



February 13, 2023

Greetings:

**Subject: Mission Creek Wireless  
File Number 22-5612**

The enclosed decision of the Olympia Hearing Examiner hereby issued on the above date may be of interest to you. This is a final decision of the City of Olympia.

In general, any appeal of a final land use decision must be filed in court within twenty-one (21) days. See Revised Code of Washington, Chapter 36.70C, for more information relating to the timeliness of any appeal and filing, service and other legal requirements applicable to such appeal. In particular, see RCW 36.70C.040.

Please contact the City of Olympia, Community Planning and Development Department, at 601 4<sup>th</sup> Avenue East or at PO Box 1967, Olympia WA 98507-1967, by phone at 360.753.8314, or by email at [cpdinfo@ci.olympia.wa.us](mailto:cpdinfo@ci.olympia.wa.us) if you have questions.

Sincerely,

Tressa Pagel  
Program Assistant  
Community Planning and Development

Enclosure:

BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

IN RE: ) HEARING NO. CUP 22-5612  
MISSION CREEK WIRELESS. ) FINDINGS OF FACT,  
 ) CONCLUSIONS OF LAW  
 ) AND DECISION  
 )

**APPLICANT:** J5 Infrastructure Partners

**REPRESENTATIVE:** Phillip Kitzes  
J5 Infrastructure Partners  
23035 SE 263rd Street  
Maple Valley, Washington 98038

**SUMMARY OF REQUEST:**

The Applicant seeks a Conditional Use Permit to locate and construct a new wireless communications facility that includes a 120-foot monopole, emergency generator and associated ground equipment to meet wireless infill coverage needs. The project area is 675 square feet in size and is located within an existing parking lot.

**LOCATION OF PROPOSAL:**

1818 4th Avenue East, Olympia, Washington

**SUMMARY OF DECISION:**

The requested Conditional Use Permit is **approved** subject to slightly modified conditions.

**BACKGROUND**

The Applicant, on behalf of AT & T, seeks to construct a new monopole wireless communications tower, 120 feet in height, in the rear parking lot of the Elks building at 1818 4th Avenue East. While the proposed facility will provide greater coverage area than existing AT & T facilities, its most important aspect is that it will increase capacity, thus avoiding dropped calls and other wireless problems resulting from overused facilities.

*Findings of Fact, Conclusions of Law  
and Decision - 1*

**CITY OF OLYMPIA HEARING EXAMINER**  
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1 The proposed site has been chosen after an extensive investigation into other possible  
2 sites and/or co-location on existing wireless facilities. No other suitable sites have been  
3 discovered within a quarter mile radius and relocating to a further away site would negate the  
4 purpose of the new tower.

5 The tower would be constructed within a 675-square-foot leased area within the parking  
6 lot to the Elks facility. Other site improvements include an equipment compound enclosed in  
7 wood fencing and landscaped to provide screening from public view, while the tower would be  
8 designed to mimic a pine tree in order to lessen its visual impact to the surrounding  
9 neighborhood. A similar design has been previously approved in the City.

10 There has been very little public response to the application but one adjoining landowner,  
11 Mr. Scott Barricklow, has voiced concerns that the proposed location will interfere with existing  
12 phone, cable and other utility lines running from a common utility pole on the project site to Mr.  
13 Barricklow's property. In response to these concerns, City Staff has imposed a condition  
14 (No. 12) addressing the problem but Mr. Barricklow seeks further assurance that his utilities will  
15 be unaffected. Apart from Mr. Barricklow's comments and testimony, there has been no other  
16 public comment or public opposition to the project.

### 17 **PUBLIC HEARING**

18 Prior to the public hearing I undertook a brief site inspection on Friday, February 3, 2023,  
19 to examine the proposed site relative to the surrounding neighborhood and to better understand  
20 the concerns expressed by Mr. Barricklow in earlier correspondence.

21 The public hearing commenced at approximately 6:30 p.m., on Monday, February 6,  
22 2023. The hearing was a "hybrid" hearing consisting of both a remote hearing utilizing the  
23 Zoom platform along with the opportunity to appear in person in the Council Chambers in the  
24 City Hall. The City appeared through Lydia Moorehead, Associate Planner. The Applicant  
25

1 appeared through Phillip Kitzes. There was one member of the public present, Scott Barricklow,  
2 who testified as to several concerns regarding the project. Apart from Mr. Barricklow, no other  
3 members of the public were present for the hearing. Testimony was received from Ms.  
4 Moorehead, Mr. Kitzes, and Mr. Barricklow. A verbatim recording was made of the public  
5 hearing and all testimony was taken under oath. Documents considered at the time of the  
6 hearing were the Staff Report including fourteen attachments. During the hearing two additional  
7 exhibits were received: Mr. Barricklow's communications to the City via email on Monday,  
8 February 6, 2023, and the City's PowerPoint presentation. Apart from these exhibits there were  
9 no other exhibits presented during the hearing.

10 Ms. Moorehead testified briefly, relying primarily on her Staff Report prepared in  
11 advance of the hearing. The project proposes the construction of a new 120-foot wireless  
12 communication tower in the rear parking lot of the Elks building. The site has a zoning  
13 designation of HDC-2. This zoning designation is shared by all surrounding properties which  
14 include an eclectic mix of commercial, retail and residential uses, including a few apartments at  
15 the northeast corner of the subject block. The proposal calls for the construction of a new 120-  
16 foot tower with a "pine tree" appearance to minimize its visual impact. The project also includes  
17 a fence compound to enclose the tower, generator and two equipment cabinets. The compound  
18 will be enclosed in wood fencing surrounded by landscaping to minimize visual impacts. A  
19 nearby parking lot island will also be relandscaped to restore aesthetics. The project will cause  
20 the loss of four parking stalls but otherwise not have any material impact on use of the Elks  
21 property.

22 Ms. Moorehead acknowledged the concerns expressed by a neighbor, Mr. Barricklow,  
23 particularly regarding the existing telecommunication lines that run from a pole on the Elks  
24 property (located just a short distance northeast of the proposed tower site) and continuing  
25

1 southwesterly to Mr. Barricklow's property located due west of the Elks building along 4th  
2 Avenue. The proposed tower site is directly in the way between the poles on the subject property  
3 and Mr. Barricklow's property, and the lines will need to be relocated. To address this problem,  
4 Ms. Moorehead has proposed Condition No. 12 in her Staff Report which requires that:  
5 "Applicant shall coordinate with private utility providers for the overhead utility lines on the site  
6 and any necessary relocation prior to building permit submittal. A private utility permit shall be  
7 obtained, if needed."

8 Ms. Moorehead concluded her testimony by stating that the project, as conditioned,  
9 satisfies all City requirements for a Conditional Use Permit and for a wireless facility, and  
10 recommended approval of the project subject to the conditions found at the conclusions of the  
11 Staff Report.

12 Following Ms. Moorehead's testimony, Phillip Kitze spoke on behalf of AT & T. He  
13 began with assurances that AT & T will work closely with telecommunication providers to make  
14 certain that all existing telecommunication lines will be properly relocated to ensure  
15 uninterrupted services to the surrounding neighbors. He then explained that the proposed site  
16 has been selected after an exhaustive search for other possible sites including public facilities,  
17 existing cell towers and other available properties. This search led to five possible sites but the  
18 other four were eliminated due to various limitations. The proposed site is the only available site  
19 in the coverage area that is available and can provide the necessary coverage and capacity  
20 currently required. Without the tower, neighborhood coverage will continue to be spotty with  
21 dropped calls, etc. With the tower, AT & T can be extended to other neighborhoods but, more  
22 importantly, capacity will be significantly increased to allow a much greater number of calls  
23 being handled. At the same time, the tower will offer three co-location opportunities for other  
24  
25

1 providers which, hopefully, will reduce the demand for other new towers in this portion of the  
2 City

3 At the conclusion of Mr. Kitzes' testimony the hearing was opened for public comment.  
4 The only person present wishing to be heard was Scott Barricklow. Mr. Barricklow owns the  
5 commercial property immediately west of the Elks site along 4th Avenue. As earlier noted,  
6 telecommunication lines (CenturyLink/Comcast) run to his property from a power pole located  
7 in the Elks parking lot just a short distance from the proposed new tower. The tower is to be  
8 located between these two poles and will cause Mr. Barricklow's telecommunication lines to be  
9 relocated. He seeks assurance that his lines will not be disrupted. He also expresses  
10 understandable concern that this project may have a negative impact to his property's value. He  
11 is in the process of selling his property and fears that its value will diminish significantly due to  
12 news of this project.

13 At the conclusion of Mr. Barricklow's testimony the City was asked if it had any  
14 additional response. The City did not have any additional response and the hearing was  
15 concluded.

16 Mr. Barricklow's frustrations with the possible economic impact of this project on his  
17 property's value is understandable but it not a matter within the Hearing Examiner's control. His  
18 concerns about the protection of his telecommunication lines is, however, more readily protected  
19 through appropriate conditions of project approval. To that end, I feel it is important to improve  
20 upon the language of proposed Condition No. 12 to better ensure that the project does not lead to  
21 any material disruption of utility to Mr. Barricklow's property or any other neighbor. Apart from  
22 minor modification to Condition No 12, however, the project is straightforward, has been  
23 recommended by City Staff, and has been demonstrated to meet all requirements for conditional  
24 use as well as for a wireless facility.  
25

Accordingly, I make the following:

**FINDINGS OF FACT**

1. The Applicant, J5 Infrastructure Partners on behalf of AT & T, requires a Conditional Use Permit in order to construct a new 120-foot tall Wireless Communications Facility (WCF) within a 675-square-foot leased area on a parcel located at 1818 4th Avenue East.

2. In addition to the proposed WCF, the application includes an equipment compound that will be fenced and landscaped, along with additional relandscaping of existing islands in the parking lot.

3. The Findings of Fact contained in the foregoing Background and Public Hearing Section are incorporated herein by reference and adopted by the Hearing Examiner as his own Findings of Fact.

4. The project site is zoned High Density Corridor 2 (HDC-2).

5. The project site is designated as Urban Corridor (UC) in the City Comprehensive Plan Land Use Map.

6. Pursuant to the State Environmental Policy Act a Determination of Non-Significance (DNS) was issued on January 12, 2023. No appeal to the DNS has been filed.

7. Notification of the public hearing was mailed to the parties of record, property owners within 300 feet and recognized neighborhood associations, posted on the site, and published in The Olympian on January 27, 2023, all in conformance with OMC 18.78.020.

8. The Applicant has proposed a design of the WCF intended to mimic the appearance of a pine tree in order to maximize its concealment. This approach has previously been approved in the City in order to reduce the visual affects of the WCF.

9. The project is to be located within the parking lot of the existing Elks building. The site includes four parcels collectively used for the Elks facility and includes an 8,200 square

1 foot building fronting on 4th Avenue with parking to the left (west) and rear (north) of the  
2 building, all as depicted on the aerial map on page 2 of the Staff Report. As shown on this map,  
3 the project area is located within the rear parking area and immediately west of an existing  
4 landscaping island, with parking in all directions from the proposed site. The project will  
5 remove four parking spaces.

6 10. The surrounding properties are an eclectic mix of commercial and retail uses  
7 along with some residential use. All surrounding properties have the same zoning and land use  
8 designations.

9 11. The project proposes to lease 675 square feet of the parking lot to the Elks facility  
10 for the construction of a new, freestanding WCF 120 feet in height. It will have an associated  
11 equipment compound that will be fenced to provide screening from view. The compound will  
12 include an emergency generator and two equipment cabinets. Surrounding the compound will be  
13 landscaping to further obscure the facility from public view.

14 12. The Staff Report, at page 3, contains Findings relating to the City's review  
15 processes, including SEPA review, neighborhood meetings, and site plan review by the SPRC.  
16 The Hearing Examiner has reviewed those Findings and adopts them as his own Findings of  
17 Fact.

18 13. The Staff Report, at pages 3 and 4, contains Findings relating to the project's  
19 compliance with the City Comprehensive Plan. Staff finds that the project, as conditioned, is  
20 consistent with Goal GU17 and Policy 17.1, and Goal PU18.2. The Hearing Examiner has  
21 reviewed those Findings and adopts them as his own Findings of Fact.

22 14. The Staff Report, at page 4, contains Findings relating to the project's compliance  
23 with the standards in Chapter 16.60 OMC relating to tree density and tree protection. Staff notes  
24 that project approval is conditioned upon the planting of one additional tree in the adjoining  
25 planter island. With this requirement the project complies with OMC Chapter 16.60.



1           15.     The Staff Report, at page 4, contains Findings relating to compliance with the  
2 development guidelines for the HDC-2 zone found in Chapter 18.06 OMC. As noted in the Staff  
3 Report, the project satisfies all front, rear and side yard setbacks as well as all other underlying  
4 development standards except that the WCF is 120 feet tall, exceeding the height limit of 60 feet  
5 for the HDC-2 district. Nonetheless, per OMC 18.44.100.C.2, additional height allowances are  
6 allowed for WCF's in this zoning district. As a result of those allowances, the project satisfies all  
7 requirements for the HDC-2 zone per Chapter 18.06 OMC.

8           16.     The Staff Report, at page 4, contains Findings relating to compliance with the  
9 landscaping requirements found in Chapter 18.36 OMC. As noted in the Staff Report, a  
10 conceptual landscaping plan has been submitted but does not meet all code requirements. Staff  
11 has conditioned project approval on the landscaping plan complying with all requirements of  
12 Chapter 18.36 OMC.

13           17.     Among other things, OMC 18.36.190 requires that the project have a "Type I  
14 Solid Screen" a minimum of 5 feet around the equipment compound. The submitted landscaping  
15 plan does not demonstrate this landscaping screen but a solid wood fence is proposed in addition  
16 to relandscaping the adjoining parking island. Staff finds that these conditions will satisfy  
17 requirements for landscaping per Chapter 18.36 OMC.

18           18.     The project must satisfy the noise protection standards found in Chapter 18.40  
19 OMC. The Staff Report, at page 5, notes that the Applicant has provided a Noise Report by SSA  
20 Acoustics (Exhibit 8) demonstrating that the WCF and its equipment compound will comply  
21 with both daytime and nighttime sound limits, and that the requirements of OMC 18.40.080.B  
22 will be met.

23           Findings Relating to WCF Facilities, Chapter 18.44 OMC.

24           19.     The Staff Report, at pages 5-7, contains Findings relating to project's compliance  
25 with the Antennas and Wireless Communication Facilities Ordinance, Chapter 18.44 OMC.

1           20.     OMC 18.44.080 requires that new WCF locations be examined based upon a  
2 hierarchy of siting alternatives, with city-owned properties or rights-of-way being preferred, then  
3 other publicly-owned properties or rights-of-way, and then privately-owned properties. The  
4 proposed site is a privately-owned property and therefore the lowest ranked hierarchy.  
5 Nonetheless, the Applicant has demonstrated that the proposed site is the best available site for  
6 the necessary coverage and, more importantly, all higher ranked options were not available  
7 within the coverage area.

8           21.     The proposed freestanding WCF is an allowed use within the HDC-2 zoning  
9 district subject to a Conditional Use Permit.

10          22.     The proposal must satisfy the development standards found in OMC 18.44.100.  
11 The Staff Report, at page 6, analyzes the various requirements under this subsection of the WCF  
12 Ordinance.

13          23.     OMC 18.44.100.A provides general standards for wireless communication  
14 facilities including screening, landscaping, lighting and various other requirements. Staff finds  
15 that the project, as conditioned, will have a 6-foot high solid wood fence with nearby  
16 landscaping sufficient to adequately screen the WCF. The project is not within 300 feet of a  
17 neighborhood zone or historic district nor is the property registered as historic. The Applicant  
18 has demonstrated that the project will comply with all interference protection standards and  
19 ANSI standards. The project therefore complies with OMC 18.44.100.A. The Hearing  
20 Examiner concurs.

21          24.     OMC 18.44.100.C.1 imposes several additional standards on wireless  
22 communication facilities including: a demonstration that there are no existing structures that can  
23 accommodate the proposed use; the facility is designed for maximum co-location; the facility is  
24 designed to minimize adverse impacts including visual impacts and match adjacent facilities; and  
25

grading and safety requirements are met. Staff finds that the project, as conditioned, will have three additional concealed co-locations on the tower; that the tower has been designed to minimize its visual impacts by replicating a pine tree; that the equipment compound has been adequately screened and landscaped; and that all engineering requirements will be satisfied at time of building permit application. Staff therefore finds that the project, as conditioned, satisfies all requirements of OMC 18.44.100.C.1. The Hearing Examiner concurs.

25. OMC 18.44.100.C.2 imposes maximum height limitations on freestanding WCF's in all zoning districts. Staff finds that the project's proposed height of 120 feet is in compliance with this requirement.

26. OMC 18.44.110 allows the City to require supplemental technical review if deemed necessary. Staff notes that the Applicant has hired a licensed professional engineer and other professional consultants, all of whom have prepared reports and documents which provide adequate analysis of the site and that third party review is not needed. Nonetheless, the project approval has been conditioned upon post-construction field testing within 30 days of the facility becoming fully operational.

Findings Relating to Conditional Uses, Chapter OMC 18.48.

27. As noted in the Staff Report at page 7, the Hearing Examiner may impose additional conditions on the proposed use if deemed necessary for the protection of the surrounding properties, the neighborhood, or the general welfare of the public pursuant to OMC 18.48.040. Staff feels that no additional conditions are required and recommends that the application be approved subject to the conditions proposed by Staff and as found in the Staff Report. The Hearing Examiner generally concurs with the exception of proposed Condition No. 12 relating to the relocation of overhead utility lines for adjoining properties. The Hearing Examiner finds that the project is located in close proximity to an existing power pole from

1 which utility lines, including telecommunication lines, emanate outward in multiple directions to  
2 adjoining properties, and that at least some of these lines will have to be relocated as a result of  
3 the project. The Hearing Examiner further finds that the affected adjoining property owners  
4 should not be unnecessarily impacted and that any disruption to their utilities should be  
5 minimized to the fullest possible extent. To address these concerns, proposed Condition No 12  
6 should be rewritten as follows:

7 "12. Applicant shall coordinate with private utility providers to arrange for the  
8 relocation of overhead utility lines on the site as necessary, with all relocation  
9 occurring prior to building permit submittal. A private utility permit shall be  
10 obtained, if needed. All relocation of existing overhead utility lines shall be done  
11 in a manner which minimizes impacts and inconvenience to adjoining property  
owners, and with the least amount of disruption to any services. Affected  
adjoining property owners shall be notified in advance and alerted as to any  
possible disruptions in service."

12 28. The project is located within the High Density Corridor Design Review District  
13 and subject to design requirements outlined in Chapter 18.130 OMC, but Staff has concluded  
14 that these design standards do not apply to the proposed WCF.

15 29. The project has been reviewed for compliance with the City's historic preservation  
16 ordinance, Chapter 18.12 OMC and its requirements for the protection of cultural resources. The  
17 project is required to sign and Inadvertent Discovery Plan (IDP) prior to construction permits.  
18 As conditioned, the project will comply with Chapter 18.12 OMC.

19 30. As noted on page 8 of the Staff Report, the project has been reviewed for  
20 compliance with the EDDS relative to traffic, water, stormwater, wastewater and solid waste,  
21 and has been found to be conceptually compliant so long as the Applicant demonstrates on  
22 construction plans that it will not change the parking island size or cause the lane of travel  
23 through the public right-of-way alley to narrow, or prevent a solid waste truck from turning left  
24 toward State Street at the island. All emergency access shall be maintained and plans must be  
25

1 updated to reflect the accurate width of the access easement. The Applicant must coordinate  
2 with private utility providers for onsite utilities and relocate them if deemed necessary. Subject  
3 to these conditions, Staff finds that the project complies with the EDDS. The Hearing Examiner  
4 concurs.

5 31. Staff recommends approval of the application subject to conditions set forth in the  
6 Staff Report.

7 32. The Applicant does not object to the conditions proposed by City Staff.

8 Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

9 **CONCLUSIONS OF LAW**

10 1. The Hearing Examiner has jurisdiction over the parties and the subject matter.

11 2. Any Conclusions of Law contained in the foregoing Background or Public  
12 Hearing Sections are incorporated herein by reference and adopted by the Hearing Examiner as  
13 his own Conclusions of Law.

14 3. Any Findings herein which may be deemed a Conclusion are hereby adopted as  
15 such.

16 4. The requirements of SEPA have been met.

17 5. A Conditional Use Permit is required for the proposed use at this site.

18 6. As conditioned, the project is consistent with the City Comprehensive Plan.

19 7. As conditioned, the project is in compliance with the City's requirements for tree,  
20 soil and native vegetation protection and replacement, Chapter 16.60 OMC.

21 8. The project, as conditioned, is consistent with the City's landscaping regulations,  
22 Chapter 18.36 OMC, including the specific requirements for WCF's, OMC 18.36.190.

23 9. The project, as conditioned, is consistent with the City's noise protection  
24 regulations, OMC 18.40.080.  
25

10. The project, as conditioned, meets the underlying development standards for the High Density Corridor 2 District pursuant to Chapter 18.06 OMC.

11. The project, as conditioned, satisfies all requirements for Antennas and Wireless Communication Facilities, Chapter 18.44 OMC, including requirements for co-location.

12. The Hearing Examiner has imposed additional conditions deemed necessary for the protection of the surrounding properties, the neighborhood and the general welfare of the public by revising proposed Condition No 12 as set forth in the Findings.

13. The project, as conditioned, complies with the Historic Preservation Ordinance, Chapter 18.12 OMC.

14. The project, as conditioned, complies with the Engineering Design and Development Standards (EDDS).

The Hearing Examiner having entered his Findings of Fact and Conclusions of Law now makes the following:

## DECISION

The Applicant's request for a Conditional Use Permit is **approved** subject to the following conditions:

1. **Approved Site Plan.** The site plan shall be substantially in conformance with the site plan A.1 & A.2 dated November 7, 2022, as modified by conditions of approval herein, and as may be modified by the Hearing Examiner.

2. **Landscaping Plan.** Provide the final landscaping plan prepared in compliance with OMC 18.36 shall be submitted in conjunction with engineering permit application. The landscape island shall be revised to include two trees, shrubs and groundcover per OMC 18.36.180.C.3.

*Findings of Fact, Conclusions of Law  
and Decision - 13*

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**Phone: 360-748-3386/Fax: 748-3387**

1           3.     **Landscape Estimate.** Provide the following information with the landscape  
2 plan: cost estimate for the purchase, site preparation, installation of all landscaping.

3           4.     **Vegetation Materials & Installation Bond.** A vegetation bond (or other  
4 assurance) shall be posted following City acceptance of the landscaping installation. The bond  
5 amount shall be 125% of the cost estimate submitted with the landscaping plan and approved by  
6 the City.

7           5.     **Hours of Operation/Construction Noise.** Pursuant to OMC 18.40.080.C.7,  
8 construction activity detectable beyond the site boundaries shall be restricted to the hours  
9 between 7:00 a.m. and 6:00 p.m.  
10

11          6.     **Co-location.** All new freestanding wireless communications facilities (WCF)  
12 shall be designed for maximum co-location installations. Additional co-locations shall require  
13 an eligible wireless modification and building permit application to ensure compliance with FCC  
14 standards.

15          7.     **Signage.** The only signage permitted upon the antenna support structure,  
16 equipment cabinets or fence shall be minimum information for the purpose of meeting FAA/FCC  
17 regulation for identifying the antenna support structure, as well as the party responsible for the  
18 operation and maintenance of the facility with current contact information, security and safety  
19 signs.  
20

21          8.     **Lighting.** If required by the Federal Aviation Administration (FAA), lighting  
22 shall not exceed the FAA minimum standards. Any lighting required by the FAA must be of  
23 minimal intensity and the number of flashes per minute. Any security lighting or flood lighting  
24 for the facility shall be constructed and used as to not unduly illuminate the surrounding  
25 properties.

1           9.     **Federal Communications Commission and Interference Protection.** All  
2 facilities shall be required to continue to comply with all applicable federal regulations, including  
3 interference protection.

4           10.    **Structural Analysis Report.** A Structural Analysis Report shall be submitted  
5 with the building permit application. Per OMC 18.44.100.C.1.F, all support structures shall be  
6 certified to comply with the safety standards contained in the Electronics Industries  
7 Association/Telecommunications Industries Association (EIA/TIA) document 222-F, or current  
8 standard, "Structural Standards for Steel Antenna Towers and Supporting Structures," or current  
9 standard, as amended, by a Registered State of Washington Professional Engineer.  
10

11          11.    **Post Construction Field Testing.** Within thirty days of becoming fully  
12 operational, all facilities shall be field tested by a third party reviewer, at the Applicant's expense,  
13 to confirm the theoretical computations of RF emissions.

14          12.    **Private Utilities.** Applicant shall coordinate with private utility providers to  
15 arrange for the relocation of overhead utility lines on the site as necessary, with all relocation  
16 occurring prior to building permit submittal. A private utility permit shall be obtained, if needed.  
17 All relocation of existing overhead utility lines shall be done in a manner which minimizes  
18 impacts and inconvenience to adjoining property owners, and with the least amount of disruption  
19 to any services. Affected adjoining property owners shall be notified in advance and alerted as  
20 to any possible disruptions in service.  
21

22          13.    **Solid Waste.** The Applicant shall ensure that any permanent construction does  
23 not change the parking island size or cause the lane of travel through the public right-of-way  
24 alley to narrow, nor the ability for the solid waste truck to turn left toward State Street at the  
25



1 island. See Table 3 in Chapter 8 of the EDDS for side load and front load truck dimensions and  
2 profiles for turning. This shall be documented on a site plan with the building permit submittal.

3 14. **Parking Island Trees.** Trees are required in the adjacent parking island. Tree  
4 species to be determined by City Forester at time of building permit review.

5 15. **Emergency Access.** The Applicant shall ensure that the construction of the  
6 facility does not limit access for emergency operations.

7 16. **Permits & Plans.** When building permits are applied for the projects will be  
8 reviewed under the appropriate currently adopted version of the International Building Code  
9 (IBC) International Mechanical Code (IMC) International Fuel Gas Code (IFGC) as amended by  
10 Washington State.  
11


12 A City of Olympia building permit will be required for the proposed work, application  
13 for the electrical permit should be submitted following the submittal of the building permit using  
14 the building permit as the parent permit, electrical permits are through the City of Olympia.

15 All structural plans and calculations must be designed, stamped and signed by a  
16 Washington State licensed Structural Engineer.

17 Depending on specific conditions and proposed footings design a geotechnical report  
18 may be required.

19 17. **Survey.** The following revisions should be shown on the building permit  
20 submittal. Add bearings and distances to the exhibit map that are consistent with the legal  
21 descriptions. Reconcile description for the access easement which is described as 12 feet but  
22 labeled as 20 feet on the map.  
23  
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1 DATED this 10 day of February, 2023.

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4 \_\_\_\_\_  
5 Mark C. Scheibmeir  
6 City of Olympia Hearing Examiner  
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*Findings of Fact, Conclusions of Law  
and Decision - 17*

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