

## CITY OF OLYMPIA HEARING EXAMINER

## STAFF REPORT

August 10, 2020

**Project Name /File No.:** BLACKBERRY HILL PLAT 19-3976

**Applicant:** Pawell Oberc  
Kapa Construction LLC  
PMB 121 1910 4<sup>th</sup> Avenue E  
Olympia WA 98506

**Authorized Representative:** Chris Cramer  
Patrick Harron & Associates  
8270 28<sup>th</sup> Court NE  
Olympia WA 98516

**Requested Action:** The applicant is seeking preliminary plat approval to subdivide 4.77 acres of land into 35 lots townhome lots and 2 detached single family housing lots with streets, stormwater facilities and soils and vegetation preservation areas. The proposal also includes a specific plan for timing of the overall plat into 2 phases.

**Project Location:** 2817 Boulevard Road SE

**Zone District:** Residential District R-4-8

**Comprehensive Plan Designation:** Low Density Neighborhoods

**SEPA Determination:** A Determination of Nonsignificance was issued on June 3, 2020

**Public Notification:** Public notification of this hearing was issued on July 27, 2020 (Attachment 2). Notice was mailed to property owners within 300 feet of the subject property, parties of record, and recognized neighborhood associations; posted on-site; published in *The Olympian* on July 29, 2020 and details provided on the City's website in conformance with OMC 18.78.020.

**Director Recommendation:** Approve, subject to conditions

**Staff Contact:** Paula Smith, Associate Planner  
360.753.8596 [psmith@ci.olympia.wa.us](mailto:psmith@ci.olympia.wa.us)

## I. BACKGROUND INFORMATION

### A. Property Description and Context

The 4.77-acre project site is currently undeveloped and vegetated with low-growing plants and is sparsely forested on the east side of the property. On the westerly side of the property, the land slopes towards the west boundary and is covered with blackberry bushes. At the bottom of the slope lies a small wetland, less than 1,000 square feet in size.

The uses and zoning surrounding the project site are as follows:

- To the north is Sunrise Church situated on a 5-acre parcel and partially undeveloped.
- Property to the west is a 5-acre parcel with a single -family home and partially undeveloped.
- To the east across Boulevard Road is a veterinary clinic.
- The general vicinity is mainly single-family housing developments.
- Washington Middle School is located less than a ¼ of a mile away to the south.
- The surrounding area is all zoned Residential R-4-8.



City of Olympia- Zoom Map- 2018 aerial

### B. Project Description:

Overview- The proposal is to subdivide a 4.77-acre site into 35 townhome lots and 2 standards single family lots. The project will provide associated public roadways and access tracts, storm drainage, public/private utility improvements and open space. Some of the improvements consists of the following:

- A new public street will be constructed and designed to be stubbed at the north boundary of the plat for possible future road connection.
- Construction of multiple access tracts provide access to most of the lots within the plat.
- Stormwater facilities combined within a soils and vegetation protections area tract
- Street trees
- Utilities for sewer, water and stormwater facilities
- Sidewalk improvements located adjacent to site and further south on Boulevard Road.

### C. Property History

In 1993, the City had code enforcement actions with the property owner. The property at the time had an existing residence which was owned by Henry Carlson. Based on records provided (Public comment provided by Crewdson, Attachment 3), the City was involved in a court case with the property owner who was storing motor vehicles on site that were not operational and was found to be a nuisance and in violations of city code. Records indicate the property had approximately 150 inoperable vehicles being stored on-site. City staff have sworn statements in the court case that raised concerns about oil, brake fluid and other contaminants that could be leaching into the soil on site and ultimately the property owner was ordered to remove vehicles in September 1993. In March of 1994, the property owner removed all but approximately 40 junk vehicles and the City filed a motion for warrant abatement of public nuisance that authorized City of Olympia or its agent to remove the existing remaining vehicles from the site.

After Henry Carlson passed away, his wife left the residence and in 2011 had the residence and the detached garage demolished. Since the demolition of the house, a portion of the property was temporarily used as a staging area for City projects that were for street improvement along Boulevard Road. The City have also had a few proposed projects from interested developers on this site over the past years. City staff informed the developers that the site could have possible soil contamination due to the storage of inoperable vehicles in the past and documentation of soil testing would be needed at time of formal application.

### D. City Review Process

Application Submittal: Prior to submitting for preliminary plat, the applicant had a Presubmission Conference with the Site Plan Review Committee in February of 2019.

The Preliminary Plat application was deemed complete on September 26, 2019. Through the review of the project, the following plans and reports were provided by the applicant:

- Preliminary Plat (Attachment 4)
- Civil Plan Set (Attachment 5)
- Critical Area Analysis Report (Wetland) (Attachment 6)
- Insight Geologic Report including soil assessment by Libby Environmental (Attachment 7)
- Landscaping and Tree Replacement Plan (Attachment 8)
- Preliminary Drainage Report (Attachment 9)
- Soils and Vegetation Protection Plan (Attachment 10)
- Townhome Supplement, including Elevation Plans, floor plan and typical site plan (Attachment 11)
- Phasing Plan- Development of plat in 2 phases (Attachment 12)

- Integrated Pest Management Plan (Attachment 13)
- Environmental Checklist (Attachment 14)

Notice of Application: The City issued the Notice of Application (Attachment 15) on October 2, 2019 and public notice signs were posted at the site.

Neighborhood Meeting: The City and the applicant co-hosted a neighborhood meeting on October 17, 2019. This meeting was attended by interested citizens and property owners within the area. The purpose of this meeting is to provide detailed information about the proposal, the City regulations and the review process, to ask questions and raise concerns. A summary of the questions and concerns raised at this meeting can be found in Attachment 16.

Staff Review: City staff reviewed the project for compliance with applicable codes, standards and ordinances. The following is the timeline of the review:

- It was found that additional information and revisions were necessary and a Substantive Review comments were provided to the applicant on December 3, 2019 (Attachment 17).
- The applicant submitted revised plans and reports on February 6, 2020.
- Following the second review, the City issued a second Substantive Review comments on March 20, 2020 (Attachment 18).
- The applicant again submitted revisions on April 22, 2020.
- At the request by staff, minor changes were made to the Preliminary Plat Map and Civil Plan Set received May 26, 2020.
- The Site Plan Review Committee had a meeting on June 10, 2020 to recommend approval of the proposal subject to several conditions (Attachment 19.)
- After the meeting, additional conditions were added based on the result that a portion of the property was shown to be located within a flood control zone. Flood zone details and staff analysis are provided further within this report.

#### Public Comment

Public comments have been received throughout the review process on this project (Attachment 20). The comments received are from citizens that live or own property in the area that expressed concerns about the development, such as, possible soil contamination, traffic, flood plains, and vehicle parking, stormwater run-off, the need for tree buffers and impacts to the school system.

#### Hearing Examiner Authority

Per OMC 18.82.120 a preliminary plat application is within the jurisdiction of the Hearing Examiner.

## **II. APPLICABLE REGULATIONS AND ANALYSIS.**

This section identifies specific regulations in the Olympia Municipal Code that apply to the proposed project. Staff's responses to these standards are noted in italics.

- A.** City of Olympia Comprehensive Plan
- B.** OMC 14.04 Environmental Policies
- C.** OMC 16.60 Tree, Soil and Native Vegetation Protection and Replacement
- D.** OMC 17.16 Subdivisions/Preliminary Plat
- E.** OMC 18.04 Residential Districts
- F.** OMC 18.12 Archaeological Sites

- G. OMC 18.32 Critical Areas
- H. OMC 18.36 Landscaping
- I. OMC 18.40 Property Development and Protection Standards
- J. OMC 18.64 Townhouses
- K. OMC 18.100 Design Review
- L. Engineering Design and Development Standards (EDDS)/Drainage Design and Erosion Control Manual
- M. Revised Code of Washington (RCW) 58.17, specifically Safe Walking Routes

Below are details of the applicable regulations, as well as findings and conclusions applicable to the application.

## A. COMPREHENSIVE PLAN

The subject property is designated Low Density Neighborhood on the Future Land Use Map. The City of Olympia Comprehensive Plan includes the following statements and policies that are relevant to the proposal:

### Land Use and Urban Design

**GL1: Land use patterns, densities, and site designs are sustainable and support decreasing automobile reliance.**

- **Land Use and Urban Design Element Introduction.** Establish land use patterns that ensure residential densities sufficient to accommodate 20-years of population growth.
- **Policy PL1.1.** Ensure that new development is built at urban densities or can be readily modified to achieve those densities; and require that development lacking municipal utility service be designed to cost-effectively transform when services become available.
- **Policy PL1.5-** Require new development to meet appropriate minimum standards, such as landscaping and design guidelines, stormwater and other engineering standards, and buildings codes, and address risks, such as geologically hazardous areas; and require existing development to be gradually improved to such standards.
- **Policy PL16.1** Support increasing housing densities through the well-designed, efficient, and cost-effective use of buildable land, consistent with environmental constraints and affordability. Use both incentives and regulations, such as minimum and maximum density limits, to achieve such efficient use.
- **Future Land Use Designations Table and the Future Land Use Map in the Land Use and Urban Design Element.** Allow “Up to 12 units per acre” of “Single-Family Residential” uses for the underlying “Low-Density Neighborhoods” Future Land Use Designation.

### Transportation

**GT4: The street network is a well-connected system of small blocks, allowing short, direct trips for pedestrians, bicyclists, transit users, motorists, and service vehicles**

- **PT4.3** Build new street and pathway connections so that people walking, biking or accessing bus stops have direct route option, making these modes more inviting.
- **PT4.7** Build new street connections so that emergency vehicles, transit, and other service vehicles have direct and efficient access.
- **PT4.10** Require new developments to connect to the existing street network and provide for future street connections to ensure the gridded street system is built concurrent with development

*Finding/Conclusion: As Conditions, noted at the end of this report, the proposed project will further these goals and policies of the Comprehensive Plan.*

## **B. ENVIRONMENTAL POLICY (OMC 14.04)**

After careful review of the applicable environmental documents and public comments, the city issued a Determination of Non-Significance, pursuant to RCW 43.21C, WAC 197-11, and OMC 14.04 (*Attachment 21*). A public notice was issued on June 3, 2020 and 14-day comment period was provided for the DNS, as required by OMC 14.04.090.F. No appeal was filed during the required 21-day appeal period (OMC 18.75.020.B.1.b.ii).

## **C. OMC 16.60, TREE, SOIL, AND NATIVE VEGETATION PROTECTION AND REPLACEMENT**

The project is subject to standards in OMC 16.60 regarding tree densities and tree protection during construction. For residential subdivisions of five units or more, at least 75 percent of the required minimum tree density shall be located within separate deeded Soil and Vegetation Protection Area(s) held in common ownership by the homeowner's association, or comparable entity. Developing properties are required to meet the minimum density of 30 tree units per acre.

*Findings/Conclusions: Individual lots within a subdivision are exempt from meeting tree density requirements when the entire subdivision has complied with the tree density and soil and vegetation protection requirements. The actual buildable area used to calculate required tree density is typically confirmed during engineering plan review in order to determine how many additional trees that will need to be planted. The City's Urban Forester identified that the retention of six (6) trees (52 tree units) in the northwest and southwest corners of the project site are necessary to be retained and shall be protected during construction. A recommended condition of approval is included to ensure compliance with the engineering construction permit.*

## **D. SUBDIVISION AUTHORITY (OMC 17.16)**

**17.16 Preliminary Plat.** This section sets forth the requirements for preliminary plat applications including submittal requirements, distribution, review procedures, time limitations, public notice, hearing process, and review criteria.

*Findings/Conclusions: A complete application for the proposed plat was submitted to the Community Planning and Development Department on September 26, 2019. The proposal was distributed to City, County, and State agencies for review and comment. Notice of the proposal was issued to property owners in the vicinity and notice of the public hearing was issued in conformance with this chapter.*

### **OMC 17.16.090(A). Inquiry into Public Use and Interest.**

The Hearing Examiner shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks playgrounds, sites for 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 subdivision and dedication. If the Hearing Examiner finds that the proposed plat makes appropriate provisions for the above, then it shall be approved. If the Hearing Examiner finds that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, then the Hearing Examiner shall disapprove the proposed plat.

*Finding/Conclusion:* *The proposed plat complies with OMC 17.16.090.A as follows:*

1. *Public health, safety and general welfare provisions are made through:*
  - *Road standard and off-site sidewalk improvements,*
  - *Sanitary sewer supply,*
  - *Stormwater management,*
  - *Water supply.*
  - *Accommodating additional population growth in an urban area is required by the Washington State Growth Management Act to protect the public's interest, health, and safety (RCW 36.70A.010 and RCW 36.70A.115)*
2. *Open space provisions are met with the Soils and Tree Preservations Tract.*
3. *Drainage way provisions are made with stormwater management and new stormwater infrastructure.*
4. *Street, alley provision, or other public way provisions are made with:*
  - *Addition of new street that meet the City Engineering Design and Development Standards (EDDS).*
5. *Water, sanitary sewer and solid waste:*
  - *All of these services will be provided by the City of Olympia.*
6. *As a condition of approval, provisions for Parks are made through the payment of impact fees that are imposed on the subdivision.*
7. *As required by Title 15 of the Olympia Municipal Code and as a condition of approval, provisions for schools and school grounds are made through the payment of impact fees that are imposed on the subdivision. The impact fees are imposed at a proportionate share of the cost of improvements reasonably related to the new development and will benefit the new development as determined by the Olympia School District and required by WAC 365-196-850. The Olympia school district stated in letter dated October 15, 2019 (Attachment 22) that the schools that would serve this development have a mix of under and overcapacity school and to accommodate students from this development, the district may need to re-evaluate service areas. They also noted that if services areas were changed, the district would provide transportation for any student further away from the walk-zone policy (1-mile zone).*

8. Provisions for fire protection and other public facilities are made through road improvements (on and off site), utility improvements, and building code standards.

**OMC 17.16.090(B) Dedication.**

Dedication of land or payment of fees to any public body may be required as a condition of subdivision approval. Evidence of such dedication and/or payment shall accompany final plat approval.

**Finding/Conclusion:**

*Dedication of land for street rights of way is proposed by the applicant. As a condition of approval, payment of transportation, park, and school impact fees will be required at the time of building permit application.*

**OMC 17.16.090(D) Flood hazard areas**

The Hearing Examiner shall consider the physical characteristics of a proposed subdivision site, and may disapprove a proposed plat because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved covering any land situated in a flood control zone as provided in RCW Chapter 86.16, without the prior written approval of the State Department of Ecology.

**Finding/Conclusion:**

*Per OMC 16.04.500 Flood Plain Development, all development within a designated floodplain located in the City of Olympia shall comply with OMC Chapter 16.70 and the construction specifications detailed in IBC Appendix G, Flood resistant construction, and the amended IRC Section R322 Flood-Resistant Construction. Residential: "Wet flood proofing, flood venting etc." designed by a structural engineer.*

*Per OMC 16.70.010 Flood Damage Prevention, the Legislature of Washington State delegated the responsibility to local governments to adopt regulations to promote the public health, safety, and the general welfare of its citizenry. The City of Olympia adopted Flood Damage Prevention ordinance in 2008 and the statement above referring to an approval letter from the Department of Ecology is obsolete. Per OMC 16.70.040.B, The Building Official is appointed to administer and implement this ordinance.*

*Based on the Building Officials review of the preliminary plat application, a portion of the project site, based from the FEMA Flood Hazard Map (Attachment 23), is shown to be within Flood Zone A. Flood Zone A is a zone that has not been provided any base flood elevations and that it would be up to the Building Official to review and reasonably utilize any base flood elevation and floodway data available from the Federal, State or other source to determine what is necessary for compliance.*

*This project area that is within the Flood Zone A consists of the Soils and Vegetation Protection Area, of which the wetland is located and the stormwater facilities for the development. It also appears that a few lots on the west end of the development could be within the flood zone as well. Building new residences on these lots if affected by the flood zone, wouldn't prevent them from being built upon but would require additional requirements/additional protection measures in order to be constructed. Development within the flood zone area would be subject to 16.04.500 Flood Plain*



*Development and subject to the regulations stated within. As conditioned, the development will comply.*

**OMC 17.16.090(E) Health Department**

As a condition of preliminary plat approval, the Health Department may require lot sizes larger than the minimum permitted by the zoning code in those instances where topography, soils, water table or other conditions make larger lot sizes necessary in order to prevent possible health hazards due to water contamination or sewage disposal system malfunction.

**Finding/Conclusion:**

*The application has been routed for review to Thurston County Environmental Health (TCEH), who did not require larger lot sizes than the minimum permitted by the zone.*

**OMC 17.20.010**

Approval of the preliminary plat shall be effective for five years from the date of approval by the Hearing Examiner, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed, except as provided for in Section 17.20.040.

**Finding/Conclusions:**

*Approval of the preliminary plat shall be effective for five years from the date of approval by the Hearing Examiner, during which time a final plat or plats would need to be submitted. During this time, the terms and conditions upon which the preliminary approval is given will not be changed, altered or deleted except as provided for in Section 17.20.040.*

**E. OMC 18.04, RESIDENTIAL DISTRICTS**

This proposed subdivision is subject to the regulations of the OMC Chapter 18.04, and include, but are not limited to, the Development Standards set forth below:

**18.04.020 (B).4-Purpose**

Residential 4-8 Units per Acre. To accommodate single-family houses and townhouses at densities ranging from a minimum of four (4) units per acre to a maximum of eight (8) units per acre; to allow sufficient residential density to facilitate effective mass transit service; and to help maintain the character of established neighborhoods.

**Findings/Conclusions:**

*The proposed density of 37 units on a 4.77-acre parcel to accommodate single family housing and townhomes meets the minimum density and does not exceed the maximum density range of the district. Townhome development projects are allowed a 15 % bonus per OMC 18.04.080.A.4.c. The project is using the available bonus and meets the parameter to do so.*

**18.04.040, Table 4.01 Residential Permitted Uses**

Single Family Residences and townhomes are listed as Single-Family Housing types and are listed as permitted uses in the R-4-8, Residential District.

**Findings/Conclusions:**

*The subject property is in the R-4-8 Residential zoning district. The proposal is for 35 townhomes development lots and 2 single-family residential lots.*

**18.04.060.EE Garage Placement and Width**

Single family dwellings on lots five thousand (5,000) square feet or less in size located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996 is subject to the garage placement and width standards. OMC 18.04.060.EE establishes maximum percentages a garage can occupy a front façade, 60 percent for a two-story structure and 50 percent for a single story structure and how far in front of the front façade that a garage can protrude, 8 feet on a 2 story and 4 feet for single story residences. Exceptions to these regulations apply to lots that front on private access lanes, where a garage would not face a public street.

*Findings/Conclusions: The preliminary plat application has been submitted after April 22, 1996 and all the townhome lots within the proposal are less than 5,000 square feet in size and the standard single-family home lots are over 5,000 square feet. Most of the lots within the plat are exempt, as the lots front to an access tract and not a public street. There appears to be approximately 8 townhome lots that face the public street which are required to meet the specific garage regulations and width standard. Conceptual architectural drawings were provided as part of the townhome supplemental information (Attachment 11) provided by the applicant and staff provided comments to the developer in the first review of the project that those townhomes that faces the public street will need additional modification in order to comply with code. The entire structure will need to be included in the calculation, which will likely reduce the garage widths allowed. Plans provided demonstrated that compliance was feasible, therefore additional revision was not required with the preliminary plat. A condition of approval is recommended that ensures plans are revised to comply at the point of the building permit application.*

Residential Development Standards 18.04.080- Table 4.04:

<b>R-4-8 Development Standard</b>	<b>Required (OMC 18.04.080 Table 4.04)</b>	<b>Proposed</b>
Maximum Housing Density	8 units/acre 40 units would be allowed per OMC 18.04.080.A * See details below	37 units.
Density Bonus – 15% Townhomes	Townhome developments shall receive a fifteen percent density bonus in the R-4-8.	15% was applied to only the 35 townhome units = 5.25-unit density bonus.
Minimum Housing Density	4 units/acre** See details below	16 units
Minimum Lot Size- Townhome	2,000 sq. ft. min	2,583 square feet is the size of the smallest lot
Minimum Lot Width- Townhome	18 feet	Townhome lot width range from between 25 feet to 41 feet.
Minimum Lot Size- Single Family	4,000 sq. ft.	5,924 is the smallest single-family lot
Minimum Lot Width- Single Family	45 feet	Greater than 45 feet
Maximum Impervious Coverage	60% Townhome 45% Single Family	Proposed calculations range between 37% and 60%. ***see details
Maximum Hard Surface	70% Townhome 55% Single Family	Proposed calculations range between 49% and 70%.***see details

\*18.04.080 A. Maximum Density, Density Bonuses and Transfer Development Rights.

The maximum housing densities are based on the total area of the entire site, including associated and/or previously dedicated right-of-way, but not including streams, wetlands, landslide hazard areas, "important habitat areas," and "important riparian areas" and land to be dedicated or sold for public parks, schools or similar non-residential uses.

Townhouses shall receive a fifteen percent density bonus in the R-4-8 and R-6-12 districts.

Development Rights must be obtained from an eligible property owner in a Thurston County Transfer of Developments Rights Sending Zone in order to develop above seven (7) units per acre in an R 4-8 District. However, this requirement does not apply to density bonuses granted in accordance with Section 18.04.080(4).

*Findings/Conclusions: Maximum density for this 4.77 acre parcel and with the previously dedicated right of way, which in this case would be half the width of the dedicated road of Boulevard Rd adjacent to the project parcel provides additional .25 acres and excluding the critical area (1,000 square ft) results in a net size that is 5 acres. Developing at a density of 8 units per acre in the R-4-8 would require that Development Rights be obtained but doesn't apply to the density bonus. Developing the five (5) acres parcel at a maximum of 7 units per acre results in 35 units.*

*Applying the 15% density bonus for townhouses to the proposed townhome units (35), renders an additional 5.25 units, allowing for 40 townhome units. The proposal is for 37 units of which does not exceed maximum density limits of the R-4 8 Residential District.*

\*\*OMC 18.04.080.2.B Minimum Housing Densities.

The Calculation of minimum density. The total area of the entire site shall be included in the minimum density calculation except streams, wetlands, landslide hazard areas, floodplains, "important habitat areas," and "important riparian areas" and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Manual tracts provided for trees pursuant to the Tree Protection and Replacement Ordinance; existing, opened street rights-of-way; and land to be sold or dedicated to the public in fee (e.g., school sites and public parks, but not street rights-of-way to be dedicated as part of the proposed development).

In order to develop at a density of four (4) to four-point ninety-nine (4.99) dwelling units per acre in the R 4-8 District, Development Rights may be obtained from an eligible property owner in a Thurston County Transfer of Development Rights Sending Zone

*Findings/Conclusions: The applicant is not proposing to develop at a minimum density. The minimum density based on the above code, would render the net parcel size of approx. 3.25 acre and developing at 5 units per acre, because no development rights obtained, would approximately be calculated at 16 units. The applicant is proposing 37 units which meets the minimum density of the R-4-8 district.*

\*\*\*18.04.080 Table 4.01 Building, Impervious and Hard Surfaces Coverage

Townhome lots are allowed a maximum of 60% for both building and impervious coverage and 70% hard surface coverage.

*Findings/Conclusions: As part of the townhome supplement provided by the applicant at application, a Ground Cover chart was included on the plans that provided the proposed building, impervious and hard*

surface coverage totals and the projected percentages for each lot within the plat. The chart indicates compliance to these coverage allowances. Staff is concerned that the townhome buildings and driveways are maximizing the allowed percentages and do not leave options for any patio slabs, decks, on-site sidewalks, outdoor covered areas or storage sheds that are typical in a residential development. Additionally, the revision submittal of the Preliminary Plat resulted in some changes to the lot sizes and the Ground Cover chart shown on the last page of the Civil Plan set dated May 26, 2020 (Attachment 5) that does not reflect those new lot sizes. Compliance to the maximum building, impervious and hard surface coverage allowances are reviewed at time of building permit review. As proposed the plat will be developed in a way that can accommodate compliance. A condition of approval is proposed to ensure careful consideration of the hard and impervious surfaces are evaluated at the point of the building permit application. Staff encourage reduced building footprints to allow for other site amenities as outlined above.

#### **F. OMC 18.12, HISTORIC PRESERVATION**

##### **18.12.140 Cultural Resources**

Cultural Resources shall be protected from damage during construction and all other development activities. Development projects that require a State Environmental Policy Act (SEPA) threshold shall be required to sign an Inadvertent Discovery Plan (IDP) prior to construction permits.

*Finding/Conclusion: As disclosed in item 14 in the Environmental checklist (Attachment 14) and with other agency comments the City received (Attachment 24) including the Squaxin Island and Nisqually Tribes, no comments were made over any specific cultural resources concern for this project. As necessary to protect cultural resources, a condition of approval has been recommended to ensure an inadvertent discovery plan is submitted with the engineering permit application.*

#### **G. OMC 18.32 CRITICAL AREAS**

**18.32.500 Wetlands.** In order to protect the natural function of wetlands for floodwater storage, floodwater conveyance, sediment control, pollution control, surface water supply, aquifer recharge, wildlife habitat, and recreation, those lands with wetlands or which lie within three hundred (300) feet of wetlands shall be subject to the standards in OMC 18.32.100(A) and OMC 18.32.505 through OMC 18.32.595.

*Findings/Conclusions: The project site has an onsite wetland and there is an unregulated wetland offsite that is within 300 feet of the subdivision, approximate locations are shown in Attachment 25. The applicant provided a critical area report at application for the on-site wetland. The report finds the on-site wetland is a Category IV wetland and less than 1,000 square feet. The off-site wetland located on the 5-acre property to the west per the City's wetland confirmation letter dated December 29, 2017 (Attachment 26) is considered an unregulated wetland and therefore no buffer is required.*

**18.32.515 Wetlands. Small Wetlands.** Wetlands less than a thousand square feet are exempt from mitigation sequencing, buffer and wetland mitigation requirements, if the wetland meets the following criteria:

- wetland is an isolated Category III or IV wetland;
- wetland is not associated with a riparian corridor;
- wetland is not part of a wetland mosaic;
- wetland does not contain habitat as identified as essential by the Washington State Department of Fish and Wildlife; and

- wetland is not part of a wetland within a shoreline.

*Findings/Conclusion: Staff from the City of Olympia and the Department of Ecology reviewed the wetland report, conducted 2 on-site investigations and confirmed that the on-site wetland is less than 1,000 square feet in size, is an isolated Category IV wetland, not part of a riparian corridor, wetland mosaic, contains habitat as essential and not a wetland within a shoreline and therefore not subject to mitigation sequencing, buffer or wetland mitigation requirements and generally concur with the report. Protection of the wetland during construction is essential and a condition of approval is recommended to ensure protection measures are identified on the engineering construction permit plans.*

#### 18.32.140 General Provision- Critical Area Tracts

As a condition of a binding site plan, short plat, large lot subdivision, planned residential development, or subdivision, the applicant may be required to create a separate critical area tract or tracts containing critical areas or their buffers. Critical area tract or tracts shall be subject to either a conservation easement for the protection of native vegetation within a critical area and/or its buffer dedicated to the City or other appropriate public, nonprofit, or private entity (e.g., land trust) with a demonstrated record of land conservation and approved by the Department; A deed restriction recorded on the Chapter of all lots containing a critical area tract or tracts created as a condition of the permit; or Limiting conditions on the face of the recorded plat or binding site plan.

*Findings/Conclusions: The on-site wetland is included within the Soils and Vegetation Protection Area tract and the responsibility of maintaining this tract will be an entity such as a homeowner's association, adjacent lot owners, the permit applicant or other appropriate entity. As conditioned, the project will comply.*

18.32.610 Landslide Hazard Areas. "Landslide Hazard Area" typically are steep slopes of forty (40) percent or greater, slopes of fifteen (15) percent or greater with Impermeable subsurface material (typically silt and clay), frequently interbedded with granular soils (predominantly sand and gravel), and springs or seeping groundwater during the wet season and any areas located on a landslide feature which has shown movement during the past ten thousand years or which is underlain by mass wastage debris from that period of time.

*Findings/Conclusions: At time of the Presubmission Conference, City staff requested that a Geotechnical Report (**Attachment 7**) be provided at time of Preliminary Plat application to determine if any land slide hazards exist on the site. A report was provided by the applicant at application. The report findings state that no slopes representing a landslide hazard per the City of Olympia Critical Area Ordinance exist. Slopes on site do not exceed 40% and the site does not contain interbedded geology with ground water seep. City staff concurs that no landslide hazards exist.*

## **H. OMC 18.36, LANDSCAPING**

18.36.040 Applicability. The chapter applies to all development applications, except for individual single-family residential lots and development containing four (4) or less attached dwelling units.

18.36.040.J. Stormwater Ponds and Swales. Stormwater drainage ponds and swales and other stormwater facilities shall be located where they will not unreasonably impede pedestrian access to or between buildings. They shall be attractively landscaped with native, or well-adapted drought-tolerant plants and integrated into the site design.

*Findings and Conclusions: Single family lots and developments containing 4 or less attached dwelling units are exempt from the landscaping requirements of this chapter. Per OMC 18.36.040.J, stormwater ponds and swales within the plat are required to be attractively landscaped. A conceptual landscaping plan (Attachment 8) was provided by the applicant but does not meet the requirements of 18.36.080.B, which requires specific information, such as existing soil type and amendments, planting details, size and quantity of plants, cost estimates are a few of the items that are needed. The plan submitted adequately provides the level of detail necessary for the preliminary plat as it identifies the areas intended for landscaping. Final landscaping plans are typically submitted at engineering plan review. A condition of approval has been recommended to ensure the landscaping plan submitted at the point of engineering permit submittal adequately addresses code requirements.*

## **I. OMC 18.40 PROPERTY DEVELOPMENT AND PROTECTION STANDARDS.**

18.40.060.I. Minimum Street Frontage. Each lot, other than in townhome, cottage or co-housing projects shall have a minimum of thirty feet of frontage on a public or private street. The Director may allow the street frontage to be reduced or eliminated to the minimum extent necessary to enable access to property.

*Findings/Conclusions: Townhome lots are exempt from these requirements. The two single family lots (Lots 36 and 37) and many of the townhome lots are accessed by private access tracts, which is not consider a public or private street, therefore compliance is not required. The 2 single-family lots accessed from the private access tracts only have approximately 28 feet of frontage. However, the director may allow lot widths to be reduced or eliminated to the minimum extent necessary to enable access to property where public street access is not feasible. These access tracts, as designed allow fire truck access and utilities to serve the lots, therefore the City recommends approval of this design at 28 feet rather than the standard requirement of 30 feet.*

## **J. OMC 18.64 TOWNHOUSES**

### 18.64.040 Review Authority, Ten (10) or more Townhouses.

The Hearing Examiner may approve creation of ten (10) or more Townhouse lots subject to Appeal requirements contained in the Olympia Municipal Code, Chapter 18.75 and the public notice requirements contained in Chapter 18.78.

### 18.64.060 Platting requirements.

In R-4, R 4-8, and R 6-12 Districts a subdivision or short plat is required for all townhouse developments so that individual dwelling units are divided onto lots with the structural walls located on the lot lines. In other Districts the platting of each individual dwelling unit is optional.

### 18.64.080 Development standard

**Maximum Site Area.** The maximum site area for solely townhouse development in the R4, R 4-8 or R 6-12 District shall be four (4) acres. There is no maximum site area in other districts where townhouses are permitted.

**Units per Structure.** In R4, R 4-8 and portions of the R 6-12 Districts not located within the Transition Area, each townhouse structure shall contain no more than four (4) individual dwelling units, and there shall be no more than one (1) builder per townhouse structure.

Setback Requirements. For townhouse projects within property zoned R4, R 4-8 and R 6-12 the side yard of each building shall be no less than ten (10) feet for buildings with three (3) or four (4) units and five (5) feet for those with two (2) units.

*Findings and Conclusions: The property is located in the R-4-8, therefore a subdivision is required. The project parcel is over 4 acres in size and includes townhouse development located in the R-4-8. The proposal is to subdivide townhome and single-family lots. As proposed, the plat includes both townhome development and two (2) single-family lots within the plat, therefore the proposal is not solely a townhouse development. The project is not located within the Transition Area and therefore the townhome structures are limited to no more than 4 individual units. The conceptual design plans shown only having 4 units per townhome building and compliance with the 10-foot side yard setback. As proposed, the project complies.*

#### **K. OMC 18.100 DESIGN REVIEW**

Townhouses and single-family housing located on lots less than 5,000 square feet in size are subject to design requirements outlined in OMC 18.175 Infill and Other Residential Design.

*Findings/Conclusions: All the townhome lots are less than 5,000 square feet in size. The applicant provided conceptual townhouse designs and staff determined some modifications are necessary to comply with the applicable design code, as provided in the Substantive Review letter dated December 3, 2019 (Attachment 17). Design Review for each townhome structure is required and is conducted by staff at time of building permit review. A condition of approval is recommended to ensure the design of the structures comply at the point of a building permit application.*

#### **L. ENGINEERING DESIGN AND DEVELOPMENT STANDARDS (EDDS)/DRAINAGE DESIGN AND EROSION CONTROL MANUAL (DDECM)**

The Revised Civil Plan Set date stamped received May 26, 2020 (Attachment 5) has been reviewed for compliance with the EDDS relative to sewer, water, solid waste, streets and street trees and Preliminary Drainage Report for compliance to the DDECM for stormwater.

**Sewer 2.050.A** - The developer will install sewer facilities in accordance with the provisions of Chapter 7 of the EDDS.

*Findings/Conclusions: The City has capacity for this development's anticipated sanitary sewage discharge. This project will be required to extend a sewer main on the internal street network as shown on the plans. The proposed sanitary sewer main extensions and connections comply.*

**Water 2.060.B** - The developer will install water facilities in accordance with the provisions of Chapter 6 of the "Engineering Design and Development Standards" (EDDS).

*Findings/Conclusions: The City has capacity for this development's domestic water and fire suppression requirements. The proposed water main improvements and connections comply.*

**Frontage Improvements in General 2.040.A** - Unless deferred or exempt as provided for in the Standards, any development permit authorizing a development will require that the developer construct or install frontage improvements.

**Streets and Alleys 2.040.B, General 2.040.B.1** - Streets and alleys will be designed and constructed in conformance with the provisions of Engineering Design and Development Standards, Chapter 4. The minimum requirements established by the current editions of the American Association of State Highway and Transportation Officials (AASHTO) and the Institute of Transportation Engineers (ITE) standards, and as identified by Table 11, Chapter 4. Access to Developments 2.040.B.2 (EDDS) - A development will abut a public right-of-way and have public right-of-way frontage with site access to one or more streets improved to comply with the standards as set forth in Table 1. Chapter 4 of the Engineering Design and Development Standards.

**Findings/Conclusions:** *The project will provide a new street with a future connection to be stubbed to the property to the north (Sonrise Church) if the property were to further develop or redevelop. The proposed street improvements comply. Typically, a street connection would also be sought for future connection to the 5-acre parcel to the west. The City's Transportation division determined that a future street connection was not warranted to that property, due to the inability to meet any acceptable street grade and the presence of an unregulated wetland, it was determined not constructible or feasible to be made. As designed, the proposed street design complies.*

**Street Name, 4B.040-** The developer must check with Public Works Department regarding the naming of streets. This should be done at the time the Preliminary plat is submitted and again upon approval of the final plat to ensure that the name assigned to the new street is consistent with the policies of the City.

**Findings/Conclusions:** *City of Olympia staff and other agencies consulted to determine if the proposed name shown on the Preliminary Plat map could be used and determine that another name would need to be used. As conditioned, the project will comply.*

**Traffic Impact Analysis Guidelines 2.040.G** - OMC Chapter 15.20 Transportation Concurrency and Chapter 4 of the EDDS provides guidance on when a Traffic Impact Analysis (TIA) may be required for a proposed project, and what additional improvements may be required as a result of completing a TIA.

**Findings/Conclusions:** *As determined by the City of Olympia, Transportation section, a TIA was not needed as the project did not exceed 50 peak hour trips, which would be the threshold for requiring.*

**Street Trees 4H.100C** - Street tree spacing and location. The City Engineer or Urban Forester may vary the following standards as necessary to ensure public safety and consistent streetscape design. Spacing and location of trees shall be determined by the Urban Forester in accordance with local conditions; the species, cultivars, or varieties used; and their mature height, spread, and form.

**Findings/Conclusions:** *The proposed street tree location represented on the plans submitted were reviewed by the City Forester; the tree species and the location of street trees may change based on final review done at time of engineering plan review. As conditioned, the project will comply.*

**Solid Waste 8.020** - Waste Resources provides for collection and disposal of all solid waste and recycling generated from all occupied residential premises within the City a minimum of once every two weeks. The developer will provide for automated side-load solid waste pick-up.

**Findings/Conclusions:** *The City has capacity for this development's anticipated solid waste generation. Pads have been conceptually shown on the public streets for cart placement. In order to facilitate solid waste and emergency vehicle movements, vehicle parking will not be allowed on the main public street (labeled as Hill*



*View Street). The final locations for solid waste pick up will be determined and finalized once collection begins. As conditioned, the project will comply.*

**Storm Drainage 2.060.C** - The developer will provide for the treatment storage and disposal of surface drainage through a storm drainage system designed to the current Drainage Design and Erosion Control Manual for Olympia (Manual) and Chapter 5 of the Engineering Design and Development Standards. General 5.010 - The standards established by this chapter are intended to represent the minimum standards for the design and construction of storm drainage facilities. Except as otherwise stated herein, these standards apply to all stormwater pipe and facilities, regardless of whether final ownership is private or public. The latest adopted edition of the City of Olympia Drainage Design and Erosion Control Manual (Drainage Manual, or DDECM) is considered a part of this chapter of the Engineering Design and Development Standards. This Drainage Manual sets forth the minimum drainage and erosion control requirements as supplemented herein.

**Findings/Conclusions:** *The proposed stormwater system described in the Revised Preliminary Stormwater Report dated February 2020 (Attachment 9), generally complies with the provisions of the 2016 Drainage Design and Erosion Control Manual (DDECM). All stormwater elements will need to be constructed in the first phase of the development if the developer chooses to phase the project. As conditioned, the project will comply.*

**M. EDDS 2.040.B.18 AND RCW 58.17, SAFE WALKING CONDITIONS:**

The City ensures that safe walking routes are provided for a development of this nature in order to comply with RCW 58.17.110, if an elementary or middle school is located within walking distance, or to a school bus stop if the school district provides bus service to and from the school.

**Findings/Conclusion:** *The project lies within walking distance to Washington Middle and McKenny Elementary school. Sidewalk/walking paths exist that lead to each school except, City staff identified the need for off-site sidewalks to be constructed south of the project site, along the west side of Boulevard Road starting at the existing walking path located adjacent to 2917 Boulevard Road SE and continue south to the northwest corner of Morse Road SE to ensure compliance with safe walking conditions to both schools. A condition of approval has been recommended to ensure compliance.*

**N. SOIL CONTAMINATION**

**Finds/Conclusions:** *Based on the history of the property as stated earlier in this report, the property was known to have many inoperable vehicles being stored on site and the City had concerns over possible soil contamination. At the Presubmission Conference, the City indicated that the developer would need to provide results of any soil contamination investigations. At time of application, the applicant provided results from soil sampling provided by Insight Geologic with testing conducted by Libby Environmental and included within the Geotechnical, Stormwater and Limited Environmental Investigation Report dated August 2, 2018 (Attachment 7). The report indicates that 6 soil samples were taken from areas that suspected vehicle storage was known to be and tested for petroleum hydrocarbon. Based on conversations with the applicant, the basis of the locations where samples were taken from was based from aerial photos of the time when vehicles were being stored on site. City staff reviewed the report and the findings that no petroleum hydrocarbons were detected in the soils that were taken.*

*City staff verified with the Department of Ecology (DOE) to confirm if the property was listed as a potential site that was known to need environmental cleanup and no record of such was found. The comments received from the Department of Ecology (Attachment 24), Toxic Clean Up Division, condition the project if soil contamination is found, that Department of Ecology must be notified. A condition of approval has been recommended that ensures compliance with the DOE requirements related to soil contamination processes if any contamination is found onsite*

## O. PUBLIC AGENCY COMMENTS

Other agency review comments (Attachment 24) received through the review of the project are as follows:

- Washington State, Department of Ecology, Shoreland and Environmental, Water Quality and Watershed Resource Unit, Solid Waste Management and Toxic Cleanup all provided comments during the project comment period and during the SEPA comment period. The comments identified permit process requirements related to soil contamination, erosion control measures and fill.
- Thurston County Health Department (TCEH)- Provided a letter date June 3, 2020 with their Analysis, findings and recommend of approval with conditions. Their primary concerns related to the project are summarized as follows:
  - Protection of Ground and Surface Waters: The project site is located within a Category II Aquifer Recharge Area as defined by the Thurston County Critical Area Ordinance. TCEH required that the applicant provide an Integrated Pest Management Plan (IPMP) (Attachment 13) for the project. The IPMP outlines landscape management practices which help to reduce impacts to surface and ground water. The county reviewed and has asked that a finalized version of the IPMP be submitted.
  - Existing and Proposed Water Supply: Department of Ecology records document a 36" diameter, 40' brick-lined dug well was constructed in 1958 on the front lawn northeast of the residence. There are no records documenting the decommissioning of this well of which is needed. This project is proposing to connect to City of Olympia public water. Confirmation of abandonment is required.

*Findings/Conclusions: City staff reviewed these agency comments received and finds these conditions or requests acceptable and therefore recommended conditions are provided.*

## P. PHASING PLAN

The applicant submitted a proposed phasing plan (**Attachment 12**) that would allow the development of the subdivision to occur in two separate phases allowing for final plat approval on the first phase before constructing phase two improvements, if the developer finds that it is necessary.

*Findings/Conclusions: City staff reviewed the phased plan and have recommended conditions of approval to ensure appropriate improvements are made for the 2 phases.*

### III. CONCLUSION AND RECOMMENDATION

Pursuant to OMC 18.72.100, the Director finds that the project, as conditioned, meets all applicable codes and standards. Therefore, the Director recommends that the Hearing Examiner approve the preliminary plat subject to the following conditions:

1. **Approved Plat.** The subdivision shall be substantially in conformance with the preliminary map and civil plans dated May 26, 2020 and phasing plans dated May 8, 2020, as modified by the conditions of approval herein, and as modified by the Hearing Examiner.
2. **Plat Approval.** Preliminary approval of the plat shall be effective for five years from the date of approval by the Hearing Examiner, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval is given shall not be changed, except as provided for in Section 17.20.040. (OMC 17.20.010)
3. **Landscape Plan.** A final landscape plan prepared in compliance with OMC 18.36 shall be submitted in conjunction with the engineering permit application.
4. **Vegetation Maintenance Bond.** A vegetation maintenance bond (or other assurance) shall be provided following city acceptance of the landscape installation, including street trees prior to final plat. The bond amount shall be 125% of the cost estimate submitted with the final landscape plan and approved by the City.
5. **Hours of Operation/Construction Noise.** Pursuant to OMC 18.40.080.C.7, construction activity detectable beyond the site boundaries shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.
6. **Design Review and Garage Placement and Width Requirements.** Townhouse developments shall meet OMC Residential Design Criteria, Chapter [18.175](#) and, if applicable, shall comply with garage placement and width provisions of 18.04.060(EE), provided that such standards shall be applied to the entirety of each building, and not to each dwelling unit. A Detail Design Review application is required prior to or at time of building permit application for each townhome structure.
7. **Impervious/Hard Surface Coverage.** It shall be noted on the face of the final plat that each lot is subject to maximum impervious coverage and hard surface coverage allow by the zoning district.
8. **Inadvertent Discovery Plan.** A signed Inadvertent Discovery Plan (IDP) which outlines how the project proponent and site crew will respond in the event that archaeological resources are uncovered during the course of project work shall be submitted by the applicant at the time of Engineering plan submittal (OMC 18.12.140).
9. **Wetland Protection.** Silt fencing and other Best Management Practices as out lined in the Engineering Design and Development Standards (EDDS) shall be installed around the wetland prior to commencement of any earthwork and maintained during all stages of construction. Provide details on the civil plan set at time of engineering permit application.

10. **Wetland /Soils and Vegetation Tract.** A note substantially similar to the following shall appear on the face of the final plat: "Note: The \_\_\_\_\_ is responsible for maintenance and protection of the Soils and Vegetation Protection Area/ wetland. Maintenance includes ensuring that no alterations occur and that all vegetation remains undisturbed unless the express written authorization of the Olympia Community Planning and Development Department has been received."
11. **Safe Walking Conditions.** In order to meet RCW 58.17 for safe walking conditions for children who walk to and from school, off site sidewalks shall be constructed along the west side of Boulevard Road starting at the existing walking path located adjacent to 2917 Boulevard Road SE and continue south to the northwest corner of Morse Road SE. If the plat is phased, these improvements shall be completed prior to finalizing Phase 1. Provide details of construction on the civil plan set and provide at time of engineering permit application.
12. **Engineering Permit Application.** An engineering permit application shall be submitted for review and approval prior to construction. The permit submittal shall comply with the 2018 Engineering Design and Development Standards (EDDS) and the 2016 Drainage Design and Erosion Control Manual (DDECM).
13. **Construction Stormwater General Permit.** No ground-disturbing activities may occur without a Construction Stormwater General Permit (CSWGP) issued for this site. Therefore, no Engineering or Grading Permits are to be issued until written proof is received by the City that the contractor or owner has received this CSWGP from the Department of Ecology.
14. **Solid Waste.** The City of Olympia solid waste department shall have full approval of final locations of waste pick up. Pickups may need to occur on one side of the street. Determinations shall be finalized once collection begins.
15. **Street Parking.** No vehicle parking shall be allowed on the public roadway or Tract D in order to facilitate solid waste and emergency vehicle movements. Signs shall be posted prior to final plat approval.
16. **Right of Way Performance Bond.** Bonds or other allowable securities shall be submitted to the City to guarantee the performance of work within the subject site and rights-of-way, or maintenance of required public infrastructure intended to be offered for dedication as a public improvement. See both EDDS Section 2.030.F and Volume 1 Section 2.6.1 of the 2016 DDECM for more information.
17. **Tree Density.** Minimum required tree units for this plat is 30 units per buildable acre. At least 75% of the minimum tree density shall be planted within a Soil and Vegetation Protection Area (SVPA). The remaining 25% may be planted within the SVPA or elsewhere within the plat.
18. **Tree Protection Measures.** The retention of six (6) trees (52 tree units) in the northwest and southwest corners of the parcel shall be retained. The Project Forester shall provide Tree Protection Measures, City of Olympia EDDS Tree Protection Fence Detail and tree Protection Timeline. This information shall be added to the civil plans set and provided at time of engineering permit application.

19. **Street Trees.** Street tree location and species along Boulevard Road and the new internal street shall be determined at the time of engineering permit review.
20. **Final Map.** Provide the following details on the final map at time of final plat application:
  - A. Label/note the full Right of Way width for Boulevard Rd SE adjacent to the preliminary plat property.
  - B. Show the approximate location of all existing structures within twenty-five (25) feet of the external boundary lines of the preliminary plat. Specifically, look at the parcel lying southerly of proposed Lot 31, Access Tract E, and Lot 35.
  - C. Place a note on the face of the map that indicates that lots 1- 10 are townhome lots and subject to Design Review.
21. **Street Name.** Provide a list of alternative street names ranked sequentially (first choice, second choice, last choice) to Community Planning & Development prior to engineering permit application to be considered.
22. **Contamination.** If contamination of soil or groundwater is encountered during site work and construction, the applicant shall notify the Department of Ecology's Environmental Report Tracking System Coordinator for the Southwest Regional Office at 360-407-6300.
23. **Grading and Fill.** All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste. Necessary permits shall be obtained if these materials are used (WAC 173-350-990). All removed debris shall be disposed of at an approved site. Contact the Thurston County Health Department for proper management of these materials.
24. **Integrated Pest Management Plan.** A revised Integrated Pest Management Plan shall be submitted at time of Engineering Plan review for Thurston County Environmental Health's review.
25. **On-site Well.** The applicant must work with Department of Ecology to ensure the dug well located on the site has been properly decommissioned or addressed. A copy of the decommissioning report or documentation from Department of Ecology confirming the well has been adequately addressed must be submitted to Thurston County Environmental Health and a copy provided to Community Planning and Development at time of engineering plan review.
26. **On-site Septic System.** In the event an on-site septic system is located during site development it must be properly abandoned per Article IV of the Thurston County Sanitary Code. An abandonment permit application is required to be submitted with copies of abandonment documentation from a licensed septic system pumper to Thurston County Environmental Health.
27. **Water and Sewer Services.** Confirmation of water and sewer construction approval from the City of Olympia shall be submitted to Thurston County Environmental Health prior to final plat approval.
28. **Impact Fees.** In accordance with OMC Title 15, City of Olympia impact fees for transportation, parks, and schools shall be paid at time of building permit issuance.
29. **Flood Plain Area.** Show flood plain areas on all construction drawing submitted within the Civil Engineering Plans and on the final plat map. All development within the flood plain is subject to 16.04.500.

30. **Flood Certificate.** Place a note on the final plat map that indicates the following: "All lots located within a flood zone are subject to OMC 16.04.500 and will be required to provide an elevation certificate prepared by a licensed land surveyor in the State of Washington at time of building permit submittal to construct any new residence."
31. **Construction Codes.** The project shall comply with the City of Olympia Construction Codes as adopted through the Olympia Municipal Code, Chapter 16.04.
32. **Fire Prevention.** The project shall adhere to OMC Ch. 16.32, 16.36, 16.40, & 16.44, Olympia Engineering Development and Design Standards (EDDS), Ch. 4 & 6, 2015 IBC, and 2015 IFC. All new residential construction shall be sprinkled.

### Phasing Conditions

33. **Stormwater.** If the developer chooses to separate the construction plans into phasing, all stormwater elements including access for stormwater maintenance shall be constructed during phase 1.
34. **T Intersection Improvements.** If the T intersection on the public roadway labeled as Hill View Drive and Tract D are not installed with phase 1 construction, the use of Tract B shall be free and clear of all obstructions during the construction of the individual buildings within the plat. Solid Waste and emergency vehicles shall have full access at all times.
35. **Driveway Approach.** The driveway approach to Tract B shall be wide enough (approx. 33 ft) to facilitate a solid waste truck turning movement if the T intersection on the public roadway labeled as Hill View Drive and Tract D is not constructed with phase 1 improvements.

Submitted by: Paula Smith, Associate Planner, on behalf of the Site Plan Review Committee.  
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### Attachments:

2. Hearing Notice
3. Public Comment Crewdson Email
4. Preliminary Plat dated 052620
5. Civil Plan Set dated 052620
6. Critical Area Analysis Report
7. Insight Geologic Report
8. Landscaping and Tree Replacement Plan
9. Preliminary Stormwater Report April 2020
10. Soils and Vegetation Protection Plan
11. Townhome Supplement
12. Phasing Plan
13. Integrated Pest Management Plan
14. Environmental Checklist
15. Notice of Application
16. Neighborhood Meeting Summary
17. Substantive Review Table issued 120319

18. Substantive Review Table issued 032020
19. Site Plan Review Committee Recommendation
20. Public Comments
21. Notice of SEPA DNS
22. Olympia School District Letter 101519
23. FEMA Flood Hazard Map
24. Agency Comments
25. Wetland Location Reference Map
26. Wetland Confirmation Letter 122917