

1 **Hearing Examiner Meeting**

2 **Minutes for April 28, 2022**

3 **CU-21-004, VR-22-002, ST-21-0014**

4 **135 W. Main Street Cascade Community Healthcare**

5
6 Staff Present: Amelia Schwartz City Planner, Erin Hillier City Attorney, Laura Fisher Permit Technician

7 Examiner: Allen Unzelman

8 Applicant Present: Ron Wright, on behalf of Cascade Community Healthcare

9 Examiner Allen Unzelman calls meeting to order at 4:00pm. Three applications pending. CU-21-004, VR-22-002, ST-21-
10 0014. Provides overview of how process works. City will present staff report which gives overview of project and
11 application. Applicant will then share their perspective and any materials they have. Then will hear from members of
12 the public.

13 Ron Wright comes to the stand and is sworn under oath.

14 Examiner goes over what has been provided to him for evidential record. He has the City Staff Report which has Exhibits
15 A through J. Admits Staff Report into the record as Exhibit 1. Materials submitted by the applicant. A letter from
16 R.W.A.A. which is on behalf of the applicant dated April 28. Admits letter as Exhibit 2. He also has a letter from the
17 Washington State Department of Commerce. Admits letter as Exhibit 3. He has public comments. A letter from Megan
18 and Roman Kirkov. Admits comment letter as Exhibit 4. Admits email from Paul Larson dated April 27 as Exhibit 5. The
19 Examiner has read the Staff Report. Goes over issues as he sees them. Three issues here. Application for the
20 conditional use permit, the application for the variance, and the site plan review. There are several elements to each
21 one of those.

22 Amelia Schwartz City Planner for the City of Chehalis is sworn under oath. She provides overview of Staff Report which
23 is also available online. Cascade Mental Health is proposing the remodeling of their existing building at 135 West Main
24 Street to add permanent supportive housing to the services they already offer. Adding 16 beds, not changing footprint
25 of building. Similar use with overnight residency options. In September 2021 RCW passed that required cities not
26 prohibit transitional housing or permanent supportive housing in any zones that which hotels are allowed. This zone is
27 the Central Business District in the city of Chehalis.

28 Examiner clarifies that it is residential units or hotels are allowed.

29 Amelia Schwartz agrees. Since it is Central Business District, she looked at the use of a hotel. The Chehalis Municipal
30 Code 17.78.020 lists the uses of hotel as conditional rather than directly permitted. Applicant is asking for conditional
31 use to allow transitional or permanent supportive housing. The variance is to access the water main underneath Main
32 Street. There are other options of access, however they are cost prohibitive. Applicant is asking to dig into Main Street
33 which was repaved in Fall of 2021. The City of Chehalis Engineering Code prevents cutting into new or repaired streets

34 for a period of 5 years. Cascade has found that despite connections available on side streets, these alternative
35 connections to water supporting a fire suppression system would be cost prohibitive. They are seeking a solution to this
36 obstacle which they believe would be a variance to cut into the pavement and access the water main on Main Street.
37 The site is CBD but is directly adjacent to residential properties in the R2 zone. An alley runs adjacent to the parcel of
38 the applicant and several different single-family homes. Across the street there are more commercial uses, to the left is
39 the Lewis County District Court and several offices and large parking lot. Staff finds that the proposed land use change
40 does not have a similar use type. We do not have something called permanent supportive housing in the land use code.
41 Staff only looked at the hotel use which is what the RCW covers. It is not in a critical resource area or a floodplain. Staff
42 found that it is compatible for the intended development pattern of the surrounding existing properties in the CBD zone.
43 Staff did not find any issues with setbacks or public access and circulation. The physical location size and placement are
44 harmonious especially as there will be no significant change. There is no change to the footprint of the building. Staff
45 finds that the project as submitted with conditions would not be detrimental to the public interest, health, safety, or
46 general welfare. A hotel is a conditional use in this zone. Staff believes that it is likely that transitional housing must
47 also receive conditional approval based on RCW 35A.21.430. A variance may be granted to the density, dimension,
48 height, setback and development standards provided that all other provisions of this chapter can be met. Under no
49 circumstances shall the city grant a variance to allow a use not permissible under the terms of this title in the zoning
50 district involved, or any use expressly or by implication prohibited in the zoning district by the terms of this title.
51 Variances may be approved by the city based on a finding that such variance will not be contrary to the public interest
52 and the comprehensive plan or where literal enforcement of the provisions of this chapter would result in undue
53 hardship. A variance shall not be granted unless the city further finds that the applicant has demonstrated all of the
54 following: 1. That special circumstances applicable to the subject property, including size, shape, topography, location
55 or surroundings, do exist; and staff finds that this proposal will make no changes to the density, dimension, height, or
56 setbacks. 2. That because of such special circumstances, strict application of this chapter would deprive the subject
57 property of rights and privileges enjoyed by other properties in the vicinity under identical zoning district classification;
58 and staff finds that there is an alternate way to provide the necessary water service to this facility for providing fire
59 safety. 3. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the
60 property or improvements in the vicinity and zoning district classification in which the property is situated; and staff
61 finds that cutting into the recently installed asphalt will be injurious to city owned property. 4. That the special
62 circumstances do not result from the actions of the applicant; and staff finds that these circumstances are as a result of
63 the applicants' actions. 5. That the granting of a variance will be in harmony with the general purpose and intent of this
64 title, the specific zoning district, and the comprehensive plan. Staff finds that this variance is not in keeping with the
65 general purpose and intent of CMC 12.01.280 (P)(1). Staff finds that the use of the proposal is consistent with the
66 Comprehensive Plan goals. LU.02 to encourage the efficient use of land. LU.04.02 encourage development in areas
67 where adequate public facilities and services already exist or can be provided in an efficient manner. The site is serviced
68 by water and sewer. There is easy access to public transportation and goods and services. H.01.07 Provide that zoning
69 does not unduly restrict group homes or other housing options for persons with special needs. H.01.08 Cooperate with

70 and support efforts of private or non-profit organizations, housing authorities, other social, health and government
71 agencies to address local housing needs. H.01.09 Require that housing for special needs populations should be
72 dispersed throughout the community and not concentrated, and that such housing be compatible with surrounding
73 properties. H.02.02 Promote self-help and volunteer programs that provide housing rehabilitation services and
74 development assistance. Based on these prior findings staff recommends approval for CU-21-004, ST-21-0014 for the
75 development of permanent supportive housing with the following conditions: Privacy fencing must be installed around
76 the site as a buffer to adjacent single-family housing prior to final approval to meet Comprehensive Plan LU.06.02
77 intentions. Staff recommends denial of VR-22-002, a variance of CMC 12.04.280 (P)(1) for the following reason: that the
78 granting of the variance will be materially detrimental to improvements in the vicinity in which the property is situated.

79 Hearing Examiner Allen Unzelman goes back to the conditional use permit number 4. The location, size, and functional
80 characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impacts on
81 the livability and development opportunities in the neighboring area. Does the city think that's met?

82 Amelia Schwartz responds yes.

83 Allen Unzelman speaks to the variance portion. For number 2, you mentioned there were alternative means available.
84 What are those alternative means?

85 Amelia Schwartz responds that there are water lines running across West Main Street, SW Cascade Ave, And SW Alfred
86 Street which are 3 of the 4 somewhat adjacent streets to the site.

87 Allen Unzelman asks if the city has had the chance to review the comments submitted. Does the city have any response
88 to those?

89 Amelia Schwartz has. Not as of yet. One of the commenters seem to associate this use with an increase in crime. The
90 use is going to stay very similar. This has already been used to service people who need addiction services. She does
91 not think it will be changing any sort of use besides allowing the people to be residents of the facility. The comment
92 from Megan and Kirkov does touch on the potential trench cut into Main Street. The city discusses entirely why
93 recommending disapproval of the variance. They have a concern with safety worrying about privacy and patients being
94 able to watch their household patterns, as the windows of some of the bedrooms from the proposed living quarters look
95 into their home. The city is looking into the possibility of a privacy fence between the property to help alleviate some of
96 those concerns.

97 Allen Unzelman speaks to the RCW regarding transitional housing and permanent supportive housing. The language
98 says a code city shall not prohibit transitional housing or permanent supportive housing. This application seems to meet
99 that criteria, as transitional housing and probably permanent supportive housing.

100 Amelia Schwartz agrees. The city believes it meets that.

101 Ron Wright, Architect approaches the stand. Because the city does not have or is in favor of the 04 and site plan, we do
102 not have any comment on that. They are in agreement 100% with the items brought forward. He does not believe
103 there are any issues with the site plan conditions. The arrangement of the building is such that there is no way for
104 residents to be able to look out of the windows. Typically, they don't allow that. Typically, windows are obscured that is
105 at a lower height. There will not be any instance where a resident in the facility would be able to look out the window.
106 The windows are there solely existing for light. They have done this with a number of existing facilities.

107 Allen Unzelman speaks to the terms of change of use. Asks for clarification on the number of individuals that will be in
108 the facility.

109 Ron Wright says there will be less. They are going from office occupancy to residential occupancy which will reduce the
110 number.

111 Allen Unzelman asks if this is a voluntary facility.

112 Ron Wright says that is correct. It is not of the nature where people come and go. The term voluntary is such that if
113 someone request to leave and no longer desires service, they need to go through an exit process. There is a process
114 that takes place so that they are properly let go either to relatives or placement somewhere else. There is no instance
115 where we would open the door and let them go. The resident has a choice of whether to be there or not, but they don't
116 have the choice of simply walking out. Many facilities offer both voluntary and involuntary.

117 Allen Unzelman asks if Ron Wright expects this to be a facility where there is constant traffic coming and going.

118 Ron Wright answers no. This is based on similar facilities constructed across the state of Washington. Their functional
119 plan that is required is part of their licensing. He wants to clarify they are not providing permanent supportive housing.
120 They are providing transitional housing. This is not intended to be permanent. The stay is not intended to be long
121 enough to qualify as permanent. The time period is normally 28-31 days. The state law that is referenced indicates
122 transitional and permanent. He has provided the Examiner a letter in which he will walk through. Because they are
123 providing a residential type occupancy, the building code requires that we provide a fire sprinkler system. That is what is
124 driving the need to have water service. The existing water service in the building is not sufficient to provide the sprinkler
125 service. They have to get a new tap to the water main in order to get the water service they need. The intent originally
126 was to access the 10-inch main on Main Street. It would be about a 25-foot cut right adjacent to the building. The
127 existing bid for that work is approximately \$85,000. There were improvements made on West Main Street recently.
128 Those improvements as we were informed by the city were funded in large part by the Washington Transportation
129 Improvement Board. A meeting was conducted on February 7th that the city attorney Erin Hillier chaired for them. They
130 went through the logistics of the entire Municipal Code as to why the 5-year moratorium was in place. There were
131 questions regarding what drove the issue of why the applicant couldn't get into the street. One of the primary issues
132 was a concern that the city had received extra bonus points in their application because they had this particular
133 Municipal Code on the books that gave them better points. Then the Washington Transportation Board would know

134 that any money that they gave for improvements wouldn't be broken into or damaged by new work right away. The
135 applicant was told that there was concern that if they allowed their project to access the water main that the city would
136 lose points in the future for any future application because this was an improvement financed by the TIB. The city
137 provided them with an alternate option for providing the water service. On the second page of Exhibit B there is a map.
138 It is described in the letter as options. On the map you can see the one connection that leads directly to Main Street.
139 The city option is about 600 feet of installation of pipe that has to run down the alley and then turn on Saunders Way to
140 get over to the other main connection. Or we were told we could go all the way to West Market which is about 800
141 feet. They obtained an estimate for that work which was in excess of \$600,000 not including the engineering for the
142 work, or the contractor fees that are normally charged by the city for doing that type of work. Our entire project budget
143 for construction is \$700,000 funded by the Commerce Department. That means 90% of our funding would have to be
144 spent on the outside of the building before we even got inside. This particular option kills the project. We can not go
145 any further if required to spend the money. A key point is that if they waited 4 years, there is no condition, and they
146 could go right into Main Street. They would not have the money in 4 years. Delay can cause them to lose the funding.
147 Erin provided him with the contact for the TIB. They contacted them. Through conversations with Chris Langhoff, the
148 TIB has indicated that they do not have any issue with our project accessing through the improvements on Main Street
149 and would not impose any conditions or further hindrance of future grant funding or anything like that base upon this.
150 Chris Langhoff considered it to be a special condition that would be separate from their normal protocol of allowance for
151 extra points.

152 Allen Unzelman asks Mr. Wright what the role TIB plays.

153 Ron Wright responds that they fund these projects. The city would go to the TIB to ask for money to replace the street.
154 They would go into a pool of applicants for funding.

155 Allen Unzelman asks what is the relevance of TIB making that statement.

156 Ron Wright answers that they were told that was a big concern by the city. That the next time the city goes and asks for
157 money, the fact that they allowed improvements that were recently granted money for to be broken into, would be a
158 hindrance or would be a loss of standing in points. They might not get the money on the next round because they
159 wouldn't get as many points.

160 Allen Unzelman clarifies that the city project to do this work was funded through TIB.

161 Ron Wright confirms. That information was provided through Erin Hillier the City Attorney. Chris Langhoff confirmed
162 that as well. He has provided as part of Exhibit C, his response. His request to us was that TIB be allowed to review the
163 detail. We have no problem with that. He is an Engineer. He responded with some suggestions regarding the cuts and
164 so forth. He told us at that time that the city had provided him with the standard detail as to what would be asked to
165 do. He would like to point out that this is a development restriction. This facility is defined in the RCW as an essential
166 public facility. It is explicitly defined as a facility that is very hard to site. There are a number of conditions in the WAC

167 and RCW regarding imposing development restrictions upon the siting of these facilities. The Municipal Code allows for
168 the Public Works Director to approve or allow cutting in if there is no other option. The option they have been provided
169 with is \$500,000-\$600,000 more and essentially will kill the project. We do not want that to be considered a feasible
170 option. We indicate under the RCW no local Comprehensive Plan or development regulation may preclude the siting of
171 an essential public facility. We believe this is a preclusion to siting our facility. By paying essentially \$600,000 more or
172 waiting an additional 4 years, it is eliminating our ability to site the facility there. We do not believe that a patch in a
173 road can be characterized as materially detrimental. The facility is providing a desperately needed service for the
174 community. There is a balance of interpretation regarding the benefit the facility is providing.

175 Allen Unzelman asks if there is an engineering statement or anything you can submit objectively from a professional
176 standpoint that it would not be material.

177 Ron Wright expresses that it is more of a commonsense issue of a patch in a roadway versus the services that are being
178 provided that are essential to the community and public health. When cutting into the road there is a potential for
179 differential settlement. They may have to put in CDF, or a slurry concrete. Explains that if the patch is not done
180 correctly it could sag. A lot depends on the craftsmanship of the installation and detail provided on how the patch is
181 done. The city has a standard detail exactly for that to eliminate this type of issue. If a patch is done correctly there
182 shouldn't be any issue with the fact that there is a patch.

183 Allen Unzelman asks Ron Wright who is a licensed Architect if he is of the opinion that it would not objectively be
184 material.

185 Ron Wright answers the Examiner yes. He speaks of the contractors pricing, the map, the correspondence from an
186 Engineer at the TIB regarding their waiver of any concern regarding the issue.

187 Allen Unzelman would like to go back to Element 2 of the Variance. It states that it is required for a variance that
188 because of such special circumstances, strict application of this chapter would deprive the subject property of the rights
189 and privileges enjoyed by other properties in the vicinity under identical zoning district classification. What is your
190 response to that?

191 Ron Wright thinks that you should have to overlay the essential public facilities on to that. We are not a standard
192 property. We are property that the state of Washington has determined to be essential to the community. He would
193 like to point out that they did not perform the street improvements, the city did. The city did not ask us if we approved
194 of the street improvements. Our property is adjacent to a city property that has a 5-year moratorium on it. That is why
195 we are in this situation. Otherwise, we wouldn't be. It is a condition that was created by the city temporarily for 5 years
196 that is causing the entire issue. The location of the property had nothing to do with us.

197 Allen Unzelman understands it can't be the fault of the owner.

198 Ron Wright adds that in this case it is by virtue of the fact that the city chose to improve the right of way adjacent to our
199 property. That is what caused the condition where we are asking for a variance. The city has a code that is written
200 specifically regarding those improvements that is causing the issue to not be able to connect to the water.

201 Allen Unzelman speaks to the beginning of the variance section. It says a variance may be granted to the density to the
202 density, dimension, height, setback and development standards provided that all of the following are met. It appears
203 this would fall under a development standard. Is that right?

204 Ron Wright agrees.

205 Allen Unzelman adds that usually it is to a dimension, height, or setback. This specific requirement is considered a
206 development standard.

207 Ron Wright agrees with the Examiner. We would term that more as a regulation than a standard because it is a
208 temporary regulation that is only enforced for 5 years. We are treating this like a development restriction because the
209 city is saying no you can't. It is not technically a standard that is in place. It is more of a development restriction than it
210 is a standard. Mr. Wright then steps down from the stand.

211 Allen Unzelman turns the meeting over to any members of the public that wish to be heard. No one wishes to speak.

212 Erin Hillier City Attorney addresses the Examiner. She would like to clarify a couple of things in the context they were
213 discussed. Mr. Wright thankfully included her summary of the meeting they had with several people involved in this
214 project. That is Exhibit A to his response. That was an email that came from her office to all of the participants on
215 February 7th. She asks to point the Hearing Examiner to the last paragraph on page one. The purpose of discussing the
216 TIB grants was in explaining to these participants what the limitations of city staff are in request to cutting into the road
217 at the time and what the options are going forward to seek that type of deviation. We explained that city staff does not
218 have the legal authority to deviate from the city code. There was a city code provision adopted back in 2005 that
219 prevents cutting into recently improved roadways. There are applications you can make that are heard before the city
220 Hearing Examiner. That Hearing Examiner has the authority to make decisions on deviations from the code. Another
221 route is a legislative change that can be made by city Council. The city Council can make a change to the ordinances that
222 they have on the book or to the code itself. They could decide to remove that ordinance from their code and say no we
223 are not going to have that moratorium for improvements to our road. It was in that context that she explained that
224 Council has to determine whether that is in the best interest. TIB does take into consideration whether a jurisdiction has
225 such an ordinance for preservation of roads on their books or not when they do these grants. To distinguish with what
226 Mr. Wright had said regarding TIB's response to this particular project. That is not the context in which we were
227 discussing. We were discussing in the background why the city has such an ordinance on its books. It is to preserve a
228 public roadway with their fiduciary duty to use public funds responsibly. Also, the added benefit for being qualified for
229 additional funds for such projects because they have an ordinance that preserves those roadways for 5 years. That TIB
230 information was provided only in the context of talking about a legislative change to code and what a Council might

231 consider. In Exhibit C, she was grateful that Mr. Wright did reach out to our representative for the city Mr. Langhoff
232 with Washington State Transportation Improvement Board in order to get more information about that. It appears
233 though that Mr. Wright was speaking specifically about this project and not about TIB's considerations as a whole of
234 such ordinances. She notes that at the end of that communication Mr. Langhoff says in the end though the decision to
235 allow the utility cut is ultimately up to the city as it is their road.

236 Allen Unzelman clarifies that Erin is saying it wouldn't be the city's decision.

237 Erin Hillier agrees. There are only certain ways as she has pointed out to all the participants that we can make this
238 change. That is either through this process of which they are availing themselves to or a legislative change.

239 Allen Unzelman guesses that the spirit of the TIB rule is sensible in that if we are issuing funds to cities to make
240 improvements in roadways, we certainly don't want them to go back and rip it up next year. He appreciates that in terms
241 of understanding the rule and why it is there and also some context around how that rule is dealt with.

242 Amelia Schwartz has nothing to add.

243 Allen Unzelman speaks to number 2 under the variance statute. In regard to special circumstances, where strict
244 application of this chapter would deprive the subject property of rights and privileges enjoyed by other properties. Can
245 Miss Schwartz reaffirm the city's position on that? Is there anything in terms of this parcel that makes it unique for
246 purposes of qualifying for the variance?

247 Amelia Schwartz responds to this specific subject property. She does not believe there are special circumstances in
248 regards to this. Other properties directly next to it would also have to follow this 12.04 code which they also could not
249 cut into it. It is not going to deprive them of a privilege enjoyed by their neighboring properties. No one else is getting
250 to cut into the road.

251 Allen Unzelman speaks to number 4. He thinks there are alternatives that the applicant could pursue. That fact is
252 relevant for purposes of considering the variance. Those alternatives would mean hooking up to water in a more
253 circuitous route, a longer connection route that would equate to more cost of the project. He asks Amelia if that is
254 correct.

255 Amelia Schwartz answers that it appears to be. They are going off the preliminary plans that have been provided. One
256 of them is a potential loop which Mr. Wright discussed which could cost possibly \$600,000. Or a longer connection. She
257 believes the property owners also own an adjacent property to this site that borders SW Cascade Avenue. That was
258 discussed earlier for another possibility for connection. The city has not seen all civil engineering preliminary plans that
259 could be used for this.

260 Allen Unzelman talks about looking at the map. It could be argued that there are alternatives for purposes of
261 considering a variance because there are ways that they could hook up to other connection points. Do alternative
262 connection points become nonviable alternatives in the city's view due to the length of how far they have to go?

263 Amelia Schwartz tells the Examiner that to the extent of her knowledge she does not believe they have special
264 provisions for additional costs to applicants.

265 Erin Hillier would like to add that there are provisions that require connections within certain distance of available lines.
266 The other provisions that we have like places in the UGA, are potential development that would have latecomer
267 agreements where they do have the opportunity to be reimbursed if there are others that develop or hook into that.
268 She does not know if that applies here. That is probably the extent of what they have.

269 Allen Unzelman asks if there is a point in which this would become a nonviable alternative, where the city wouldn't
270 deem that there aren't any alternatives because of the distance they have to go to connect to water and sewer
271 infrastructure.

272 Erin Hillier thinks that is part of the factors being weighed here. The burden that is put on them. Is this an undue
273 burden? That is part of several different factors that are weighed in a variance and have different weights. The public
274 interest versus the private interest and the burden and uniqueness of the property.

275 Ron Wright steps back up to the stand to clarify what was brought up about the adjacent property. If they were the
276 adjacent property which is owned by the same owner, but is a separate distinct property, as you can see on the map,
277 they could have simply gotten the water there. They were asked if they could run a line through an adjacent property
278 that the owner owns to get to a second property in order to provide the service. The issue is the distance to the building
279 form the source. Even going through that property, they are ending up with the need for a loop. They can't go that far
280 to the building. The water pressure doesn't get high enough. There is a distance that is required. They would have to
281 loop back onto Main anyways in order to get there. Going down the alley is no different than going across the property.
282 Going across the property induces a permanent easement and reduction in the value of the property. Essentially it
283 would not be marketable or developable because it would have an easement on it for a waterline. They did due
284 diligence to attempt to try to get there but the key issue is how far away the property, or the building is located from
285 Cascade. It is too far away from Cascade for a single connection. They would have to have a loop. A single connection is
286 too far away from water pressure standpoint to be able to service the building.

287 Allen Unzelman speaks to material detriment to Mr. Wright. In terms of scope of the trenching, is there something in
288 evidence that explains the scope of what it would entail?

289 Ron Wright shares that they submitted documentation of a 30% design as a requirement to get to this process. There
290 was a plan that should be in the exhibits that the city provided as part of their report. He is not aware right now of the
291 distance or width. Typically, it is between 4 and 6 feet that would be required. Chris from the TIB recommends that the
292 patch go all the way to the centerline. That way there is one more edge that tires aren't always going over. As far as he
293 is aware, the waterline is actually on their side of the street. When connecting to it, they recommend doing the patch all
294 the way to the centerline. That was all discussed as part of his and Chris's dialogue. Chris had asked the same question
295 and we were required to provide a preliminary design to the city.

296 Allen Unzelman asks from an engineering or architectural standpoint, if there's no professional doubt in Mr. Wrights
297 mind that it can be restored without any material detriment.

298 Ron Wright replies that is correct. He adds that they would not need to interrupt or do anything to the sidewalk. They
299 can go underneath the sidewalk to get to the line. Really it is just the street portion that is important to them. The Fire
300 Marshal has asked us to put a vault in which would be on their property where the valves would go right inside the
301 property line next to sidewalk.

302 Amelia Schwartz adds that there is another comment from Chris Langhoff the West Region Engineer with the
303 Washington State Transportation Improvement Board. He did mention that typically pavement repairs are not packed
304 well and eventually create a small dip in the road. They allow for water to seep in and erode the base material. She
305 would like to note that it is extremely likely that this will impact the road later on. Especially with the water levels we
306 get here in the city. She is not sure agrees with the lack of material impact to the street.

307 Ron Wright states that they just came down Main Street and nearly every water valve has a patch in it already. It is not
308 as if it is going to be a new condition. He saw at least 6 valves and manhole cover issues where they made an error in
309 the placement of the height. You can see that they have already patched in order to complete the project. The project
310 already has patched in place particularly around the valves. He thinks it goes back to the long verbal conversation he
311 had with Chris. This is his point to ensure that it is more of a directive that you know you need to do a good job of
312 putting this back because otherwise it is not going to work. He sees it more as a comment in relationship to the fact that
313 he is saying that patches are bad, and they don't want patches. He wants us to understand that we need to do a good
314 job putting the patch back in. Mr. Wright emailed him asking Chris for clarification on the statement that the work to
315 allow the development of this facility won't be detrimental to the city in future grant applications. He didn't say yes or
316 no on that particular issue. Chris did say it is the city's road. They are not going to impose anything against the city for
317 doing this.

318 Amelia Schwartz asks for clarification from Mr. Wright. You mentioned the patches on Main Street. Is that along the
319 area that was recently improved?

320 Ron Wright answers Amelia yes.

321 Celest Wilder, Engineer Technician II from Public Works Department with city of Chehalis approaches the stand and is
322 sworn in under oath. She would like to speak to the patching comments that Ron had about the patches around the
323 valve cans on Main Street. That is the very last step of improving the road surface. The hot mix asphalt is laid down and
324 compacted. Then the crews go back and place those valve can lids in after the new surface is on there. By nature of
325 them placing those valve cans back in at the end there will be a small tar square around there. It is not that people went
326 in and cut and made cuts into the roadway afterwards. That was part of the construction process.

327 Allen Unzelman asks Celest if that would result from the proposed process. If allowed to go forward with the trenching
328 what aesthetically would be left, if they were to have done it right?

329 Celest Wilder responds to the Examiners question. If they did it right you would have a minimum 5 foot wide from the
330 curb to the centerline of the road. That is where you would see the rectangle, at the edges. If it were done correctly
331 there may not be sagging. Things do settle after a period of time. They do see that in other places through out the city
332 where cuts and patches have been made into roadways and you do see settling after a period of time and vehicles going
333 over them.

334 Allen Unzelman asks Celest if there was a request for something of this nature on another road that wasn't prohibited
335 but the city was still concerned, is there a process by which the city says you can go ahead but we are going to make you
336 post a bond or security, or some type of other means to make sure that the public is protected.

337 Celest Wilder tells the Examiner that has not happened for quite a few years. She thinks the last time they posted a
338 bond on a fire line installation was back in 2015. Once the work was complete the bond was released. That wasn't on a
339 newly paved road either. There was no reason for that applicant to apply for a variance.

340 Erin Hillier tells the Examiner if he would like the city to supplement on that we are happy to do so.

341 Richard Stride from Cascade Community Healthcare approaches the stand and is sworn in under oath. He wants to
342 speak to the health benefit side. He thinks that they would all agree that because of the drug abuse issues that we have,
343 and we see those things firsthand, that this type of facility, there is a reason why the state of Washington calls it
344 essential. It is literally saving people's lives. To prohibit that has a trickle-down effect eventually. There could be more
345 emergency department visits, more law enforcement involvement, all kinds of different things that can happen. When
346 we consider the public benefit of a facility like this, we do not have something here in Lewis County like this. If people
347 want to go to voluntary treatment, they have to go out of county. When they go out of county, family members, and
348 supports, have a more difficult time seeing them. We know from our evaluation and treatment center at the Port of
349 Centralia that Lewis County residents that are detained there are better off than going to Western State Hospital up
350 north or eastern across the mountains. Because they feel they are in the community where they grew up, where they
351 have their family, and natural supports. He thinks that side of it needs to be considered as well. There is a public benefit
352 here. We are only doing this because we feel it would be public benefit.

353 Allen Unzelman thinks there is disagreement on the variance. He thinks the city can say yes. He understands. He asks
354 Dr. Stride regarding the letter from the Kirkov's. They talk about safety in their letter. To put himself in their shoes
355 being a few blocks from the facility it is not too difficult for him to understand where they are coming from. He can
356 understand when someone has concerns when anything is added whether it be a hotel, restaurant, or voluntary
357 treatment facility. There is a natural concern as to how it would affect day to day safety. The Examiner asks Dr. Richard
358 Stride how he would address some of those concerns.

359 Richard Stride states that they are already doing outpatient services there. They do that into the evening hours. They
360 are already seeing these individuals there. They have never had a safety issue. There were some safety concerns when
361 they were building from the evaluation center at the Port of Centralia. When people came to the Hearing, they

362 expressed similar sorts of concerns. The people that would be utilizing this facility are probably already attending the
363 facility. They already have a robust outpatient program there. He understands the safety issue because people have a
364 fear of what they don't understand. That is all of us. We also know that once people begin to get past that fear, that
365 stigma that we fight every day, in behavioral health and mental health. People that fight these issues do not need to be
366 housed in the jail. The Chief of the jail would say exactly the same thing. Sherriff Snaza would say exactly the same
367 thing. They don't need to be in the jail. They need to be in treatment. He understands the fear but it has not been a
368 reality. They are already there.

369 Allen Unzelman wants to clarify in terms of safety and impact on the neighborhood. It is relevant to the extent that it
370 goes to element 4 of conditional use permits. There is an element in the site plan as well. The Examiner asks Mr. Stride
371 to talk about security. What are the security plans? Maybe even address how it works at other facilities.

372 Richard Stride tells the Examiner they have security personnel that are on shift at the facility. Since the 16-bed part of
373 the 22-bed facility there at the Port of Centralia is locked, there is no way anybody can get out. The other 6 beds are for
374 crisis stabilization. Those beds are utilized by individuals that don't meet the criteria for involuntary treatment, but they
375 meet the criteria for help. It is a step up from the community in that particular unit or they can use it as a step down
376 from the 16 bed facility if they needed a few more days. The court may decide they are free to go but we as the treating
377 professionals feel like they need just a few more days on their medications or meeting with their therapist to get them
378 more stabilized. If there are security concerns, we can certainly address those just as we did at the evaluation and
379 treatment center. That is really not an issue. The city of Centralia does do drive bys occasionally. That is because of
380 other issues, not safety, vandalism. We address those there. If that is a concern, we can come up with a plan to have
381 some security personnel to be on site. If that is going to be a hindrance, they will definitely address that.

382 Ron Wright points out that they were asked this question during the preliminary meeting. There is a summary of
383 security concerns that they have provided that is part of the exhibits in the report. He has been doing this type of facility
384 for 30 years and it never doesn't come up. Ultimately it is education and informing individuals what the services are.
385 100%, typically the most vocal to project that they have participated in turn out to be the best supporters later on. It
386 takes time and change, and people don't like change. This is not unusual.

387 Amelia Schwartz adds that the city did ask about this ahead of time. The city found their response satisfied their
388 concerns about it. She thinks that some of the concerns from the community members are that people in times of crisis
389 in their life might not be in a safe location and instead be in an area where it would be more likely that crime would
390 occur. Having a stable, legal, healthy, place for transitional housing might actually mitigate some of the potential for
391 crime or unfortunate circumstances. The city found the applicants responses completely satisfactory towards the safety
392 of the area.

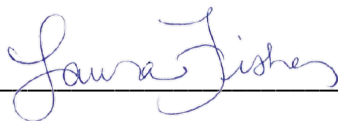
393 Erin Hillier City Attorney wants to emphasize that the city's decision is in no way prohibiting an essential service, one
394 that is very much valued in this community. It is solely restricted to the limitations in the code as to cutting into the
395 pavement for instance and certainly not to not allowing such a facility to exist.

396 Allen Unzelman states that everything the city has said is accurate. If there is nothing further, he will take this under
397 advisement. If he has any other questions, he will send out notices to everyone and give them a chance to respond. He
398 has to make his ruling within 10 working days. He adjourns the meeting at 5:20pm.

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Recorded by:



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Laura Fisher, Permit Technician