

Carey Certo

From: Karin Nosrati, DC <bforback@gmail.com>
Sent: Wednesday, November 27, 2024 3:37 PM
To: Patrick Mullaney; Stephen Horenstein; Alan Peters; Community Development Email; Carey Certo
Subject: Rebuttal letters and concern
Attachments: Appendix D - Appeal Narrative.pdf; Appendix C - website steps and annotations.pdf; Appendix A – email thread 02-25-2024.pdf; Appendix B - email thread 09-24-24 through 09-25-24.pdf; Appendix E - Statements .pdf; Rebuttal to - Applicant 11-27-2024 final.pdf; Rebuttal to - City of Camas 11-27-2024 final.pdf

WARNING: This message originated outside the City of Camas Mail system. [DO NOT CLICK](#) on links or open attachments unless you recognize the sender and are expecting the content. If you recognize the sender as a city employee and you see this message this email is a phishing email. If you are unsure, click the Phish Alert button to redirect the email for ITD review.

Hi, Carey,

Could you please forward this email with its 7 attachments to Mr. Turner today before 5:00 p.m., and reply with a receipt?

Thank you,

Mr. Turner,

Per your request we have written a rebuttal letter to the City of Camas' Arguments dated 11-21-2024 and a rebuttal letter to the Applicant's Brief dated 11-21-2024.

Additionally, we would like to raise the concern that there may be ex parte communication between the City of Camas and the Applicant regarding **this appeal**: Please see the email thread from November 21, 2024, which is also attached. I had sent a quote from the City which stated that "You can file one appeal with others to join". I had sent it to all parties. Esq. Stephen Horenstein replied to Alan Peters with the comment "I interesting approach. Will call you on Friday."

We respectfully request that the parties make all oral and written ex parte communications, such as meeting notes, emails, texts, transcripts, voice messages, etc., regarding **this appeal**, available to us.

We request that they cease ex parte communications about the appeal, because we presume it may have legal ramifications.

Thank you,

Karin Nosrati

Argument against “Issue Presented and Short Answer”

1. When the City of Camas issued a SEPA determination on February 22, 2024, we were only allowed to submit comments within 14 days. There was no path to file an appeal. However numerous individuals submitted comments to Community Development.
2. When the City of Camas issued a second SEPA determination on August 15, 2024, we were again only allowed to submit comments within 14 days. There was still no path to file an appeal. Again, numerous individuals submitted more comments to Community Development.
3. The City consolidated the SEPA, Type II site plan review and design review into one decision on September 16, 2024 and called it “Notice of Decision”. This is the first time we were given a chance to file an appeal. Meanwhile more individuals submitted additional comments to Community Development.
4. Therefore we reject the argument that the SEPA appeal and the Type II site plan review and design review can be separated into two separate appeals and/or two separate hearings.
5. Furthermore, the City’s electronic appeals website tool does not provide an option to appeal SEPA, Type II site plan review, or design review, individually. There is only a single choice on the website called “Appeal Plan Decision”, which we had to select to begin the electronic filing of the appeal.

Argument against “Ms. Karin Nosrati is the Sole Appellant in this Matter”49 neighbors are Appellants

Per communication exchanged with the City staff on September 24-25, 2024 ,
(Appendix B – email thread 09-24-24 through 09-25-2024):

Question to the City: “Can one person submit the appeal or should it be submitted by all or some of the neighbors?” (09-24-2024 11:27 a.m.)

Answer from the City: “You can file one appeal with others to join.” (09-25-2024 2:27 p.m.)

We reject the City’s request to disregard the comments from the email that provided procedural direction. In this situation the City is asking for evidence to be dismissed and this is unacceptable. We received two emails from the City providing clarification,

and both describe that the neighbors should consolidate their efforts and file a single appeal. (Appendix A – email thread 02-25-2024) (Appendix B – email thread 09-24-24 through 09-25-2024):

Statement from the City: “As you have listed below, 18.55.200 tells you what you need to supply for the appeal”.

CMC 18.55.200 does not identify a situation where there are multiple appellants and how to file a collective appeal. The only information accessible to us were the answers provided by the City in the emails.

The appeal Narrative included the names and addresses of 34 homes or 49 appellants. Signed statements from original appellants are now included in Appendix E - Statements. The electronic appeals process did not allow a simultaneous processing of 49 signatures and statements, nor partial payments.

Electronic appeals submission of 49 appellants: (Appendix C – website steps and annotations)

- a) The electronic appeal tool is not set up for entering and processing 49 appellants.
- b) In the online steps, the “Narrative” option was chosen and the names of all 49 appellants were listed at the bottom of the Narrative.
- c) At the bottom of this list of all appellants, Karin and Randy Nosrati are listed with the adage (Appellant) because the website tool only allowed a single appellant to be entered at the outset of the filing steps. The attorney argues that they can look at only the last name on the list of appellants, but this is false. They ignore the 47 prior names listed under the header “The following neighbors would like to be included in the appeal and receive an invitation to the hearing.” (Appendix D – Appeal Narrative)
- d) The Narrative clearly states “The following neighbors would like to be included in the appeal and receive an invitation to the hearing.” (Appendix D – Appeal Narrative)
- e) A separate mailing list with all 49 appellants was also uploaded as a .pdf document during the electronic filing.
- f) The steps on the website allow for only one digital signature. Multiple signatures cannot be entered.
- g) The final payment can only be processed with a single credit card for the full appeals fee of \$465 as a pre-filled payment amount. Processing multiple payments or different amounts is not possible.

- h) A single appeal would conceivably be less work for the City than 34 appeals and 34 subsequent hearings

Therefore we object to the Applicant's statement that Karin Nosrati is a sole appellant. Karin Nosrati did not state anywhere that she was the "sole applicant".

Numerous neighbors made small money contributions to collect the \$465 appeals fee. Their payments are recorded via Venmo, Zelle, checks and cash receipts, which are available upon request.

We have completed the steps of the electronic appeals process with its inherent limitations. We insist that CMC 18.55.200 was satisfied as best as practically possible, given that it is not written to give instructions for the consolidated procedure with multiple appellants, and given that the City's website cannot accommodate certain steps during filing of an appeal.

Argument against "The Nosrati Appeal is Primarily a SEPA Appeal"

In the Appeal Narrative it clearly states, "All previously submitted information/comments shall be part of this appeal". We reject the applicant's argument to limit the scope of the appeal.

The neighbors have collectively raised environmental, traffic safety, zoning and other issues since February by submitting dozens of comments to the City via Community Development.

Argument against "Code Requirements for a SEPA Appeal"

The applicant is quoting CMC 18.55.165(E) alleging that we are not complying. However, this code is not applicable insofar that there was no path to file an appeal at that stage of the SEPA. Please refer to the first section of this letter, item (2): When the City of Camas issued a second SEPA determination on August 15, 2024, we were again only allowed to submit comments within 14 days. There was still no path to file an appeal. Again, numerous individuals submitted more comments to Community Development.

The applicant refers to August 29, 2024 and an appeal deadline. This is false. August 29, 2024 was merely a comment period close date.

The final decision on SEPA was rendered on September 16, 2024 and the appeal was properly filed within 14 days, as required, on September 30, 2024.

Question to the City: "10. Can SEPA be appealed more than once, if the first submission is upheld?"

Answer from the City: "The final SEPA determination will be within the final staff report and decision as I have mentioned. You can appeal the decision, which goes to the hearing examiner. His decision can then be appealed to superior court." (Appendix A – email thread 02-25-2024)

Argument against "Code Requirement for a Type II Appeal"

The appeal was filed properly within 14 days from the Notice of Decision, and 49 appellants were included. Please see section above explaining how the Appeals Narrative and the electronic submission of the appeal included all 49 appellants.

Argument against "...Limited to the Issues Raised in the Appeal Statement"

The neighbors have collectively raised issues since February by submitting dozens of comments to the City and submitted oral and written comments at City Council meetings, which are part of the public record.

In the Appeal Narrative it clearly states, "All previously submitted information/comments shall be part of this appeal". We reject the argument to limit the scope of the appeal.

The letter announcing the Notice of Public Hearing states that comments may be submitted, preferably at least 5 days prior to the hearing, but it is possible to submit up to noon (12:00 p.m.) the day of the hearing. "Written and oral comments may also be submitted in person during the hearing." We reject any attempts at limiting the scope of the appeal.

Argument against "Conclusion"

49 appellants joined in one appeal, as per procedural instructions given by the City. This clarification was necessary because CMC 18.55.200 describes the rules for a single appellant, but in this case there were 49 appellants. We have completed the steps of the electronic appeals process with its inherent limitations as best possible.

Additional comments were permitted per the Notice of Public Hearing.

We presume that this is not the first time the City is processing a final SEPA determination, Type II Plan review and design review in a consolidated fashion, as the applicant had requested. If the City previously allowed additional testimony as described in the Notice of Public Hearing for other such projects with this type of

decision, then it is incumbent upon them to follow the precedent and accept all comments.

On the contrary, if the City has created a new “product” per the applicant’s request by rolling reviews and determinations into a single decision, then this calls into question how or if the CM codes can be applied. Per WAC 365-196-845 (2)(c)(vi) a component of such a consolidated process is to have a procedure on “How to appeal the decision”. Clearly, CMC 18.55.200 does not delineate the steps to appeal each individual report/determination of the decision. Therefore all comments, SEPA related, zoning and non-SEPA should be admitted.

Furthermore, it could be construed that the omission of a clear appeals process is intended to create ambiguity to discourage individuals from filing an appeal. We were quite confused at the hearing on November 14, when the Hearings Examiner brought up that we needed to justify what we were appealing. We have spent many hours preparing letters and rebuttals for these superfluous steps. Using the City’s own shortcomings in publishing the appropriate codes for the type of procedure they are using, should not result in hours of extra work and expenses for citizens.

Conclusion

We request that the Examiner issue an order that all comments and information submitted regarding this project, at any point up to December 6, 2024, to be admitted and to allow all 49 appellants to be recognized as appellants. The appeal for this consolidated decision was submitted in a timely fashion.

List of Appendices sent separately:

Appendix A – email thread 02-25-2024

Appendix B – email thread 09-24-24 through 09-25-2024

Appendix C – website steps and annotations

Appendix D – Appeal Narrative

Appendix E - Statements

Rebuttal to the SEPA Appeal process – Rebuttal to Arguments by City of Camas
11-27-2024

Argument against that “The Appellant has not appealed the City’s SEPA Determination”

This Appeal is appealing both SEPA and non-SEPA related issues:

Instructions on how to appeal the SEPA from the email of 02-25-2024 attached as Appendix A – email thread 02-25-2024:

Question to the City: “10. Can SEPA be appealed more than once, if the first submission is upheld?”

Answer from the City: “The final SEPA determination will be within the final staff report and decision as I have mentioned. You can appeal the decision, which goes to the hearing examiner. His decision can then be appealed to superior court.”

Recommendation by City to consolidate and file one fee, again from the email of 02-25-2024 (Appendix A – email thread 02-25-2024):

Question to the City: “16. Can each neighbor/concerned party appeal the SEPA process individually?”

Answer from the City: “Again, the final SEPA determination will be part of the staff report and decision, which can be appealed. Others can appeal, but they are based on the one decision, so we will only hold one hearing. It would make sense to consolidate your efforts and just file one fee. ”

We object to the statement from the City that this is not an appeal of the SEPA determination, because The City’s process rolls the SEPA, staff report and other information into a single decision, called “Notice of Decision 13th Street Gas Station (File NO. SPRV23-06). The decision was issued on September 16, 2024.

An appeal was submitted for the decision above on September 30, 2024.

There are no instructions in the City’s appeal procedures to distinguish the type of appeal (SEPA or other). Furthermore, when filing the electronic appeal on the City’s website, the only “Type” of Appeal available from the drop-down menu is “Appeal Plan Decision” (Appendix C – website steps and annotations)

The Narrative lists environmental and traffic issues in the statement of grounds, which are part of SEPA and it also includes the statement on page 2 "All previously submitted information/comments shall be part of this appeal".

- The neighbors have collectively raised environmental and other issues since February by submitting dozens of comments to the City
- Attended and Presented concerns at City Council meetings
- Contacted County and State-wide agencies to collect information
- Met with the applicant and their partners
- Held neighborhood meetings

More specifically, bullets 1 and 2 in the Appeal Narrative present concerns about water pollution. In the SEPA report, section "3. Water has sections for a) Surface Water and b) Ground Water.

Therefore, our Narrative is aligned with this component of the SEPA, and the City's interpretation of our narrative to be only a land-use appeal is false.

According to the City, the project applicant requested a consolidated review, as such the SEPA Determination of Non-Significance for the project was only considered final once the decision for the project was issued. We clearly outlined environmental, SEPA-related and non-SEPA related items in our Appeal Narrative.

Argument against that "Only one individual has complied with the requirements to be recognized as an appellant"

49 individuals are Appellants

Per communication exchanged with the City staff on September 24-25, 2024 , (Appendix B – email thread 09-24-24 through 09-25-2024):

Question to the City: "Can one person submit the appeal or should it be submitted by all or some of the neighbors?" (09-24-2024 11:27 a.m.)

Answer from the City: "You can file one appeal with others to join." (09-25-2024 2:27 p.m.)

These were merely procedural questions, and no legal advice was requested, nor received.

The instructions we were given by the City on how to complete the appeal were: "You can file one appeal with others to join" PLEASE NOTE: This is not taken out of context.

The emails in (Appendix A – email thread 02-25-2024) and (Appendix B – email thread 09-24-24 through 09-25-2024) gave us the procedural steps to file as a group.

We vehemently reject the City's request to disregard the comments from the emails that provided procedural direction. In this situation the City is asking for evidence to be dismissed and this is unacceptable. We received two emails from the City providing clarification, and both describe that the neighbors should consolidate their efforts and file a single appeal. (Appendix A – email thread 02-25-2024) (Appendix B – email thread 09-24-24 through 09-25-2024):

Statement from the City: "As you have listed below, 18.55.200 tells you what you need to supply for the appeal".

CMC 18.55.200 does not identify a situation where there are multiple appellants and how to file a collective appeal. The only information accessible to us were the answers provided by the City in the emails.

We presume that this is not the first time the City is processing a final SEPA determination, Type II Plan review and design review in a consolidated fashion, as the applicant had requested. If the City previously allowed additional testimony as described in the Notice of Public Hearing for other such projects with this type of decision, then it is incumbent upon them to follow the precedent and accept all comments and appellants.

On the contrary, if the City has created a new "product" per the applicant's request by rolling reviews and determinations into a single decision, then this calls into question how or if the CM codes can be applied. Per WAC 365-196-845 (2)(c)(vi) a component of such a consolidated process is to have a procedure on "How to appeal the decision". Clearly, CMC 18.55.200 does not delineate the steps to appeal each individual report/determination of the decision. Therefore all comments, SEPA related, zoning and non-zoning should be admitted and all appellants should be recognized.

Furthermore, it could be construed that the omission of a clear appeals process is intended to create ambiguity to discourage individuals from filing an appeal. We were quite confused at the hearing on November 14, when the Hearings Examiner brought up that we needed to justify what we were appealing and who was an appellant. We have spent many hours preparing letters and rebuttals for these superfluous steps. Using the City's own shortcomings in publishing the appropriate codes for the type of procedure they are using, and its accompanying appeal, should not result in hours of extra work and expenses for citizens.

The Appeal Narrative included the names and addresses of 34 homes or 49 appellants. Signed statements from original appellants are now included in Appendix E - Statements. The electronic appeals process did not allow a simultaneous processing of 49 signatures and statements, nor partial payments.

Electronic appeals submission of 49 appellants: (Appendix C – website steps and annotations)

- a) The electronic appeal tool is not set up for entering and processing 49 appellants.
- b) In the online steps, the “Narrative” option was chosen and the names of all 49 appellants were listed at the bottom of the Narrative.
- c) At the bottom of the list of all appellants, Karin and Randy Nosrati are listed with the adage (Appellant) because the website tool only allowed a single appellant to be entered. The City argues that they can look at only the last name on the long list of neighbors, but this is false. They ignore the 47 prior names listed under the header “The following neighbors would like to be included in the appeal and receive an invitation to the hearing.” (Appendix D – Appeal Narrative)
- d) The Narrative clearly states “The following neighbors would like to be included in the appeal and receive an invitation to the hearing.” (Appendix D – Appeal Narrative)
- e) A separate mailing list with all 49 appellants was also uploaded as a .pdf document during the electronic filing.
- f) The steps on the website allow for only one digital signature.
- g) The final payment can only be processed with a single credit card for the entire appeals fee of \$465 as a pre-filled payment amount. Processing multiple payments or different amounts is not possible.
- h) A single appeal is conceivably be less work for the City than 34 appeals and 34 subsequent hearings. The alternative would have strained the Planning Department’s resources. It seemed to make sense for the City to prefer to deal with a single appeal.

Therefore we object to the City’s statement that Karin Nosrati is a sole appellant.

Numerous neighbors made small money contributions to collect the \$465 appeals fee. Their payments are recorded via Venmo, Zelle, checks and cash receipts, which are available upon request.

We have completed the steps of the electronic appeals process with its inherent limitations. We insist that CMC 18.55.200 was satisfied as best as practically possible, given that it is not written to give instructions for the consolidated procedure with multiple appellants, and given that the City's website cannot accommodate certain steps during filing of an appeal.

Conclusion

We request that the Examiner issue an order that all comments and information submitted regarding this project, at any point up to December 6, 2024, to be admitted and to allow all 49 appellants to join the appeal. The appeal for this consolidated decision was submitted in a timely fashion.

List of Appendices sent separately:

Appendix A – email thread 02-25-2024

Appendix B – email thread 09-24-24 through 09-25-2024

Appendix C – website steps and annotations

Appendix D – Appeal Narrative

Appendix E - Statements

From: Karin Nosrati, DC <bforback@gmail.com>
Sent: Sunday, February 25, 2024 8:35 PM
To: Yvette Sennewald <YSennewald@cityofcamas.us>; Robert Maul <RMaul@cityofcamas.us>; Alan Peters <APeters@cityofcamas.us>
Cc: Barbara Wegner <oakbarb@lmi.net>
Subject: URGENT - answers needed for SEPA appeal

WARNING: This message originated outside the City of Camas Mail system. **DO NOT CLICK on links or open attachments** unless you recognize the sender and are expecting the content. If you recognize the sender as a city employee and you see this message this email is a phishing email. If you are unsure, click the Phish Alert button to redirect the email for ITD review.

Hi, Yvette, Robert and Alan,

Thank you to both of you for spending time speaking to me and/or forwarding our request to speak with the developer to him. We are eager to meet with him within the next 5 days, and we hope to find a solution that will serve him, us and the City for many years to come. If he declines, please let us know as soon as you know.

We need to gather as much information now to prepare for the next step. Could you please help us by answering these questions sequentially, in numbered order, as we are not familiar with this process (that is your daily bread and butter)?

1. Are the steps to permit approval the following: SEPA, then traffic study, then recommendation to approve by senior planners to each other, then internal approval and then issuance of the permit?

As we discussed last week the SEPA checklist, traffic study, critical areas report, stormwater report and all other submittal items are required submittal documents for this project. The staff report and decision will be based off of the staff analysis and conditions of approval informed in part by the information provided. There is only one decision that will be rendered on this project.

2. Is there any "hearing" at any point? If so, who is involved, who can give input and has a date been set?

There is no hearing as this is an administrative review.

3. Has a threshold for determination been made, and if so, can we please receive a copy of it?

Yes, a determination on Non-significance was issued last week. You should receive a copy which was mailed out last week. I have attached the certified mailing labels provided for reference.

4. Has there been a design review?

There will be a design review meeting, but it has not been scheduled yet. This is not a public meeting.

5. Can you please send us the staff report(s) related to SPRV23-06, DR23-09, and CA23-08?

The staff report has not been completed yet. It will be consolidated to include requirements for critical areas, storm, all infrastructure, design review, traffic, final SEPA determination, etc.

6. Can you please forward to us all the documents that were submitted by the applicant, including, but not limited to the ones listed on the cover page for the SEPA?

Yvette can provide all documents.

7. Could you inform any applicable City departments that we want to be notified of all proceedings related to all of these applications going forward.

Yvette is the project manager for the city. She will send you a copy of the staff report and decision once it is ready to issue.

8. Are there any additional times at which we can express our input?

You are already on record, but you can certainly add additional comments or information if you wish.

9. How can you make sure the run-off and stormwater does not drain onto the property to the north (20107 NE 14th street) and to the property to the west, ever? We have at least one episode of snow and ice per year and I am curious how the run-off would be contained 100% during the melt?

You will need to talk to Curleigh about engineering related standards,

10. Can SEPA be appealed more than once, if the first submission is upheld?

The final SEPA determination will be within the final staff report and decision as I have mentioned. You can appeal the decision, which goes to the hearing examiner. His decision can then be appealed to superior court.

11. Are there any steps in the process that we should be aware of, that we did not already mention?

I have outlined the process several times, so I'm not sure what else you are looking for.

12. Can you think of any less risky business types, alternatives or potential applicants that might be interested in a corner lot that we could propose to the developer? (Credit union, pet clinic, etc.)?

This is not for me to decide. The adopted use table lists all permitted uses, or conditional uses allowed in the zoning district.

13. Could you please send us the traffic study that was conducted for the warehouse across the street from the proposed development (the walls went up yesterday).

Yvette will provide.

14. Has there been a plan submitted for how the tanker truck would maneuver around the gas station for refilling (access, turn-around and egress)?

You will need to check with engineering on this.

15. Could we see the final SEPA report for the gas station project that was approved for the prune hill gas station?

Yvette will provide.

17. Which company will conduct the traffic study and how can they receive input, including input from Evergreen School District?

I'm not sure I follow. They have provided a traffic study. Staff reviews the traffic study.

Evergreen School District has already been in contact with the City on this.

I know this is a lot and we thank you for your time! We hope you regard us as valued neighbors. For the past 20+ years we have contributed to the aesthetic appeal of the area. A high risk project, along the boundary between Clark County and the City of Camas that can impact the community and have the potential for long term repercussions for the City, needs careful consideration.

Regards,

Karin Nosrati

360-254-1585

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.



Karin Nosrati, DC <bforback@gmail.com>

SPRV23-06 - 13th Street Gas Station

11 messages

Yvette Sennewald <YSennewald@cityofcamas.us>
 To: "Karin Nosrati, DC" <bforback@gmail.com>
 Cc: Robert Maul <RMaul@cityofcamas.us>

Fri, Sep 20, 2024 at 1:52 PM

Hi Karin,

Please find attached, the Notice of Decision for the project noted above. The appeal instructions are contained in the notice.

Thank you,

Yvette



Yvette Sennewald, Senior Planner
 Community Development – Planning

Office: (360) 817-1568

Direct: (360) 817-7269

www.cityofcamas.us | ysennewald@cityofcamas.us

The City of Camas has gone digital! Apply for permits online through our new Civic Access Portal at www.cityofcamas.us/permits

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

 **SPRV23-06 Notice of Decision.pdf**
 620K

Karin Nosrati, DC <bforback@gmail.com>
 To: Yvette Sennewald <YSennewald@cityofcamas.us>
 Cc: Robert Maul <RMaul@cityofcamas.us>

Fri, Sep 20, 2024 at 3:54 PM

Thank you!
 [Quoted text hidden]

Karin Nosrati, DC <bforback@gmail.com>
 To: Yvette Sennewald <YSennewald@cityofcamas.us>
 Cc: Robert Maul <RMaul@cityofcamas.us>
 Bcc: Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>

Tue, Sep 24, 2024 at 11:27 AM

Hi,

I just left a message in the planning department's voicemail.

I was hoping that somewhere on the City website we could find more detailed instructions and a description of procedures and timelines for the Type II hearing with the hearings examiner.

Specifically, we need to to know

- Can one person submit the appeal or should it be submitted by all or some of the neighbors?
- Can neighbors not listed on the submission voice their opinions at the hearing?
- If the appeal is submitted via email, how is the payment process handled?
- Is the deadline for the appeal submission September 30, 2024?
- How can we access documents from a similar hearing, e.g. the gasoline station project on Brady Road near Prune Hill Elementary, in order to educate ourselves about the process? If there is a link on the City website, it would be much appreciated.
- Do we need to appear with legal counsel?

Thank you for your time,

Karin Nosrati
360-254-1585

On Fri, Sep 20, 2024 at 1:52 PM Yvette Sennewald <YSennewald@cityofcamas.us> wrote:
[Quoted text hidden]

Kristin Price <19813mkp@gmail.com>
To: "Karin Nosrati, DC" <bforback@gmail.com>

Tue, Sep 24, 2024 at 11:36 AM

Also I am wondering if we can access the schematic for the planned facility- I wasn't able to locate it with the materials that were submitted previously.
Thanks,
Kristin Price

Sent from my iPad

On Sep 24, 2024, at 11:28 AM, Karin Nosrati, DC <bforback@gmail.com> wrote:

Hi,

I just left a message in the planning department's voicemail.

I was hoping that somewhere on the City website we could find more detailed instructions and a description of procedures and timelines for the Type II hearing with the hearings examiner.

Specifically, we need to to know

- Can one person submit the appeal or should it be submitted by all or some of the neighbors?
- Can neighbors not listed on the submission voice their opinions at the hearing?
- If the appeal is submitted via email, how is the payment process handled?
- Is the deadline for the appeal submission September 30, 2024?
- How can we access documents from a similar hearing, e.g. the gasoline station project on Brady Road near Prune Hill Elementary, in order to educate ourselves about the process? If there is a link on the City website, it would be much appreciated.
- Do we need to appear with legal counsel?

Thank you for your time,

Karin Nosrati
360-254-1585

On Fri, Sep 20, 2024 at 1:52 PM Yvette Sennewald <YSennewald@cityofcamas.us> wrote:

Hi Karin,

Please find attached, the Notice of Decision for the project noted above. The appeal instructions are contained in the notice.

Thank you,

Yvette

<image001.jpg>

Yvette Sennewald, Senior Planner
Community Development – Planning

Office: (360) 817-1568

Direct: (360) 817-7269

www.cityofcamas.us | ysennewald@cityofcamas.us

The City of Camas has gone digital! Apply for permits online through our new Civic Access Portal at www.cityofcamas.us/permits

[Quoted text hidden]

Robert Maul <RMaul@cityofcamas.us>

Tue, Sep 24, 2024 at 12:44 PM

To: "Karin Nosrati, DC" <bforback@gmail.com>, Yvette Sennewald <YSennewald@cityofcamas.us>

Cc: Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>

Good afternoon, Karin.

The notice of decision clearly outlines what is needed for the appeal which is also listed in CMC 18.55.200. You will need to file the appeal online using our electronic submittal process. Yes, the deadline to file is September 30th. For all the other items I have talked to you about them several times.

Regards,

Robert

From: Karin Nosrati, DC <bforback@gmail.com>

Sent: Tuesday, September 24, 2024 11:28 AM

To: Yvette Sennewald <YSennewald@cityofcamas.us>

Cc: Robert Maul <RMaul@cityofcamas.us>

Subject: Re: SPRV23-06 - 13th Street Gas Station

WARNING: This message originated outside the City of Camas Mail system. **DO NOT CLICK** on links or open attachments unless you recognize the sender and are expecting the content. If you recognize the sender as a city employee and you see this message this email is a phishing email. If you are unsure, click the Phish Alert button to redirect the email for ITD review.

[Quoted text hidden]

 **SPRV23-06 Notice of Decision.pdf**
620K

Karin Nosrati, DC <bforback@gmail.com>

Tue, Sep 24, 2024 at 12:54 PM

To: Robert Maul <RMaul@cityofcamas.us>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>

Hi, Robert,

Thank you for answering bullet points 3 and 4.

Could you please answer bullet points 1,2, 5 and 6, because I do not recall this critical information. If you have detailed it for me previously via email, a date would suffice.

Thank you,

Karin

[Quoted text hidden]

Robert Maul <RMaul@cityofcamas.us>

Tue, Sep 24, 2024 at 1:02 PM

To: "Karin Nosrati, DC" <bforback@gmail.com>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>

Only parties of record can appeal, but anyone can testify at a hearing. I am not going to advise you on legal matters, which we have talked about multiple times.

[Quoted text hidden]

Karin Nosrati, DC <bforback@gmail.com>

Tue, Sep 24, 2024 at 1:43 PM

To: Robert Maul <RMaul@cityofcamas.us>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>

Thank you for your clarification. Regarding bullet point #5, which department or resource at the City should I contact to access this information - I presume it is public record?

Lastly, does written information that will be presented at the hearing, e.g. revised public documents, new studies, expert opinions etc., need to be submitted prior to the hearing? Looking at the City's hearing schedule, what is a ballpark timetable - days, weeks or months away? This information is important to help us prepare and obtain advice.

Best,

Karin

[Quoted text hidden]

Robert Maul <RMaul@cityofcamas.us>

Wed, Sep 25, 2024 at 10:33 AM

To: "Karin Nosrati, DC" <bforback@gmail.com>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>

Karin,

All past hearings are on the city's website under the meetings portal. You can search for hearing examiner meetings there. As you and I have discussed very specifically before, the filing of the appeal should contain whatever information you want to present to make your case to the examiner.

[Quoted text hidden]

Karin Nosrati, DC <bforback@gmail.com>

To: Robert Maul <RMaul@cityofcamas.us>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>, Randy Nosrati <randynos1@gmail.com>

Hi, Robert,

Thank you for helping direct me to find the prior hearing notes on the Camas website.

I apologize, but I don't remember very specifically discussing the finer details of the hearing process, because we were in the stage of submitting comments or expert opinions or rebuttals, if they can only be submitted now, when we turn in the appeal.

The only written instructions, which do not detail the limits of timeliness of submission of documents, I found here:

18.55.200 - Appeals—Generally.

- A. Type II decisions may be appealed to the hearings examiner.
- B. The following decisions may be appealed to the City Council: (1) Shoreline master program permits; (2) SEPA decisions; (3) city chapter, there is no appeal to any other decision maker within the city.
- C. All appeals are initiated by filing a notice of appeal with the director within fourteen days of issuance of the decision being appealed.
- D. The notice of appeal shall be in writing and contain the following information:
 1. Appellant's name, address and phone number;
 2. Appellant's statement describing their or other standing appeal;
 3. Identification of the application which is the subject of the appeal;
 4. Appellant's statement of grounds for the appeal and the facts upon which the appeal is based;
 5. The relief sought, including the specific nature and extent;

- 6. A statement that the appellant has read the notice of appeal and believes the content to be true, followed by the appellant.
- E. The notice of appeal shall be accompanied by an appeal fee as set forth in a fee schedule adopted by resolution.
- F. Appeals of civil regulatory orders and civil fines shall be heard de novo by the city council. All other appeals, with the exception of hearings before the city council.
- G. Notice of any appeal shall be given to those entitled to notice of the decision or determination being appealed.

Where else can I find the instructions specifically pertaining to additional documentation which will be available at the time of the hearing to be considered?

From the July 26, 2022 hearing, from the Hearing Examiner's introduction, I read " Exhibits may be submitted to City staff at the time of the hearing. I am not trying to split hair, but I need to know if I need to rush a report by next week, or if I can wait until the next hearing."

Additional question: Several neighbors would like to also sign the appeal. Would that require multiple filing fees?

Thank you,

[Quoted text hidden]

Robert Maul <RMaul@cityofcamas.us>

Wed, Sep 25, 2024 at 2:27 PM

To: "Karin Nosrati, DC" <bforback@gmail.com>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>, Carey Certo <CCerto@cityofcamas.us>, Alan Peters <APeters@cityofcamas.us>, Kristin Price <19813mkp@gmail.com>, Joan & Rich Rickard <joanier@comcast.net>, Russell Wegner <rwegner@lmi.net>, Barbara Wegner <oakbarb@lmi.net>, Randy Nosrati <randynos1@gmail.com>

You can file one appeal with others to join. As you have listed below, 18.55.200 tells you what you need to supply for the appeal. If you want certain documents or information to be considered it needs to be in the appeal you file.

The statement from the July meeting about submittal of items to staff at the hearing is in reference to a conditional use permit hearing where a decision has not been made. The difference here is the decision has been made, which you disagree with, and now you need to prove to the examiner why the decision should be modified or denied. As for when we meet with the examiner, it is on an as-needed basis so there is nothing on the calendar right now.

From: Karin Nosrati, DC <bforback@gmail.com>

Sent: Wednesday, September 25, 2024 2:02 PM

To: Robert Maul <RMaul@cityofcamas.us>

Cc: Yvette Sennewald <YSennewald@cityofcamas.us>; Carey Certo <CCerto@cityofcamas.us>; Alan Peters <APeters@cityofcamas.us>; Kristin Price <19813mkp@gmail.com>; Joan & Rich Rickard <joanier@comcast.net>; Russell Wegner <rwegner@lmi.net>; Barbara Wegner <oakbarb@lmi.net>; Randy Nosrati <randynos1@gmail.com>

Subject: Re: SPRV23-06 - 13th Street Gas Station

WARNING: This message originated outside the City of Camas Mail system. **DO NOT CLICK** on links or open attachments unless you recognize the sender and are expecting the content. If you recognize the sender as a city employee and you see this message this email is a phishing email. If you are unsure, click the Phish Alert button to redirect the email for ITD review.

Hi, Robert,

Thank you for helping direct me to find the prior hearing notes on the Camas website.

I apologize, but I don't remember very specifically discussing the finer details of the hearing process, because we were in the stage of submitting comments on the SEPA at the time. This is now the new reality and I need to know if we obtain expert opinions or rebuttals, if they can only be submitted now, when we turn in the appeal.

The only written instructions, which do not detail the limits of timeliness of submission of documents, I found here:

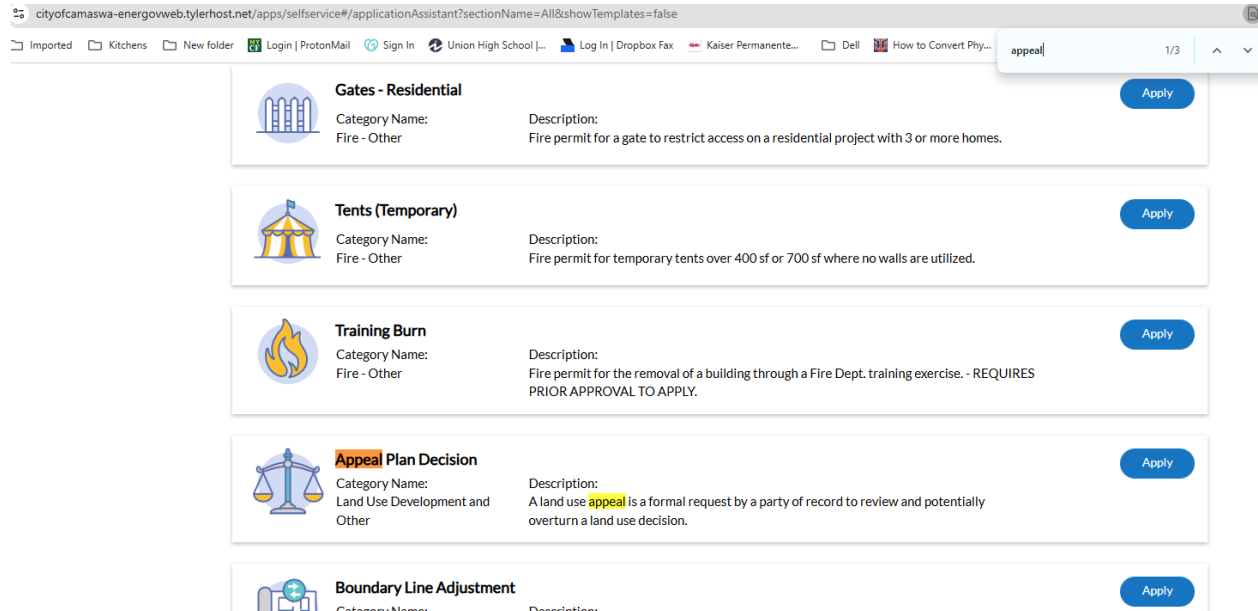
18.55.200 - Appeals—Generally.

Share Link to section Print section Download (Docx) of sections Email section Compare versions

[Quoted text hidden]

[Quoted text hidden]

These are the steps to file an appeal on the City of Camas website:



The screenshot shows a web browser window with the URL `cityofcamaswa-energoweb.tylerhost.net/apps/selfservice#/applicationAssistant?sectionName=All&showTemplates=false`. The browser's address bar and tabs are visible. The main content area displays a list of permit categories, each with an icon, a title, a category name, a description, and an 'Apply' button. The 'Appeal Plan Decision' category is highlighted with a yellow background.

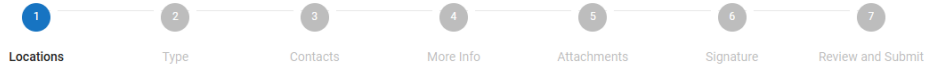
Category Name	Description
Gates - Residential Fire - Other	Fire permit for a gate to restrict access on a residential project with 3 or more homes.
Tents (Temporary) Fire - Other	Fire permit for temporary tents over 400 sf or 700 sf where no walls are utilized.
Training Burn Fire - Other	Fire permit for the removal of a building through a Fire Dept. training exercise. - REQUIRES PRIOR APPROVAL TO APPLY.
Appeal Plan Decision Land Use Development and Other	A land use appeal is a formal request by a party of record to review and potentially overturn a land use decision.
Boundary Line Adjustment Category Name	Description

Please note that this is the only “Appeal” choice.



Apply for Plan - Appeal Plan Decision

***REQUIRED**



LOCATIONS

Add the location address(es) or parcel number(s) that are associated with the project.

Location

Add Location

REQUIRED

Create Template

Save Draft

Next

cityofcamaswa-energoweb.tylerhost.net/apps/selfservice#/plan/apply/177/0/0

nas WASHINGTON

Home Dashboard Apply My Work Today's Inspections Map Report Fee Estimator Pay Invoices Search Calendar

Apply for Plan - Appeal Plan Decision *REQUIRED

Locations **Type** Contacts More Info Attachments Signature Review and Submit

PLAN DETAILS

* Plan Type: Appeal Plan Decision

* Description: The only choice available in the drop-down list above is "Appeal Plan Decision", in other words there is NOTHING else to choose, or this template process CANNOT proceed.

Back Create Template Save Draft Next

Please note: The only choice available in the drop-down list is “Appeal Plan Decision”

cityofcamaswa-energoweb.tylerhost.net/apps/selfservice#/plan/apply/177/0/0

nas WASHINGTON

Home Dashboard Apply My Work Today's Inspections Map Report Fee Estimator Pay Invoices Search Calendar

Apply for Plan - Appeal Plan Decision *REQUIRED

Locations Type **Contacts** **More Info** Attachments Signature Review and Submit

MORE INFO

Application Number for Appeal: Provide the land use decision case number being appealed. Contact the Planning Department if you don't know the case number.

General Information | Top | Main Menu

*Application Number for Appeal: SPRV23-06

Back Create Template Save Draft Next

Please note that this section asks for the application number, not City’s claim to appeal specific portions of the decision.

cityofcamaswa-energowebsite.tylerhost.net/apps/selfservice#/plan/apply/177/0/0

Imported Kitchens New folder Login | ProtonMail Sign In Union High School Log In | Dropbox Fax Kaiser Permanente... Dell How to Convert Phy... appeal 1/3

nas
WASHINGTON

Home Dashboard Apply My Work Today's Inspections Map Report Fee Estimator Pay Invoices Search Calendar

Apply for Plan - Appeal Plan Decision REQUIRED

Locations Type Contacts More Info **Attachments** Signature Review and Submit

Attachments

Click the attachment instructions icon for more detail.

Narrative

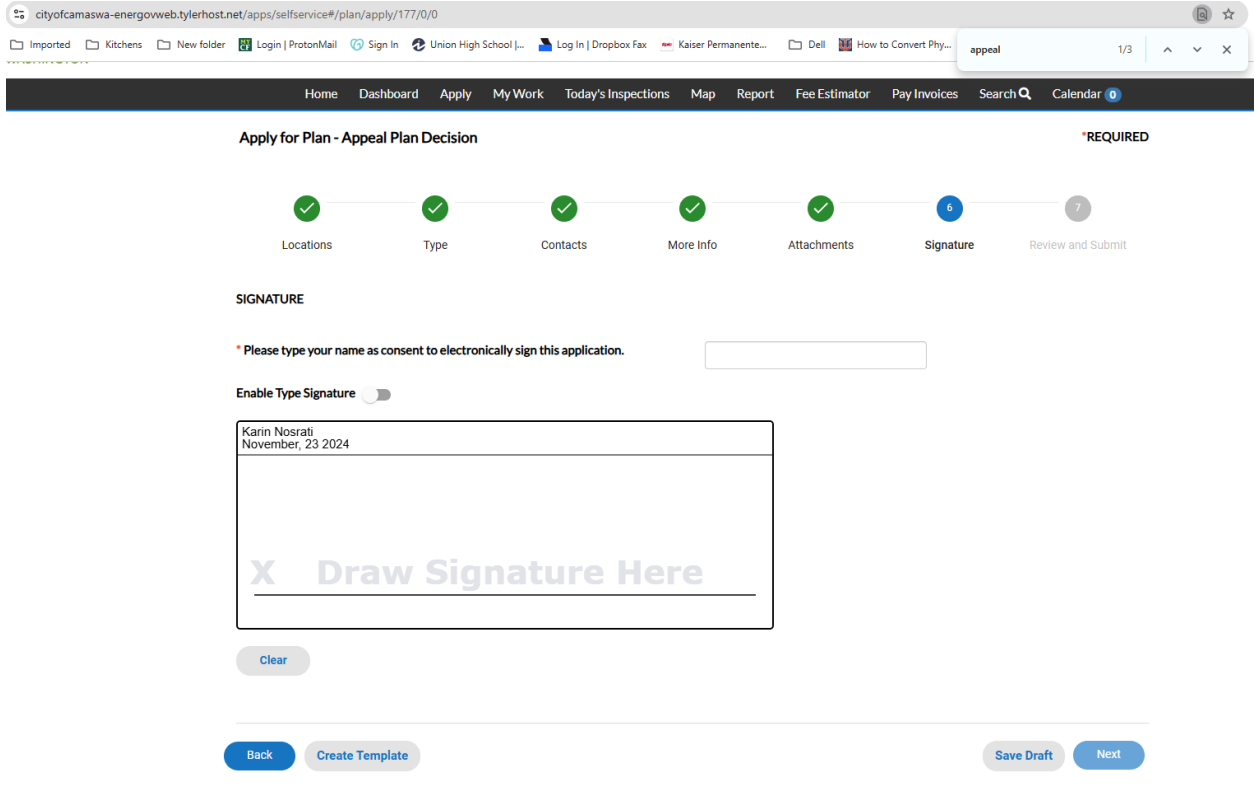
Add Attachment

+

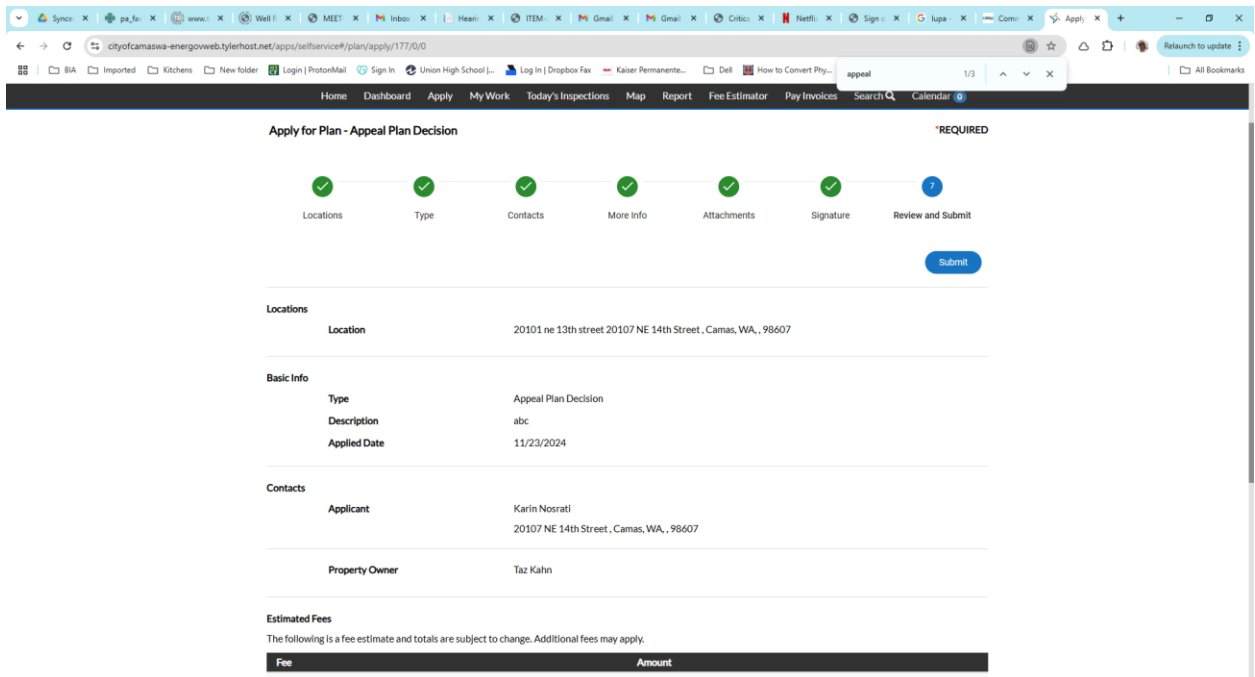
Supported: .pdf

Back Create Template Save Draft Next

Here the narrative option was chosen and uploaded, which included the names of all 34 appellants at the end and the statement that “The following neighbors would like to be included in the appeal and receive an invitation to the hearing”.



The tool does not allow more than one signature



Karin L Nosrati
20107 NE 14th Street
Camas, WA 98607
360-254-1585

On behalf of the residents of Morning Meadows Estates, residents of Katie's Hill and residents of Evergreen Acre Tracts, I am appealing the approval of a project called 13TH STREET GAS STATION (FILE NO. SPRV23-06). We live in single family residences adjacent to the project.

The project is called 13TH STREET GAS STATION (FILE NO. SPRV23-06)

This project has potential to

- Pollute open waters in the vicinity, increasing concerns about management of the Lacamas Lake watershed.
- Endanger safe drinking water supply of immediate neighbors on wells
- Create noise and light pollution that would interfere with the quiet enjoyment of residences in nearby neighborhoods
- Permit the construction of a car wash in a BP zoning, potentially violating zoning requirements. Camas has previously only permitted car washes in CC zoning. A car wash is not listed in the City of Camas Code of Ordinances
- Create a dangerous intersection with multiple safety concerns: Ingress and egress is proposed where there is poor visibility due to the topography of the Goodwin Road hill and it's near 90 degree turn; insufficient braking distance to avoid a crash; disrupt traffic including school bus traffic to nearby high school
- Expose the City of Camas to liability for granting an exception to the posted Access Standards if permitting a left turn access shorter than 660 ft into the parcel.
- Disrupt recreational use of the designated bicycle route; create a hazardous crossing for pedestrians, including students

Deny approval of this project or allow with the following modifications

- Require 300 ft distance from nearest drinking water wells and open bodies of water to underground storage tanks
- Require the project development owner to conduct a baseline comprehensive chemical drinking water well inspection of nearby wells. Thereafter the gasoline station owner shall be required to perform annual well inspections and if pollutants are detected, they must be remedied.
- Conduct a geological test that verifies the movement of ground water of the existing wells
- Lower the floor/topography of the filling stations 2 ft. below street level to contain spills and vehicle drips to the property to prevent their release to the street during heavy rains

- and ice melts, which are common at this intersection and to prevent run-off to property to the north
- Conduct an updated traffic study that accounts for the new warehouse, the new residential traffic east (Goodwin/Green Mountain), Union High School traffic, the new Oak Tree Station, the new Business Park mall buildings on NW Friberg-Strunk St., and to include the traffic impact of Harmony Sports Complex.
 - City of Camas to decline the request from the developer to allow a deviation from the City's Access Spacing Standards (Resolution 17-005) and setback requirements
 - Only allow a right turn ingress to the project by building a concrete divider in the center of NE 13th Street, to block dangerous left turns
 - Require separate ingress and egress for better traffic flow, including a primary exit to NW Friberg-Strunk St.
 - Provide an updated circulation plan that describes stacking of cars waiting for a pump and how it would not interfere with traffic on this arterial
 - Conduct a separate SEPA study for the carwash facility because the current SEPA addresses mostly the gas station
 - Correct and update the Wetland Buffer Bank Use plan, as it omits the wetland to the south and was conducted without access to the wetland or spring on the adjacent property to the west.
 - Remove car wash from the project
 - Reduce the size of the convenience store due to estimated traffic to the location; limit operation and sales hours for alcohol due to proximity to high school.
 - Post signs on project property reminding patrons of City of Camas' noise ordinance. No noise should be added to the surrounding neighborhoods.
 - Erect a 12 ft noise and light barrier wall for neighbors to the west, east and north to diminish noise and light pollution
 - Establish a litter control plan, including graffiti clean-up, and funding into perpetuity for twice-per-week trash collection along all four roads for 1000 ft.
 - Operating hours of the gas station shall be in compliance with BP zoning, including all gasoline tanker trucks filling gasoline and all deliveries. There should be no night time noise generated.
 - Require payment to well owners for a well inspection upon project construction start date. Homeowners along 13th Street and adjacent Streets in a ½ mile radius of a gas station, will incur the additional expense of a well inspection during the sale of their property to an FHA buyer due to the underground storage tank.
 - Submit a decommissioning plan to address end-of-life of the gas station
 - Require all provisions and responsibilities to transfer to subsequent owners of the gas station.

I have read the appeal and believe the content to be true.

Karin L. Nosrati

Please note: We request permission to submit a rebuttal to the traffic study at a later date, given the short period of time since your decision on September 16, 2024.

All previously submitted information/comments shall be part of this appeal.

The following neighbors would like to be included in the appeal and receive an invitation to the hearing:

Judith WILSON

20008 NE 11TH ST
CAMAS WA, 98607

Norma and Ernie HARRISON

20002 NE 11TH ST
CAMAS WA, 98607

Don LINGLE

19912 NE 11TH ST
CAMAS WA, 98607

Jeff and Keli GOERTZEN

20009 NE 14TH ST
CAMAS WA, 98607

Greg and Shannon CONNELL

20002 NE 14TH ST
CAMAS WA, 98607

Ken and Lisa WALTOS

20106 NE 14TH ST
CAMAS WA, 98607

Joan and Richard RICKARD

1417 NE 202ND AVE
CAMAS WA, 98607

Ruth and William SMALL

20217 NE 16TH ST
CAMAS WA, 98607

Heidi and Butch PARKER

20103 NE 16TH ST
CAMAS WA, 98607

SOLDATI MELISSA

19915 NE 16TH ST
CAMAS WA, 98607

Lisa and Mike OGDEN

19916 NE 16TH ST
CAMAS WA, 98607

Kristin Price

19813 NE 13TH ST
CAMAS WA, 98607

Anthony BRAUNSTEIN

19700 NE 11TH ST
CAMAS WA, 98607

Lisa and Michael MCCOLM

19606 NE 11TH ST
CAMAS WA, 98607

Sam WEBER

19514 NE 11TH ST
CAMAS WA, 98607

Stan GHEZZI

19504 NE 11TH ST
CAMAS WA, 98607

Beverly TERRY

19410 NE 11TH ST
CAMAS WA, 98607

Troy TIBBS

19505 NE 11TH ST
CAMAS WA, 98607

MARTIN LYNN E

19701 NE 11TH ST
CAMAS WA, 98607

Linda SHREVES

19805 NE 11TH ST
CAMAS WA, 98607

Rodney SMITH

19813 NE 11TH ST
CAMAS WA, 98607

Tressia and Max MORROW

19821 NE 11TH ST
CAMAS WA, 98607

Alan JOHNSTON

20003 NE 11TH ST UNIT 38
CAMAS WA, 98607

Tim LOY

20009 NE 11TH ST
CAMAS WA, 98607

Tony AGOLIO

19717 NE 11TH ST
CAMAS WA, 98607

Lee and Julie BOLLING

19607 NE 11TH ST
CAMAS WA, 98607

Kylene and Harold STENGEL

19411 NE 11TH ST
CAMAS WA, 98607

Kerry and Carol BASKIN

19403 NE 11TH ST
CAMAS WA, 98607

Jim Hughes

19812 NE 11TH ST
CAMAS WA, 98607

Tim and Julie LOY

20009 NE 11TH ST
CAMAS WA, 9860

Steve and Jeanette MURPHY

20007 NE 16TH ST
CAMAS WA, 98607

Brittany and Jonathan BOZARTH

19821 NE 13TH ST
CAMAS WA, 98607

Chris Yetter

20210 NE 16th
CAMAS, WA 98607

Karin and Randy NOSRATI (Appellant)

20107 NE 14th Street
Camas, WA 98607

November 26, 2024

City of Camas,

I, Keli Goertzen of 20009 NE 14th St, Camas WA, agreed to join the appeal of the project called "13th Street Gas Station (File No. SPRV23-06)". I consider myself an appellant, because my name was listed on the appeal narrative, and I believe the content of the appeal to be true. All previously submitted information/comments shall be part of the appeal.

I have previously submitted multiple written comments appealing the City's decisions/developers studies, I paid a portion of the appeals fee, and I attended a City Council meeting.

Sincerely,
Keli Goertzen
jkguertzen@comcast.net
360-901-9674

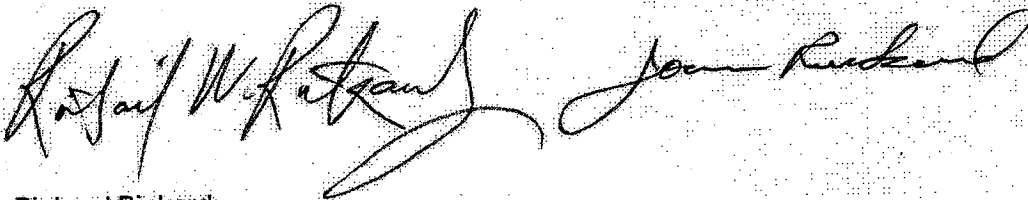


Richard & Joan Rickard
1417 NE 202nd Ave.
Camas, WA 98607
joanier@comcast.net

November 26, 2024

To:
The City of Camas,

We agreed to join the appeal of the project called "13th Street Gas Station (File No. SPRV23-06)" filed by Karin Nosrati and we consider ourselves to be appellants, because our names were listed on the appeal narrative, and that we believe the content of the appeal to be true, and we contributed to the fee for the appeal. And that all previously submitted information and comments shall be part of the appeal. We have submitted written comments concerning the project and we attended the November 14th hearing meeting.

Handwritten signatures of Richard Rickard and Joan Rickard. The signature on the left is for Richard Rickard and the signature on the right is for Joan Rickard.

Richard Rickard

Joan Rickard

Karin Nosrati
20107 NE 14th Street
Camas, WA 98607

Reference:
Appeal of the project "13th Street Gas Station (File No. SPRV23-06)"

Hello,

This is to confirm my status as an appellant, as listed in the appeal narrative previously submitted. I concur with the comments submitted on the appeal, pertaining to both the SEPA submission and the pending approval of the project. I confirm that I submitted payment to you for a portion of the appeals fee. I presented oral testimony at the City Council meeting prior to approval. Additionally, I was present at a recent hearing on November 14, 2024 and was prepared to present additional oral testimony at that time. I have already submitted two written statements including in the file; I trust that these statements will be included and reviewed by the hearing officer prior to any determination.

Thank you again for representing our concerns about the proposed project.

 Maryann Kristin Price 11/25/2024

Maryann Kristin Price (19813mkp@gmail.com)
19813 NE 13th Street
Camas, WA 98607
(360) 601-2356

November 26, 2024

To: City of Camas Community Development Department

RE: 13th Street Gas Station – File #SPRV23-06

My name is Heidi Parker. My husband Butch Parker and I reside at 20103 NE 16th Street, Camas, 98607. We live in the neighborhood north of the intersection at Goodwin Rd/13th Street and Friberg-Strunk.

I want to confirm that Butch and I are appellants in the matter of the 13th Street Gas Station (file No. SPRV23-06). Our names were listed on the appeal narrative; we contributed to the filing fee; we believe the content of the appeal to be true, and we agree with all previously submitted statements and objections relating to the proposed gas station.

While Karin Nosrati is the opposition's spokesperson, she does not stand alone in this appeal. On March 7, 2024, I submitted to the Camas Community Development Office an email detailing my concerns with the proposed gas station. I am attaching that email again, as I still have the same concerns.

My greatest concern is with the gas station entrance on 13th. In short, I CANNOT BELIEVE the City of Camas would be so cavalier in granting the deviance for the gas station entrance. The intersection at 13th and Friberg-Strunk is already dangerous. I can't count how many times I've almost been hit coming in and out of the entrance of our neighborhood. Cars heading west on 13th (Goodwin) are not going 35mph. They speed around that bend, and if the gas station is approved, those cars will now come around that bend and hit a line of stopped cars that are waiting for someone to turn left into the gas station entrance.

That situation will only get worse when Union High School is excused every day. Buses and countless cars driven by teens will pour through that intersection, and again, they will be stopped in their tracks while they wait for a car to turn left into the gas station. The proposed entrance to the gas station is dangerously close to the intersection, so the stack of cars will extend back through the intersection. The applicant's traffic study didn't even propose an additional center lane for turning into the gas station. When car accidents occur at the 13th/Friberg-Strunk intersection and close to the entrance of the gas station, the City of Camas should be held responsible for their negligence.

I attended the March 18, 2024 City Council Meeting and expressed my concerns about the proposed gas station. I was out of town for work on November 14th; otherwise, I would have attended that hearing.

Thank You,

A handwritten signature in black ink, appearing to read "Heidi Parker", with a long, sweeping horizontal flourish extending to the right.

From: <heidihparker@gmail.com>

Date: Thu, Mar 7, 2024 at 1:40 PM

Subject: Proposed Gas Station/Car Wash at corner of 13th & Friberg-Strunk - Public Comments on SEPA

To: <communitydevelopment@cityofcamas.us>

CC: <eric.hahn@cityofvancouver.us>

Dear City of Camas & Mr. Hahn –

I have reviewed the SEPA checklist submitted for the captioned gas station and have the following concerns about #14 Transportation:

1. The applicant should conduct a traffic study when Union High School is in session instead of relying on models. The intersection at 13th & Friberg-Strunk is packed with high school student drivers and buses twice a day nine months out of the year. Whatever model Charbonneau used isn't accurate. I've lived in the Morning Meadows subdivision since 2008 and I've almost been hit countless times by teens in that intersection. And now we have a warehouse at that corner, which will add large truck traffic to an already dangerous intersection. I trust that truck traffic wasn't factored into Charbonneau's study.
2. The report concludes that a westbound turn lane on NE 13th isn't warranted. For me, that one statement calls into question the credibility of the entire report. First, no one driving west on 13th is going 35 mph unless they had to stop at the 13th/Friberg-Strunk light. Second, when high schoolers are streaming through that intersection after school more than one car will want to stop at the convenience store for a Red Bull. There will likely be several cars of kids who want to stop and they will back up the entire intersection because the proposed entrance to the convenience store is going to be just 200 feet from the intersection, which leads to my 3rd concern.
3. Why would the City of Camas be so willing to approve a commercial entrance that doesn't even come close to the 600 foot minimum? What are the requirements for obtaining a deviation? Why is the City prioritizing access for gas tanker trucks over

the safety of hundreds of high school kids who drive through that intersection 9 months a year? Is the City legally obligated to grant a major deviation?

I understand that the character of this area is evolving. I know how hard it is to strike a balance between emerging commercial zones that abut residential zones. But the balance is possible.

I was once a zoning attorney in Virginia and mostly represented developers. I know there's an art to downplaying the impact of a development on nearby residential areas. That's why I'm not terribly convinced by the traffic report. I also know that it's hard to stop developers. But I grew to respect and admire the planning departments and governing boards that made my clients either propose a better project or jump through expensive hoops to preserve the beauty and safety of adjacent areas. I hope both Camas and Vancouver will do the same with this developer.

Respectfully,

Heidi Parker

20103 NE 16th Street

360-907-8963

Randy Nosrati
20107 NE 14th Street
Camas, WA 98607

Reference: Appeal of the project "13th Street Gas Station (File No. SPRV23-06)"

To City of Camas,

This letter is to confirm my status as an appellant, as listed in the appeal narrative submitted on 9/30/2024. I concur with the comments submitted on the appeal narrative, regardless of whether interpreted as SEPA or other issues because the City rendered an approval of the project by consolidating a SEPA determination and a staff report.

I confirm that I contributed a portion of the appeal's fee submitted to the City.

I submitted an oral testimony at the City Council meeting and submitted comments to community development in writing. All previously submitted comments and information from other neighbors shall be included in the appeal.

I consider myself an appellant to the project.

I have read the notice of appeal and believe the content to be true.

A handwritten signature in black ink, appearing to read "Randy Nosrati", with a stylized flourish at the end.

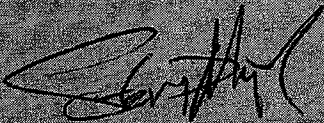
Randy Nosrati
(360) 954-6757

City of Camas.

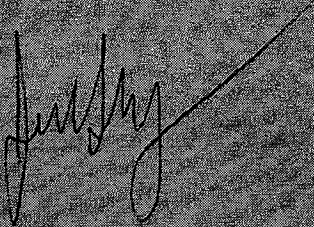
We have agreed to join the appeal of the project called "13th Street Gas Station (File No. SPRV23-06)" and consider ourselves appellants because our names are listed on the appeal narrative. We believe the content of the appeal to be true.
We helped pay a portion of the appeals fee.

We have also written our own comments appealing the City's decisions and developers studies on this project previously. I expect our previous comments and others comments and information are part of the appeal also.

Thank you.



Steve Murphy



Jeannette Murphy

20007 NE 16th Street
Camas WA 98607
jeannette@normal.com

Lisa (Michael) McColm
19606 NE 11th St.
Camas WA 98607
lisam1991@gmail.com

I consider myself an appellant because my name was listed on the appeal narrative, and I believe the content of the appeal to be true. And all previously submitted information/comments should be part of the appeal. I submitted written comments as part of the hearing Nov. 14th.

Lisa A
11/26/24

Judith A Wilson

20008 NE 11 Street
Camas WA 98607

I Judith Wilson agreed
to join the appeal of the
project "13 Street Gas Station
File #No. SPRV23-06

I consider myself an Appellant.
My name was listed on the
Appeal Narrative.

I believe the content of the
appeal to be true, and that

All previously submitted information
/ comments shall be part of the

appeal. Thank you

Judith A Wilson

November 26, 2024

City of Camas,

I, Jeff Goertzen of 20009 NE 14th St, Camas WA, agreed to join the appeal of the project called "13th Street Gas Station (File No. SPRV23-06)". I consider myself an appellant, because my name was listed on the appeal narrative, and I believe the content of the appeal to be true. All previously submitted information/comments shall be part of the appeal.

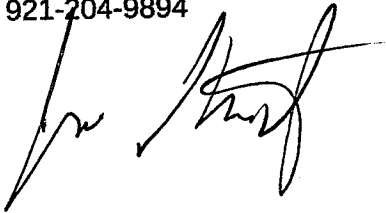
I have previously submitted written comments appealing the City's decisions/developers studies, I paid a portion of the appeals fee, and I attended a City Council meeting.

Sincerely,

Jeff Goertzen

jeffkgoertzen@gmail.com

921-204-9894

A handwritten signature in black ink, appearing to read "Jeff Goertzen", written over the typed name and contact information.



Karin Nosrati, DC <bforback@gmail.com>

URGENT - need a brief statement from you by tomorrow, TUESDAY 11-26-2024 if your name was on the appeal

SHANNON CONNELL <gsconnell@comcast.net>
To: "Karin Nosrati, DC" <bforback@gmail.com>

Wed, Nov 27, 2024 at 9:40 AM

Karen,
Sorry for the delay. Out of town and distracted! See below.

Too Whom it May Concern,

We have agreed to be part of the appeal of the project called "13th Street Gas Station (File No SPRV23-06). We consider ourselves an appellant and have commented to the City before on this project. See copy of email sent prior on 8/27/2024 pasted below. Any questions or concerns please let us know.

Greg & Shannon Connell
20002 NE 14th St.
Camas, WA 98607
gsconnell@comcast.net

Email sent to City of Camas on 8/27/2024

To Whom it may concern,

A couple of comments regarding the issue regarding the SEPA 23-12 13th St. Gas Station. I find it interesting, per the report, the gas station convenience store was originally going to be placed on the west end of the property but due to 50ft buffer requirements it would not fit on the lot. Therefore the site of the location of the convenience store was moved to the east end of the lot. The Oak tree was the only thing holding up this location. The reality is this is a poor lot for this type of business. Single access with a needed driveway variance to make it even possible is ridiculous. Observing the the complex method fuel trucks will have to maneuver to fill the tanks is also ridiculous. This will back up traffic on an increasingly busy 2 lane road with no plan to improve it on the county road plan (I assume the county will require significant traffic impact fees in its approval process). 13th is quickly becoming the primary access road for the numerous housing developments to the north of Lacamas Lake. Vehicles traveling west attempting a left turn into the gas station will routinely back up into the intersection making an already dangerous intersection worse. More then likely this will result in a left turn restriction and therefore severely hampering the success of such a business. Since this study was undertaken multiple businesss have entered the area increasing traffic even more (the warehouse, food cart pod, and more business park. The study didn't study traffic when school was in session when traffic is busy for hours a day. This is a poor business plan for this location. An actual business park business is the most appropriate occupier of this lot not a high traffic convenience store. There have been to many "adjustments" to make this "work".

Greg & Shannon Connell
20002 NE 14th St. Camas WA

On 11/25/2024 7:50 PM PST Karin Nosrati, DC <bforback@gmail.com> wrote:

[Quoted text hidden]

appeal

To DC Karin Nosrati <bforback@gmail.com>

Community Development, City of Camas
Mr. Turner,

There are many more people who should be considered appellants in the matter of the proposed gas station than our primary spokesperson, Karen Nosrati. We are named on the appeal along with many neighbors. We have paid a portion of the appeal fee, have submitted letters regarding these issues, have spoken at City Council meetings about SEPA and non-SEPA issues.

William T. Small
Ruth G. Small
20217 N.E.16th St.
Camas, WA 98607

William T. Small
Ruth G. Small

rgwtsmall@comcast.net

19821 NE 13th St

Camas, WA 98607

bozarth.brittany@gmail.com

Statement 13th Street Gas Station (File No. SPRV23-06):

I, Brittany Bozarth, have been actively involved in the recent city planning discussions. I consider myself an appellant, as my name was listed on the appeal narrative, and I believe the content of the appeal to be true. All previously submitted information, and comments shall be part of the appeal. I have submitted written comments appealing several of the City's decisions and developers' studies. Additionally, I contributed to the City Council meeting providing a letter as I was unable to attend in person, or virtually, due to parental priorities.



Brittany Bozarth



Karin Nosrati, DC <bforback@gmail.com>

File # SPRV23-06

2 messages

Ken Waltos <ken.waltos@outlook.com>
To: DC Karin Nosrati <bforback@gmail.com>

Lisa Waltos and Ken Waltos

We believe the content of the appeal to be true and that all previously submitted information/comments shall be part
Our names Ken and Lisa Waltos our complete address is
20106 NE 14th street
Camas WA 98607
Ken.waltos@outlook.com

We have written comments appealing the cities decision and payed portions of the appeals fee.
I attended the November 14th meeting via zoom.

WALTOS

Page 1

Kenneth A. Nak
Lison Walt

Kylene and Harold Stengel

19411 NE 11th St

Camas, WA 98607

Scheibenkleisterr@msn.com

I agreed to join the appeal of the project called "13th Street Gas Station (File No.SPRV23-06)

And consider myself an appellant because my name was listed on the appeal narrative, and I believe the content of the appeal to be true. And all previously submitted information should be part of the appeal. I attended the meeting on November 14, 2024.


Kylene Stengel

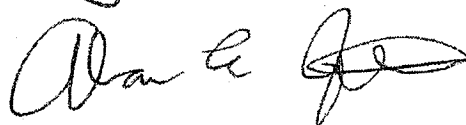
11-26-2024

My name is Alan Johnston,
I am an appellant to the "13th Street
Gas Station (File #SPRV 23-06).

My name was listed on the appeal
narrative & I believe the content
of the appeal to be true, and that
all previously submitted information/
comments shall be part of the
appeal.

My sister, Valerie Coffey, attended
the Nov. 14th hearing at City hall
in my stead,

signed: Alan Johnston
20003 NE 11th St Camas, WA
aej129@msn.com 98607



signed: Valerie Coffey
20003 NE 11th St Camas, WA
valeriec083@gmail.com 98607
Valerie B. Coffey