EXHIBIT 1

CITY OF TUMWATER
HEARING EXAMINER STAFF REPORT
Hearing Date: October 26, 2026

Project Name: 5th Ave Townhomes

Case Numbers: TUM-26-0115 Preliminary Plat

Owner:
ASH Holdings LLC
3425 Merryman Place SE
Olympia, WA 98501

Project Proponent/ Representative:
The Land Developer LLC
Erik Ainsworth
5737 Linderson Way SW
Tumwater, WA 98501

Type of Action Requested: The project proponent is requesting approval of a Preliminary Plat (TUM-26-0115) to construct 11 townhomes on a parcel located in the Low Density Residential (LDR) zone district. The LDR zone allows townhouses as permitted use.

Project Location: A parcel totaling 1.69 acres located at 585 5th Ave SW, Tumwater, WA 98512. Tax Parcel Number 33203200001.

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

1. Notice of Application issued on May 8, 2026 (Exhibit 6)
2. Determination of Non-Significance issued on August 28, 2026 (TUM-26-0117) (Exhibit 7)

Public Notification: Public notification for the October 26, 2026, 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 October 9, 2026, in conformance with Tumwater Municipal Code (TMC) 14.06 (Exhibits 5 and 8).

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

Staff Planner: Alex Baruch, Senior Planner, AICP
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I. BACKGROUND INFORMATION

A. Application and Review Process

A pre-application conference application was reviewed by the development review committee on May 30, 2025 (TUM-25-0656). The Preliminary Plat (TUM-26-0115) application was submitted on April 24, 2026, and was deemed complete on May 4, 2026.

Under TMC 2.58.090 and TMC 14.16.040, review authority for the preliminary plat review falls under the purview of the Hearing Examiner.

B. Existing Conditions

The site is roughly square in shape and slopes to the west toward 7th Ave SW. Currently the property is mostly brush, weeds and grass and it does not appear that the property has been developed in the past. The earliest aerial imagery the area (1941) shows the site in similar condition as it is today.

C. Project Description

The applicant proposes to subdivide a single parcel totaling 1.69 acres into eleven lots that will include eleven townhomes on individual lots. The development will include infrastructure, frontage improvements, parking and open space.

II. REGULATORY FRAMEWORK

The proposal is subject to the following policies and regulations:

A. **<u>Tumwater Comprehensive Plan:</u>** The project site is located in the Tumwater Hill Neighborhood as designated by the Land Use Element of the City's Comprehensive Plan. The land use designation for the approximately 1.69-acre site is Low Density Residential (Exhibit 4).

The Comprehensive Plan Land Use Element includes the goal to "Reduce the inappropriate conversion of undeveloped land into sprawling low-density development. The Land Use Element contains goals, policies, and implementation actions that encourage compact, efficient urban development and supports higher intensity urban growth to be phased outward from the urban core. These policies include minimum density requirements, clustering in sensitive areas, overall higher residential densities throughout Tumwater, and mixed residential and commercial areas."

The housing chapter (Goal H 1.4) further identifies the need to support the construction of housing on vacant or unused lots to minimize urban sprawl and reuse existing infrastructure.

Staff Response and Recommended Finding:

The goals stated in the Comprehensive Plan encourage development in line with the surrounding area and the Comprehensive Plan designation. Townhouse development is in line with the designation and the surrounding area and by developing along an existing public street the project uses efficient use of existing infrastructure.

The proposal also includes community open space and infrastructure improvements as encouraged by the Comprehensive Plan and required by City Ordinances.

Citywide Design Guidelines (design guidelines) have been adopted to ensure compatibility in the surrounding areas.

Staff finds that the project is consistent with the Comprehensive 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 Trip Generation Memo was submitted for review. The Engineering Development Review Lead and Transportation and Engineering Director reviewed the trip generation memo and the findings were incorporated as a part of the Transportation Concurrency Ruling.*

The transportation concurrency ruling identified no mitigation measures were required to achieve concurrency. A total of 6 pm peak hour trips are anticipated by the development. Based on the requirements in TMC 15.48.060 a traffic study was not required as the project does not generate fifty or more vehicle trips in the peak hour on the adjacent streets and intersections or generate twenty-five percent or more of peak-hour traffic through a signalized intersection or the critical movement at an unsignalized intersection. This was evaluated by looking at the trip distribution diagram and identifying the critical movements at each intersection as none of the intersections within the project area are signalized intersections. The critical movement for traffic is identified as the left turn movement at intersections where traffic is anticipated to travel through during the PM peak hour. When staff evaluated the intersections based on the trip distribution diagram and site conditions the anticipated traffic was not deemed high enough to trigger this requirement. This is reflected in the DNS issued August 28, 2026 (Exhibit 7).

Staff finds that 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 indicates that the regional community has set a target to reduce vehicle miles traveled and to preserve sensitive areas, farmland, forest land, prairies and rural lands.

Staff Response and Recommended Finding: *The Plan has a target goal stating that by 2035, 72 percent of all (new and existing) households in our cities, towns, and unincorporated growth areas will be within a half-mile (comparable to a 20-minute walk) of an urban center, corridor, or neighborhood center with access to goods and services to meet some of their daily needs.*

The site is located more than a half-mile from an urban center, however is located in an area anticipated for additional density through infill development. The Plan also includes a goal of preserving environmentally sensitive lands, farmlands, forest lands, prairies, and rural lands and develop compact urban areas.

The project meets this goal by providing compact development in the urban area.

Staff finds the project is consistent 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:** The Hearing Examiner has authority to review Preliminary Plats.

Staff Response and Recommended Finding: *Preliminary plats require a public hearing and decision by the Tumwater Hearing Examiner. Final plat approval authority is administrative and will be completed by City of Tumwater staff.*

F. **Public Notice Requirements –TMC Chapter 14.16:** TMC Chapter 14.16 requires the City to provide public notification of certain application types by issuing a Notice of Application (TMC 14.16.050) and a Notice of Open Record Hearing (TMC 14.10.050).

Staff Response and Recommended Finding: *A notice of application for the Preliminary Plat was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site; and published in the Olympian on May 8, 2026. (Exhibits 5 & 6)*

Public comments:
Squaxin Island Tribe commented on the application stating that they did not have any specific cultural resource concerns for the project and recommends an inadvertent discovery plan on-site during the land disturbance.

A variety of community member comments were received. They include comments about stormwater, open space, timeliness of notice of application, removal of trees, traffic, sidewalks and housing policy. The city responded to the different concerns which are included in the response letters.

Public comments received from the Notice of Application are found in Exhibit 6a-bbb.

Public notice for the October 26, 2026, 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, October 9, 2026, in conformance with TMC 14.06.070 (Exhibits 5 and 8).

Public comments received from the Public Hearing notice will be forwarded to the Hearing Examiner and included in the final packet.

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 Determination of Non-Significance on August 28, 2026.

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 was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site; and published in the Olympian. The City's SEPA threshold determination, a Determination of Non-significance was issued on August 28, 2026 (Exhibit 7).*

Public comments:

Olympia Regional Clean Air Agency (ORCAA) made comments on the requirements for construction dust.

Washington State Department of Ecology provided comments regarding water quality, solid waste management and toxic cleanup. These comments will be addressed with the Site Development Grading permit.

The Confederated Tribes of the Chehalis Reservation requested an inadvertent discovery plan be implemented. Tumwater Municipal Code section 18.40.065 requires that an inadvertent discovery note is included on the cover sheet of all site development grading plans and puts in place a plan if a cultural resource is found.

Community member comments included questions about transportation, pedestrian safety, neighborhood character, managing construction, long term property management, stormwater, density and traffic calming.

Public comments received and city responses to each comment from the Determination of Non-significance are found in Exhibit 7a-q.

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 trip generation memo for the project. The report was reviewed by the City's Development Review Lead in the Transportation and Engineering Department and the Transportation and Engineering Director who issued a transportation concurrency ruling stating that the project as proposed is concurrent in regard to transportation (Exhibit 9, 10 and 11).*

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.

Staff Response and Recommended Finding*: A professional forester's report that included a tree inventory, and tree protection plan in compliance with TMC Chapter 16.08 was submitted. The inventory shows a total of 12 trees located on-site. TMC 16.08 requires retention of 20% or 12 trees per acre, whichever is greater. 12 trees per acre would require retaining 21 trees on-site. When the current amount of trees on a property does not meet the required retention amount the development is required to meet the minimum tree amount in a post development state (TMC 16.08.070.R.4). With the inclusion of street trees and other trees proposed around the storm pond the development will meet this requirement (minimum 21 trees). The landscape plan will be reviewed with the site development grading plan submittal. (Exhibit 13)*

Staff finds that the proposed preliminary plat as conditioned is 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 does not include soil preferred by the Mazama Pocket Gopher and is located north of Trosper Road. Per the City of Tumwater's Mazama Pocket Gopher Administrative Determination no gopher studies are required on properties north of Trosper Road. (Exhibit 20)

K. **Preliminary Plat 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 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: *Proposed access for this project is off of 5th Ave SW with cub-cuts for each townhouse directly accessing 5th Ave SW. Frontage improvements will be required to provide a curb, gutter, planter strip with street trees and sidewalk in-front of the development along 5th Ave for the extent of the property. Due to the topography of the site and development conditions of adjacent properties, access connections to adjacent properties is not proposed or required with this development. Additionally, access and utility connections to each lot already exist and are not dependent on this property/development.*

With these conditions, staff finds that the preliminary plat 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: *The proposal includes townhomes on individual lots. The proposed lots shall meet the required minimum lot sizes as required by the underlying zone district. Townhomes in the LDR zone district have a minimum 2000 sf lot size.*

Staff finds that the preliminary plat 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 smallest lot sized proposed by this development is approximately 2,000 sf. The lots will be served by public water and sewer and will be served by public roads. No building site will exceed a 25% cross slope.*

Staff finds that the preliminary plat is consistent with 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 were submitted, reviewed, and are recommended for approval with the proposed preliminary plat. The inventory shows a total of 12 trees located on-site. TMC 16.08 requires retention of 20% or 12 trees per acre, whichever is greater. 12 trees per acre would require retaining 21 trees on-site. When the current amount of trees on a property does not meet the required retention amount the development is required to meet the minimum tree amount in a post development state (TMC 16.08.070.R.4). With the inclusion of street trees and other trees proposed around the storm pond the development will meet this requirement (minimum 21 trees).*

Staff finds that the preliminary plat 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: *Preliminary site development and grading plans have been reviewed by staff and are consistent with the requirements of this section.*

Staff finds that the preliminary plat 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: *No wetlands are located on the subject property.*

Staff finds that the preliminary plat 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. Any retaining walls shall meet the requirements of the Tumwater Municipal Code and most current building code requirements.*

Staff finds that the preliminary plat 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 frontage improvements along 5th Ave SW. Construction of the improvements are required as a part of the development proposal. The roads shall meet the required widths as conditioned or as required by the Transportation and Engineering Department at the time of site development grading submittal.*

Staff finds that the preliminary plat 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.*

Staff finds that the preliminary plat 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: *No cul-de-sacs are proposed with this development.*

Staff finds that the preliminary plat is consistent with TMC 17.12.130..

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: *Signage and placement shall be reviewed and approved as part of site development and grading permit review.*

Staff finds that the preliminary plat 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: *No new streets are proposed with this development. The street improvements proposed as a part of the frontage improvements will meet this requirement.*

Staff finds that the preliminary plat 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 plat 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 addresses for the preliminary plat shall be assigned by the City of Tumwater Building Official.*

Staff finds that the preliminary plat 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.*

Staff finds that the preliminary plat 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: *No private streets are proposed with this development.*

Staff finds that the preliminary plat 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.*

Staff finds that the preliminary plat is consistent with TMC 17.12.200.

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

[…]

A. For residential subdivisions a minimum of fifteen percent of the gross site area shall be set aside for park and open space area.

[…]

D. 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.

[…]

K. 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 plat encompasses 1.69 acres and requires .15 acres of open space. The proposal includes a total of 1.13 acres of open space with a combination of active and passive open space. This includes a walking path through the site to community garden and gazebo and open lawn space. The site development grading plan shall include details about all amenities proposed as a part of the active and passive open space.*

Staff finds that the preliminary plat 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 to 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 *(Exhibit 3).*

2. *A storm drainage system complying with the City of Tumwater's 2022 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 (Exhibits 14, 15 and 16).*

3. *Construction of frontage improvements will occur during the first portion of development. Transportation impact fees are due at building permit issuance (Exhibits 3, 9 and 11).*

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 plat and apartments with water and sewer connections (Exhibit 18).*

5. *The site is within the Tumwater School District and will pay school impact fees at building permit issuance.*

6. *City of Tumwater Fire Department facilities are adequate to service the proposed project.*

M. Tumwater Zoning Code – TMC Title 18:

1. Low Density Residential Zone District TMC 18.12 – Permitted Uses and Development Standards

Staff Response and Recommended Finding: *The project site is located in the Low Density Residential (LDR) zone district.*

TMC 18.12.020 lists townhouses as permitted uses. The development standards require a

minimum of six dwelling units per acre with a maximum of nine dwelling units per acre by-right. Density calculations for the development show that the proposed dwelling units for this development are between six and nine dwelling units per acre.

Minimum lot size for townhome developments is 2000 sf (TMC 18.12.050.E).

Maximum lot coverage is 70 percent of the total area of each lot. At the time of building permit submittal the applicant shall provide a site plan providing this calculation for each lot.

Maximum structure height is 35' and required setbacks are: front: 10', side: 5' and rear: 20'.

Staff finds that the preliminary plat is consistent with the permitted uses and development standards in the Low Density Residential (LDR) Zone.

2. <u>Aquifer Protection Overlay (AQP) zone district - TMC 18.39 – Restricted Land Uses</u>

<u>Staff Response and Recommended Finding:</u> *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 plat are not restricted land uses in the aquifer protection (AQP) overlay zone district.

III. RECOMMENDATION

Pursuant to TMC 2.58.110, staff recommends approval of the Preliminary Plat as described herein with the following conditions:

1. The townhomes shall follow the design requirements outlined in Chapter 5 of the design guidelines. Staff will review the elevations and site plans for the structures at the time of building permit review for compliance.

2. Parks and Open Space:
   a. The site development grading plan shall include an open space sheet showing the total amount of open space meeting or exceeding the amount shown on the preliminary site development grading plans (Exhibit 3). The open space sheet shall include details of proposed equipment/infrastructure meeting the requirements in 17.12.210.G and design guidelines. The open space sheet can be combined with the landscape plan if desired. The approved equipment/infrastructure shown on the plans shall be installed prior to site development grading final inspection approval or as allowed through alternative arrangements approved by the Community Development Director.

3. If consolidated postal drop-off facilities are required by U.S.Posatl Service for this project the location shall be coordinated and approved by the U.S. Postal Service

with location shown on the civil engineering plans.

4. Two off-street parking spaces are required for each townhome lot. Driveways and off-street parking spaces must be hard surfaced (asphalt, concrete or turnstone).

5. A landscape and irrigation plan meeting the requirements of TMC 18.47 shall be submitted as part of site development grading submittal.

6. The following condition will be required to be noted on the Final Plat: All landscaped areas in public rights-of-way shall be maintained by the Home Owners Association, owner(s) and his/her successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City road purposes.

7. Impact fees for traffic, parks and schools will be assessed to each dwelling unit in the subdivision as building permits are issued. The impact fees will be in accordance with the most current fee resolution adopted by the City at the time complete building permit applications are submitted.

8. A Site Development/grading permit will be required for this site. The permit application shall be accompanied by the application checklist and digital plans and specifications and supporting data consisting of a soils engineering report and engineering geology report prepared and signed by a licensed soils engineer. Inspection of the grading shall be provided by the civil engineer and Geotechnical engineer. In addition, 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.

9. The site development grading plans shall show buildable lot pads to verify that the lots proposed will be buildable. If retaining walls are required, they shall be shown on the site development grading plans and include engineering details for the retaining walls.

10. Separate building permits are required for retaining walls or rockeries over four feet in height, measured from the bottom of the footing to the top of the wall or walls supporting a surcharge. A licensed structural engineer shall design the rockeries or retaining walls. In addition to the engineers' design, full-time inspection by a WABO Special Inspector is required during construction. Proposed rockeries shall be shown on the site development grading plans.

11. When the grading work is complete and ready for final inspection the civil engineer of record shall provide a final inspection report which will include the geotechnical engineer and special inspector's reports. In addition, as-built drawings for the site shall be submitted in a PDF format or as required by the Development Guide.

12. Prior to site development grading permit issuance the owner shall submit the name of the WABO registered firm who will conduct the special inspections, to the Building

Official.

13. No vertical or combustible construction will be allowed on the site until the fire hydrants and paved roads are installed, tested and approved by the City of Tumwater. Note: Testing will also include verification of fire flow by the fire department.

14. The required fire flow for this project is derived from Appendix B of the International Fire Code. Type 5B Townhouse buildings of this size are required to have a fire flow of 1000 gallons per minute at 20 psi.

15. The buildings are proposed to be R3/Townhouse occupancies and of type V-B construction. IBC Chapter 3 & IBC Chapter 6. The walls between each unit are required to be of 2- hour fire-rated construction. Each unit in a building over 7500 square feet shall install fire sprinklers with a minimum 13D system per TMC 15.16.015. Water lines shall be shown on the site development grading plans meeting the sprinkler design requirements.

16. 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.

17. All designs/construction shall comply with the City of Tumwater's Development Guide and WSDOT standards.

18. The site development grading plans shall show all existing and proposed utilities and easements including street lights, street trees, water, sewer, storm, gas, cable, power, telephone, signage and striping.

19. All main installation, road design and storm drainage work requires engineered plans certified by a professional engineer.

20. The applicant is responsible for all plan check, inspection and connection fees.

21. Any private or public utility relocation is the responsibility of the applicant.

22. 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.

23. The applicant shall provide all easements and bills-of-sale documents with the engineered plans.

24. All legal descriptions must be accompanied with an appropriate drawing that the City Surveyor can use to verify the legal description. All printed engineering drawings will

be on 24" x 36" paper sheets.

25. The owner or owner's representative is also responsible for furnishing the City with electronic files, compatible with release 2020 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. Electronic PDF files shall be printed from the Auto-CAD files. A storm water maintenance agreement, utility maintenance agreement, easements and bills-of-sale will also be required.

26. 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.

27. 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.

28. The vertical datum required to be used is NGVD29. No exceptions.

29. Frontage improvements are required per Tumwater Municipal Code 12.12.010. These improvements include but are not limited to pavement widening, concrete curb and gutter, planter strip, street trees, street lighting, sidewalk, and right-of-way dedication as necessary to contain the improvements. The applicant is responsible to the centerline of the right-of-way and ensuring two way vehicle traffic.

30. Improvements to South 5th Ave include pavement widening to ensure 16' of pavement from center line to face of curb, concrete curb and gutter, 6' planter, street trees, street lighting, 5' sidewalk and dedication as necessary to contain the improvements. The City will also accept 6' sidewalk if it benefits the project. The project shall complete these improvements across the unopened right-of-way of F St where it intersects South 5th Ave and construct an improved concrete driveway.

31. Tumwater Municipal Code 17.12.200 requires the underground installation of all new and relocated electrical and communication facilities. The project shall relocate existing overhead utilities underground. This shall be shown on the site development grading plans.

32. Full lane overlays will be required after patching. This may include improvements on the opposing frontage, such as widening, realigning the crown to centerline of right-of-way or feathering to meet City of Tumwater standards.

33. A drainage design and erosion control plan shall be submitted with the site development grading plans in accordance with the City's 2022 Drainage Design and Erosion Control Manual.

34. Maintenance of the on-site storm water system shall be the responsibility of the property owner/home owners association and a maintenance agreement will be

recorded against the property prior to or at the same time as final plat recordation.

35. This project shall pay a monthly storm water utility fee based on the amount of impervious surface per Tumwater Municipal Code 13.12.060.

36. Test pits conducted for stormwater design will comply with the 2022 Drainage Design and Erosion Control Manual for location and frequency.

37. Sanitary sewer is required to be extended across the properties 5th Ave frontage. The main extension shall be 8" diameter. Manhole spacing is every 300 linear feet. One 6" lateral should be extended to the common property corner/line to serve two units with a 6" cleanout at the edge of right-of-way.

38. The project must meet minimum fire flow requirements. This site is in the 350 pressure zone and cannot achieve fire flow or provide adequate pressure for domestic use with current infrastructure. The applicant's engineer shall coordinate with the City on required off-site water main extension which shall be shown on the approved site development grading plans.

39. Back flow prevention is required on all fire services and irrigation services 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.

40. 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.

41. Water meters need to be placed in the public right-of-way or on site within an easement.

Submitted on Behalf Of the City of Tumwater Community Development Department by/
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Report Issue Date: October 9, 2026

List of Exhibits:
Exhibit 1. Staff Report - October 9, 2026
Exhibit 2. Preliminary Plat - July 31, 2026
Exhibit 3. Preliminary Civil Plans – July 31, 2026

Exhibit 4. Vicinity and Zoning Map
Exhibit 5. Public Notice Certification – October 9, 2026
Exhibit 6. Notice of Application - May 8, 2026
Exhibit 6a-bbb. Notice of Application Comments
Exhibit 7. Determination of Non-significance with SEPA Checklist – August 31, 2026
Exhibit 7a-q. SEPA Comments
Exhibit 8. Public Hearing Notice – October 9, 2026
Exhibit 9. Trip Generation Memo – April 7, 2026
Exhibit 10. Response to Concurrency Comments – April 7, 2026
Exhibit 11. Concurrency Ruling – April 28, 2026
Exhibit 12. Slope Evaluation – January 23, 2026
Exhibit 13. Forester Report - January 23, 2026
Exhibit 14. SWPPP Report – January 23, 2026
Exhibit 15. Preliminary Drainage Report - January 23, 2026
Exhibit 16. Soils Report – January 23, 2026
Exhibit 17. Application – February 4, 2026
Exhibit 18. Water and Sewer Availability Letter – April 24, 2026
Exhibit 19. Title Report / Subdivision Guarantee - January 23, 2026
Exhibit 20. City of Tumwater Gopher Administrative Determination