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**BEFORE THE HEARING EXAMINER FOR THE CITY OF DUPONT**

**RE: CRG DuPont Corporate Center  
Major Site Plan Amendment  
File No. PLN2018-014 & 015**

)  
) **FINDINGS OF FACT, CONCLUSIONS OF  
) LAW AND FINAL DECISION**  
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**SUMMARY**

The applicant has requested approval of a major site plan amendment to consolidate building space and re-configure building footprints for a previously approved site plan that has been partially developed at 2800 to 2980 Center Drive. The major amendment is approved subject to conditions.

**TESTIMONY**

*[This summary is only provided for the convenience of the reader, to provide an understanding of the testimony presented at the hearing. The summary of testimony is not to be construed as containing any findings of fact or conclusions of law, or as indicating what information the examiner found pertinent or significant.]*

Lisa Klein, planner for the City of Dupont, provided an overview of the staff report and addressed changes since publication of staff report. She introduced an updated tree retention plan received from applicants. The updated plan is dated May 15, 2018. The plan retains the Oregon White Oak tree as required while also clarifying the tree retention plan and keeping it consistent to the landscape plan. It also clarified the tree retention as 330 trees.

After reviewing the plan, staff has proposed revisions for conditions 16 and 17 utilizing the May 2018 plan. A copy of these changes was provided to the applicant before the hearing. The plan was approved

1 under the condition that more information would be provided at the time of the site development permit  
2 to confirm that it met code requirements. Another condition requires trees be added along the south  
3 elevation to soften the building scale. In addition, the fire department requested collaboration with the  
4 development to work on some of the required piping during the project. The staff recommends  
approval the project subject to the conditions.

5 William Lynn, attorney represented the Applicant at the hearing. He noted the lengthy process that the  
6 project has gone through and praises the hard work that city staff and the applicants have put into the  
7 project. He believes that the absence of public comment at this time evidences the extensive review  
8 and public satisfaction of the conditions imposed. He noted that he finds it an anomaly in city's code  
9 for requiring a hearing for building rearrangement. Most people would find the rearrangement a change  
10 for the better because it creates an aesthetically pleasing building design and landscape. He also argued  
11 the applicants have met the required burden of proof from city multiple times during the process.  
12 However, they do accept and endorse Ms. Klein's analysis of the material as well as the lengthy and  
13 revised conditions set by the city. Most conditions are a carryover from prior approval.

## 14 **EXHIBITS**

15 The staff report and documents identified as "Summary of Record" in the staff report were admitted as  
16 Exhibit 1 during the May 14, 2018 hearing. The staff power point presentation was admitted as Exhibit  
17 2 and a revised tree retention plan dated May 15, 2018 was admitted as Exhibit 3.

## 18 **FINDINGS OF FACT**

### 19 **Procedural:**

- 20 1. Applicant. The applicant is Ted Knapp, Center Drive, LLC
- 21 2. Hearing. A hearing was held on the subject application on May 16, 2018 in the City of Dupont  
22 City Council Chambers.
- 23 3. Project/Site Description. The applicant has requested approval of a major site plan amendment  
24 to consolidate building space and re-configure building footprints for a previously approved site plan  
25 that has been partially developed at 2800 to 2980 Center Drive. The site is currently developed with a  
26 340,000 square foot warehouse/office building and two office buildings. The warehouse building will  
be retained and the office buildings will be demolished. The application does not result in an increase  
in building area from that which was previously approved. There are two site plan options to be  
reviewed, Options A and B, under this Amendment. Both options are consistent with the following  
project details previously reviewed and approved:

- Retain the existing 340,000 square foot warehouse/office building on the north portion of the site.
- Retain driveway locations onto Center Drive and one existing driveway onto Wharf Road.

- Demolish two existing office buildings and existing parking and internal circulation areas.
- Provide parking lot and perimeter landscaping.
- Perform grading activities and construct new paved parking, loading docks and truck maneuvering areas, storm water facilities, water and sanitary sewer extensions, and franchise utility improvements.

The two options change the previously approved site plan as follows:

Option A: Two new buildings are proposed that will total approximately 1,250,000 square feet and provide approximately 874 vehicular parking stalls and 468 truck trailer stalls. The two new buildings are oriented north/south on the site with parking located around all sides of the buildings. The proposed uses are high cube fulfillment center or high cube transload/short term.

Current Proposal Option B: Three new buildings are proposed that will total approximately 1,313,500 square feet and provide 585 vehicle parking stalls, 132 tractor stalls and 607 trailer stalls. Two buildings will be oriented north/south and would be connected at the south end by an enclosed corridor. A third “service bay” building would be located on the north portion of the site. The proposed uses are high cube warehouse, high cube transload/short term storage use and high cube cold storage use.

Previously Approved Site Plan. The previously approved site plan was approved in May 2017. It was approved for three new buildings totaling 1,355,000 square feet. One larger building was located on the south half of the site and oriented east/west parallel with Center Drive. Two smaller buildings were planned for the northeast portion of the site and oriented north/south. Approximately 966 parking spaces for both vehicles and trucks/trailers were provided. The proposed use was high-cube warehouse/distribution and office. A Minor Site Plan Amendment was approved in May 2017 that retained the details of the approved May 2017 proposal with the exception of a minor reduction of new building size (to 1,250,000 square feet) and reduction of parking to 955 spaces.

4. Conformity to Development Standards<sup>1</sup>. City staff have found the proposal to be consistent with all applicable development standards and public works standards required for the proposed changes to the site plan approved in May 2017. As conformity to applicable standards was already assessed for the May 2017 application, the staff analysis was limited to conformity of the proposed changes to the site plan to applicable regulations.

A. Drainage. The existing storm drainage system was developed to provide flow control and water quality treatment for approximately 72.5 acres of development, as described in the previously prepared Stormwater Site Plan for the 2017 site plan approvals. It appears that

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<sup>1</sup> Conformity to development standards is usually assessed via conclusions of law. However, site plan review standards are highly detailed and technical. In the absence of any disagreement over the application or any indication in the record of a code compliance issue, the examiner will rely upon assurances made by staff that standards are met, based upon the staff's exercise of professional judgment. Since these determinations of conformity are based upon staff expertise instead of application of law to fact, the determinations regarding conformance to development standards are treated as findings of fact.

1 the stormwater design for the existing development was prepared using the 1992 DOE  
2 Stormwater Management Manual for the Puget Sound Basin. The stormwater system for the  
3 site plan amendment under review has been updated to comply with the Department of  
4 Ecology's 2014 Stormwater Management Manual (SWMM). The proposed site plan  
5 amendment will decrease the amount of pollution generating surfaces as a majority of the  
6 proposed condition is roof area. Therefore, the existing infiltration pond for this site will be  
7 sufficient as flow control and water quality for the proposed site. Additionally, half of the  
8 roof runoff from each of the new buildings will be infiltrated with galleries underneath the  
9 asphalt parking area adjacent to the building. The remainder of the site will be sent to the  
10 existing infiltration pond to the Northwest of the site.

11 B. Transportation. The applicant submitted a trip generation analysis (Attachment 1(l)), which  
12 determined that compared to the trip generation addressed by the minor site plan amendment  
13 SEPA review in December, 2017, the trip generation and distribution for Option A would  
14 remain the same and trip generation for Option B would be significantly less. Based upon  
15 this analysis, the trip generation report concluded that no additional traffic mitigation would  
16 be necessary.

17 C. Parking. Both options comply with the City's parking standards as set by Chapter 25.95  
18 DMC.

19 i. DMC 25.95.030 requires a minimum of 0.3 and a maximum of 1 parking space per  
20 worker at maximum shift. The SEPA checklist submitted with the application in April  
21 2018 indicates that 874 employees are anticipated, which would require from 262 to  
22 874 parking spaces. The Applicant proposes 874 car spaces for Option A and 420 car  
23 spaces for Option B. Consequently, the proposed parking is within the range of  
24 parking required for the project.

25 ii. DMC 25.95.040 requires that off-street parking be located within a 500-foot walking  
26 distance from an entrance to the building served, and that it not be located in required  
front yard or within 5 feet of any property line. The requirement is met for Option A  
and a condition of approval requires the Applicant to establish compliance with Option  
B at the time of site development permit review.

iii. The conditions of approval require the Applicant to establish compliance with less  
significant parking requirements during subsequent permit review.

D. Landscaping. DMC Chapter 25.90 regulates landscaping and requires that 20% of the area  
be landscaped. As noted in the staff report, project plans for Option A are currently unclear  
as to which project areas will be used for trailer parking and which for landscaping. The  
conditions of approval require that this issue be clarified during site permit review and that  
the Applicant comply with the 20% requirement.

1 DMC 25.90.030(2) requires one tree per six parking stalls. The Applicant's plans  
2 demonstrate compliance of this standard for Option A.

3 The Applicant has not submitted a landscaping plan for Option B and the conditions require  
4 the Applicant to establish compliance with landscaping standards during site development  
5 permit review.

6 DMC 25.909.030(3) requires that a moderate landscaping buffer be provided between Center  
7 Drive and the project parking lots. DMC 25.10.020 defines a moderate landscape buffer as  
8 providing 50% screening. With recommended conditions adopted by this decision, the staff  
9 report finds that Option A provides the required 50% screening. The conditions of approval  
10 require that the landscape buffer for Option B will be reviewed for similar moderate buffer  
11 requirements at the time of site development permit.

12 E. Fire Services. The City's Fire Marshal submitted comments regarding review of the  
13 application dated March 27, 2018 (Attachment 2(h)), which have been made conditions of  
14 approval. Building construction will be made to comply with the International Fire Code  
15 during building permit review.

16 F. Commute Trip Reduction. Staff recommended Condition No. 9 requires the Applicant to  
17 prepare a Commute Trip Reduction plan once it has more than 100 employees. Option A  
18 contains over 800 employees, so the Applicant will likely be preparing a CTR plan.  
19 Condition No. 9 assures compliance with Chapter 25.75 DMC, Commute Trip Reduction.

20 G. Cultural Resources. DMC 25.80.040 provides that if historical data indicate the probable  
21 presence of cultural resources that may be disturbed by excavation, the mayor or his or her  
22 designee may impose conditions on any plat, site plan, or permit to assure that such resources  
23 are protected, preserved, or collected. The potential for cultural resources was assessed for  
24 the approved May 2017 site plan and the revisions under review for this site plan approval  
25 will not change potential impacts to cultural resources. The May 2017 review cultural  
26 resources review resulted in SEPA Mitigation Measure #22 in the SEPA MDNS dated April  
10, 2017, which requires the hiring of an archaeologist to provide archaeological monitoring  
during construction. This condition was adopted by reference for this decision. Since  
impacts to archaeological conditions will not change as a result of the revisions proposed  
under current review, it is determined that the proposal complies with the requirements of  
DMC 25.80.040.

H. Affordable Housing. Chapter 25.85 DMC, Affordable Housing, only provides for incentives  
for voluntary compliance. The applicant does not propose any affordable housing for its  
development project.

I. Sensitive Areas. Chapter 25.105 DMC (sensitive areas) does not apply as the proposal will  
not change any impacts to sensitive areas beyond any that have already been evaluated and  
mitigated. The staff report doesn't identify what if any sensitive areas are on the site since

1 staff has determined that proposed project revisions will have no impact on them.  
2 Consequently, it's not possible to verify from information in the record whether the change in  
3 building orientation etc. will have any impact on sensitive areas. However, since the revisions  
4 all appear to be within existing impervious areas and there is no evidence in the record  
5 contrary to staff's assertions that impacts to sensitive areas have not changed, it is determined  
6 that Chapter 25.105 does not apply to the proposed project revisions.

7  
8 J. Street Corner Setbacks. Chapter 25.110 DMC imposes height limits on structures and  
9 landscaping that can be placed within the sight triangle of street corners. The project site is  
10 not situated on a street corner so Chapter 25.110 DMC does not apply.

11  
12 K. Sign Code. The applicant has not yet proposed any signs for this stage of review. Condition  
13 requires the Applicant to acquire a sign permit for any proposed signs, which assures  
14 compliance with DMC 25.116, the City's sign code.

15  
16 L. Tree Retention. As conditioned, the proposal will comply with the City's tree retention  
17 standards. DMC 25.120.030(2) requires that all landmark Oregon white oak trees be retained,  
18 along with any native understory within a protection zone 1.5 times the radius of the oak's  
19 canopy. In the MRP district, landmark trees that are in the building footprint, parking lot, or  
20 storm retention area may be removed, provided that tree retention is achieved along street  
21 boundaries and when abutting a residential district. In addition, within the MRP district, a  
22 total of 1.5 trees per acre shall be retained (other than oak and street trees), which, at 93.16  
23 acres, requires 140 retained trees.

24  
25 The property's trees have been assessed by Washington Forestry Consultants and described  
26 in their Tree Retention Plan report (WFC Plan) dated March 12, 2018, which was revised by  
a May 15, 2018 report, Ex. 2. The revised study found that the site currently has 2,812 healthy  
trees, of which one is a landmark Oregon white oak tree with a diameter at breast height  
(DBH) of 28 inches. This oak tree is located in the northwestern portion of the property and  
will be retained in Tree Retention Area "A".

The tree retention requirement of 1.5 trees per acre requires the retention onsite of 140 trees.  
The WFC Plan provides a site plan for Option A which indicates that a total of 330 trees will  
be retained exceeding the code retention requirements by 190 trees. With adoption of the  
staff recommended conditions of approval, the proposal will comply with the tree retention  
requirements of Chapter 25.120 DMC.

23  
24 M. Wireless Communication Facilities. The project revisions do not include any changes or  
25 additions of wireless communication facilities. Therefore, Chapter 25.125 DMC, wireless  
26 communication facilities, does not apply.

1 N. Concurrency. Chapter 25.115 DMC requires a concurrency evaluation to be conducted during  
2 building permit review. Consequently, consistency with Chapter 25.115 DMC is deferred to  
3 building permit review.

4 O. MRP District Compliance. The proposal complies with MRB zoning district standards for the  
5 reasons identified in Section C(1)(a) of the staff report.

6 7. Adequacy of Infrastructure. The proposal provides for adequate and appropriate infrastructure.  
7 Infrastructure identified in Finding of Fact No. 6 is found to be adequate and appropriate because it  
8 satisfies applicable city standards for infrastructure development. In addition, staff testified that the City  
9 is the water purveyor and Pierce County will provide sewer and certificate of water and sewer availability  
10 have been issued for the proposal.

## 11 CONCLUSIONS OF LAW

12 1. Authority. DMC 25.150.050 provides that major site plan amendments must be processed as  
13 Type III applications. DMC 25.175.010(2)(b) provides that the hearing examiner shall hold a hearing  
14 and issue a final decision for Type III permit applications.

15 2. Zoning/Comprehensive Plan Designations. The Comprehensive Plan Designation is  
16 Manufacturing and Research and the Zoning Map designation is Manufacturing and Research Park  
17 (MRP) District.

18 3. Review Criteria. DMC 25.10.190(S) defines a major site plan amendments as “*an amendment*  
19 *to an approved and valid site plan that substantially changes the character, basic design, density, open*  
20 *space or other requirements and conditions of the approved and valid site plan.*” The proposal requires  
21 a major site plan amendment because the revised building orientation substantially changes the character  
22 and basic design of the site. The DMC is silent as to the review standards that apply to major site plan  
23 amendments. However, the staff report applies the criteria applicable to new site plan applications and  
24 such an approach is logical given that there is no rational reason to treat amendments differently from  
25 new applications, except to avoid revisiting issues already resolved in prior review. DMC 25.150.030  
26 governs the criteria for site plan review. Applicable criteria are quoted below in italics and applied  
through associated conclusions of law.

**DMC 25.150.030:** *In order to obtain site plan approval, all of the development regulations and criteria  
specified in the district applicable to the property must be satisfied in addition to any general  
development requirements in Chapters 25.75 through 25.95 and 25.105 through 25.125 DMC.*

4. Proposal complies with site plan criteria. The criterion is met. Finding of Fact No. 4 assesses  
compliance with the DMC chapters referenced in the DMC 25.150.030 criterion above and finds the  
project conforms to each of those chapters.

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## DECISION

As conditioned, for the reasons identified in the conclusions of law, the proposal complies with all applicable criteria for site plan approval and is therefore approved subject to the following conditions:

1. All conditions apply to both Options “A” and “B”, unless noted otherwise.
2. All Mitigation Measures, numbered 1-31, included in the MDNS issued for the proposal on April 10, 2017 (attachment A.3.a), and the SEPA Addendum issued December 12, 2017(attachment A.4.a), are hereby adopted in full, incorporated by reference, and included as Conditions of Approval for the Site Plan approved by this Decision.
3. The applicant shall redesign the building exterior to meet the requirements of DMC 25.45.030(3)(5) to address the City’s blank wall treatment requirements. See C.1.a.ix for potential options.
4. A sign permit will be required that meets the requirements of DMC 25.116.
5. Per DMC 25.45.030.3(13), air emissions shall meet applicable regulations of the Puget Sound Air Pollution Control Authority, and no visible, frequent smoke, dust, or gases shall be emitted.
6. All existing trees within the tree retention areas shall be retained on an ongoing basis unless deemed unsafe or unhealthy by an arborist. Any unhealthy or unsafe trees that are removed are to be replaced.
7. A certified arborist shall monitor construction activities in the vicinity of the tree protection areas. The City may elect to also require the City arborist to monitor construction in these areas. The applicant will be responsible for payment of the fees should the City arborist also be onsite to monitor construction activities.
8. Construction of the development proposal must commence within 24 months from the date of the City’s final decision on the site plan, otherwise the site plan approval expires.
9. Per DMC 25.75, at the time an individual business meets or exceeds 100 employees, the County CTR Department is to be notified within 30 days. The employer shall make a good faith effort, as defined in RCW 70.94.534(2) and DMC Chapter 25.75, to develop and implement a CTR program that will encourage their employees to reduce vehicle miles traveled per employee and single occupancy vehicle trips. The requirements of the CTR program are provided in DMC Chapter 25.75.



1 10. This project is subject to the Geographic Information System (GIS) requirements, as  
2 stated in DMC Chapter 24.09 and Ordinance 97-559.

3 11. Trucks and vehicles are prohibited from parking on all public rights of way while  
4 waiting to access the property, unless temporary approval is granted by the City.

5 **Prior to issuance of Site Development Permits**

6 12. This project shall be coordinated with the best available information on the proposed  
7 project improvements from current or recently completed plats adjacent to the  
8 project site.

9 13. A current Geotechnical Report shall be submitted for the proposed site  
10 improvements.

11 14. Proposed site improvements within the easements on the project site shall comply  
12 with the conditions of said easements.

13 15. Per 25.45.030.3(9), if outdoor storage is proposed, it shall not cover more than 2  
14 percent of the total site area and shall be screened from street by a 100 percent sight  
15 obscuring fence or wall. Provide the details on the landscape plan.

16 16. Tree Retention Area A and B shall be as depicted in the WFC Tree Retention Plan  
17 dated May 15, 2018. The Tree Retention Areas for Site Plan Option "B" shall be  
18 the same as Option "A."

19 17. The Civil grading plans shall be revised so that no grading is occurring in Tree  
20 Retention Area B as depicted in the WFC Tree Retention Plan dated May 15, 2018.

21 18. The Landscape Plans shall be amended to add the tree protection requirements  
22 described in DMC 25.120.030(5) and the WCF Tree Retention Plan.

23 19. The landscape plan submitted with the site development permit applications is  
24 required to demonstrate that adequate tree quantities are provided in the interior  
25 parking lot demonstrating compliance with DMC 25.90.030(2).

26 20. The landscape plan submitted with the site development permit applications shall  
demonstrate compliance with DMC 25.90.030(3), including trash receptacles  
screening with a moderate buffer.

21. The calculation of landscape area shall be clarified at the time of site development  
permit application to demonstrate that all future parking locations are included in the  
calculation. If the calculation provided with the application did not include the future  
parking areas as impervious area, the site plan may be revised to remove the future

1 parking areas. Alternatively, other areas planned for impervious area may be  
2 converted to landscaped area to meet the 20 percent landscaping area requirement.

3 22. Additional parking lot landscape islands shall be provided on the east and west ends  
4 of the northerly trailer parking located north of Building "A" (Option "A").

5 23. The Landscape Plans shall locate trees outside of sewer and water easements.

6 24. Parking aisle and stall dimensions, loading areas and the number of high-occupancy  
7 vehicle parking spaces shall be reviewed for compliance with DMC Chapter 25.95  
at the time of site development permit.

8 25. The site plan shall reflect all easements, site restrictions, and encumbrances from the  
9 pending or modified short plat and any other recorded documents. Callouts with  
10 numbers corresponding with the Title Report Exception Numbers should be  
provided.

11 26. Turning movement drawings are required. The site plan shall include supplemental  
12 exhibits to demonstrate that the City Fire Department's large apparatus can navigate  
13 the site (lane width, radius), including access to fire department connections and  
hydrants. The Fire Department will confirm the adequacy of vehicle access points.

14 27. The revised entrances from Center Drive at Hamilton Avenue and Manchester Place  
15 will require alterations to City right-of-way improvements, including curbs, curb  
16 ramps, sidewalks, crosswalks, signal heads, and pushbuttons. The revised entrances  
include elimination of existing traffic islands and the reduction of travel lanes. The  
alterations shall be included on the civil construction plans.

17 28. A Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and  
18 Sediment Control (TESC) Plan shall be prepared for the project. The project  
19 activities shall comply with the requirements of the Washington State Department  
20 of Ecology National Pollutant Discharge Elimination System (NPDES) General  
Permit for stormwater discharges associated with construction activity, which will  
be required for this project prior to issuance of a grading permit.

21 29. All comments on the Stormwater Site Plan provided in the Gray & Osborne letter  
22 dated April 23, 2018 shall be addressed prior to issuance of a site development  
permit.

23 30. Documentation of Pierce County Public Works and Utilities approval of the Sanitary  
24 Sewer Plans for this project will be required.

25 31. Refuse and Recycling enclosures shall be provided as required by DMC 25.100, and  
26 shall be surfaced with concrete with a concrete apron, and at the same grade as the

1 service vehicle access. Recycling and refuse receptacles may not be located in  
2 landscape buffers.

- 3 32. DMC 25.70.070 allows 25-foot-tall lighting fixtures in parking lots, except at entries  
4 and for parking adjacent to buildings, where lighting remains restricted to 15 feet in  
5 height. A photometric exhibit shall be submitted with site development permit  
6 application to replace the 28-foot-tall lighting fixtures with code-compliant fixtures.  
The photometric exhibit shall demonstrate compliance with the SEPA MDNS dated  
April 10, 2017.
- 7 33. The preliminary utility plan shall include the pipe sizes, routing, proposed points of  
8 connection for the utilities, and locations for the fire department connections and  
hydrants.
- 9 34. The existing Pierce County Utilities Sewer Pump Station near the southwest corner  
10 of the site includes aboveground electrical components. A proposed parking area  
11 and landscaping appears to be in conflict with the pump station. Provisions shall be  
12 made for modifications to the pump station to ensure access for operation and  
maintenance, as approved by Pierce County Utilities.
- 13 35. A Construction Sequence and a TESC Plan shall be added to the plans, including  
14 details and City of DuPont Standard TESC notes.
- 15 36. All water mains and appurtenances to be owned and operated by the City, up to and  
16 including water meters and backflow assemblies, shall be included within 15-foot-  
17 wide easements to the City of DuPont.
- 18 37. Separate water connections with backflow prevention devices will be required for  
19 domestic, fire, and irrigation. Such devices shall be located in underground vaults,  
20 with easements granted to the City of DuPont for access. The locations of meters  
21 and backflow devices for the water service connections (i.e., domestic, fire, and  
22 irrigation) should be shown and labeled for review of site feasibility. Meter sizing  
23 calculations will be required for domestic and fire water services.
- 24 38. The Applicant shall furnish meter sizing calculations for domestic and fire water  
25 services. The sprinkler system design, including confirmation of the provided sizing  
26 for the fire line components shall be reviewed and approved by the City Building  
Department and Fire Department as part of the building permit process. Each fire  
line connection to a City water main will require a double detector check valve  
assembly (DDCVA) in an underground vaults and a Fire Department Connection  
(FCD) within 50 feet of a fire hydrant.
39. Cross-connection control, in accordance with WAC 246-290-490, shall be provided  
by installation of an approved backflow preventer commensurate with the degree of  
hazard for protection of the public water system. The level of protection is dependent

1 on the building use. The Applicant should state the building use type, if known, and  
2 provide the appropriate premises isolation backflow preventers. In the event the  
3 warehouse use type is classified as a severe or high health cross-connection hazard,  
4 as defined in WAC 246-290-490 Table 9, aboveground reduced pressure (RP) type  
backflow prevention will be required.

- 5 40. The City's Cross-Control Specialist (CCCS) shall be granted access for plumbing  
6 and fixture inspection during construction and annual hazard evaluations thereafter.  
7 The CCCS is the approving authority for evaluation of the premises hazard  
8 protection for the building official (e.g., water used for forklift battery maintenance).
- 9 41. Show gate valve symbols at the main for the irrigation, fire, and domestic services.
- 10 42. Water vaults and meter boxes shall include provisions for drainage.
- 11 43. The proposed development shall be provided with fire lanes, as required by the City  
12 of DuPont Fire Department.
- 13 44. The construction plans shall include profiles for storm drains and for water mains,  
14 to include proposed utility crossings. The water main profile shall include air-  
15 vacuum assemblies at high points and blow off assemblies at low points.
- 16 45. The utility crossings of the water, storm, and sewer systems shall be provided to  
17 demonstrate compliance with the City's 1-foot minimum vertical clearance  
requirement.
- 18 46. Clearances around fire hydrants, in accordance with City standards, will be reviewed  
19 for compliance during construction review. A minimum 3-foot clearance and level  
20 area is required around all fire hydrants.
- 21 47. All outdoor mechanical equipment shall be screened to reduce noise impacts to  
22 residential areas. Alternatively, the applicant can provide a sound study that  
demonstrates that the equipment when in operation will not exceed acceptable noise  
levels on receiving residential properties during nighttime hours.
- 23 48. Irrigation plans that demonstrate compliance with DuPont PWS shall be submitted  
24 for review and approval. The Applicant will be required to demonstrate compliance  
25 with the substantive requirements identified in DMC 25.90, Landscaping.
- 26 49. Accessible parking spaces shall be provided for each building in conformance with  
International Building Code (IBC) Section 1106 and accessible routes of travel shall  
conform to IBC Sections 1104 and 1105. Conformance with the IBC accessible  
provisions will be reviewed at the final Site configuration.

1 50. Applicant shall obtain all necessary demolition permits in accordance with City  
2 requirements prior to site development.

3 **Prior to issuance of Building Permits**

4 51. Building materials and colors shall be earth tones to blend into the natural  
5 environment. There shall be some similarities to the existing building in use of color  
6 or material types to provide a unified campus design. Trim colors and building  
7 materials may deviate from earth tones no more than 10 percent as needed for  
8 corporate identity.

9 52. Each application for building permit will specify the use and be assessed for its  
10 compliance with DMC 25.45.020(1)(a)(i) to ensure that the use does not create  
11 significant noise, a risk of explosion or radioactive release, or air or water pollution.  
12 Each application for building permit will be assessed for compliance with the  
13 hazardous waste or waste storage requirements of DMC 25.45.030.3(16)

14 53. Per DMC 25.45.030.3(8), all HVAC equipment, pumps, heaters, and other  
15 mechanical equipment shall be fully screened from view from all public rights-of-  
16 way.

17 54. Each application for building permit will be required to identify the uses and  
18 employee forecast to ensure compliance with DMC 25.95.030.

19 55. Per DMC 25.100, the recycling and refuse enclosure locations shall be approved by  
20 the solid waste utility purveyor prior to obtaining a building permit. Elevations and  
21 building material details shall be provided at the time of building permit to ensure  
22 compliance with DMC 25.100.050.

23 56. A building permit issued by the City is required when gates are installed on  
24 commercial developments. In order for the City to issue the building permit, the  
25 following requirements must be met:

- 26 a. Gates shall have an Opticom activation system or an equivalent and compatible system that is approved by the Fire Chief.
- b. Gates shall have rapid-entry key capabilities compatible with the local fire department, per IFC Section 506.
- c. All electrically-activated gates shall have default capabilities to the unlocked position.
- d. The minimum clear width of a gate shall be compatible with the required street width.
- e. Gates that might be obstructed by the accumulation of snow shall not be installed.
- f. A vehicular turnaround must be provided in front of the gate.

- 1 57. An automatic fire sprinkler system shall be installed. The system shall comply with  
2 NFPA 13 Standard for Automatic Fire Sprinkler System. Three sets of plans,  
3 hydraulic calculations, and material specification sheets for all equipment used in  
4 the system shall be submitted by a State of Washington Licensed Contractor for  
5 review, approval, and permits issued prior to commencing work. A separate permit  
6 is required.
- 7 58. If a fire pump is required, the system shall comply with NFPA 20. Three sets of  
8 plans and material specification sheets for all equipment used in the system shall be  
9 submitted by a State of Washington Licensed Contractor for review, approval, and  
10 permits issued prior to commencing work. A separate permit is required.
- 11 59. An automatic fire alarm system shall be installed. The system shall comply with  
12 NFPA 72 Standard for Fire Alarm System. Three sets of plans and material  
13 specifications sheets for all equipment used in the system shall be submitted by a  
14 State of Washington Licensed Contractor for review, approval, and permits issued  
15 prior to commencing work. A separate permit is required.
- 16 60. A standpipe system shall be installed. The system shall comply with NFPA 14  
17 Standard for Standpipe Systems. Three sets of plans, hydraulic calculations, and  
18 material specification sheets for all equipment used in the system shall be submitted  
19 by a State of Washington Licensed Contractor for review, approval, and permits  
20 issued prior to commencing work. A hose connection shall be required to serve the  
21 top landing of the stairs for roof operation, per 905.4 #5 of the 2012 IFC. A separate  
22 permit is required.
- 23 61. If an emergency generator is installed, the system shall comply with NFPA 110 and  
24 111. The generator shall be listed in accordance with UL 220. Three sets of plans  
25 and material specification sheets for all equipment used in the system shall be  
26 submitted for review, approval, and permits used prior to commencing work. A  
separate permit is required.
62. Make sure you meet the exit access travel distance for this project. The maximum  
for S-1 is 250 feet, per Table 1017.2. This can be extended to 400 feet per Section  
1017.2.2 if all of the following conditions are met:
- a. The portion of the building classified as Group S-1 is limited to one story in  
height.
  - b. The minimum height from the finished floor to the bottom of the ceiling, roof  
slab, or deck is 24 feet.
  - c. The building is equipped throughout with an automatic sprinkler system, in  
accordance with Section 903.3.1.1
63. Prior to Fire Department approval for occupancy, High-Piled Combustible Storage  
shall comply with Chapter 32 of the 2015 IFC.

- 1 64. A Knox key box system shall be required. Knox applications may be picked up at  
2 the DuPont Fire Department located at 1780 Civic Drive, DuPont, WA 98327. A  
3 key shall be required to be placed in the Knox key box.
- 4 65. Fire extinguishers are required to be installed, as directed by City of DuPont Fire  
5 Department. Prior to installation, the client is directed to request a fire inspection to  
6 confirm the locations of the fire extinguishers.
- 7 66. All new buildings shall have approved emergency responder radio coverage per  
8 Section 510 of the 2015 IFC.
- 9 67. The structures must be designed to meet the requirements of the building  
10 construction codes in effect at the time of Building Permit submittal. The following  
11 codes are currently enforced by the City of DuPont: 2015 International Building  
12 Code, 2015 International Residential Code, 2015 International Fire Code, 2015  
13 International Mechanical Code, 2015 International Fuel Gas Code, 2015 Uniform  
14 Plumbing Code (each as amended and adopted by the State of Washington), and  
15 2015 Washington State Energy Code.
- 16 68. The project must receive all land use and civil construction approvals prior to  
17 issuance of building permits for the structures, related walls, fences, etc.
- 18 69. Prior to issuance of a building permit, the applicant shall provide a copy of the Pierce  
19 County Sewer Service Permit for City record. **Please note:** Pierce County Sewer  
20 Utility requires a pre-treatment review and approval to be completed prior to their  
21 issuance of a service connection permit. Each subsequent tenant modification of the  
22 building requiring sanitary waste must also complete a pre-treatment review and  
23 provide a copy of sewer service permitting, where applicable, prior to obtaining a  
24 building permit for associated improvements.
- 25 70. Per DMC 26.05.050, the City imposes fire impact fees on development applications.  
26 The fee is approved and paid prior to issuance of the building permit. The amount  
of the impact fee will be based on the current rates and City formula described in  
DMC 26.05 at that time.
71. Information and specifications for all commodity storage and rack storage systems  
must be submitted for review and approval by the City fire and building departments  
to determine code compliance.
72. Fire Suppression and Fire Alarm permits must be obtained through the City of  
DuPont Fire Department prior to initiating any such work. All alarms systems must  
obtain an alarm registration permit with the City; forms may be obtained at City Hall.
73. Fire flow requirements, fire department connection location, and adequacy of onsite  
hydrant provisions will be determined by the DuPont Fire Chief or his designee.

1 74. Adequate dimensioning must be provided on the plans to ensure Code compliance  
2 with fire separation distances and exterior wall, structural frame and opening  
3 protection requirements. A Washington State Licensed Architect should be  
4 consulted to assist with Code requirements and existing building conditions (exterior  
5 wall fire resistance and window and door opening ratings) that may affect building  
6 placement. The following has been obtained from City records and is provided for  
7 building placement assistance. However, all information must be field verified for  
8 accuracy:

- Existing Building (Intel DP-1): Construction Type II-N Sprinkled, Occupancy Group B/S-1/F-1, 2 Stories, Ground Floor Area = 339,830 SF, Second Floor Area = 31,335 SF (Total area = 371,165 SF). The existing building was constructed under the Unlimited Area provisions of the Uniform Building Code Section 505.2. Minimum sixty (60) foot yards must be maintained around the entire building.

9 75. Preliminary addresses will be assigned for the project site and may be obtained from  
10 the building department, as needed.

11 76. All required plan review fees shall be paid at the time of permit submittal.

12 77. Coordination must be made to provide continued utility services to the existing  
13 warehouse building during demolition of the existing office buildings and  
14 construction of the new buildings.

15 78. Pursuant to RCW 19.122.033, the applicant shall consult with all utility and pipeline  
16 companies.

17 **Prior to the issuance of a Certificate of Occupancy**

18 79. Following construction, a City of DuPont Agreement for Inspection and  
19 Maintenance of Privately Maintained Storm Drainage Facilities will be required for  
20 any onsite stormwater system.

21 80. The site has an approved short plat application (SP15-01), which has not been  
22 recorded. The boundaries may need to be modified so that all development shown  
23 on Options "A" and "B" conforms to city setback and other requirements prior to  
24 recording.

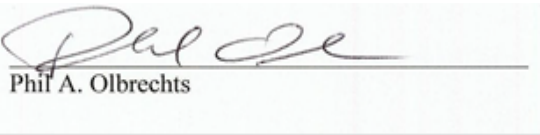
25 81. The project must comply with the requirements for GIS as-built drawings contained  
26 in DMC Chapter 24.10. As-built drawings and submittals shall be submitted and  
approved prior to issuance of a Certificate of Occupancy for the building, or portions  
thereof.

**Option B Conditions (in addition to the Conditions listed above)**



- 1 82. A significant level of detail for Option "B" was not provided, including civil plans,  
2 landscape plans, tree retention plan and building elevations. At the time of site  
3 development permit these plans shall be provided for City review for consistency  
4 with DMC Chapters 25.45, 25.90 Landscaping, 25.95 Off-Street Parking, and 25.120  
5 Tree Retention.  
6  
7 83. Trees shall be provided along the south elevation to break up the massing and scale  
8 of the building. The applicant shall submit a landscape plan for approval that meets  
9 the blank wall requirements of DMC 24.45.030(5).  
10  
11 84. The applicant shall meet with the City Fire Department to review the code  
12 requirements for Fire piping underneath the structures. The piping requirements  
13 shall be resolved prior to issuance of site development permits.

14 Decision issued May 31, 2018.

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Phil A. Olbrechts

Hearing Examiner

### Appeal Right and Valuation Notices

DMC 25.175.010 provides that this decision, as a Type III decision, is final, subject to appeal to Pierce County Superior Court. Appeals are governed by Chapter 36.70C RCW.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.