



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

**FINDINGS, CONCLUSIONS AND DECISION
APPROVING SITE PLAN FOR:**

HOME 2 SUITES BY HILTON HOTEL

FILE NUMBER: LU 14-01

APPLICANT/Agent: Team 4 Engineering/Berni Kenworthy, PE, on behalf of
Lexmar Hospitality

TYPE OF APPLICATION: Type III Site Plan Application for 87,608 gross square foot,
140 room, 5 story hotel

LOCATION: A vacant 2+ acre site generally comprised of the northeast
corner of DuPont Steilacoom Road and Barksdale Avenue,
part of the commercial development site known as
“Barksdale Station”

ZONING: Commercial – “Hotel” uses are expressly permitted

TAX PARCELS: Pierce County Parcel Nos. 0119362037; 30005000120, and
30005000010.

STAFF RECOMMENDATION(s): APPROVAL, subject to conditions

HEARING DATE: November 12, 2014

SUMMARY OF DECISION: APPROVED, subject to conditions

DATE OF DECISION: November 26, 2014

I. CONTENTS OF RECORD.

- Exhibits:**
- A. Community Development Department's Staff Report and Recommendation (of APPROVAL) to the Hearing Examiner regarding the Hilton Home 2 Suites Land Use Application, DuPont File No. LU 14-01, dated October 10, 2014;
 - 1 through 6. As described and indexed on page 17 of Exhibit A;
 - 7. Notice of Public Hearing, issued October 10, 2014, for the November 12, 2014 hearing regarding the pending application.

Testimony/Comments: The following persons participated in the open-record hearing held on Wednesday, November 12, 2014, and provided testimony under oath as part of the record:

1. Bill Kingman, Planning Manager, City of DuPont; and
2. Berni Kenworthy, PE, with Team 4 Engineering, on behalf of the project applicant, Lexmar Hospitality.

II. SUMMARY of PROCEEDINGS.

Berni Kenworthy, PE with Team 4 Engineering, as the authorized representative of the project applicant, Lexmar Hospitality, seeks Site Plan approval for a 5-story, 140-room hotel with associated parking, utilities and landscaping on a 2+ acre site located within the Barksdale Station development. *Ex. A, Ex. 1, Land Use Application, received July 18, 2014.* The application would facilitate construction of a new Home 2 Suites by Hilton Hotel, targeting completion in time for the upcoming U.S. Open golf tournament, set to occur at the nearby Chambers Bay Golf Course in June of 2015. *Testimony of Ms. Kenworthy; Ex. 1.* With each of the five floors proposed to be in excess of 17,000 square feet, the hotel structure will be approximately 87,608 gross square feet. *Ex. A; Ex. 1, Land Use Application, entry for "Area of building floors."*

As reflected on the City's zoning map, the project site lies within a "Commercial" zoning district, and Site Plan approval is required for all development projects proposed to occur in the city's Commercial zoning districts. *DMC 25.25.060.* Generally, smaller projects are processed under the city's Type II review procedures whereas larger projects, including those over 50,000 square feet of building area, are processed under the city's Type III review procedures. *DMC 25.25.060.* Accordingly, this project has been reviewed under the city's Type III procedures, meaning that the Hearing Examiner is the official responsible for reaching a decision on the underlying application. *See Chapter 25.175 DMC.*

On July 25, 2014, the City deemed the pending application complete for processing, posting and publishing a notice of project applications required for the project on August 8, 2014. No public comments were received by the closing date for receipt of such items, which was August 19, 2014. *Ex. A, page 1.*

On September 9, 2014, the DuPont City Administrator issued a final decision approving a Type I commercial design application for the hotel project, under File No. ADM 14-01, as provided in DMC 25.25.070 and DMC 25.175.010. *Exhibit 3*. The appeal period for this decision expired on September 23, 2014, and no one appealed. *Ex. A, Staff Report; Testimony of Mr. Kingman.*

On September 9, 2014, the DuPont City Administrator issued a final decision approving a Type II building height variance for the hotel project, under File No. VAR 14-01, as provided in DMC 25.160.020 and DMC 25.175.010. *Exhibit 4*. The appeal period for the building height variance closed on September 23, 2014, and no one appealed. *Ex. A, Staff Report; Testimony of Mr. Kingman.*

Relying on information and materials provided as part of the applicant's environmental checklist dated July 17, 2014, which was submitted as part of the underlying land use application, the city's SEPA Responsible Official, its City Administrator, issued a Mitigated Determination of Non-Significance for the Home 2 Suites Hotel project, providing comment and appeal periods that expired on September 23rd and October 8, 2014 respectively. Only one comment was received by the deadline, from the Department of Ecology. *Ex. 6*. As described in the Staff Report, Ecology's comments regarding toxic cleanup issues were already addressed in provisions of the MDNS, and water quality issues will be specifically addressed in the city's project-specific clearing and grading permit for the project. *Ex. A, pages 1-2; Ex. 5, MDNS*. The City's MDNS for the project stands as issued, because no one appealed. *Testimony of Mr. Kingman.*

The open-record public hearing for the Home 2 Suite Hotel Site Plan application was duly noticed in accord with law, via a Notice of Public Hearing issued on October 10, 2014. *Ex. 7*. The hearing occurred on Wednesday, November 12, 2014, wherein the undersigned Examiner presided, with city staff and the applicant's representative present. There were no members of the general public in attendance.

During the hearing, Mr. Kingman testified under oath and provided a summary of the proposed project and the Staff Report, which he prepared. The Applicant's representative, Ms. Kenworthy, testified under oath and confirmed on the record that the applicant had no concerns, comments or objections to any of the findings or conditions reflected in the Department's Staff Report recommending approval of the project. *Testimony of Ms. Kenworthy; Ex. A*. Mr. Kingman confirmed that no one submitted any written comments for the Examiner to consider as part of the public hearing. The Examiner noted for the record that he personally visited the project site shortly before the hearing, and that he was familiar with the area, given a Decision he issued for a previous (since-abandoned) project application on the same location at Barksdale Landing in February of 2012. *See Decision Approving Variance Applications for Navy Federal Credit Union, LU 12-03, LU 12-04.*

III. APPLICABLE LAW.

As noted above, the pending Type III Site Plan approval is required for all development projects over 50,000 square feet in any of the city's Commercial zoning districts. DMC 25.25.060.

The city's Type III review procedures are summarized in DMC 25.175.010 and .020. Under these provisions, the Community Development Director is to make a recommendation to the Hearing Examiner, who is granted jurisdiction and authority to hold a duly noticed open record pre-decision public hearing regarding the application. DMC 25.175.050. The hearing examiner is authorized to issue a written decision to deny or approve the application and, if approved, any conditions of approval necessary to ensure the proposed development will comply with all applicable law. See 25.175.050(7).

The burden of proof rests with the applicant, and any decision to approve or deny the Site Plan approval application must be supported by convincing proof that it conforms to the applicable elements of the city's development regulations and comprehensive plan, i.e. evidence that is substantial when viewed in light of the whole record. See DMC 25.175.050(5) and RCW 36.70C.130(1)(c). The applicant must also prove that any significant adverse environmental impacts have been adequately mitigated. Id.

To reach a conclusion that the pending application conforms to applicable elements of city development regulations and/or the comprehensive plan, the DuPont Municipal Code mandates a review that asks:

Whether the development regulations applicable to the proposed project, or in the absence of applicable development regulations, the city's comprehensive plan, address the following?

- (i) The type of land use permitted at the site, including uses that may be allowed if the criteria for their approval have been satisfied;
- (ii) The level of development, such as units per acre, density of residential development in urban growth areas, or other measures of density;
- (iii) Availability and adequacy of infrastructure and public facilities identified in the comprehensive plan;
- (iv) Whether the plan or development regulations provide for funding of these facilities as required by Chapter [36.70A](#) RCW; and
- (v) The character of the proposed development, as authorized by development standards.

DMC 25.175.040.

Upon consideration of all the evidence, testimony, codes, policies, regulations, and other information contained in the file, the undersigned issues the following findings, conclusions and Decision approving the Home 2 Suites Hotel Site Plan as set forth below.

IV. FINDINGS of FACT.

1. Any statements in previous or following sections of this document that are deemed findings are hereby adopted as such, including without limitation the summary of proceedings provided above.
2. The Department's Staff Report dated October 10, 2014, recommending approval with conditions (Ex. A), includes a number of specific findings and conditions that establish how the underlying Site Plan application satisfies provisions of applicable law, is consistent with the city's Comprehensive Plan, and is designed or conditioned to comply with applicable development standards and guidelines. At the hearing, the applicant's representative accepted all findings, recommended conditions and comments in the Department's Staff Report, without objection or any suggested changes.
3. Except as modified in this Decision, all Findings contained in the Department's Staff Report (Exhibit "A") are incorporated herein by reference as Findings of the undersigned hearing examiner.¹
4. The City's planning and engineering staff reviewed the application materials and appears to have determined that the three- parcel site should be consolidated, by eliminating all interior parcel lines and related easements found unnecessary for purposes of developing and operating the proposed hotel project. *Ex. A, pages 2 and 3.* The Examiner finds that parcel-consolidation, or some other process to eliminate internal parcel lines and unnecessary easements would be appropriate, and a condition to this effect is included as part of this Decision.
5. Front building setback and minimum parking stall requirements are adequately addressed in the proposal, as the front of the proposed hotel building will only be 20 feet from the Station Drive curb, and almost double (138) the minimum parking stalls (70) will be included as part of the project. *Ex. A, page 3; DMC 25.25.050(2) setback requirement; DMC 25.95.030 parking stall requirement.*
6. Landscaping and street tree requirements will be met though compliance with city codes, and specific conditions of approval recommended by Planning staff and accepted by the applicant. *Ex. A, page 3.*
7. Engineering staff provided 33 detailed comments regarding the project and how various submittals and construction practices should move forward to ensure compliance with

¹ For purposes of brevity, only certain Findings from the Department's Staff Report are highlighted for discussion in this Decision, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

applicable city development standards, including without limitation storm drainage design; irrigation; parking lot design; driveway approaches; retaining walls; frontage improvements needed on sidewalk ramps to comply with current ADA and City standards; parking lot lighting; LID payments required; water meter, backflow prevention, and fire hydrant requirements; and a Haul Route Plan. *Ex. A, pages 3-7.*

8. Building and fire staff provided their comments and suggested conditions of approval for the project as well, some of which were already included in comments made by other staff, reinforcing the significance and need for such topics to be addressed in any conditions of approval for the project. *Ex. A, pages 7-9.*
9. The City satisfied its SEPA review process through compliance with applicable review and notice procedures. The city received no appeals of its SEPA determination issued in connection with the application. *Testimony of Mr. Kingman; SEPA discussion in Ex. A, at pages 1 and 2; Ex. 5, MDNS issued for the project.*
10. As noted before, the MDNS for the project stands unchallenged, and while the initial site assessment did not include any information indicating the presence of cultural resources on the property, the MDNS includes appropriate language to address potential cultural resource issues if they are discovered during soil disturbance activities. *Ex. 5, MDNS, pages 3-5.*
11. The record contains credible, convincing and substantial evidence to demonstrate that the five review criteria listed in DMC 25.175.040(i)-(v) are satisfied:
 - i. Land Use: The proposed hotel is specifically listed as a permitted use in the city's Commercial zoning district, where this project is located. *See Comprehensive Plan and Zoning Map; Exhibit A, permitted uses listed in DMC 25.25.020.*
 - ii. General density, level of development: The proposed level of development associated with the proposed hotel project is well within the capacity of the site. A number of city development codes, including without limitation regulations addressing building setbacks, building height, landscape area, parking, access and drainage, are applicable to aspects of the project and satisfied as detailed in the city's Staff Report; the Height Variance, approved in Ex. 4; the MDNS (Ex. 5); and the Commercial Design Approval, granted with condition in Ex. 3.
 - iii. Availability/Adequacy of Infrastructure and Public Facilities: City staff reviewed the pending application and determined that the demands presented by the proposed hotel project will be adequately addressed through use of existing infrastructure and certain infrastructure improvements identified and described in the application, the Staff Report, and the MDNS issued for the project. Ms. Kenworthy clarified that final storm water plans will demonstrate how a portion of storm water will be addressed on-site, but most will be directed to the pre-existing regional pond constructed for use by the Barksdale Landing development site.

The City of DuPont's water utility will serve the proposed hotel. *MDNS, Exhibit 5, reference to Water Availability Form, dated July 18, 2014, discussion on page 8.* The Pierce County Public Works and Utilities Department will serve the proposed hotel, allowing the development to connect to the existing Pierce County public sanitary sewer system in the area. *MDNS, Ex. 5, reference to sewer letter dated July 29, 2014, and Mitigation Measure No. 15 – "The Applicant shall provide verification of relevant Pierce County sewer permits prior to City issuance of the building permit."* The proposed plat is served by the DuPont Fire Department, and the recommended conditions of approval address fire department comments, including payment of commercial fire impact fees. *MDNS, Mitigation Measure No. 13.*

- iv. Funding for needed infrastructure or facilities: City funds will not be used to construct the project or its related mitigation measures. Instead, the developer will obtain construction permits to build the hotel and will complete all utility extensions to serve the project at their expense. *Staff Report; MDNS.*
- v. Character of the proposed development: The Staff Report details how the project complies with the City's design guidelines for commercial developments, generally found at DMC 25.70. Compliance with such requirements is further supported by the unchallenged Type I Commercial Design approval granted by the City Administrator on September 9, 2014 (Ex. 3); building height requirements found in DMC 25.160.050 and as adjusted in the unchallenged variance issued on September 9, 2014 (Ex. 4)

12. The proposed hotel is consistent with the city's Comprehensive Plan, including without limitation provisions regarding concurrency for roads, water, sewers, fire protection, and storm water control. *Staff Report, page 2, addressing compliance with Comp. Plan Policies CF-1 and CF-6.*

13. The undersigned examiner concurs with the Department's Recommendation of Approval, and finds that the project satisfies all applicable zoning, density, and development requirements. The proposed hotel, as conditioned herein, and as mitigated in the unchallenged MDNS, is in conformance with the city's land use codes and regulations, and was processed in a manner consistent with applicable notice requirements.

VI. CONCLUSIONS of LAW.

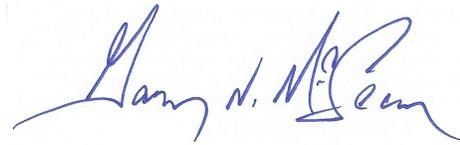
- 1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed hotel project conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the project meets the standards necessary to obtain approval by the City.

2. The Director's recommended conditions of approval as set forth in *Exhibit "A"* are reasonable, supported by the evidence, and capable of accomplishment.
3. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions are hereby adopted as such.

VII. DECISION.

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the examiner's site visit, the undersigned Examiner APPROVES the Type III Land Use Site Plan application for the Home 2 Suites by Hilton Hotel project, subject to the attached Conditions of Approval.

Decision issued: November 26, 2014.

A handwritten signature in blue ink, appearing to read "Gary N. McLean". The signature is fluid and cursive, with a large initial "G" and "M".

Gary N. McLean
Hearing Examiner for the City of DuPont

Attachment: Conditions of Approval (1-47, pages 9-13 of this Decision)

CONDITIONS OF APPROVAL

Home 2 Suites by Hilton Hotel

Type III Land Use Site Plan Approval

1. The applicant shall follow the Imported Soil Sampling Guidance (Chapter 9) in the Department of Ecology Tacoma Smelter Plume Model Remedies Guidance, found at:
http://www.ecy.wa.gov/programs/tcp/sites_brochure/tacoma_smelter/2011/techAssist.html
The imported soil sampling results shall be sent to the City of DuPont and Department of Ecology for review.
2. All interior property lines shall be eliminated and all related easements that are deemed unnecessary by the City Administrator or designee to achieve development or construction of the hotel project as conditioned herein shall be extinguished prior to issuance of a DuPont building permit for the hotel building. Before final legal instruments are recorded to effectuate this condition, clearing, grading, and other ancillary permits may be issued by the City, provided such permits will only be issued at the applicant's peril, subject to applicant's full assumption of risk, liability, and potential damages flowing from such decision, in a form as approved by the city attorney.
3. The project shall fully implement all conditions of approval of the related commercial design decision, DuPont File No. ADM 14-01, related building height variance decision, DuPont File No. VAR 14-01, and mitigation measures of the related SEPA MDNS decision, DuPont File No. SEPA 14-02.
4. Landscape water conservation calculations shall be provided with the landscape construction plans to demonstrate compliance with DMC 25.90.040.
5. Landscape plans shall be revised to include groundcover (Kinnikinnick) for the portion of the site abutting the Northern Pacific Railroad.
6. City review and approval of a Haul Route Plan shall be required prior to commencement of import or export haul operations for this project.
7. The site is located within the boundary of Local Improvement District (LID) No. 88-1. Prior to finalization of the proposed project, the Applicant shall confirm payment of the costs associated with City LID No. 88-1. Contact DuPont Finance Director, 253-912-5300, for details.
8. This project shall comply with the Geographic Information System (GIS) requirements stated in DuPont Municipal Code, Chapter 24.09, and Ordinance No. 97-559.
9. A parking lot lighting plan, including a photometric exhibit showing the lighting levels within the parking lot, shall be submitted to verify compliance with the requirements of DMC 25.70.070 (12). The Applicant shall note that Section 25.70.070 DMC allows 25-foot-tall lighting fixtures in parking lots, except at entries and for parking adjacent to buildings, where lighting remains restricted to 15 feet in height. Cut sheets for the lighting fixtures shall be submitted during civil construction review. Parking area lighting shall be baffled to minimize glare and spillage into the surrounding community. Light levels averaging at least one foot candle are required along all sidewalks.
10. The project proposes retaining walls (i.e., 2 to 12 in height tall along DuPont-Steilacoom Road and 2 to 4 feet in height along Station Drive) as part of the design. Retaining walls shall comply with Section 5.5 of the DuPont City Public Works Standards. Structural design calculations, prepared by a professional engineer licensed in the State of Washington, shall be submitted to the City for all proposed retaining walls over 4 feet in height. The professional engineer shall continuously inspect the installation of the wall as it progresses and shall submit inspection reports, including compaction test results and photographs taken during construction, documenting the techniques used and the degree of conformance to the design. A metal handrail shall be installed where the retaining wall is three feet or greater in height.

11. Applicable DuPont building setbacks shall be delineated and labeled on the drawings.
12. As part of the frontage improvements, the existing curb ramps adjacent to the project site the opposite side of the road shall be improved to comply with current ADA and City Standards. The existing curb ramps to be improved and retrofitted with detectable warning patterns include:
 - a. The two ramps at the DuPont-Steilacoom Road/Station Drive intersection.
 - b. The two ramps at the DuPont-Steilacoom Road/Barksdale Avenue intersection.

The information shall be provided as part of the civil construction permit and building permit.

13. The Applicant shall verify the use and necessity of the existing driveway approaches adjacent to the project (i.e., one on DuPont-Steilacoom Road and one on Barksdale Avenue). Existing driveway approaches not to be used shall be removed and replaced with a City Standard Sidewalk Section (Drawing No. 3.2-1) and Concrete Curb and Gutter (Drawing No. 3.2-3).
14. The classifications of the roads adjacent to the project shall be provided on the civil construction drawings (i.e., Station Drive, DuPont-Steilacoom Road, and Barksdale Avenue).
15. Turning movement drawings shall be provided with the civil construction permit to demonstrate the feasibility of the site layout to the City. The site plan shall include supplemental exhibits to demonstrate that the City Fire Department's large apparatus can navigate the site (lane width, radius), including access to Fire Department Connections and hydrants. The DuPont Fire Department shall confirm the adequacy of vehicle access points.
16. The parking lot shall be designed in accordance with the requirements of DMC 25.70.030 and DuPont Ordinance No. 03-752, which includes, but are not limited to, screening as approved by the City and a minimum aisle width of 26-feet for 90 degree two-way aisle and emergency vehicle access. The minimum stall widths shall be 8.75 feet (basic) and 9 feet (parallel to an access aisle).
17. Supplemental information shall be provided with the civil construction permit that demonstrates the planned turning movements and vehicle circulation at the northeast portion of the site, including the ingress and egress at the driveway approach and at the shared access easement. Adequate vehicle queuing and safe turning movements shall be considered in the design.
18. Supplemental information shall be provided with the civil construction permit showing sight distance triangles, safe stopping distances and turning movements (i.e. to and from the site onto the shared access road, from the shared access road to Station Drive, and from Station Drive to DuPont-Steilacoom Road).
19. On DuPont-Steilacoom Road adjacent to site, bike lane pavement markings shall be added and/or refreshed. Please show on civil construction drawings.
20. Separate water connections with backflow prevention devices shall be required for domestic, fire, and irrigation. Each service shall include backflow prevention devices located outside of the building within easements granted to the City of DuPont for access.
21. All water mains and appurtenances to be owned and operated by the City, up to and including water meters, backflow assembly vaults, and fire hydrants, shall be located in 15-foot-wide easements dedicated to the City.
22. Provide water meter sizing calculations for domestic and fire water services with the civil construction permit. The sprinkler system design, including confirmation of the provided sizing for the fire line components shall be reviewed and approved by the DuPont Building Department and DuPont 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 vault and a Fire Department Connection (FDC) within 50 feet of a fire hydrant. The double detector check valve assemblies (DDCVA) shall be located in underground vaults outside of the building to allow direct access by City staff.

23. A minimum of one fire hydrant per 1,250 gallons per minute of required fire flow shall be provided within 150 feet of the proposed building. The Applicant shall confirm the required fire flow with the City Fire Department and identify the existing and proposed fire hydrants to meet this requirement. The fire hydrant within 50 feet of the Fire Department Connection for the building shall not count towards the required hydrants for fire flow. The number and location of hydrants shall be coordinated with the City Fire Department.
24. Based on the current site and preliminary utility layout, the alignment of the existing 8-inch water main loop and the associated 15-foot water easement through the site shall be re-routed to outside of the building footprint and retaining walls. The looped water system through the site is required in accordance with the City's Standards. Any existing water stub outs not used shall be terminated at the main.
25. 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 on the building use. In the event the building use type is classified as a severe or high health cross connection hazard as defined in WAC 246-290-490 Table 9, above ground Reduced Pressure (RP) type backflow prevention shall be provided. The Applicant shall state the building use type on the plans and provide the appropriate premises isolation backflow preventers.
26. Drains to daylight or to the onsite storm system shall be provided for the water service vaults and meter boxes as required by DuPont Standard Details. The drain size is based on the size of the proposed assembly.
27. Civil construction plans shall include profiles for storm drains and water mains to include proposed utility crossings. Water main profile shall include air-vac assemblies at high points and blowoff assemblies at low points.
28. The proposed development shall be provided with fire lanes, as required by the City of DuPont Fire Department. Show and label all fire lanes on civil construction plans.
29. Following construction and prior to issuance of the Permanent Certificate of Occupancy, the Applicant shall submit an executed Agreement for Inspection and Maintenance of Privately Maintained Storm Drainage Facilities. The Agreement shall be provided after construction of the storm drainage system to reflect "as-built" conditions. A copy of the form of the agreement is included in the City Street Standards.
30. Infiltration of rooftop areas shall be utilized where feasible.
31. The site grading and/or storm system shall be designed to ensure that any concentrated surface runoff from the property is not discharged over the surface of the roadways or sidewalks.
32. Civil construction plans shall incorporate perimeter footing drains into the design. If the Applicant desires to eliminate the footing drains during construction, a geotechnical representative shall be present to observe, confirm soil conditions, and provide a report to the City's resident inspector.
33. Grading operations and testing for required compaction shall be observed by a soils engineer. In accordance with the grading ordinance, the Applicant shall submit a report from a soils engineer indicating the locations and elevations of field density tests, a summary of field and laboratory tests, other substantiating data, and comments on any changes made during grading. The engineer shall also submit a statement that the grading was completed in accordance with the geotechnical report.

34. Project activities shall comply with the requirements of the Washington State Department of Ecology National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges associated with construction activity.
35. Civil construction plans shall include a Temporary Erosion and Sediment Control (TESC) Plan.
36. The strip of area (i.e., approximately 130 feet long by 5 feet wide) parallel with and between the project's northwest parcel boundary line and the back of the existing DuPont-Steilacoom Road sidewalk, shall be stabilized with drought tolerate plantings and mulch as part of the project's frontage improvements and landscape plan.
37. The submitted irrigation notes and water use calculations comply with the City DMC 25.90 water conservation requirements and are acceptable for purposes of Land Use Approval. Revisions to the landscape plan shall require revisions to the irrigation notes and water use calculations, which shall be reviewed with the civil construction permit.
38. Prior to Fire Department approval for occupancy, two fire hydrants shall be required. One fire hydrant shall be located on the property. The fire hydrant shall be a minimum of 50 feet or 1 & 1/2 times the height of the structure away from the building. Contact DuPont Fire Department for location and approval.
39. Prior to Fire Department approval for occupancy, an underground fire line shall be installed. The system shall comply with NFPA 24 Standard for Installation of Private Fire Service Mains. Three (3) sets of plans, material specifications sheets for all equipment used in the system shall be submitted by a State of Washington Licensed Contractor for review, approval, and permits issued prior to commencing work. The Fire Department Connection (FDC) shall be a minimum of 50 feet or 1 & 1/2 times the height of the structure away from the building. The FDC shall be within 50 feet of a hydrant and be 5 inch with a locking cap. Contact DuPont Fire Department for location and approval. Separate Permit required.
40. Prior to Fire Department approval for occupancy, Fire apparatus access roads shall have approved striping or signs.
41. Per WAC 51-50-009, Recyclable Materials and Solid Waste Storage, (code citation included in the Washington State Amendments to the IBC) "All local jurisdictions shall require that space be provided for storage of recycled materials and solid waste for all new buildings" that is "designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers." The enclosure to be constructed at the dumpster location shown on Sheet 1 of 6 shall be sized to include containers for storage of refuse and recyclable waste and coordinated with Lemay, Inc./Pierce County Refuse.
42. The three accessible parking spaces shown on the drawings do not meet code requirements for minimum number required (5 required). These spaces and the accessible routes shall be designed in accordance with IBC Section 1007, IBC 1027, IBC Chapter 11, IBC Appendix E and ICC/ANSI A117.1-2009.
43. Architectural Site plans (future submittal) and Civil Site plan shall be coordinated to present the same information. (i.e. number of parking stalls, refuse enclosure, landscape island locations, retaining walls, ramps/stairs, etc.).
44. A geotechnical investigation shall be conducted in accordance with IBC Section 1803. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift in conformance with IBC Section 1807.2. Retaining walls exceeding four feet in height above the wall foundation shall require a separate permit.
45. Coordination with Pierce County Utilities is required for the design and installation of the Sanitary Sewer system including abandonment of existing un-used sewer pipe/stubs on/to the property and all applicable easements. The 8 inch Building Sewer indicated on Sheet 6 of 6 shall be coordinated with the Building

drain requirements. The minimum size is to be determined through the Plumbing fixture unit calculations indicated in UPC Section 703 and Table 703.2.

46. Pursuant to RCW 19.122.033, the applicant shall consult with all utility and pipeline companies.
47. The project shall comply with the requirements for GIS as-built drawings contained 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.