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6 **BEFORE THE HEARING EXAMINER**
7 **IN AND FOR THE CITY OF TUMWATER**

8 In the Matter of the Appeal of:

9 **Copper Ridge, LLC**

10 Of an Administrative Decision
11

NO. TUM-22-1101

DECLARATION OF JARED CREWS

12 I, Jared Crews, hereby state and declare as follows:

13 1. I am over the age of eighteen, am competent to testify herein and make this declaration
14 based on personal knowledge. I am employed by the City of Tumwater as an Engineer II with the City
15 of Tumwater Transportation & Engineering Department. My job responsibilities include private
16 development review and permitting assistance. I review development and construction plans for
17 compliance with City requirements, including the Tumwater Development Guide.
18

19 2. The Three Lakes Crossing project requires the construction of additional pavement, curb,
20 gutter, planter strip, sidewalk, streetlights, landscaping, and a new intersection along the Henderson
21 Blvd frontage. Currently there are private utility poles supporting overhead utilities owned by multiple
22 entities along Henderson Blvd. These lines are fairly and accurately depicted in **Exhibit C-1. Exhibit**
23 **C-1** also includes my comments in red which identify the locations of the Three Lakes Crossing
24 property and relevant utility features.
25
26

1 3. Currently the project is proposing to relocate the utility pole and overhead utilities as they
2 will conflict with the required improvements along Henderson Blvd. **Exhibit C-2** is an enlargement of
3 plans taken from Sheet 3 of 33 in the first civil plan set submitted by the applicant on July 29, 2022.
4 **Exhibit C-2** depicts the location of existing utilities and my comments in red identify which of the
5 existing utilities will conflict with the required improvements along Henderson Blvd..

6
7 4. The applicant is proposing to relocate the utility poles and utility lines from their existing
8 locations to new locations. The existing utility pole is located in the middle of future 68th Avenue where
9 it will meet Henderson Blvd. The applicant is proposing to move this pole to a new location just behind
10 the required sidewalk. The proposed relocation will move the overhead utilities into conflict with the
11 required streetlights along Henderson Blvd. as shown in **Exhibit C-3**. **Exhibit C-3** is taken from Sheet
12 11 of 49 in the Civil plans submitted by the applicant on October 31, 2022, with my comments showing
13 where the conflict will occur in the red.

14
15 5. In coordination with Puget Sound Energy (PSE), it was confirmed that additional new
16 infrastructure would need to be installed to accommodate the relocation. A new additional utility pole
17 would need to be installed on the south side of the proposed 68th Ave intersection to provide service to
18 an existing single family home on the east side of Henderson Blvd, 6276 Henderson Blvd SE.

19 6. The existing utility pole would also need to be replaced with a new taller utility pole
20 because the overhead utilities would not meet separation criteria from the required streetlights. PSE has
21 a requirement that overhead utility lines be separated from streetlights by a minimum of 10 feet. The
22 existing pole is inadequate to achieve this separation and could not be used because of conflicts with the
23 new development's streetlights. This is depicted in **Exhibit C-3** and **Exhibit C-5**. The blue line in
24 **Exhibit C-3** depicts the approximate location of the applicant's proposed overhead transmission lines.
25 However, the lines cannot be installed as proposed by the applicant because, according to PSE, an
26

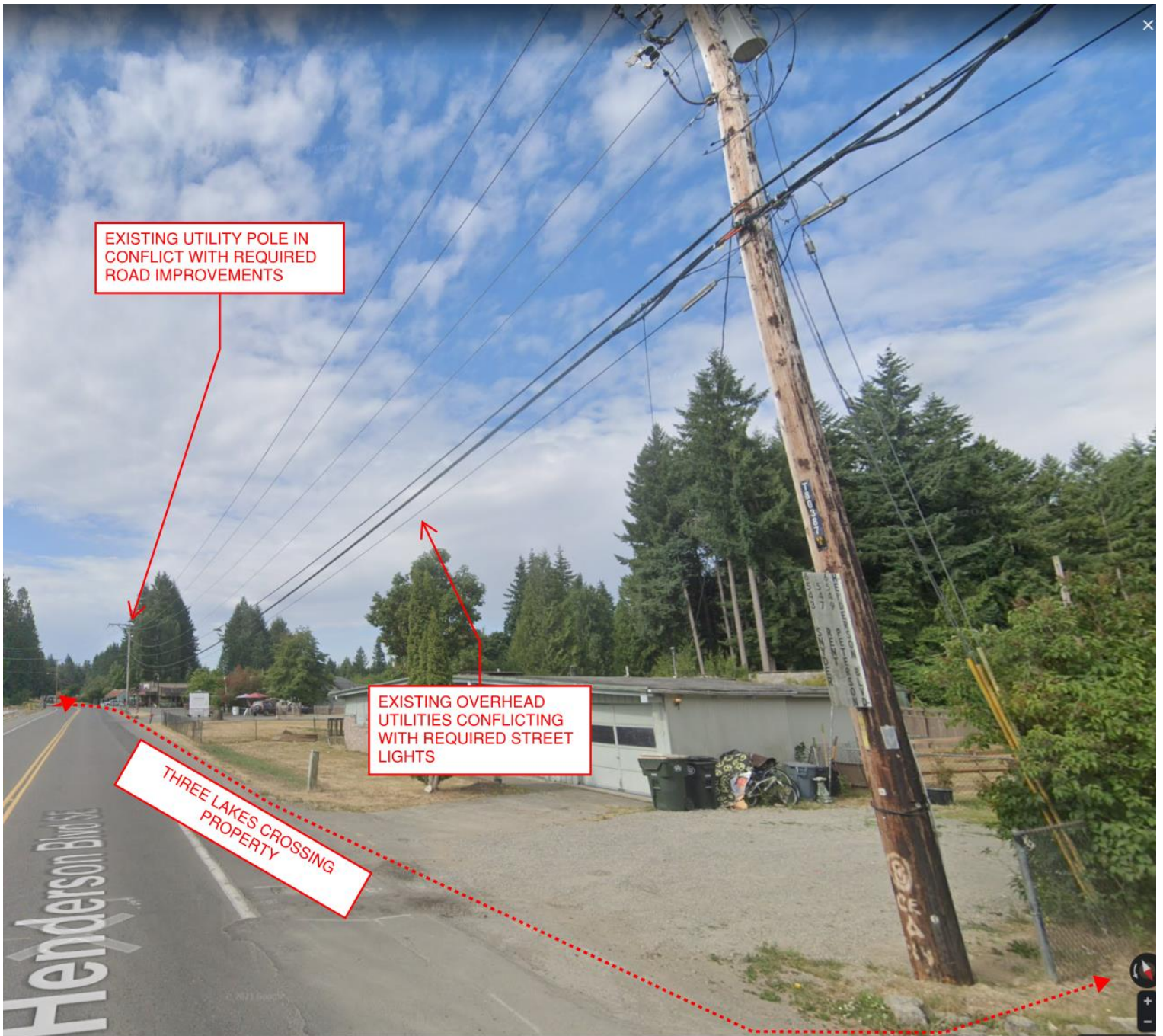
1 additional pole would be needed for the existing residence at 6726 Henderson St. This would require
2 installation of a new pole, which would also have to be higher than the existing pole due to conflict with
3 the separation requirement for streetlights required for the new development, which must be 35 feet tall.
4 This is depicted in **Exhibit C-4** and again in **Exhibit C-5**. Under the Tumwater Development Guide and
5 TMC 17.12.200, the newly moved transmission lines must be underground. **Exhibit C-5** is a
6 photograph demonstrating the separation requirement, with a proposed streetlight superimposed below
7 overhead utility lines.
8

9 7. The existing utility lines cannot remain in place due to the applicant's proposed
10 development. They must be moved to accommodate the newly constructed street (68th Avenue SE) and
11 improvements (streetlights and frontage improvements) required as a direct result of the new
12 development. As explained in the administrative decision issued on September 21, 2022 (attached as
13 **Exhibit C-6**), Chapter 3, Section 3.14 of the Tumwater Development Guide requires compliance with
14 TMC 17.12.200 for both new and existing facilities. TMC 17.12.200 requires utilities to be installed
15 underground. It is not limited to new utilities.
16

17 **I make this declaration under penalty of perjury under the laws of the State of**
18 **Washington.**

19 DATED this 2nd day of December 2022 at Tumwater, Washington.
20

21
22 
23 Jared Crews
24
25
26

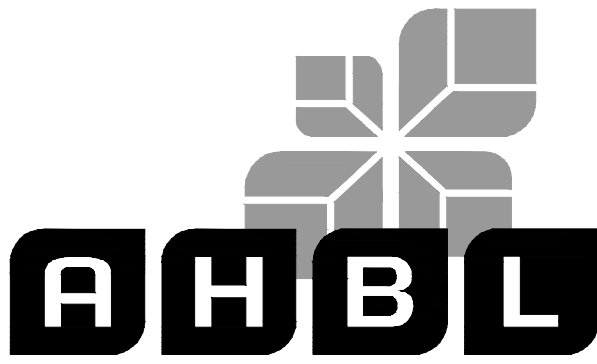


EXISTING UTILITY POLE IN
CONFLICT WITH REQUIRED
ROAD IMPROVEMENTS

EXISTING OVERHEAD
UTILITIES CONFLICTING
WITH REQUIRED STREET
LIGHTS

THREE LAKES CROSSING
PROPERTY

EXHIBIT 1



TACOMA • SEATTLE • SPOKANE • TRI-CITIES

2215 North 30th Street, Suite 300, Tacoma, WA 98403
253.383.2422 TEL 253.383.2572 FAX www.ahbl.com WEB

Project Title:

THREE LAKES CROSSING

Client:

COPPER RIDGE, LLC

P.O. BOX 73790
PUYALLUP, WA 98373

CONTACT:
EVAN MANN (253) 820-7835

Project No.

2210648.10

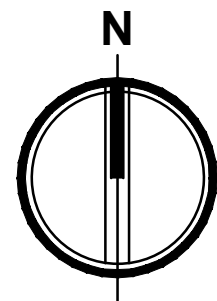
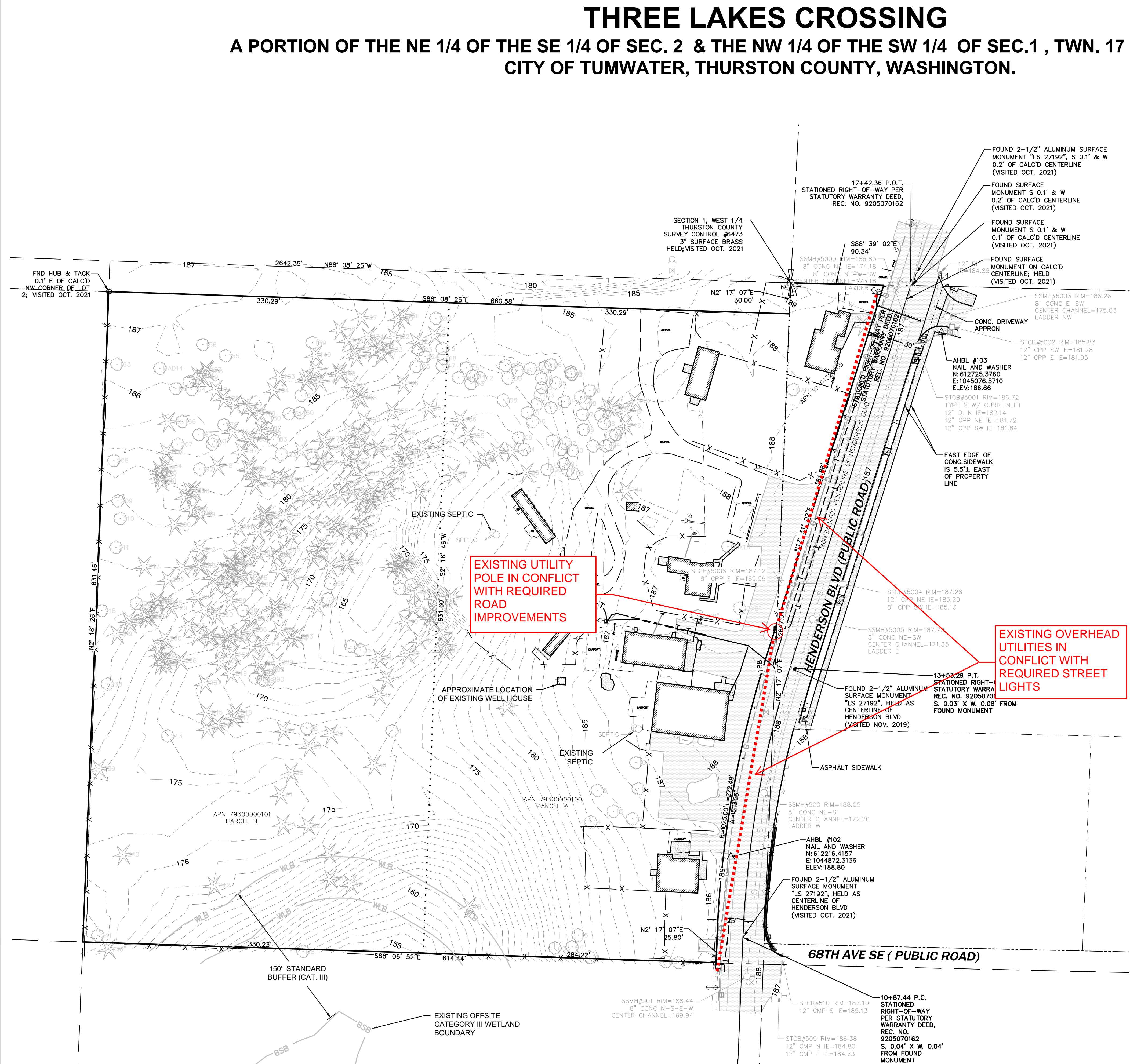
Issue Set & Date:

SITE DEVELOPMENT

7/29/2022



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GRAPHIC SCALE
0 25 50 100
1" = 50 FEET

EXISTING SEPTIC AND WELLS NOTE

1. THE EXISTING SEPTIC SYSTEM IS TO BE DECOMMISSIONED PER THURSTON COUNTY DEPARTMENT OF HEALTH REQUIREMENTS.
2. IF THERE ARE ANY ACTIVE WELLS ONSITE THEY SHALL BE DECOMMISSIONED PER THURSTON COUNTY DEPARTMENT OF HEALTH STANDARDS.

LEGAL DESCRIPTION

PARCEL A:
LOTS 1 AND 2 OF THOMPSON ADDITION TO BRIGHTON PARK, AS RECORDED IN VOLUME 7 OF PLATS, PAGE 29 1/2; EXCEPTING THEREFROM THE EAST 10 FEET; TOGETHER WITH THAT PORTION OF ROAD ADJOINING SAID LOT 1 ON THE EAST AS VACATED BY ORDER RECORDED UNDER FILE NO. 8110140026. AND EXCEPT THAT PORTION CONVEYED TO THURSTON COUNTY BY DEED RECORDED APRIL 23, 1993 UNDER AUDITOR'S FILE NO. 9304230302.

PARCEL B:
THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M.; LYING WESTERLY OF COUNTY ROAD KNOWN AS HENDERSON BOULEVARD. EXCEPT THAT PORTION CONVEYED TO THURSTON COUNTY BY DEED RECORDED APRIL 23, 1993 UNDER AUDITOR'S FILE NO. 9304230301. IN THURSTON COUNTY, WASHINGTON.

LEGEND

- FOUND MONUMENT AS NOTED
- SET NAIL AND WASHER
- FOUND PROPERTY CORNER
- BOLLARD
- MAIL BOX
- SIGN AS NOTED
- CLEANOUT
- SANITARY SEWER MANHOLE
- STORM CATCH BASIN
- STORM MANHOLE
- CABLE RISER
- GAS VALVE
- GUY ANCHOR
- UTILITY POWER POLE
- JUNCTION BOX
- LUMINAIRE
- FIRE HYDRANT
- WATER VALVE
- BUILDING DECK
- CONIFEROUS TREE AS NOTED
- DECIDUOUS TREE AS NOTED

- D STORM LINE
- S SEWER LINE
- W WATER LINE
- G GAS LINE
- P ELECTRICAL LINE
- T COMMUNICATION LINE
- FENCE
- ASPHALT
- CONCRETE

APPROVED FOR CONSTRUCTION

BY: _____ DATE: _____
DIRECTOR OF PUBLIC WORKS

APPROVAL EXPIRES: _____

EXISTING CONDITIONS PLAN

Designed by: ML Drawn by: TS Checked by: MW/SK

Sheet No.

C0.2

2 of 32 Sheets



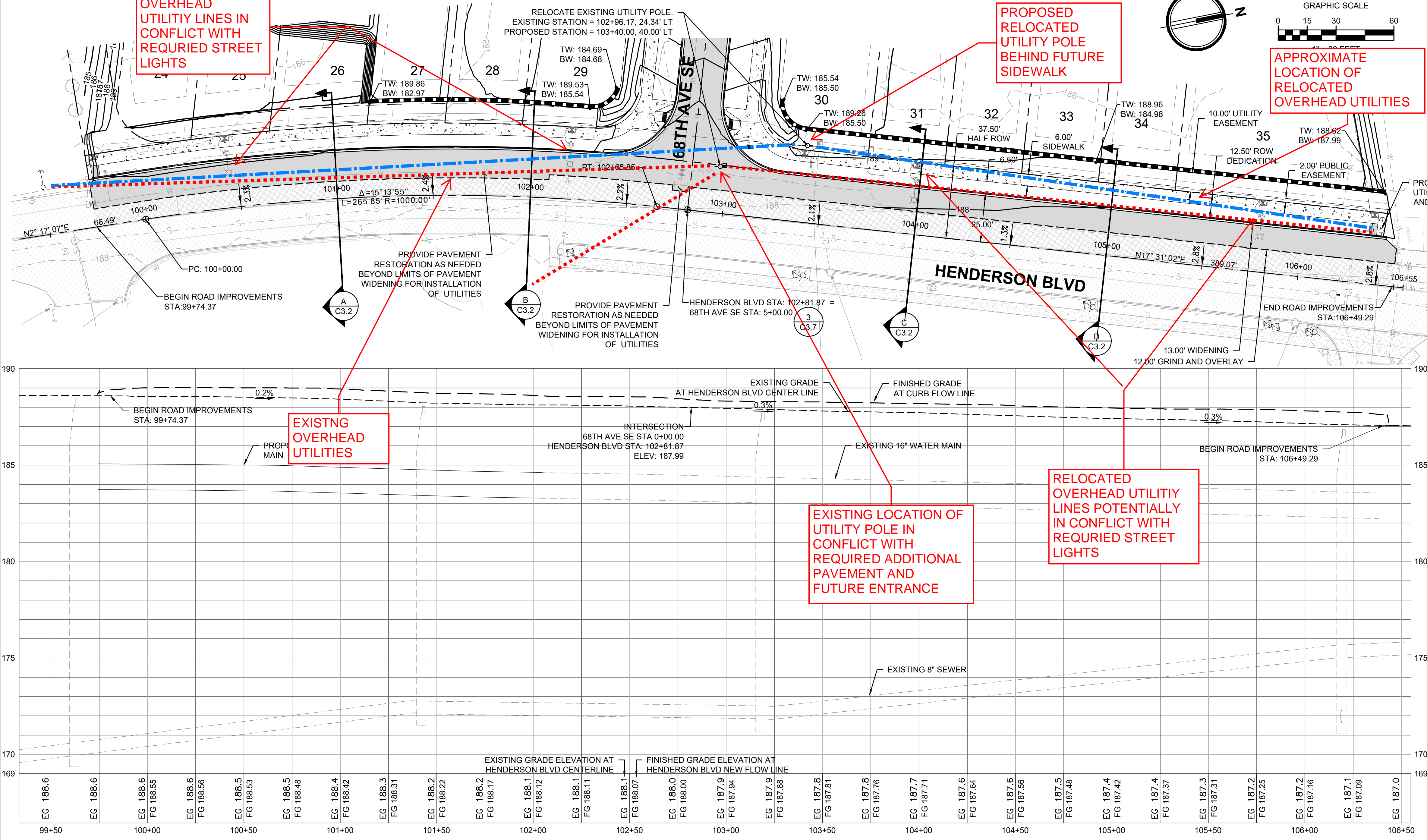
Know what's below.
Call before you dig.



Know what's below.
Call before you dig.

THREE LAKES CROSSING

A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SEC. 2 & THE NW 1/4 OF THE SW 1/4 OF SEC.1 , TWN. 17 N., RGE. 1 W. W.M.
CITY OF TUMWATER, THURSTON COUNTY, WASHINGTON.

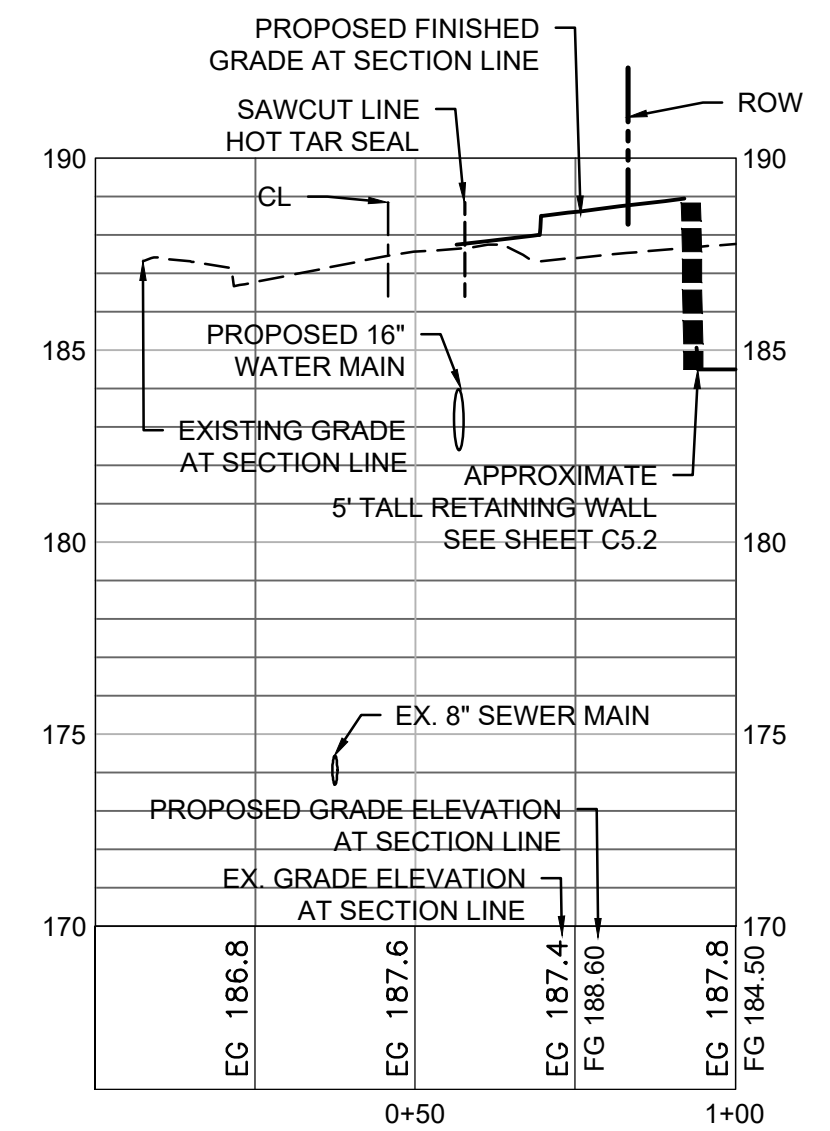


HENDERSON BLVD
SCALE: H:1"=30', V:1"=3'

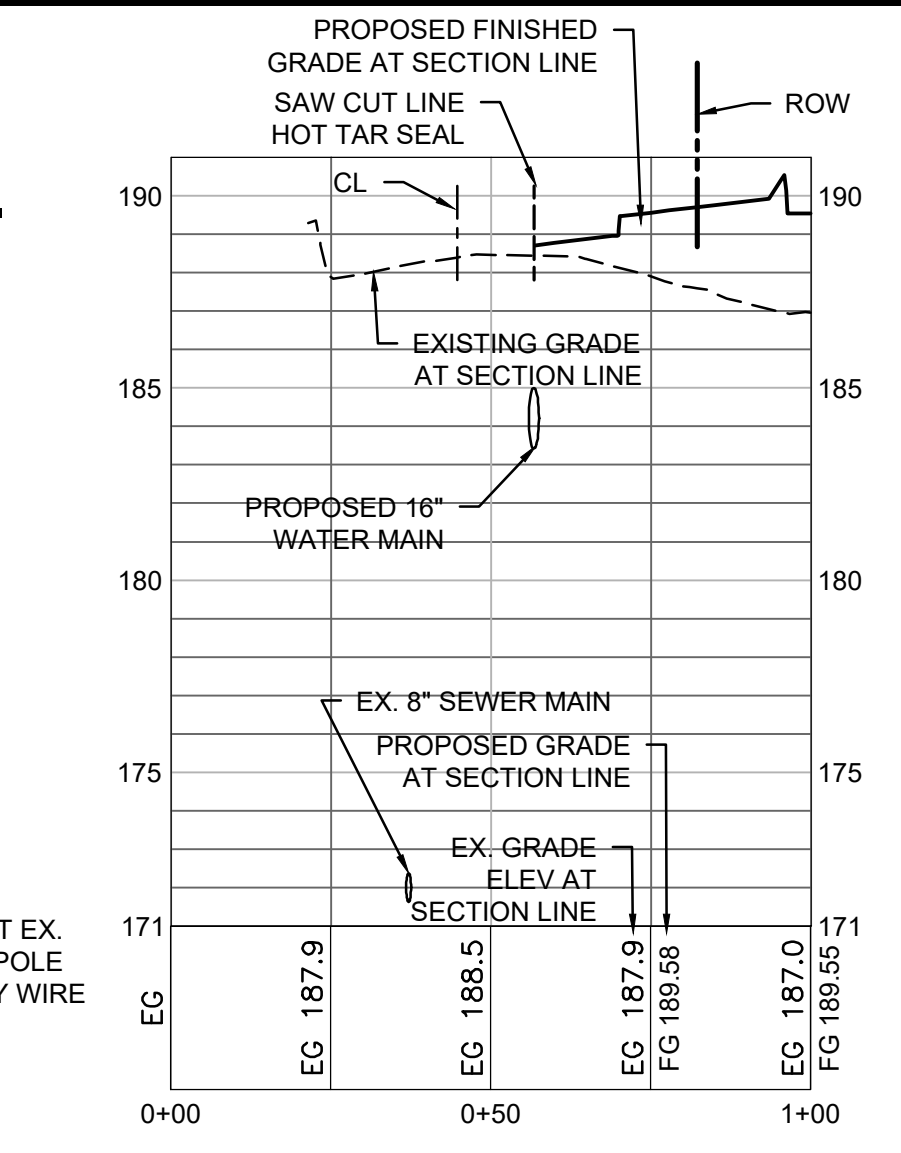
VERTICAL DATUM
NAVD 1988 VERTICAL DATUM BASED ON THURSTON COUNTY
SURVEY CONTROL POINTS #991 AND #6473.
DATUM CONVERSION: NGVD29 + 3.4' = NAD88

PAVEMENT NOTE
1. CONTRACTOR SHALL POUR THE FINAL HMA LIFT FOR THE WIDENING SECTION AND THE GRIND / OVERLAY AT THE SAME TIME. THERE SHALL BE NO JOINTS / SEAMS IN THE FINAL PAVED SURFACE.
2. CURB AND GUTTER SLOPED AT 0.50% OR LESS IS TO BE PLACED BY MACHINE

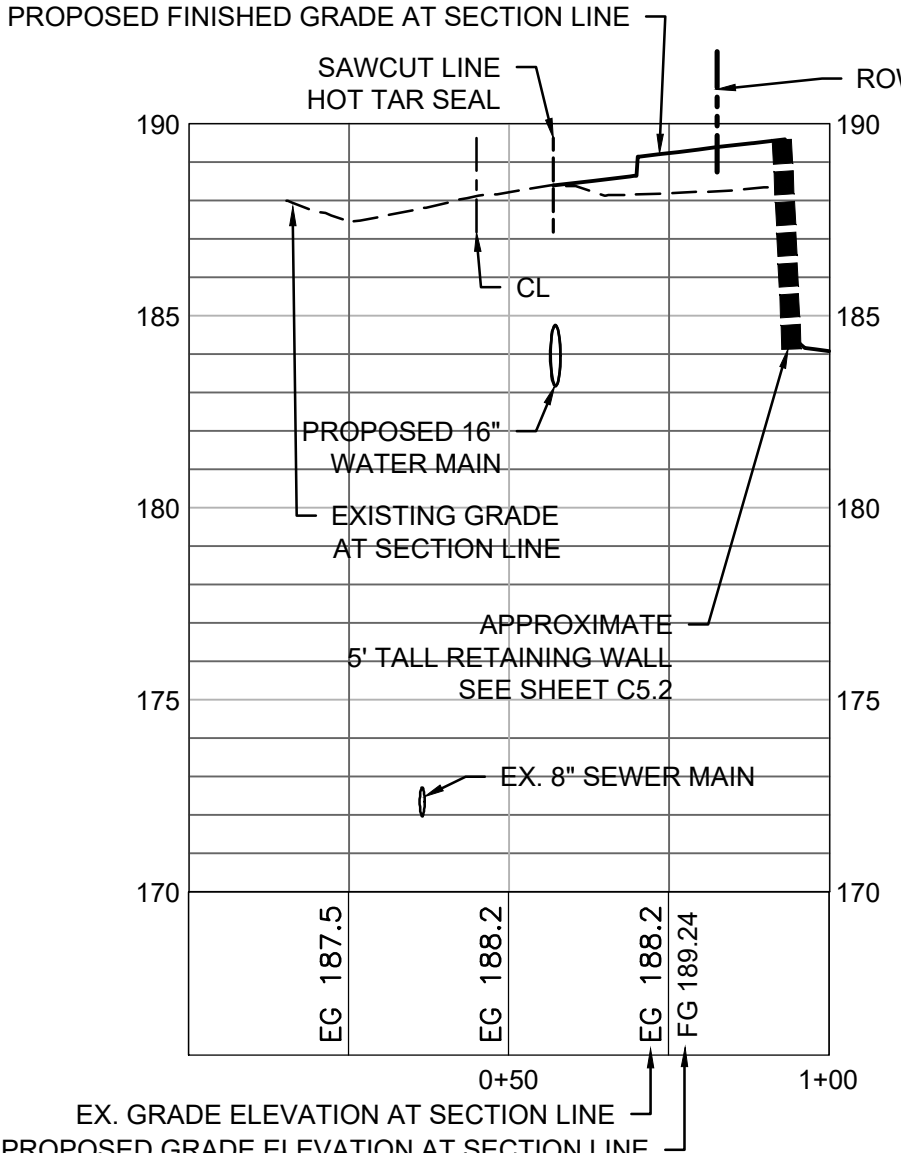
STORM NOTES
1. ALL STORM DRAIN LINES ARE TO BE CPEP UNLESS OTHERWISE NOTED
2. ANTI-DUMP DISCS PER DETAIL 3 ON SHEET C5.3 SHALL BE PROVIDED ON ALL STORM STRUCTURES. THE ANTI-DUMP DISCS CAN BE OBTAINED AT CITY HALL FROM THE WATER RESOURCES DEPARTMENT



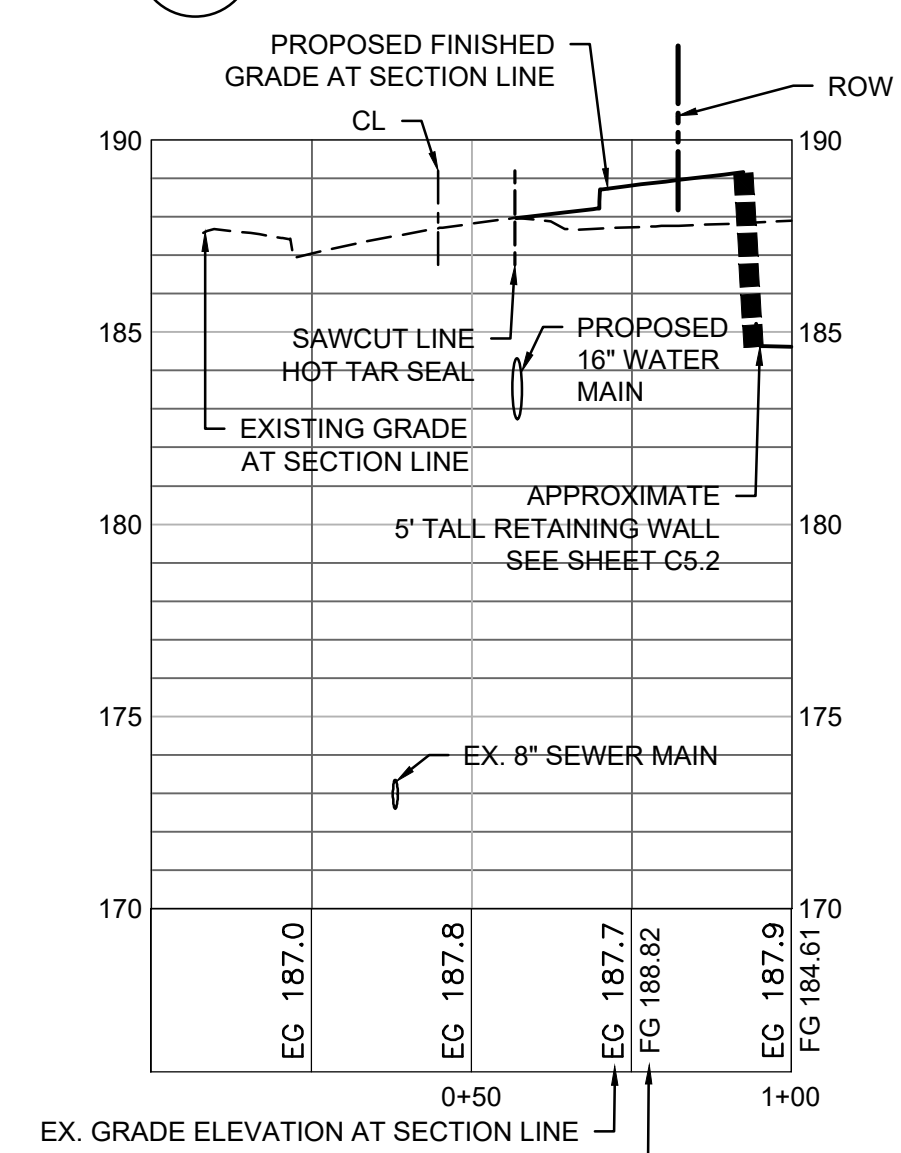
SECTION D
SCALE: H:1"=30', V:1"=3'



SECTION A
SCALE: H:1"=30', V:1"=6'



SECTION B
SCALE: H:1"=30', V:1"=6'



SECTION C
SCALE: H:1"=30', V:1"=6'



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P.O. BOX 73790
PUYALLUP, WA 98373

CONTACT:
EVAN MANN (253) 820-7835

Project No.
2210648.10

Issue Set & Date:

SITE DEVELOPMENT

10/28/2022



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Revisions:

Sheet Title:

HENDERSON BLVD PLAN AND PROFILE

Designed by: ML Drawn by: TS Checked by: MW/SK

Sheet No.

C3.2

11 of 49 Sheets



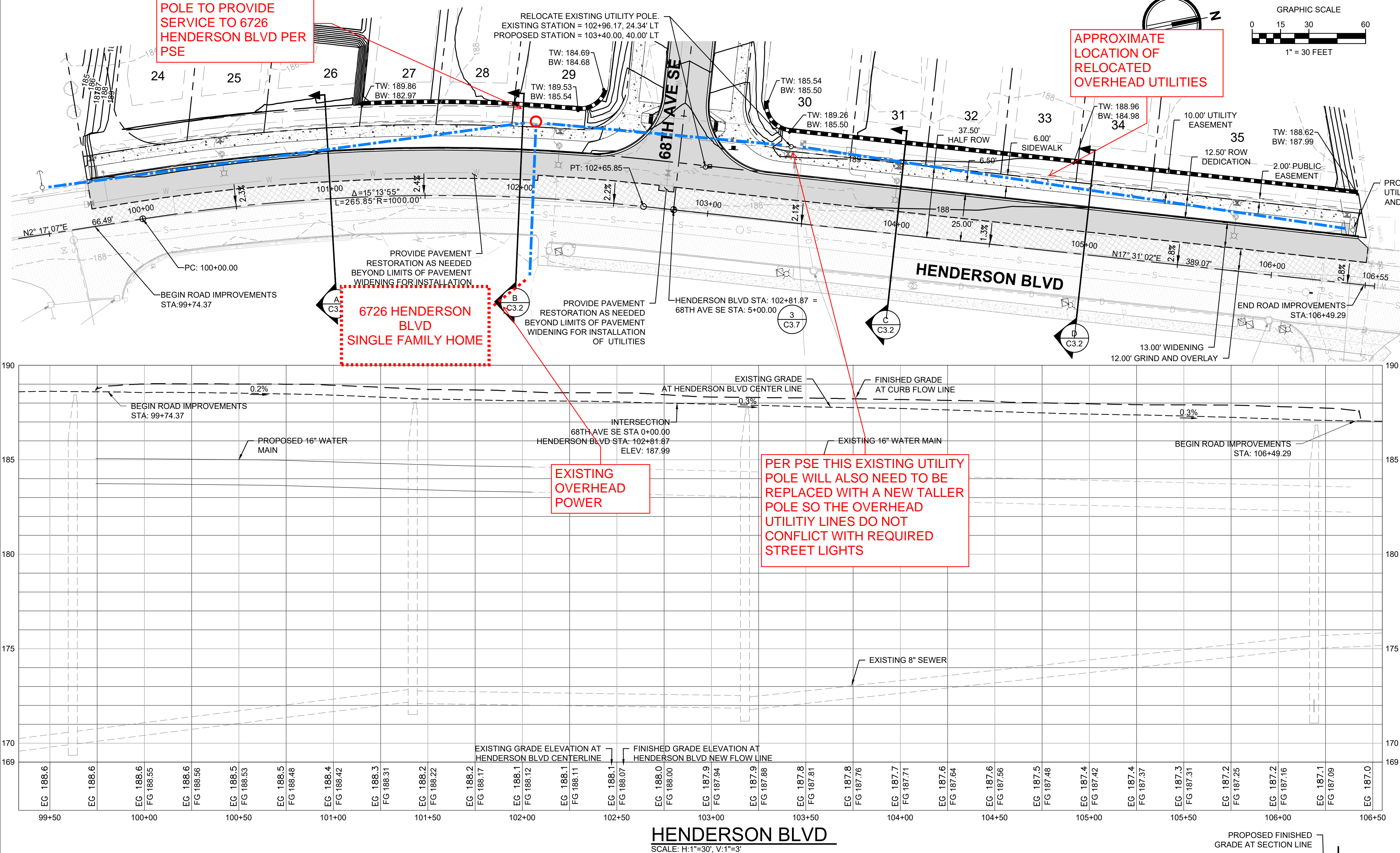
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Call before you dig.

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CITY OF TUMWATER, THURSTON COUNTY, WASHINGTON.

NEW REQUIRED UTILITY
POLE TO PROVIDE
SERVICE TO 6726
HENDERSON BLVD PER
PSE

APPROXIMATE
LOCATION OF
RELOCATED
OVERHEAD UTILITIES



HENDERSON BLVD
SCALE: H:1"=30', V:1"=3'

VERTICAL DATUM

NAVD 1988 VERTICAL DATUM BASED ON THURSTON COUNTY
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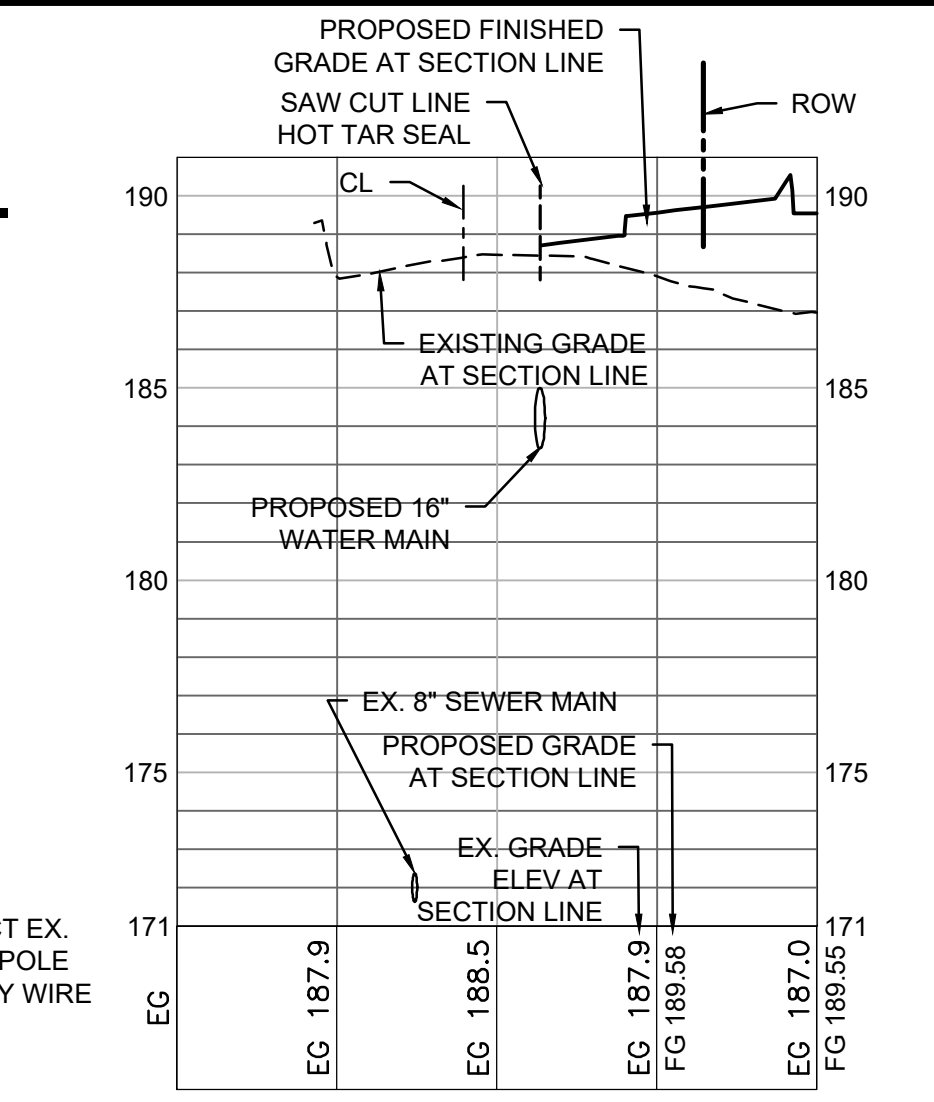
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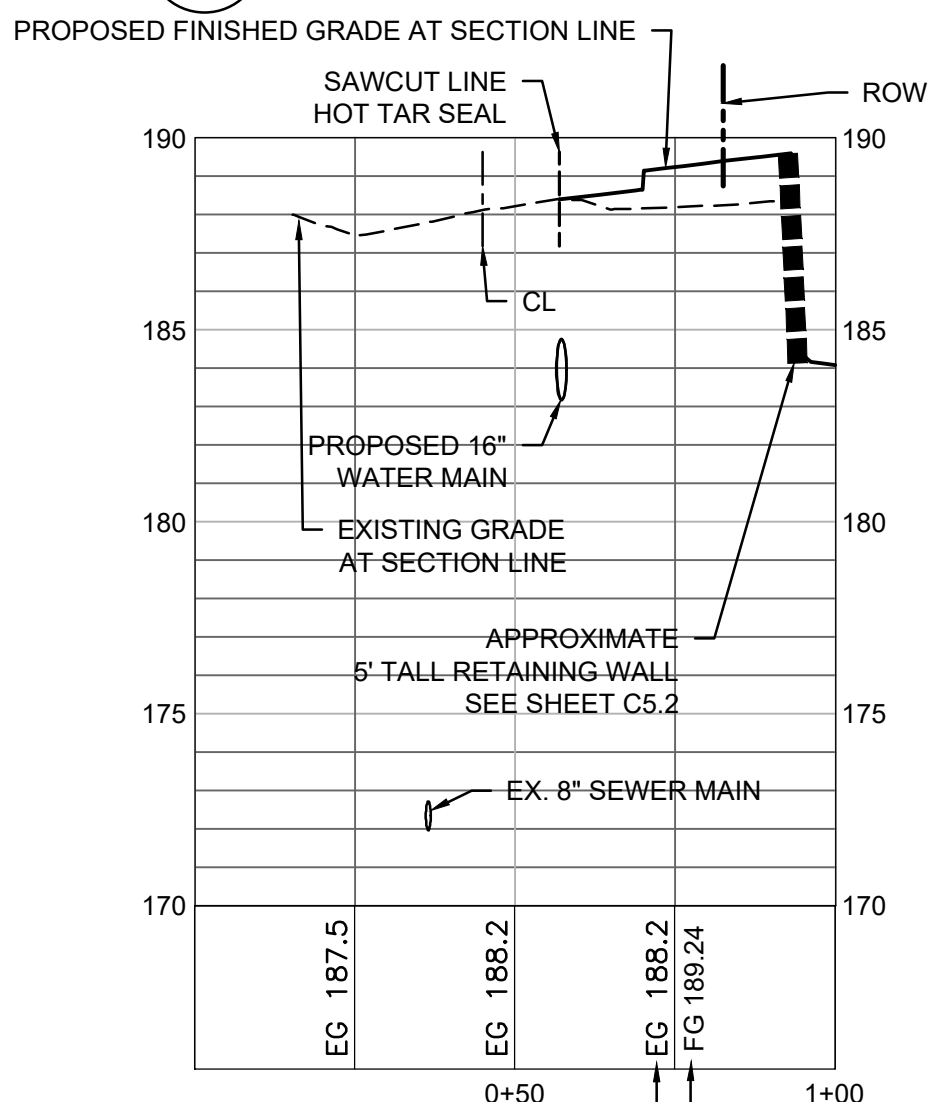
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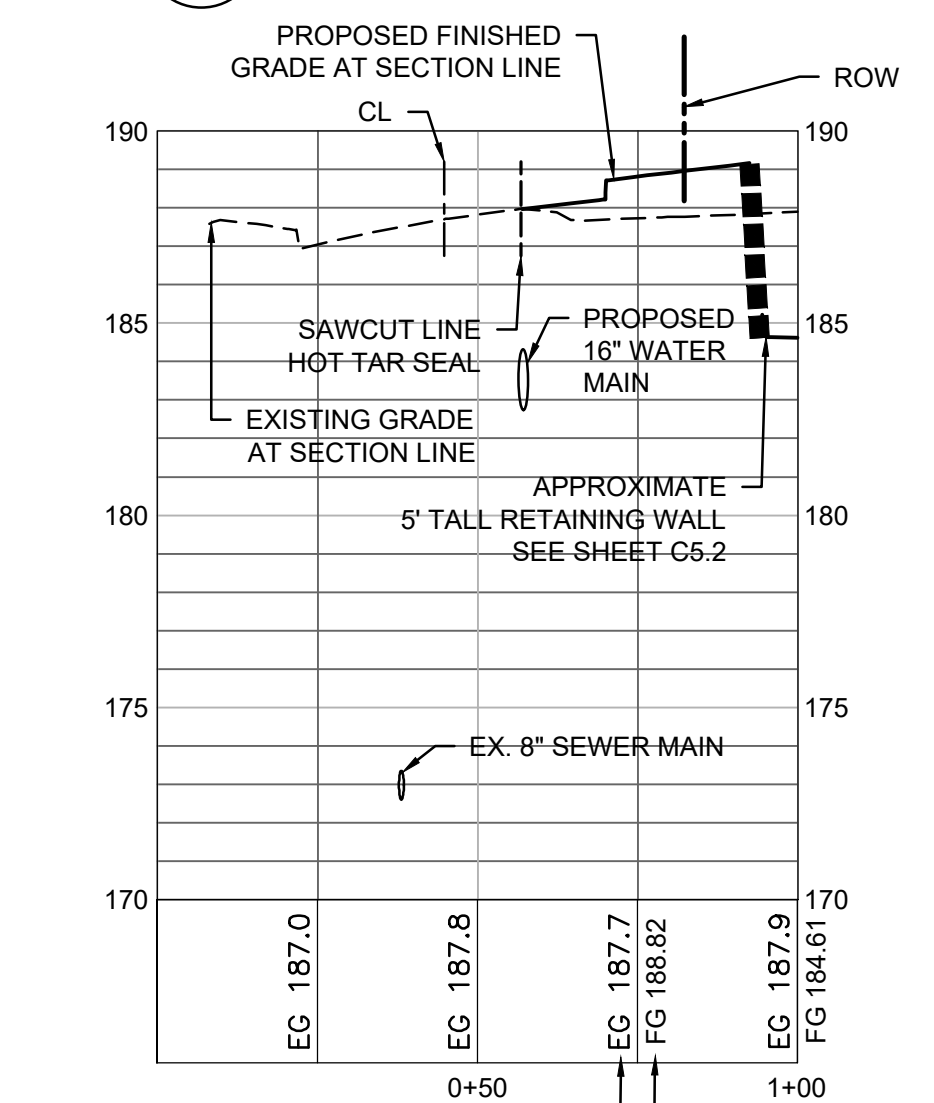
SECTION D
SCALE: H:1"=30', V:1"=3'



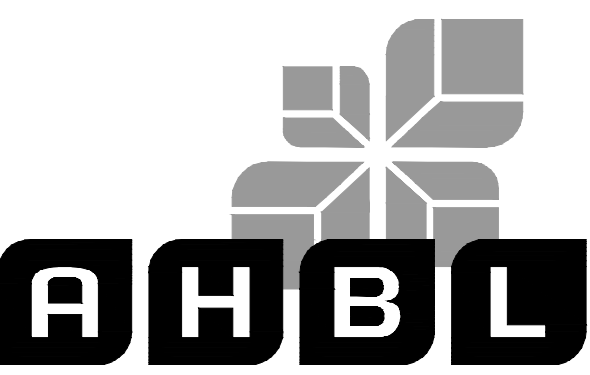
SECTION A
SCALE: H:1"=30', V:1"=6'



SECTION B
SCALE: H:1"=30', V:1"=6'



SECTION C
SCALE: H:1"=30', V:1"=6'



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A

A

A

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REVISED PER CITY COMMENTS RECEIVED 9/8/22
Revisions:

Sheet Title:

HENDERSON BLVD PLAN AND PROFILE

Designed by: ML Drawn by: TS Checked by: MW/SK

Sheet No.

C3.2

11 of 49 Sheets



EXHIBIT 5



City Hall
555 Israel Road SW
Tumwater, WA 98501-6515
Phone: 360-754-5855
Fax: 360-754-4138

September 21, 2022

Evan Mann
Entitlement Manager
Copper Ridge, LLC
PO Box 73790
Puyallup, WA 98373

RE: Three Lakes Crossing Permit #TUM-22-1101 Response to Request for Clarification

Dear Evan:

Please consider this letter as the formal response to your request for administrative decision as it relates to the undergrounding of existing overhead utilities along the frontage of Henderson Blvd.

In which the City is requiring the installation of existing overhead utilities underground with the proposed project improvements.

Where you testified that the applicable code and guidelines relate to “new” utilities rather than “existing” utilities.

The Administrative Decision is as follows:

After reviewing the applicable codes and guidelines as they relate to the project, the City of Tumwater has decided the requirement to install the existing overhead utilities underground stands.

Justification:

Chapter 3, section 3.14 Utility Locations, sub-section B states new and existing facilities shall comply with provisions as set for in Tumwater Municipal Code 17.12.200, Land Division.

The provision from Tumwater Municipal Code 17.12.200, Land Division states that electrical power, telephone, cable television, fiber optics and other transmission line shall be installed underground.

The City of Tumwater finds that the Three Lakes Crossing project is subject to the above codes and guidelines and is required to install the existing overhead utilities underground.

If you have any questions, please don't hesitate to call me at 360-754-4140 or email me at jcrews@ci.tumwater.wa.us.

Sincerely,

Jared Crews
Engineer II
City of Tumwater
Transportation & Engineering Department