, OLYMPIA 98516	DAVID OVERTON	\$632,700	0.61
11809310500			5346 15TH AVE NE, OLYMPIA 98516	ROSEMARY MCVEY	\$531,800	1.17

AFFIDAVIT BY CORPORATE OFFICER BEFORE NOTARY

STATE OF WASHINGTON
(NAME OF STATE)

COUNTY OF KING
(NAME OF COUNTY)

Personally appeared before me, the undersigned authority in and for said county and state,
BRIAN D. REAS, who having been being first duly sworn by the undersigned Notary Public,
(Name of Person Signing the Affidavit)

affirms that he/she is the MANAGING MEMBER of THREES COMPANY, a
(Title. Ex: Director, Agent, Officer, etc.) (Name of Entity)

LLC organized under the laws of WASHINGTON, with its principal office
(Type of Entity. Ex: company, corporation, etc.) (State)

located at: 17403 162ND AVE SE, RENTON, WA, and in whose behalf he/she is duly
(Address of Entity's Principal Office)

authorized to execute deeds and encumbrances, including annexation petitions on behalf of said

LLC Brian D. Reas, Managing Member
(Type of Entity)

STATE OF Washington
(NAME OF STATE)

COUNTY OF King
(NAME OF COUNTY)

I certify that I know or have satisfactory evidence that Brian D. Reas is the person
(Name of Person Signing Affidavit)

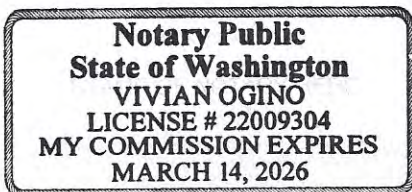
who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath

stated that (he/she) was authorized to execute the instrument, and acknowledged that as the

Managing Member of Threes Company to be the free and voluntary
(Title) (Name of Entity)

act of such party for the uses and purposes mentioned in the instrument.

Dated: June 3rd, 2023



Printed Name: Vivian Oginio

Signature: [Signature]

My Commission Expires: 3/14/2026

EXHIBIT "A"
DESCRIPTION OF
ANNEXATION AREA

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; TOGETHER WITH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTH 30.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; ALSO TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING WESTERLY OF THE EAST LINE OF LOTS 1, 2 AND 3 OF SHORT SUBDIVISION NO. SS 1563, AS RECORDED OCTOBER 23, 1980 UNDER AUDITOR'S FILE NO. 1126108, RECORDS OF THURSTON COUNTY, WASHINGTON.

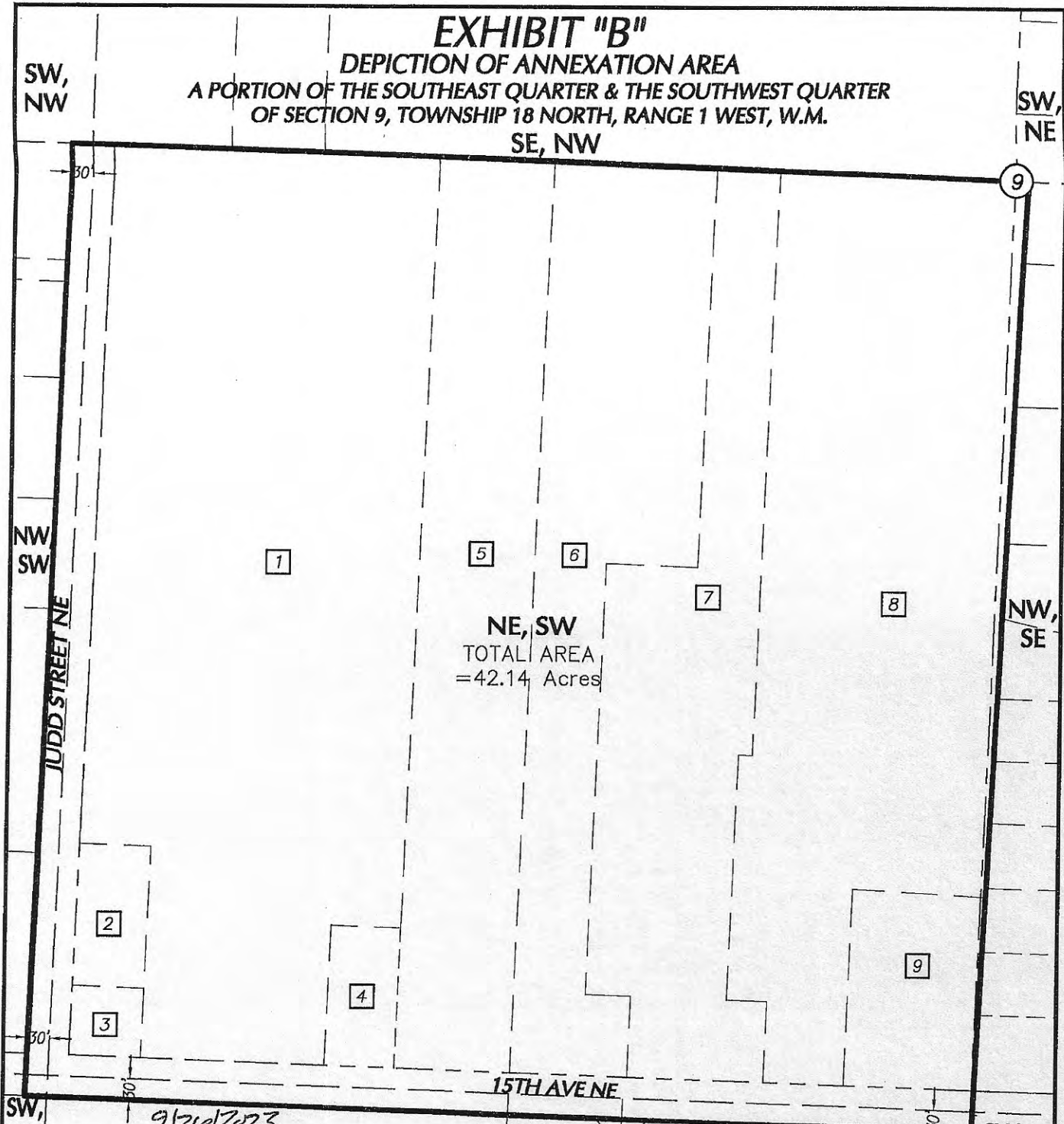
(CONTAINING 42.14 ACRES)



9/26/2023

EXHIBIT "B"

DEPICTION OF ANNEXATION AREA
A PORTION OF THE SOUTHEAST QUARTER & THE SOUTHWEST QUARTER
OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.
SE, NW



NE, SW
TOTAL AREA
= 42.14 Acres

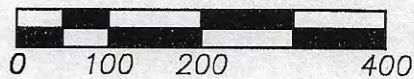
9/24/2023



LEGEND

- 1 APN: 11809310400
- 2 APN: 11809310403
- 3 APN: 11809310404
- 4 APN: 11809310300
- 5 APN: 11809310200
- 6 APN: 11809310100
- 7 APN: 11809310700
- 8 APN: 11809310600
- 9 APN: 11809310500

SCALE: 1"=200 FEET



HATTON GODAT PANTIER

ENGINEERS AND SURVEYORS

3910 MARTIN WAY E, SUITE B

OLYMPIA, WA 98506

TEL: 360.943.1599 FAX: 360.357.6299

hattonpantier.com

14-097 ^{EEP}

DALTON CROSSING

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON
420 College Street SE, Lacey, WA 98503

We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Lacey, Washington, but contiguous thereto and designated as part of the Lacey urban growth boundary.

We, the undersigned, owning in excess of 60% of the current assessed value of the properties within the area depicted by the maps and legal descriptions attached hereto as Exhibits A & B, do hereby petition the City Council of Lacey to annex this area into the City's corporate limits pursuant to RCW 35A.14.120, using the pre-designated zoning and comprehensive plan land use designation subject to the following condition(s):

- a. The annexation area, if annexed, shall be required to assume its proportionate share of the general indebtedness of the City of Lacey at the time of the effective date of such annexation.
- b. The annexation area shall retain the city land use and zoning designations of High Density Residential, which have previously been established by the City and Thurston County as part of the city-county joint planning.

This petition along with its exhibits shall be presented together as one document. Multiple copies of the petition may be circulated and thenceforth filed, each which may be signed separately, but together constituting the signatures of those owners of more than 60% of the assessed value of the annexation area.

NOTE: READ BEFORE SIGNING

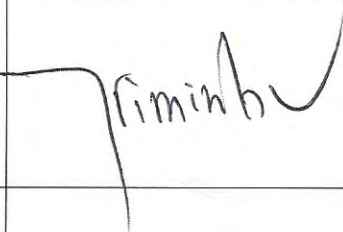
The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.

- In case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse.
- In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient without the signature of his or her spouse.
- Any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
- When property stands in the name of a deceased person or any person for whom a guardian has been appointed the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
- When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.
- Names of the petitioners should be in identical form as the same appear of record in the chain of title to the real estate.

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310600			5228 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$616,900	9.15

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation
PAGE 2

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310100			5216 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$245,300	4.92
11809310700			5224 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$243,500	4.63
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11809310500			5346 15TH AVE NE, OLYMPIA 98516	ROSEMARY MCVEY	\$531,800	1.17

AFFADAVIT OF AUTHORITY TO SIGN ANNEXATION PETITION

STATE OF California
(NAME OF STATE)

COUNTY OF Orange
(NAME OF COUNTY)

I, Tri Minh Vo, having been being first duly sworn by the undersigned Notary Public, affirms that I am a MANAGER of DALTON CROSSING, LLC, a limited liability company organized under the laws of Washington State, which entity's principal office is located at: 324 West Bay Dr. NW, Ste# 201, Olympia, WA, UNITED STATES, and I have authorization to execute deeds and encumbrances, including annexation petitions on behalf of said limited liability company.

Tri Minh Vo 9/26/2023
Signature

STATE OF _____
(NAME OF STATE)

COUNTY OF _____
(NAME OF COUNTY)

I certify that I know or have satisfactory evidence that _____ is the person
(Name of Person Signing Affidavit)
who appeared before me, and said person acknowledged that (he/she) signed this instrument after being administered an oath, stating that (he/she) is authorized to execute the instrument as the _____ of _____, to be the free and voluntary
(Title) (Name of Entity)
act of such party for the uses and purposes mentioned in the instrument.

Dated: _____ *SEE ATTACHED ALL-PURPOSE ACKNOWLEDGMENT*

Printed Name: _____
Signature: _____
My Commission Expires: _____

ALL-PURPOSE ACKNOWLEDGMENT

AFFADAVIT OF AUTHORITY TO SIGN ANNEXATION PETITION

Title of Document: _____

Date of Document: SEPTEMBER 26, 2023

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of ORANGE)ss.

On 09/26/2023 before me, TERRY TRAN, Notary Public,
personally appeared TRI MINH VO

who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



FOR NOTARY STAMP

EXHIBIT "A"
DESCRIPTION OF
ANNEXATION AREA

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; TOGETHER WITH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTH 30.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; ALSO TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING WESTERLY OF THE EAST LINE OF LOTS 1, 2 AND 3 OF SHORT SUBDIVISION NO. SS 1563, AS RECORDED OCTOBER 23, 1980 UNDER AUDITOR'S FILE NO. 1126108, RECORDS OF THURSTON COUNTY, WASHINGTON.

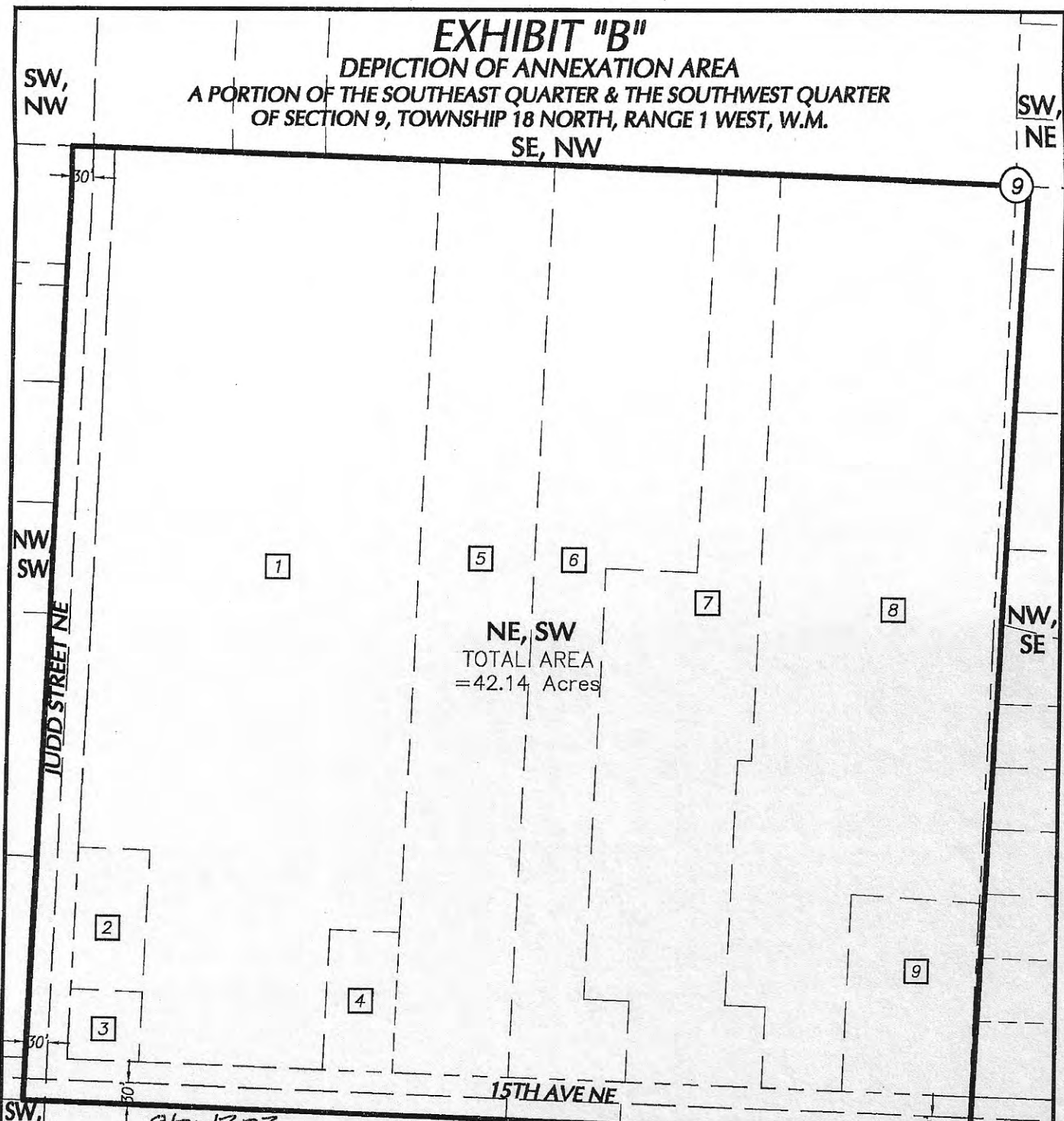
(CONTAINING 42.14 ACRES)



9/26/2023

EXHIBIT "B"

DEPICTION OF ANNEXATION AREA
 A PORTION OF THE SOUTHEAST QUARTER & THE SOUTHWEST QUARTER
 OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.
 SE, NW



NE, SW
 TOTAL AREA
 = 42.14 Acres

9/24/2023



LEGEND

- 1 APN: 11809310400
- 2 APN: 11809310403
- 3 APN: 11809310404
- 4 APN: 11809310300
- 5 APN: 11809310200
- 6 APN: 11809310100
- 7 APN: 11809310700
- 8 APN: 11809310600
- 9 APN: 11809310500

SCALE: 1"=200 FEET



HATTON GODAT PANTIER

ENGINEERS AND SURVEYORS

3910 MARTIN WAY E, SUITE B

OLYMPIA, WA 98506

TEL: 360.943.1599 FAX: 360.357.6299

hattonpantier.com

14-097 ^{EEP}

OVERTON

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON
420 College Street SE, Lacey, WA 98503

We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Lacey, Washington, but contiguous thereto and designated as part of the Lacey urban growth boundary.

We, the undersigned, owning in excess of 60% of the current assessed value of the properties within the area depicted by the maps and legal descriptions attached hereto as Exhibits A & B, do hereby petition the City Council of Lacey to annex this area into the City's corporate limits pursuant to RCW 35A.14.120, using the pre-designated zoning and comprehensive plan land use designation subject to the following condition(s):

- a. The annexation area, if annexed, shall be required to assume its proportionate share of the general indebtedness of the City of Lacey at the time of the effective date of such annexation.
- b. The annexation area shall retain the city land use and zoning designations of High Density Residential, which have previously been established by the City and Thurston County as part of the city-county joint planning.

This petition along with its exhibits shall be presented together as one document. Multiple copies of the petition may be circulated and thenceforth filed, each which may be signed separately, but together constituting the signatures of those owners of more than 60% of the assessed value of the annexation area.

NOTE: READ BEFORE SIGNING

The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.

- In case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse.
- In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient without the signature of his or her spouse.
- Any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
- When property stands in the name of a deceased person or any person for whom a guardian has been appointed the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
- When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.
- Names of the petitioners should be in identical form as the same appear of record in the chain of title to the real estate.

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310600			5228 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$616,900	9.15

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

CITY OF LACEY, WASHINGTON
60% Petition to Commence Annexation
PAGE 2

PARCEL	SIGNATURE	DATE	SITE ADDRESS	OWNER	VALUE	ACRES
11809310100			5216 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$245,300	4.92
11809310700			5224 NE 15TH AVE, OLYMPIA 98516	THREES COMPANY LLC	\$243,500	4.63
11809310400			1630 JUDD ST NE, OLYMPIA 98516	DALTON CROSSING, LLC	\$876,300	12.58
11809310404			1504 JUDD ST NE, OLYMPIA 98516	GALLIVAN PROPERTIES LLC	\$228,800	0.23
11809310200			5118 NE 15TH AVE, OLYMPIA 98516	LINDA CANFIELD	\$477,300	4.90
11809310300			5044 NE 15TH AVE, OLYMPIA 98516	BERNARD GRIFFIN	\$327,900	0.46
11809310403	<i>David Overton</i>	<i>10/16/2023</i>	1512 JUDD ST NE, OLYMPIA 98516	DAVID OVERTON	\$632,700	0.61
11809310500			5346 15TH AVE NE, OLYMPIA 98516	ROSEMARY MCVEY	\$531,800	1.17

EXHIBIT "A"
DESCRIPTION OF
ANNEXATION AREA

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; TOGETHER WITH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, ALSO TOGETHER WITH THE EAST 30.00 FEET OF THE NORTH 30.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; ALSO TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING WESTERLY OF THE EAST LINE OF LOTS 1, 2 AND 3 OF SHORT SUBDIVISION NO. SS 1563, AS RECORDED OCTOBER 23, 1980 UNDER AUDITOR'S FILE NO. 1126108, RECORDS OF THURSTON COUNTY, WASHINGTON.

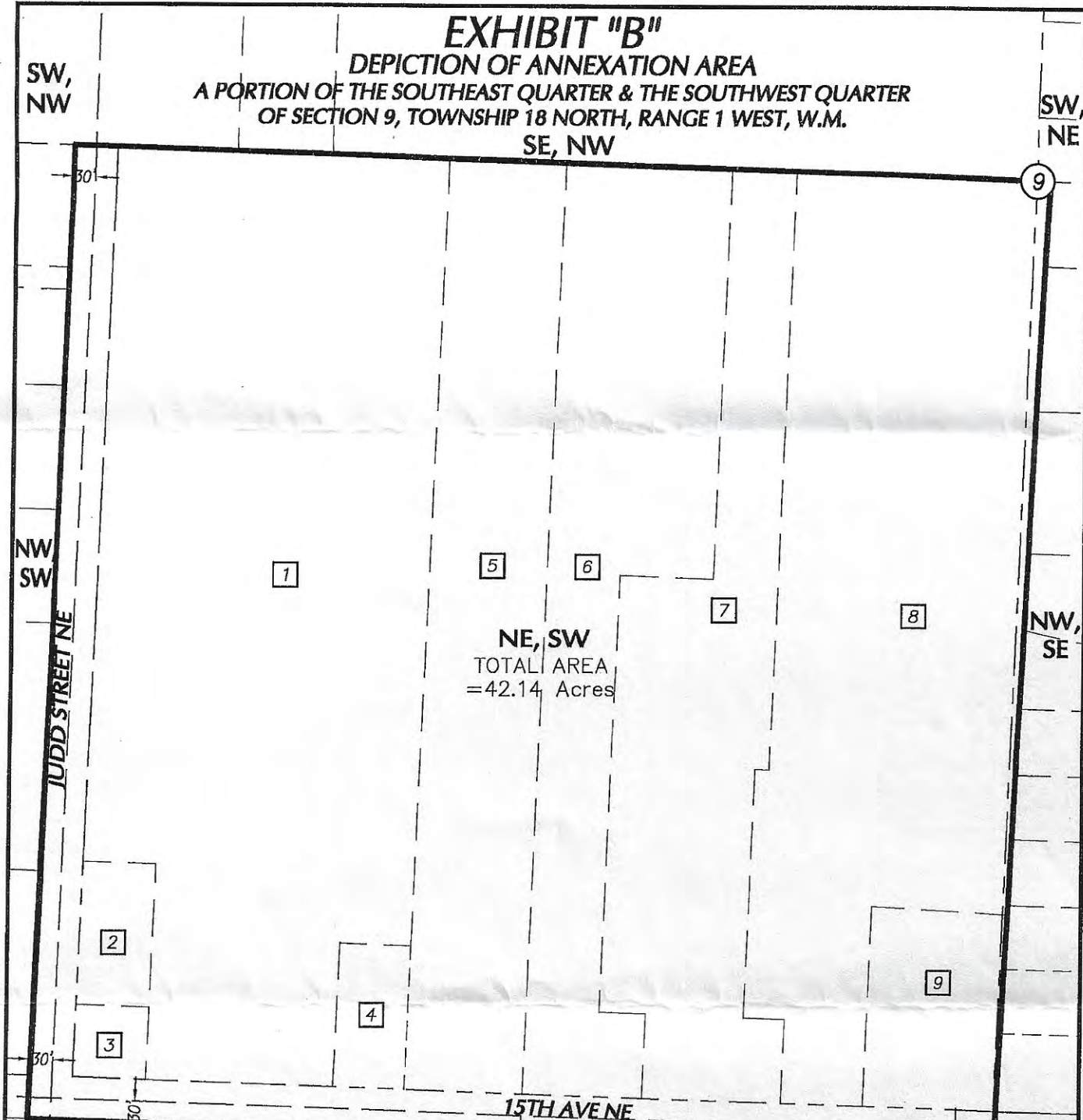
(CONTAINING 42.14 ACRES)



9/24/2023

EXHIBIT "B"

DEPICTION OF ANNEXATION AREA
 A PORTION OF THE SOUTHEAST QUARTER & THE SOUTHWEST QUARTER
 OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.
 SE, NW



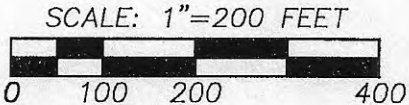
NE, SW
 TOTAL AREA
 = 42.14 Acres

9/24/2023



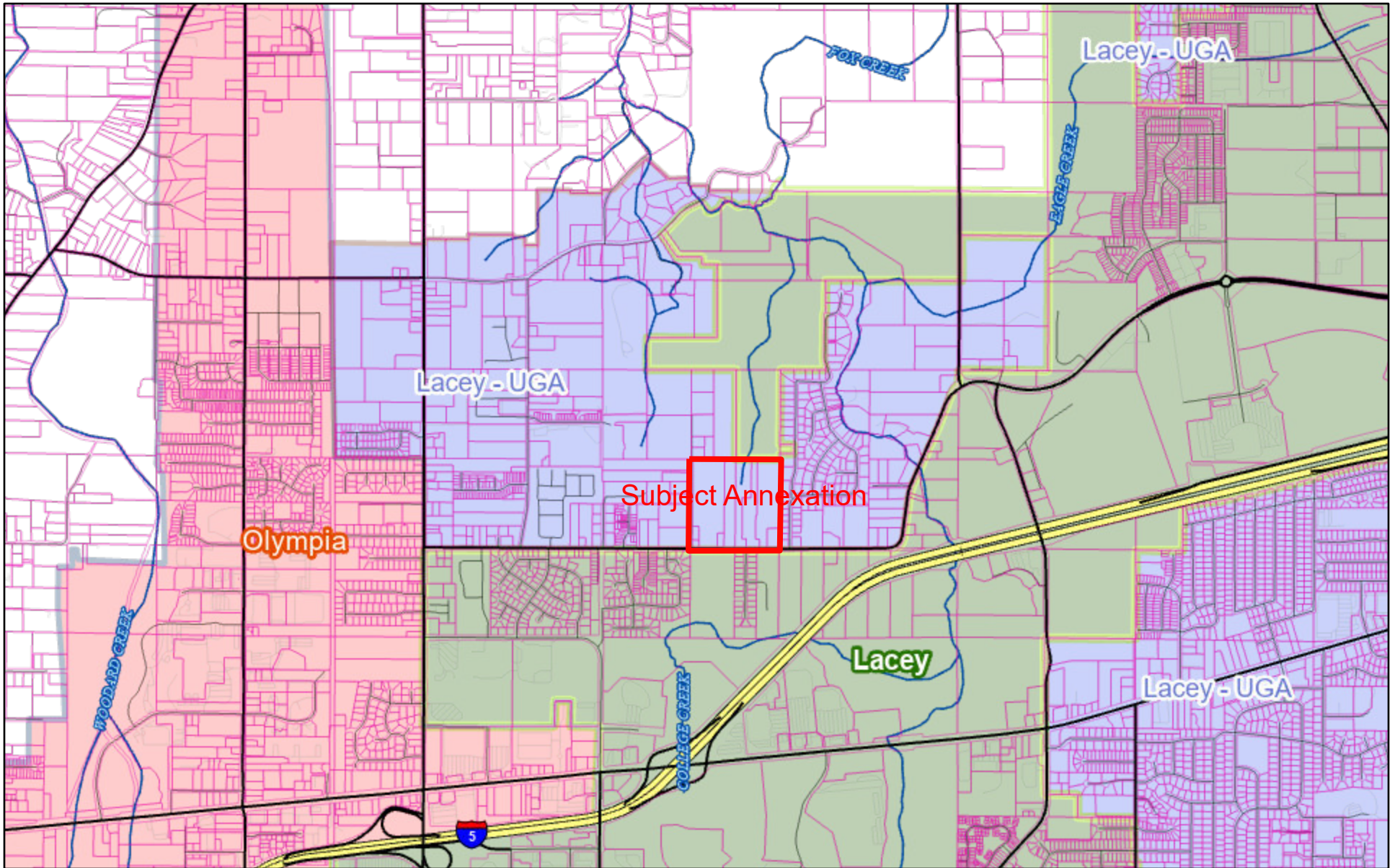
LEGEND

- 1 APN: 11809310400
- 2 APN: 11809310403
- 3 APN: 11809310404
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- 5 APN: 11809310200
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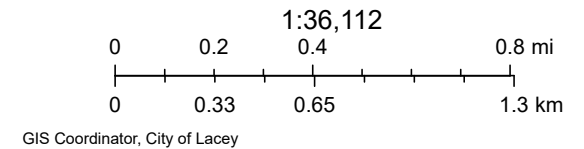
HATTON GODAT PANTIER
 ENGINEERS AND SURVEYORS
 3910 MARTIN WAY E, SUITE B
 OLYMPIA, WA 98506
 TEL: 360.943.1599 FAX: 360.357.6299
 hattonpantier.com 14-097

Draham Road Annexation Vicinity Map

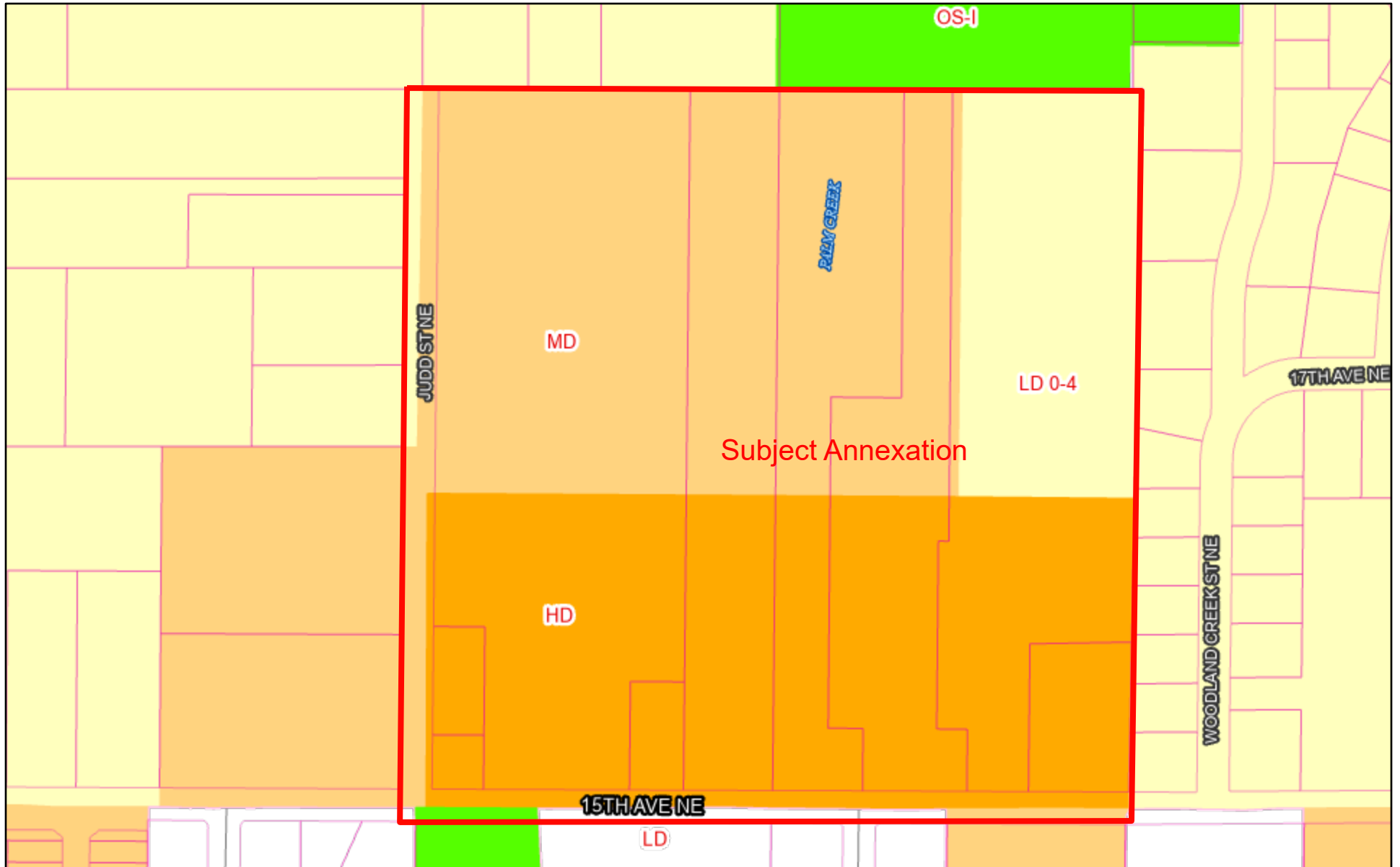


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- | | | | |
|-------------|---------------|-------------|--------------------|
| Olympia | Stream | Major Roads | Lacey Area Parcels |
| UGA | Lacey Streets | Minor Roads | |
| City Limits | Interstate 5 | Unnamed | |



Draham Road Annexation Zoning



11/3/2023, 10:22:14 AM

Lacey Zoning

LD 0-4 Low Density Residential

MD Moderate Density Residential

HD High Density Residential

OS-I Open Space Institutional

<all other values>

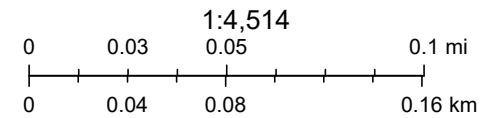
Stream

Lacey Streets

Major Roads

Minor Roads

Lacey Area Parcels



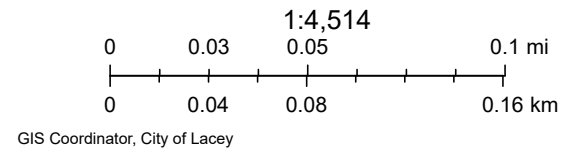
GIS Coordinator, City of Lacey

Draham Road Annexation Aerial Photo

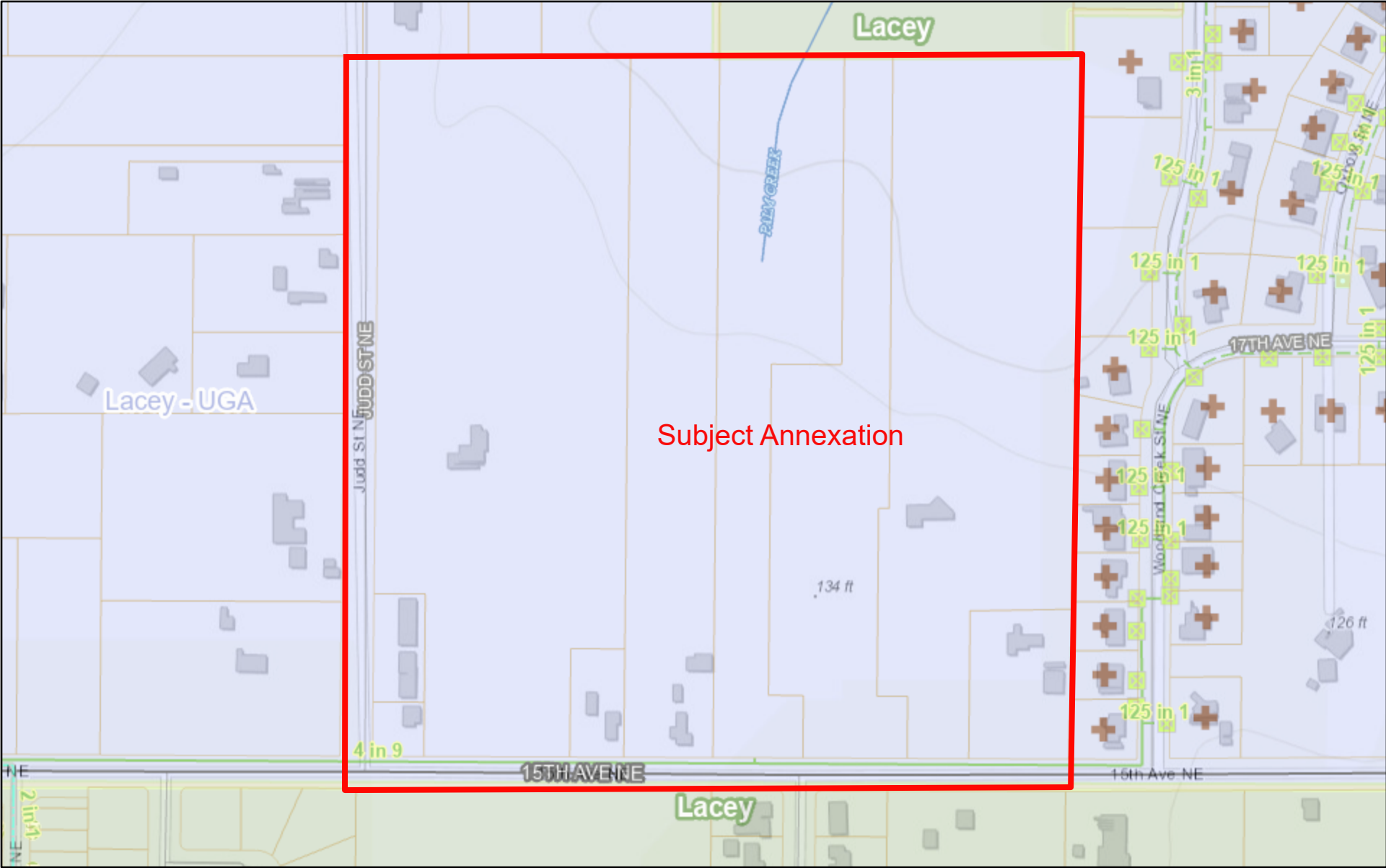


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- Stream
- Lacey Streets
- Minor Roads
- Major Roads
- Lacey Area Parcels

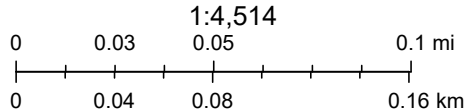


Draham Road Annexation Sewer



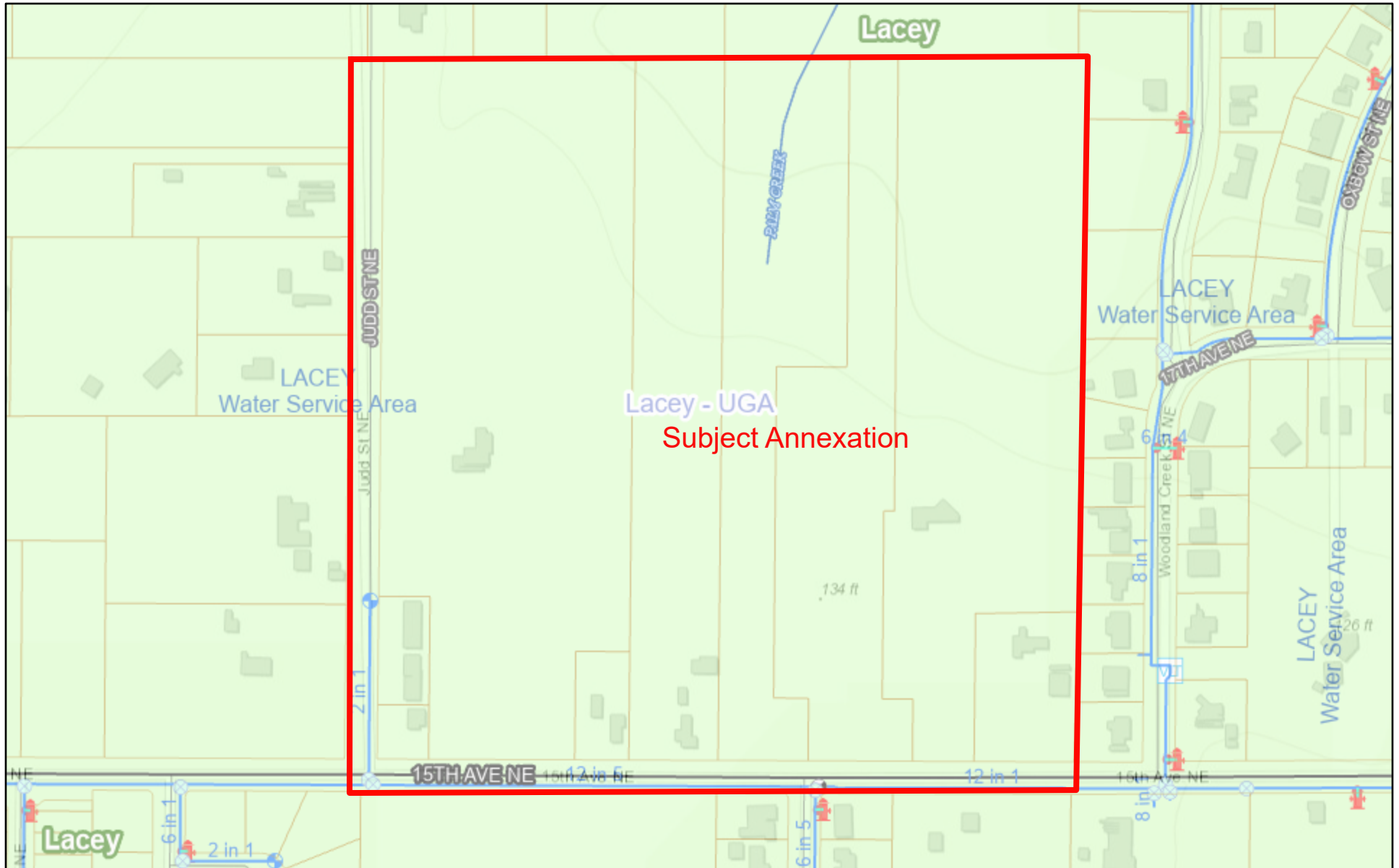
11/3/2023, 10:42:37 AM

- + Steps
- STEP Main, COL
- Force Main, COL
- Gravity Main, COL
- <all other values>
- Equipment
- * Cleanout, COL
- Pig Launch, COL
- Sewer Facility
- STEP, COL
- ▼ Grinder, PVT/Other
- Lacey Area Parcels
- UGA
- City Limits
- Stream
- Lacey Streets
- Major Roads
- Minor Roads



GIS Coordinator, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Draham Road Annexation Water



11/3/2023, 10:30:33 AM

Fire Facilities

- Hydrant
- Hydrant Valve

Water Facilities

- Pressure Regulating Vault
- Water Mains
- Main, COL

Spool, COL

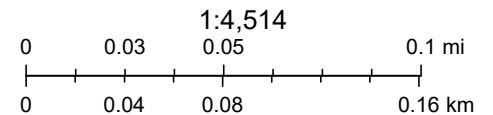
- Water Valves
- Blow Off
- Butterfly

Gate Valve

- Water Service Areas
- LACEY
- Lacey Area Parcels

UGA

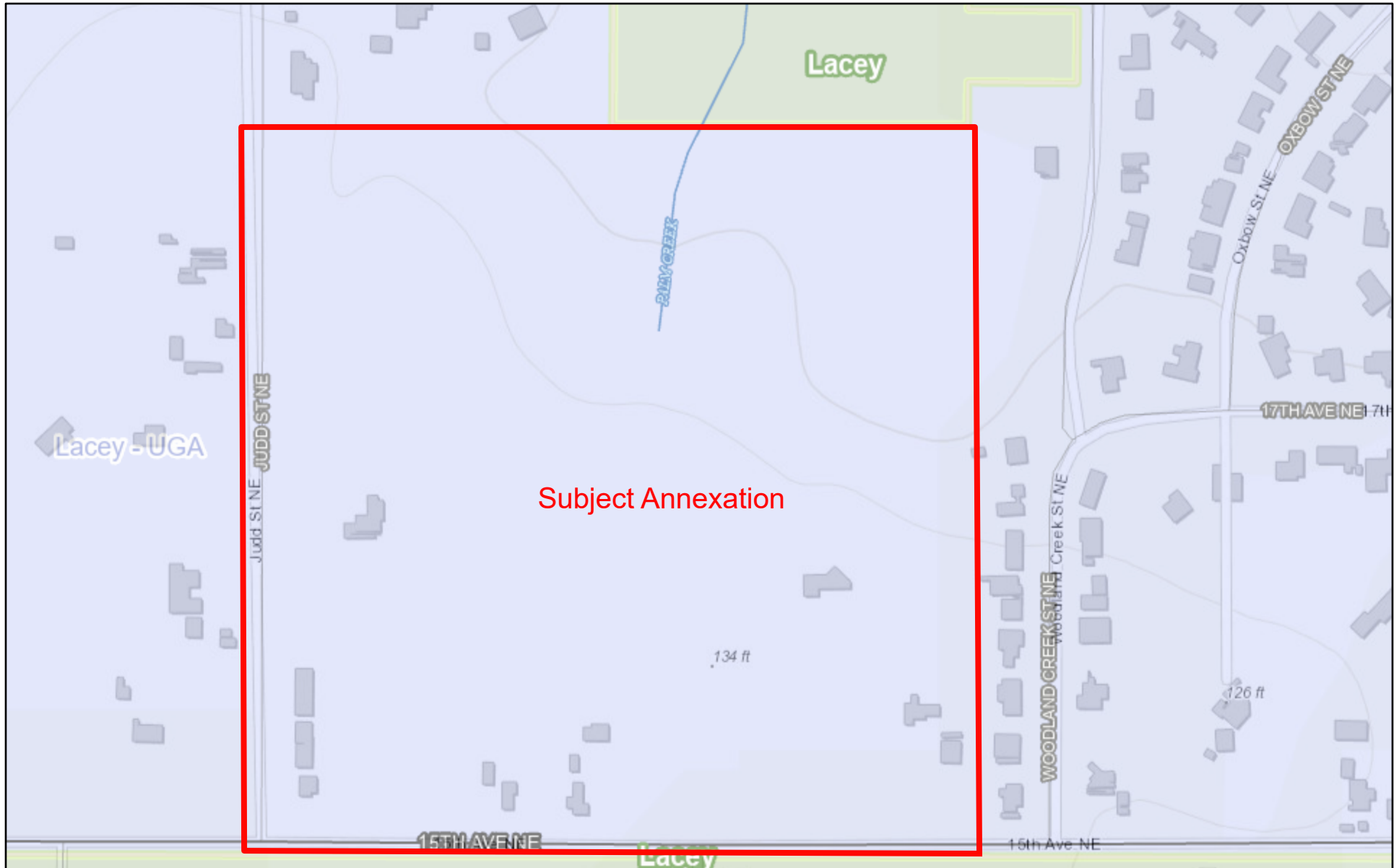
- City Limits
- Stream



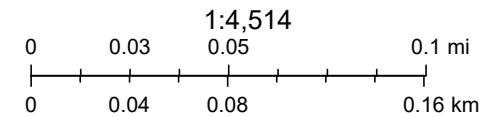
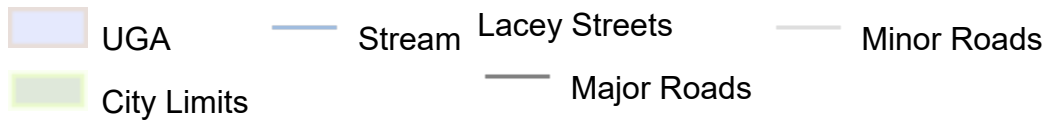
GIS Coordinator, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

Draham Road Annexation Physical Features Map



12/1/2023, 9:39:04 AM



GIS Coordinator, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

UTILITIES COMMITTEE MINUTES
JULY 3, 2023
12:00 P.M. – 12:22 P.M.
REMOTE AND IN PERSON ATTENDANCE

To hear the complete meeting or to listen to a specific topic, please watch the recorded meeting available on the City of Lacey's Public Meeting Portal: <https://laceywa.portal.civicclerk.com>

COUNCIL PRESENT: COUNCILMEMBERS KUNKEL (CHAIR), STEADMAN, AND COX (REMOTE)

STAFF PRESENT: RICK WALK, GRANT BECK, PETER BROOKS, RYAN ANDREWS, AND
TABETHA RESTOULE

ACTION: APPROVE UTILITIES COMMITTEE AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS STEADMAN
AND COX.

DRAHAM ROAD ANNEXATION

STAFF: RYAN ANDREWS, PLANNING MANAGER

ACTION: RECOMMEND TO THE FULL COUNCIL THAT A RESOLUTION BE APPROVED TO
PROCEED WITH THE PROPOSED DRAHAM ROAD ANNEXATION PROPOSAL
UTILIZING THE UNINCORPORATED ISLAND METHOD (RCW 35A.14.295).

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS STEADMAN
AND COX.

The City has received a notice of intent to commence annexation proceedings filed by Three's Company LLC. The filing of the notice is the first step in the annexation process under the petition method (RCW 35A.14.120), which requires a petition filed by property owners representing a minimum of 10% of the valuation of the area proposed for annexation. The City has verified that the ownership does comprise a minimum of more than 10% of the assessed valuation for general taxation purposes of the properties for which annexation is requested.

The area proposed for annexation is primarily located within the Pleasant Glade Planning Area and within the Lacey Urban Growth Area west of Judd Street SE, north of 15th Avenue NE/Draham Road NE, south of the existing Cuoio Park boundary and west of the existing city limits boundary. The area includes 189 tax parcels totaling approximately 210 acres. The area also includes critical areas and their buffers primary associated with Woodland and Eagle Creek. The 2022-2023 assessed value of the proposed annexation area is \$55,927,000.

The annexation area contains two projects with vested land use approvals. Upon annexation, the land use approvals for these projects would be transferred to the City of Lacey and final design, permits, and construction would occur in the city.

The area proposed for annexation is a logical extension of the city limits and would not create any islands or illogical boundaries.



STEVEN J. DREW
Assessor

OFFICE OF THE ASSESSOR
Service, Integrity, Fairness,
Internationally Recognized for Excellence



DECLARATION OF PETITION SUFFICIENCY

I, Cyndi Ross, do hereby certify, pursuant to RCW 35A.01.040,

That the Draham Road 60% petition for annexation to the City of Lacey, submitted to this office by Ryan Andrews on October 26, 2023, bears the names and purported signatures of persons who are owners or part owners of parcels of real property lying within the proposed annexation area collectively of not less than **sixty percent** of the assessed value of the total proposed annexation area.

The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of such owners are not required to be kept in the records of Thurston County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 2nd Day of November 2023 in Olympia, Washington.

Cyndi Ross
Property Administration Manager
Thurston County Assessor's Office

3000 Pacific Ave SE, Olympia, WA
360-219-7176



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18685	486697	Print Legal Ad-IPL01467320 - IPL0146732		\$284.14	1	65 L

Attention: Accounts Payable

CITY OF LACEY
 420 COLLEGE ST SE
 ATTN: ACCOUNTS PAYABLE
 LACEY, WA 985031238
 efontain@ci.lacey.wa.us

PUBLIC HEARING NOTICE

Notice is hereby given that the Lacey City Council will conduct a public hearing on November 16, 2023, beginning at 6:00 PM for consideration of the following item:

Draham Road Annexation (Project no. 23-306): A proposal to annex 9 parcels totaling approximately 42.14 acres. The area proposed for annexation is located in the Pleasant Glade Planning Area and within the Lacey Urban Growth Area and is generally located east of Judd Street NE, west of the Woodland Creek Estates subdivision, north of 15th Avenue NE and south of property owned by the City of Lacey for the future Greg Cuoio Park. The properties are a mixture of zoning districts including Low Density Residential 0-4, Moderate Density Residential and High Density Residential which will remain the same after annexation except for that the Low Density Residential 0-4 portion of the property would be zoned Low Density Residential after annexation. Under the annexation agreement the parcels may assume a pro rata share of the City's bonded indebtedness. The Utilities Committee of the Lacey City Council and City staff has recommended approval of the annexation.

The above summary is only an overview of the topic. For a complete review of the annexation proposal, interested individuals should contact the Community and Economic Development Department for a copy of the annexation petition and staff analysis prepared for this proposal.

Persons wishing to provide oral testimony to the City Council on the proposed annexation may do so in person at the meeting or by Zoom via the link provided in the meeting's agenda.

Persons wishing to provide written testimony on the annexation may send their comments to randrews@ci.lacey.wa.us no later than 6:00 p.m. on November 16, 2023. Written testimony will be provided to the City Council and made part of the public record. For more information, please contact Ryan Andrews, Planning Manager, at (360) 491-5642.

If you need special accommodations to participate in this meeting, please call us at (360) 491-5642 by 10:00 a.m. the day before the meeting.

Lacey Community and Economic Development Department
 Ryan Andrews, Planning Manager
 IPL0146732
 Nov 6 2023

Stefani Beard, being duly sworn, deposes and says: That she is the Principal Clerk of The Olympian, a daily newspaper printed and published at Olympia, Thurston County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Olympian in accordance with RCW 65.16.020 and RCW 63.16.040, as amended, for:

1 insertion(s) published on:
 11/06/23

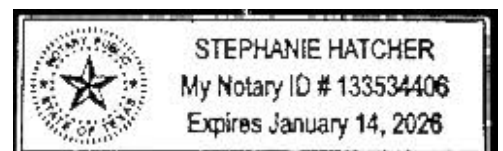
Stefani Beard

Principal Clerk

Sworn to and subscribed before me this 6th day of November in the year of 2023 before me, a Notary Public, personally appeared before me Stefani Beard known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!



LACEY CITY COUNCIL MEETING
November 16, 2023

SUBJECT: Draham Road Annexation. Project no. 23-306.

RECOMMENDATION: Conduct a public hearing to take testimony on the proposed annexation.

After the conclusion of the public hearing, approve a motion as follows: Move to approve the preparation and filing of a Notice of Intent to Annex for the Draham Road Annexation, Project no. 23-306, with the Boundary Review Board for Thurston County.

STAFF CONTACT: Rick Walk, City Manager *RW*
Grant Beck, Planning and Development Services Manager *GB*
Ryan Andrews, Planning Manager *RA*

ORIGINATED BY: Community and Economic Development Department by Private Application

ATTACHMENTS:

1. 60% Annexation Petition
2. Declaration of Petition Sufficiency
3. Maps

FISCAL NOTE: See background.

WORK PLAN GOAL Coordinated and Collaborative Planning - (A)(3&4)

PRIOR REVIEW: City Council Utilities Committee, July 3, 2023

BACKGROUND:

The City has received a petition for annexation for nine parcels located north of 15th Avenue NE, east of Judd Street NE, west of the Woodland Creek Estates Subdivision, and south of the property owned by the City for the future Greg Cuoio Park. The Thurston County Assessor's Office has verified that the signatures represent not less than 60

percent of the assessed valuation for general taxation of the property for which the annexation has been petitioned (RCW 35A.01.040).

Prior to approval of the annexation, a public hearing is required to be held by the City Council. Notice of the public hearing has been published in The Olympian and posted in three public places in the proposed annexation area.

Procedurally, the annexation is required to be sent to the Thurston County Boundary Review Board (BRB) for their review after the hearing has been held.

Proposed Annexation Area

The area proposed for annexation is primarily located within the Pleasant Glade Planning Area and within the Lacey Urban Growth Area north of 15th Avenue NE, east of Judd Street NE, west of the Woodland Creek Estates Subdivision, and south of the property owned by the City for the future Greg Cuoio Park. The area includes 9 tax parcels totaling approximately 42.14 acres. The properties contain a mixture of undeveloped properties and residential uses on larger lots. The area contains 9 residential units for an anticipated population of 20 residents. The most recent assessed value of the proposed annexation area is \$4,180,500.

The annexation contains a variety of residential zoning including Low Density 0-4 which would be converted to the Lacey designation of Low Density Residential upon annexation. Other zones include Moderate and High Density Residential which will be retained upon annexation as required by an annexation agreement with Thurston County.

The annexation area contains two projects with vested land use approvals. Ventura Crossing is located on 15th Avenue NE east of Judd Street NE and is a 69-unit single-family subdivision. Williams Crossing is located to the east of Ventura Crossing and is a 216-unit multi-family apartment complex. Upon annexation, the land use approvals for these projects would be transferred to the City of Lacey and final design, permits, and construction would occur in the city. Consistent with the City Council policy on annexations as reflected in the Development Guidelines and Public Works Standards 3.135, annexation is required as a condition of the City providing utilities to the properties.

The properties are located primarily within the City of Lacey's water service area. Water service is provided by an existing 12-inch waterline located in 15th Avenue NE/Draham Road NE. The line is adequate to serve the existing and future development of the properties within the area, however, this could change if any significant rezoning was to occur in the area.

City of Lacey sewer service in the area is relatively limited. With the installation of the sewer lift station on the south side of 15th Avenue NE associated with the Modera Apartments, additional sewer service can be better served in this area.

The City Council Utilities Committee has reviewed the proposed annexation and is recommending approval. The Utilities Committee reviewed a preliminary annexation area that not only included the 42 acres associated with this annexation, but also the area to the north and east including the area around Carpenter Road NE utilizing the unincorporated island method of annexation.

After initial review by the Utilities Committee, staff received additional information from Thurston County related to infrastructure costs for the entire unincorporated island. 15th Avenue NE/Draham Road NE and Carpenter Road NE are planned to be constructed to a 4 or 5-lane section including the full suite of multi-modal improvements. The culvert crossing Draham Road at Woodland Creek is in need of replacement as well. All of these projects would have significant long-term costs associated with them and a broad estimate of the total project would be around \$60 million. Allowing the annexation to move forward using the proposed 60 percent petition method would allow the developers of the Ventura Crossing and Williams Crossing projects to move forward in a timely manner while the City negotiates an agreement with Thurston County over the costs associated with annexing the full island at a later date.

Governmental Services

Since 2015, the City of Lacey has annexed a total of 1,522 acres (2.4 square miles) adding nearly 15% to the geographical area of the city and serving an additional 2,863 residents. It is important to recognize the cumulative impact of these recent annexations, and while city services have been extended to these areas, no additional staff have been directly added as a result. The following identifies the recent annexations since 2015:

Property owner-initiated:

2015	Hill-Betti	150 acres	193 residents
2017	NTPS Marvin Rd.	72 acres	
2017	Martin Way East	7 acres	
2018	Barr	10 acres	
2020	Mullen Road	67 acres	3 residents
2021	Serenity Carpenter Rd.	3 acres	
2021	Mosure 54 th Ave.	10 acres	
2021	Steilacoom/Marvin	410 acres	1,589 residents
Total		729 acres	1,785 residents

City-initiated:

2017	Cuoio Park	330 acres	
2017	Gateway Div. 2	80 acres	
2021	Capitol City/Chambers Estates	288 acres	978 residents
2022	Lake Lois	95 acres	100 residents
Total		793 acres	1,078 residents

The annexation of this 42.14 acres is relatively minor in nature and will not generate any substantial property, sales, or utility tax revenue through the existing 9 residential units in the area. Some revenue will be generated through the issuing of permits for the proposed 285 units of residential development associated with Ventura Crossing and Williams Crossing. It is anticipated that providing City services to the area will exceed the revenue associated with the annexation in the long term.

Comments on the proposed annexation were received from several departments. However, it is important to note that these comments were received for a preliminary annexation proposal that would have annexed the area between Judd St. NE and roughly Carpenter Road NE.

The Lacey Police Department has stated that the calls for service from the annexation area have historically been very low. However, the Department did have general concerns with serving the area given the additional demands that will be needed to serve new development on a street network that has not yet been developed to its full capacity (particularly 15th/Draham). Lacey Police are already utilizing these existing streets and these issues will occur whether or not annexation occurs.

The Lacey Public Works Department commented on the transportation infrastructure needed in the area. Both 15th Avenue NE/Draham Road NE and Carpenter Road NE are planned to be constructed to a 4 or 5-lane section including the full suite of multi-modal improvements. Comments on stormwater maintenance were also provided. The main concern is maintenance of existing facilities such as catch basins, swales, and vegetation.

Lacey Fire District 3 provides services to all properties which will not change as a result of the annexation.

Process

Procedurally, the next step is for the City Council to conduct a public hearing to accept testimony on the proposed annexation. Additionally, the annexation application is required to be sent to the Thurston County Boundary Review Board. Once the public hearing has been held and the Boundary Review Board process has been concluded, the City Council can take final action on the annexation through passage of an ordinance approving the annexation.

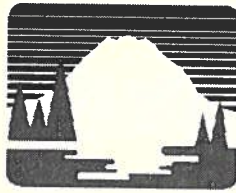
Next steps. Upon review, the Lacey City Council could consider one of the following options:

Option 1: Conduct a public hearing to take testimony on the proposed annexation. After the conclusion of the public hearing, approve a motion as follows: Move to approve the preparation and filing of a Notice of Intent to Annex for the Draham Road Annexation,

Project no. 23-306, with the Boundary Review Board for Thurston County. Option 1 is recommended by staff

Option 2: Conduct a public hearing to take testimony on the proposed annexation. After the conclusion of the public hearing, approve a motion to geographically modify the Draham Road Annexation, Project no. 23-306, and approve filing of Notice of Intent to Annex with the Boundary Review Board for Thurston County.

Option 3: Conduct a public hearing to take testimony on the proposed annexation. After the conclusion of the public hearing, approve a motion denying acceptance of the annexation petition.



City of Lacey, Washington
City Council Regular Meeting Minutes
Thursday, November 16, 2023 - Council Chambers and Online

1. Call to Order

Deputy Mayor Miller called the meeting to order at 6:00 p.m.

2. Roll Call

Council Present

Deputy Mayor Malcolm Miller (remote)
Councilmember Lenny Greenstein
Councilmember Michael Steadman (remote)
Councilmember Carolyn Cox
Councilmember Ed Kunkel (remote)

Council Excused

Mayor Andy Ryder
Councilmember Robin Vazquez

Staff Present

Rick Walk, City Manager
Dave Schneider, City Attorney
Troy Woo, Finance Director
Ryan Andrews, Planning Manager
Elissa Fontaine, City Clerk

Deputy Mayor Miller announced that as presiding officer in the Mayor's absence, and due to attending the meeting remotely, he would like to nominate Councilmember Greenstein as Chair for the November 16, 2023, Council meeting. Deputy Mayor Miller, Councilmembers Greenstein, Steadman, Cox and Kunkel voted in favor.

3. Pledge of Allegiance

Councilmember Greenstein led the pledge of allegiance.

4. Land Acknowledgement

Councilmember Greenstein presented the abbreviated Land Acknowledgement.

5. Approval of Amended Agenda and Consent Agenda Items:

A. Council Worksession meeting minutes of October 26, 2023

B. Payment of claims, wages and transfers for October 12, 2023, through November 3, 2023.

Councilmember Greenstein recommended amending the agenda to place agenda item 9.A immediately following agenda item 6.

Councilmember Cox moved to approve the amended agenda and consent agenda. Deputy Mayor Miller seconded. Motion carried.

6. Public Recognitions and Presentations:

A. Lacey Youth Council Report
Youth Council Representatives

The following youth representatives provided reports to the Council:

Eliana Allin, Pope John Paul II
Zury Ramirez-Plascencia, North Thurston High School
Anthony Santiago, River Ridge High School
Nathaniel Clay, Timberline High School

9. Proclamations:

A. Small Business Saturday
Blake Knoblauch, Executive Director, Lacey South Sounds Chamber & Visitors Center

Deputy Mayor Miller, and Council, proclaimed Saturday, November 25, 2023, as Small Business Saturday. Blake Knoblauch, Executive Director, Lacey South Sound Chamber & Visitors Center accepted the proclamation.

7. Public Comment:



Verbal Public Comments: The deadline to pre-register to speak via Zoom was 4:00 p.m. the day of the meeting.

Zero (0) people signed up to speak via Zoom.

Five (5) people signed up to speak at the meeting.

Shane Hunter, Lacey resident, provided public comment regarding Home Owner's Association (HOA) concerns.

Jim Smith, Lacey resident, provided public comment regarding HOA concerns.

Heather McArthur signed in, but did not wish to speak.

Brandon Gardner, Lacey resident, provided public comment regarding HOA concerns.

Joshua King, Lacey resident, provided public comment regarding HOA concerns.

Written Public Comments: The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

Zero (0) written public comments were received.

8. Public Hearing:

A. Draham Road Annexation - Project No 23-306 Ryan Andrews, Planning Manager

Councilmember Greenstein opened the Draham Road Annexation Public Hearing at 6:30 p.m.

Verbal Public Testimony: The deadline to pre-register to speak and provide public testimony was 4:00 p.m. the day of the meeting.

Zero (0) - people signed up to provide public testimony via Zoom.

One (1) - person signed up to speak at the meeting.

David Toyer, Land Use Consultant, provided public testimony in support of the annexation.

Written Public Comments: The deadline to submit written public testimony was 4:00 p.m. the day of the meeting. Written comments are not addressed during the



meeting; however, they are added to the official record.

Zero (0) - written public testimony was received.

Councilmember Greenstein closed the Draham Road Annexation Budget Hearing at 6:31 p.m.

Councilmember Steadman moved to approve the preparation and filing of a Notice of Intent to Annex for the Draham Road Annexation, Project Number 23-306, with the Boundary Review Board for Thurston County.
Councilmember Kunkel seconded. Motion carried.

B. Proposed 2024 Budget Hearing
Troy Woo, Finance Director

Councilmember Greenstein opened the Proposed 2024 Budget Public Hearing at 7:05 p.m.

Verbal Public Testimony: The deadline to pre-register to speak and provide public testimony was 4:00 p.m. the day of the meeting.

Zero (0) - people signed up to provide public testimony via Zoom.

One (1) - person signed up to speak at the meeting.

Joshua King, Lacey resident, provided comments regarding identifying opportunities for HOA resources within the City's budget.

Written Public Comments: The deadline to submit written public testimony was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

Zero (0) - written public testimony was received.

Councilmember Greenstein closed the First 2024 Budget Hearing at 7:10 p.m.

10. Referral from Planning Commission:

11. Referral from Hearings Examiner:

12. Resolutions:

A. Resolution 1141: Authorizing Ad Valorem Tax
Troy Woo, Finance Director



Staff presented Resolution 1141. The proposed resolution authorizes an increase of the 2024 Ad Valorem tax levy by one percent over the tax levy of 2023, which is equal to \$84,887.

Deputy Mayor Miller moved to adopt Resolution 1141, authorizing the Ad Valorem Tax. Councilmember Kunkel seconded. Motion carried.

13. Ordinances:

A. Ordinance 1644: Ad Valorem Tax
Troy Woo, Finance Director

Staff presented Ordinance 1644. The proposed ordinance sets the 2024 property tax levies.

Councilmember Cox moved to adopt Ordinance 1644, authorizing the Ad Valorem Tax. Councilmember Greenstein seconded. Motion carried.

B. Ordinance 1645: Modifying the Public Utility Tax Rate
Troy Woo, Finance Director

Staff presented Ordinance 1645. The proposed ordinance amends LMC 3.01.040, modifying the public utility business tax rate on water distribution.

Councilmember Steadman moved to adopt Ordinance 1645, modifying the Public Utility Tax Rate. Deputy Mayor Miller seconded. Motion carried.

C. Ordinance 1646: 2024-2027 Water Rate Ordinance
Troy Woo, Finance Director

Staff presented Ordinance 1646. The proposed ordinance amends LMC 13.32.030, establishing water rates for 2024 through 2027.

Councilmember Greenstein moved to adopt Ordinance 1646, authorizing the 2024-2027 Water Rate Ordinance. Councilmember Cox seconded. Motion carried.

D. Ordinance 1647: 2024-2027 Sewer Rate Ordinance
Troy Woo, Finance Director

Staff presented Ordinance 1647. The proposed ordinance amends LMC 13.16.060 and 13.16.061, establishing sewer rates for 2024 through 2027.



Councilmember Steadman moved to adopt Ordinance 1647, authorizing the 2024-2027 Sewer Rate Ordinance. Councilmember Kunkel seconded. Deputy Mayor Miller and Councilmembers Greenstein, Steadman and Cox voted in favor. Councilmember Kunkel voted against. Motion carried.

- E. Ordinance 1648: 2024-2025 Stormwater Rate Ordinance
Troy Woo, Finance Director

Staff presented Ordinance 1648. The proposed ordinance amends LMC 13.70.030, establishing stormwater rates for 2024 and 2025.

Deputy Mayor Miller moved to adopt Ordinance 1648, authorizing the 2024-2025 Stormwater Rate Ordinance. Councilmember Cox seconded. Motion carried.

14. Mayor's Report:

15. City Manager's Report:

16. Standing General Committees:

- A. Transportation Committee
Meeting of November 7, 2023

Deputy Mayor Miller reported the November 7, 2023, Transportation Committee did not have a quorum and therefore was not held.

17. Other Business:

18. Boards, Commissions and Committee Reports:

- A. Mayor Andy Ryder:

1. Mayors' Forum
2. Thurston Chamber Shared Legislative Committee
3. Transportation Policy Board (TPB)

Mayor Ryder was excused and no reports were provided.



B. Deputy Mayor Malcolm Miller:

1. Economic Development Council (EDC)
2. Lodging Tax Advisory Committee (LTAC)
3. Thurston County Coalition Against Trafficking (TCCAT)

4. Thurston Thrives

Deputy Mayor Miller did not provide any reports.

C. Councilmember Lenny Greenstein:

1. Emergency Medical Services (EMS)
2. TCOMM911

Councilmember Greenstein did not provide any reports.

D. Councilmember Michael Steadman:

1. Nisqually River Council
2. Thurston County Law & Justice Council

Councilmember Steadman did not provide any reports.

E. Councilmember Carolyn Cox:

1. Climate Action Steering Committee
2. LOTT Clean Water Alliance
3. Regional Housing Council

Councilmember Cox provided reports for LOTT Clean Water Alliance and the Regional Housing Council.

F. Councilmember Ed Kunkel:



1. Joint Animal Services Commission (JASCOM)
2. Lacey South Sound Chamber
3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB)
4. Solid Waste Advisory Committee (SWAC)

Councilmember Kunkel provided a report for the Joint Animal Services Commission (JASCOM).

G. Councilmember Robin Vazquez:

1. Intercity Transit Authority
2. Olympic Region Clean Air Agency (ORCAA)
3. Thurston Regional Planning Council (TRPC)
4. Thurston County Board of Health

Councilmember Vazquez was excused. Councilmember Cox provided a report for Intercity Transit Authority as alternate.

19. Adjourn

Councilmember Greenstein adjourned the meeting at 7:57 p.m.

MAYOR: *Andy Orza*

ATTESTED BY CITY CLERK: *Julia Carls*

DATE APPROVED: *December 7, 2023*

