



**UTILITIES COMMITTEE**  
**TUESDAY, SEPTEMBER 8, 2020**  
**12:00 P.M.**  
**REMOTE ATTENDANCE**

To comply with Governor Inslee's [Proclamation 20-28](#), the Utilities Committee Meeting will be conducted remotely, not in person. However, you may view the meeting by watching live through Zoom.

Link: <https://us02web.zoom.us/j/83171226249>

The public may also listen to the meeting via telephone by dialing toll-free:

**(888) 788-0099** or **(877) 853-5247** – when prompted, enter Webinar ID **831 7122 6249** press # (participant ID not required)

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**[SERENITY CARPENTER ROAD ANNEXATION PROJECT No. 20.183](#)**

*RYAN ANDREWS, PLANNING MANAGER*  
*(PRESENTATION)*



**UTILITIES COMMITTEE**  
**September 8, 2020**

**SUBJECT:** Serenity Carpenter Road Annexation. Project no. 20-183.

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**RECOMMENDATION:** Recommend to the full council that a motion be approved to proceed with the proposed Serenity Carpenter Road annexation proposal that includes the following provisions:

- 1) Authorize the applicants to circulate a petition and gather signatures of property owners representing at least 60% of the assessed value of the annexation property demonstrating their consent to annex;
  - 2) Require the parcel to the south of the parcel submitted for the notice of intent to commence annexation (assessor's parcel no. 11815310200) also be included within the boundary of the area to be considered for annexation;
  - 3) Require the assumption of all or of any portion of existing City indebtedness by the area to be annexed; and
  - 4) Waive the requirement for completion of an annexation study in accordance with the City's annexation policies prior to adoption of an ordinance to formally annex the area or make application to the Boundary Review Board.
- 

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, Community and Economic Development Director *RW*  
Ryan Andrews, Planning Manager *RA*

**ORIGINATED BY:** Community and Economic Development Department by Private Applicant

**ATTACHMENTS:**

1. [Notice of Intent to Commence Annexation](#)
2. [Overview Map](#)
3. [Existing Zoning](#)
4. [Aerial Photo](#)
5. [Existing Sewer Lines](#)
6. [Existing Water Lines and Service Areas](#)
7. [Agency Comments](#)

**FISCAL NOTE:** None.

**PRIOR REVIEW:** None.

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## **BACKGROUND:**

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

As a result of the petition, the Utilities Committee will review the annexation proposal to verify that the City can effectively provide utility service to the proposed annexation area and identify any significant costs to the City associated with the application. Additionally, the Committee will review the boundaries of the annexation area for any recommended modifications.

### **Proposed Annexation Area**

The area proposed for annexation is located in the Tanglewilde/Thompson Place Planning Area and within the Lacey Urban Growth Area east of Carpenter Road SE, west of Kinwood Road SE between Martin Way E and 5<sup>th</sup> Way SE. The area includes one tax parcel located at 612 Carpenter Road SE totaling 3.18 acres. The property contains an existing single-family residence which is accessible from Carpenter Road SE. The remainder of the property is forested. The 2019-2020 assessed value of this parcel is \$865,400. There are no known critical areas or buffers located on the property.

To address potential boundary issues and to prevent unincorporated islands, staff is recommending the parcel to the south (408 Carpenter Road SE) be included in the formal petition for annexation. This parcel is 5 acres in size and is largely forested but does contain an existing manufactured home. The 2019-2020 assessed value of this parcel is \$226,400. The total assessed value of both parcels together is \$1,091,800.

The parcel located at 612 Carpenter Road SE is zoned Mixed Use High Density Corridor (MHDC). The purpose of the MHDC zone is to provide for commercial and residential uses that serve the needs of the neighborhood and the community as well as enhancing the appearance and identity of the Martin Way Corridor. The southern parcel is zoned Low Density Residential 3-6 (LD 3-6). The purpose of the LD 3-6 zone is to allow single-family residential structures on individual lots with a minimum density of three units per acre and a maximum density of six units per acre. Upon annexation, the zoning of these parcels will remain as currently designated as required by an annexation agreement with Thurston County.

### **Annexation Boundary**

The area proposed for annexation includes two parcels located immediately east and north of the existing Lacey city limits. The configuration is a logical extension of the city limits and would not create any islands or illogical boundaries. The City Council does have the opportunity to modify any boundaries prior to the applicant proceeding with the annexation. In comments provided by Thurston County Real Estate Services, the request is made to include approximately 300 lineal feet of Carpenter Road in the annexation. This is required under the Thurston County annexation agreement and this portion of Carpenter Road is included in the annexation boundary. Carpenter Road has been reconstructed in this portion of the annexation

area so there would be no additional tax burden associated with any future road projects in this area.

### **Utilities**

The properties are located within the City of Lacey's water service area and are served by an existing 12-inch waterline located in Carpenter Road. The line is adequate to serve the existing and future development of the properties within the proposed annexation area.

City of Lacey sewer service in the area is relatively limited. An existing 8-inch PVC line terminates at the northwest corner of the proposed annexation area. This line is connected to the sewer main in Martin Way that connects to the LOTT treatment plant to the west. Upon development of the properties within the annexation area, sewer service would be required to be extended and connected to this line.

The area is also served by private utilities including Puget Sound Energy and Comcast. No issues are expected concerning provision of these utilities to the area.

### **Taxes, Fees, and Services**

Typically, as part of an annexation proposal, a full annexation study is performed to outline all issues associated with the annexation including taxes and fees. However, with these properties, very little tax revenue is gained through the proposed annexation. It is the City Council's option to require an annexation study; however, staff believes that in this case there is little to be gained by completing a study.

Comments were received from the Lacey Police Department about service to this area. Currently, the proposed annexation area contains a vacant home, out buildings, and a mobile home which have all been the site of homeless and criminal activity. Comments from the Lacey Police Department state that upon annexation, and eventual development of these properties, that the call load will actually decrease from current levels.

### **Process**

The applicant has submitted a notice of intent to commence annexation using the petition method of annexation (RCW 35A.14.120). Using the petition method, property owners representing a minimum of 10 percent of the assessed valuation of the property proposed for annexation are required to submit the notice. After filing the petition, the City Council must pass a motion notifying the petitioners of its approval, rejection, or modification of the annexation area's geographical boundaries. Prior to full City Council review of the annexation, the City Council Utility Committee reviews the application for the provision of utilities. If the Council votes to approve the petition, then the applicant moves forward on obtaining a petition from a total of 60% of the assessed valuation of the area. Once the City receives the 60% petition, the City can move forward on annexation proceedings.

### **Recommendation**

The Utilities Committee will review the annexation request under the 60% petition method and is requested to make a recommendation that the Council pass a motion indicating the following:

1. Authorize the applicants to circulate a petition and gather signatures of property owners representing at least 60% of the assessed value of the annexation property demonstrating their consent to annex;
2. Require the parcel to the south of the parcel submitted for the notice of intent to commence annexation (assessor's parcel no. 11815310200) also be included within the boundary of the area to be considered for annexation;
3. Require the assumption of all or of any portion of existing City indebtedness by the area to be annexed; and
4. Waive the requirement for completion of an annexation study in accordance with the City's annexation policies prior to adoption of an ordinance to formally annex the area or make application to the Boundary Review Board.

# Serenity Apartment Homes, LLC.

7843 Old Highway 99 SE Ste. M-5  
Tumwater, WA. 98501-5705

Managing Member  
Jeff Powell

July 16, 2020

Lacey City Council  
City of Lacey  
420 College Street SE  
Lacey, WA 98503

## **Re: Petition Requesting** the Commencement of Annexation Proceedings

Mayor and Council Members,

We would request that you consider annexation proceedings for the property owned by Serenity Apartment Homes, LLC. located at 612 Carpenter Rd SE, Lacey WA. 98503 The property is identified by the Thurston County Assessor as Parcel Number 11815240500 and is a 3.18-acre parcel located within the Lacey Urban Growth Boundary.

Jeff Powell, Managing Member of Serenity Apartment Homes, LLC. will be your point of contact. Attached you will find the legal description and requirements regarding this property.

Thank you for your consideration in this matter.

Respectfully,



Jeff Powell  
Managing Member

Enclosure:

Notice of Intent to Commence Annexation Proceedings

Exhibit A- Legal Description

Exhibit B- Map of Annexation Site

## NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS

The following owners of land do hereby certify that we are the owners of not less than 10% in value, according to the assessed valuation for general taxation, of the following described property (as generally described on the attached exhibit and legal description) which is contiguous to the City of Lacey and hereby provide notice to the City Council of the City of Lacey of the landowners intent to commence annexation proceedings pursuant to Ordinance 510. Pursuant to Section 35A.14.120 of the Revised Code of Washington, the landowners request the Council to set a public meeting at which time this annexation proposal may be considered. The landowners hereby waive the requirement to set a date no later than sixty days after the filing of the request.

Exhibit and Legal Description (see attached)

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

| <u>Property Owner</u>          | <u>Signature</u>                                                                  | <u>Date</u> | <u>Address</u>                         | <u>Acreage</u> | <u>Parcel No</u> |
|--------------------------------|-----------------------------------------------------------------------------------|-------------|----------------------------------------|----------------|------------------|
| Serenity Apartment Homes, LLC. |  | 07.16.20    | 612 Carpenter Rd SE<br>Lacey, WA 98503 | 3.18           | 11815240500      |
|                                |                                                                                   |             |                                        |                |                  |
|                                |                                                                                   |             |                                        |                |                  |
|                                |                                                                                   |             |                                        |                |                  |
|                                |                                                                                   |             |                                        |                |                  |

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

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

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Director, Community & Economic  
Development Department



*First American*

## Exhibit A

ISSUED BY

**First American Title Insurance Company**

File No: 4291-3417454

File No.: 4291-3417454

C. JONATHAN NEEL, AS HIS SOLE AND SEPARATE PROPERTY

*Sold To Serenity Apartment  
Homes, LLC 7-13-2020*

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF THURSTON, STATE OF WA, AND IS DESCRIBED AS FOLLOWS:

THE WEST 460 FEET OF THE SOUTH 330 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., IN THURSTON COUNTY, WASHINGTON;

EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS CARPENTER ROAD;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF LACEY, A MUNICIPAL CORPORATION THROUGH DEED RECORDED MAY 25, 2010 UNDER RECORDING NO. 4152130, FURTHER ASSIGNED TO THE COUNTY OF THURSTON, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON THROUGH QUITCLAIM DEED RECORDED FEBRUARY 08, 2018 UNDER RECORDING NO. 4610631, OF OFFICIAL RECORDS OF THURSTON COUNTY.

11815240500

612 Carpenter Rd SE  
Lacey, Washington 98503

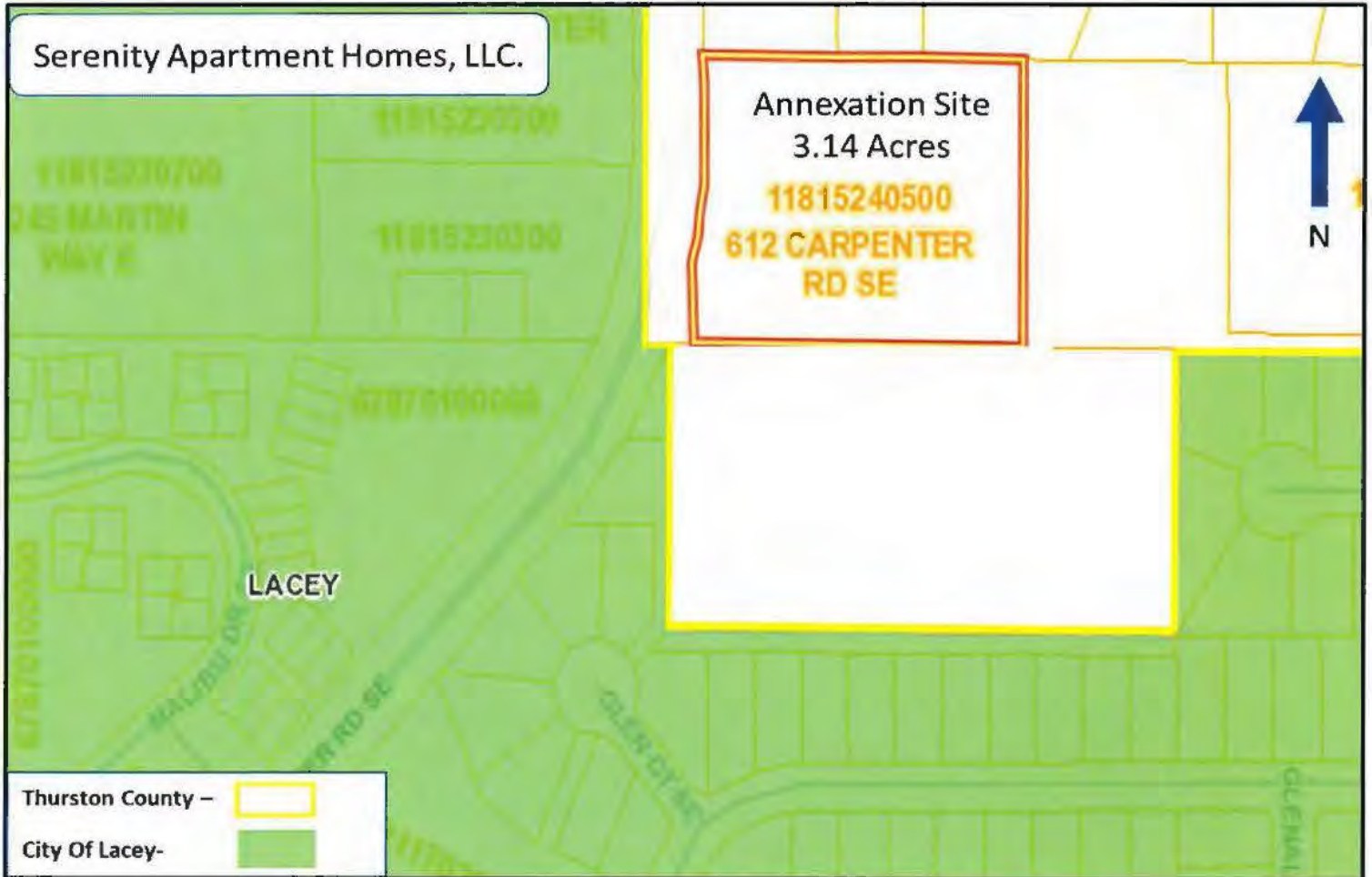
*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.*

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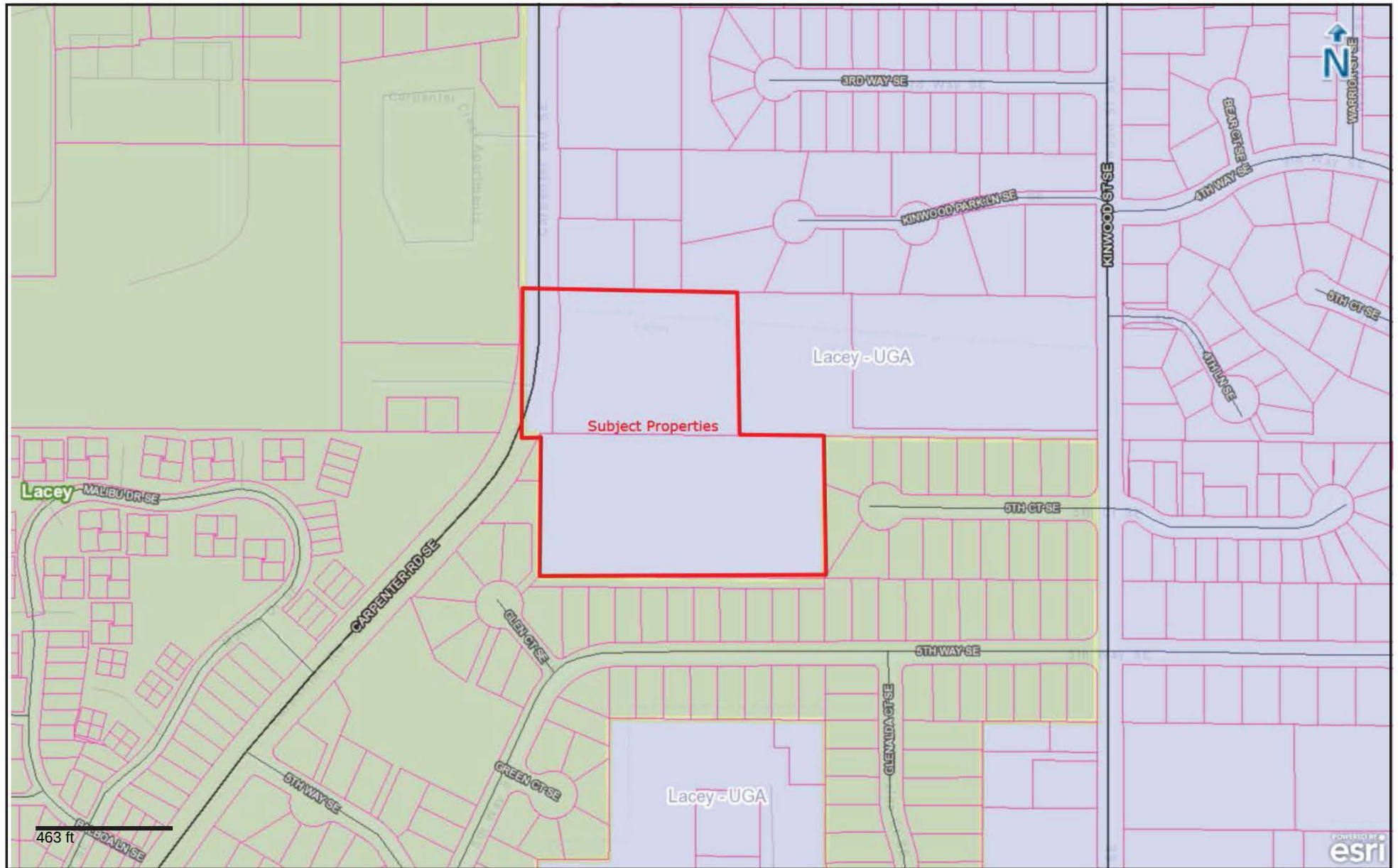
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

# EXHIBIT "B"

## MAP OF ANNEXATION SITE



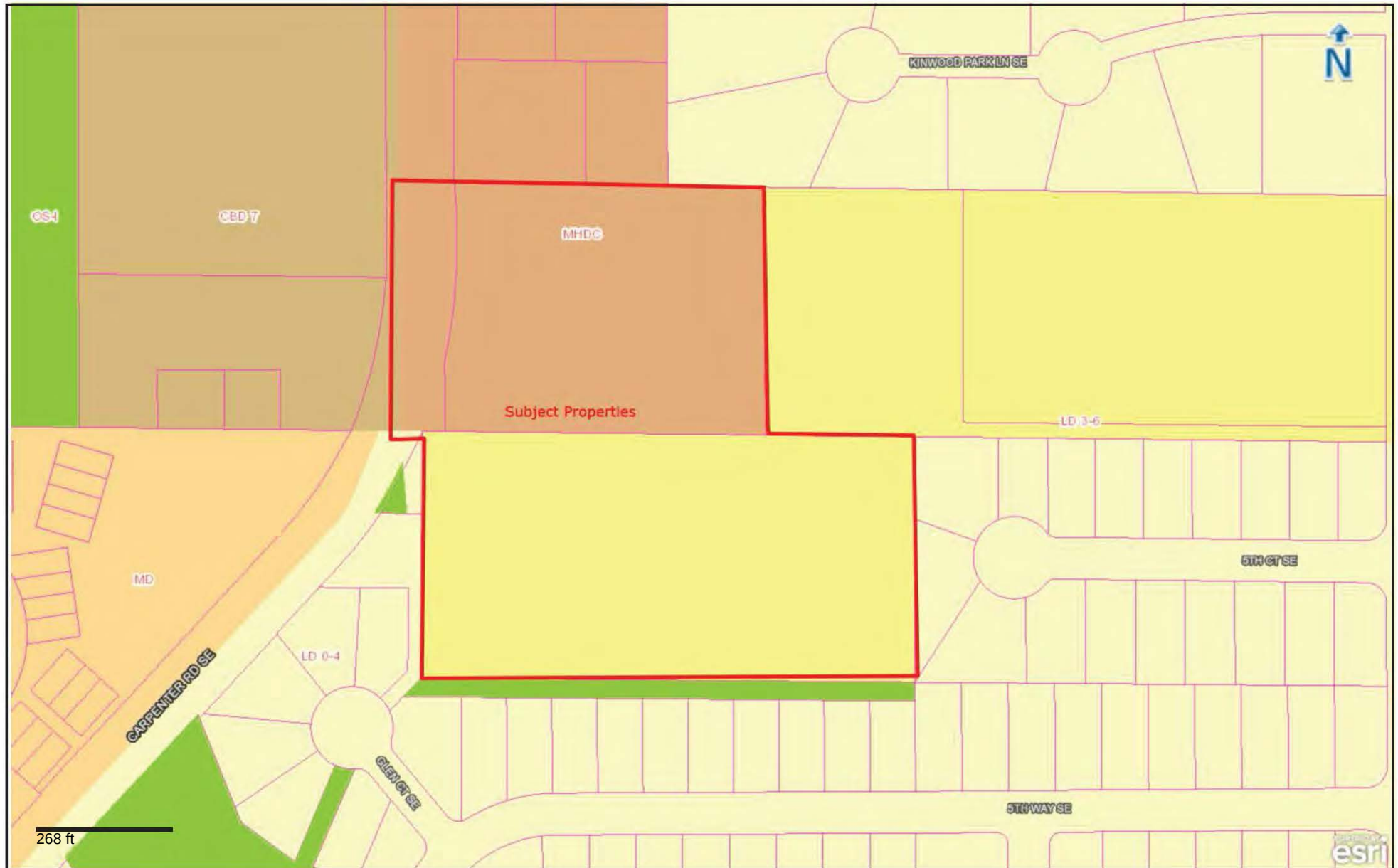
# Serenity Carpenter Road Annexation Overview Map



The City of Lacey uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Lacey reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Lacey cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Lacey shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.



# Serenity Carpenter Road Annexation Zoning



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# Serenity Carpenter Road Annexation Aerial Photo



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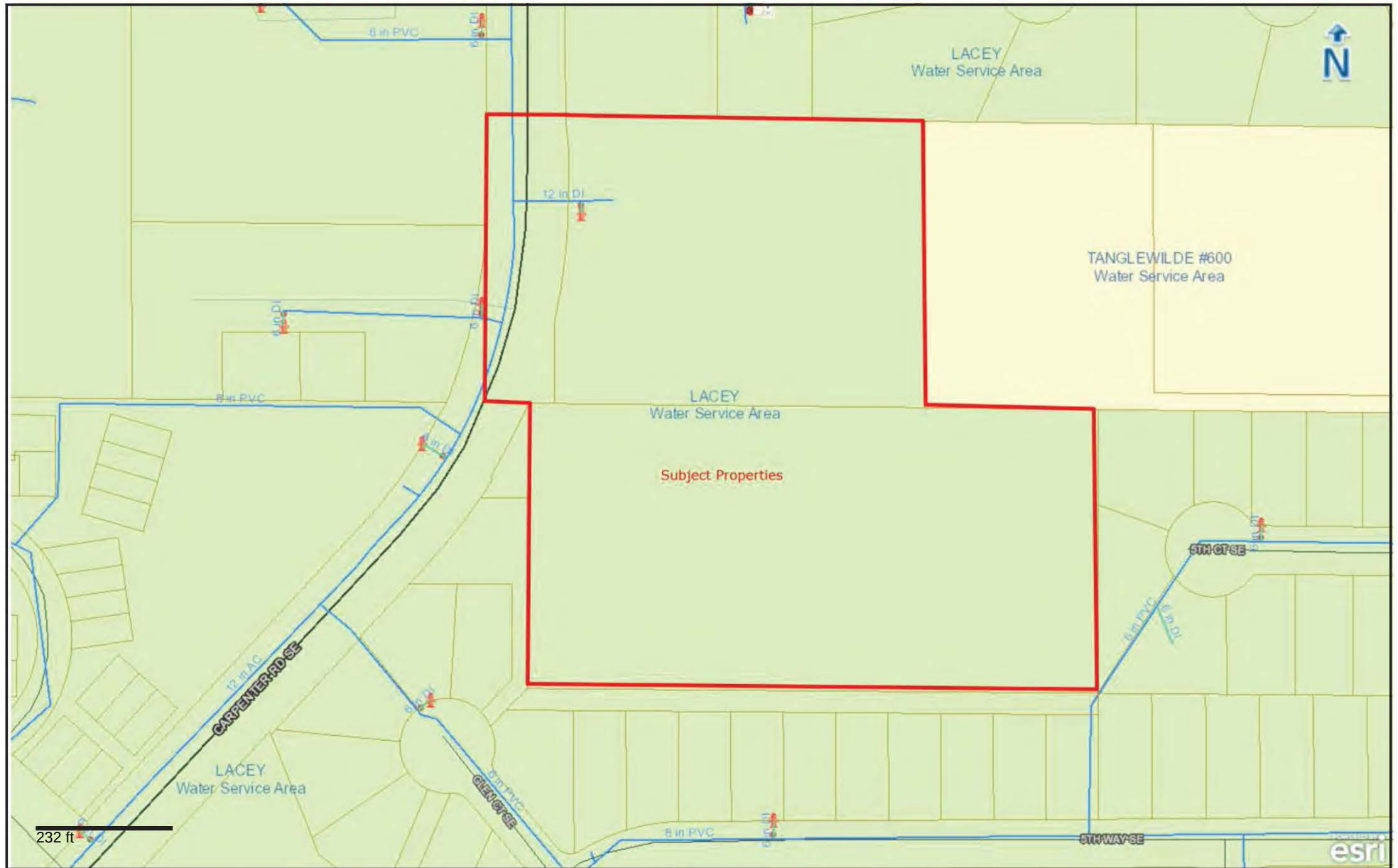
# Serenity Carpenter Road Annexation Sewer Lines



The City of Lacey uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Lacey reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Lacey cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Lacey shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.



# Serenity Carpenter Road Annexation Water Lines and Service Areas



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## Ryan Andrews

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**From:** Kelli Root <kelli.root@co.thurston.wa.us>  
**Sent:** Thursday, August 06, 2020 2:41 PM  
**To:** Ryan Andrews  
**Subject:** Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.  
**Attachments:** agency routing sheet serenity carpenter road annexation.pdf; 20200717\_Annexation Request 10 Percent Petition.pdf

**External Email Warning! Use caution before clicking links or opening attachments.**

Ryan,

The parcel proposed for annexation is affected by our *Carpenter Road SE Barrier Project CRP-77172*.

The proposal was routed to staff, and I've received the following comments:

- No issues as long as Lacey accepts jurisdiction of the abutting Carpenter Road right of way.
- The City of Lacey should include the portion of Carpenter RD SE adjacent to the parcel proposed for annexation.
- If we continue with the *Carpenter Rd SE Barrier Project CRP-77172*, interlocal agreements will be required.
- If the annexation proceeds, the *Carpenter Rd SE Barrier Project CRP-77172* changes into a multiagency project.

Thank you for the opportunity to comment on this proposal.

Kelli Root, SR/WA  
Right-of-Way Agent II  
Real Estate Services  
Thurston County Public Works  
(360) 867-2356

**From:** Ryan Andrews <[Randrews@ci.lacey.wa.us](mailto:Randrews@ci.lacey.wa.us)>  
**Sent:** Thursday, July 23, 2020 8:32 AM  
**To:** Ryan Andrews <[Randrews@ci.lacey.wa.us](mailto:Randrews@ci.lacey.wa.us)>  
**Subject:** Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.

The City of Lacey has received a notice from Serenity Apartment Homes, LLC to commence annexation proceedings for property at 612 Carpenter Road SE, Assessor's parcel no. 11815240500.

Please review the attached information and notify Ryan Andrews, Planning Manager, in our office in writing of any comments or recommendations by *August 6, 2020*. Your comments will become part of the record and utilized in the decision-making process. You may either mail your comments to the above-mentioned address or e-mail them to [randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)

Ryan Andrews, Planning Manager  
City of Lacey Community and Economic Development  
420 College St. 5E  
Lacey, WA 98503  
(360) 412-3190  
[randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)

## Ryan Andrews

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**From:** Robert Almada  
**Sent:** Friday, July 24, 2020 9:12 AM  
**To:** Joe Upton  
**Cc:** Ryan Andrews; Rick Walk  
**Subject:** RE: Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.

Good Morning,

Thank you for addressing this so quickly Commander Upton.

Chief R/A

**From:** Joe Upton <JUPTON@ci.lacey.wa.us>  
**Sent:** Friday, July 24, 2020 9:10 AM  
**To:** Robert Almada <RALmada@ci.lacey.wa.us>  
**Subject:** RE: Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.

Chief,

I have reviewed this application and I see no concerns PD related at this time.

It should be noted that the property is vacant and occupied by a home, several out buildings, and a mobile home. The property has been the site of homeless and criminal activity in 2019. It made it onto Woodside's radar in 2018 and 2019 even though it is currently in the county (across the street from Lacey).

Seeing that the property is now owned by an apartment company, I am assuming that if annexed the property will be developed into multi-family housing. This may actually reduce the call-load for the property from what we saw with squatters and the criminal element using the vacant property in the past couple of years. I do not see any traffic or call-load concerns with this location should that development occur.

Thanks!

Joe



Joe Upton  
Investigations Division Commander  
Lacey Police Department  
420 College Street SE  
Lacey, WA 98503  
B 360.459.4333 F 360.456.7798  
jupton@ci.lacey.wa.us

**From:** Robert Almada <[RALmada@ci.lacey.wa.us](mailto:RALmada@ci.lacey.wa.us)>

**Sent:** Thursday, July 23, 2020 8:44 AM

**To:** Joe Upton <[JUPTON@ci.lacey.wa.us](mailto:JUPTON@ci.lacey.wa.us)>

**Cc:** Jim Mack <[JMack@ci.lacey.wa.us](mailto:JMack@ci.lacey.wa.us)>; Anna McBee <[AMcBee@ci.lacey.wa.us](mailto:AMcBee@ci.lacey.wa.us)>; Hallie West <[HWest@ci.lacey.wa.us](mailto:HWest@ci.lacey.wa.us)>

**Subject:** FW: Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.

Joe,

When you are feeling better, please review and advise.

Thank you,

Chief R/A

**From:** Ryan Andrews <[Randrews@ci.lacey.wa.us](mailto:Randrews@ci.lacey.wa.us)>  
**Sent:** Thursday, July 23, 2020 8:32 AM  
**To:** Ryan Andrews <[Randrews@ci.lacey.wa.us](mailto:Randrews@ci.lacey.wa.us)>  
**Subject:** Serenity Carpenter Road Annexation. City of Lacey project no. 20-183.

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Ryan Andrews, Planning Manager  
City of Lacey Community and Economic Development  
420 College St. SE  
Lacey, WA 98503  
(360) 412-3190  
[randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)