

**CITY OF TUMWATER
HEARING EXAMINER STAFF REPORT
Hearing Date: January 3, 2024**

Project Name: Yorkshire Apartments

Case Numbers: TUM-22-1743 Preliminary Binding Site Plan, and TUM-22-1742 Conditional Use Permit

Owner: Grandviews Yorkshire, LLC
127 N Olympic Avenue
Arlington, WA 98223

**Project Proponent/
Representative:** Tyrell Bradley LDC Corp.
1411 Slate Ave NE, Suite 200, Olympia, WA 98506

Type of Action Requested: The project proponent is requesting approval of a Phased Preliminary Binding Site Plan (TUM-22-1743), and a Conditional Use Permit (TUM-22-1742) to construct 1150 apartment units in a mix of high-rise structures and mixed-use buildings, including 9,000 square feet of commercial space, and mini-storage units on parcels located in the General Commercial Zone District (GC). The GC zone allows mixed use structures as a permitted use. High-rise apartments and mini storage are allowed as a conditional use in the GC zone. The proponent wishes to develop the project in phases through the binding site plan process, which allows development to be constructed in up to 4 phases.

Project Location: The project is located between Israel Road and Tumwater Boulevard on unaddressed vacant parcels, further defined as Thurston County Tax Parcel Numbers; 12704440103, 12704431300, and 12704440100.

Project Permit: The following have been issued for the project:

1. Notice of Application issued on December 30, 2022 (TUM-22-0027) (Exhibit 5)
2. Amended Notice of Application issued on June 28, 2023 (TUM-22-0027) (Exhibit 5)
3. Mitigated Determination of Non-Significance on October 19, 2023 (TUM-22-1343) (Exhibit 5 & 6)

Public Notification: Public notification for the January 3, 2024 public hearing was mailed to property owners within 300 feet of the subject property and various agencies, posted on-site and published in *The Olympian* on 12-22-2023, in conformance with Tumwater Municipal Code TMC 14.06 (Exhibits 5 & 7).

Staff Recommendation: Approval, subject to conditions identified at the end of the staff report in Section IV *Recommendation*.

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I. BACKGROUND INFORMATION

A. Application and Review Process

A formal site plan review application was reviewed by the development review committee on September 22, 2023 (TUM-22-0027). The Preliminary Binding Site Plan (TUM-22-1743) and Conditional Use Permit (TUM-22-1742) applications were submitted on December 16, 2022, and were deemed complete on December 27, 2022.

Under TMC 2.58.090, and TMC 14.08.020(A), review authority for the phased binding site plan and conditional use permit applications fall under the purview of the Hearing Examiner.

B. Existing Conditions

The property is vacant, and mostly forested. The topography of the property is mostly flat with some small changes in topography (Exhibit 3).

C. Project Description

The applicant is proposing to construct 1,150 apartments with 9,000 sq. ft. of commercial space, and mini-storage units in a phased development, with associated open space, parking, landscaping, and infrastructure.

II. REGULATORY FRAMEWORK

The proposal is subject to the following policies and regulations:

- A. Tumwater Comprehensive Plan:** The project site is located in the Littlerock Neighborhood as designated by the Land Use Element of the City's Comprehensive Plan. The land use designation for the approximately 21.73-acre site is General Commercial (GC) and Mixed Use (MU) (Exhibit 4).

Comprehensive Plan Land Use Element, Section 2.6 General Commercial states:

“The intent of the General Commercial designation is to support and implement the goals of the Tumwater Economic Development Element, which was adopted in 1990. Among these goals are the establishment of a new commercial center for Tumwater, the preservation of areas for commercial facilities, which make use of the close proximity to Interstate 5 and minimizing the undesirable impacts of such uses on the residential neighborhoods, which they serve.”

This section further states that consideration could be given to allowing mixed-use structures in this designation in order to promote development that provides affordable housing, has a transit orientation, is pedestrian friendly, has community open space and provides a sense of community due to quality design.

The housing element of the Comprehensive Plan identifies the need to increase housing choices to support all ranges of lifestyles, household incomes, abilities, and ages. The housing element promotes affordable housing, and considers different housing types as a strategy to increase affordable housing.

The housing chapter further identifies the need to ensure that housing is compatible in quality, design, and density with surrounding land uses by establishing design standards for multi-family housing and requiring open space as part of development.

The Littlerock Neighborhood Appendix of the Land Use Element of the Comprehensive Plan anticipates 86 acres of new residential development in the area, with approximately 75% of this growth to be multi-family.

The Littlerock Neighborhood Appendix of the Land Use Element of the Comprehensive Plan also identifies a conceptual pedestrian trail system through the general commercial core.

Staff Response and Recommended Finding:

The goals stated in the Comprehensive Plan encourage multi-family development to support varied housing types, lifestyles, and household incomes.

The overall binding site plan proposes high-rise apartments and mixed-use structures (commercial and residential). The proposal includes community open space as well as providing a 10-foot pedestrian path as identified in the Littlerock Neighborhood Appendix of the Land Use Element.

Citywide Design Guidelines have been adopted to ensure compatibility in the surrounding areas.

Staff finds that the project is consistent with the Comprehensive Plan and the Littlerock Subarea Plan, with the proposed conditions.

- B. Tumwater Transportation Plan:** The Transportation Plan includes language speaking to regional consistency and coordination to address both motorized and non-motorized transportation links and corridor. Goals are to establish a street and road network that provides for the safe and efficient movement of goods and people, neighborhood connectivity, to ensure pedestrian connectivity, and concurrency to meet PM peak hour level of service standards.

Staff Response and Recommended Finding: *A Transportation Concurrency Application along*

with a Traffic Impact Analysis was submitted for review by the Transportation Manager and Transportation and Engineering Director and was incorporated as a part of the Transportation Concurrency and SEPA Review Mitigated Determination of Non-Significance.

The transportation concurrency ruling identified specific mitigation measures to achieve concurrency. These include frontage improvements, payment of transportation impact fees, extension of Tyee Drive from Israel Road to Tumwater Boulevard, as well as a roundabout at the intersection of Tyee Drive and Tumwater Boulevard. Additionally, trips are proposed to be sent through the Tumwater Blvd – I-5 Interchange which will also require payment of mitigation fees or construction of the required interchange improvements and construction of a temporary signal prior to issuance of each building permit. These findings are reflected in the MDNS issued October 19, 2023 (Exhibit 6).

Staff finds that with the required mitigation proposed in the Transportation Concurrency and MDNS, this project will not adversely affect level of service standards and that the project is consistent with the Tumwater Transportation Plan.

- C. Sustainable Development Plan for Thurston Region:** The Plan identifies a pent-up demand for a range of housing types, including multi-family buildings, and also identifies locating these above or close to places to shop, work, and access transit. The plan further identifies ways to support these types of housing with tax exemptions, incentivizing, appropriately scaled buildings, as well as locating high density near public transit and major transportation routes.

To implement the goals in the Plan to reduce vehicle miles traveled, strategies are stated including connecting streets, sidewalks, and trails to provide multiple safe travel routes and shorter distances for all travel modes and encouraging a multimodal transportation system that includes walk, bike, bus, carpool, vanpool, telework, car, truck, and rail transportation systems.

Staff Response and Recommended Finding: *The proposal includes multi-family housing in both high-rise structures, and mixed-use commercial/residential buildings. The development includes a 10-foot pedestrian pathway, bicycle lanes, transit and school bus stops, within close proximity to the commercial core and Interstate 5 and connects Tumwater Boulevard to Tyee Drive and the shopping core.*

Staff finds that the project is not in conflict with the Sustainable Development Plan for Thurston Region.

- D. Thurston Regional Trail Plan:** The City of Tumwater is a participating member of the Thurston Regional Planning Council (TRPC). TRPC adopted the Thurston Regional Trail Plan in December 2007.

The Regional Trails Plan defines a trail network blueprint and a set of guidelines and recommendations for all of Thurston County and its cities, towns and communities.

The Goals and Policies section of the Plan serves to link local trail planning efforts within the broader context of planning the regional transportation network. The plan charts a systematic path creating interconnected corridors that improve access to community destinations.

Staff Response and Recommended Finding: *The project site is not affected by the regional trail network outlined in the Thurston Regional Trail Plan.*

Staff finds that approval of the project will not affect implementation of the Thurston Regional Trail Plan.

E. Hearing Examiner – TMC 2.58.090, 14.08.020.A: The Hearing Examiner has authority to review Conditional Use Permits and Phased Preliminary Binding Site Plans.

Staff Response and Recommended Finding: *Conditional use permits and phased binding site plans require a public hearing and decision by the Tumwater Hearing Examiner. Final Binding Site Plan approval authority is administrative and will be completed by City of Tumwater staff.*

F. Public Notice Requirements –TMC Chapter 14.06: TMC Chapter 14.06 requires the City to provide public notification of certain application types by issuing a Notice of Application (TMC 14.06.010) and a Notice of Open Record Hearing (TMC 14.06.070).

Staff Response and Recommended Finding: *A public notice for the Preliminary Binding Site Plan and conditional use permit applications was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site; and published in the Olympian on December 30, 2022. After further review of the application submittal documents, the city requested further information in regard to the traffic impact analysis. This resulted in a change to the preliminary binding site plan, and traffic impact analysis. Updated information was submitted on June 22, 2023. An AMENDED Notice of application was issued on June 28, 2023. These notices were mailed to property owners within 300 feet of the subject property, affected agencies, posted on-site; and published in the Olympian on June 28, 2023. The amended notice was also sent to those who provided comment on the first notice. (Exhibits 5 & 7)*

Public comments:

Nisqually Indian Tribe requested a cultural survey. The survey was completed, and the Tribe concurs with the conclusions and recommendations with an inadvertent discovery plan.

The Squaxin Island Tribe had no cultural concerns.

Thurston County requested a copy of the Transportation Impact Analysis, and after review had no comment.

The Tumwater School District requests four bus stops on the Tyee Drive Extension which is reflected in the updated binding site plan dated XX, 2023.

Several citizen comments were received. They include support for apartments and providing affordable housing, concern about traffic impacts, impacts to public schools, the need for transit stops, tree retention, impacts to emergency services.

Public comments received from the Notice of Application are found in Exhibit 8

The City's SEPA threshold determination was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site; and published in the Olympian on October 19, 2022. (Exhibit 6)

Public comments:

The Squaxin Island Tribe had no cultural concerns.

Washington State Department of Ecology provided comments regarding solid waste and toxic cleanup.

The Black Hills Audubon Society expressed concern for groundwater supply, groundwater contaminates, and that the property is located within a watershed assessment map.

Several citizen comments were received. They include request for tree retention, concern for traffic impacts, high groundwater & water quality impacts, building heights, and gopher protection.

Public comments received from the Mitigated Determination of Nonsignificance are found in Exhibit 9.

Public notice for the January 3, 2024 public hearing was mailed to property owners within 300 feet of the subject property, affected agencies, and those who provided comment, posted on-site, and published in the Olympian on Friday, December 22, 2023, in conformance with TMC 14.06.070 (Exhibits 5 & 7).

G. State Environmental Policy Act - TMC 16.04: The City of Tumwater Community Development Department reviewed a SEPA Environmental Checklist and other information submitted by the project proponent and issued a Mitigated Determination of Non-Significance on October 19, 2023.

Staff Response and Recommended Finding: *The City of Tumwater Community Development Department, as lead agency, completed environmental review in accordance with TMC 16.04, RCW 43-21C and WAC 197-11. The City's SEPA threshold determination, a Mitigated Determination of Nonsignificance was issued on October 19, 2023 (Exhibit 6).*

H. Transportation Concurrency - TMC 15.48: The project is subject to the requirements of the City's transportation concurrency test outlined in TMC Chapter 15.48.

Staff Response and Recommended Finding: *The applicant submitted a Transportation Impact Analysis for the project. The report was reviewed by the City's Transportation Manager who has issued a transportation concurrency ruling stating that the project is concurrent in regards to transportation when 1) transportation impact fees are paid, 2) payment of mitigation fees for trips through the Tumwater Boulevard/I-5 Interchange, a limited right-in/right-out access provided on Israel Road for Phase I, and the extension of Tyee Drive from Israel Road to Tumwater Boulevard prior to any certificate of occupancy in any future phases (Exhibit 10).*

- I. Tree Protection and Replacement Ordinance – TMC 16.08:** TMC Chapter 16.08 regulates the removal and preservation of existing trees on a site to be developed and provide a tree tract of at least 5% of the buildable area.

Staff Response and Recommended Finding: *A professional forester's report that includes a tree inventory, and tree protection plan in compliance with TMC Chapter 16.08 was submitted. The inventory showed a total of 1,215 trees located on site. TMC 16.08 requires retention of 20% or 12 trees per acre, whichever is greater equaling 306 trees to be retained, and a tree tract of at least 1.09 acres.*

The proposal is to retain 91 trees within required tree tracts, leaving a shortfall of 215 trees. TMC 16.08.070.R states that the standards may be waived or modified when the tree retention standard cannot be achieved because of the necessity of complying with applicable zoning and development requirements. In this case, the applicant shall plant not less than three trees for each tree cleared (3:1).

*The minimum number of trees to be planted for this development is 645 (215*3=645) (Exhibit 6)*

Staff finds that the proposed preliminary binding site plan and preliminary landscape plan are consistent with TMC 16.08.

- J. Fish and Wildlife Habitat Protection – TMC 16.32:**

TMC Chapter 16.32 regulations fish and wildlife and species.

Staff Response and Recommended Finding: *The parcel has soils preferred by the Mazama Pocket Gopher. A Mazama Pocket Gopher Screening report dated October 2022 concluded no mound formations exhibiting characteristics created by the Mazama pocket gopher were identified on the subject property during gopher screenings or by agency databases. (Exhibit 6)*

- K. General Binding Site Plan Design Standards – TMC Title 17:**

The subdivision is required to comply with the following standards of design and development as required by TMC 17.12.010.

- 1) TMC 17.12.020 – Future Subdivision and Access: All land divisions shall be designed to accommodate the future land division of adjoining land by providing for adequate future access and utility service. Pedestrian and bicycle access to schools, parks, shorelines, recreation areas, and open space shall be provided by walkway where street access is unsafe or inadequate.

Staff Response and Recommended Finding: *In this instance, future access is creating by the extension of Tyee Drive from Israel Road to Tumwater Boulevard.*

Pedestrian access is provided by the creation of the 10-foot pedestrian path adjacent to the new Tyee Drive which includes bicycle lanes, and transit stops. Internal pathways and crosswalks provide access internally and to open spaces.

With these conditions, Staff finds that the preliminary binding site plan is consistent with TMC 17.12.020.

- 2) TMC 17.12.040 – Minimum Lot Size: Lots or tracts shall conform to the size set forth in the zoning district unless dedicated or restricted by covenant for open space, park, recreational or other community or public use. In subdivisions intended for single family dwelling units or townhouse/row house development, a separate lot or tract shall be provided for each dwelling unit, not including accessory dwelling units. If the land division is submitted in phases/divisions of development, each phase/division submitted for approval shall meet all provisions of this section.

Staff Response and Recommended Finding: *There is not a minimum or maximum lot size in the General Commercial (GC) zone district, and the proposal does not include single family, or townhouse units.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.040.

- 3) TMC 17.12.060 – Residential Lot Building Sites: Each residential lot in low density residential zones shall have a building site no less than 1,600 square feet in area within which a suitable building can be built and served by utilities and vehicular access unless dedicated or restricted by covenant for open space, park, recreation or other public use. The building site area herein required shall not exceed a 25% cross slope or include any very severe development limitation areas. Such building sites shall be indicated on the face of the preliminary land division.

Staff Response and Recommended Finding: *The proposed project is not in a low-density residential zone.*

Staff finds that the project proposal is not subject to the requirement of TMC 17.12.060.

- 4) TMC 17.12.070 – Natural Vegetation and Features: Natural vegetation and

features such as trees, streams, wetlands, and wildlife habitat shall be preserved to the greatest extent possible and in accordance with the requirements of Title 16 TMC and Chapter 18.47 TMC.

Staff Response and Recommended Finding: *A professional forester's report, tree inventory, and tree protection plan that complies with TMC Chapter 16.08 was submitted, reviewed, and is recommended for approval with the proposed preliminary binding site plan. There are no indications of wetlands or streams on site, and the applicant provided a gopher survey that showed no evidence of Mazama Pocket Gopher.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.070.

- 5) **TMC 17.12.080 – Clearing and Grading:** Proposed clearing and grading should be minimized by the use of shared access driveways and careful location of streets and building sites.

Staff Response and Recommended Finding: *Site development grading plans have been submitted that show one construction access for the first phase and work area. Future site development grading plans should provide similar protections.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.080.

- 6) **TMC 17.12.090 – Wetlands and Drainage:** Wetlands and natural drainage ways shall be subject to review under Chapters 16.28 (Wetlands) and 16.32 (Fish and Wildlife Conservation Areas) of this code.

Staff Response and Recommended Finding: *There are no wetlands or natural drainage ways on the property regulated by TMC Chapter 16 (Environment)*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.090.

- 7) **TMC 17.12.100 – Hazards:** Where land division and development of land may pose a hazard to the land division and nearby properties because of steep slopes, unstable soils, excessive stormwater runoff or soil erosion, the land divider shall have the burden of presenting the evidence satisfactory to the City of hazard mitigation. In the absence of such evidence, division of such land shall be denied.

Staff Response and Recommended Finding: *A preliminary drainage report, including soils report has been submitted. All stormwater runoff, treatment and release shall meet the minimum standards of the City of Tumwater Drainage Design and Erosion Control Manual.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.100.

- 8) **TMC 17.12.110 – Streets:** The size of streets and their associated rights-of-way shall be as shown on the street standards chart for the class of street, which is appropriate to serve the land division, and anticipated community traffic, existing

and potential. In areas where the division is adjacent to an existing street, right-of-way dedications shall be made to the existing street centerline.

Staff Response and Recommended Finding: *The development proposal includes the extension of Tyee Drive from the roundabout at Israel Road to Tumwater Boulevard. This street is designed in accordance with the Tumwater Development Guide. Internal traffic movement is through joined parking, and internal parking lot connections.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.110.

- 9) **TMC 17.12.120 – Driving Surfaces and Rights-of-Ways:** All roads shall be designed and constructed in accordance with the adopted “Development Standards for the City of Tumwater” in effect at the date of acceptance of the preliminary land division.

Staff Response and Recommended Finding: *As part of the site development/grading permit review, all roads shall be constructed pursuant to the specifications outlined in the City of Tumwater Development Guide. Approval of the Preliminary Binding Site Plan application (TUM-22-1732) is required for the internal connections.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.120 with the proposed conditions.

- 10) **TMC 17.12.130 – Cul-de-sacs:** All cul-de-sacs shall be designed in accordance with the adopted “Development Standards for the City of Tumwater” in effect at the date of acceptance of the preliminary land division. Parking is prohibited in the cul-de-sac turnarounds and shall be posted. An improved pathway for pedestrian and bicycle use shall be dedicated to the public to connect cul-de-sac streets to nearby areas where such a pathway is necessary to provide convenient access to schools, parks, public transit stops, shopping centers, other cul-de-sacs or pathways, and other community services, or as otherwise necessary for public convenience and safety. Such pathways shall be designed to maintain the safety of pedestrians and bicyclists and owners of properties adjacent to the pathway.

Staff Response and Recommended Finding: *The proposed project does not include cul-de-sacs.*

Staff finds this section is not applicable to the project.

- 11) **TMC 17.12.140 – Street Signs:** Street signs shall be installed by the subdivider as specified by the Community Development Department.

Staff Response and Recommended Finding: *Street signs are required. Signage and placement shall be reviewed and approved as part of site development and grading permit review.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.140.

- 12) TMC 17.12.150 – Topography: All streets should be designed to conform to the topography of the site, in order to reduce street grades and minimize the need for cuts and fills.

Staff Response and Recommended Finding: *Streets are proposed to be designed to conform to the topography of the site which is generally level.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.150.

- 13) TMC 17.12.160 – Maximum street grades: Maximum street grades shall be in accordance with the adopted “Development Standards for the City of Tumwater”.

Staff Response and Recommended Finding: *All proposed street grades shall be designed in accordance with the adopted standards.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.160.

- 14) TMC 17.12.170 – Street Names: All streets shall be named or numbered as specified by the City. The land divider is encouraged to submit requested street names to the city for its consideration.

Staff Response and Recommended Finding: *The street names and addresses for the preliminary binding site plan shall be assigned by the City of Tumwater Building Official.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.170.

- 15) TMC 17.12.180 – Lot Access: Each lot shall have a minimum of 10 feet of unobstructed access to a street, directly or by access easement.

Staff Response and Recommended Finding: *The proposal shows all parcels fronting a public street, with direct street access.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.180.

- 16) TMC 17.12.190 – Private Streets: Private streets shall be constructed to meet or exceed the design standards established on the street standards chart for the City. Public access to developments or parts of developments containing private streets shall not be limited by the use of gates or other measures.

Staff Response and Recommended Finding: *The proposal does not include private streets.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.190.

- 17) TMC 17.12.200 – Underground Utilities: Electrical power, telephone, cable

television, fiber optics and other transmission lines shall be installed underground.

Staff Response and Recommended Finding: *In accordance with TMC 17.12.200 and Section 3.14 of the Tumwater Development Guide, all utilities associated with this project shall be underground. The applicant has provided a letter that shows that there are high voltage power lines located on the site that are not able to be located underground. These high voltage lines are located within an existing 50-foot easement and outside of street improvements. These lines should not be included in requirements for underground utilities.*

Staff finds that the high voltage lines are not subject to the underground utility requirement, and that the preliminary binding site plan is consistent with TMC 17.12.200.

18) TMC 17.12.210 –Park and open space area standards for divisions of land.

[...]

C. For subdivisions or binding site plans that will contain mixed use development, a minimum of fifteen percent of the gross site area shall be set aside for park and open space area.

[...]

E. For the purpose of calculation of the park and open space area, the park and open space area shall be separate and distinct from required yards, setbacks, and landscaped areas.

[...]

L. Maintenance of park and open space areas shall be provided for as described in TMC Chapter 17.22.

Staff Response and Recommended Finding: *The preliminary binding site plan encompasses 21.7 acres and requires 3.25 acres (141,982 sq.ft.) of open space. The proposal includes a total of 172,500 sq. ft., including active and passive open space, swimming pool, club house, etc.*

Staff finds that the preliminary binding site plan is consistent with TMC 17.12.210.

L. Land Division

1. Preliminary Land Division TMC 17.14 and RCW 58.17: TMC 17.14 and RCW 58.17 regulate the submission, review criteria, and consideration of proposed divisions of land.

Staff Response and Recommended Finding: *The project proponent completed the pre-submission process described in TMC 17.14.020.*

The application submission requirements listed in TMC 17.14.030 have been met.

TMC 17.14.040 and RCW 58.17.110 require the Hearing Examiner to inquire into the public use and interest proposed to be served by the establishment of the proposed land division and any public dedications associated with a project.

Criteria to be considered include if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, other grounds, transit stops, potable water supplies, sanitary wastes, parks and recreation playgrounds, schools and school grounds, fire protection and other public facilities, and shall consider all other relevant facts, including the physical characteristics of the site, and determine whether the public interest will be served by the land division and dedication. Further, consideration shall be given for sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.

Staff concludes that adequate provisions will be made for public health, safety, and general welfare as follows:

- 1. The proposal includes both passive and active open spaces including lawns, club house, pool, patios and tree tracts (Exhibit 2).*
- 2. A storm drainage system complying with the City of Tumwater's 2021 Drainage Design and Erosion Control Manual will be constructed for the site. A preliminary storm drainage report, including a geotechnical investigation was submitted to support the preliminary design and will be approved as a part of the Site Development/Grading Permit (Exhibit 11).*
- 3. Tyee Drive is required to be extended from Israel Road and Tumwater Boulevard. Construction will occur in phases. Traffic impact fees and mitigation fees for the identified level of service failure at the Tumwater Boulevard/I-5 interchange are due at building permit issuance (Exhibit 2).*
- 4. The City of Tumwater Water Resources and Sustainability Department has issued a water and sewer availability ruling indicating that the City has the ability to serve the preliminary binding site plan with water and sewer connections (Exhibit 12).*
- 5. Tyee Drive will include transit stops as requested by Intercity Transit. School bus stops are also addressed (Exhibit 2).*
- 6. The site is within the Tumwater School District and will pay school impact fees at building permit issuance.*
- 7. Current City of Tumwater Fire Department facilities are adequate to service the proposed project.*

2. Binding Site Plans - TMC 17.08 and Phased Development TMC 17.14.090

Staff Response and Recommended Finding: *A Preliminary Binding Site Plan and Conditional Use Permit application was submitted on December 16, 2022. The binding site plan was submitted to allow for phasing of the development and required improvements. The application was deemed complete on December 27, 2022.*

The binding site plan is an alternative method of land division that is more flexible than traditional land division procedures. The binding site plan allows provisions for shared access, parking, streets, and other required aspects of development such as park and open space.

Subject to TMC 17.14.090, residential binding site plans containing ten or more dwelling units and commercial or industrial binding site plans covering more than twenty acres are eligible to attain approval in phases. Phased approval of final plats and binding site plans is limited to developments with at least two but not more than four phases.

The applicant proposes to complete the proposed project in four phases.

Phase I includes a right-in/right-out access on Israel Road with 240 residential apartment units in a 5-story structure, 268 parking stalls, 30 short-term and 90 long-term bicycle stalls. This phase includes tree tracts, passive and active open space, construction of a portion of the Tyee Drive extension, and proposal to bond for sidewalk improvements on the frontage of Phase I for future Tyee Drive.

Phase II includes two 5-story structures with 333 apartment units, a club house with swimming pool, 397 parking stalls, 43 short-term and 125 long-term bicycle stalls. This phase includes tree tracts, passive and active open space, the construction of Tyee Drive from Israel Road to Tumwater Boulevard, frontage improvements to Tumwater Boulevard, and a roundabout at the intersection of Tyee Drive and Tumwater Boulevard.

Phase III includes two 5-story apartment buildings with 320 apartment units, a mixed use 4-story structure with 9,000 sq. ft. of commercial space and 42 apartment units, a 5-story, 324-unit self-storage facility, and 437 parking stalls. This phase includes tree tracts, passive and active open space.

Phase IV includes two 5-story structures with 218 apartment units, 339 parking stalls, 28 short-term and 82 long-term bicycle stalls. This phase includes tree tracts, passive and active open space.

The period of time between the date of the preliminary approval of the phased land division by the hearing examiner and the date of filing for final plat approval for the first phase shall be consistent with TMC 17.14.080.

Construction plans for each phase of a phased development shall include stormwater management facilities that comply with all state and local requirements in effect at the beginning of the time period allotted for that phase.

Applications for final plat or binding site plan approval for each successive phase must be submitted within three years of the submittal for final plat or binding site plan approval on the previous phase.

Under TMC 14.08.030 review authority for binding site plan - phased shall be considered by the Hearing Examiner.

As discussed above, Staff finds that, as conditioned:

- This proposal is in conformance with the Tumwater Comprehensive Plan.*
- This proposal complies with the binding site plan regulations.*

M. Tumwater Zoning Code – TMC Title 18:

1. GC General Commercial Zone District TMC 18.22 – Permitted Uses and Development Standards

Staff Response and Recommended Finding: *The project site is located in the General Commercial (GC) zone district (Exhibit 4).*

TMC 18.22.020 lists mixed use structures (S) as a permitted use in the General Commercial (GC) zone district.

TMC 18.22.040 lists high-rise residential (B) and mini-storage facilities (E) as conditional uses in the General Commercial (GC) zone district.

The maximum impervious surface in the General Commercial (GC) zone district according to TMC 18.22.050(B) is 85% of the lot area.

The maximum building height in the General Commercial (GC) zone district according to TMC 18.22.050(C) is 65 feet.

The minimum required setbacks for the General Commercial (GC) zone district for the perimeter of the property and the proposed lots according to TMC 18.22.050(D) are provided below.

The minimum required setbacks for the General Commercial (GC) zone district around the perimeter of the property are as follows:

- a. Zero feet along all public street frontages except where any structures or portions of structures are adjacent to any residential zoning district, the minimum structural setback shall be 20'. Where structures are constructed over one story, the setback of the structure from the adjacent property line or lines shall be increased by ten feet for every story above the ground level story of the proposed new building and shall be screened from view in accordance with TMC Chapter 18.47.*

- b. *Zero feet along the other boundaries.*

The project proponent filed a conditional use permit application (TUM-22-1742) in order to construct high-rise apartments, and a mini-storage facility.

With the approval of the conditional use permit, Staff finds that the preliminary binding site plan is consistent with the permitted uses in the General Commercial (GC) Zone.

2. General Commercial Overlay District TMC 18.35

Staff Response and Recommended Finding: *The project site is located in the General Commercial overlay zone district (GCO). This overlay states that permitted, accessory and conditional uses are those set forth in the underlying zone, which is addressed above. The Development standards in TMC 18.35.060 limits commercial buildings to not exceed one hundred twenty-five thousand square feet on the ground floor.*

TMC 18.22.040 lists high-rise residential (B) and mini-storage facilities (E) as conditional uses in the General Commercial (GC) zone district.

Staff finds that the project is consistent with the GCO zone.

3. Mixed Use Zone District TMC 18.20

Staff Response and Recommended Finding: *A portion of the project site is located in the Mixed Use zone district (MU). The portion of the site will be used as a tree track passive open space area for the development.*

Staff finds that the project is consistent with the MU zone district.

4. Aquifer Protection Overlay (AQP) zone district - TMC 18.39 – Restricted Land Uses

Staff Response and Recommended Finding: *The intent of the aquifer protection (AQP) overlay zone district is to identify, classify, and protect vulnerable and/or critical aquifer recharge areas within the city and urban growth area. Protection is to be accomplished by controlling the use and handling of hazardous substances.*

The uses proposed with the preliminary binding site plan are not restricted land uses in the aquifer protection (AQP) overlay zone district.

5. Conditional Use – TMC 18.56:

Staff Response and Recommended Finding: *Conditional Uses listed in TMC 18.56 may be permitted upon granting of a Conditional Use Permit by the Hearing Examiner after notice and public hearing per TMC 18.56.030 and a finding that the proposed use is consistent with the*

intent of the comprehensive plan and zoning requirements, per TMC 18.56.035.

Conditional Use Permit Review - TMC 18.56.035

- A. The hearing examiner shall be guided by the following criteria in granting a conditional use permit:
1. The proposed use shall be in keeping with the goals and policies of the Tumwater comprehensive plan, including subarea plans, and applicable ordinances.
 2. The proposed use shall not be materially detrimental to the public health or welfare, the environment, or injurious to the property or improvements near the proposed use or in the zone district in which the subject property is situated. The following shall be considered in making a decision on a conditional use permit:
 - a. The generation of noise, noxious or offensive odors or emissions, light, glare, traffic, surface water or groundwater pollution, electronic interference, impacts to environmentally sensitive areas or protected species, impacts to historic or cultural resources, or other impacts or nuisances that may be injurious to the public health or welfare or to property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated.
 - b. Availability of public services, which may be necessary or desirable for the support of the proposed use. These may include, but shall not be limited to, availability of utilities, transportation systems, education, police and fire facilities, and social and health services; and
 - c. The adequacy of landscaping and screening consistent with TMC Chapter 18.47, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the proposed use upon neighboring properties;
 3. The proposed use shall meet or exceed the performance standards that are required in the zone district it will occupy; and
 4. Any additional minimum conditions identified for a particular type of proposed use in TMC 18.56.100 through TMC 18.56.350.

Staff Response to Conditional Use Criteria:

1. *The goals stated in the Comprehensive Plan encourage multi-family development to support varied housing types, lifestyles, and household incomes. The GC zone allows multi-family residential uses as part of mixed-use structures or high-rise apartments. The comprehensive plan encourages commercial development in this location.*

The overall binding site plan proposes high-rise apartments and mixed-use structures (commercial and residential), as well as mini-storage facilities. The proposal includes

community open space as well as providing a 10-foot pedestrian path as identified in the Littlerock Neighborhood Appendix of the Land Use Element.

Staff finds that the project is consistent with the Comprehensive Land Use Plan

- 2. The apartments, mixed-use commercial, and mini-storage facilities do not create excessive noise, noxious or offensive odors and emissions. Lighting is to be shielded and downward directed, pursuant to TMC 18.40.035. Critical areas report showed no critical areas, and no protected species. A cultural report has accepted the cultural survey for the site. The site is served by City of Tumwater water service and sewer service, as well as City of Tumwater police and fire. The proposal includes perimeter and internal landscaping, as well as tree tracts to protect existing trees.*

The proposal is not detrimental to public health or welfare.

- 3. The project, as conditioned, is consistent with all applicable performance standards outlined in the General Commercial zone district, General Commercial overlay district, and Aquifer Protection Overlay zone district.*
- 4. High-rise apartments are listed as a conditional use in the General Commercial Zone, TMC 18.22.040, as well as in the Summary Table of Uses, TMC 18.07, however TMC 18.56.100 – 18.56.350 does not list any specific criteria for approval of high-rise apartments.*

Under TMC 18.56.220 the following specific conditions shall be met to approve the requested Conditional Use Permit:

“Ministorage facilities” Minimum Conditions.

- 1. No off-street parking or loading areas will be allowed in any required yard area.*
- 2. Screening located along all property lines shall be provided to lessen visual impacts to neighboring properties and street rights-of-way.*
- 3. The minimum site area shall be adequate to provide for the required parking and yards.*

Staff response to these specific criteria are as follows:

- 1. There are no off-street parking or loading areas proposed in any required yard areas.*
- 2. Screening will be provided on all property lines to lessen visual impacts to neighboring properties.*
- 3. The binding site plan provides for required parking and minimum yard areas.*

Staff Analysis and Recommended Finding: *The proposal, as conditioned below, meets the*

criteria and minimum requirements of TMC Chapter 18.56.

6. **Site Plan Review:**

Staff Analysis and Recommended Finding: *Site Plan Review approval assures that the proposal meets all requirements of the Tumwater municipal code pertaining to zoning, design, building, fire and engineering.*

The applicant attended preliminary and formal site plan review and has provided a binding site plan that includes the minimum requirements for site plan review approval. Specific design review standards not shown on the binding site plan must be provided.

III. **RECOMMENDATION**

Pursuant to TMC 2.58.110, staff recommends approval of the Preliminary Binding Site Plan and Conditional Use Permit requests described herein with the following conditions:

1. Minimum density of 14 dwelling units per acre is required.
2. Maximum impervious lot coverage is 85 percent.
3. Maximum building height is 65 feet.
4. Open space shall be provided at a minimum of 15 percent of the site. Park and open space areas shall be separate and distinct from required yards, setbacks, and landscaped areas. At least 50% of open space must be active recreation.
5. Site development and structures shall be designed to meet the Citywide Design Guidelines Chapter 2 - design standards for Multifamily.
6. Consolidated postal drop-off facilities shall be provided for the site. The location must be coordinated and approved by the U.S. Postal Service with location shown on the civil engineering plans.
7. Parking shall be provided at 1 stall for each studio, 1 and 2 bedroom, and 1.5 stalls for each 3-bedroom dwelling unit, in addition, 1 guest stall is required for each 10 units.
8. Parking to meet the minimum design criteria found in TMC Chapter 18.50, and the Citywide Design Guidelines. Any proposed modification of the parking standards shall be considered under TMC 18.50.075.
9. Bicycle parking shall be provided at a rate of 1 bike stall per 4 dwelling units. Bicycle facilities shall meet the requirements of TMC 18.50.120 for both short term and long term. Any proposed modifications to the parking requirements shall be considered under TMC 18.50.120(E).

10. A photometric plan meeting the requirements of section TMC 18.40.035 and section 2.F.1 of the City's Design Guidelines is required as part of building permit submittal.
11. A landscape and irrigation plan meeting the requirements of TMC 18.47 shall be submitted as part of site development grading submittal.
12. The project proponent shall follow the procedures in the City of Tumwater Standard Inadvertent Archaeological and Historic Resources Discovery Plan. If any archaeological or cultural resources are uncovered during construction, the project proponent shall stop work in the area of discovery and follow the procedures in TMC 18.40.065 Inadvertent Discovery of Archaeological and Cultural Resources.
13. Conditions listed in the Mitigated Determination of Non-Significance dated October 19, 2023, are hereby referenced and incorporated.
14. A site development/grading permit is required for this site. Special inspectors approved by the building official shall perform inspections of fill placement, compaction testing, and blasting. All special inspections are to be performed by WABO registered labs and inspectors who have expertise in grading and earthwork.
15. Special inspectors may be required for the following types of work: concrete, bolts installed in concrete, special moment-resisting concrete, reinforcing steel and pre-stressing steel tendons, structural welding, high strength bolting, structural masonry, reinforced gypsum concrete, insulating concrete fill, spray-applied fireproofing, piling, drilled piers and caissons, shot-crete, special (engineered) grading, excavation and filling, soils compaction testing, retaining walls and smoke-control systems. All special inspections are to be performed by WABO registered inspectors and at the expense of the owner. IBC Section 1704.1
16. The proposed building occupancy is R-2 of type V-A (1 Hour) construction. Or IIIB for 6 stories IBC Section 3. 5-story wood construction will require exit stairs to be pressurized per the WAC.
17. A minimum of (12) barrier-free parking stalls and (4) van accessible barrier-free parking stalls and one garage parking space shall be provided for this site. IBC Section 1106.
18. The building and site are required to be accessible. An accessible route of travel shall be provided to all portions of the building, to accessible building entrances, and connecting the building and the public way. The accessible route of travel shall be shown on the engineering plans WAC 51-30
19. Where parking provides more than 20 required parking spaces for R-2, B occupancies, five percent of parking spaces shall be provided with electric vehicle

charging infrastructure in compliance with Sections 429.3, 429.4 and 429.5.

20. Exterior walls are required to be of 1-hour fire-rated construction when less than 10 feet to the property line. Protected openings are required when less than 5 feet to the property line. No openings are permitted less than 3 feet to the property line. IBC Section 704.8.
21. Back flow prevention is required on all fire services and irrigation services and in accordance with the AWWA Cross Connection Control Manual. A reduced pressure backflow assembly is required on all commercial domestic services per WAC 246-290-490. Please contact maintenance at 754-4150 for more information.
22. If water pressure at the meter exceeds 80 psi, a pressure-reducing valve will be required to be installed on the private side of the water line.
23. The proposed buildings require automatic fire alarm systems, including pull stations throughout.
24. The proposed buildings require NFPA 13 fire sprinkler systems throughout. IBC 903.2.8. Sprinklers/alarms required over 2,500 square feet.
25. The applicant shall show the location of the Fire Department connection, post indicator valve, remote annunciator panel and key box on the engineering plans. Ductile iron pipe is required from the fire apparatus into the structures.
26. The required fire flow for this project is derived from Appendix B of the International Fire Code. Type 5A buildings of this size are required to have a fire flow of 8,000 gallons per minute at 20 psi. However, based on the approval of the Fire Chief, a 50% reduction for fully sprinkled buildings allowed in Section 105.2 will be allowed for this site. Therefore, the required fire flow will be 4,000 gallons per minute at 20 psi for 4 hours. IFC 903
27. At least 5 percent, but not less than one of the units shall be a Type A unit. All Group R-2 units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units. Where the sleeping units are grouped into suites, only one sleeping unit in each suite shall count towards the number of required Type A units.
28. Fire lane signs and yellow striping shall be provided on-site to identify Fire Department access roads and prohibit the obstruction thereof. IFC 503.3
29. Fire hydrants and paved access roads shall be installed, tested for fire flow by the Fire Department and made serviceable by the Public Works Department prior to any vertical or combustible construction. No exceptions. IFC 503
30. Each building will have a physical street address off Tyee Rd. SW. Buildings will not

have letter or single number identifiers. Each apartment will be identified as Unit #.

31. Building plans and specifications shall be prepared and stamped by an architect and engineer licensed to practice in the State of Washington.
32. Fire stopping required to be inspected by WABO third party inspector.
33. Aerial fire apparatus access road is required for this project per IFC D105. The building shall not be more than 30' away or 10' closer to the fire access road.
34. Prior to the preconstruction meeting, the contractor shall provide a plan for review on how the project will be meeting fire lane requirements for going vertical construction.
35. Multi-family projects over 200 dwelling units are required to have two fire access roads which shall be not more than one half the length of maximum diagonal dimension of the property served.
36. Show on plans all septic and water wells for neighboring properties.
37. All building permit applications shall include architectural, structural, plumbing, mechanical and energy plans and specifications. No exceptions, and no deferrals. Fire sprinkler and fire alarm permits and plans may be submitted separately from the main permit application but must be submitted before the main building permit will be issued.
38. Digital set of plans and specifications shall be submitted along with application and plan review fees.
39. Signs require separate permit.
40. Swimming pools require separate permits.
41. Retaining walls require separate permits and WABO special inspection.
42. This project is required to provide for the storage of recycled materials and solid waste. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers. The location of this facility shall be shown on the site plan.
43. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eaves lines unless the area is protected by an approved automatic sprinkler system. IFC Section 304.3.3
44. The applicant shall be responsible for providing the City with all costs associated

with the installation of water, sewer, street, and storm systems that are dedicated to the City of Tumwater.

45. All designs/construction shall comply with the City of Tumwater's Development Guide and WSDOT standards.
46. The site plan shall show all existing and proposed utilities and easements including streetlights, street trees, water, sewer, storm, gas, cable, power, telephone, signage, and striping. Show all properties involved in the project and identify them with the parcel numbers and owners. Show all existing rights-of-way. Show phasing plan.
47. All main installation, road design and storm drainage work requires engineered plans certified by a professional engineer.
48. The applicant is responsible for all plan check, inspection, and connection fees.
49. Any private or public utility relocation is the responsibility of the applicant.
50. The applicant shall be responsible for the maintenance and timely repair of all public improvements for a period of 30 months following final certification by the City and shall submit a surety for maintenance equal in value to fifteen (15) percent of the total value of the required public improvements certified by the Public Works Director. Please refer to Chapter 3 of the Development Guide for further clarification.
51. Provide all easements and bills-of-sale documents with the engineered plans.
52. All legal descriptions must be accompanied with an appropriate drawing that the City Surveyor can use to verify the legal description. All engineering drawings will be on 24" x 36" paper sheets.
53. The owner or owner's representative is also responsible for furnishing the city with electronic files compatible with release 2014 or newer Auto-CAD format. Drawings shall be in TCHPN (Thurston County High Precision Network) horizontal datum. Provide individual drawings independent of x-refs. Include all non-standard font files and plot files. Also, please furnish a flash drive with PDF files printed from the Auto-CAD files. A storm water maintenance agreement, utility maintenance agreement, easements and bills-of-sale will also be required.
54. Site plan modifications may occur as a result of the engineering review process. For engineering issues, the approved engineering plans take precedence over the approved site plan.
55. Please note on the plans that the PLS responsible for the surveying of the project must obtain a permit from DNR before any monuments are disturbed.
56. The vertical datum required to be used is NGVD29. No exceptions.

57. Frontage improvements are required per Tumwater Municipal Code 12.12.010. These improvements include separated sidewalks, curb and gutter, street patch, street lighting, bike lanes, street trees/landscaping, and any storm drainage necessary to take care of the impervious area in the right-of-way. The applicant is responsible to the centerline of the right-of-way. Dedication of additional right-of-way to contain the improvements is required.

Overhead Utilities / Power

- Identify and address all overhead utility lines and poles including power on all frontages. City code and the development guide require undergrounding and/or relocation. If a deviation from that is desired, please contact City engineering for those steps. It is understood the lines running north south through the site, that cross the new Tyee Drive extension, are located within an easement.

Israel Road

- Irrigation, landscaping and street trees are required on the frontage.

Tyee Drive

- Corridor shall be five lanes per the Transportation Master Plan, however the City will consider three lanes pending adequacy demonstrated by a traffic engineer. A three-lane option will require roundabout nodes and a landscaped center median at least 12' in width.
- Design to the requirements outlined in the Chapter 4 Amendment to the Development Guide. This includes 7' bike lanes.
- Storm drainage for the roads will need to be addressed outside of the right-of-way.
- Provide a design that reduces the number of access points on Tyee Drive or eliminates most of the left turn lane storage by utilizing the roundabouts. There shall be no more than two access points on each side of Tyee Drive through the project limits, one each full access and right-in right-out. Access rights will be right-in right-out only and the City reserves the right to eliminate all lefts once Tyee Drive connects all the way from the Israel Rd roundabout to the Tumwater Blvd roundabout.
- Historical streetlights are required.

Tumwater Boulevard

- Improvements will be required from Littlerock Road to the east property line (approx. 110' from center of Interstate 5 SB on/off ramps) of the property being developed.
- Tumwater Boulevard will be a five-lane road section, landscaped center median similar to east of Interstate 5. A minimum of this projects "half" plus two lanes of five-lane corridor (four lanes plus landscaped median matching Tumwater Blvd section just west of New Market St roundabout) shall be constructed with this project.
- A roundabout is to be constructed where Tyee Drive intersects Tumwater

Boulevard.

- The access on Tumwater Blvd shall be right-in right-out with a median on Tumwater Blvd preventing lefts. The access on Tumwater Boulevard might be too close to the RAB. Please show the dimension on the plan.
- The TIA for this project might require additional improvements.
- Historical streetlights are required.
- Show the street section on the site plan.

Trail System

- A trail extending from Israel Rd to Tumwater Blvd is required. The city will consider using the sidewalk on the west side of Tyee Drive as meeting the trail system requirement provided the sidewalk is designed as an ADA compliant shared use path. The path shall consist of a 10' wide concrete sidewalk, 2' wide crushed rock "running" shoulders, trail signage/markings and approach warnings, a 12' wide min. landscaped buffer from the street, a narrow landscape buffer from site improvements, and pedestrian level lighting.
58. Full lane overlays will be required after patching. Additional improvements might be required on the opposing frontage, such as widening, realigning the crown to centerline of right-of-way or feathering to meet City of Tumwater standards.
 59. All accesses will meet city standards. Sight distance is a concern on several access points shown on the plans. Provide sight distance triangles at all access points on site development grading plans.
 60. Coordinate all construction phasing and access plans as required.
 61. There are two street special assessment fees for those parcels fronting Tyee Drive. The assessments are \$30,992.00 and \$16,824.23 and are required to be paid at the issuance of any site development permit.
 62. A drainage design and erosion control plan will be required according to City's 2022 Drainage Design and Erosion Control Manual.
 63. Maintenance of the on-site storm water system will be the responsibility of the property owner and a maintenance agreement will be recorded against the property.
 64. This project will be paying a monthly storm water utility fee based on the amount of impervious surface per Tumwater Municipal Code 13.12.060.
 65. If the depth from the bottom of the proposed storm facility to the high groundwater elevation or other restrictive layer is less than 6-feet, a mounding analysis will be required. In no case can the separation be less than 3-feet. The applicant will be responsible for the cost of a third-party review of the onsite and off-site storm water impacts and mitigations.

66. No storm drainage treatment or storage will be allowed in the right-of-way.
67. Show all existing wells impacted by the proposal including groundwater monitoring wells and domestic water wells. Coordinate to provide any protection during construction and relocation or decommissioning to DOE standards as required.
68. Extension of the sewer main across all frontages is required. This includes Tumwater Boulevard.
69. There are two sewer special assessment fees for those parcels fronting Tyee Drive. The assessments are \$13,960.63 and \$13,369.63 and are required to be paid at issuance of the final binding site plan or any certificate of occupancy, whichever comes first.
70. Any water main extension will require a minimum of an 8" system. The main size will depend on the fire flow requirements for this project. The system shall be designed for a maximum velocity of 8 feet per second.
71. Water meters need to be placed in the public right-of-way or clustered on site within an easement. The professional engineer will need to provide calculations on the maximum instantaneous water demand and size of the meter for the project.
72. Extension of the 24" water main within the Tyee Drive alignment is required.
73. There is a water special assessment fee for those parcels fronting Tyee Drive. The assessment is \$3,010.00 and is required to be paid at issuance of the final binding site plan or any certificate of occupancy, whichever comes first.

**Submitted on Behalf
Of the City of Tumwater
Community
Development
Department by/
Staff Contact:**

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Report Issue Date: December 22, 2023

List of Exhibits:

- Exhibit 1. Staff Report 12-22-2023
- Exhibit 2. Binding Site Plan and Application Materials
- Exhibit 3. Vicinity Map
- Exhibit 4. Zoning Map
- Exhibit 5. Public Notice Certification 12-22-2023
- Exhibit 6. Mitigated Determination of Nonsignificance 10-19-2023
- Exhibit 7. Public Hearing Notice 12-22-2023
- Exhibit 8. Notice of Application Public Comments
- Exhibit 9. SEPA Public Comments
- Exhibit 10. Concurrency Determination 10-05-2023
- Exhibit 11. Draft Drainage Report 12-05-2022
- Exhibit 12. Water Sewer Availability 12-30-2022
- Exhibit 13. Traffic Impact Analysis 02-22-2023
- Exhibit 14. Power Undergrounding Letter 12-05-2022