



BRICKLIN & NEWMAN LLP  
lawyers working for the environment

Reply to: Seattle Office

November 20, 2019

VIA E-MAIL TO [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

Melissa Place, Planner  
Planning and Community Development  
City of Lake Stevens  
City Hall  
PO Box 257  
Lake Stevens, WA 98258

Re: Costco Binding Site Plan/LUA2019-0156

Dear Ms. Place:

I write on behalf of my clients, Brooke Zueger, Randy and Julie Allen with regard to the above-referenced application. My clients own the property directly south of the site Costco proposes to develop. Because of the extensive wetland fills proposed for its property, Costco has proposed wetland mitigation. Some of the wetland mitigation is proposed to be undertaken on its own property but some is proposed to be off-site.

Part of the off-site mitigation is proposed for my clients' property. Essentially, that makes my clients' property part of the development proposal. Yet the application for the project was not signed by my clients. Nor have my clients consented to the mitigation proposed for their property.

Given these circumstances, the City should not and cannot approve the Binding Site Plan at this time. The mitigation proposed for my clients' property is an integral part of the overall development plan. Without my clients' consent, the mitigation plan cannot be implemented. If the mitigation plan cannot be implemented, then the proponents are not providing adequate mitigation for all of the wetland filling that they are proposing.

I am aware that the draft Development Agreement proposes that the City assume the responsibility of obtaining my client's consent to this work. The City should not enter into a Development Agreement that imposes that responsibility on the City. Further, even if the City assumes that responsibility, that does not address the underlying problem that no consent by my clients has been provided at this time. Regardless whether Costco or the City will undertake to obtain the missing consent, until that consent is obtained, it is premature and improper to approve the site or to approve the related applications.

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It may be that, in time, Costco and my clients will come to an agreement with regard to the use of my clients' property for Costco's mitigation. Important issues -- like assuring that the work will not cause unexpected harm to my client's property or the property of others, and providing liability protection through hold harmless agreements -- likely can be resolved. But until such time as that occurs, the City should not approve any part of the project.

Very truly yours,

BRICKLIN & NEWMAN, LLP



David A. Bricklin

DAB:psc

cc: Client

309 E. Pacific Ave.  
Spokane, WA 99202

November 20, 2019

**VIA: Email** - [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

Lake Stevens City Council  
Lake Stevens Planning Director  
Lake Stevens City Hall  
Attn: Melissa Place  
PO Box 257,  
Lake Stevens, WA 98258

Re: Comments on Costco Development Agreement, Site Plan, Binding Site Plan, Design Review, and Planned Action Certification – LUA2019-0178, LUA2019-0156, LUA2019-0080, LUA2019-0081, and LUA2019-0082

Dear Council Members/Planning Director:

These comments are provided on behalf of Livable Lake Stevens, a group of citizens (including local residents) working together to try to ensure that Lake Stevens develops responsibly and sustainably to the benefit of all its citizens. Livable Lake Stevens (hereafter LLS) has many concerns about the appropriateness and impacts of this proposed development on this site.<sup>1</sup>

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<sup>1</sup> There have been some unfounded rumors and rank speculation on Social Media about LLS. Those appear to be fueled by people who are less concerned about the legitimate substantive questions that LLS is asking about this project (and the way the City is handling it), than in conspiracy theories. Rather than trying to address LLS's concerns on the merits, some individuals have engaged in ad-hominem attacks about who makes up the membership of LLS. That is both legally and practically irrelevant. LLS happens to have a number of local members, but even if it didn't the legitimate concerns it is raising cannot legally (and should not as a policy matter) be ignored. It does not matter **who** presents legitimate concerns about a project to the City. The more important issue is how (and whether) the City substantively responds to such concerns, and addresses City compliance with the Lake Stevens Municipal Code and the State and Federal laws that apply to the proposed actions. The citizens of Lake Stevens deserve a fair, transparent, process for considering these actions. LLS hopes that the City will give weight to - and make substantive responses to each of - the concerns LLS has raised. That is, after all, the point of having public participation in the decision making process.

Parts of the site at issue – including parts owned by the City - are forested, rolling topography with significant wetlands and two stream segments. These are important resources. They need to be managed to retain the Critical Area components that provide a high-functioning natural system within Lake Stevens.

Right now, this area constitutes one of the largest and highest quality areas of this type in the City. If the proposed development is allowed to go forward, all or virtually all of that will be lost.

The Development Agreement that has been proposed commits the City to deficit spending to fund the \$18,635,188.00 ‘investment’ in a Costco’s Warehouse store.<sup>2</sup> Unlike Costco, the City and its citizens are not making major profits every year. It makes no sense to have the City committing to pay twice what Costco will pay, to develop this site. Yet, that is precisely what the Development Agreement as currently proposed appears to do.

Unlike the City, Costco made \$3.13 **Billion** in 2018. Costco is projected to earn \$3.66 Billion this year.<sup>3</sup> What criteria were used to justify providing such a massive subsidy to such a massively profitable private corporation?

It does not appear to LLS that this project complies with the City Code. These comments highlight many of the issues that need to be addressed. These comments also raise significant concerns about the process (or lack of process) that Lake Stevens (hereafter also the “City”) has followed thus far for this proposal.

In light of the process problems, LLS asks that the Council/City postpone or extend for a minimum of 45 days the Hearing currently scheduled for next Tuesday November 26, 2019. It is not appropriate for the City to release over 650 pages of records, including a brand new 16 page City Memo with a “Response to Public Comments” (which includes for the first time a description of the multiple City processes underway), less than a week before the Hearing. Nor is it reasonable to give the public a mere 15 days to comment on the 35 documents listed on pages 2-4 of that Response Memo,<sup>4</sup> and a mere 21 days to present public testimony on the issues raised by at least four separate land use decisions, with at least 35 existing and two pending documents, to say nothing of the newly released 675 pages of material.

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<sup>2</sup> See, City Working Budget Spreadsheet, attached.

<sup>3</sup> See, e.g., Market Watch, Annual Financials for Costco Wholesale Corp. Available at: <https://www.marketwatch.com/investing/stock/cost/financials>

<sup>4</sup> The Notice was issued 11-5-19, for written comments due today 11-20-19, and a Hearing on 11-26-19. Moreover the Response indicates that there are several key documents that are **still not even complete**, much less available for public review and comment. These apparently include a “Peer Review” underway (presumably on wetlands and other water resources) by the Watershed Company **and** a pending ESA Agency review of construction plans. See, Response at p.3 (last two bullets in Critical Areas document list).

## **I. Due Process Problems**

Access to information and development staff by the public for this project has been made exceptionally difficult by the City. This raises significant due process concerns.

For example, LLS has had a pending Washington Public Records Act (WPRA) request with the City for all documents related to this project since May of this year.<sup>5</sup> A copy of that Request is attached. It is very broad. Yet many key documents have not been made available, or they were not produced until LLS discovered their existence (independently) and did a follow up request identifying the missing documents and asking why they had not yet been produced.<sup>6</sup>

For example, the City 11-19-19 Response and the 11-5-19 Notice for these comments both reference a Planned Action Certification that was allegedly issued for some part of this project and is apparently dated June 4, 2019. Yet that document has, as far as LLS can tell, never been provided to LLS or made available to the public on the City's Website.<sup>7</sup>

Counsel for LLS also made multiple attempts to clarify the scope of the City process for this project and the City's view of the applicable standards. That included providing a 4 page letter with a detailed outline of questions about the process, timelines and approval criteria.<sup>8</sup> A meeting with City staff was set, to discuss those issues and review the file, but then the meeting was cancelled at the last minute by City Staff.

Apparently the City attorney was not available for the meeting. City Staff also refused to answer the questions posed about the process and approval criteria and instead referred LLS to the City attorney. LLS then presented the same questions to the City attorney.<sup>9</sup> The City's attorney also refused to answer LLS's questions, and instead suggested that LLS file a WPRA Request (something that LLS had actually done already in May).<sup>10</sup>

This sort of refusal to be transparent, and to provide basic process information is completely unacceptable. It has interfered with LLS' ability to provide comprehensive comments on this project. It is also incredibly unfair and one sided, and it suggests a clear bias on the part of the City in favor of the development.

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<sup>5</sup> The City has to date produced seven different sets of documents, in response to that request.

<sup>6</sup> See 11-12-19 City email to LLS Counsel Anuta, with production of key documents submitted by the City or Costco to the Washington Department Of Ecology (DOE) and the U.S. Army Corps of Engineers, as part of the wetland permitting process.

<sup>7</sup> Counsel for LLS has also searched the City's Website, and has been unable to locate a copy of this alleged Certification.

<sup>8</sup> See, 10-30-19 letter from LLS counsel Whipple to Melissa Place.

<sup>9</sup> See, 11-6-19 letter from LLS counsel Whipple to Greg Rubstello (attached).

<sup>10</sup> See, 11-12-19 letter from Rubstello to Whipple.

It is apparent from the voluminous documents on this project that City Staff have had dozens of meetings with the applicant, and its representatives and consultants. It does not appear that in any of those meetings the City insisted that they could not meet unless the City's attorney also attended. This disparate treatment is a due process violation, and another obstacle put in the way of the public's ability to understand and participate in this development decision.

Another problem is the multiple versions of the same documents that have been provided by the City, without any versions marked as final (such as the Development Agreement at issue in this hearing). This leaves the public unsure as to what documents are really being proposed for approval at this time.

It is also often impossible to tell which version of documents the City is actually working from. For example, the draft Development Agreement put up on the City website is marked 10/28/2019 DRAFT for DISCUSSION PURPOSES.

However, another version was obtained by LLS, which is not currently up on the City Website. That version is designated ~~10/28/2019 COSTCO DRAFT for DISCUSSION PURPOSES~~ 11/5/19. LLS suspects that the 11/5/19 version is the current one being discussed by the Council - because it is the most recent. However, other members of the public may not even know about that version, and there is no sure way to tell for sure which document is up for discussions because the City won't answer LLS' questions about the process and documents.

Another example of a lack of transparency and potential due process violations is found in the Notice or announcement of the opportunity to comment and of the upcoming Hearing. That Notice is titled "NOTICE OF PUBLIC HEARING & NOTICE OF LAND USE APPLICATION (Development Agreement)."

However, as the City Response Memo released at 8:04 AM this morning shows, there is **much more than just a Development Agreement** that is at issue here. Buried in the body of the announcement is the statement that says this will actually be "A public hearing before the City Council will be held at 7:00 pm on November 26, 2019, to consider **four consolidated land use applications** for the project..."

In other words, despite the Notice title, at issue in this Hearing will apparently be (1) a Development Agreement, (2) a Binding Site Plan – something that was already Noticed for comments and a decision, (3) a Site Plan, and (4) a Design Review. The Response Memo issued this morning by the City further muddies the water, by suggesting (contrary to the Notice text) that the Council will only hear testimony about the Development Agreement and that the City Planning Director will make a decision on the other three land use actions listed in the Notice. Thus, the public is basically left to guess at the scope of the comments or testimony to be submitted.

Moreover, missing from the list of consolidated decisions to be made is the State Environmental Policy Act (SEPA) review for the actual Costco project. So far as LLS can tell, no site specific SEPA for this specific development has been completed. Instead the City

apparently intends to try to tier to a SubArea EIS, and/or to “piecemeal” the SEPA on this project and to rely on a Mitigated Determination of Non-Significance (MDNS) that was limited to road construction. These issues are addressed in further detail later in these comments, but from a due process standpoint it is completely inappropriate for the City to try to engage in a Site Plan, Binding Site Plan and a Design Review, when there is no site specific SEPA for this specific Costco development.

The Notice goes on to say that the consolidated Hearing is being held under LSMC 14.16A.220(g). That section of the Code provides at subsection (2) that applications with varying Hearing bodies that are heard collectively will use the highest decision maker. LLS agrees that using that process makes sense. However, what is missing from the Notice and what City Staff have failed or refused to address are the other issues that consolidation of this sort creates.

For example, there are different approval criteria for each of the four listed applications. Each has varying standards of review. Each has varying appeal processes. It is unclear from the Notice, and from the 11-19-19 Response Memo, what the consolidated will look like and whether it complies with LSMC 14.16A.220.

Since a Hearing before the Council would be a review by the “highest decision maker” the Council should be Hearing and deciding the result in all four land use actions. Yet the Response Memo suggests that the Planning Director will be deciding at least three of the four matters. How is that consistent with the Consolidation provisions in the Code?

There is also an access to documents issue. As noted LLS has had a pending WPRA Request since May, and LLS has received multiple sets of documents as a result. The same is not true for the rest of the public. It is unfair, inappropriate, and contrary to the City’s claims of transparent process to not have made all the related documents available on the Web to the public.

For example, it was not until just two weeks before this Hearing that the City made nearly 300 pages of wetland related documents available to the public on the City’s Website. It was not until this morning, at 8:04 AM on 11-20-19 that the City made an additional 675 pages available. And even those two document sets do not include key things - **such as the Spreadsheet that shows that the City is planning or considering paying over \$6.4 Million for the construction of this project, almost twice the \$3.5 Million that Costco is going to pay.** A highlighted copy of that document is attached.

Sadly, whether it was accidental or intentional, the City has effectively erected significant and inappropriate barriers to public participation in this project. It has provide an inappropriate and exceptionally short window in which to evaluate an enormous volume of information. This situation cries out for a lengthy extension or postponement of the Hearing and decision making process.

It also appears to LLS, from the way this process has been handled so far, that the City has pre-judged the outcome. It appears that the City is dead set on approving this project in its

current form, no matter what the facts and law require, and that the City is unconcerned about informed public participation. Whether the project ultimately is in the interests of Lake Stevens and can or should be approved is an open question, that should be carefully and fully reviewed by Staff and the Council. LLS believes the project in its current form fails to conform to City policy and to the law, and it should be rejected or revised. Regardless of the project at issue, attempts to skirt the approvals process set up by the City Code and/or to “fast-track” a project approval is both bad policy and contrary to the law.

## **II. Critical Area Process Deficiencies**

Thus far in the application and vetting process by the City, nothing that LLS has seen reflects compliance with the City Critical Areas Code. That Code requires that recognized Critical Areas be protected to ensure there is no net loss of acreage, functions and values of critical areas. *See*, LSMC 14.88.010.

Given the Code, development of this site should be avoided altogether. The City is under no compulsion to sell its land to this, or any other developer. The private land might be developed at some point for appropriate uses, but the controlling Code says that the first step is “avoiding impacts altogether by not taking a certain action or parts of an action.” *See*, LSMC 14.88.010(a)(1).

The Costco in Everett is only about ten miles away from this site. Before Critical Areas are permanently lost to a development, a thorough analysis of the larger area, and the need - or lack thereof - for yet another Costco store in this particular area must be a part of the analysis in order to comply with LSMC 14.88.

A recent alternatives analysis by a Costco consultant,<sup>11</sup> which appears to be done for the wetlands permits not for compliance with the City’s Critical Area’s Ordinance, makes the claim that Lake Stevens residents “lack access to Costco facilities within a reasonable drive time.” On Saturday November 16th, Google Maps indicated that a drive from central Lake Stevens to the Everett Costco would take 23 minutes, and to the Marysville Costco, 28 minutes. Costco sells items in bulk. People do not do daily shopping there. What, then, is a “reasonable drive time” to a Costco to resupply on bulk items? Any claims about the alleged “need” for a Costco in Lake Stevens must be supported by more than Costco’s desire to saturate the market.

An alternatives analysis must contain a no-build alternative that preserves the wetland and forest areas that exist on the site and factor in the losses of those areas to Lake Stevens residents. *See*, LSMC 14.88.010(a)(1). Substantive analysis of such an alternative is completely missing from the recently provided alternatives analysis.

Instead, that analysis simply dismisses such an approach as an option that will “not meet the Project need of constructing a Costco Facility in the Lake Stevens service area.”<sup>12</sup> That is not

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<sup>11</sup> Alternatives Analysis for Costco Wholesale, Lake Stevens, Sewell Consulting, October 21, 2019.

<sup>12</sup> 10-21-19 Sewall Alternative’s Analysis letter, p.22.

an “analysis” that is a circular argument based on an a hypothetical and unproven “need” for market saturation and profit. A true alternatives analysis cannot be constrained by an artificially narrow statement of need or purpose.

Moreover, if these wetlands are destroyed and a Costco is built, will there still be any thriving natural areas that are not on private property and within a “reasonable drive time” for Lake Stevens residents? Does it make sense to destroy these key wetlands, to allegedly ameliorate the “hardship” being experienced by Lake Stevens residents of having to drive just a bit over 20 minutes to go shopping in bulk at a Costco? Would their quality of life not suffer more from losing the ecosystem services and greenspace on the City owned property at issue here? These are questions that need to be answered before this project gets the City’s blessing and over \$19 million of taxpayer subsidies.

Likewise, the City appears to have failed to comply with LSMC 14.88.295, which requires that all streams and wetlands "shall be **permanently protected** by designating them as native growth protection areas," which are “**to be left permanently undisturbed** in a substantially or environmentally enhanced **natural state.**” (emphasis added). There is no question that these parcels are laced with Critical Area wetlands. They are also the headwaters of Mosher Creek and an associated tributary that host native cutthroat trout, Coho salmon, and lamprey.<sup>13</sup> What legal steps have been taken to avoid the required designation and associated protections for these public resources under LSMC 14.88.295? The City must explain why this has not been done, and why the exact opposite of what this code provision requires is now proposed.

A crucial first step in that process is missing. The evaluations of the site performed by the City’s and Costco’s consultants are superficial and wholly inadequate. No serious work seems to have been done on evaluating the true scope of the impacts of this project.

The “Biological Evaluation” (done for the Corps wetland permitting process) by Cedarock Consultants is wholly focused on federally listed fish species. Coastal Cutthroat Trout, which are a federal species of concern and which have been identified in Mosher Creek by the Tualip Tribes, are not considered. Nor are any other species, plant or animal, listed by the federal government or by Washington state agencies.

Incredibly, in a site with several acres of significant wetlands, amphibians on the site are **not even mentioned** in **any** of the evaluations, reports, mitigation plans or any other documents the City has thus far provided.<sup>14</sup> This is an egregious omission, but not surprising, as the reports thus far prepared for this project on wildlife appear to be almost entirely based on web resources rather than actual observation and applied science.

Moreover, this area is potential habitat for the Oregon Spotted Frog, which is federally listed as “Threatened,” and by WDFW as “Endangered.” Yet, as far as LLS can tell, zero effort

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<sup>13</sup> See, e.g. Letter from Zach Lamebull of the Tualip Tribes to Melissa Place, dated May 6, 2019.

<sup>14</sup> Possible species of Greatest Conservation Need as listed by WDFW occupying the site include: Cascade Torrent Salamander, Cope’s Giant Salamander, and Western Toad.

has been spent on determining whether that frog or other imperiled amphibians or reptiles currently occupy this site.

Similarly, as far as LLS can tell little or no effort has been made to comprehensively survey the actual site in various seasons to determine its actual biological resources to any degree of certainty. The anecdotal observations of local residents Eric McQuinston and Brooke Zueger in their letters to the City document song birds, hawk, heron, eagle, dove, quail, owl, duck, Canadian geese, deer, bear, beaver, coyote, racoon, skunk, opossum, salmon, trout, and brook lamprey, among other creatures. Where is the comprehensive follow up on those comments, to assess population density and usage?

At this point those observations appear to be the most comprehensive evaluations of wildlife on the site thus far. That makes no sense. That is not consistent with SEPA or the Critical Areas Ordinance. Also noted in those letters, but nowhere to be found in materials provided by the City, is that WDFW has used this site to release red-tailed hawks. If this site is turned into a Costco, will Lake Stevens residents still be within reasonable driving distance of a red-tailed hawk release site?

LSMC14.88.235(a) requires that the City use “best available science” when making decisions on Critical Areas. It is not clear what all of the studies which need to meet that requirement would be. It does seem clear that the extremely casual approach taken by the City and the applicant’s consultants so far in evaluating the Critical Areas and wildlife habitat on this site falls woefully short of meeting that standard.

The Code is clear that:

Critical area studies and decisions to alter critical areas shall rely on the **best available science to protect the functions and values of critical areas** and must give **special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, such as salmon and bull trout.**

LSMC 14.88.235(b) (emphasis added).<sup>15</sup> With such a large disparity between the observed physical and ecological realities of this site and the evaluations done so far, it is apparent that the City lacks the required scientific information to evaluate this site. There is a legally prescribed remedy for that:

**Lack of Scientific Information.** Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function or permitting an alteration of or impact to the critical area, **the City shall:**

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<sup>15</sup> See *also*, RCW 36.70A.172, Critical areas—Designation and protection—Best available science to be used: “In designating and protecting critical areas under this chapter, counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas. In addition, counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.”

- (1) Take a precautionary or no-risk approach that **strictly limits development and land use activities until the uncertainty is sufficiently resolved**; and
- (2) Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberative scientific approach to taking action and obtaining information in the face of uncertainty. To effectively implement an adaptive management program, the City hereby commits to:
  - (i) Address funding for the research component of the adaptive management program;
  - (ii) Change course based on the results and interpretation of new information that resolves uncertainties; and
  - (iii) **Commit to the appropriate time frame and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas and anadromous fisheries.**

LSMC 14.88.325(c) (emphasis added). The City must approach this decision deliberately, with its priorities aligned with its stated policies, not with the timetable of a private profit-making warehouse business first in mind.

It is also unclear whether a survey of significant trees on the site, which is required by LSMC 14.76.120(c), and a Plan for protecting significant trees has been done. So far LLS have seen no sign of such a survey, nor of such a Plan.

The Lake Stevens Comprehensive Plan (“LSCP”) provides that “The city will continue to prioritize the protection of **wetlands, streams and creeks**, lakes and ponds, **aquifer recharge areas**, geological hazardous areas (e.g., **steep slopes** and erosion areas), significant trees, **fish and wildlife habitat areas and corridors**, cultural resources, and frequently flooded areas through land use policies, regulations and decisions based on best available information and in coordination with state and regional priorities.” LSCP Policy 4.1.1 (emphasis added, to highlight features relevant on this site). So far, Costco has not prioritized these protections in considering this site. It is not possible to “continue to prioritize” wildlife habitat and corridors without even bothering to account for the wildlife using this site for habitat and connection to other habitat. The City must do so now, and quantify the habitat values for this site using the best available science.

The City cannot be party to pushing a development proposal that is incompatible with this site and with the City's own LSCP.<sup>16</sup> There is no Policy or Code provision prioritizing the convenience of a private for profit company over the natural resources that are held in trust by the City for all the citizens of the City.

First, the City needs to ensure that studies that comply with the law are done. Second, those studies must be based on the best available science. Third, once those studies are done, they must be evaluated, and the plans for the development changed to reflect the required emphasis on preservation of critical areas and habitat. It is only **then** that an application to develop this City property in an appropriate way, can (or should) be considered.

Land use and development activities on land containing critical areas are prohibited except under certain, specific exceptions. Typically, none of those would apply to a big box warehouse store, on land owned by the City.<sup>17</sup>

It is unclear from the MDNS issued by the City for road building on this site whether these roads are planned solely to serve this proposed development, or if they are part of an independent plan. The City needs to clarify its rationale and intentions for those roads. If, as it appears, those roads are actually just part of the Costco proposal then the City is likely going to end up with an unlawful segmentation problem under the SEPA.<sup>18</sup> That could lead to years of expensive litigation. That is not a problem that the City should create, just to benefit a private, for-profit company.

The City also needs to insist that any applicant (including Costco) who wants to develop in a critical area needs to make the case - once the required studies, using best available science, are completed) – for why critical areas that by law are to remain undeveloped and preserved in a functional state, simply cannot be avoided. That is what LSMC 14.88.295 requires.

Alternative layouts and designs/plans for roads and building on and around this site that avoid critical areas entirely must be proposed. *See*, LSMC 14.88.010(a)(1). Since none of this has been done, the City should not move forward with any of the road building plans covered by the MDNS until all required steps have been taken under the City Code.

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<sup>16</sup> The City must "Ensure compatibility of land uses with topography, geology, soil suitability, water, ground water, frequently flooded areas, wetlands, climate and vegetation." LSCP Policy 4.3.2.

<sup>17</sup> LSMC 14.88.210 identifies exceptions for "allowed activities," activities that meet "performance standards," and denial of all reasonable economic uses. A big box development is not an allowed activity, there are no performance standards in wetlands and waterways, and there is no denial of all economic uses, especially for city-owned property that could be turned to any number of uses for the benefit of Lake Stevens residents.

<sup>18</sup> So far, it appears to LLS that the roads are just for the Costco. If that is the case, then the MDNS is legally invalid and the City must perform a SEPA analysis of the roads as part of the entire project.

The Alternatives analysis done by Sewell Consulting claims that development and fill of the wetlands is all but inevitable, because of development pressure on this area.<sup>19</sup> That does not square with LSMC 14.88.295, which prioritizes preservation of wetlands and streams in a natural state.

The Mitigation Plan proposed for the loss of the intact, functioning wetland onsite is grossly inadequate, not based on the best available science, and attempts to claim credit for creating wetlands which will not function as such due to their close proximity to areas of intensive use and ridiculously narrow buffers. First, the avoidance and minimization required by LSMC 14.88.840 has not been applied before proposing this mitigation. That step must be taken before any Mitigation Plan is approved, or even considered. If the law is followed, and an honest effort to minimize impacts is undertaken, mitigation will likely not be necessary.

As far as LLS can tell, Costco has provided **no alternative layouts or construction measures** that avoid these Critical Areas. In Costco's evaluation of alternative sites, the "Lake Stevens 20th Street SE" site was rejected in part because "[o]nce buffers were added to the wetlands only about 5 acres remained developable..." **However**, in the Mitigation Report for the preferred site the proposed created wetland - which requires an adequate buffer surrounding it to maintain its habitat functions - would instead get a ridiculously small, ineffective 25 foot buffer.<sup>20</sup> This is justified by a claim that it would satisfy criteria LSMC 14.88.298 for an Innovative Development Design.

That is a ludicrous claim, one that any objective wetland scientist would find appalling. A category II wetland, with a habitat score of 6-7, requires a 110 foot buffer not a 25 foot sliver of land. *See*, LSMC 14.88.830(b), Table 14.88.

In fact, buffer reductions are **only** allowed in Category III or IV wetlands. *See*, LSMC 14.88.830(f). A wetland with a 25 foot buffer width **is not** a Category II wetland. The engineered wetland proposed for this site should not be allowed, and the idea of crediting it as .88 acres of additional Category II wetland on the site is preposterous.

The Mitigation Report **only** addresses maintenance of water volume from Wetland D, which is something desired by the Tulalip Tribes for off-site fish habitat. While that is indeed a good cause, with a functionally nonexistent buffer, and no actual plan for this wetland to be something other than a glorified retention pond, there is nothing "innovative" about this proposal. It falls far short of the requirement of LSMC 14.88.298(b)(1) that:

The innovative development design will achieve protection **equivalent to or better than the treatment of the functions and values of the critical areas** that would be obtained by applying the standard prescriptive measures contained in this chapter;

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<sup>19</sup> *See e.g.*, Costco Lake Stevens & SE 24th Street Extension – Alternatives analysis SWC Job#18-105, Sewall Wetland Consulting, Inc., Feb. 19, 2019, p.2.

<sup>20</sup> Costco Wholesale Lake Stevens – Impacts and Mitigation Report, CW #17-0230, SWC Job #18-105, Sewell Wetland Consulting, Inc., Sept. 17, 2019, p.7-8.

(emphasis added). Using a wetland as a detention pond is not innovative, it is instead the failed approach that has been used for years.

The proposed physical and hydrological alteration of a wetland for stormwater management is specifically disallowed by LSMC 14.88.20(c). Subsection 2 requires that there be no net loss of functions and values of the wetland. As noted, the habitat functions of this wetland will most likely be lost entirely. That does not comport with the Code. Subsection 3 of the Code prohibits alteration if there are any breeding populations of native amphibian species in the wetland. Again, the evaluation of this site has been so superficial that no mention of amphibians is made in **any** of the reports the LLS has seen to date.

Moreover, LSMC 14.88.20(c)(1) also restricts stormwater management alterations to a wetland to the outer 25 percent of the **buffer** of the wetland. What is proposed here is turning the entire wetland over to stormwater management, with a buffer reduced so far as to be no buffer at all.

Wetland D has the highest habitat score of any of the wetlands on this site.<sup>21</sup> The heavily engineered wetland proposed in mitigation has buffers reduced to a size so absurdly small that all of those functions would be lost. No evidence is provided by Sewell Consulting on the current species inhabiting this wetland, what its functions beyond water retention currently are, and how those will be altered by its proposal. This does not meet the law's requirements.

The City should also keep in mind that this particular consultant does not have a good track record. In February of 2019 Sewell Consulting, Inc. unequivocally stated that it had determined that:

No state or federally listed fish species were noted in the stream **nor would any be expected to be found**. It is likely the only occupants of the creek are resident cutthroat trout.<sup>22</sup>

(emphasis added). Yet it has since been reliably determined that there are (at least) Coho Salmon and Brook Lamprey in Mosher Creek. That is the opposite of what Sewall concluded. This calls into serious question whether Sewell Consulting is really using the “best available science” required by LSMC14.88.235(a), or instead is simply using wishful or magical thinking to support whatever conclusions its employers wish it to reach. Haphazard, deterministic “reports” should not be held to meet the required standard, and “innovative development designs” that propose ersatz wetlands with no intact functions and values other than water retention should be rejected.

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<sup>21</sup> Rated at 7 out of 10 for habitat in the Costco Wholesale Lake Stevens – Critical Areas Report (Revised) CW #17-0230, SWC Job #18-105, Sewell Consulting, Inc., Sept. 19, 2019, pp.15-16 (noting the necessity of a 95 foot buffer for preserving the high habitat functions).

<sup>22</sup> Costco Wholesale Lake Stevens – Habitat Report, CW #17-0230, SWC Job #18-105, Sewell Consulting, Inc., Feb. 18, 2019, p.4.

### **III. SEPA Process Deficiencies**

As already noted, the SEPA process carried out so far for this development is grossly deficient. It should be redone, and an Environmental Impact Statement (EIS) that fully evaluates the site, and the likely direct, indirect, and cumulative impacts of the project on the surrounding area should be undertaken.

One SEPA application, for road improvements by the Public Works Department of the City, made to the City, for the 23th Street SE Project, was received on Thursday, April 19th, 2019. An MDNS was issued the following Monday, April 22nd. This rapid turnaround does not reflect a deliberative process.

Also, incorrect and misleading information on the SEPA checklist deprived the public of information it needed to respond to the application and MDNS. For example on page 7 of the checklist, it indicates that part of the site is pasture, and none of it contains water plants. Both of those statements are the reverse of actual conditions on site.

Also deceptive was the answer to Question 7 in the checklist. In April of 2019, the City was well aware of the detailed plans submitted by Costco year earlier.<sup>23</sup> But Question 7 is answered: “It is anticipated that 24<sup>th</sup> St. SE would be constructed further west as a logical extension when future development occurs; timeframe is unknown.” That makes no sense, when a detailed proposal integrated with this action was in process with the City. The City, in its Response Memo issued this morning, appears to attempt to deflect this problem by claiming:

As such, the city issued both the SEPA MDNS for 24th St SE and the Planned Action Certifications for 91st Ave SE and the S. Lake Stevens Road Connector as early actions for the road improvements. **As coordination with Costco progressed, development of the site, city roads, and improvements to SR-9 became codependent** and the responsibility for permitting, construction, ownership and maintenance became complicated.

Response at p.14 (emphasis added). The is again a disingenuous position by the City.

The City knew exactly what kind of future development was being proposed at the time of the SEPA process for the road corridor project. The City’s failure or refusal to integrate, or to even disclose in the SEPA documents at a time – a point when coordination with Costco was in full swing – that the road project was for or being done in conjunction with the Costco construction is an abuse of the SEPA process. The City cannot lawfully avoid taking a comprehensive “hard look” at the actual impacts, both direct, indirect, and cumulative, of this development.

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<sup>23</sup> See e.g., Lake Stevens Costco Green Ink Set, by DOWL, dated 4/13/18.

The City is correct that the process became complicated. However, instead of taking on the complications to the SEPA process that arose from the particulars of this proposal, the City appears to have attempted to sweep them under the proverbial rug.

These problems, and others, invalidate the MDNS. This action also violates WAC 43.21C.030(c, d).<sup>24</sup> This action is not exempt from notice and distribution requirements under LSMC 14.06.030(C)(3) as an administrative approval because, as an application for SEPA review it is not categorically exempt and SEPA review has not been completed.

As described above, the haphazard approach to evaluating the site also invalidates this SEPA process. The failure to notify the public after the application was filed, but before the MDNS was issued contributed to the lack of accuracy and superficial determinations made in the MDNS. Any thorough look at the environmental impacts of this development should include, for instance, the impact on the coho salmon, cutthroat trout and lamprey that currently depend on the “fairly pristine channel” of the Mosher<sup>25</sup> once its tributary and the wetlands and buffers around them are destroyed.

The SEPA process should be undertaken again, from scratch, and all legal requirements followed. Tribes and other stakeholder groups, including neighbors, should be consulted, and competent scientists should be sought and retained to apply the best available science to the process.

Related to the general inadequacy of the SEPA process here is the apparent attempt to pretend that all environmental impacts have already been evaluated during prior reviews under the Planned Action Ordinance (LSMC 14.06.010) for this subarea. In reality, none of the SEPA reviews carried out so far have incorporated the actual development proposed here.

The Response issued this morning claims that general SEPA matters were reviewed as allowed under WAC 197-11-060 and WAC 197-11-776 to “evaluate general matters in broader environmental documents (Subarea Plan and Planned Action), with subsequent narrower documents concentrating solely on the issues specific to the later analysis (24th Street SE and SR9 Intersection),” including “Construction of the Costco Warehouse and related infrastructure improvements.” Response at p.12. That is precisely the point. There still remains a gaping hole in SEPA analysis for this project. **An actual hard look at the specific impacts of the big-box, parking, 30 pump gas depot and associated disturbances has yet to be undertaken.**

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<sup>24</sup> See e.g., *Nickum v. City of Bainbridge Island*, 153 Wn. App. 366, 372 n.4 (2009) (“If SEPA applies, it requires that a ‘detailed statement’ of the proposed action ‘be made available to ... the public.’”)(quoting RCW 43.21C.020(3)(d)).

<sup>25</sup> See, Costco Lake Stevens #18-105 Sewall Wetland Consulting, Inc. February 18, 2019, p.4. As noted previously, the Sewell report failed to identify any fish species in Mosher Creek, and despite finding it fairly pristine, absurdly concluded that it was unlikely anything but native cutthroat would be identified in the stream.

Since those impacts have not been adequately addressed, the City has the duty, under RCW 43.21C.240, to conclude - as the Development Agreement provides in Section 11(i) - that this development “is likely to cause unmitigated, significant, adverse environmental impacts that have not been precisely analyzed in the Planned Action process or other SEPA environmental documents.”

The draft environmental checklist prepared as “The City of Lake Stevens/Costco 20th St SE Subarea implementation plan” exhibits all of the flaws in evaluating the site noted already. The SEPA process for this large and environmentally sensitive area should not be based on that document, and a full EIS should be undertaken before this project is approved.

The only site specific completed SEPA review documents for this site that has to date been provided to LLS and the public by the City is the MDNS for road construction. That is not a site specific evaluation of the proposed development itself. The City seems to suggest that no further SEPA review is necessary, due to the EIS done for the sub area under the Planned Action Ordinance. However, that EIS did not cover or complete any substantive analysis on this particular development.

The 20th Street SE Corridor Subarea Planned Action EIS contains no detail on wetlands, their quality ratings, functions of individual wetlands on this site, or any mention of Mosher Creek. It does say, however that critical areas are subject to the Critical Areas protections in LSMC 14.88.<sup>26</sup> So, the entire work of identifying, quantifying, and evaluating the environmental impacts of the losses of critical areas, their functions and habitats has yet to be done by the City, under SEPA.

What has been done is, as noted above, deterministic and superficial analysis that does not conform to SEPA or Lake Stevens’ Critical Area Code sections. These provisions must be rigorously enforced, as described in the section above, in order to adequately address the environmental impacts of this proposed development.

In short, none of the SEPA mandated processes thus far carried out have evaluated the actual anticipated environmental impacts of this proposed development. The EIS was entirely general, and the SEPA process on the road extensions was narrowly focused on the specific impacts of the roads, not the impacts of the Costco and gas station development proposal. Trying to evade or reduce the scope of environmental impacts analysis by piecemealing in this way, which it appears either Costco or the City is doing, is unlawful.<sup>27</sup>

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<sup>26</sup> “More detailed analysis will be required for future projects that occur on sites containing critical areas – including full delineation, classification, and functional assessment – in conjunction with development permitting. The standards and mitigation requirements of Chapter 14.88 LSMC will be applied to such development to avoid or mitigate impacts.” FEIS at p.14.

<sup>27</sup> See e.g., *Merkel v. Port of Brownsville*, 8 Wn. App. 844, 851 (1973) (“If clearing and construction activity is allowed to continue in the uplands portion before the wetlands portion has been approved, it is obvious the entire area will be affected. The legislature, in extending the scope of SMA to consideration of the use of lands adjacent to shorelines, sought to prevent this type of coerced land use development.” \*\*\*

The generalized EIS and subsequent road construction MDNS findings do not anticipate or reveal the environmental impacts of Costco's proposed development. LLS is not the only one who recognizes this. For example, in a comment to the City in June of this year the Snohomish County Public Works Department noted that: "In order for the Costco Wholesale development proposal to qualify as a planned action under the 20th Street SE Corridor Subarea EIS adopted via Ordinance No. 878 and for a Planned Action Certification to be issued, the EIS prepared for the 20th Street SE Corridor Sub Area Plan would need to have addressed the impacts of a facility as extensive as a Costco Wholesale located in the southwest quadrant of the 20th Street SE/SR9 intersection." As the County, and LLS, have noted that was not something actually covered by the SubArea EIS

The SEPA process requires a "hard look" at the environmental impacts of a proposed action.<sup>28</sup> A hard look means that "broad generalizations" and "vague references" do not suffice.<sup>29</sup>

A specific and particular analysis of the project at issue – a Costco with a massive gas station - is required. This has not yet happened on this application. The actual impacts, both direct, indirect, and cumulative - not just a general, area-wide discussion of some of the issues - must be completed.

The proposed project in its entirety, must undergo SEPA review. The actual impacts must be measured, and meaningful alternatives to the proposed development must be proposed and evaluated. Notice of the application to the public and required comment periods (extended beyond the minimum 14 days, due to the complexity of this site) must be observed. The law requires it, and the people of Lake Stevens deserve an objective, and transparent impact analysis process.

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**To permit the piecemeal development urged upon us by the port would lower the environmental mandates of these acts to the status of mere admonitions.** The result would be frustration rather than fulfillment of the legislative intent inherent in these acts. This project will have a significant effect upon the environment. It is to the public's benefit that any project significantly affecting the environment and shorelines of this state comply with the procedures established by SEPA and SMA to insure [sic] that the environmental aspects have been fully considered." (emphasis added).

<sup>28</sup> See e.g. *Sierra Club v. Peterson*, 717 F.2d 1409, 1413 (D.C. Cir. 1983). Because SEPA is substantially similar to NEPA, Washington courts often look to federal case law when interpreting SEPA compliance issues. *Local 19 v. City of Seattle*, 176 Wn. App. 512, 525 (2013). See also, *Toward Responsible Dev. v. City of Black Diamond*, 179 Wn. App 1012, 2014 Wash. App. LEXIS 197, 2014 WL 295838 (Slip Op. at p.7) rev. den., 180 Wn.2d 1017 (2014) (same holding as *Peterson* on the piecemealing issue).

<sup>29</sup> See e.g., *Neighbors of Cuddy Mountain*, 137 F.3d 1372, 1381, (9<sup>th</sup> Cir. 1998); and *Klamath- Siskiyou Wildlands Ctr. v. Bureau of Land Mgmt.*, 387 F.3d 989, 993-94 (9<sup>th</sup> Cir. 2004), both stating that NEPA analysis must be based on "some quantified or detailed information; . . . [g]eneral statements about possible effects and some risk do not constitute a hard look absent a justification regarding why more definitive information could not be provided." (Alteration in original, citations omitted).

In sum, the recitals and statements made in the Development Agreement<sup>30</sup> on Mitigation (Agreement Item 10), as well as those related to SEPA (Agreement Item 11), are not supported by substantial evidence. Approval of those statements and this agreement, in this situation, would be arbitrary and capricious.

As noted the Planned Area FEIS was entirely general and relied on specific laws and procedures protecting Critical Areas, species listed as threatened or endangered by state or federal law, and water quality. No SEPA analysis of the site specific situation presented by this Costco Warehouse and gas fueling depot has been completed. Consequently, the determinations made in the Development Agreement are not consistent with the law or with the procedures and standards contained in the LSMC. For these reasons, none of the applications on the agenda at the City Council Hearing – including but not limited to the Development Agreement – should be approved.

#### **IV. Traffic Impact Issues**

This proposed store location sits about 1.4 miles from the US 2, SR 204 and 20th Street Southeast interchange. This is an interchange which WSDOT describes as **already** experiencing “severe congestion during peak commute times. These backups can sometimes spill over onto other highways and surface streets, creating additional congestion.” The City even has a webpage devoted to publicizing the problem and letting citizens vent about it.

Yet this interchange does not appear to be analyzed in the current Traffic Impact Analysis (“TIA”) done for Costco. Traffic jams on US 2 and the ‘Trestle’ are well known, and universally hated. Will putting up a 170,000 square foot big box warehouse and private gas fueling club exacerbate these traffic issues?

Costco is apparently not concerned. People that live in and around Lake Stevens are. They deserve to know if a Costco at this location it will make their driving experience less bearable, and what Costco proposes to do to prevent that from happening.

Several intersections studied in the TIA will have service levels of E or F with this project added to their load. Is that something Lake Stevens residents just have to live with, or are there more appropriate locations in the area for a Costco?

Is another Costco, in such close proximity to existing Costco’s, really something that Lake Stevens residents should accept as part of traffic congestion in their City? Is that good long term planning? Is that sustainable?

The development as proposed has elements inconsistent with the LSMC and the 20th Street SE Corridor Subarea Plan. In particular, the 93rd Drive SE extension dead-ends into the

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<sup>30</sup> LLS is working from the Development Agreement titled “Costco Draft 11/5/19.” The Announcement for this Hearing did not make clear which version is being used for the hearing, and a Final version was not among the documents made available on the City’s website.

Costco development site. This conflicts with LSMC 14.56.100, “[d]ead end streets **shall** be avoided.” (emphasis added).

Further, extending the street in this way so that it serves only Costco makes it not so much as an improvement of a public road as a private drive for Costco’s benefit. Figure 6.20 of the 20th Street SE Corridor Subarea Plan shows this road continuing through the proposed site and connecting to the planned 24th Street SE. Why is the Plan being altered in this way, to benefit only Costco, without revisiting it and making the change, supported by evidence that it improves the Plan?

LLS asked a Traffic Engineering consultant, Greenlight Engineering, to review Costco’s application and the TIA done by Transportation Solutions, Inc. for consistency and compliance with relevant plans, policies and laws. Attached as Exhibit #2 is the Greenlight Report. It identifies a host of problems, needed improvements, clarifications and data required for a legally sufficient TIA.

Some of the most significant findings in the Greenlight Report include the fact that many intersections that the Comprehensive Plan and the LSMCs **require** be analyzed **were not evaluated** in the TIA currently before the Council.<sup>31</sup> Many other intersections that will bear significant traffic impacts of hundreds of vehicles per hour from this development were also not evaluated. These deficiencies should be corrected, and adjustments to the TIA and the current development proposal should be made to reflect and mitigate for these impacts.

The Greenlight Report also identifies problems with the TIA’s trip generation estimates for the proposed development. They rely on data that is not published or publicly available, and so, are not reviewable or verifiable.

A study done for a public body like the City cannot rely on ‘trust me’ for verification of the figures it uses. There is no reasonable rationale for making information the City and the public relies on to evaluate a development application secret. The data used to develop the TIA must be published, so that it, and the conclusions drawn from it can be peer reviewed for accuracy.

Another oddity of the TIA is that the pass-by trip estimates do not conform to the definition of pass-by trips in the ITE Trip Generation Handbook, and they also appear to reflect numbers that are physically impossible. This should be corrected so that an accurate description of traffic impacts can be assessed.

Also, the TIA assumes road improvement projects that are not currently funded will be in place, and that signal timing changes will be made. However, the funding source for all of these is not clear. If they are to come out of the \$2.8 million dollars that Costco is committed to spend on offsite street and roadway improvements under Section 9 of the Development Agreement, that

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<sup>31</sup> LSMC 14.110.040(b)(1) requires “**all** intersections within the defined subarea boundaries of the 20th Street SE Corridor with the exclusion of SR-9 intersections” to be evaluated. (emphasis added). The TIA, however, analyzed only **signalized** intersections. That is a huge and fundamental error.

should be made clear, and cost estimates broken out for **all** such planned improvements by both the City and Costco in the TIA as the WSDOT Design Manual requires.

Of particular concern, given the Critical Areas and intact wildlife habitat on this site is Costco's request for additional parking. Costco should be proposing less parking and modifying its design to comply with the policy of preservation of Critical Areas detailed in Section II of this Comment, not trying to expand the footprint of this development.

A host of other concerns on safety, traffic management, and evaluation in the TIA are identified in the Greenlight Report. They should all be given the full attention of responsible staff members and measures taken to address all of the deficiencies in the TIA and Development Agreement around the issue of Traffic Impacts.

Until this is done, and all of the unclear and incorrect methods, evaluation and data identified in the Greenlight Report are addressed, the City should not finalize Section 9 of the Development Agreement that concludes that all transportation related Mitigation, Impact Fees and Concurrency have been addressed and accounted for by the Agreement.

## **V. Other Issues**

There are a host of other issues that pervade this project. Even the City Staff seem to recognize that, as many of these issues are listed in the Response Memo issued this morning.

There is insufficient time and space to address in detail all of these issues in this comment. Nor is it clear yet, because of the confusing process used by the City so far, that this is the appropriate place to do so. So for now LLS will simply list those issues.

In addition to those already identified in this comment there are issues posed by this project on:

- Noise impacts on the area;
- Design Connectivity for residential and other streets in the area;
- Stormwater runoff that will potentially affect hydrology (perhaps positively, or perhaps negatively) downstream;
- Air quality impacts, due to increased vehicle trips, idling of consumer vehicles waiting to gas up, idling of commercial vehicles waiting to deliver or to gas up, and from the off-gassing from one of more of the 30 pumps at the massive fueling depot;
- An increased Greenhouse Gas emission and footprint for the City;
- Light pollution, both from the facility and from all the vehicles travelling to and from the facility;
- Interference with other local government entity utility lines;
- Creation of sewer, garbage, water supply and electrical supply issues;
- Wetland and stream impacts;

- Likely significant negative economic effects on local stores that sell the same or similar products;
- More sprawl, and less nature for local citizens to enjoy; and
- Removal of over 1,800 trees, many of which – unlike the proposed replacements – are mature growth that provide exceptional habitat and carbon sequestration.

All of these need to be addressed, and a “hard look” taken at the direct, indirect, and cumulative impacts of the proposed Costco. So far that has not been done.

## **VI. Conclusion**

The various applications that are apparently being considered either at the upcoming Hearing or by the Planning Department (or both) should not be approved at this time. The public process issues alone mean that this Hearing should be continued, and time and attention given by City Staff to adequately informing all members of the public about these proposals; answering all reasonable questions from members of the public; and providing up to date, comprehensive copies of all documents relevant to these decisions. Then, and only then - after adequate time and, hopefully, presentations by the City to the public on these applications – it would be fair to ask the public for their final input and to make decisions on this project and its many applications.

Substantively, there are significant deviations in these applications that from the applicable Lake Stevens Code - and from good public policy. Those deviations mean that the pending applications cannot be lawfully approved at this time.

For example, the Development Agreement is not “compatible with the goals and policies of the Comprehensive Plan” as required by LSMC 14.16C.055(d)(1). Many intersections required by the Comprehensive Plan to be analyzed were not analyzed.

Additionally, the prioritization of

“the protection of wetlands, streams and creeks ,lakes and ponds, aquifer recharge areas, geological hazardous areas (e.g., steep slopes and erosion areas), significant trees, fish and wildlife habitat areas and corridors, cultural resources, and frequently flooded areas through land use policies, regulations and decisions based on best available information and in coordination with state and regional priorities.”

that is required by LSCP Policy 4.1.1 has been either ignored or given superficial, deterministic consideration without using the best available science with respect to recharge areas, significant trees, and fish and wildlife habitat areas and corridors.

In the same way, the Development Agreement violates Policy 2.10.5, which requires the City to:

Protect and preserve wetlands and riparian corridors associated with Shorelines of the State and open space corridors within and between urban growth areas useful for recreation, wildlife habitat, trails, and connection of critical areas.

That is clearly not what is occurring here.

These departures from legal requirements must be addressed and corrected, and that should be done before approving a Development Agreement. The Comprehensive Plan also notes that the wetlands on this parcel are a *constraint* on development. *See*, LSCP Table 2.1 at LU-9. Preservation, not removal and mitigations, is what the Comprehensive Plan calls for. *See*, LSCP Policy 4.1.3 (“Preserve existing vegetation as much as possible due to its vital role in maintaining wildlife habitat and preventing additional storm water runoff or soil erosion from new developments.”)

Subsidizing and developing a big-box Costco and a massive fueling depot on this site also conflicts with LSCP Policy 2.12.4:

Encourage small scale, neighborhood compatible, commercial uses to be distributed throughout the community, thus reducing the need to drive to the nearest “big-box” retailer to pick up day-to-day convenience items. This also provides the opportunity for pedestrian access to stores along with the health and social benefits related to pedestrian activity.

A Costco is the antithesis of that Policy. It is also at odds with LSCP Policy 2.14.6, to:

Develop high quality, compact urban communities throughout the region's urban growth area that impart a sense of place, preserve local character, provide for mixed uses and choices in housing types, and encourage walking, bicycling, and transit use.

The Development Agreement as currently written also violates LSMC 14.16C.055(d)(3), because it does not adequately mitigate adverse environmental impacts. As described, the studies done by Costco’s consultants are demonstrably at odds with the best available science. The site has not been evaluated with anything near to a level of detail that allows the City **or the public** to truly understand the scope and intensity of the environmental impacts.

If the environmental impacts are not competently described, they cannot be understood. Until they are properly understood, the wisdom and desirability of wiping out the extant environment and subsidizing a Costco in its place, or the type and extent of mitigation needed to compensate for such an action, is really unknowable.

The Binding Site Plan should also not be approved as written, for many of the same reasons. For example, the deficiencies in the TIA that have been outlined and that are discussed in more detail in the Greenlight Report that is provided with this comment demonstrate that the Binding Site Plan does not conform with LSMC 14.18.120(c), by meeting “[r]equirements for

public or private roads, right-of-way establishment and permits, access, and other applicable road and traffic requirements.”

The Binding Site Plan also fails to meet the standard in LSMC 14.18.120(h). That mandates: “[c]ompliance with environmental policies and procedures and critical areas regulations of Title 16 and Chapter 14.88.” Since the Binding Site Plan relies on the same documentation and studies done for the project in general, and on the Development Agreement, please refer to the extensive discussions in this comment for some of the many reasons why the Binding Site Plan does not comply with the LSMC sections referenced in LSMC 14.18.120(h).

Similarly, the Design Review for this project should not be approved as presently proposed. The current design departs drastically from the City’s standards for approval of a design. This proposed design does not “improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources” as LSMC 14.16C.050(a)(2) mandates. Quite the opposite. It also does nothing like “prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape,” as LSMC 14.16C.050(a)(4) requires. Instead, the project as proposed measurably harms high-functioning natural aquatic systems.

One wonders if a massive big-box warehouse stuffed with imported goods will actually utilize “green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems” as required by LSMC 14.16C.050(a)(5). Sadly, the answer is likely no.

Does anyone credibly argue that a Costco big-box warehouse with 30 gas pumps fulfills the citizens of Lake Stevens’

need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole

in any way? Yet that is what LSMC 14.16C.050(a)(6) calls upon it to do.

A Costco may have its good points. However, should something so at odds with so many provisions of Lake Stevens’ Comprehensive Plan and City Code be approved, let alone **massively subsidized by taxpayer dollars**? LLS submits that it should not.

LLS, like other members of the public, is left with both a host of concerns and a host of questions. Provided with this comment is a list of some of the questions that LLS sees as currently unanswered. Both City Staff, and the Council, should be sure all these questions are

answered and that the public has time to digest the answers and to provide feedback on them, before any decision making occurs.

For all of the reasons cited here, and in the prior LLS comments that are already on file with the City, the current Costco proposal should be rejected. It is, as currently presented, inappropriate for the site chosen and incompatible with the long term best interests of Lake Stevens residents.

Sincerely,

A handwritten signature in blue ink that reads "Michael Whipple". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Whipple

C: Karl G. Anuta Esq.  
Greg Rubstello, Esq.

| <b>Working Budget</b>              |                 |                         |  |                        |                         |
|------------------------------------|-----------------|-------------------------|--|------------------------|-------------------------|
| <b>Project</b>                     | <b>Original</b> |                         |  | <b>Revised</b>         |                         |
| City Land                          | \$3,400,000.00  |                         |  | \$3,400,000.00         |                         |
| Other Land (Purchase Nordin)       | \$4,200,000.00  |                         |  | \$4,200,000.00         |                         |
| Excess Property                    | -\$1,000,000.00 |                         |  | -\$1,000,000.00        |                         |
| Consulting Fees                    | \$230,000.00    |                         |  | \$230,000.00           |                         |
| <b>Total Land</b>                  |                 | <b>\$6,830,000.00</b>   |  |                        | <b>\$6,830,000.00</b>   |
| Soft Cost Site (70%)               | \$2,003,035.00  |                         |  | \$2,003,035.00         |                         |
| Soft Cost Roads/Off-Sites (20%)    | \$572,296.00    |                         |  | \$572,296.00           |                         |
| Soft Cost Route 9 (10%)            | \$286,148.00    |                         |  | \$286,148.00           |                         |
| Traffic Impact Fees                | \$2,800,000.00  |                         |  | \$2,800,000.00         |                         |
| <b>Total Soft Costs</b>            |                 | <b>\$5,661,479.00</b>   |  |                        | <b>\$5,661,479.00</b>   |
| <b>On-Site Work</b>                |                 | <b>\$10,923,135.00</b>  |  |                        | <b>\$10,923,135.00</b>  |
| A - 91st from 20th to Ridgeline    | \$0.00          |                         |  | \$1,000,000.00         |                         |
| B - 91st Costco Frontage           | \$2,085,287.00  |                         |  | \$2,085,287.00         |                         |
| C - 24th St                        | \$3,302,468.00  |                         |  | \$3,302,468.00         |                         |
| D - S Lake Stevens Rd              | \$505,091.00    |                         |  | \$505,091.00           |                         |
| E - Stormwater Detention Pond      | \$1,059,582.00  |                         |  | \$1,059,582.00         |                         |
| Property Acquisition for all Above | \$0.00          |                         |  | \$0.00                 |                         |
| F - Hwy 9 Roundabout               | \$3,794,417.00  |                         |  | \$3,794,417.00         |                         |
| Property Acquisition for Hwy 9     | \$225,000.00    |                         |  | \$225,000.00           |                         |
| G - Hwy 9/Hwy 2 Improvement        | \$500,000.00    |                         |  | \$500,000.00           |                         |
| <b>Off-Site Work</b>               |                 | <b>\$11,471,845.00</b>  |  |                        | <b>\$12,471,845.00</b>  |
| <b>Building</b>                    |                 | <b>\$14,931,236.00</b>  |  |                        | <b>\$14,931,236.00</b>  |
| <b>Gas</b>                         |                 | <b>\$1,854,000.00</b>   |  |                        | <b>\$1,854,000.00</b>   |
| <b>Equipment</b>                   |                 | <b>\$7,000,000.00</b>   |  |                        | <b>\$7,000,000.00</b>   |
| <b>Capex</b>                       |                 | <b>\$400,000.00</b>     |  |                        | <b>\$400,000.00</b>     |
| <b>WA Tax (8.9%)</b>               |                 | <b>\$2,549,741.00</b>   |  |                        | <b>\$2,549,741.00</b>   |
| <b>TOTAL</b>                       |                 | <b>\$61,621,436.00</b>  |  |                        | <b>\$62,621,436.00</b>  |
| <i>Less Economic Assistance</i>    |                 |                         |  |                        |                         |
| City Road Contribution             | -\$3,400,000.00 |                         |  | -\$3,400,000.00        |                         |
| City TIF Investment in Road        | -\$2,800,000.00 |                         |  | -\$2,800,000.00        |                         |
| State Route 9 Contribution         | -\$1,435,188.00 |                         |  | -\$1,435,188.00        |                         |
| City Bond Issuance                 | -\$9,000,000.00 |                         |  | -\$9,000,000.00        |                         |
| 91st from 20th to Ridgeline        |                 |                         |  | -\$1,000,000.00        |                         |
| <b>Total Economic Assistance</b>   |                 | <b>-\$16,635,188.00</b> |  |                        | <b>-\$17,635,188.00</b> |
| <b>TOTAL PROJECT COST</b>          |                 | <b>\$44,986,248.00</b>  |  |                        | <b>\$44,986,248.00</b>  |
| CITY ECONOMIC ASSISTANCE           |                 |                         |  |                        |                         |
| Additional Sewer Cap Investment    |                 |                         |  | \$17,635,188.00        |                         |
| <b>TOTAL CITY INVESTMENT</b>       |                 |                         |  | <b>\$18,635,188.00</b> |                         |

FOR CITY USE ONLY



CITY OF LAKE STEVENS  
PUBLIC RECORDS REQUEST FORM

Requestor Name: Karl G. Anuta Date: 05/07/2019

Agency: City of Lake Stevens Community Planning and Community Development

Requestor Address: 735 S.W. First Avenue, Strowbridge Bldg, Second Floor  
Street Suite/Apt  
Portland Oregon 97204  
City State Zip Code

Requestor Phone: \_\_\_\_\_ Cell: 503-827-0320 (office) Email: kg@integra.net

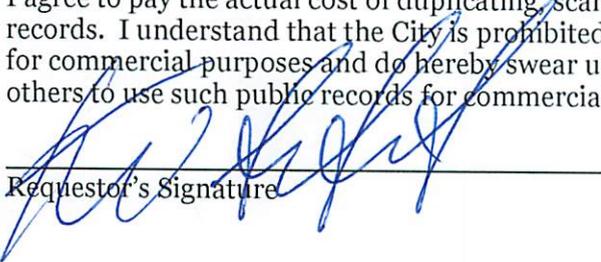
Request Made:  In Person  In Writing  Telephone  Fax  Email

Preferred Delivery:  Pick Up  U.S. Mail  Email (provide address)  
 Fax (provide number)  On-Site Inspection

**Record Request Information:** To expedite the request, be as specific as possible in describing the records being requested, including dates. Also, please include the type of access requested (copying or inspection) and the medium requested.

Any and all records related to - including any applications for development, site plan review, environmental review, or design review, as well as any pre-application materials - for a possible or actually proposed Costco, from 2018 through present. Copy to and send on a CD or Thumb-drive.

I agree to pay the actual cost of duplicating, scanning, and/or mailing copies of the requested public records. I understand that the City is prohibited from disclosing lists of individuals to requestors for commercial purposes and do hereby swear under penalty of law that I will not use or allow others to use such public records for commercial purposes.

  
Requestor's Signature

05/07/2019  
Date

Acknowledgement of Receipt of Records: \_\_\_\_\_  
Requestor's Signature & Date

309 E. Pacific Ave.  
Spokane, WA 99202

November 6, 2019

Greg Rubstello  
Ogden Murphy Wallace  
901 5th Ave. Ste. 3500  
Seattle, WA

**RE: *Lake Stevens Costco Project***

Dear Mr. Rubstello:

We represent Livable Lake Stevens, a community group dedicated to sustainable, cost-conscious, quality growth in the City of Lake Stevens. As you are aware, I attempted to meet with the planning department representative responsible for the review of the Costco project and associated proposed City road development projects. Initially, I was told that we would not be able to meet for several days. Then, after the meeting was scheduled, I was contacted by the department director who instructed me that it was the City's policy not to meet with attorneys without having counsel for the City present. In addition, I was instructed to direct future communication to you.

This is the first time I have ever been presented with such a position by a municipal planning agency in a land use development project review that was not the subject of litigation. In addition, the City's position serves only to obstruct our clients' ability to inform themselves of the project and prevent meaningful input into the review process. Further, this position is in direct opposition to the posted project notices directing interested persons to the department for information and responses pertaining to the project.

To that end, please direct me to the adopted City policy prohibiting planning department representatives from discussing a land use project under review with a representative of a citizen group. In addition, please provide any additional examples where this has occurred in similar circumstances.

Further, in response to the department's invitation, I provided a list of questions pertaining to the project. It has been over a week and we have received no response. As you are aware, the City is accelerating the review of this project. The lack of information and deliberate thwarting of our access to meaningful responses to our reasonable requests

is prejudicial to our clients and prevents their ability to offer meaningful input and participation in the review process. I have attached a copy of the initial questions that were previously provided to the department. I look to you to facilitate the return of expedited full responses.

Please contact me immediately if you require any clarifications.

Sincerely,

A handwritten signature in black ink, reading "Michael D. Whipple". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael D. Whipple  
Attorney at Law

## Unanswered Questions In Costco Application Process

1. Why were the advanced plans that Costco had submitted to the City not accounted for and included in the SEPA determinations for the MDNS issued on April 22, 2019?<sup>1</sup>
2. Is it the City's position that the structure and timing of the road improvements was completely independent of the Costco project?
3. Where is documentation that the City took the first step required by LSMC 14.88.010(a)(1) to not take this action, and to analyze other uses that preserve the Critical Areas, as the law requires?
4. How does the planning for this development comply with the requirement in LSMC 14.88.295 to leave streams and wetlands "permanently undisturbed" in a "natural state" and left as a native growth protection area?
5. Why does the draft of the Biological Evaluation submitted to the Corps of Engineers consider only fish species, and no others?
6. Is it the position of the City that only fish species have federal or state protections, and that no other species falls within the ambit of SEPA/NEPA impact analysis and must be considered before actions are taken that impact them?
7. What measures has the City taken to ensure the best available science is being used to evaluate Critical Areas and other environmental assessments?
8. Why is Sewell Consulting, which has made serial errors and omissions in almost every assessment it has done so far, still being relied upon by the City?
9. Is it the City's position that studies that omit actual observations and counts of bird, mammal, amphibian, reptilian and plant species constitute sufficient or the best scientific information about this site?
10. Given the lack of detailed information and study on this site, is it not incumbent on the City to invoke the precautionary principle required under LSMC 14.88.325(c) and pause development until this uncertainty is resolved?
11. How do the wildlife habitat and habitat corridors on this site fit into the local ecosystem?

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<sup>1</sup> For example, a Geotechnical Survey Report on the site for Costco had been issued by Terracon Consultants over a year earlier, and the City had detailed plan sets from Costco for many months before undertaking the road project.

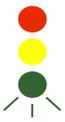
12. How has the City prioritized those functions and values on this site as LSCP Policy 4.1.1 requires?
13. Since big-box stores are not one of the exceptions to the allowed activities in Critical Areas under LSMC 14.88.210, and much of the area is City owned so that there is no denial of economic activity on those portion off the property, what finding allows the City to permit development that appears to otherwise be expressly prohibited in a Critical Area?
14. Does the City agree or disagree with the assessment of the Snohomish County Public Works Environmental Services Department in its June 19, 2019 Comment to Planning and Community Development that: "In order for the Costco Wholesale development proposal to qualify as a planned action under the 20th Street SE Corridor Subarea EIS adopted via Ordinance No. 878 and for a Planned Action Certification to be issued, the EIS prepared for the 20th Street SE Corridor Sub Area Plan would need to have addressed the impacts of a facility as extensive as a Costco Wholesale located in the southwest quadrant of the 20th Street SE/SR9 intersection"?
15. What is the best available science that supports the applicant's proposed created wetland to be designated as a Category II wetland with a 25 foot buffer rather than the 110 foot buffer as required by 14.88.830(b)?
16. What evidence is there that a wetland of this type that is used/abused as a retention pond and only has a 25 foot rather than a 110 foot buffer will nonetheless retain its habitat functions?
17. Is it the City's position that an Innovative Development Design under LSMC 14.88.298 can simply be an abrogation of legal standards, rather than being more protective than the treatment of functions and values that would obtain under the existing standards?
18. How does the proposal to have only a 25 foot buffer on that wetland square with LSMC 14.88.830(f), which says that buffer reductions are only allowed in Category III or IV wetlands?
19. Does the City require that the City's lawyer be present for all meetings between City staff and Costco's legal representatives?
20. What pages in the EIS for the 20th Street Corridor Sub Area Plan, contain the description and detailed analysis of the likely environmental impacts (both direct, indirect and cumulative) of this specific Costco proposal?
21. In what other SEPA document is the description and detailed analysis of the likely environmental impacts (both direct, indirect and cumulative) of this specific Costco proposal?

22. Does the Shoreline Management Act apply to any of the wetlands or streams at issue in this project?
23. If no, why not?
24. How much of a drive is “too long” or unreasonable, for a person to be able to get to a Costco?
25. What is the ideal drive time and distance for today’s consumer to drive to a Costco?
26. Where in the City Development Code is drive time to a big-box store found as an approval criteria for a development?
27. Does the City consider drive time to reach a particular kind of store to be an adequate demonstration of the “need” for a project?
28. Does the City have any policies or rules on whether an applicant can define “need” so narrowly that only one specific site can be found to be viable for the project?
29. How did the City come to the conclusion that a corporation that will make \$3.66 **Billion** dollars needed around \$19 million dollars of Lake Stevens taxpayer money to build a store in the City?
30. Why is the City proposing to provide a subsidy of over \$6 Million in taxpayer funds to Costco, to construct a store on this site?
31. Has the City looked at what the alternative uses of those funds, for schools, road repairs, and other key services might be?
32. Is it the City’s position that the underlying data in a Traffic Impact Assessment (TIA) need not be made available to the public for analysis?
33. Has the City seen the underlying data relied upon in the TIA?
34. Has the City had its own traffic engineer review the data in the TIA, to determine if it really shows what the TIA claims it shows?
35. Has the City made an official exemption to the requirement in LSMC 14.110.040(b)(1) that “**all** intersections within the defined subarea boundaries of the 20th Street SE Corridor with the exclusion of SR-9 intersections” be analyzed?
36. Is it acceptable for an applicant to interpret “all intersections” to mean only signalized intersections?

37. Has the City had the TIA independently reviewed by a qualified traffic engineer to evaluate whether the TIA actually describes all the likely traffic impacts?
38. Has the City had the TIA independently reviewed by a qualified traffic engineer to evaluate whether the mitigation proposed in the TIA will likely be sufficient to mitigate all the potential traffic impacts?
39. Does the City typically accept pass-by trip analysis in a TIA that is estimated according to some source other than the ITE Trip Generation Manual?
40. If so, what provision of the City Code allows for that?
41. Why does the City think that this Costco fits the description of development preferred for Lake Stevens in Policy 2.12.4, which mandates that the City: “Encourage small scale, neighborhood compatible, commercial uses to be distributed throughout the community, thus reducing the need to drive to the nearest “big-box” retailer to pick up day-to-day convenience items. This also provides the opportunity for pedestrian access to stores along with the health and social benefits related to pedestrian activity”?
42. If not, what is the rationale for disregarding that Policy?
43. If the City Council approves the Development Agreement, what will be the appeal process and deadline that the public will need to meet if one or more folks wish to challenge such an approval?
44. Is there a legal deadline of some sort by which the Council has to make a decision one way or the other on the Development Agreement?
45. If the Planning Director approves one or more of the consolidated proposed land use actions, what will be the appeal process and deadline that the public will need to meet if one or more folks wish to challenge such an approval?
46. Is there a legal deadline of some sort by which the Planning Director has to make a decision one way or the other on each of the pending land use actions?
47. How does a massive Costco, with extra parking spaces and a 30 pump fuel depot, comply with the mandate in LSMC 14.16C.050(a)(6) that development in Lake Stevens satisfy the: “need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole”?

## Lake Stevens Costco Summary of Sub-Projects

| A  | B  | C                      | D                          | E                      | F   | G  | H      | I           | J      |
|----|--|------------------------|----------------------------|------------------------|---|----|--------|-------------|--------|
| 1  | Date: July 2018  |                        |                            |                        |   |    |        | Cost Splits |        |
| 2  | Sub-Project Description  | Total                  | City of Lake Stevens Total | Costco Total           | Sub-Project Specific Assumptions  |    | Length | CLS         | Costco |
| 3  | A 91st Ave - 20th to Ridgeline Property  | \$ 893,600.00          | \$ 893,600.00              | \$ -                   | - City pays 100% of development cost including crossing of water lines  | 4  | 370    | 100%        | 0%     |
| 4  | B 91st Ave - Costco Frontage   | \$ 1,850,700.00        | \$ 925,400.00              | \$ 925,400.00          | - City/Costco cost share 50:50<br>- Costco is responsible for frontage improvements per LSMC  | 5  | 842    | 50%         | 50%    |
| 5  | C Intersection at 91st Ave and 20th St   | \$ 106,400.00          | \$ 106,400.00              | \$ -                   | - City pays 100% of development cost  | 6  |        | 100%        | 0%     |
| 6  | D 24th St - Lochner Design   | \$ 2,756,800.00        | \$ 2,756,800.00            | \$ -                   | - City pays base cost per Lochner design/estimate and the following assumptions:<br>- Lochner estimate does not separate 24th St and 91st St:<br>- 24th St accounts for 53% of Lochner estimate (24th - 1380 LF; 91st - 1,220)<br>- Lochner estimate does not include utilities:<br>- 100% of Green Ink set water quantities added to Lochner estimate<br>- No dry utilities located along 24th St<br>- City standards and requirements are applied to both designs | 7  | 1382   | 100%        | 0%     |
| 7  | E 24th St - Green Ink Set  | \$ 2,997,100.00        | \$ 2,756,800.00            | \$ 240,300.00          | - Costco pays all costs in excess of Lochner design<br>- City standards and requirements are applied to both designs  | 8  | 1382   | 92%         | 8%     |
| 8  | F South Lake Stevens Spur  | \$ 354,600.00          | \$ 336,800.00              | \$ 17,800.00           | - Costco dedicates the property and pays cost of 24th St/S Lake Stevens intersection improvements<br>- City pays cost of road   | 9  | 474    | 95%         | 5%     |
| 9  | G SR9 Intersection - Signalized  | \$ 2,838,800.00        | \$ 1,419,400.00            | \$ 1,419,400.00        | - City/Costco cost share 50:50  | 10 |        | 50%         | 50%    |
| 10 | H SR9 Intersection - RI/RO/LI  | \$ 119,200.00          | \$ 59,600.00               | \$ 59,600.00           | - City/Costco cost share 50:50  | 11 |        | 50%         | 50%    |
| 11 | I Storm Water Detention - Sized for Costco Impacts   | \$ 486,500.00          | \$ -                       | \$ 486,500.00          | - Costco dedicates the land and pays percentage of cost based on percent of facility dedicated to Costco use<br>- City pays for oversizing for future use   | 12 |        | 0%          | 100%   |
| 12 | J Storm Water Detention - Green Ink Set  | \$ 940,400.00          | \$ 453,900.00              | \$ 486,500.00          | - Costco dedicates the land and pays percentage of cost based on percent of facility dedicated to Costco use<br>- City pays for oversizing for future use   | 13 |        | 48%         | 52%    |
| 13 | K Sewer Line - Gravity   | \$ -                   | \$ -                       | \$ -                   | - Costco pays 100%<br>- Gravity line directly from Costco to existing pump station in the SW corner at the 91st Ave/20th St intersection<br>- VE Out  | 14 |        | 0%          | 100%   |
| 14 | L Sewer Pump Station Upgrade for Added Flows   | \$ -                   | \$ -                       | \$ -                   | - Costco pays 100%<br>- City or LSSD to pay for any oversizing for late-comers<br>- VE Out  | 15 |        | 0%          | 100%   |
| 15 | M Sewer Line to SR9 "Dry Line"   | \$ -                   | \$ -                       | \$ -                   | - City/LSSD pays 100% of development cost<br>- VE Out   | 16 |        | 100%        | 0%     |
| 16 | N Private Cost Pump Station  | \$ 464,900.00          | \$ -                       | \$ 464,900.00          | - Costco pays 100%<br>- City or LSSD to pay for any oversizing  | 17 |        | 0%          | 100%   |
| 17 | <b>Costco Preferred Sub-Projects</b>   | <b>\$ 9,992,600.00</b> | <b>\$ 6,438,400.00</b>     | <b>\$ 3,554,300.00</b> |   |    |        |             |        |
| 18 |  |                        |                            |                        |   |    |        |             |        |
| 19 | General Assumptions  |                        |                            |                        |   |    |        |             |        |
| 20 | 1 Unit Costs: Unit costs are primarily based on State Prevailing Wage jobs in the last 12-18 months. There may be a slight decrease in unit prices for private (non-prevailing wage) work.   |                        |                            |                        |   |    |        |             |        |
| 21 | 2 Pavement Section: Pavement section assumes 10" HMA/9" CSBC for SR9 and 3"HMA/6" ATB/6" CSBC for all other road per Lake Stevens standard drawing 2-020.  |                        |                            |                        |   |    |        |             |        |
| 22 | 3 Gravity block walls used for vertical retaining structures   |                        |                            |                        |   |    |        |             |        |
| 23 | 4 Timber resale not accounted for in clearing and grubbing   |                        |                            |                        |   |    |        |             |        |
| 24 | 5 Common utility trench for power, gas, communication  |                        |                            |                        |   |    |        |             |        |
| 25 | 6 Additional survey is needed along SR9 to determine full extent of impacted envelop. Earthwork quantities along SR9 are estimated based on known information.   |                        |                            |                        |   |    |        |             |        |
| 26 | 7 Embankment In Place quantity includes 51,720 CY of excavation for CLS and 8,390 CY of excavation for SR9. The remaining embankment material will be cut material from onsite earthwork.  |                        |                            |                        |   |    |        |             |        |
| 27 | 8 No contingency has been added to these estimates - Costco add desired level of contingency   |                        |                            |                        |   |    |        |             |        |
| 28 | 9 Sales tax, permitting, and right-of-way acquisition are not included in this estimate  |                        |                            |                        |   |    |        |             |        |
| 29 | 10 The following VE items have been eliminated:<br>- Box culvert (Project B)<br>- Gravity/force main sewer system (Projects K & L); replaced with private lift station at Costco for force main directly to the existing PS in the SW corner of 20th/91st intersection (Project N)<br>- Sewer "Dry Line" (Project M) |                        |                            |                        |   |    |        |             |        |
| 30 | 11 Filterra units only required along the north side of 24th St  |                        |                            |                        |   |    |        |             |        |
| 31 | 12 Earthwork quantities from Due Diligence report  |                        |                            |                        |   |    |        |             |        |
| 32 | 13 Pump station unit pricing (Project N) based on original estimate lift station   |                        |                            |                        |   |    |        |             |        |
| 33 |  |                        |                            |                        |   |    |        |             |        |
| 34 |  |                        |                            |                        |   |    |        |             |        |
| 35 |  |                        |                            |                        |   |    |        |             |        |



# GREENLIGHT ENGINEERING

TRAFFIC ENGINEERING/TRANSPORTATION PLANNING

November 20, 2019

City of Lake Stevens Planning & Community Development  
PO Box 527  
Lake Stevens, WA 98258-0257

**RE: Lake Stevens Costco Project, Development Agreement (LUA2019-0178), Binding Site Plan Review (LUA2019-0156), Site Plan Review (LUA2019-0080), Design Review (LUA2019-0081), Planned Action Certification (LUA2019-0082)**

Greenlight Engineering has been asked by attorney Karl Anuta to evaluate the transportation related impacts of the proposed Lake Stevens Costco & gas station project.

It should be noted that the review of this project has been challenging as the City of Lake Stevens has combined a Binding Site Plan Review, Development Agreement review, with a Design Review, and with a Site Plan. It is not evident there is SEPA Review addressing transportation impacts. A transportation impact analysis was prepared and included, but it is unclear how this document fits with the four land use actions noticed for public comment. I have reviewed each of the following documents to date:

- “Costco Lake Stevens Traffic Impact Analysis” dated October 26, 2018
- “Lake Stevens Costco Green Ink Set” plans dated February 14, 2019
- “SR 9, MP 13.80 24<sup>th</sup> Street SE/South Lake Stevens Road Intersection Control Evaluation Draft Report” dated August 2018
- Site Plans dated April 2 & April 4, 2019
- “Site Plan and Design Review Submittal for new Costco Warehouse” narrative dated April 29, 2019
- “Costco Parking Needs Assessment” dated May 6, 2019

Key documents (such as city staff reports and recommendations, WSDOT and Snohomish County staff recommendations, city TIA Guidelines, and the final Intersection Control Evaluation, and potentially other documents, assuming that these documents exist) may not have been made available to the public. This analysis may need to be updated once all the relevant documents are made publicly available by the city.

### **Education and Experience**

I am a Professional Engineer (P.E.) registered and practicing in Washington, Oregon, and Montana. I hold a Bachelor of Science degree in Civil Engineering. I have over 20 years of experience in traffic engineering and transportation planning including evaluating, preparing analyses, and reviewing the transportation impacts of residential, commercial and industrial development.

### **Executive Summary**

- The 20<sup>th</sup> Street SE Corridor Subarea Plan requires a roadway through this development that is not illustrated as part of the development and precludes its future construction.
- The traffic impact analysis is founded upon an incorrect reading of the city Comprehensive Plan and Municipal Code resulting in an omission of numerous intersections that should be included in the traffic impact analysis.
- The traffic impact analysis study area lacks consistency with some intersections and roadway segments omitted completely from the analysis when the development will add hundreds of vehicles per hour to those intersections.
- The trip generation of Costco and the gas station are not supported by evidence in the written record. In a similar situation in Salem, Oregon, ODOT and the City of Salem requested such evidence to be provided for an application that was ultimately denied.
- The need for the requested parking variance is not based upon evidence in the written record.
- There are many other issues associated with these applications that require further analysis and review.

### **The Proposed Development is Not Consistent with the 20<sup>th</sup> Street SE Corridor Subarea Plan**

Lake Stevens Municipal Code (“LSMC”) 14.38.010 reads “The City of Lake Stevens has adopted the following subarea plans, as identified on the Official Zoning Map and illustrated in Figure 14.38-I...20th Street SE Corridor Subarea Plan.”

Figure 6.20 (see Appendix A) of the 20<sup>th</sup> Street SE Corridor Subarea Plan illustrates an extension of 93<sup>rd</sup> Drive SE as a “new roadway” directly through the subject site. The proposed development does not illustrate and prevents any future extension of 93<sup>rd</sup> Drive SE in direct conflict with the city's adopted plan. The adopted plan reads “The 20<sup>th</sup> Street SE Corridor will provide a layered street network that prioritizes various types of travel on different roadways to reflect and emphasize the character of the neighborhood. Figure 6.20, on the following page, illustrates the network.”

Figure 6.20 clearly illustrates an extension of the existing 93<sup>rd</sup> Drive SE extending through the site to the future 24<sup>th</sup> Street SE.

Further illustrating the need for this connection, Policy 4.3.2 of the Subarea plan seeks to “Establish standard block lengths to aid in the formation of an effective transportation and circulation grid...”

LSMC 14.38.090 requires “a street network unique to the subareas that emphasizes multi-modal travel and grid connectivity...Block lengths should not exceed 400 feet in length; shopping districts should provide midblock crosswalks to allow additional crossing opportunities.” The site illustrates block lengths that exceed 400 feet and don't illustrate

midblock crosswalks. As noted in the applicant's April, 29, 2019 narrative "...block lengths exceed 400' in some cases..."

LSMC 14.56.080(b) states "All existing and planned streets which the City deems necessary for the completion of the City's transportation system are shown and classified in the City's Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant or department director.

LSMC 14.56.080(c) provides "Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan and meet the development standards identified in this chapter."

LSMC 14.56.100 reads "Dead-end streets shall be avoided." 93<sup>rd</sup> Drive SE is currently a dead end street with no turnaround.

The City's Subarea Plan clearly calls for the extension of 93<sup>rd</sup> Drive SE through the subject site to 24<sup>th</sup> Street SE. Despite these clear requirements, the applications do not address these requirements in any way.

**TIA Presents Incorrect Mobility Standards and Omits Numerous Intersections From the Study Area**

The October 26, 2018 "Costco Lake Stevens Traffic Impact Analysis" ("TIA") incorrectly asserts that "The City of Lake Stevens Comprehensive Plan states that the City of Lake Stevens has a citywide LOS standard of LOS E for major and minor arterials and collector roadways. On the 20th Street SE corridor, LOS is determined as an average of **all signalized** intersections from South Lake Stevens Roadway to 79th Ave SE (Fariview Dr)" (emphasis added).

In fact, the Comprehensive plan includes that "The city of Lake Stevens has set a citywide standard of LOS E for major and minor arterials and collector roadways. Along the 20th Street SE corridor, LOS is determined as an average of **all intersections** from South Lake Stevens Roadway to Cavalero Road" (emphasis added).

**The Comprehensive Plan requires the analysis of all intersections (including unsignalized intersections), not just signalized intersections as incorrectly reported in the TIA.**

**Furthermore, the TIA omits many intersections that are required to be analyzed per LSMC 14.110.040(b)(1) which requires "For the 20th Street SE Corridor Subarea, this would include all intersections within the defined subarea boundaries of the 20th Street SE Corridor with the exclusion of SR-9 intersections."**

In spite of these clear requirements, the TIA is significantly deficient in its treatment of the study area.

### **Study Area Significantly Lacks Consistency**

As illustrated in Figure 11 of the TIA, there are significant inconsistencies with regard to the study area. On the eastern edge of the city, the intersection of Lake Steven Road/20<sup>th</sup> Street is included in the study area. During the weekday PM peak hour, this intersection is expected to increase by 48 vehicles/hour as a result of the proposed development. On the southern edge of the study area, the southernmost study intersection is SR 9/US 2 EB ramps and is expected to experience an increase of 123 trips/hour. On the western edge of the city, the intersection of 20<sup>th</sup> Street/79<sup>th</sup> Avenue is the westernmost intersection studied, with the TIA illustrating an increase of 200 vehicles/hour. The northernmost intersection studied, SR 9/4<sup>th</sup> Street, is expected to experience an increase of 359 vehicles/hour. A significant amount of traffic is expected to travel further west and north around the City than many of the intersections that were included in the study area. As Figure 11 illustrates, 45% of the overall trip generation of the site is expected to travel north of 20<sup>th</sup> Avenue, yet only one intersection north of 20<sup>th</sup> Avenue is included in the study area.

These inconsistencies are unexplained.

WSDOT's Development Services Manual 4.1.05 provides the following:

“WSDOT will typically request that mitigation take the form of either construction of a highway improvement (which often includes the donation/dedication of property for right of way purposes) or contribution of a traffic mitigation payment to a programmed (funded or nearly funded) WSDOT project. On some occasions WSDOT may request both. WSDOT will consider any development that meets or exceeds either or both of the following vehicular trip criteria to have a probable significant adverse impact to the state highway system.

- Fee-based mitigation: Addition of ten (10) or more AM or PM peak-hour vehicle trips to any state highway intersection or segment of state highway for the purpose of determining whether a traffic mitigation payment (pro-rata share) to a planned and/or programmed WSDOT project should be requested.
- Non fee-based mitigation: Addition of twenty five (25) or more AM or PM peak hour vehicle trips to any state highway intersection or access connection for the purpose of determining whether a developer funded, designed, and constructed highway improvement should be requested.”

The development contributes over 350 trips to points north of the SR 9/4<sup>th</sup> Avenue intersection, or 350 times the threshold for a probable significant adverse impact. However, rather than studying these intersections, these study intersections have inexplicably been omitted from the study area.

The TIA provides that “The 20<sup>th</sup> Street SE Corridor Subarea Plan EIS recommended a traffic signal at 75<sup>th</sup> Ave SE and 20<sup>th</sup> Street to improve side street access to and from 75<sup>th</sup> Street SE. This improvement is not currently funded and this intersection is not included in the study area for this analysis.”

It is curious that this intersection was not included in the study area for this analysis especially as the development will add approximately 200 trips/hour to this intersection. There are likely several other City of Lake Stevens intersections that are impacted by more than 100 trips/hour that were omitted from the TIA.

It is also curious to note the exclusion of the SR 9/SR 204 and SR 9/Market Street intersections from the study area, which will both be impacted by hundreds of vehicles per hour from the proposed development. The TIA notes on page 18 that WSDOT's SR 9 Corridor Planning Study, dated January 2011, identified needed improvements at SR 9/SR 204 and SR 9/Market Street. There is no evidence that these improvements are funded. Based upon the trip impact from the proposed development, the development will likely have a "significant adverse impact to the state highway system."

An email request for information regarding the City of Lake Stevens traffic impact analysis requirements submitted to City staff has not been returned.

The applicant should be required to expand the TIA study area to adequately address their impacts on the transportation system.

### **Trip Generation of Costco and Gas Station Not Supported by Evidence**

The trip generation presented in the TIA is not based on evidence in the record nor on the industry standard ITE *Trip Generation Manual*. The *Trip Generation Manual* provides trip generation data for the proposed uses which include "Discount Club" (ITE Code #857) and "Gasoline/Service Station" (ITE Code #944), but the TIA instead relies upon a custom trip generation estimate that is not supported by any evidence in the record.

The TIA relies upon a contention that data exists to support the use of alternative trip generation. The TIA refers to and includes a two page memo from Kittelson and Associates that provides a trip generation estimate, but provides none of the background evidence to support its use. This ensures that the trip generation estimate presented cannot be reviewed. By lacking the transparency to evaluate the purported data upon which the TIA is founded, the applicant has created an issue of substantial evidence whereby the applicant clearly does not comply with the industry standard. Rather than relying on the *Trip Generation Manual*, the TIA refers to a supposed abundance of information from other Costco locations but provides none of that data that supports the use of an alternative trip generation estimate or pass-by rate.

A similar approach was taken in a proposed and subsequently denied Salem, Oregon Costco project. In a June 28, 2018 letter, the Oregon Department of Transportation (ODOT) recognized that insufficient data regarding the trip generation of the site had been presented and commented that "[t]his study has not provided the data referenced to produce custom trip generation for the 'Costco Warehouse with Gas Station (30 positions)' This information should be provided for review" (Appendix B). Similarly, in their June 6, 2018 letter, City of Salem staff requested trip generation data by stating "Since the trip generation is estimated from Costco data, please provide some background how it was derived". In that case, rather than provide any data to the record, the applicant continued to provide no data,

instead summarizing their results and claiming its reliability without evidence, and that it had been reviewed and approved by many unnamed jurisdictions. If it indeed has been reviewed and approved by so many jurisdictions, it would seem easy to repackage and provide evidence into the public record for review. However, in that case of that application, it was never provided in the written record. Additionally, if it has indeed been collected for so many years and been independently reviewed by so many reviewers, why has it not been peer reviewed and presented in the ITE *Trip Generation Manual* as other trip generation information has been provided?

If an alternative trip generation is entertained, Chapter 9 of the 3<sup>rd</sup> Edition of the ITE *Trip Generation Handbook* provides guidelines on how custom trip generation studies should be conducted. Neither the TIA nor the Kittelson memo provide reference to the *Trip Generation Handbook* in their limited description of their methodology for their alternative trip generation, so it is unclear how these trip generation studies were conducted and if it follows the national standard ITE *Trip Generation Handbook*. Given that trip generation rates based on the ITE *Trip Generation Manual* provide data for the proposed use, yet the applicant would prefer to rely on trip generation estimates from other data, it is logical and imperative that the applicant provide this data in order for these applications to be reviewed and approved.

It is important to note the Kittelson memo does not report any weekday PM trip generation rate or any equation or any description about how the trip generation was calculated or could be calculated. Yet, the trip generation presented by Kittelson forms the basis of the TIA and without accurate trip generation data, the TIA is of little use. As no data is provided to prove the adequacy of this trip generation summary, it is not possible for any reviewer to confirm the use of the trip generation estimate presented nor could a reviewer derive trip generation figures for a slightly smaller or slightly larger Costco with or without a gas station as the trip generation provides no numerical evidence or correlations between the size of the structures and/or the number of fueling positions.

The Kittelson memo refers to a weekday PM peak hour pass-by trip rate of 35%, which is used in the TIA. Like the trip generation estimate, the TIA provides no data to support the use of this pass-by rate. Again, the applicant provides no evidence to support their trip generation conclusions.

The Kittelson memo and TIA lack transparency in their key trip generation assumptions which form the basis of the conclusions of the remainder of the TIA. For that reason alone, the TIA should be rejected. There is not substantial evidence to support the use the alternative trip generation or pass-by figures reported in the TIA. The ITE *Trip Generation Manual* provides trip rates for the proposed uses and the *Trip Generation Handbook* allows for the combination of the “Discount Club” and “Gasoline/Service Station.”

### **Trip Distribution of Costco and Gas Station Not Supported by Evidence**

The TIA provides no evidence of the trip generation of the Costco and the gas station separately. It can be assumed that not all Costco patrons visit the gas station and vice versa. However, Figure 11 of the TIA considers a trip distribution that appears to be highly

dependent on whether drivers are accessing the gas station or the Costco store. There is no evidence of how this trip distribution was accomplished as there is no evidence regarding the number of trips the Costco generates versus the trips generated by the gas station.

### **Pass-by Figures Are Not Possible**

Figure 11 illustrates 216 weekday PM peak hour pass-by trips entering/exiting the north access on the extension of 91<sup>st</sup> Avenue SE. However, Figure 10 of the TIA illustrates only 135 weekday PM peak hour on 91<sup>st</sup> Avenue SE without the project in place.

The 3<sup>rd</sup> Edition of the ITE *Trip Generation Handbook* states that “A pass-by trip is made as an intermediate stop on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. **Pass-by trips are not diverted from another roadway not adjacent to the site.**”

In the case of 91<sup>st</sup> Avenue SE, the TIA illustrates more pass-by trips than the amount of traffic that is expected to be on 91<sup>st</sup> Avenue SE without the project in place, which is not possible based upon the definition of pass-by trips.

The TIA should be adjusted to portray a pass-by trip scenario that is possible.

### **Need for Parking Variance Not Established**

LSMC 14.38.060(c) includes that “The Director or designee may approve a modification (increase or decrease) of up to 25 percent of the required off-street parking spaces...Increases above the maximum allowed parking standard will be allowed when a traffic/parking study, conducted for a similar use and circumstances, documents that a particular use consistently requires a higher parking standard for the use than allowed.”

Kittelson and Associates, in a memo dated May 6, 2019, recommends that the parking maximum be increased from a maximum of 4.00 stalls per 1,000 square feet of building area to 4.73 parking stalls per 1,000 square feet of building area. Kittelson's recommendation is based solely upon the parking supply rather than the parking demand at the other hand-picked Costco sites. The memorandum fails to provide any evidence that documents that the “particular use consistently requires a higher parking standard.” The applicant have established that some other jurisdictions have allowed a higher rate of parking, yet have not established a need for the City of Lake Stevens standard to be adjusted. While the applicant may desire this level of parking, the applicant has failed to establish that the parking standard must be adjusted based upon the use consistently generating more parking than the standard.

Kittelson argues that the five other sites were chosen as they “are comparable in use and circumstances” but provides no further explanation as to how those selections were made.

In the applicant's April 29, 2019 narrative on this subject, the applicant contends that the parking adjustment is needed “because the size of the Costco warehouse and geographic pull of this regional destination results in customers shopping for extended periods of time resulting in a low turnover of parking stalls.” However, the applicant's TIA indicates that

during the weekday PM peak hour, there are 590 entering trips and 640 exiting trips, illustrating ample turnover with a net reduction in parking demand over the peak hour.

As previously mentioned, the trip generation estimate lacks specifics between the use of the Costco building and the gas station. Not all trips generated by the site will park at the site. However, due to the vagueness of the trip generation information, this figure cannot be determined.

Like with their trip generation estimate, the applicant fails to provide evidence of the parking generation of the site. Despite the city's clear requirements, the applicant fails to provide evidence that supports their requested parking variance.

### **Parking Areas Fail to Meet Requirements**

LSMC 14.38.060(d)(2) requires that “Parking lots that contain 50 or more parking spaces must be divided into smaller individual lots of no more than 50 spaces per lot.”

LSMC 14.38.060(d)(4) reads that “Parking areas shall be divided into bays of not more than 10 contiguous parking spaces in a row.”

Yet, in reviewing the available site plan, there are several locations that don't comply with these clear and objective standards.

### **Access to 24<sup>th</sup> Avenue is Restricted**

Per page T-6 of the Transportation Element of the City of Lake Stevens Comprehensive Plan, 24<sup>th</sup> Avenue SE will be an arterial roadway.

Section 3-101 of the EDDS requires that “Only one (1) full access shall be allowed for every 500 feet of any contiguous parcel ownership or master plan arterial frontage. **In all cases, the number of access locations should be minimized and existing access consolidated if possible**” (emphasis added).

Page 5 of the TIA states that the west access to 24<sup>th</sup> Avenue SE is “about 425 feet west of SR 9” and the east access is located “about 260 feet west of SR 9.”

The TIA presents and promotes only one option: two access points to 24<sup>th</sup> Avenue SE. The TIA establishes that the use of the easternmost access to 24<sup>th</sup> Avenue SE will be lightly used. Figure 11 of the TIA labels the west and east accesses incorrectly, but illustrates the eastern access is expected to be used by only 145 westbound right turning vehicles in the weekday PM peak hour with no other expected traffic. There is no evidence that suggests that the western access could not be utilized for this low amount of right turning trips. While the applicant may desire this access, the presence of this access, especially considering its proximity to the SR 9/24<sup>th</sup> Street/Lake Stevens Road intersection, is less than desirable and not supported by the EDDS.

The eastern site driveway proposes a right-in/right-out configuration. The TIA predicts zero right turns out over the entire weekday PM peak hour. The proposed access introduces

additional conflict points that would not be present if the access was not constructed. Based on the proposed design, eastbound left turns in from 24<sup>th</sup> Avenue SE into the site would appear feasible given the proposed geometry of the median along 24<sup>th</sup> Avenue SE and the driveway entry.

Section 3-101 also requires that “Where a property has frontage on more than one roadway, access will generally be limited to the lowest volume roadway where the impacts of a new access will be minimized. Access onto other higher volume roadways may be denied or restricted in the interest of traffic safety or in order to lessen congestion on the higher volume road.”

The proposed development has frontage on 91<sup>st</sup> Avenue SE, 24<sup>th</sup> Avenue SE and SR 9. No access is proposed to SR 9. Two accesses are proposed to 91<sup>st</sup> Avenue SE and two accesses are proposed to 24<sup>th</sup> Avenue SE. Based upon Figure 12 of the TIA, 24<sup>th</sup> Avenue SE is anticipated to carry significantly higher traffic volumes than 91<sup>st</sup> Avenue SE. Additionally, as the 24<sup>th</sup> Avenue SE corridor is further built out to the west, traffic volumes will further increase on this section of 24<sup>th</sup> Avenue SE.

Despite these clear requirements, the applicant fails to provide evidence that the proposed access is needed.

### **Projects Assumed in Place are Not Funded**

Page 15 of the TIA indicates that the 24<sup>th</sup> Street improvements west of SR 9 and the 91<sup>st</sup> Avenue SE extension from 20<sup>th</sup> Street SE to 24<sup>th</sup> Street SE will be under construction in 2019, yet are not fully funded.

On page 16 of the TIA, it is stated that the 24<sup>th</sup> Street SE and 91<sup>st</sup> Avenue SE improvements “are assumed to be complete.”

On page 26 of the TIA, it is noted that “For the with-Project analysis a signal is assumed at 79<sup>th</sup> Ave SE and 20<sup>th</sup> Street SE.” On page 15, the TIA states that 20<sup>th</sup> Street SE improvements are not funded.

LSMC 14.110.070 provides:

“Concurrency testing may rely on:

- (1) Capacity provided by fully funded projects, including projects in the current six-year Capital Facilities Plan;
  - (2) Projects funded for construction within six years by other agencies or jurisdictions;
- and
- (3) Improvements under contract as part of other approved development proposals.
  - (4) The concurrency testing shall take into account development projects already in the pipeline but not yet completed. Development in the pipeline includes projects that either were vested prior to the adoption of this chapter or have received a certificate of concurrency.”

The WSDOT Design Manual 320.04(4) includes:

“TIAs...shall clearly describe the methodology and process used to develop forecasts in support of a proposed project’s analysis. For example, include only those projects that:

- Are on the six-year Transportation Improvement Plan.
- Are fully funded.
- Have entered the environmental review process”

Without projects being fully funded, these projects should not be assumed in place as the projected opening of the development in 2022. As noted in the TIA, these projects are not funded and therefore cannot be assumed to be in place. The TIA should be updated to only rely on projects that are fully funded and re-analyze the street network to assume that projects that are not funded are not constructed.

### **Proposed Signal Timing Changes**

The TIA suggests signal timing optimization at the SR 9/US 2 intersections to address impacts associated with the proposed development. The TIA notes that “There are 160 PM peak hour Project trips forecast through these three intersections...The applicant should negotiate their fair share cost for optimizing the both signals, the [Costco project] impact share at these intersections is 5.4%.”

As noted in WSDOT's Development Services Manual 4.1.05 “Non fee-based mitigation: Addition of twenty five (25) or more AM or PM peak hour vehicle trips to any state highway intersection or access connection for the purpose of determining whether a developer funded, designed, and constructed highway improvement should be requested.”

Based upon this impact, the applicant should be required to implement these improvements rather than pay a “fair share” for this project. Additionally, the TIA provides no evidence that this signal timing project is funded, feasible and would otherwise be completed by WSDOT nor whether WSDOT even supports this mitigation.

Per the WSDOT Design Manual 320.10(1)(e)(4), the TIA must include “Defined responsibilities for implementing mitigation measures” The TIA provides no definition of what entity will complete these suggested and unplanned improvements.

Per the WSDOT Design Manual 320.10(1)(e)(5), the TIA must include “Cost estimates for mitigation measures and financing plan” The TIA provides no cost estimate or financing plan for the suggested improvements.

If these improvements are not constructed, then the TIA illustrates that the intersections will not operate adequately.

### **Safety Analysis Is Not Compliant With WSDOT Requirements**

WSDOT Design Manual 320.10(1)(d)(7) calls for a TIA to include a “Safety performance analysis (see Chapter 321 and the Traffic Analysis Procedures Manual).” Section 3210.10 defines the “Minimum Contents” of a TIA.

WSDOT Design Manual 321.04 states “Use the procedures described in the WSDOT Safety Analysis Guide when performing a safety analysis.”

The WSDOT Safety Analysis Guide requires a TIA to:

“Analyze the segments and intersections with the HSM predictive method described in the applicable chapter (Chapter 10, 11, 12, 18, or 19). If the HSM predictive method cannot be used, the observed crash history can be used along with CMFs. Perform a human factors review of the feasible alternatives and document a review of the fatal and serious injury crashes, and any crashes involving pedestrians or bicyclists. Define mitigation strategies to address changes in safety performance.”

The HSM predictive method involves evaluating the “existing safety performance of different intersections or segments in comparison to similar facilities. There are three scenarios: location with similar crash performance, location with more crashes than similar locations, and location with fewer crashes than similar locations.”

The TIA does not utilize the HSM predictive method nor does it utilize CMFs (Crash Modification Factors).

Per the WSDOT Design Manual 320.10(1)(e)(2), safety analysis also must include “Predicted safety performance with and without mitigation measures.”

Despite these clear requirements, the TIA provides no safety analysis of any of the proposed mitigation measures.

### **Mini-Roundabout at US 2/Bunk Foss Road**

The TIA states that “With the [Costco project], the stop controlled northbound approach of the US 2 westbound off-ramp at Bunk Foss Road is forecast to operate at LOS E...with the a mini-roundabout replace (sic) the existing traffic control, the intersection is forecast to operate at LOS B...A mini-roundabout at the off-ramp is estimated to cost \$150,000 and the Applicant's share for Project impacts (3.2%) is estimated at \$4,800.”

Figure 11 of the TIA illustrates that the proposed development will add 37 weekday PM peak hour trips to this intersection.

Based upon this impact, the applicant should be required to implement this project improvement rather than pay a “fair share” for this project. Additionally, the TIA provides no evidence that this mini-roundabout project is funded, feasible, and would otherwise be completed by WSDOT or Snohomish County nor whether WSDOT and the county even support this mitigation.

Per the WSDOT Design Manual 320.10(1)(e)(4), the TIA must include “Defined responsibilities for implementing mitigation measures” The TIA provides no definition of what entity will complete this suggested and unplanned improvement.

Per the WSDOT Design Manual 320.10(1)(e)(5), the TIA must include “Cost estimates for mitigation measures and financing plan” The TIA provides no detailed, verifiable cost estimate or financing plan for the suggested improvement.

If this improvement is not constructed, then the TIA illustrates that the intersection will not operate adequately.

**Proposed Traffic Signal at 24<sup>th</sup> Street/Lake Stevens Road/Site Access Not Evaluated for Traffic Signal Warrants**

The TIA recommends the installation of a traffic signal at the intersection of 24<sup>th</sup> Street/Lake Stevens Road/Site Access. The *Manual on Uniform Traffic Control Devices (MUTCD)* requires that “[a]n engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location.” The *MUTCD* is the national standard for traffic control. Furthermore, the *MUTCD* provides:

“The investigation of the need for a traffic control signal shall include an analysis of factors related to the existing operation and safety at the study location and the potential to improve these conditions, and the applicable factors contained in the following traffic signal warrants:

- Warrant 1, Eight-Hour Vehicular Volume
- Warrant 2, Four-Hour Vehicular Volume
- Warrant 3, Peak Hour
- Warrant 4, Pedestrian Volume
- Warrant 5, School Crossing
- Warrant 6, Coordinated Signal System
- Warrant 7, Crash Experience
- Warrant 8, Roadway Network
- Warrant 9, Intersection Near a Grade Crossing”

The *MUTCD* also requires that “[a] traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.” The state of Washington has adopted the *MUTCD*.

However, the TIA offers no traffic signal warrant analysis of the proposed traffic signal controlled intersection. It should be noted that there are potential liability issues in approving a traffic signal at a location that is not supported by an engineering study that establishes the need for a traffic signal. However, the applicant continues to propose a traffic signal that may not even be minimally warranted

**SimTraffic Calibration**

The WSDOT Design Manual 320.6(2) requires “For existing networks, calibrate models to existing conditions.”

The WSDOT Traffic Analysis Guidebook states that “No results of SimTraffic are acceptable unless calibration has been demonstrated.”

Per the WSDOT Design Manual 320.10(1)(f), the TIA must “provide a copy of the Confidence and Calibration Report” if microsimulation such as SimTraffic is used in the analysis. The TIA includes no such report.

The TIA lacks information regarding the calibration, if any, that was completed as part of the analysis. In fact, the TIA lacks any statements that their models have been calibrated at all. The TIA analyzes several WSDOT intersections with no information provided regarding the calibration of their model.

Disregarding these requirements, the TIA offers no information regarding these requirements.

**Proposed 91<sup>st</sup> Avenue Accesses Should be Reviewed for Entering Sight Distance**

Section 2-105 of the City of Lake Stevens *Engineering Design and Development Standards* (“EDDS”) states that “Entering sight distance applies on driveways and on streets intersections as set forth in Sections 2-103. Specific ESD values for required design speeds are also listed...”

Section 2-103 contains Table 2-5 which includes the entering sight distance standards as illustrated below.

**Table 2-5: Arterial Streets and Commercial Access Streets Design Values**

| Design Speed (mph)                                | 30    | 35    | 40    |
|---|-------|-------|-------|
| Horizontal Curvature (Ft.)                        | 300   | 454   | 667   |
| Stopping Sight Distance (Ft.)                     | 200   | 250   | 305   |
| Entering Sight Distance (Ft.)                     | 375   | 470   | 575   |
| Passing Sight Distance (Ft.) for a<br>2-Lane Road | 1,100 | 1,300 | 1,500 |

LSMC 14.56.050 requires that “All driveway entrances and other openings onto streets within the City's planning jurisdiction shall be constructed so that...Vehicles can enter and exit from the lot in question without posing any substantial danger...Specifications for driveway entrances and driveway cuts are set forth in the...EDDS...”

The TIA does not address stopping sight distance or entering sight distance requirements, a key component of safety and atypical to not include in a TIA.

The “Lake Stevens Costco Green Ink Set” plans dated February 14, 2019 and prepared by DOWL, illustrate the proposed 91<sup>st</sup> Avenue SE improvements. The plans illustrate a significant grade difference between the proposed north site access to the site and the

adjacent land along the northwest portion of the subject property. Additionally, the design illustrates a horizontal curve within 91<sup>st</sup> Avenue SE. With these two factors working against each other, there may be entering sight distance limitations at the north site access. The applications do not include information on the design speed of 91<sup>st</sup> Avenue. However, Table 2-3 of the EDDS provides that the design speed of minor arterials is 30-40 MPH. Therefore, entering sight distance standards vary from 375 to 575 feet per Table 2-5.

The TIA should be updated to include a discussion on the sight distance of the proposed site accesses.

**20<sup>th</sup> Avenue/91<sup>st</sup> Avenue Intersection Should be Evaluated for Eastbound Right Turn Lane**

EDDS 3-107 reads that “The need for left turn, right turn, acceleration and deceleration lanes will be determined in conjunction with development proposals on a case by case basis. Evaluation by the Public Works Director or designee may require submittal of traffic data by the Applicant/Developer.”

The TIA illustrates that the eastbound right turn weekday PM peak hour volume will increase from 0 under existing conditions to 176 at the intersection of 20<sup>th</sup> Avenue/91<sup>st</sup> Avenue with the proposed project. However, the TIA provides no evaluation for the need for an eastbound right turn lane.

**TIA is Unclear Regarding What Improvements Will be Constructed at SR 9/24<sup>th</sup> Street Intersection**

Page 1 of the TIA states that “a multilane roundabout will be in-place at the SR 9 intersection with 24<sup>th</sup> Street SE and South Lake Stevens Road.” Later on that same page, the TIA states “Vehicle queues on 24<sup>th</sup> Street SE are not forecast to impede traffic flow between the signalized intersections at SR 9 and at [24<sup>th</sup> Street/Lake Stevens Road/Site access intersection].” The TIA is unclear in what was analyzed and proposed for mitigation at the SR 9/24<sup>th</sup> Street intersection.

The TIA reads that “The ICE report concluded that a signal is the preferred intersection control to support the goals of the 20<sup>th</sup> Street SE Corridor Subarea Plan and future WSDOT plan for SR 9.” The TIA goes on to analyze only the roundabout option and does not study the traffic signal option at the SR 9/24<sup>th</sup> Street intersection.

The TIA should be updated to be clear about what improvements will be provided at the intersection.

**Analysis Not Based Upon Most Recent Version of the Highway Capacity Manual**

The traffic operations analysis is based upon the 2010 Highway Capacity Manual. The 6<sup>th</sup> Edition of the Highway Capacity Manual was published in 2016 (well prior to the date of the TIA) with significant changes from the HCM 2010. All of the analysis should be updated to be based upon the most recent version of the Highway Capacity Manual.

WSDOT Design Manual 320.05 requires that "The quality and level of service for state-owned and state-interest facilities shall be based upon MOEs that support the project purpose and need. They shall also be developed and presented in accordance with the latest versions of the Highway Capacity Manual (HCM)."

Despite these requirements, the TIA relies on the out of date manual.

### **Intersection Control Evaluation Report**

The following pertains to our review of the August 2018 "SR 9, MP 13.80 24<sup>th</sup> Street SE/South Lake Stevens Road Intersection Control Evaluation Draft Report" ("ICE report"). A final report has not been provided to us at this time.

The WSDOT Design Manual 320.05 says, "The quality and level of service for state-owned and state-interest facilities shall be based upon MOEs that support the project purpose and need. They shall also be developed and presented in accordance with the latest versions of the Highway Capacity Manual (HCM)."

As mentioned previously, the analysis should have been performed using Highway Capacity Manual 6th Edition instead of the Highway Capacity Manual 2010.

The ICE report fails to establish if the analysis is based upon post-processed March 2018 traffic volumes to 2040 volumes in accordance with NCHRP Report 765: Analytical Travel Forecasting Approaches.

As evidenced in Tables 10, 17, 24, and 32 of the report, the ICE report does not follow WSDOT Design Manual Subsection 1310 on storage lengths. The report includes the deceleration lengths which artificially increases the storage lengths for the left turn and right turn lanes. The ICE report may misreport the queue is not exceeding the storage when the queue is actually exceeds the storage. Exhibit 1310-10d of the WSDOT Design Manual provides additional information.

The ICE report appendices show no supporting output sheets for LOS, queuing, and travel time. The appendices also do not show the number of Vissim model runs, the result of those model runs, and the averaging of those runs. WSDOT Vissim Protocol requires "...the document must contain in the Appendix the detailed results from the Vissim analysis."

The ICE report relies on Vissim to analyze Alternative B. According to the WSDOT Traffic Analysis Guide, Vissim can only be used when Sidra cannot be used with locations involving roundabouts. The ICE report fails to provide a justification why Sidra was not utilized in analyzing the roundabout alternative.

Again, the analysis fails to meet the minimum requirements.

**Other Issues**

Page 11 of TIA indicates that the existing traffic signal timing was utilized in the analysis. However, those traffic signal timing parameters are not included in the record.

The TIS analyzes the intersection of 20<sup>th</sup> Street/83<sup>rd</sup> Avenue with a shared northbound left/through lane and a separated northbound right turn lane. The intersection is actually configured with a separated northbound left and shared northbound through/right lane.

The TIA reads that “For this analysis a 2.5% annual growth rate was applied to the existing traffic volume to forecast future volumes without the project.” This growth rate is not based upon any evidence in the record.

The TIA states that “A scoping memorandum was prepared to (sic) the City of Lake Stevens on February 20, 2018. Additional feedback from the City of Stevens was received on September 13 and 27, 2018...” This scoping memorandum and this feedback does not appear to be included in the written record and cannot be reviewed.

**Conclusion**

There are numerous errors and omissions included within the TIA and associated documents that are in clear violation of the LSMC, the Comprehensive Plan, WSDOT requirements and industry standards.

For these reasons, the applications should be denied.

Should you have any questions, please contact me at [rick@greenlightengineering.com](mailto:rick@greenlightengineering.com) or 503-317-4559.

Sincerely,



Rick Nys, P.E.  
Principal Traffic Engineer



**Appendix A**

***Excerpt of 20<sup>th</sup> Street SE Corridor Subarea Plan***



Figure 6.20 Layered street network

**Appendix B**

***ODOT Comments on Salem Costco & Gas Station Project  
Regarding Trip Generation Estimate  
June 28, 2018***



# Oregon

Kate Brown, Governor

## Department of Transportation

### Region 2 Tech Center

455 Airport Road SE, Building A

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**DATE:** June 28, 2018

**TO:** Casey Knecht, PE  
Region 2 Development Review Coordinator

**FROM:**   
Keith P. Blair, PE  
Region 2 Senior Transportation Analyst

**SUBJECT:** Kuebler Gateway Shopping Center (Salem) – Outright Use  
TIA Review Comments

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ODOT Region 2 Traffic has completed our review of the submitted traffic impact analysis (dated May 31, 2018) to address traffic impacts due to development of a Costco warehouse, fuel station, and four retail building (approximately 21,000 square-foot) on the southwest quadrant of the Kuebler Boulevard/27<sup>th</sup> Avenue intersection in the city of Salem, with respect to consistency and compliance with current versions of ODOT's *Analysis Procedures Manual (APM)*. Both versions of the *APM* were most recently updated in January 2018. Current versions are consistently published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the City's consideration:

#### Analysis items to note:

- This study has utilized unsignalized intersection methodology from the Highway Capacity Manual (HCM) 2000. HCM 2000 methodology for unsignalized intersections are outdated and the current version of the HCM (6<sup>th</sup> Edition, 2017) should have rather been utilized for unsignalized intersections.
- Region Traffic assumes all land uses and densities offered under the current zoning are consistent with the City's code as cited in the report.
- The study did not utilize the most recent complete crash data available as data up to December 31, 2016 has been available.

#### Recommended analysis items to be addressed:

1. The study utilized traffic counts from December 2017, during a period of the year when volumes are lowest, and did not apply any seasonal adjustment. ODOT's analysis procedures specify use of the 30th highest hour volume (30HV) of the year for analyses of ODOT facilities as the Oregon Highway Plan (OHP) mobility targets are specifically defined to be compared to the 30HV. As a result, the conditions at the I-5 terminal signalized intersections have not been accurately compared to the OHP mobility targets. Either new counts conducted during the peak travel months

for I-5 near Kuebler (June-August) should be collected and analyzed or an appropriate seasonal adjustment should be applied for movements at these intersections. This will have an effect on the operational analysis results and will likely have an effect on the conclusions of the study as the I-5 SB Ramp/Kuebler Blvd intersection is right at the mobility target of 0.85 with the proposed land uses and this intersection has been under analyzed.

2. This study has not provided the data referenced to produce the custom trip generation for the “Costco Warehouse with Gas Station (30 positions)”. This information should be provided for review.
3. The study utilized the weighted average rate method of trip generation for one situation where the fitted curve equation method is instead recommended, per the *Institute of Transportation Engineers (ITE)*. The proposed trip generation for “Shopping Center” (ITE land use code 820) in Table 5 has used the weighted average rate method to generate 897 daily, 78 weekday PM peak hour, and 101 Saturday midday peak hour trips. However, per Section 4.4 of the current *ITE Trip Generation Handbook* (3<sup>rd</sup> Edition, August 2014), the fitted curve equation method is recommended for the proposed size of this land use code. Therefore, the fitted curve equation method, which generates 2,080 daily, 171 weekday PM peak hour, and 180 Saturday midday peak hour trips should instead be utilized. Following reanalysis, all affected tables and figures should be updated as appropriate.
4. The limited queuing analysis prepared appears to have been developed using Synchro which is acceptable for isolated intersections. However, ODOT recommends simulation-based queuing analyses (such as SimTraffic) where intersections are closely spaced, such as in this study, per Chapter 8 of Version 1 of the *APM*. Further, the provided queuing reports identifies “95<sup>th</sup> percentile volume exceeds capacity, queue may be longer” for multiple movements. This is another indication that a simulation-based queuing analysis is appropriate. We recommend a simulation-based queuing analysis be conducted.

Proposed mitigation comments:

5. ODOT maintains jurisdiction of the Pacific Highway No. 1 (I-5) and ODOT approval shall be required for all proposed mitigation measures to this facility. No mitigation measures to ODOT facilities have been proposed. However, this conclusion may not be appropriate as the I-5 SB Ramp/Kuebler Blvd intersection is right at the mobility target of 0.85 with the proposed zoning and this intersection has been under analyzed, per comment #1 above.
6. This study has assumed many improvements, listed on pages 11 and 12 of the study, will have been installed prior to the analysis year (2019). However, Region Traffic does not recommended assuming these improvements will have been built by the analysis year unless they are currently funded projects. If the City does not identify these projects as currently funded or reasonably likely to occur, the study should also include scenarios without these improvements and specifically address how operations at all intersections will be affected if these improvements have not been installed by the analysis year.

Thank you for the opportunity to review this traffic impact analysis. As the analysis files were not provided, Region 2 Traffic has only reviewed the submitted report. It is likely comments #1 and #3 will have an effect on the operational analysis results which may be significant enough to have an effect on the conclusions of the study. If the City determines any of the above comments will merit the need for reanalysis, we are willing and able to assist with an additional round of review. If there are any questions regarding these comments, please contact me at (503) 986-2857 or [Keith.P.Blair@odot.state.or.us](mailto:Keith.P.Blair@odot.state.or.us).



**Snohomish County**

**Public Works**

3000 Rockefeller Ave., M/S 607  
Everett, WA 98201-4046  
(425) 388-3488  
www.snoco.org

November 20, 2019

Gene Brazel  
City Administrator  
City of Lake Stevens  
P.O. Box 257  
Lake Stevens, WA 98258-0257

**RECEIVED**

**NOV 21 2019**

**CITY OF LAKE STEVENS**

**Dave Somers**  
County Executive

Dear Gene:

The City of Lake Stevens has proposed a new City street, 24<sup>th</sup> Street SE, extending westerly from State Route 9 (SR9) from the location of the current intersection of SR9 and South Lake Stevens Road. To accommodate this new City street, the City proposes to close a short section of South Lake Stevens Road on the west side of SR9. South Lake Stevens Road will be realigned to intersect with the new 24<sup>th</sup> Street SE at a new signalized intersection,

South Lake Stevens Road is an important County arterial that functions as an alternative to SR 9 and 20<sup>th</sup> Street SE. In particular, it provides necessary capacity in the AM peak hour when these other two routes have significant queuing in the peak direction. To accommodate its arterial function, the realignment of South Lake Stevens Road must provide a continuous through route to its new intersection with 24<sup>th</sup> Street SE. South Lake Stevens Road should not turn at ninety degrees at the City limit line as originally proposed by the City.

The County has provided the City with an S-Curve alignment which is designed for a 25 mph speed limit. The alignment is shown on the attached. The County supports realignment of South Lake Stevens Road by the City utilizing the S-Curve alignment, a posted speed limit of 25 mph and intersection with 24<sup>th</sup> Street SE at a signalized intersection. As agreed, the S-Curve alignment will provide two travel lanes and shoulders on both sides, with at least one being wide enough for comfortable use by pedestrians. The new signalized intersection would be separated approximately 425 feet from the future roundabout proposed at the intersection of 24<sup>th</sup> Street SE with SR9 to adequately accommodate traffic queues.

Thank you for working with us to reach agreement on an alignment of South Lake Stevens Road that meets County and City needs.

Sincerely,

Steven E. Thomsen, P.E.  
Public Works Director

Dear Melissa Place,

Will you please enter this email into the record for the November 26th public hearing on the Costco issue, and forward this email to the city council today.

I am writing to formally request that the City of Lake Stevens postpone to a later date the November 26, 2019 meeting on the proposed COSTCO site be extended to a future date given the fact that the City just dumped on us the public comments received on the Costco project to-date and the City's Summary Response with just under a week before the sole public hearing for this massive project.

Has there been an economic impact study performed that takes into consideration the following:

- Has there been a study done or will there be a study done on the cost of traffic congestion to the City of Lake Stevens residents and businesses?
- What information is there on the loss in taxes from other businesses? Taxes otherwise that would have been collected through other local businesses?
- Why is Costco spending less money than the city in their infrastructure costs?
- Has a study been done on the impact of property values in direct vicinity and surrounding areas?
- If congestion relief is already needed without the influx of 5,000 to 10,000 cars people wouldn't the true costs of traffic relieving infrastructure be higher?
- How will light pollution, noise pollution, and air pollution affect property values or quality of life?
- How is worsening traffic and use of tax payer money for a private business good for residents beyond one estimate of potential tax revenue?

Has there been any research done or has there been an attempt to answer the following questions:

- When will there be an environmental impact study done? Who will be responsible for the costs?

- Is the land being gifted to Costco, in full or in part? What is the potential money lost from gifting the land to Costco?
- Who owns the land?
- What other large super stores has Lake Stevens gifted property to?
- How many other businesses has the City of Lake Stevens paid to build infrastructure for at almost double the cost to the business?
- Are any of the city council members at Costco?
- What are 5 other locations the city council or Costco has looked into to build a warehouse?
- How will increased traffic affect schools and bus schedules?
- How will light pollution, noise pollution, and air pollution affect quality of life?
- If the City of Lake Stevens didn't have the money for a library why can they afford to build a Costco and in part gift the property to them?

Sincerely,

Garrett N. Clay  
9307 45<sup>th</sup> PL SE  
Snohomish, Washington 98290  
425-335-4765

**From:** [Scott Dorsey](#)  
**To:** [Russell Wright](#)  
**Subject:** Costco & 20th Street comp plan  
**Date:** Friday, November 22, 2019 8:20:01 AM

---

Thank you for taking the time to consider my comment,

My family has lived in Lake Stevens for over 5 decades and clearly has seen a significant change in the demographics of this community. With these changes come the need for sustainable growth.

The pending expansion of a Costco store along with commercial development along the 20th Street corridor is a wise investment in the future of Lake Stevens.

We need local jobs that provide our citizens opportunity to live and work in our community. We need opportunity to shop in our community. The SR2 trestle is overloaded and with the recent passage of Eyman's initiative hope for expansion of the trestle just got eliminated.

We need local solutions and your plan provides those solutions. I have not even addressed the benefit of local dollars being spent in our community. The benefit of taxes collected that support our infrastructure cannot be overlooked. Please move forward with a reasonable development of both Costco and a commercial corridor along 20 St. S.E.

Respectfully,  
Scott Dorsey  
Lake Stevens  
--  
Scott Dorsey

## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Att: Melissa Place-Costco Comments

**From:** Beth McBeth <BethMcBeth@hotmail.com>  
**Sent:** Wednesday, November 20, 2019 8:31 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Att: Melissa Place-Costco Comments

Good morning Melissa Place,

I wanted to email to request that the city Lake Stevens consider making sure that the Costco fueling station offers Diesel pumps.

My business relies on my truck which is diesel based. I would love to support our area locally instead of driving away from home to fuel up. Please consider taking this request into consideration.

Thank you for your time. I hope you have a good day.

Sincerely,

Beth McBeth Perez  
(626)-329-7239  
[BethMcBeth@hotmail.com](mailto:BethMcBeth@hotmail.com)



## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** dcclay2@comcast.net <dcclay2@comcast.net>  
**Sent:** Wednesday, November 20, 2019 10:23 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** RE: Costco Public Comment and Responses

Dear Melissa Place,

I am writing to formally request that the City of Lake Stevens postpone to a later date the November 26, 2019 meeting on the proposed COSTCO site be extended to a future date given the fact that the City just dumped on us the public comments received on the Costco project to-date and the City's Summary Response with just under a week before the sole public hearing for this massive project.

Sincerely,

David L. Clay  
9307 45<sup>th</sup> PL. SE  
Snohomish, Washington 98290  
425-422-0625 (M)  
[Dcclay2@comcast.net](mailto:Dcclay2@comcast.net)

**From:** Melissa Place <mplace@lakestevenswa.gov>  
**Sent:** Wednesday, November 20, 2019 8:04 AM  
**To:** Jennie Fenrich <jfenrich@lakestevenswa.gov>  
**Subject:** Costco Public Comment and Responses

Dear Party of Record and Interested Parties, please find a link below to the public comments received on the Costco project to-date and the City's Summary Response.

<https://www.lakestevenswa.gov/380/Current-Planning>

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

**NOTICE:** All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

My regular hours are Monday, Tuesday, and Thursday, 8:00 am to 5:00 p.m. I am not in the office on Wednesdays and Fridays. I will review your email upon my return. If you need immediate assistance, please contact [jfenrich@lakestevenswa.gov](mailto:jfenrich@lakestevenswa.gov) or call 425-622-9430.



## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** Bill and Marilyn <rockinw1@frontier.com>  
**Sent:** Wednesday, November 20, 2019 11:26 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** RE: Costco Public Comment and Responses

Thank you for getting this information out.

I would like to request this information become part of the hearing record. I would also like to request a delay of the Costco hearing to give people a chance to review this information.

From the information posted on the City website, it looks like the Nov. 26<sup>th</sup> hearing will have multiple topics on the agenda. I am waiting to see the agenda on Friday. I find it unfortunate for the public to have the hearing include other topics, just like it is unfortunate for the hearing to be held 2 days before Thanksgiving. This scheduling gives the appearance that the City is trying to limit hearing attendance and limit adequate time for Costco.

Thank you,  
Marilyn Webber

**From:** Melissa Place [<mailto:mplace@lakestevenswa.gov>]  
**Sent:** Wednesday, November 20, 2019 8:04 AM  
**To:** Jennie Fenrich <[jfenrich@lakestevenswa.gov](mailto:jfenrich@lakestevenswa.gov)>  
**Subject:** Costco Public Comment and Responses

Dear Party of Record and Interested Parties, please find a link below to the public comments received on the Costco project to-date and the City's Summary Response.

<https://www.lakestevenswa.gov/380/Current-Planning>

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** Kristin Kelly <kristy2cam@gmail.com>  
**Sent:** Wednesday, November 20, 2019 11:39 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Re: Costco Public Comment and Responses

Dear Ms. Place,

Will you please put this email into the record for the November 26th public hearing on the Costco issue, and forward this email to the city council today.

I am requesting that the public hearing be rescheduled or extended to a future date, plus not a date a few days before an important holiday (such as Christmas) given that a lot of important information for the public to review and comment on for the public hearing, which is just 6 days away has just been released today, November 20, 2019. The City needs to be fair to the public during any public hearing process and it is the duty of the City of Lake Stevens to ensure the public is given the information important to a development, policy or regulation in an appropriate time frame and manner so that the public can time to analyze and comment adequately to the city council at their public hearing. Six days is not adequate time!

Thank you for consideration of this request.

Kristin Kelly  
Pilchuck Audubon Society  
1429 Avenue D, #198  
Snohomish, WA 98290

On Wed, Nov 20, 2019 at 8:04 AM Melissa Place <mplace@lakestevenswa.gov> wrote:

Dear Party of Record and Interested Parties, please find a link below to the public comments received on the Costco project to-date and the City's Summary Response.

<https://www.lakestevenswa.gov/380/Current-Planning>

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** dcclay2@comcast.net <dcclay2@comcast.net>  
**Sent:** Wednesday, November 20, 2019 12:37 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** RE: Costco Public Comment and Responses

Dear Melissa Place,

Will you please enter this email into the record for the November 26th public hearing on the Costco issue, and forward this email to the city council today.

I am writing to formally request that the City of Lake Stevens postpone to a later date the November 26, 2019 meeting on the proposed COSTCO site be extended to a future date given the fact that the City just dumped on us the public comments received on the Costco project to-date and the City's Summary Response with just under a week before the sole public hearing for this massive project.

Sincerely,

David L. Clay  
9307 45th PL. SE  
Snohomish, Washington 98290  
425-422-0625 (M)  
[Dcclay2@comcast.net](mailto:Dcclay2@comcast.net)



## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:27 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Binding Site Plan/LUA2019-0156  
**Attachments:** 2019 11 20 Bricklin to Place - Comment Letter.pdf

**From:** Peggy Cahill <cahill@bnd-law.com>  
**Sent:** Wednesday, November 20, 2019 1:32 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Cc:** Dave Bricklin <bricklin@bnd-law.com>  
**Subject:** Costco Binding Site Plan/LUA2019-0156

Dear Ms. Place:

Attached please find a letter from David Bricklin to you regarding the above-referenced matter.

Thank you for your attention to this matter.



Peggy S. Cahill  
Legal Assistant  
Bricklin & Newman, LLP  
1424 Fourth Avenue  
Suite 500  
Seattle WA 98101

ph.: 206.264.8600  
fax: 206.264.9300

Spokane Office:  
25 West Main  
Suite 234  
Spokane, WA 99201

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: Lake Stevens Costco Comment Submission  
**Attachments:** COSTCO - Lake Stevens letter.docx

**From:** gncgnc@protonmail.com <gncgnc@protonmail.com>  
**Sent:** Wednesday, November 20, 2019 2:08 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Lake Stevens Costco Comment Submission

Dear Melissa Place,

City of Lake Stevens Senior Planner

Will you please enter this email into the record for the November 26th public hearing on the Costco issue, and forward this email to the city council today.

I am writing to formally request that the City of Lake Stevens postpone to a later date the November 26, 2019 meeting on the proposed COSTCO site be extended to a future date given the fact that the City just dumped on us the public comments received on the Costco project to-date and the City's Summary Response with just under a week before the sole public hearing for this massive project.

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- Has there been a study done or will there be a study done on the cost of traffic congestion to the City of Lake Stevens residents and businesses?
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- Has a study been done on the impact of property values in direct vicinity and surrounding areas?
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Has there been any research done or has there been an attempt to answer the following questions:

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- Is the land being gifted to Costco, in full or in part? What is the potential money lost from gifting the land to Costco?
- Who owns the land?
- What other large super stores has Lake Stevens gifted property to?
- How many other businesses has the City of Lake Stevens paid to build infrastructure for at almost double the cost to the business?
- Are any of the city council members at Costco?
- What are 5 other locations the city council or Costco has looked into to build a warehouse?

- How will increased traffic affect schools and bus schedules?
- How will light pollution, noise pollution, and air pollution affect quality of life?
- If the City of Lake Stevens didn't have the money for a library why can they afford to build a Costco and in part gift the property to them?

Sincerely,

Garrett N. Clay

9307 45th PL SE

Snohomish, Washington 98290

425-335-4765

Sent with [ProtonMail](#) Secure Email.



## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: Comments - Public Hearing and Notice of Application for a Costco Development Agreement

**From:** Bill and Marilyn <rockinw1@frontier.com>  
**Sent:** Wednesday, November 20, 2019 4:41 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Cc:** Kim Daughtry <kdaughtry@lakestevenswa.gov>; Brett Gailey <bgailey@lakestevenswa.gov>; Kurt Hilt <khilt@lakestevenswa.gov>; Rauchel McDaniel <rmcdaniel@lakestevenswa.gov>; Gary Petershagen <gpetershagen@lakestevenswa.gov>; Marcus Tageant <mtageant@lakestevenswa.gov>; Todd Welch <twelch@lakestevenswa.gov>; John Spencer <jspencer@lakestevenswa.gov>; Gene Brazel <gbrazel@lakestevenswa.gov>; Eric Durpos <edurpos@lakestevenswa.gov>; dave.somers@co.snohomish.wa.us; Sam.Low@co.snohomish.wa.us; Nate.Nehring@snoco.org; Brian.Sullivan@co.snohomish.wa.us; Stephanie.Wright@snoco.org; Terry.Ryan@snoco.org; Doug.McCormick@co.snohomish.wa.us; nwpublicaffairs@wsdot.wa.gov; SawyerM@wsdot.wa.gov; greg.stlouis@ci.everett.ma.us; steve.hobbs@leg.wa.gov; Stevick@Heraldnet.com; SDavey@Heraldnet.com  
**Subject:** Comments - Public Hearing and Notice of Application for a Costco Development Agreement

To whom it may concern:

Below you will find the City of Lake Stevens Mission Statement and Vision Statement. Please read them and think about what they mean.

The City of Lake Stevens Mission Statement:

City of Lake Stevens Mission Statement. The City of Lake Stevens' mission is not only to preserve the natural beauty that attracted so many of its citizens, but to enhance and harmonize with the environment to accommodate new people who desire to live here.

The City of Lake Stevens Vision Statement:

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

Now think about the some of the issues facing our community today:

- Environmental Issues
- Traffic – soon to reach gridlock
- Excessive growth
- Lack of infrastructure to support growth
- Dangerous roadways for humans and animals

Lack of open space to enjoy nature  
Increased noise

Now think about the issues and concerns about the Proposed Costco development:

Place a business with a huge footprint in an inappropriate location.

Increase in traffic, road noise and congestion estimated at 799 PM peak hour trips.

Negative impact to wetlands and fish bearing creeks that flow from the proposed site thru properties all the way to Ebey Slough and the Pilchuck River.

Loss of ability to live and enjoy your home and yard.

Increased demand for Medical, Fire and protection services.

Harder access and repair on City of Everett water lines which today supply most of Snohomish Counties water,

over 600,000 customers.

Taxpayer burden of 60% of the development costs.

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Why would the City want to increase the current community issues by adding not just more, but additional issues and

concerns. Common sense tells you the proposed development has too many negative impacts. All of this for a shorter

trip to one of the 4 surrounding Costco's?

An approval of the Proposed Costco Project does not follow the City of Lake Stevens Mission and Vision Statements.

The City needs to realign their actions with their Statements. It's obvious they do not care about peoples quality

of life as they approve more and more housing and commercial development. The City has been and continues to be

a major contributor to the traffic and congestion we have today. They do not care about the impacts to surrounding residential neighborhoods that have been there for generations, or newly built ones. They constantly ignore

facts addressing all facets of the Costco proposal and push on as if there are no negative impacts. It seems they are

obsessed with the potential revenue generation and don't care about the 60% development costs being pushed on the taxpayers.

Respectively Submitted,

Marilyn and Bill Webber

## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: 5596 - Lake Stevens  
**Attachments:** Final L.S. Costco Comments2.pdf

**From:** Emmy <emmy@whiplawgroup.com>  
**Sent:** Wednesday, November 20, 2019 4:43 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Cc:** grubstello@omwlaw.com  
**Subject:** 5596 - Lake Stevens

Hello Melissa,

Please see the attached letter. If you have questions please feel free to reach out to our office at any time.

Emmy Meisfjord  
Legal Assistant  
The Whipple Law Group, PLLC  
309 E. Pacific Ave.  
Spokane, WA 99202  
(Tel) 509.869.3223  
(Fax) 509.847.0165

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** Crystal Sackman <crystallion720@gmail.com>  
**Sent:** Wednesday, November 20, 2019 6:29 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Re: Costco Public Comment and Responses

Hi Melissa

I flipped through the City's response to the public comments. I have a question about this excerpt:

"The traffic analysis did not include the US 2, SR 204, and 20th St SE intersection. The design and construction of these intersections are being analyzed by WSDOT under the project title 'SR-9/SR-204 Intersection Improvement, Stage 1, 2, and 3.' Projects are funded by Connect Washington. Stage 1 was constructed in summer of 2019. Stage 2 is planned for construction in summer of 2020. Stage 3 is planned for construction in summer of 2021."

The first line refers to the US 2, SR 204, and 20th St SE interchange, but the referenced WSDOT project in the next line is for a completely different interchange. The increased traffic that will pour to/from the US 2, SR 204, and 20th St SE interchange as a result of the new Costco and other continued development in Lake Stevens is a significant concern. Did the Costco project traffic analysis include the US 2, SR 204, and 20th St SE intersection and, if so, what were the findings?

Thank you

Crystal Sackman

On Wed, Nov 20, 2019, 8:04 AM Melissa Place <mplace@lakestevenswa.gov> wrote:

Dear Party of Record and Interested Parties, please find a link below to the public comments received on the Costco project to-date and the City's Summary Response.

<https://www.lakestevenswa.gov/380/Current-Planning>

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: Potential COSTCO

**From:** Dawn Watson <rainylivn@yahoo.com>  
**Sent:** Wednesday, November 20, 2019 9:37 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Potential COSTCO

Good evening Melissa,

My family of 5 have been residents of Lake Stevens for 25 years and the last 3 years have been absolutely mind boggling with all the many housing developments going up every where, I realize that the property that is being sold is property that people have owned and they are taking advantage of the boom, but when the rumors of a Costco being built on the corner of Hwy. 9 and NE 20th - started I was confident that there was no way this could happen, and it should NOT happen. There are so many reasons that the City of Lake Stevens should say NO! First of all Lake Stevens (which I am sure has been said many times) does NOT have the infrastructure to handle a 170,000 square-foot wholesale/retail warehouse with parking stalls and really - 30 gas pumps! If this is okayed to go through, it will definitely be a shame for the present and future.

Remember story of The Lorax by Dr. Seuss? There was the Once-ler, he **was** a greedy industrialist who cut down all of the beautiful, multi-colored Truffula Trees to make a peculiar garment known as a Thneed, 'a Fine-Something-That-All-**People**-Need". Well we all know that all that was left was a young boy with the last seed.

The charm of what brought people to Lake Stevens is quickly and constantly being removed, we might as well change the name to Lynn Stevens, or Smokey Stevens because if this craziness happens and continues we will be a smaller version of both. If you keep bringing all these big stores in, can you explain to our children why there are no sidewalks in many many place around Lake Stevens, or places to play, or why their classrooms are so crowded and there are not enough teachers. We moved here 25 years ago because it was a great place to raise children, our neighborhood is awesome, the community is great, but my fear of constant gridlock in our small town saddens me.

For those who like the "convenience" there is a Costco in Marysville - 26 min (15.2 mi) Walmart - Marysville 20 min (10.1 mi) via WA-9N - etc. - for many residents of Lake Stevens it could take the same time! Or gosh - I think they have this new thing where you can get anything delivered to your home - gosh I think even Costco has on-line shopping!

Have studies been done on how awful the commute will be for many Lake Stevens residents - or is the plan for all residents to work at Costco!? The one article in the Everett Herald

I plan on being at the meeting next Tuesday as I want to know the Pro's as all I can see are the Cons. And then there is Tom Thumb, Turner's Grocery, Norm's, Costco will definitely affect their bottom line, and I am sure Safeway and Haagen - its a sad world already - why make it tougher!

My concern is for the environment (there are wetlands that are protected) our wild life is constantly getting misplaced and have to find another safe area, only to have to find another one, my concern is for the quality of life for Lake Stevens residents, the noise of more traffic, the gridlock and road rage that will happen - etc. The damage that will come from a Costco in Lake Stevens will be irreversible and those damages will not be revealed right away but know that it will happen.

I thank you for your time in reading my letter, and I hope that all the people involved will have answers for all of the residents questions that have major concerns about this.

Dawn Watson

---

**"When the last tree has been cut down, the last fish caught, the last river poisoned, only then will we realize that one cannot eat money."**

-Cree Indian Proverb

## Jill Needham

---

**From:** Melissa Place  
**Sent:** Thursday, November 21, 2019 8:28 AM  
**To:** Jill Needham  
**Subject:** FW: Costco Public Comment and Responses

**From:** Tom Wyles <tpwyles@gmail.com>  
**Sent:** Thursday, November 21, 2019 3:55 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Re: Costco Public Comment and Responses

I am planning on attending the meeting November 26th and my understanding is each person is allow 3 minutes to speak. My time will be spent addressing the thousands of members and new members who will not have to add the Eastbound on Highway 2 and both North and Southbound on Highway 9 to use Everett, Woodinville and Marysville.

On Wed, Nov 20, 2019 at 8:04 AM Melissa Place <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)> wrote:

Dear Party of Record and Interested Parties, please find a link below to the public comments received on the Costco project to-date and the City's Summary Response.

<https://www.lakestevenswa.gov/380/Current-Planning>

Thank you, Melissa

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**Melissa Place**

---

**From:** markschrier1972@outlook.com  
**Sent:** Tuesday, November 26, 2019 11:54 AM  
**To:** Melissa Place  
**Subject:** RE: Costco in Lake Stevens

SUBMITTED AT MEETING OF

11 / 26 / 2019  
FOR PUBLIC RECORD

To whom it may concern,

I am a citizen living in north Snohomish county. I have to rely on using 20<sup>th</sup> Ave as well as Highway 9 for my transportation routes. The location for the proposed new Costco is in one of the worst commuter bottlenecks in our area. I would ask that plans for the new store be halted. There has to be a less congested location for Costco to develop that would make traffic so much worse for so many citizens.

Sincerely,  
Mark Schrier

Sent from Mail for Windows 10



November 22, 2019

Dear Mr. Wright

My wife and I own the 3.8 acres  
with a two bedroom house at 7726  
10th St SE, Lake Stevens 98258.

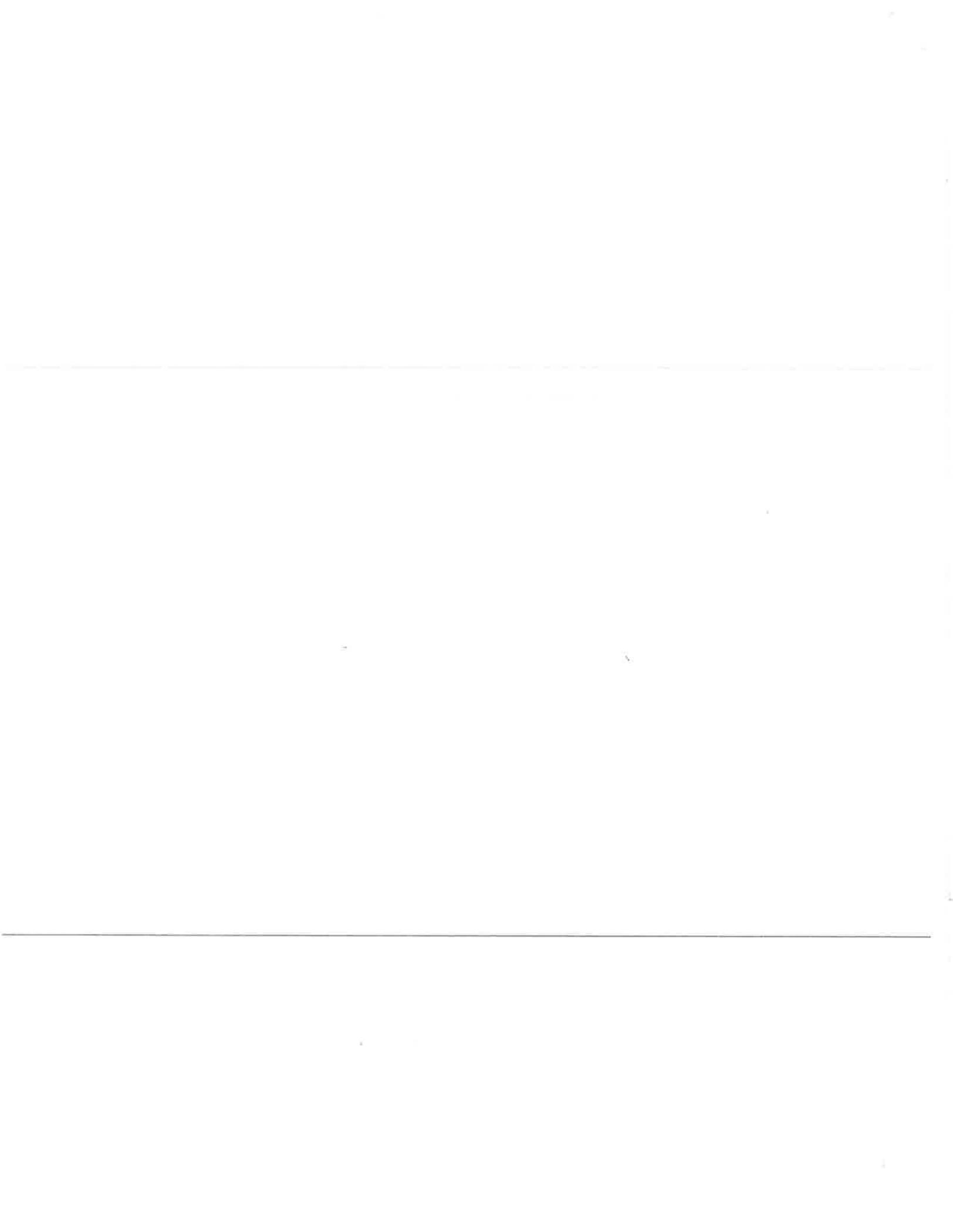
We are in favor of Costco.

John Buzz Schilaty

RECEIVED

NOV 26 2019

CITY OF LAKE STEVENS



## Melissa Place

---

**From:** Russell Wright  
**Sent:** Tuesday, November 26, 2019 4:42 PM  
**To:** Melissa Place  
**Subject:** FW: Costco

Russ Wright, *Community Development Director*

**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
425.622.9424 | [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)

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**From:** John Spencer <[jspencer@lakestevenswa.gov](mailto:jspencer@lakestevenswa.gov)>  
**Sent:** Tuesday, November 26, 2019 4:41 PM  
**To:** Gene Brazel <[gbrazel@lakestevenswa.gov](mailto:gbrazel@lakestevenswa.gov)>; Russell Wright <[rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)>  
**Subject:** Fw: Costco

Please enter the message below into the record re. Costco Development Agreement.

---

**From:** John Spencer <[jfspencer2015@gmail.com](mailto:jfspencer2015@gmail.com)>  
**Sent:** Tuesday, November 26, 2019 4:34 PM  
**To:** John Spencer <[jspencer@lakestevenswa.gov](mailto:jspencer@lakestevenswa.gov)>  
**Subject:** Fwd: Costco

----- Forwarded message -----

**From:** Madeline Spanitz <[madelinespanitz@gmail.com](mailto:madelinespanitz@gmail.com)>  
**Date:** Tue, Nov 26, 2019 at 3:27 PM  
**Subject:** Costco  
**To:** John Spencer <[JFSpencer2015@gmail.com](mailto:JFSpencer2015@gmail.com)>

Mr. Mayor,

Due to health issues, my husband and I will not be able to attend tonight's Council meeting and voting to allow Costco in Lake Stevens.

You have set Lake Stevens on a path forward to lead our community into the future. Costco coming to our community will add more pluses than minuses, bring a tax base into our community and allow Lake Stevens to benefit from all Costco has to offer.

The nay sayers who seem to have a loud voice but are in minority with the general public point out the negativity of allowing Costco to enter Lake Stevens.

However their selfish issues do not benefit the general majority.

We encourage you and Council to vote YES in allowing Costco to go forward with their plans, and welcome them into our community.

Madeline & Jack Spanitz

RECEIVED

NOV 26 2019

CITY OF LAKE STEVENS

Carol Henry  
3028 112<sup>th</sup> Ave SE  
Lake Stevens, WA 98258

November 21, 2019

Russ Wright  
Lake Stevens City Hall  
PO Box 257  
Lake Stevens, WA 98258

Dear Mr. Wright,

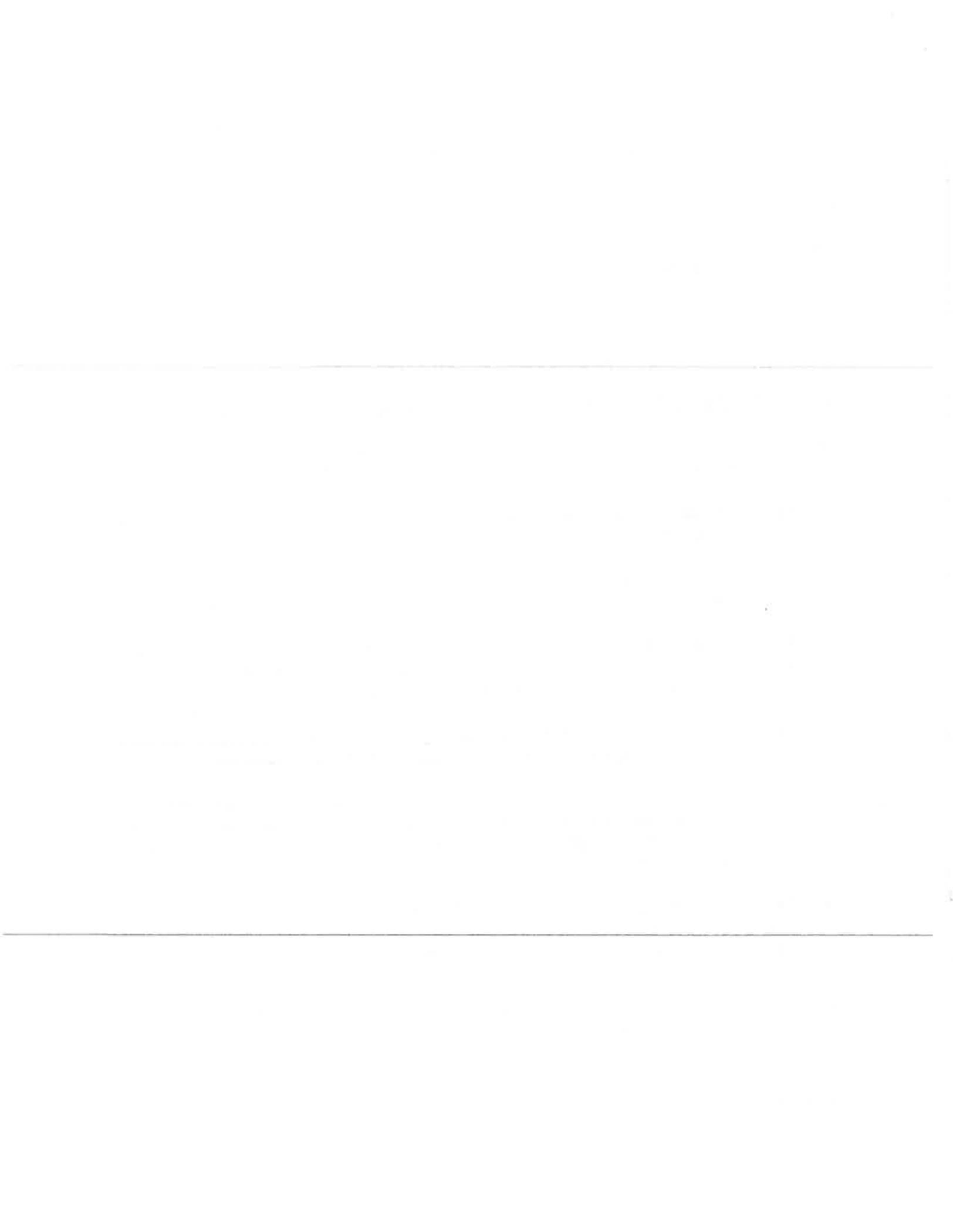
I am writing you concerning the potential Costco location in Lake Stevens.

I am opposed to allowing Costco to locate at the current planned site for the following reasons:

- The area consists of valuable wetlands that feed Moser Creek which is home to much-needed chinook salmon (which feed our endangered Southern Resident Orcas)
- We need to reduce or eliminate pollution of our streams by saving these Lake Stevens wetlands, not destroying them
- The rural area proposed is not meant for a 'big box' store, as many/most of the homes are single family homes and do not provide the 'density' needed to support such a large store
- The area does not have the infra-structure to support a Costco. Highway 9 is congested already, and to add the traffic that a Costco might generate, will add to air and noise pollution in the rural area, as well as added time to get anywhere in the immediate area.
- The traffic along 20<sup>th</sup> will increase exponentially, add to the air and noise pollution, and cause additional delays and congestion at the already busy Hwy 9/20<sup>th</sup> St intersection.
- Locating the Costco at the very edge of the city of Lake Stevens does not provide the best access to ALL residents of Lake Stevens (and Marysville). To put such a large development in such a rural area reeks of the politics of getting the "most tax dollars possible" and not the politics of "what's best for the citizens of Lake Stevens".
- The area proposed is already zoned commercial. In the rural environment, I believe that the local residents would be better served with smaller retail store options, especially because it would help preserve the rural 'feel' that we all moved here for!

Thank you for taking the time to read and review my concerns. I sincerely hope that the City Council will reconsider this "Big Box store" in my "small town neighborhood".

  
Carol Henry



## Melissa Place

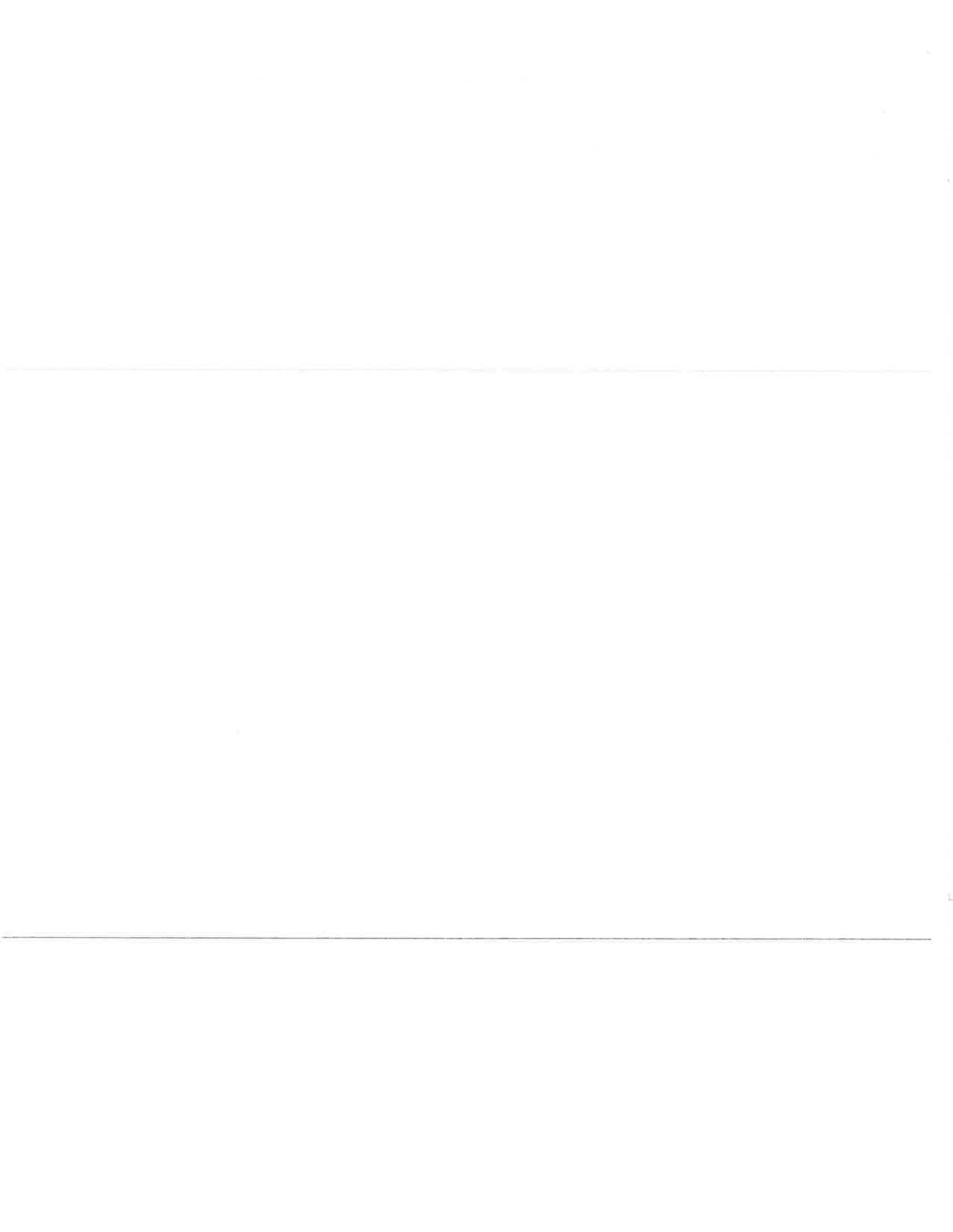
---

**From:** Sally Jo Sebring <sallyjosebring@frontier.com>  
**Sent:** Tuesday, November 26, 2019 4:09 PM  
**To:** Melissa Place; Russell Wright  
**Subject:** wrong date in Costco DA

Folks,

There are a couple of places in the DA etc that say the public hearing was held October 26, 2019 (rather than November 26, 2019)

Sally Jo Sebring



## Melissa Place

---

**From:** Daniel Myers <dmyers4@alumni.nd.edu>  
**Sent:** Tuesday, November 26, 2019 3:46 PM  
**To:** Melissa Place  
**Subject:** Re: Revised Notice of Public Hearing for Costco

Why is this revised? How is it different I guess is what I am asking.

On Tue, Nov 26, 2019 at 2:03 PM Melissa Place <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)> wrote:

Good afternoon, you are receiving this email as a party of record/interested party.

Please find attached the revised Notice of Public Hearing. Clarifications related to the decision-making and hearing process are included.

Thank you, Melissa

Melissa Place, *Senior Planner*

**City of Lake Stevens | Planning & Community Development**

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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## Melissa Place

---

**From:** Courtney Criss <courtney.spears@gmail.com>  
**Sent:** Tuesday, November 26, 2019 3:06 PM  
**To:** Melissa Place  
**Subject:** Re: Revised Notice of Public Hearing for Costco

Thanks. I really hope LS approves this project. I would love to have Costco here

-Courtney Spears Criss  
206-372-9116

On Nov 26, 2019, at 2:03 PM, Melissa Place <mplace@lakestevenswa.gov> wrote:

Good afternoon, you are receiving this email as a party of record/interested party.

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Thank you, Melissa

Melissa Place, *Senior Planner*  
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<LUA2019-0178 NOPH Publication - Herald Nov 13th\_revised.pdf>



## Melissa Place

---

**From:** johns.hovel <johns.hovel@comcast.net>  
**Sent:** Tuesday, November 26, 2019 2:50 PM  
**To:** Melissa Place  
**Subject:** Re: Revised Notice of Public Hearing for Costco

Seeing this public meeting scheduled during a holiday week is suspicious. I assume the city of lake Stevens is hoping for a poor turnout.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Melissa Place <mplace@lakestevenswa.gov>  
**Date:** 11/26/19 2:03 PM (GMT-08:00)  
**To:** Jennie Fenrich <jfenrich@lakestevenswa.gov>  
**Subject:** Revised Notice of Public Hearing for Costco

Good afternoon, you are receiving this email as a party of record/interested party.

Please find attached the revised Notice of Public Hearing. Clarifications related to the decision-making and hearing process are included.

Thank you, Melissa

Melissa Place, *Senior Planner*

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**Melissa Place**

---

**From:** c mcd <cikim6289@gmail.com>  
**Sent:** Tuesday, November 26, 2019 2:28 PM  
**To:** Melissa Place  
**Subject:** Costco LUA2019-0178 11-26-19  
**Attachments:** Testimony written Costco 11-26-19.docx; Light Pollution Effects on Wildlife and Ecosystems.docx

comments

Although I plan to testify tonight, I decided to send this in case testimony runs too long and I don't get a chance to speak.

attached are my comments

carol mcdonald



To: M. Place

Lake Stevens planning

RE: Costco LUA2019-0178 11-26-19

Since previous comments by many others have covered the legal and environmental aspects I will not delve deeply into that.

When UGA boundaries were being established, the Countywide Planning Policies (CPP) stated that UGA's "should Have identifiable boundaries such as natural features, roads"...etc.

Also that, "where possible include greenbelts or open space within their boundaries and on the **periphery** to provide separation from adjacent urban & rural areas.

These policies were ignored. 20<sup>th</sup> st. would have been the logical, identifiable boundary and at the time there were alternatives where 20<sup>th</sup> was the boundary. But all that is water under the bridge so now we are 'stuck' with the current irregular boundary south of 20<sup>th</sup>.

The plans, not just for Costco, but all the commercial along 20<sup>th</sup> is incompatible with both those original policies and with the adjacent rural lands. **Instead it should be that greenbelt buffer originally envisioned or at the very least low density.**

The area between 20<sup>th</sup> and S Lake Stevens road is interspersed with woodlands, wetland and streams. Many have already commented on the value of those areas south of the Costco site.

What I haven't seen is where the entire area esp. along the powerlines has been adequately studied. There are many wetlands, springs throughout the area and another stream west of the powerlines that I haven't seen mentioned. The entire area to the west of the UGA and rural areas drains to Ebey slough and eventually to the estuaries that we are now trying to restore. All of those areas can be impacted not just by Costco but by commercial along 20<sup>th</sup>.

We can all agree that the Lake is beautiful and understandably beloved by all but it isn't the only thing of 'Beauty' in the area. Many people, whether inside or outside of the city also appreciate the beauty, wildlife and natural functions of the woodlands and wetlands in the adjacent rural area.

We wouldn't consider for a minute filling in 50-60 acres of the lake to develop commercial. Imagine the impact that would have on lake quality which already is maintained by artificial methods such as costly Alum treatments. ....so why consider commercial along E. Hewitt that will adversely impact the adjacent wetlands and woodlands that function perfectly without human intervention.

I'm afraid some may not consider how all these natural areas contribute to the attractiveness, health and quality of life in Lake Stevens.

Which would be A more inviting 'gateway' to the city, a natural area or just another strip mail?

Another thing that isn't given enough weight is the light pollution from commercial developments. The lighting alone will disrupt wildlife, even vegetation and the natural day/night cycles that they depend on. (see attachment)

If you have ever watched the night sky, enjoyed the sound of Great Horned Owls arguing over territory or watched a meteor shower in summer, perhaps you'll understand what Dave McFarland once said. **"the excess lighting will even take the stars away"**.

Thank you

Carol McDonald

7709 28<sup>th</sup>

Lk Stevens, 98258

# Outline

UGA BOUNDARIES

WILDLIFE HABITAT – WOODLANDS WETLANDS, STREAMS &  
VALUE TO

HUMANS- QUALITY OF LIFE

COMPARISON TO LAKE

LIGHT POLLUTION



# Light Pollution Effects on Wildlife and Ecosystems

*“When we add light to the environment, that has the potential to disrupt habitat, just like running a bulldozer over the landscape can.”*

— Chad Moore, formerly of the National Park Service

For billions of years, all life has relied on Earth’s predictable rhythm of day and night. It’s encoded in the DNA of all plants and animals. Humans have radically disrupted this cycle by lighting up the night.

Plants and animals depend on Earth’s daily cycle of light and dark rhythm to govern life-sustaining behaviors such as reproduction, nourishment, sleep and protection from predators.

Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.

## **Artificial Lights Disrupt the World’s Ecosystems**

Nocturnal animals sleep during the day and are active at night. Light pollution radically alters their nighttime environment by turning night into day.

According to research scientist Christopher Kyba, for nocturnal animals, “the introduction of artificial light probably represents the most drastic change human beings have made to their environment.”

“Predators use light to hunt, and prey species use darkness as cover,” Kyba explains “Near cities, cloudy skies are now hundreds, or even thousands of times brighter than they were 200 years ago. We are only beginning to learn what a drastic effect this has had on nocturnal ecology.”

Glare from artificial lights can also impact wetland habitats that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding ritual. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations.

## **Artificial Lights Can Lead Baby Sea turtles to their Demise**

Sea turtles live in the ocean but hatch at night on the beach. Hatchlings find the sea by detecting the bright horizon over the ocean. Artificial lights draw them away from the ocean. In Florida alone, millions of hatchlings die this way every year.

## **Artificial Lights have Devastating Effects on Many Bird Species**

Birds that migrate or hunt at night navigate by moonlight and starlight. Artificial light can cause them to wander off course and toward the dangerous nighttime landscapes of cities. Every year millions of birds die colliding with needlessly illuminated buildings and towers. Migratory birds depend on cues from properly timed seasonal schedules. Artificial lights can cause them to migrate too early or too late and miss ideal climate conditions for nesting, foraging and other behaviors.

## **Ecosystems: Everything is Connected**

Many insects are drawn to light, but artificial lights can create a fatal attraction. Declining insect populations negatively impact all species that rely on insects for food or pollination. Some predators exploit this attraction to their advantage, affecting food webs in unanticipated ways.



## Melissa Place

---

**From:** Anthony Armenta69 <anthonyarmenta69@gmail.com>  
**Sent:** Tuesday, November 26, 2019 2:14 PM  
**To:** Melissa Place  
**Subject:** Re: Revised Notice of Public Hearing for Costco

We are in the process of selling our house. We will have it ready by January 1st. We can't wait for Costco to buy us out unless the contractor is willing to buy it from us now. I'm sure other home owners on our street also feel the same way. Thank you. Anthony and Pamela Armenta.

On Tue, Nov 26, 2019, 2:03 PM Melissa Place <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)> wrote:

Good afternoon, you are receiving this email as a party of record/interested party.

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Thank you, Melissa

Melissa Place, *Senior Planner*

**City of Lake Stevens | Planning & Community Development**

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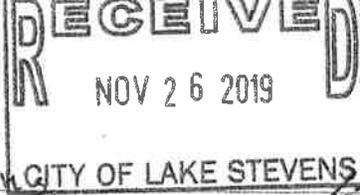
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City of Lake Stevens CITY OF LAKE STEVENS 11-25-19

Attn: Melissa Place - Costco  
City Council

A 14 day comment period is too short for testimony for a project of this size & scope!

An extended time line is called for. 14 days is not enough for the average citizen to do research!

I will submit my two cents anyway!

Costco and other business will affect people of low income, be it a low wage job or two - or living on low retirement. These people are being pushed out our Lake Stevens. Property values, be it business or mega houses on tiny lots are raising cost of housing. Presently there are not provisions in planning for these community needs. No replacement dwellings on 20<sup>th</sup> St. S.E. are in place. We are at the beginning of initiating 'Seattle's problems' with regard to housing.

Street infrastructure in the proposed planning on highway #9 and 20<sup>th</sup> St. S.E. addresses only 'here and now' with no view to future needs.

Mixing roundabouts and traffic lights in such short distance will cause back ups at both type intersections. Also of note: prior to annexation



the county was taking a serious look at the need of an overpass at 20th St S.E. and highway 9. The Costco plan does not address this for now or for future need.

20th St. S.E. and highway 9 are two of three major routes for Lake Stevens and other areas near here. Our economic future rests with good moving roads both for business, industry and residents.

Also give some thought to what happens if I-5 is hit with earthquake, bridge failure or some other long term event. Highway 9 is the only real viable alternate for north/south travel. Lake Stevens will be hit very hard!

Sorry for my late input!

Please consider any way.

Thank you

Sincerely,  
Al Lansing



## Melissa Place

---

**From:** Phyllis <phyllisschrier@gmail.com>  
**Sent:** Monday, November 25, 2019 10:05 AM  
**To:** Melissa Place  
**Subject:** Costco

To Whom it May Concern:

I am writing to express my concern about the proposed new Costco store in the Lake Stevens area. I am a Lake Stevens resident and Costco member and shop there regularly but I see no reason for them to build a store in our neighborhood. We do not have the roads to support it and the congestion it would create would far outweigh the convenience. Because Lake Stevens is centrally located between two other Costco stores we do not need one here.

I am out of town and unable to attend the public hearing on this subject. Thank you for considering my position on this matter.

Regards,  
Phyllis Schrier

Sent from Mail for Windows 10



## Melissa Place

---

**From:** Tina Jacobson <jacobsontina@yahoo.com>  
**Sent:** Sunday, November 24, 2019 10:16 AM  
**To:** Melissa Place  
**Subject:** Costco  
**Attachments:** LUA2019-0178-NOA\_NOPH-Publication.pdf

I am not sure if an email is suffice for a yes vote to Costco coming to Lake Stevens ?

[https://www.lakestevenswa.gov/DocumentCenter/View/8008/LUA2019-0178-NOA\\_NOPH-Publication](https://www.lakestevenswa.gov/DocumentCenter/View/8008/LUA2019-0178-NOA_NOPH-Publication)

Tina Jacobson  
701.371.0840



## Russell Wright

---

**From:** JESS CARRICO <JRCARRICO@msn.com>  
**Sent:** Friday, November 22, 2019 4:43 PM  
**To:** Russell Wright  
**Subject:** costco

hello, as a citizen of lake Stevens, myself and family wholely support the proposed plan for the new costco.  
feel free to reach out if needed  
thank you,

jess carrico  
8508 5th pl se  
lake Stevens wa

5094292346

Sent from my T-Mobile 4G LTE Device  
Get [Outlook for Android](#)



## Russell Wright

---

**From:** Doug Crawford <dougiec53@gmail.com>  
**Sent:** Saturday, November 23, 2019 11:43 AM  
**To:** Russell Wright  
**Subject:** Costco at 20th and hwy. 9

I don't think this is a good idea for the following reasons: traffic, money and loss of local jobs and businesses. First, traffic is already congested there, would create gridlock especially east side of 20th street, not to mention all other corners. Two, if it is true we have to put up 6 million to fund 10 million development which would only hurt us in the long run, we are deciding to negatively affect local businesses and employment, which will further cost us money, some would face the possibility of going out of business completely, not to mention we would be spending more than 6 million. If Costco wants to build there bad enough, they should foot the entire cost. There is already enough Costcos around to service the niche - Woodinville, Everett, and Granite Falls. Lastly that kind of development would destroy our small town feel which attracts so many people. Please reconsider this decision, it will only hurt us, thank you, Doug Crawford 425 923 0019



## Jill Needham

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**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 11:58 AM  
**To:** Jill Needham  
**Subject:** Fw: Revised Notice of Public Hearing for Costco

---

**From:** Michelle Phillips <bookie913@hotmail.com>  
**Sent:** Tuesday, November 26, 2019 5:07 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Re: Revised Notice of Public Hearing for Costco

Hi Melissa,

I cannot make the meeting tonight. Would you please pass along to the council that myself and my husband are PRO Costco. We live within 1/4 to 1/2 mile from the proposed location and are excited about the prospect of Costco and other businesses coming to Lake Stevens. Trying to get across the trestle is such a huge hassle.

Thank you,  
Michelle and Paul Phillips  
9824 32nd St SE  
Lake Stevens  
425-334-7428

---

**From:** Melissa Place <mplace@lakestevenswa.gov>  
**Sent:** Tuesday, November 26, 2019 2:03 PM  
**To:** Jennie Fenrich <jfenrich@lakestevenswa.gov>  
**Subject:** Revised Notice of Public Hearing for Costco

Good afternoon, you are receiving this email as a party of record/interested party.

Please find attached the revised Notice of Public Hearing. Clarifications related to the decision-making and hearing process are included.

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

**NOTICE:** All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

My regular hours are Monday, Tuesday, and Thursday, 8:00 am to 5:00 p.m. I am not in the office on Wednesdays and Fridays. I will review your email upon my return. If you need immediate assistance, please contact [jfenrich@lakestevenswa.gov](mailto:jfenrich@lakestevenswa.gov) or call 425-622-9430.

## Jill Needham

---

**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 12:10 PM  
**To:** Jill Needham  
**Subject:** Fw: Costco

---

**From:** d.garthley <d.garthley@frontier.com>  
**Sent:** Wednesday, November 27, 2019 11:24 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Costco

Would love to see a Costco in Lake Stevens. Would save on gas and the environment having to travel 45 minutes to one of the other Costco. Also would keep taxes in Lake Stevens.

Sent from my Verizon, Samsung Galaxy smartphone

## Jill Needham

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**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 12:06 PM  
**To:** Jill Needham  
**Subject:** Fw: Costco

---

**From:** Louise Johnson <mrsmomaj@yahoo.com>  
**Sent:** Wednesday, November 27, 2019 8:33 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Costco

Good Morning Melissa

Thank you for the Notice of Public Hearing. I personally will not attend a meeting, just because I don't care for emotional crowds.

However, I would like to express that I am personally in favor of Costco coming to Lake Stevens. It will bring jobs for all age groups , competitive gas prices; bulk shopping and shopping close to town. I will continue to shop at the local stores for non-bulk items my husband and I purchase, as I do now.

Right now, I do most shopping close to my office near the Lynnwood Costco Once I retire, I would then be driving to Smokey Point or Woodinville to do my shopping. Why not keep the sales tax in Lake Stevens, along with the jobs?

We don't get to decide whether or not developers build more houses. If new houses were going in, I would be against that proposal.

The traffic is a nightmare. What should be a 30 minute commute from downtown Lake Stevens to my office in Lynnwood , is over an hour most days. This is because of the new homes  
The landowner is going to sell the property to someone someday. I would prefer it to be a quality business such as Costco.

I have been a resident of Lake Stevens since 1960; and have seen a lot of changes. Costco would be one of the best changes for our town for many years.

Respectfully,

Louise Johnson

On Tuesday, November 26, 2019, 2:04:00 PM PST, Melissa Place <mplace@lakestevenswa.gov> wrote:

Good afternoon, you are receiving this email as a party of record/interested party.

Please find attached the revised Notice of Public Hearing. Clarifications related to the decision-making and hearing process are included.

Thank you, Melissa

Melissa Place, *Senior Planner*

**City of Lake Stevens | Planning & Community Development**

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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## Jill Needham

---

**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 12:06 PM  
**To:** Jill Needham  
**Subject:** Fw: Costco

---

**From:** Doug Smith <stlhrsdrmr@comcast.net>  
**Sent:** Wednesday, November 27, 2019 9:08 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Costco

Would you please vote yes on Costco, it will create jobs for years to come, a steady paycheck for many family's, health insurance, new tax money for lake Stevens so we can improve our own infrastructure to this great city of ours. So please Vote Yes.

## Jill Needham

---

**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 12:04 PM  
**To:** Jill Needham  
**Subject:** Fw: Public hearing, Costco party of Record  
**Attachments:** Costo, letter 2.docx

---

**From:** Jeannette Maize <jcipmaize@hotmail.com>  
**Sent:** Tuesday, November 26, 2019 5:34 PM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Public hearing, Costco party of Record

Melissa Place,

I submitted a letter to you regarding the Proposed Costco on the 15th of October, and currently receive emails.

I will likely attend the meeting tonight, but want to be sure that I am included as a party of record for this public hearing.

I have attached a second, similar letter to insure that I am kept current in the process.

Thank You,  
Jeannette Maize  
425-377-1749

The City of Lake Stevens,

Progress at what price.

We are concerned neighbors who live beside Moser Creek, just downstream from the proposed Costco with 30-pump gas station site. We have lived in our home for over 20 years. We have planted over 100 trees and plants to preserve this fairytale-like niche within the woods. Today we have a healthy, forested wetland and creek system.

Moser creek is a Salmon bearing stream. Great blue heron, eagles, frogs, salamanders, owls, mountain beaver, opossum, raccoon, coyote, woodpeckers, songbirds, and rabbits, just to name a few, all thriving in this natural, healthy environment.

How will paving over these acres of natural habitat effect the forest, wetlands and Moser creek? What will be the inevitable consequences as they flow downstream?

How can the quantity and quality of the creek and surrounding wetlands be guaranteed?

Moser Creek can and has overflown its banks in heavy downpours. Can Costco and The City of Lake Stevens guarantee that the destruction and paving over of acres of forested land and wetlands will not affect the volume or course of Moser Creek and natural springs surrounding our home?

Can Costco and the City of Lake Stevens promise that we will never find a slick sheen of gasoline or oily parking lot run-off in the currently healthy ecosystem that we have tried to maintain?

The footprint and nature of Costco with a 30-pump gas station is simply too much for this sensitive environment, and the consequences will be devastating for the wetlands, Moser Creek, fish and wildlife.

Other concerns include the increased noise and traffic on our rural roads, HWY 9 and 20<sup>th</sup> Street SE, and the location of proposed roundabout at South Lake Stevens road, between 32<sup>nd</sup> Street SE and 20<sup>th</sup> Street SE. What route will Costco truck be taking to deliver and unload their semi-trucks? Will we be subjected to the loud, yet inevitable reversing alarm back up horns at all hours throughout the day and night?

Concerned Neighbors,

Jeannette and Jason Maize

425-377-1749

2831 91<sup>st</sup> Ave SE, Lake Stevens WA 98258

## Jill Needham

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**From:** Melissa Place  
**Sent:** Wednesday, November 27, 2019 12:05 PM  
**To:** Jill Needham  
**Cc:** Russell Wright  
**Subject:** Fw: Comments concerning Costco application

---

**From:** Josh DeWinter <josh.dewinter@gmail.com>  
**Sent:** Wednesday, November 27, 2019 8:11 AM  
**To:** Melissa Place <mplace@lakestevenswa.gov>  
**Subject:** Comments concerning Costco application

Hi Melissa

Below are some comments concerning the proposed Costco development at Highway 9 and 20th I'd like to add to the record ahead of tonight's vote on the matter if possible. Thank you!

-----

I represent a neighborhood committee of approximately 100 people who are concerned about the proposed Costco development at Highway 9 and 20th Ave SE in Lake Stevens. We are nearly unified in our belief that although beneficial for tax purposes, the accompanying losses to the community, in the form of increased traffic, light and noise pollution is not a deal Lake Stevens should be willing to make. This is city property that should be kept in city hands, not sold to a developer.

In addition, the involvement by Marcus Tageant as a real estate agent and simultaneous City Council member is a troubling conflict of interest. Despite Mr. Tageant's self recusal from voting on the matter, his ties to the project leave the city wide open to investigation and suit, and are seen as a very distasteful way of doing business by us.

We understand that Russ Wright, Lake Stevens Community Development Director, has stated that this will allow the city revenue to afford "new amenities". The argument that the city population will only rise in the future, and that we need business to aid that growth is looking at the problem the wrong way around. It's cause and effect. If the businesses are not in place to sustain a city of huge proportions, it won't grow that large in the first place. And while it is nice that this development will make one person's job easier, the destruction of the land and neighborhood peacefulness by such a huge corporate development is meaningless to the neighbors who's lives will change immeasurably with the decision to allow it. This appears on the outside as greed by a city that wants to accelerate its demise by sucking up as much tax revenue as possible at the expense of its residents. If this happens, it opens a gateway for more and more massive developments. Soon, Lake Stevens will look like Kirkland or Issaquah: a concrete jungle of retail and condominiums and traffic so close together, neighbors don't have a view.

This is not why we live in Lake Stevens. We didn't come here because we wanted to be in another Kirkland. We are glad to sacrifice retail options for the sake of living in a beautiful area, not crammed full of cars and bustling traffic. Traffic is already bad enough here. Please don't make it worse. Preserve Lake Steven's heritage as a peaceful lake community.

Please do not allow this.

Josh DeWinter  
White Oaks Neighborhood Committee  
Lake Stevens, WA

## Melissa Place

---

**From:** Marilyn Tennison <marilyn.tennison@yahoo.com>  
**Sent:** Wednesday, November 27, 2019 6:11 PM  
**To:** Melissa Place  
**Subject:** Lake Stevens Costco

I have written before in favor of the LS Costco and still feel a vast majority of citizens think this will be a valuable addition to our business community. It will increase our tax base, allowing for more needed and necessary road improvements for a growing residential community, and it will keep that spending local. The tressel and I-5 stay less congested by eliminating the need to commute to other Costco's in the county. Not only does this chain provide needed commodities and products, but also good paying jobs, instead of another housing development.

Please vote in favor of this new addition and add a wonderful neighbor to the Town of Lake Stevens.

Marilyn and Ray Tennison  
2428 78th Ave SE  
Lake Stevens, WA 98258

Sent from my iPhone

## **Melissa Place**

---

**From:** ladybounty13@gmail.com  
**Sent:** Wednesday, November 27, 2019 7:47 PM  
**To:** Melissa Place  
**Subject:** Costco

Dear Ms Place,

I hope that you are having a good evening and looking forward to a wonderful holiday. I just wanted to write you a short note, to let you know that my husband and I are most excited about the prospect of a Costco in our area. As such, we are quite hopeful that the council will approve the buisness, both for the good of its constituents and the city.

Thank you for your time.

Kindest regards,

Bounty Christian  
16119 14th Street NE  
Snohomish, WA 98290

Sent from Yahoo Mail on Android

## Melissa Place

---

**From:** johnguz76 <johnguz76@aol.com>  
**Sent:** Thursday, November 28, 2019 8:08 AM  
**To:** Melissa Place  
**Subject:** Costco project

Hello. As the owner of the proposed site you can bet im all for them coming to lk stevens. I feel they will be a huge asset to our community. They will be the anchor to the new business corridor thru to the mid high school. All these people complaining are just the not in my back yard people. I bet every one has a card and will shop there. The tax revenue will be huge for our city and we need that. Doug Turner i know him and he means well but progress happens lk stevens is growing and will continue to grow so i say get said project done. Doug Turner talks about his livelyhood what about mine. I should be able to sell my land to whoever i want to. So my vote is yes...

Sent from my Sprint Samsung Galaxy S9+.

## Melissa Place

---

**From:** Charles Pearson <ckpear81@gmail.com>  
**Sent:** Thursday, November 28, 2019 7:55 PM  
**To:** Melissa Place  
**Subject:** costco

To the Lake Stevens City Council:

As a resident not living in the city, but next to it, I feel the need to express my opinion regarding the proposed Costco.

First, my husband and I are totally in favor of this project.

We would encourage the city to make solid growth decisions that promote this area.

Change and growth are difficult, but we must look at the future. Costco will give our community a much needed economic boost.

There is going to be development at this site, I agree with many others in that I would rather see a business than more housing.

Just to the east of HWY 9 surrounding the 20th/South Lake Stevens road area, numerous new housing is currently being built.

If Costco is **not** allowed to enter our community, I see nothing but more housing and I question if the area can bear that much traffic.

Please look at New York City and how they ran off Amazon. We must ask ourselves if that is the path we wish to take.

Sincerely  
Kathy Pearson  
425-501-8524

## Melissa Place

---

**From:** Jim Hart <k9hohriver@yahoo.com>  
**Sent:** Friday, November 29, 2019 6:22 AM  
**To:** Melissa Place  
**Subject:** costco

Hey Out Of Towners, go build your fucken store somewhere else.

Fuck you

Jim Hart

Sent from Mail for Windows 10

## Melissa Place

---

**From:** Cheryl Slaughter <ladysnake828@yahoo.com>  
**Sent:** Friday, November 29, 2019 7:09 PM  
**To:** Melissa Place  
**Subject:** Yes to Costco

Greetings Ms. Place:

I live off 115th St, SE in Lake Stevens. I admit when I first heard about Costco opening here, my reaction was - you have to be kidding! But after researching the pros and cons, I vote we bring Costco in. So does my husband. We've had a lot of discussion on this. We both feel this would be good for the community. I wouldn't have to deal with crossing over to 5th to go to Everett or up to Smokey Point.

With so many new people moving in here, we need a Costco as well as other stores. I for one will be happy to see the lower gas prices - I refuse to buy gas in Lake Stevens. 95% of my shopping occurs outside the Lake Stevens area. The revenue will benefit the community. As far as the traffic? A few well placed turn lanes or an extra lane will take care of that.

What I say NO to - is the cramming of hundreds of new homes on property that is supposed to hold 1/3 to 1/4 of what they are putting in! You can't even drive down our road with someone coming up due to all the cars parked on the road - courtesy of the 50 new houses that put up in the last year. These developers do nothing to help with the extra traffic.

Cheryl

"Love looks not with the eyes, but with the mind" *William Shakespeare*

"Friendship without self interest is one of the rare and beautiful things in life." *James Francis Byrnes*

"Be slow to fall into friendship; but when thou art in, continue firm and constant." *Socrates*



## Melissa Place

---

**From:** Patty Lasell <pattylasell@yahoo.com>  
**Sent:** Saturday, November 30, 2019 10:49 AM  
**To:** Melissa Place  
**Subject:** Costco question

Good Morning Ms Place:

My question is where will the money that Lake Stevens contributes (puts forward) come from, bonds, grants, etc.

Thank you,  
Patricia Lasell  
12406 5<sup>th</sup> PL NE, Lake Stevens

Sent from Mail for Windows 10

## Melissa Place

---

**From:** Cathy Nelson <Cathy.Nelson@homestreet.com>  
**Sent:** Sunday, December 1, 2019 12:27 PM  
**To:** Melissa Place  
**Cc:** Cathy Nelson  
**Subject:** Action Item: Lake Stevens Costco (Totally Supportive)

Hi Melissa,

My name is Catherine Nelson and I am a resident of Lake Stevens. I am emailing you to share that I am totally supportive of Costco in Lake Stevens. Please consider this my vote. If you need anything else, please don't hesitate to contact me.

Thank you.  
Cathy

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**Cathy Nelson, PHR**  
VP, Recruiting Manager

**Direct:** 206.264.4255  
**Mobile:** 206.491.4812

**[HomeStreet] Bank**

**Seattle Corporate Office**  
601 Union Street, Suite 2000  
Seattle, WA 98101

## Melissa Place

---

**From:** mikkilash@quidnunc.net  
**Sent:** Sunday, December 1, 2019 1:12 PM  
**To:** Melissa Place  
**Subject:** Proposed Costco Project

Hi Melissa, my name is Marian Lash and I've been a Lake Stevens resident for 10 years. I believe that the new Costco Retail Warehouse will be a great addition to our community. It will be very convenient for Lake Stevens and other East of 5 communities.

I like that it will bring more employment opportunities as well as sales tax revenue which may mitigate rising property taxes. I know that my property taxes have risen to almost twice what I was paying 10 years ago.

Thank you for the opportunity to voice my opinion, Marian Lash 2514 85th Drive NE, V-2 Lake Stevens, Wa.

## Melissa Place

---

**From:** tjmearnest@gmail.com  
**Sent:** Sunday, December 1, 2019 2:57 PM  
**To:** Melissa Place  
**Subject:** Yes to Costco!

Costco would be a great addition in the city of Lake Stevens for numerous reasons. The economic boost would be huge and would help with future growth and the tax base to our area. Costco is a great employer and a good neighbor.

Thank you!  
Terrald and Maureen Earnest  
1527 87<sup>th</sup> Ave NE  
Lake Stevens. WA 98258

Sent from Mail for Windows 10

## Melissa Place

---

**From:** Courtney O'Keefe <courtneyokeefe94@gmail.com>  
**Sent:** Wednesday, December 4, 2019 5:12 AM  
**To:** Melissa Place  
**Subject:** Costco public comment

Good morning,

I wanted to express my support for the new Costco. This is just what our city needs. It will help bring in tax revenue to support our schools and growing community.

Thank you! Have a great day!

Sincerely,  
Courtney O'Keefe  
10513 24th ST SE  
Lake Stevens, WA

## Melissa Place

---

**From:** Thomas <thomasggg2552@msn.com>  
**Sent:** Wednesday, December 4, 2019 8:21 AM  
**To:** Melissa Place  
**Subject:** Fw: costco

I still want costco to come to Lake Stevens for the same old reasons

Thomas Steenmeyer 12/4/2019 Thank You.

----- Forwarded Message -----

**From:** "Thomas" <[thomasggg2552@msn.com](mailto:thomasggg2552@msn.com)>  
**To:** "mplace@lakestevenswa.gov" <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)>  
**Sent:** 10/14/2019 5:55:39 AM  
**Subject:** costco

This household of 3 adults wants costco to come to Lake Stevens.  
Yes it would bring jobs and tax dollars but it may also reduce traffic  
on the hwy 2 trestle Because so many people are moving to this area.

Thomas Steenmeyer  
812 Price Rd, Snohomish

## Melissa Place

---

**From:** Bev Gardner <pakratz@aol.com>  
**Sent:** Wednesday, December 4, 2019 5:34 PM  
**To:** Melissa Place  
**Subject:** Costco

I vote yes

~Bev Gardner

## Melissa Place

---

**From:** Brooke Sandt <bsandt83@gmail.com>  
**Sent:** Wednesday, December 4, 2019 5:54 PM  
**To:** Melissa Place  
**Subject:** YES TO COSTCO

Hi Melissa!

I know the public isn't voting, but that city council is, however, I just wanted to show my support along with the 100's + of others in the Lake Stevens Community Facebook group that would really like to see Costco here in Lake Stevens. Hoping for good news next week!

## Melissa Place

---

**From:** Sonja Broze <slbroze@gmail.com>  
**Sent:** Wednesday, December 4, 2019 5:56 PM  
**To:** Melissa Place  
**Subject:** Yes to Costco

Is my vote, thank you!

Sonja Broze

## Melissa Place

---

**From:** Kristy Zeddies <kzeddies1@gmail.com>  
**Sent:** Wednesday, December 4, 2019 6:23 PM  
**To:** Melissa Place  
**Subject:** YES TO COSTCO

My husband, myself & 2 children are voting YES to Costco!

Thank you,

Keith, Kristy, Tia & Jackson Zeddies  
9210 5th PL SE  
Lake Stevens, WA 98258  
(425) 356-9196

## Melissa Place

---

**From:** Andrea Duerr <andrea@lakestevensbrewingco.com>  
**Sent:** Wednesday, December 4, 2019 7:37 PM  
**To:** Melissa Place  
**Subject:** Costco

I vote yes to costco.

Andrea Duerr

## Melissa Place

---

**From:** Kelli Leese <kellileesehomes@gmail.com>  
**Sent:** Wednesday, December 4, 2019 8:24 PM  
**To:** Melissa Place  
**Subject:** Yes costco please!!!!

Kelli Leese  
John L Scott Real Estate  
425-387-4939

## Melissa Place

---

**From:** Jill Thompson <zachnjill@comcast.net>  
**Sent:** Wednesday, December 4, 2019 8:43 PM  
**To:** Melissa Place  
**Subject:** Yes vote for Costco

Hello!

I just wanted to send a "yes" vote for putting Costco in Lake Stevens.

Thank you!

-Jill Thompson

Sent from my iPhone

## Melissa Place

---

**From:** Kevin Colombana <kevin.colombana@gmail.com>  
**Sent:** Wednesday, December 4, 2019 9:08 PM  
**To:** Melissa Place  
**Subject:** Costco

Costco is 100% best option for that space. It would be the biggest mistake in lake stevens history if we drive a wedge in this deal!!! Lets embrace costco!

Thank you,  
Kevin Colombana  
9904 Vernon rd  
Lake Stevens, wa

## Melissa Place

---

**From:** Douglas Symonds <dsymonds@salishnetworks.com>  
**Sent:** Wednesday, December 4, 2019 10:28 PM  
**To:** Melissa Place  
**Subject:** YES TO COSTCO

As a resident of Lake Stevens, I feel Costco will be a great addition to our City. I see many positive attributes. For one, Costco attracts additional quality businesses & restaurants to the surrounding areas, which we desperately need in Lake Stevens. The tax revenues will help our city grow. Costco also pays well, so they attract high quality people for their employees.

If you're considering Wall Mart, please don't. Wall Mart does not pay well, and seems to attract more crime to the areas in which they reside... which is something that we definitely do not need in Lake Stevens. Also, as you know, there is a Wall Mart just 5 miles up the road, in Marysville. We don't need another one. Thank you.

Doug Symonds  
11120 18th Street NE  
Lake Stevens, WA 98259

doug.symonds@frontier.com



# Greater Lake Stevens Chamber of Commerce

PO Box 439 – 10200 Lundeen Parkway – Lake Stevens, WA 98258  
425-334-0433 - info@lakestevenschamber.com



November 27, 2019

To: The City Council of Lake Stevens

RE: Costco Development Agreement, Resolution 2019-17

Councilmembers,

Please accept the support of the Greater Lake Stevens Chamber of Commerce for the passage of Resolution 2019-17, Costco Development Agreement. We feel Costco is a good employer for our citizens, that will bring significant tax revenue needed to continue to improve and expand the infrastructure of Lake Stevens, allowing it to grow as a healthy, vibrant community with a high standard of living. We also support the resolution as it would contain and reduce the leakage of tax revenue to surround communities, and even bring tax revenue from those other communities into the city of Lake Stevens. We would welcome Costco to help meet the goals set out by the city.

Thank you for all your, and the staff's, hard work on the continued evolution of Lake Stevens.

Sincerely,

A handwritten signature in black ink that reads 'Lance Morehouse'.

Lance Morehouse  
President, Board of Directors  
Greater Lake Stevens Chamber of Commerce

A handwritten signature in black ink that reads 'Matt Tabor'.

Matt Tabor  
Managing Director  
Greater Lake Stevens Chamber of Commerce

RECEIVED

DEC 04 2019

CITY OF LAKE STEVENS

Dear Planning Commission,

I worked for Costco for 14 1/2 years. I started at the Lynnwood Business Center. From there I transferred to the Smokey Point store. After 6 years of that commute I went to the Everett warehouse.

My main concern is that we bought our house in 1989. We are west of Hwy 9. The traffic has gotten so bad out here. This was a 'Bedroom Community' when we moved here. We chose to commute to work. As did many. That is why we fought to keep Fred Meyer off of the top of Cavalero Hill.

I understand the growth has exploded in this area. Hearing the facts last night, I can see why Costco wants to come out here. To hear them last night it didn't sound like they even looked for an alternate sight. Why not the corner of Vernon Rd & 9. Or Hwy 92. I told the man that spoke last night for Costco Damnit against the idea, just the location.

I truly believe that if you can find an alternate location that doesn't ruin the wetland here, you can still get the 'almighty' tax dollars from them.

Fish Do Matter!!! Not just in The Lake!!

Myla Schorsch  
mylaschorsch@msn.com

John and Sandra Cooper  
2618 106<sup>th</sup> Drive NE  
Lk. Stevens, WA 98258  
(425) 334-9459

December 5, 2019



Lake Stevens City Council  
1812 Main Street  
Lake Stevens, WA 98258

Re: Costco

Dear Council Members,

We are writing to you to voice our support for allowing Costco to be allowed to come into Lake Stevens.

Costco is a great company. It will provide great paying jobs with benefits for people in our area. They are known to make areas around them better and road improvements will be a benefit. The additional taxes our city will receive is another bonus of having them here, allowing the city to make other improvements.

Please put us down as being in support of Costco building in Lake Stevens.

Sincerely,

John and Sandra Cooper

## Melissa Place

---

**From:** Lorna <lornajoos@comcast.net>  
**Sent:** Thursday, December 5, 2019 11:49 AM  
**To:** Melissa Place  
**Subject:** Vote for Costco

Please count my YES vote for a COSTCO in Lake Stevens.

I was unable to attend the meeting on November 26th.

Thank You!  
Lorna Osborne  
8431 8th St SE  
Lake Stevens, WA 98258

Sent from my iPhone

RECEIVED

DEC 05 2019

CITY OF LAKE STEVENS

5 DEC 2019

DEAR CITY OF LAKE STEVENS,  
DARLENE AND I ARE  
IN FAVOR OF A COSTCO INC  
STORE BEING BUILT IN  
LAKE STEVENS

THE PLUSES WAY, OUTWEIGH  
THE NEGATIVES

DARLENE HAS BEEN A  
CITIZEN OF LK STEVENS  
SINCE 1972.

VERY SINCERELY,

Dennis A Braudford  
Darlene Braudford

2031 VERNON ROAD

LAKE STEVENS WA 98258

PH 425-334-5990

December 5, 2019

To: Lake Stevens Council

Re: Costco

RECEIVED

DEC 05 2019

CITY OF LAKE STEVENS

The public meeting held last month was interesting because I learned more about this project. Public comments as well as the presentation by Costco were informative. My preference would be to have a Costco in Lake Stevens rather than a Walmart, if there HAS to be a big box store, or ANY commercial establishment.

There are adjustments to be considered and made;

1. The public comments of “we will lose our night sky” alerted me that there will be lots of lighting for commercial industries. Low level “green” lighting is an option or a make it a requirement for Lake Stevens.
2. Traffic: input from family and friends who live in other areas (Mercer Island to Lynnwood) say that traffic problems are HUGE even though there were road corrections made where Costco is located. Comments like, “before Thanksgiving, an acquaintance drove to their local Costco at 10am opening, and she found the last parking spot.” The parking lot was full!  
DO NOT TRIVIALIZE THE TRAFFIC PROBLEMS that will occur. I am sure that Costco and the council & planners can make some good decisions on the location of this popular store.
3. What about changing the location?
4. Does there HAVE to be 30 gas pumps? What about 25? Or less?
5. Above all, the environment is highly important. Costco, having built many stores, needs to consider seriously environmental values. In their presentation, I did not hear any of those values. They might as well start now because of the importance of our

environment. PCC (organic market) does build "green buildings".  
Has Costco looked into any of this aspect?

6. What about installing fir trees (not the scrubby pine trees that everyone else uses) around the perimeter of the Costco building/parking lot? For the wildlife, and there will be plenty of displacement. Some quality plantings?

I am sure there is a lot more to consider. This is serious stuff to lose the small town flavor of Lake Stevens for the children and the future.

Sincerely,

Mary Berg

P O Box 656

(9631 9<sup>th</sup> St NE

Lake Stevens, WA 98258

12/10/2019  
FOR PUBLIC RECORD

RECEIVED

DEC 10 2019

CITY OF LAKE STEVENS

December 10, 2020

TO: Lake Stevens Council Members

FROM: Blanch & Dave Kosche  
12603 - 20th Street NE, Lake Stevens

RE: Costco Proposal

Approving this proposal is a "no brainer" because:

- a. The property is zoned commercial (since 2012)
- b. There is no other business with the advantages of Costco  
great employer -  
won't impact morning traffic - opens at 10 am  
people love Costco (10,000 families\* - almost every  
family in the city of Lake Stevens owns a Costco card)
- c. It saves time & gas for the 10,000 families right here
- d. Eliminates locals' weekly trips across the trestle to Costco
- e. If taxes aren't collected from businesses, homeowners pay

Miscellaneous info:

We and our two grown children currently pay taxes on about 10 acres of wetlands. Lake Stevens does not have a shortage of wetlands; we do have a shortage of watershed.

Evening traffic to Costco might be less than anticipated because L.S. commuters often shop on their way home from work like our son-in-law. Also Costco is open in the early evening.

Dave and Blanch Kosche (425-334-3798, home phone)

\* computed from: population of Lake Stevens about 31,000 people; average family size in US is 3.1 so about 10,000 families in LS. Google says in 2017 population of US was 326,000,000 people and 90,000,000 Costco cards. So about 1 Costco card per 3.6 people, But WA state has more Costco stores than any state except CA and so we have more shoppers. So I estimated we have 1 Costco card per every 3.1 people. I believe Costco's presentation showed 40,000 Costco cards for GREATER Lake Stevens area. I think my figures may be on the low side.



6406 Marine DR NW  
Tulalip, WA 98271  
360-716-4214

December 10, 2019

Melissa Place  
Senior Planner  
PO Box 257  
Lake Stevens, WA, 98258

Subject: Costco/LUA2019-0178

Dear Ms. Place,

On behalf of The Tulalip Tribes we thank you for the opportunity to provide comments on the Costco project development agreement.

The Tulalip Tribes are the successor in interest to the Snohomish, Snoqualmie, Skykomish tribes, and other tribes and bands signatory to the Point Elliott Treaty of 1855. In this treaty, the Tulalip Tribes expressly reserved the right to hunt, fish, and gather at usual and accustomed places and to hunt and gather in all open and unclaimed lands. This includes the protection of habitat necessary for treaty reserved resources like salmon that were the basis of the treaty.

Water of sufficient quality and quantity to support habitat along with access to that habitat is required for maintaining fish runs essential to the Tribes' treaty fishing rights. Development such as this one that removes forest cover, fills wetlands, and results in major modifications to the quantity and quality of water entering streams can result in the impairment of habitat and a reduction in treaty reserved resources.

Since this project was proposed the Tulalip Tribes recommended the project not be built at the proposed location because of the potential impact to Mosher Creek and a tributary to Mosher Creek. The Tribes also stated that if avoidance cannot be achieved by not developing this site. Impacts need to be minimized or mitigated to the fullest extent possible on and in the vicinity of the project site. Most of the Tribes correspondence and interaction with the City has been in regard to the review of project plans, studies, and the types of actions needed to mitigate impacts.

The Tulalip Tribes are federally recognized successors in the interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott.



6406 Marine DR NW  
Tulalip, WA 98271  
360-716-4214

Mosher Creek is occupied by cutthroat trout, coho salmon and brook lamprey, to name a few. The extremely low numbers of coho salmon observed in the Snohomish basin over the last decade have been very concerning to the Tribes and the State of Washington. Development pressure that result in stream habitat degradation and degraded water quality all contribute to the loss of coho salmon.

The proposed project is located on a south facing hill slope that will remove the remaining forest cover, require major land surface modification resulting in significant wetland filling (1.87 acres), groundwater interception, reduced infiltration, and increased surface water runoff that can negatively alter stream flow dynamics and increase pollutants. Wetlands provide important water quality functions like storage, treatment, and stream flow regulation.

The Tulalip Tribes consider the potential habitat loss associated with this project and associated reduction in salmonid production a detriment to tribal treaty resources. The Tulalip Tribes recommend the project not be built at the location as proposed, but if approved by the community the City and Costco continue efforts to minimize and mitigate impacts on site or in the basin of the project site to the fullest extent possible.

Sincerely,  
The Tulalip Tribes

Jason Gobin, Fish and Wildlife Director



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

December 9, 2019

Peter Kahn  
Costco Wholesale  
999 Lake Drive  
Issaquah, WA 98027

**RE: Ecology Comments on Costco Wholesale in City of Lake Stevens  
Corps File No. NWS-2019-175  
Ecology File No. 16923**

Dear Peter Kahn:

The Department of Ecology (Ecology) is currently reviewing the proposed Costco Wholesale site in the City of Lake Stevens. Specifically, we are reviewing wetland impacts and mitigation during preparation of the Section 401 Water Quality Certification (WQC) and Coastal Zone Management (CZM) consistency determination for your project. Listed below are the documents we reviewed and several concerns and recommendations we have.

***Literature Sources Reviewed***

Ecology has reviewed the following documents:

- Joint Aquatic Resources Permit Application (JARPA) received on February 21, 2019.
- Critical Areas Report, dated September 10, 2019.
- Wetland and Stream Mitigation Plan, dated November 8, 2019.
- Revised Impacts and Mitigation Report, dated November 15, 2019.
- Revised Mitigation Bank Use Plan, dated November 15, 2019.

***Ecology Concerns***

Ecology has the following concerns with the assessment of wetland impacts and proposed mitigation for this project:

1. The *Wetland and Stream Mitigation Plan* addresses direct wetland impacts to Wetlands A and D from construction of roadways and parking lots, but it inadequately addresses buffer impacts. Both of these Category II wetlands have habitat scores that should require 220' buffers, according to Ecology's *Wetland Guidance for CAO Updates*. Although the City of Lake Stevens would only require 95' buffers, Ecology considers this buffer

encroachment as an indirect wetland impact (paper fill) that requires compensatory mitigation at a replacement ratio 1/2 of direct wetland impacts.

2. The proposed on-site mitigation of wetland creation between the lobes of Wetlands A and D does not have adequate buffers. In order to surround this wetland creation area with 220' buffers on all sides, there is no area that could be protected adequately. This includes buffers extending from roadways on the north and east sides, as well as buffers extending from the adjacent property on the south.
3. The proposed grading to create wetland areas between the lobes of Wetlands A and D could affect the hydrology of the existing wetlands and change the frequency and duration of flooding. Currently, water movement between Wetlands A and D and between the two lobes of Wetland D is controlled by differences in elevation and narrow channels that slowly meter out the flow. It is not clear what the water depth, frequency, and duration of flooding would be once the wetland creation sites are constructed. No information was included on the infiltration rates of the soil within the wetland creation area to know if water would percolate into the soil or be impounded for prolonged periods.
4. The proposed off-site mitigation to enhance fish passage within a Mosher Creek tributary involves removal/replacement of six culverts. Because this mitigation occurs on an adjacent property not controlled by Costco, we are concerned with how maintenance and monitoring will occur over the 10-year period and what type of restrictive covenant would be established.

### ***Ecology Recommendations***

Ecology has the following recommendations on the proposed compensatory mitigation for this project:

1. Calculate the amount of indirect wetland impacts that occur in Wetlands A and D from new roadways if they were surrounded by a 220' buffer. Using a replacement ratio of 1/2 to 1, determine how much additional compensatory mitigation is needed to compensate for this indirect impact.
2. Eliminate the on-site wetland creation area between the lobes of Wetlands A and D because it cannot be surrounded by 220' buffers and there is an uncertain source of hydrology.
3. Recalculate the number of mitigation credits that need to be purchased at the Snohomish Basin Wetland Mitigation Bank based on additional indirect wetland impacts for buffer encroachment and eliminating on-site wetland creation as mitigation.
4. Provide proof of a temporary construction access agreement with the adjacent property owner that allows for maintenance and monitoring of the culverts along the Mosher Creek tributary for a 10-year period.
5. Provide proof of a restrictive covenant that protects the off-site mitigation area on the adjacent property in perpetuity.

If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7199 or send an email to [Doug.Gresham@ecy.wa.gov](mailto:Doug.Gresham@ecy.wa.gov).

Peter Kahn  
December 9, 2019  
Page | 3

Sincerely,

A handwritten signature in cursive script that reads "Doug Gresham". The signature is written in black ink and is positioned above the typed name.

Doug Gresham, PWS  
Wetland Specialist  
Shorelands and Environmental Assistance Program

By email

E-cc: Joe Burcar, Ecology  
Melissa Place, City of Lake Stevens  
Jordan Bunch, Corps of Engineers  
Ed Sewall, Sewall Wetland Consulting  
Ryan Kahlo, Watershed Company

309 E. Pacific  
Spokane, WA 99202

December 10, 2019

Lake Stevens City Council  
Lake Stevens Planning Director  
Lake Stevens City Hall  
Attn: Melissa Place  
PO Box 257  
Lake Stevens, WA 98258

Sent via email to:

[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

**Re:** Supplemental Comments on Costco Development Agreement LUA2019-0178, and on Costco Site Plan, Binding Site Plan, Design Review, and Planned Action Certification – LUA2019-0156, LUA2019-0080, LUA2019-0081, and LUA2019-0082

Dear Ms. Place:

As your records will reflect, this office represents Livable Lake Stevens (LLS). We previously submitted detailed comments (54 pages including Exhibits).

Unfortunately, I ended up ill and could not speak at the November 26, 2019, Hearing. I understand from your Staff that oral testimony will not be allowed at the Hearing tonight. I submit these Supplement Comments in lieu of providing such testimony.

I will try not repeat the many points in my November 20, 2019, written comments. I urge you to read them in detail.

As far as I can tell from the Staff Reports, virtually all of those points remain unaddressed. Nor have I seen a substantive response to the 47 Unanswered Questions that we posed to the City in our November 20<sup>th</sup> comments.

I urge each of you to read those questions, and to ask the Staff to respond in detail – on the Record – to each of them.

Your current proposal from Staff is to approve the Development Agreement. I urge you **not to do that**. It is premature for you to do so. You don't yet know what all the impacts of the proposal are. You don't yet have adequate mitigation plans. You don't yet know whether the project will even have an approved Design Review, an approved Binding Site Plan, or a completed Site Specific SEPA analysis. Nor do you know what conditions might be required in any future Approvals of those land use decisions.

You should not be committing millions of City taxpayer dollars – and certainly not twice as much as Costco is paying, which is what the documents we submitted on 11/20 show is planned – by signing a Development Agreement **when you don't have** that basic information.

I submit that what you have here is the proverbial cart before the horse. You should wait until you know what the true impacts and the true costs are, **and** whether Costco has obtained all the basic needed land use approvals, **before you commit City money to subsidize the project**.

As you will see when you read, or will recall if you already read, our 11/20 comments - we also have significant Due Process and public participation concerns. I understand that the 11/26 meeting left many members of the public confused. Also the sounds was so bad that many could not hear what was being said.

We have been told that some members of the public who signed up to testify did not do so, because they thought their name would be called and it wasn't. Also, there were apparently folks there prepared to testify who had to leave before the end, because the meeting went so late. This is supported by the fact that there were over 100 people who signed in, according to the City sign in sheets, but only 24 who testified (according to the Minutes of the meeting).

The most recent Staff Report is even more evidence that our concerns about insufficient transparency and insufficient time to comment or testify are legitimate. In the Report, the Staff **admits** that there have now been at least five “major proposed changes” and seven “additional changes” made to the proposed Development Agreement.

Those changes have not been out for public comment for more than a week. Those are, as Staff has admitted, significant changes. This is not a small project. There is no legal reason why you have to rush through an approval. The public should be given more than just a few days to provide comments on these additional changes. You should continue the Hearing again, to your next meeting in January, and open the matter up for public comment.

That will also give both you, the public, and your Staff time to look at the “peer review” of the wetland consultant reports that is apparently now underway. That is something you should insist on seeing, before you approve a major commitment of taxpayer dollars to this project.

This should not be a “rush job.” Costco is not going to take its proverbial marbles and go home, simply because the Council insists on providing a full and fair opportunity for citizens to provide feedback.

The current Staff Report also again asserts that the proposed Agreement is “consistent with several goals and policies” of the Comprehensive Plan. That is true. **But what remains unaddressed** is the fact that the Agreement is **also inconsistent with a host of other provisions and goals** of the Comprehensive Plan. We addressed those in detail in our 11/20 comments. So far I don’t see that those issues have been substantively responded to in detail.

Similarly, the Development Agreement is **not** consistent with a host of “applicable development regulations.” As we outlined in our prior comments, it does not meet many of those requirements, and again I see no evidence that those issues have been substantively addressed.<sup>1</sup>

While the Development Agreement may indeed set out a “conceptual strategy for mitigation of potential impacts,” a mere *strategy* is not enough. The City needs to be assured of actual complete mitigation, and it needs to condition approval of a multi-million dollar subsidy on the existence of complete successful mitigation.

Rather than belabor the issues, I refer you to the attached Bullet Points, which I would have tried to make if allowed to speak.

Also one other matter of note. For all the reasons listed in our 11/20 comments and these comments, we do not believe the Council should approve Item L on the Agenda – the Agreement with the City of Everett to spend City money moving a waterline that would not need to be moved but for Costco’s development. Costco should be paying for that, not the taxpayers of either City.

Sincerely,

  
Michael D. Whipple  
Attorney at Law

Cc: Karl G. Anuta, Esq.  
Greg Rubstello, Esq.

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<sup>1</sup> Ask your Staff, for example – (1) Where is the analysis of compliance of **this particular project** with the Critical Areas Ordinance? and (2) Where is the **Site Specific** SEPA analysis of this particular Costco and fuel depot proposal which is what was called for in the SubArea EIS for projects within the SubArea that would affect Critical Areas?

## Bullet Points for Lake Stevens C.C. Hearing

- Approval of the Development Agreement is premature. The Council does not yet have or know the conditions of all the other needed approvals. Until those are complete, the Council should not commit the City to spending Millions of Taxpayer dollars.
  - To comply with all of the various laws, policies and rules that govern this proposal, more time is needed. The City Council should not make a decision on the Development Agreement until a full **Site Specific** SEPA analysis and alternative site options - are completed and provided to the Council.
  - The Development Agreement is not “compatible with the goals and policies of the Comprehensive Plan” as required by LSMC 14.16C.055(d)(1). Many intersections required by the Comprehensive Plan to be analyzed were not analyzed.
  - Similarly the prioritization of wetland/stream “protection” that is required by LSCP Policy 4.1.1 has been either ignored or given superficial, deterministic consideration - without using the best available science with respect to recharge areas, significant trees, and fish and wildlife habitat areas and corridors.
  - The Development Agreement violates Policy 2.10.5, which requires the City to “protect and preserve wetlands and riparian corridors.” That is clearly not what is occurring here.
  - Subsidizing a big-box Costco and a massive fueling depot on this site also conflicts with LSCP Policy 2.12.4, which mandates that the City “encourage small scale, neighborhood compatible, commercial uses to be distributed throughout the community.”
  - The Agreement is also at odds with LSCP Policy 2.14.6, which states that the City will “develop high quality, compact urban communities throughout the region's urban growth area that impart a sense of place, preserve local character, provide for mixed uses and choices in housing types, and encourage walking, bicycling, and transit use.”
  - In addition the Agreement violates LSMC 14.16C.055(d)(3), because it does **not** adequately mitigate adverse environmental impacts. Instead, as Staff admits it only includes a “conceptual strategy for mitigation.”
- 
- A Costco may have its good points. However, something so at odds with so many provisions of Lake Stevens’ Comprehensive Plan and City Code, that is intended to generate private corporate profits, should not be so **massively subsidized by taxpayer dollars**. The Council needs to more carefully consider whether one of the largest areas of functional wetlands and wildlife habitat in the City, should be sacrificed to subsidize a multi-million private for profit business such as Costco.

- Why should nearly \$19 Million in taxpayer dollars be spent to subsidize a company that already earns \$3.7 Billion a year?
- As outlined in our prior comments and the Traffic Engineer Report we submitted, the Traffic Impact Analysis for this project is inadequate.
- What is proposed is a wholesale transformation of several acres of Critical Areas with relatively intact forest habitat, into pavement and buildings. Some of the project is on City-owned land. That land should be used in a way that most benefits Lake Stevens residents. It deserves a deliberate process that follows law and policy, with robust public participation.
- The site specific environmental impacts of this development have never been fully assessed, as required by SEPA and the City's Code. Yet the City nevertheless seems to want to bull ahead. That makes no sense, either legally or from a policy perspective.
- Critical Area's is not just a meaningless phrase. It reflects the fact that the areas so designated are vital to the health, safety, and quality of life for residents of Lake Stevens, Washington, and the larger region. The site specific impacts on the Critical Areas at issue here – and all the creatures in them and the local citizens that enjoy them - have not yet been evaluated.
- Livable Lake Stevens posed a series of 47 important questions in its 11-20-19 comments. Those all should be carefully reviewed and detailed satisfactory answers provided, **before** any decision is made.

## **Melissa Place**

---

**From:** Gordon Kruse <vikon99@comcast.net>  
**Sent:** Tuesday, December 10, 2019 4:42 PM  
**To:** Melissa Place  
**Subject:** Costco

We strongly request approval of new Costco !!  
Thank you for your kind consideration,  
Babette Hansen  
Gordon Kruse

## Melissa Place

---

**From:** shakahundo@broadstripe.net  
**Sent:** Tuesday, December 10, 2019 4:34 PM  
**To:** Melissa Place  
**Subject:** Lake Stevens Costco development agreement

Melissa -

Upon reviewing the Exhibits and Agreement, the Costco development project will be a public disaster traffic-wise for citizens

traveling on Hwy. 9. The roundabout proposed on Hwy. 9 by Costco at the new 24th Street S.E. will basically stop the flow of

all traffic north and south through this area, as well as back traffic all the way back to Frontier Village and Snohomish, or

farther. There are no other roundabouts of Hwy. 9 that are this close to a traffic signal. Even the roundabouts currently on

Hwy. 9 are completely congested, and barely moving during peak a.m. and p.m. hours. Residential streets will be congested with

traffic attempting to circumvent this extremely clogged area. When the light turns green on Hwy. 9, traffic will move ahead but

will quickly clog up the roundabout, all the way back to the green lights, leaving automobiles waiting in the intersection for

traffic to get through the roundabout. This leaves traffic blocking the 20th & Hwy. 9 intersection stalled when the light changes

for 20th. This will be a nightmare for everyone, not just the shoppers at Costco, and not just Lake Stevens citizens.

Construction on the roundabout, as well as the S. Lake Stevens Rd. connector, is going to create such a major mess that vehicles

will have to be detoured onto residential streets, which were never meant to carry such a heavy traffic load.

This is only ONE major defect in this proposed plan. This huge PRIVATE members-only store is sure to damage local stores and gas

stations. So while you claim jobs will be made, a lot of jobs will be lost. So there will really be no real gain for the

community. This wrecks of the City of Lake Stevens going after large tax revenue. It will also cause increases in residential

property taxes for properties located around this fiasco.

The quality of life in this community will never recover. It's bad enough that housing developments have gone wild (and by the

way, none are close to being affordable to middle or lower class citizens). You should be using this property for affordable

housing, like apartments, and/or senior living or assisted living, like Lot 21 and Lot 22 were originally meant to be developed.

Floyd Ryan  
(original owner of Lots 21 & 22)  
shakahundo@broadstripe.net

## Melissa Place

---

**From:** Russell Wright  
**Sent:** Tuesday, December 10, 2019 4:23 PM  
**To:** Melissa Place  
**Cc:** Kathleen Pugh  
**Subject:** FW: Costco

FYI

Russ Wright, *Community Development Director*

### City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
425.622.9424 | [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)

**NOTICE:** All emails and attachments sent to and from the city of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

**From:** Steve Strong <steves@johnlscott.com>  
**Sent:** Tuesday, December 10, 2019 3:07 PM  
**To:** Russell Wright <rwright@lakestevenswa.gov>  
**Subject:** Costco

Good afternoon Russ,

My name is Steve Strong and I live at 4103 97th Dr. SE, Lake Stevens. I live in unincorporated Snohomish County. I do own property in the city of Lake Stevens. I work for John L. Scott in Lake Stevens.

I attended the last council meeting where Costco was discussed. While I am one that does not like change, it happens. I am in real estate. This city and surrounding area is booming faster than anything I have seen before.

Costco is a great company. It would be a great addition to Lake Stevens, even though I am dreading what it means traffic wise.

My concern is how much the 60% is going to cost to develop the part of this project that the city will be paying for. I do not buy into not giving out an amount because that is what the contractors are going to bid up to. I am a general licensed and bonded active contractor in the State of Washington, and have been for at least 30 years. I have done all kinds of projects including residential and commercial building. I have built spec homes for ten years, followed by custom home and renovations. I worked for State Farm Insurance and was on their preferred list for many years.

I can tell you I never gave out a approximate cost for something that turned out to be cheaper than what I quoted. All projects end up costing more. If you give out a high price to begin with, you are not going to get the job. You could put a plan in front of me, say a residential plan, and I could give you an estimated cost that would be pretty accurate within an hour. I understand this Costco project has a lot more to it, but someone should be able to give you an idea how much it is going to cost. Getting

into a project with having a decent idea of how much it is going to cost, is stupid. I took this up with Sam Low.

Is the project going to cost the city 10, or 20, 30, 40, 50, 60 million, where would be your guess? A guess is far better than not having anything. Please put forth a guess, because having no idea is absolutely stupid.

Thank you Russ, good luck tonight. It was quite a complement Costco gave you at the last meeting about being the best prepared. That says a whole lot about you and your division.

Respectfully,

Steve Strong  
(425) 308-1203  
[steves@johnlscott.com](mailto:steves@johnlscott.com)

**Steve Strong :)**

Residential and Commercial Real Estate Broker

Direct: (425) 308-1203

Email: [steves@johnlscott.com](mailto:steves@johnlscott.com)

*Where exceptional service is just a normal expectation.*

## Melissa Place

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**From:** Graig Kennaugh <nyarlotep@comcast.net>  
**Sent:** Tuesday, December 10, 2019 12:05 PM  
**To:** Melissa Place  
**Subject:** Proposed Costco

As a lifelong and 4th-generation Lake Stevens resident, I want to register my disapproval and concern over the proposed Costco. The infrastructure is already overtaxed by the volume of traffic resulting from rampant overbuilding, and adding a Costco will only further decrease the quality of life for the city's residents.

I urge the city to look past the short-term gain in tax revenue and look at the long-term cost of cramming more buildings and traffic into an already-over-busy area.

Graig Kennaugh

## Melissa Place

---

**From:** Heather Brummer <heather\_brummer@hotmail.com>  
**Sent:** Tuesday, December 10, 2019 12:13 PM  
**To:** Melissa Place  
**Subject:** Public Comment for land use proposal for Hwy 9 & 20th St SE- "Costco"  
**Attachments:** LSCC.docx

Hello Melissa,

I understand public comments are welcome through today regarding the proposed Costco at the intersection of Hwy 9 & 20th St SE.

I have attached a copy of my comments for the city council in a word document, but have also copied it below.

Thank you for hearing us.

Sincerely,  
Heather Brummer

Heather Brummer  
4512 91<sup>st</sup> Ave NE,  
Lake Stevens, WA 98258

December 10, 2019

Dear Lake Stevens Council Members,

I am writing to you today to ask you to please reject the proposal for land use on the 37 acres on the corner of Highway 9 and 20<sup>th</sup> St SE. The current proposal is for a Costco retail and gas station space to utilize this property. The company of Costco has very generously offered to help develop and "make useable" this piece of property. Apparently, it's a tricky piece of land to develop.

At first, I was very worried about a Costco in Lake Stevens because we already have retail stores here that appear to struggle as it is, and it seemed like adding a big box store retailer was going to be devastating for the smaller companies in our community. It seemed like poor long-term planning to put all of our financial "eggs" in one basket, asking ONE store to come in to our community to "solve all of our economic concerns". I watched as the city of Seattle tried to get one of their biggest businesses to help them solve a community housing problem last year by imposing a tax on the companies that generated the most income for the city (it really broke down to being ONE big business in the community that would carry the heaviest tax load). That company IMMEDIATELY threatened to leave the city, effectively halting ANY revenue from that source. The community of Seattle had little choice but to give that big company what they wanted.

So, I was very concerned about that same sort of thing happening in Lake Stevens. But, apparently, one large business is the "only" way to offset all the houses that are being built. We need sidewalks, apparently. I don't understand how developing land into tax-paying houses generates a negative income for the city such that we can't even put in sidewalks? Maybe those sidewalks need to go in to old neighborhoods and not the new neighborhoods? But the general consensus seems to have concluded that there is no other way to build sidewalks.

However, after listening to the State of the Lake presentation at the last City Council meeting on November 26<sup>th</sup>, I realized something else about our community. We are “defined” by that lake, Lake Stevens. And the State of the Lake indicated that we’re doing better by way of lake-health, better than we’ve done in recent memory. The clarity of the water is deeper than it’s been in a long time. That is wonderful. AND, it was glaringly clear that we only have band-aid fixes for the long-term health of the lake. What would Lake Stevens be without, well, Lake Stevens?!

I urge the Council to be bold and forward thinking. I urge the Council to reject the Costco **at this location**. Rather, I urge the Council to consider a different location within the city limits, and rezone these 37 acres at the corner of Highway 9 and 20<sup>th</sup> St SE for non-development purposes. There are critical features on this property that help maintain an already (heavily?) damaged lake ecosystem. NOTHING should be developed on this property. For the sake of the Lake, and for the sake of the community that depends on it.

## Melissa Place

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**From:** Christopher Rich <chrisdrich@gmail.com>  
**Sent:** Tuesday, December 10, 2019 12:38 PM  
**To:** Melissa Place  
**Cc:** Kim Daughtry; Brett Gailey; Kurt Hilt; Rauchel McDaniel; Gary Petershagen; Marcus Tageant; Todd Welch; John Spencer  
**Subject:** In Full Support of Costco in Lake Stevens!

Hi Melissa-

Thank you for all you work with the City of Lake Stevens in planning and development! As a 10 year resident of Lake Stevens, there is some much to be excited for in our city! My wife Tara and I have 6 kids ages 13-5 and we love raising our family here!

With our large family and my single income I am incredibly excited about Costco coming to Lake Stevens! 2-4 times month we're loading and going out to Everett or Smokey Point spending time, gas, and money all to leave our community. If HWY2 was to be tolled it would be a significant hardship to leave town just to shop responsibly.

As our city grows it is important to have great jobs and shopping options for Lake Stevens. Costco as a NW company with a great business model and corporate culture is a great fit for our community. Improvement in options, more jobs, and significant Sales Tax revenue is a huge win for everyone in the city. Costco is the type of strong anchor business that encourages other great company (and local business) to choose Lake Stevens. We need a culture and community with a growth mindset for the continued flourishing of everyone that currently calls our community home and for those who look to move to this great place!

I know you and the city have received some negative feedback. While loud, and organized, I firmly believe it is in the clear minority as every resident I've interacted with over the past year has been enthusiastically in support of Costco coming to Lake Steven in the HWY9/20th Business Corridor. To make any decision to stop or delay the progress of this project would be short sided and reactionary. I hope this small opposition doesn't discourage you and the City from continuing to lead with clear vision for the benefit of our entire community by approving this project.

We have a great city with potential to be even better! What would make Lake Steven even more "livable" would be benefit of having a Costco in our town.

Thank you for your consideration. I hope to be at the meeting tonight and would love the opportunity to speak in favor if possible.

Onward!



e: [chris@rdchurch.org](mailto:chris@rdchurch.org)  
p: 206-972-1933  
w: [rdchurch.org](http://rdchurch.org)

## Melissa Place

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**From:** Bill and Marilyn <rockinw1@frontier.com>  
**Sent:** Tuesday, December 10, 2019 9:29 AM  
**To:** Melissa Place  
**Cc:** Brett Gailey; Gary Petershagen; Kim Daughtry; Kurt Hilt; Marcus Tageant; Raichel McDaniel; Todd Welch  
**Subject:** FW: City of Lake Stevens Costco Public Hearing 11/26/19 Comments

Good morning Melissa.

Please insure Todds response below is part of the public record.

Thank you.

Marilyn Webber

**From:** Todd Welch [mailto:twelch@lakestevenswa.gov]  
**Sent:** Monday, December 09, 2019 11:48 PM  
**To:** Bill and Marilyn <rockinw1@frontier.com>  
**Subject:** Re: City of Lake Stevens Costco Public Hearing 11/26/19 Comments

The Public Hearing is still open, the public can still comment. We also did not keep anyone from testifying during the Public Hearing. Anyone who wishes to comment and provide their opinion to the Council will have their time tomorrow night. People can also write emails that will all be part of the public record.

todd

Todd Welch  
Lake Stevens City Councilman Position-4

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**From:** Bill and Marilyn <[rockinw1@frontier.com](mailto:rockinw1@frontier.com)>  
**Sent:** Monday, December 9, 2019 11:44 PM  
**To:** Melissa Place <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)>  
**Cc:** Kim Daughtry <[kdaughtry@lakestevenswa.gov](mailto:kdaughtry@lakestevenswa.gov)>; Brett Gailey <[bgaily@lakestevenswa.gov](mailto:bgaily@lakestevenswa.gov)>; Kurt Hilt <[khilt@lakestevenswa.gov](mailto:khilt@lakestevenswa.gov)>; Raichel McDaniel <[rmcdaniel@lakestevenswa.gov](mailto:rmcdaniel@lakestevenswa.gov)>; Gary Petershagen <[gpetershagen@lakestevenswa.gov](mailto:gpetershagen@lakestevenswa.gov)>; Marcus Tageant <[mtageant@lakestevenswa.gov](mailto:mtageant@lakestevenswa.gov)>; Todd Welch <[twelch@lakestevenswa.gov](mailto:twelch@lakestevenswa.gov)>; John Spencer <[jspencer@lakestevenswa.gov](mailto:jspencer@lakestevenswa.gov)>; Gene Brazel <[gbrazel@lakestevenswa.gov](mailto:gbrazel@lakestevenswa.gov)>; Eric Durpos <[edurpos@lakestevenswa.gov](mailto:edurpos@lakestevenswa.gov)>; [dave.somers@co.snohomish.wa.us](mailto:dave.somers@co.snohomish.wa.us) <[dave.somers@co.snohomish.wa.us](mailto:dave.somers@co.snohomish.wa.us)>; [Sam.Low@co.snohomish.wa.us](mailto:Sam.Low@co.snohomish.wa.us) <[Sam.Low@co.snohomish.wa.us](mailto:Sam.Low@co.snohomish.wa.us)>; [Nate.Nehring@snoco.org](mailto:Nate.Nehring@snoco.org) <[Nate.Nehring@snoco.org](mailto:Nate.Nehring@snoco.org)>; [Brian.Sullivan@co.snohomish.wa.us](mailto:Brian.Sullivan@co.snohomish.wa.us) <[Brian.Sullivan@co.snohomish.wa.us](mailto:Brian.Sullivan@co.snohomish.wa.us)>; [Stephanie.Wright@snoco.org](mailto:Stephanie.Wright@snoco.org) <[Stephanie.Wright@snoco.org](mailto:Stephanie.Wright@snoco.org)>; [Terry.Ryan@snoco.org](mailto:Terry.Ryan@snoco.org) <[Terry.Ryan@snoco.org](mailto:Terry.Ryan@snoco.org)>; [Doug.McCormick@cosnohomish.wa.us](mailto:Doug.McCormick@cosnohomish.wa.us) <[Doug.McCormick@co.snohomish.wa.us](mailto:Doug.McCormick@co.snohomish.wa.us)>; [nwpublicaffairs@wsdot.wa.gov](mailto:nwpublicaffairs@wsdot.wa.gov) <[nwpublicaffairs@wsdot.wa.gov](mailto:nwpublicaffairs@wsdot.wa.gov)>; [SawyerM@wsdot.wa.gov](mailto:SawyerM@wsdot.wa.gov) <[SawyerM@wsdot.wa.gov](mailto:SawyerM@wsdot.wa.gov)>; [steve.hobbs@leg.wa.gov](mailto:steve.hobbs@leg.wa.gov) <[steve.hobbs@leg.wa.gov](mailto:steve.hobbs@leg.wa.gov)>; [Stevick@Heraldnet.com](mailto:Stevick@Heraldnet.com) <[Stevick@Heraldnet.com](mailto:Stevick@Heraldnet.com)>; [SDavey@Heraldnet.com](mailto:SDavey@Heraldnet.com) <[SDavey@Heraldnet.com](mailto:SDavey@Heraldnet.com)>  
**Subject:** City of Lake Stevens Costco Public Hearing 11/26/19 Comments

To whom it may concern,

The Costco Public Hearing should continue at the 12/10/19 Lake Stevens City Council Meeting. There were many people signed up that did not get a chance to speak. The room was full, and many people could not get in. Many people were stacked up in the entry trying to hear the meeting comments, which were even hard to hear for us in the main room because of the poor speaker system. The conditions were far less than ideal. Hopefully those conditions will be improved for 12/10.

Some very good points were brought up, some were left unanswered by Lake Stevens City Council, City staff and Costco.

They warrant answers at the 12/10 meeting.

The issue of the Costco fuel station and tanks being located next to the City of Everett water lines, that supply water to most of Snohomish County, over 600,000 people. The placement of these tanks, plus the fact that we live in an earth quake area, create unnecessary risks for water contamination. It's a plan for disaster for the environment and health of all of Snohomish County. Council members asked Costco for their input on these concerns, but no answer was given. The public is due an answer.

The actual financial cost of the Project for all involved, not in percentages, but actual numbers, so the Public knows who's paying for what. This information should be provided to the public with adequate time for review, followed by a Council Meeting for discussion.

The fact that Project requirements are not finalized. For example, mitigations and parking spaces. Mitigations should be identified, defined and resolved. Parking spaces should be set at a specific amount period.

Some council members seemed unclear as to the input provided by the Tulalip Tribes. This is causing concern that council members may not have seen and are not aware of all the input provided by the various entities stating concerns, impacts and failures to comply to the requirements of a project of this size. Also, the action of reducing city council approvals for this project, deferring them to city administration raises speculation.

Today, The Herald reported Russ Wright stating over half of the residents are in favor of the proposal. That's a questionable statement when at the Hearing, petitions with over 600 signatures were reported to the City stating they were against Costco

at the proposed location. The people aren't against Costco, they are against the location. Costco said in their presentation, the City invited them to this location. The City has made a mistake. It's time to step back and do the right thing. Find another location for Costco.

In summary, the City says it needs money for sidewalks and parks. The proposed Costco site would make a great park. The adjacent waterline would provide a great trail system all along 20<sup>th</sup>. It just seems ironic, that pushing the development of this property will destroy exactly what the City is searching for. Once the environment is compromised, there will be no point of return.

Respectively Submitted,

Marilyn Webber

## Melissa Place

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**From:** Joan and Bob Whittington <bobnjoan13@comcast.net>  
**Sent:** Monday, December 9, 2019 5:13 PM  
**To:** Melissa Place  
**Subject:** Re: Notice of Application for DA - Costco  
**Attachments:** ~\$Costco.doc

Hello,  
Please see the attached document. I have also cut/pasted it into this email.

Lake Stevens City Council, Mayor of Lake Stevens, Brian Whelan

Dec. 9, 2019

RE: Building of Costco in Lake Stevens

I have been quite concerned about the potential building of a Costco in the Lake Stevens area and recently attended the city council meeting on Nov. 26, 2019.

The Lake Stevens council is trying to change a way of life in the south end near city limits with no regard to the people who live in this area. The city conducted a survey a few years ago directed at citizens WITHIN the city limits to determine what to do on the south end. To my knowledge, the people who live in this area, just outside the city limits, were not contacted nor was there any consideration for us. We were not asked what we wanted in our rural area, however, the city council blatantly chose to make decisions that will affect all of us in the south end, just outside the city limits. This is infuriating, to say the least. Build what you want in someone else's backyard so it will be convenient for you, but not near your house..... In addition, the fact that one of the council members OWNS a lot of this property where the Costco is slated to be developed makes this decision to build on this property very sketchy and questionable with regard to ethics and conflict of interest.

With that said, at the council meeting, one of the representatives from the council said that if Costco isn't built on this location, the area in question WILL BE some kind of major retail because the city already rezoned that area as commercial and they want the tax revenue.

Of all the businesses, Costco is by far the most desired company to be built in this area, in my opinion. They are a very progressive and responsive business that provides steady employment and partners with communities. If the area must have retail, I think Costco is the best choice.

I was MOST IMPRESSED by the professionalism and information presented by Brian Whelan from Costco. In this entire process, the representatives from Costco (from this past summer) and the Nov. 26 2019 city council meeting have been nothing but professional, informative, honest, and responsive to concerns, which is much different than the Lake Stevens mayor and city council, who ignores public questions, makes condescending remarks, and tries to walk away from the controversy rather than take the time to involve community members from the beginning, and explain their thoughts at each of these meetings.

At the public meeting in April/May 2019 and Nov. 26, 2019, most citizens, whether they were for or against a Costco, had major concerns about the traffic on Highway 9 from 20<sup>th</sup> St SE through the proposed traffic circle, as well as increased traffic on 20<sup>th</sup> St SE near 91<sup>st</sup> St SE. Please review this and

reconsider widening Highway 9 from the traffic light on Hwy 9 / 20<sup>th</sup> St to beyond the traffic circle, as well as widening 20<sup>th</sup> St SE where it is 1 lane in each direction. The nightmare traffic conditions that were originally put into place at the Smokey Point facility were horrific – wouldn't it be a relief to avoid that same debacle?

Our RURAL community south of the city of Lake Stevens (around 20<sup>th</sup> St SE) does not want to become a traffic gridlock nightmare similar to the Costco mentioned above. In addition, I implore that both parties conduct a follow-up study once this Costco is built and a month or 2 after it has opened, with the proposed plan by all parties that there WILL BE improvements made immediately if it isn't working. To paraphrase what one speaker said at the meeting Nov. 26, 2019, let's do it (the traffic flow) RIGHT the first time instead of saying it will be fine, then putting a bandaid on it months after the fact, then revamping the entire traffic flow a year later. Do it right the FIRST TIME.

I expect there will be low lighting around the building, trucks will be coming through during off-peak hours (that would exclude times between 5:30 am -9:30 am and 1:30 pm – 6:30 pm as those are peak commuting times), and there will be compliance for salmon streams.

Sincerely,

Joan Whittington

425 923-6404

DO NOT PUBLISH my contact information !!!

## Melissa Place

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**From:** John Holme <jonnyholme67@gmail.com>  
**Sent:** Monday, December 9, 2019 10:42 PM  
**To:** Melissa Place  
**Subject:** Yes to Costco!

John Holme  
1026 89th Dr NE  
Lake Stevens, WA 98258

## Melissa Place

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**From:** Jody Schauer <jody.schauer@frontier.com>  
**Sent:** Monday, December 9, 2019 10:17 PM  
**To:** Melissa Place  
**Subject:** Yes for Costco in Lake Stevens!

I vote Yes for Costco in Lake Stevens! I won't be able to attend the meeting tomorrow night, but I want you to know that I fully support Costco coming to Lake Stevens!

Thank you,

Jody Schauer  
11710 3rd Pl. SE  
Lake Stevens, WA 98258  
(425) 427-4047

Sent from my iPhone

## Melissa Place

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**From:** Julie <jewelz8a@gmail.com>  
**Sent:** Monday, December 9, 2019 7:21 PM  
**To:** Melissa Place  
**Subject:** Re: Revised Notice of Public Hearing for Costco

Again, I am a 100% on board with Costco coming to Lake Stevens. It is such a great opportunity for the community and city. I hope the few nay sayers don't allow the city of Lake Stevens to miss out.

Best,

Julia Ochoa

On Nov 26, 2019, at 2:03 PM, Melissa Place <mplace@lakestevenswa.gov> wrote:

Good afternoon, you are receiving this email as a party of record/interested party.

Please find attached the revised Notice of Public Hearing. Clarifications related to the decision-making and hearing process are included.

Thank you, Melissa

Melissa Place, *Senior Planner*  
**City of Lake Stevens | Planning & Community Development**  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

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My regular hours are Monday, Tuesday, and Thursday, 8:00 am to 5:00 p.m. I am not in the office on Wednesdays and Fridays. I will review your email upon my return. If you need immediate assistance, please contact [jfenrich@lakestevenswa.gov](mailto:jfenrich@lakestevenswa.gov) or call 425-622-9430.

<LUA2019-0178 NOPH Publication - Herald Nov 13th\_revised.pdf>

## Melissa Place

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**From:** Kathleen Pugh  
**Sent:** Monday, December 9, 2019 2:21 PM  
**To:** Melissa Place  
**Subject:** FW: Online Form Submittal: Contact Us - Costco

*Kathy Pugh, CMC*

City Clerk  
City of Lake Stevens  
1812 Main Street  
Post Office Box 257  
Lake Stevens, WA 98258  
425.622.9412 / fax: 425-334-0835

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**From:** Jessica Dreher <jdreher@lakestevenswa.gov>  
**Sent:** Monday, December 9, 2019 1:33 PM  
**To:** Russell Wright <rwright@lakestevenswa.gov>; Kathleen Pugh <kpugh@lakestevenswa.gov>  
**Subject:** FW: Online Form Submittal: Contact Us

Good Afternoon,

Below is an email sent to the PD Admin general account. Can you please log this as public comment in support of Costco?

Thank you,  
Jessica



**JESSICA DREHER**  
**ADMINISTRATIVE ASSISTANT**  
**LAKE STEVENS POLICE DEPARTMENT**

2211 Grade Road, Lake Stevens, WA 98258

**Direct:** [425.622.9378](tel:425.622.9378)

**Phone:** [425.622.9401](tel:425.622.9401)

**Fax:** [425.334.9842](tel:425.334.9842)

**Web:** [www.lakestevenswa.gov/police](http://www.lakestevenswa.gov/police)



*"We serve the Lake Stevens Community by enhancing public safety and quality of life, through professional police services, partnerships and interaction with our citizens."*

**NOTICE:** All emails and attachments sent to and from Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <noreply@civicplus.com>  
**Sent:** Monday, December 9, 2019 9:13 AM  
**To:** PD Admin <[lspd@lakestevenswa.gov](mailto:lspd@lakestevenswa.gov)>  
**Subject:** Online Form Submittal: Contact Us

If you are having problems viewing this HTML email, click to view a [Text version](#).

## Contact Us

Thank you for contacting us. Please use this form if you have specific questions you want answered, you would like to make a general comment, or you have a suggestion or concern for a specific section or unit.

To file an online crime report please click [here](#)

A confirmation will be sent to you, letting you know your question has been received and will be addressed soon.

Although you are not required to enter specific address information, doing so will allow us to send you updates on the topics you specify. Your personal information will not be shared with other parties.

|  |              |                |
|--|--------------|----------------|
| Salutation   | First name*  | Last name*     |
| [Mr. V]  | Mark         | Baker          |
| Address  |              |                |
| 12001 30th St. NE  |              |                |
| City*  | State*       | Zip code*      |
| Lake Stevens   | WA           | 98258          |
| Email*   | Home phone   | Business phone |
| <a href="mailto:mark.m.baker@comcast.net">mark.m.baker@comcast.net</a> | 425-334-5357 |                |

Comments\*

Lake Stevens Costco Proposal I would love to see Costco in Lake Stevens. The jobs and tax revenue would be a boon to the city. Just like Michaels, TJ Maxx and Ulta Beauty have reinvigorated Frontier Village. No more driving to Everett and spending our money there. Many times the wife and I would go to lunch and do other shopping in Everett as opposed to spending those dollars in Lake Stevens. As to traffic, I don't think it would be an issue since the store opens after the morning rush hour and closes after the afternoon rush hour. It would reduce trestle traffic since many shoppers would not need to go west across the trestle mid morning or come back east at rush hour. The impact to local businesses would be minimal since they are two different shopping experiences. The smaller stores are places where you run in for specialty items or a quick item or two and not bulk items at Costco. Most people would still do their weekly grocery shopping at the local grocery stores as the items at Costco are generally to large to conveniently store and not all things you want at a grocery store are available. I also believe that if we don't proceed, that maybe Marysville will jump at the chance and offer them space at the Soper Hill road neighborhood area and reap the tax benefits instead of Lake Stevens. If we, as Lake Stevens residents in total, don't want commerce there, then maybe it should be rezoned from Commercial to high density residential and let Snohomish and Marysville have the high tax revenue generated by commercial businesses since we are obviously not ready to accommodate them yet.

\* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:

<http://www.lakestevenswa.gov/Admin/FormHistory.aspx?SID=1177>

The following form was submitted via your website: Contact Us

Salutation: Mr.

First name: Mark

Last name: Baker

Address: 12001 30th St. NE

City: Lake Stevens

State: WA

Zip code: 98258

Email: [mark.m.baker@comcast.net](mailto:mark.m.baker@comcast.net)

Home phone: 425-334-5357

Business phone:

Comments: Lake Stevens Costco Proposal

I would love to see Costco in Lake Stevens. The jobs and tax revenue would be a boon to the city. Just like Michaels, TJ Maxx and Ulta Beauty have reinvigorated Frontier Village.

No more driving to Everett and spending our money there. Many times the wife and I would go to lunch and do other shopping in Everett as opposed to spending those dollars in Lake Stevens. As to traffic, I don't think it would be an issue since the store opens after the morning rush hour and closes after the afternoon rush hour. It would reduce trestle traffic since many shoppers would not need to go west across the trestle mid morning or come back east at rush hour. The impact to local businesses would be minimal since they are two different shopping experiences. The smaller stores are places where you run in for specialty items or a quick item or two and not bulk items at Costco. Most people would still do their weekly grocery shopping at the local grocery stores as the items at Costco are generally too large to conveniently store and not all things you want at a grocery store are available. I also believe that if we don't proceed, that maybe Marysville will jump at the chance and offer them space at the Soper Hill road neighborhood area and reap the tax benefits instead of Lake Stevens. If we, as Lake Stevens residents in total, don't want commerce there, then maybe it should be rezoned from Commercial to high density residential and let Snohomish and Marysville have the high tax revenue generated by commercial businesses since we are obviously not ready to accommodate them yet.

Additional Information:

Form submitted on: 12/9/2019 9:12:47 AM

Submitted from IP Address: 73.53.54.79

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.lakestevenswa.gov/Forms.aspx?FID=62>

## Melissa Place

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**From:** Chad Nott <chadnott@hotmail.com>  
**Sent:** Monday, December 9, 2019 12:35 PM  
**To:** Melissa Place  
**Subject:** Costco

Good afternoon,

I am a resident of Inglewood Forrest which is less than a mile from the proposed new Costco.

I am NOT in favor of even considering this proposal until infrastructure has been fully developed for the current amount of traffic, and additional traffic a Costco in that location would create.

I leave my home at 4:25am each day to avoid the traffic bottleneck on 20th and the trestle. Coming home at 2pm each day I encounter the same bottleneck.

It should not take me 30 minutes to drive 11 miles to work each day in Everett. Additionally, just getting from my home a mile down the road to Target or Safeway takes 20-30 minutes sometimes due to traffic.

Build the infrastructure we need now and then at a later date, think about adding more retail.

Sincerely,

Chad Nott  
1001 98th ave se  
Lake Stevens

## Melissa Place

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**From:** ssantose@frontier.com  
**Sent:** Monday, December 9, 2019 10:30 AM  
**To:** Melissa Place  
**Subject:** Lake Stevens Costco

Ms. Place,

I would like to have my support on record for the approval of Costco joining our community. Costco is an amazing corporation and would benefit this community in many ways. Those benefits include, but are not limited to, employment opportunities, well needed business taxes revenue for the city, and convenient shopping for the population east of the Hwy 2 Trestle. Please encourage to city council to vote Yes in support of this great Northwest business.

Thank you,

Steve Santose  
11120 18th St NE  
Lake Stevens, WA 98258

## Melissa Place

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**From:** Josh DeWinter <josh.dewinter@gmail.com>  
**Sent:** Tuesday, December 10, 2019 4:56 PM  
**To:** Melissa Place  
**Subject:** Comments on Costco proposal for tonight's city council meeting

Hi Melissa

I have some comments I'd like to submit for tonight's city council meeting concerning the proposed Costco location at Hwy 9 and 20th St SE. They are below. Thank you for receiving these for the record.

-----

I represent a group of approximately 100 home owners in the White Oaks neighborhood who are over 75% opposed to the proposed Costco at Hwy 9 and 20<sup>th</sup> St SE.

The goals of the 2015-2035 Lake Stevens Comprehensive Plan and the 20th Street SE Corridor Subarea Plan are driving the city's decision making toward this Costco. However, we disagree that these goals take a holistic stance toward the community.

The city getting more tax dollars and growth for growth's sake should not be the definition of success. Endless expansion and urban sprawl should not be the default condition the city tries to target. Sustainability should be. We continue to design as if the county, the country and indeed the planet can provide unlimited resources.

There is an argument that this infrastructure needs to be in place to support jobs, but we feel this confuses cause and effect. If jobs are created, THEN people would be incentivized to move here, hence fertilizing more growth.

Many of the goals in the above mentioned plans are simply proposing growth for growth's sake, like Goal 6.3: "Enhance retail and personal services growth to address the community's needs and expand the city's retail sales tax base." Note that "the community's needs" isn't defined in either of these plans. If it were, it wouldn't be retail and personal services growth. Could this simply mean the city's desire for more income?

People didn't come to Lake Stevens because they want to live in a concrete jungle like Kirkland or Lynnwood or even Seattle. They came because they like the peace and the beauty, a beauty that you're preparing to destroy in the name of tax revenue. Look at the problems that urban density brings. This will bring huge traffic problems to an area already over-congested. Ask any one of us who has to take the trestle to work in the morning. 20th street SE is great, but the bottleneck before the trestle is a nightmare of congestion. At a minimum that should stop this project. Now include the noise pollution, the light pollution, the driving out of animals. Then consider the future.

Just take a stroll on the streets of Seattle. It's not long before the problems of drugs, homelessness and decay thanks to over-urbanization become evident. People might think these are too far down the road to worry about now in Lake Stevens. I disagree. Just ask anyone who lived in Seattle 50 years ago what it was like. Peripheral areas looked a lot like Lake Stevens does now.

It's time the council kept the needs of the citizens in mind. We could care less about tax revenue if it means the destruction of our beautiful home. This city is already over-developed.

Thank you for hearing our comments

Josh DeWinter

## Melissa Place

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**From:** Sally Jo Sebring <sallyjosebring@frontier.com>  
**Sent:** Tuesday, December 10, 2019 4:56 PM  
**To:** Melissa Place  
**Subject:** additional comments about Costco

Ms. Place and Councilmembers,

This is a huge project with so many long-term ramifications. I hope you will take all the time you need to really think these through.

I'm just adding a few comments at this time:

- 1) Staff comments at the Nov. 26<sup>th</sup> hearing explaining the lack of published estimates for related infrastructure projects being partly due to potential inflated bids (if numbers are published) don't seem consistent with other items in tonight's packet or in the Nov. 26 agenda packet. Both packets contain proposed budgets for multiple capital projects in the City.
- 2) I would encourage you to consider the repercussions of the infrastructure costs to the city clearly. I think you need to know what it will mean for other needed infrastructure projects in the years to come. What percentage of our available capital/infrastructure/impact fees funding for the next 5, 10, and 20 years be obligated to fund these specific Costco-related projects? Will it tie our hands in regards to any other infrastructure improvements needed where impacts are and will be felt from completed, approved, or yet-to-come residential growth in areas of west and southeast Lake Stevens?
- 3) The MCFA percentages in Exhibit E-1 don't seem to have any changes. If Costco does no "Other enhancements to improve environmental functions..." which they would fully pay, I assume there will have to be more Mitigation Banking to compensate. In that case, Costco should be responsible for a higher percentage of "Wetland Mitigation".

Thank you,

Sally Jo Sebring  
1023 99<sup>th</sup> Ave SE  
Lake Stevens WA 98258

**Melissa Place**

---

**From:** Rerader <rerader@gmail.com>  
**Sent:** Tuesday, December 10, 2019 5:57 PM  
**To:** Melissa Place  
**Subject:** We SUPPORT a Costco in Lake Stevens!

We, as residents of Lake Stevens, SUPPORT a Costco in Lake Stevens!

We are not able to make it to the City Council meeting tonight but we wanted to share our support with you.

Thank you!

- Rob (and Katy) Rader

Sent from my iPhone

## Melissa Place

---

**From:** Chad Nott <chadnott@hotmail.com>  
**Sent:** Wednesday, December 11, 2019 5:58 AM  
**To:** Melissa Place  
**Subject:** Re: Costco

You voted yes anyway. Good job listening to and considering the will of the people you supposedly represent. I will be putting my home up for sale and moving before the Costco goes in. I'm done with Lake Stevens.

Chad Nott

> On Dec 10, 2019, at 10:46 AM, Melissa Place <mplace@lakestevenswa.gov> wrote:

>

> Dear Party of Record, thank you for the email and comments on the project. Your comments are now part of the official record for the project and will be provided to the Council tonight prior to their meeting.

>

> Thank you, Melissa

>

> Melissa Place, Senior Planner

> City of Lake Stevens | Planning & Community Development

> 1812 Main Street | PO Box 257

> Lake Stevens, WA 98258-0257

> 425.622.9433 | mplace@lakestevenswa.gov

>

> NOTICE: All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

>

> My regular hours are Monday, Tuesday, and Thursday, 8:00 am to 5

>

> -----Original Message-----

> From: Chad Nott <chadnott@hotmail.com>

> Sent: Monday, December 9, 2019 12:35 PM

> To: Melissa Place <mplace@lakestevenswa.gov>

> Subject: Costco

>

> Good afternoon,

> I am a resident of Inglewood Forrest which is less than a mile from the proposed new Costco.

> I am NOT in favor of even considering this proposal until infrastructure has been fully developed for the current amount of traffic, and additional traffic a Costco in that location would create.

> I leave my home at 4:25am each day to avoid the traffic bottleneck on 20th and the trestle. Coming home at 2pm each day I encounter the same bottleneck.

> It should not take me 30 minutes to drive 11 miles to work each day in Everett. Additionally, just getting from my home a mile down the road to Target or Safeway takes 20-30 minutes sometimes due to traffic.

> Build the infrastructure we need now and then at a later date, think about adding more retail.

> Sincerely,

>

## Melissa Place

---

**From:** Thomas <thomasggg2552@msn.com>  
**Sent:** Wednesday, December 11, 2019 6:06 AM  
**To:** Melissa Place  
**Subject:** costco

Santa claus is coming to town and so is costco I like it.  
Thank you Lake Stevens.

Thomas.

**From:** [Steve Strong](#)  
**To:** [Melissa Place](#); [Russell Wright](#)  
**Cc:** [Rich Braun](#)  
**Subject:** Costco Development  
**Date:** Thursday, December 12, 2019 4:10:56 PM

---

Good afternoon,

I reached out and commented on the Costco project on the 10th before the last meeting. Thank you for adding those comments to your file. I heard that the meeting on the 10th went well and you are proceeding with the next step. Congratulations! A job well done!

I know that you are going to face challenges with wetlands and swamp areas on the property designated for construction of the Costco site.

I belong to the Everett Steelhead and Salmon Club (ESSC), which is one of the four clubs that make up the Snohomish County Sportsman's Association (SCSA). When I was president of the ESSC, I served on the board of the Snohomish County Sportsman's Association. At that time the late Bob Heirman, the well known naturalist and author, was the president of the association. All the clubs that are in ownership are non-profit organizations.

The association (SCSA) has four wetland properties they are interested in selling. They are tidelands located next to the Skagit River just north of Stanwood. Most of it borders land owned by Washington State.

Tax ID 320311-001-005-00, 46.27 acres  
Tax ID 320314-002-001-00, 54.02 acres  
Tax ID 320323-002-003-00, 28.02 acres  
Tax ID 320312-002-004-00, 8.01 acres

I don't know if this is of any interest to you or not. But it might be to your advantage to know that this is a tool if you need to use it. I am cc'ing the Everett Steelhead & Salmon Club's current SCSA representative Rich Braun, who currently serves on that board in this email as well. If you are interested in learning more feel free to contact Rich or me. I sincerely hope this helps you.

Thank you,

**Steve Strong :)**

Residential and Commercial Real Estate Broker

Direct: (425) 308-1203

Email: [steves@johnlscott.com](mailto:steves@johnlscott.com)

*Where exceptional service is just a normal expectation.*

**From:** [Kit Wennersten](#)  
**To:** [Melissa Place](#)  
**Subject:** Costco Fueling  
**Date:** Monday, December 16, 2019 7:11:48 AM

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Good morning. As I understand everything is moving forward to have Costco in Lake Stevens. What would really be appreciated is having that facilities "gas station" include diesel fueling pumps instead of all pumps being gas as is the case in Everett, Smokey Point and Burlington. The only diesel fuel from Costco at this point is only available in Woodinville.

Thanks

Kit Wennersten  
[heygunny@yahoo.com](mailto:heygunny@yahoo.com)

Saepius Exertus, Semper Fidelis, Frater Infinitas, Fortitude Vincimus  
"Often Tested, Always Faithful, Brothers Forever, By Endurance, We Conquer"

**From:** [m.pam@comcast.net](mailto:m.pam@comcast.net)  
**To:** [Melissa Place](#)  
**Subject:** Re: Costco plans  
**Date:** Tuesday, January 7, 2020 10:33:54 PM

---

Melissa,  
I think these additional documents will do just fine for now. I support Costco coming to our community and expect the best environmental impact plan from them and the city.

Thank you.

Mark Somers

On January 6, 2020 at 4:44 PM Melissa Place <[mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)> wrote:

Hi Mark, please see the attached mitigation plans, reports, and Exhibit D8 and let me know which sheets you would like large scale of. D8 is only in 8.5x11 size.

Thanks, Melissa

Melissa Place, *Senior Planner*

**City of Lake Stevens | Planning & Community Development**

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

**425.622.9433** | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)

**NOTICE:** All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

My regular hours are Monday, Tuesday, and Thursday, 8:00 am to 5:00 p.m. I am not in the office on Wednesdays and Fridays. I will review your email upon my return. If you need immediate assistance, please contact [jfenrich@lakestevenswa.gov](mailto:jfenrich@lakestevenswa.gov) or call 425-622-9430.

**From:** [Sabrina Gassaway](#)  
**To:** [Melissa Place](#)  
**Subject:** FW: Costco  
**Date:** Tuesday, January 21, 2020 4:02:52 PM

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**From:** Jim Swan <JSwan@livebsl.com>  
**Sent:** Tuesday, January 21, 2020 2:55 PM  
**To:** Sabrina Gassaway <sgassaway@lakestevenswa.gov>  
**Subject:** Costco

Sabrina:

The other day you said that Costco was still moving forward.

Do you have anything more specific to add such as a recent approval?

Has Costco submitted plans for building permits or are they still awaiting land use approval?

**Thank You,**

**Jim Swan**  
Project Manager

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3425 Boone Road SE | Salem, OR 97317

Desk: 503-480-3137 | Cell: 503-577-5101 | Fax: 503-577-3531

[JSwan@LiveBSL.com](mailto:JSwan@LiveBSL.com)

[LINKEDIN](#) | [FACEBOOK](#) | [TWITTER](#) | [PINTEREST](#) | [YOUTUBE](#)



6406 Marine DR NW  
Tulalip, WA 98271  
360-716-4214

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**March 27, 2020**

Melissa Place, Senior Planner  
City of Lake Stevens Planning & Community Development  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257

On behalf of The Tulalip Tribes we thank you for the opportunity to provide comments on this project and future proposals. We look forward to future correspondence and communication. These comments pertain to biological evaluation and mitigation plan dated February 21, 2020.

Details in the mitigation plan mention trees and shrubs to be planted next to the tributary channel, but the planting scheme only has shrubs. Please clarify that more than shrubs will be planted in the buffer of Mosher creek.

The Tribes recommend extending the maintenance and monitoring in the stream channel portion of the mitigation package by an additional five years.

The wetland enhancement excavation plans show a narrow sill at an elevation of 300 ft that is consistent with the west edge of the adjacent wetland to the east. We would suggest that this sill be widened to provide additional surety that the sloped conditions in the excavation area does not result in drying the existing wetland to the east.

The soil amendment in the enhanced area appears to be only 4 inches thick, is that sufficient depth for soil amendment in this situation?

The Biological Evaluation needs to clarify that coho have been observed in the wetland just downstream of roundabout and that they have also been observed in Mosher Creek 300 – 400 meters downstream of project wetlands, these observations were made by Tulalip Tribal Biologists.

On page 9 in the biological evaluation under Compensatory Mitigation, it states: *“Wetland fill within the Mosher Creek basin shall be mitigated in the immediate area such that total wetland area in the Mosher Creek headwater is equal or greater than under existing conditions.”*

The Tulalip Tribes are federally recognized successors in the interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott.



6406 Marine DR NW  
Tulalip, WA 98271  
360-716-4214

That statement is misleading as total wetland area in the headwaters of Mosher creek will be decreased by over an acre and mitigated elsewhere in a different basin. How is the total wetland area in the headwaters post mitigation equal or greater than existing conditions? There is not enough viable area for on-site mitigation to take place that is why a mitigation bank is being used.

Sincerely,

Zach Lamebull  
Ecologist  
The Tulalip Tribes  
(360) 716-4620