



August 24, 2023

Rachael N. Brown  
City of Puyallup  
Planning Division  
333 S. Meridian  
Puyallup, WA 98371

RE: Responses to Binding Site Plan Comments  
South Hill Business and Technology Center  
1015-1023 39<sup>th</sup> Avenue S.E., Puyallup, WA 98374  
City File No. PLBSP20230028  
Our Job No. 18111

We have revised the plans and technical documents for the above-referenced project in accordance with your comment letter dated July 24, 2023. Enclosed are the following documents for your review and approval:

1. Revised Binding Site Plan map dated August 24, 2023
2. Updated Title Report dated July 25, 2023
3. Revised Lot Closure Report

The following outline provides each of your comments in italics exactly as written, along with a narrative response describing how each comment was addressed:

**City Comment Letter dated July 24, 2023**

**Planning Review - Rachael N. Brown; (253) 770-3363; RNBrown@PuyallupWA.gov**

- *Provide floor area ratio (FAR) calculation. FAR is defined in PMC 20.15. as follows: "Floor area" means the total horizontal area expressed in square feet of all floors, platforms and stairwells within the surrounding walls and below the roof of all structures on a subject lot. "Floor area" is calculated from the exterior surface of the building walls. Floor area shall not include the area of roofed decks which are open/unenclosed on at least one side, attics and storage spaces containing less than five feet of headroom between floor and ceiling, multifamily, commercial or industrial garages devoted primarily to vehicle parking or loading which are located on the first or subsurface floors, and basements and cellars when the finished ceiling of such basements or cellars is less than two feet above the lowest point of the finished adjacent grade. Detached accessory structures 200 square feet and smaller and carports, regardless of size, shall also not be considered floor area. For the purpose of calculating floor area ratio for a lot whose principal use is single-family residential, garages and carports shall be excluded up to a maximum area of 500 square feet per parcel; all garage space in excess of 500 square feet per parcel shall be included as part of the floor area calculation. "Floor area ratio" means the numerical value obtained by dividing the total floor area of a structure or structures by the total area of the lot on which such structure or structures are located. In the MP zone the max FAR per lot is 4.0. Please provide a calculation table that demonstrates how each lot that contains*

*an existing building will meet this standard. A statement saying that they will meet this standard is not acceptable.*

**Response:** The floor area ratio (FAR) calculations are on Sheet 2 of the map.

- *Please provide a surveyed site plan that delineates where the exact property lines are located and measurements of setbacks to all sides of building/structures to assist with determining if setbacks are being met. Review PMC 20.35.020 for required setbacks for the MP zone. Any setbacks that are not being met from existing buildings for proposed lot lines will have to be adjusted to meet required setbacks.*

**Response:** Lot lines have been adjusted to meet required setbacks, measurements from lot lines to buildings/structures have been provided.

- *PMC 20.35.031 Business park design standards. No more than 75 percent of each lot shall be covered with impervious materials; Provide a table which demonstrates how this standard is being met.*

**Response:** An impervious area table has been added to sheet 1.

- *The site is within a critical aquifer recharge area. A critical aquifer recharge area note on the face of the plat for each affected lot shall indicate: "The site is within a high susceptibility/critical aquifer recharge area. Uses and activities on this site shall comply with the city's critical area ordinance (Puyallup Municipal Code 21.06, Article XI). Activities that do not cause degradation of ground water quality and will not adversely affect the recharging of the aquifer may be permitted in a critical aquifer recharge area and do not require preparation of a critical area report; provided, that they comply with the city storm water management regulations and other applicable local, state and federal regulations."*

**Response:** This text has been added as Binding Site Plan Note #7 on Sheet 1.

- *Critical area tracts shall be used in development proposals for subdivisions, planned developments, and binding site plans to delineate and protect the following contiguous critical areas and buffers comprising 5,000 square feet or more of area.*

**Response:** Wetlands "A" and "B" have been placed in tracts.

- *The site contains wetland areas and protective wetland buffers. A note shall be included on the face of the plat for each affected lot indicating: "This lot contains a wetland and/or wetland buffer that is protected by federal, state and local regulations. A wetland is a permanently, semi-permanently, or seasonally flooded area of land with a distinct ecosystem based on hydrology, hydric soils, and vegetation adapted for life in water saturated soils. Wetlands provide numerous benefits to the natural environment including water quality, flood control, wildlife habitat, shoreline stability, and aesthetic values. Since the 1780s, Washington has lost 31 percent of its wetland areas, from 1.35 million acres to 938,000 acres, contributing to loss of flood storage and habitat areas. Wetlands are critical to the overall health of watersheds and property owners are key for protecting, restoring, and managing our state's remaining wetland resources. Modification of land or vegetation and/or encroachment/conversion of these areas is strictly prohibited without prior government approval."*

**Response:** This text has been added as Binding Site Plan Note #8 on Sheet 1.

- *The site contains a fish and wildlife conservation area. A note shall be included on the face of the plat for each affected lot indicating: "This lot contains a fish and wildlife habitat area that is protected by federal, state and local regulations. These areas serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. Property owners are key for protecting, restoring, and managing our state's remaining habitat areas. Modification of land or vegetation and/or encroachment/conversion of these areas is strictly prohibited without prior government approval."*

**Response:** This text has been added as Binding Site Plan Note #9 on Sheet 1.

- *Title page signatures: Change public works to Development Engineering Division and Development Engineering Manager*

**Response:** The signature lines have been revised as requested.

- *Concomitant Agreement: The concomitant agreement shall be dissolved and the relevant sections of the agreement need to be incorporated into the BSP. Dissolution of the concomitant agreement will require approval by City Council and signatures of all parties to the agreement (including Kaiser Permanente). However, it may be possible to eliminate the agreements affect as it pertains to only the properties addressed in the BSP, without the signature of representatives of Kaiser Permanente. Please provide a draft dissolution document for review. The City would like to coordinate a meeting with representatives from the applicants team, including the owner, once the applicant's team has determined how they would like to address the issue of the concomitant agreement. The City would like to see the following relevant sections of the concomitant agreement preserved and incorporated into the BSP (some have already been included in the latest submittal):*

*1. Landscape Buffer: The concomitant agreement currently requires a 75' landscape buffer around the entire perimeter of the original property (pg. 19 of concomitant agreement).*

*2. Noise generating uses: Noise generating plant equipment will be located at least 400' from the boundary lines of the original property. (pg. 19 of concomitant agreement).*

*3. Stormwater lines: Reciprocal easements for stormwater shall be recorded on all lots for conveyance and detention. (pg. 3-4 of concomitant agreement).*

*4. Truck deliveries: Truck deliveries to the site will be limited to the hours between 7:00 am and 7 pm seven days a week.*

**Response:** A draft Development Agreement is in process.

- *Pedestrian access: A pedestrian access point needs to be provided for the East side of the development in order to facilitate access to the Pierce college campus. (PMC 19.12.050 (2)(e))*

**Response:** The pedestrian access point is labeled on Sheet 9.

**Building Review - Ray Cockerham; (253) 841-5585; RayC@PuyallupWA.gov**

- 1) Verify the building setbacks from proposed property lines. Verify type of construction, allowable area, openings, separation, and all other exterior wall requirements related to property lines.

**Response:** Lot lines have been adjusted to meet required setbacks.

**Engineering Review - Mark Higginson; (253) 841-5559; MHigginson@PuyallupWA.gov**

- This clarification reference (AFN 8707210280) is NOT associated with Concomitant Agreement recorded under AFN 8106260306. The referenced clarification is associated with the concomitant agreement on the parcel to the east (currently Pierce College campus). See Concomitant Agreement AFN 8609290435. Notify Title Company of discrepancy and provide evidence of notification prior to BSP approval. [Title Report; Pg 6 of 10]

**Response:** This title error has been corrected and a revised title report is being included with this resubmittal.

- Provide total for existing hard surfaces and TBD for future. [Plans; Sht 1 of 15]

**Response:** Total site = 882,709 sq. ft. of existing impervious areas.

- Complete missing information. (3 plcs) [Plans; Sht 1 of 15]

**Response:** The missing information in the Code Data table has been provided.

- NOTE TO APPLICANT: The BLR references contained in the 'Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements' recorded under AFN 202301120145 incorrectly indicates the BLR number to be P-21-0318. The correct number should read P-21-0138. It may be in the applicant's best interest to correct these typos at the time of re-recording the Exhibit B-1. [Plans; Sht 1 of 15]

**Response:** Acknowledged. This text error will be corrected with the next revision of the CC&R's.

- Plan shall be bound by the Stormwater Facilities Maintenance Agreement per AFN 201001210587.[Plans; Sht 1 of 15]

**Response:** Binding Site Plan Note #4 on Sheet 1 has been added.

- Add Note: "The operation and maintenance of any existing or proposed water system located on private property shall be the responsibility of the Binding Site Plan ownership unless otherwise specifically agreed to by the City of Puyallup." [Plans; Sht 1 of 15]

**Response:** This text has been added as Binding Site Plan Note #6 on Sheet 1.

- Add Note: Easements are hereby granted for installation, inspection, and maintenance of utilities and drainage facilities as delineated on this Binding Site Plan. No encroachments will

*be placed within the easements shown which may damage or interfere with installation, inspection, and maintenance of utilities. Maintenance and expense of the utilities and drainage facilities shall be the responsibility of the property owners association as established by the 'Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements' recorded under AFN 202301120145. [Plans; Sht 1 of 15]*

**Response:** This text has been added as Binding Site Plan Note #5 on Sheet 1.

- *Add the following Notes:*

*1. The purpose of this Binding Site Plan is to divide for sale or lease purposes of the lots shown.*

*2. Separate approvals will be required by the City of Puyallup for: a) Building Permits; b) Site Development Permits.*

*3. At the time of Building Permit application each lot is required to meet the most current fire flow and emergency vehicle access standards of the City of Puyallup Fire Marshall's office.[Plans; Sht 1 of 15]*

**Response:** These notes have been added as Binding Site Plan Notes #1, 2 & 3 on Sheet 1.

- *This clarification reference (AFN 8707210280) is NOT associated with Concomitant Agreement recorded under AFN 8106260306. The referenced clarification is associated with the concomitant agreement on the parcel to the east (currently Pierce College campus). See Concomitant Agreement AFN 8609290435. Notify Title Company of discrepancy and provide evidence of notification prior to BSP approval. [Plans; Sht 2 of 15]*

**Response:** This title error has been corrected and a revised title report is being included with this resubmittal.

- *Confirm-0419034039 [Plans; Sht 3 of 15]*

**Response:** This APN has been corrected.

- *Show Wetland "D" [Plans; Sht 4 of 15]*

**Response:** Wetland "D" is now graphically depicted and labeled.

- *Confirm-This easement callout is not applicable at this location. [Plans; Sht 5 of 15]*

**Response:** This easement callout has been corrected.

- *Page 2 [Plans; Sht 5 of 15]*

**Response:** This typo has been corrected.

- *Callout Lot 8 [Plans; Sht 5 of 15]*

**Response:** Lot 8 has been labeled on Sheet 5.

- *Identify in Legend. [Plans; Sht 6 of 15]*

**Response:** The waterline has been identified in the legend.

- *Identify in Legend. [Plans; Sht 6 of 15]*

**Response:** The fire line has been identified in the legend.

- *Provide dimensions at the nearest point between each building and the adjacent parcel line as noted. Also, maintain code req'd setbacks. (Typ) [Plans; Sht 6 of 15]*

**Response:** Dimensions have been provided at the nearest point between each building and the proposed lot lines. Lot lines have been adjusted to meet required setbacks.

- *Show Wetland "D" [Plans; Sht 6 of 15]*

**Response:** Wetland "D" has been graphically depicted and labeled.

- *Callout Access Drive. [Plans; Sht 6 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 7 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Provide dimensions at the nearest point between each building and the adjacent parcel line as noted. Also, maintain code req'd setbacks. (Typ) [Plans; Sht 8 of 15]*

**Response:** Dimensions have been provided at the nearest point between each building and the proposed lot lines. Adjust lot lines??

- *Callout Access Drive. [Plans; Sht 8 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 8 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 9 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Provide dimensions at the nearest point between each building and the adjacent parcel line as noted. Also, maintain code req'd setbacks. (Typ) [Plans; Sht 10 of 15]*

**Response:** Dimensions have been provided at the nearest point between each building and the proposed lot lines. Adjust lot lines??

- *Callout Access Drive. [Plans; Sht 10 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 10 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 11 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 11 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 12 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 12 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive. [Plans; Sht 13 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Lot 3/Lot 2. [Plans; Sht 13 of 15]*

**Response:** The Lot 2/Lot 3 common line has been labeled.

- *Callout Access Drive and provide width. [Plans; Sht 14 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Callout Access Drive and provide width. [Plans; Sht 14 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

- *Provide dimensions at the nearest point between each building and the adjacent parcel line as noted. Also, maintain code req'd setbacks. (Typ) [Plans; Sht 14 of 15]*

**Response:** Dimensions have been provided at the nearest point between each building and the proposed lot lines. Adjust lot lines??

- *Callout Access Drive and provide width. [Plans; Sht 15 of 15]*

**Response:** The access drives have been labeled and a width has been shown.

**Engineering Traffic Review - Bryan Roberts; (253) 841-5542; broberts@PuyallupWA.gov**

- *Prior to new construction building permit issuance or significant change of use TI, the following will be required:*

*-Based on previous EIS & Concomitant agreement, must provide a determination on the overall quantity of vested vehicle trips to this site.*

*-Provide a trip generation estimate based on your current use & proposed future buildout. This estimate must be based on published rates in the ITE trip generation manual (using building sqft). City policy requires the project trips to be estimated using the Institute of Transportation Engineers' (ITE) Trip Generation, 11th Edition. In general, trip generation regression equations shall be used when the R2 value is 0.70 or greater. For single-family units and offices smaller than 30,000 SF, use ITE's Trip Generation, average rate. The project trips shall be rounded to the nearest tenth.*

*-The applicant shall conduct a traffic analysis to determine impacts of a proposed full buildout of site. Analysis shall include a detailed summary of all building permits and/or off-site improvements associated with this site since original construction was completed. This summary shall include all previous mitigation and/or traffic impact fees paid.*

**Response:** Acknowledged.

*The City has adopted a City-Wide Traffic Impact Fee of \$4,500 per PM peak hour trip. Final fees will be calculated and assessed by the City at the time of building permit issuance.*

**Response:** Acknowledged.

*During the Civil review process, this commercial development shall provide an autoturn analysis for the largest anticipated vehicle that would access the site. Curb radii and entrance dimensions shall be increased as necessary to allow vehicles to access the site without encroaching into adjacent lanes of traffic.*

**Response:** Acknowledged.

*39th Ave SE along the site is designated as a major arterial. City standards (Section 101.10.1(4)) require minimum spacing of 300 feet between driveways measured between closest edges of the driveway (this standard also applies to driveways across the street).*

**Response:** Acknowledged.

*Eastern access location on the 39th Ave SE (STOP controlled) must be restricted to a right-in/right-out.*

**Response:** Acknowledged.

*Internal access road must meet minimum fire standards*

**Response:** Acknowledged.

*Add a 1ft no access easement along 39th Ave SE. All vehicles must access from existing driveway locations on 39th Ave SE.*

**Response:** The one-foot no-access easement has been graphically depicted and labeled on Sheet 14 & 15.

**External Agency Review - Rachael N. Brown; (253) 770-3363; RNBrown@PuyallupWA.gov**

- See Comment letter from Dept of Ecology dated May 19, 2023 available for download in the Documents and Images section of the online permits portal.

**Response:** Acknowledged.

- See Nisqually Indian Tribal comment letter dated May 22, 2023 available in Documents and Images section of City's online permits portal.

**Response:** Acknowledged.

**Department of Ecology Letter dated May 19, 2023**

**SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287**

*All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.*

**Response:** Acknowledged.

**TOXICS CLEANUP: Sandy Smith (360) 999-9588**

*The binding site plan area is within a quarter mile of two known or suspected contaminated sites. The sites are Microchip Technology Inc, Contaminated Site Identification (CSID) 16737 and Facility Site Identification (FSID) 56763887; and South Hill Business Technology Center, CSID 16737 and FSID 56763887. To search and access information concerning these sites see <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites>. In addition, it appears the project area may intersect with the location of a gas transmission pipeline. To search and access information concerning the pipeline see <https://pvnpm.phmsa.dot.gov/PublicViewer/>. If contamination is suspected, discovered, or occurs during binding site plan work, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Department of Ecology must be notified. To notify Ecology, contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that*

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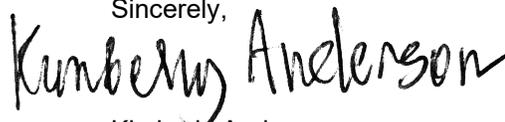
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*will be required, contact Sandy Smith with the Toxics Cleanup Program at the Southwest Regional Office at (360) 999-9588.*

**Response:** Acknowledged.

We believe that the above responses, together with the enclosed revised plans and technical documents, address all of the comments in your letter dated July 24, 2023. Please review and approve the enclosed at your earliest convenience. If you have questions or need additional information, please do not hesitate to contact me at this office. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Anderson". The signature is written in a cursive, slightly slanted style.

Kimberly Anderson  
Project Manager

KA/kb  
18111c.006.docx  
enc: As Noted