



City of Yelm

Site Plan Review Committee

*105 Yelm Avenue West
Yelm, WA 98597*

NOTICE OF DECISION

DATE: October 15, 2018
PROJECT NAME: I.C.E. Storage Yard Expansion
PROJECT LOCATION: 925 NP Road SE, Yelm, WA
PARCEL NUMBER: 64300900300
CASE NUMBER: 20170254

NOTICE IS HEREBY GIVEN that the Community Development Department issued a site plan review approval to International Construction Equipment at the above referenced location.

The complete decision may be viewed on the City's website at www.yelmwa.gov and choosing 'Document Library' then 'Currently Under Review' from the menu system. A copy of the decision may also be obtained at the Community Development Department in City Hall at 105 Yelm Avenue West, Yelm, WA 98597 during normal business hours for a fee of 15 cents per page. For additional information, please contact the Community Development Department at 360-458-3835.



City of Yelm

Site Plan Review Committee

105 Yelm Avenue West
Yelm, WA 98597

Site Plan Review 20170254 ICE Storage Yard Expansion

Findings of Fact, Conclusions of Law, and Decision

FINDINGS OF FACT

1. International Construction Equipment, Inc. proposes to expand their equipment storage facility located at 925 NP Road SE, identified by Assessor's Tax Parcel Number 64300900300.
2. The property contains an industrial building that is currently being renovated to warehouse, maintain, and store equipment related to the business. ICE Storage Equipment received Site Plan Approval for an equipment yard and renovation of existing building in 2017. The property is approximately 4 acres.
3. The property is zoned Industrial District (I) which is codified at Chapter 18.39 YMC. The Industrial district is intended to provide for the location of industrial activities. Warehousing and storage of equipment, commodities and products are an allowed use in the Industrial zone. [Section 18.39.020 YMC].
4. International Construction Equipment submitted a site plan review application on August 3, 2018. The applicant proposes to expand the storage yard area, install an additional building, provide on-site storage of biological oils and diesel, and welding, grinding and other hot works activities. The application materials included a preliminary site plan, environmental checklist, and preliminary drainage assessment.
5. As required by Section 18.10.050 YMC, the Yelm Community Development Department mailed a Notice of Application to local and state agencies and surrounding property owners on August 29, 2018. In addition, the notice was published on the City's website on August 29, 2018 and published in the *Nisqually Valley News* on July 13, 2018. No comments were received.
6. The Community Development Director, as Yelm's Responsible Official to implement the State Environmental Policy Act (SEPA), issued a Mitigated Determination of Nonsignificance for the proposal on September 17, 2018. Mitigation measures include an updated drainage report, proof of compliance with Washington State oil spill prevention regulation, and approved plan for hot works activities.

7. Comments were received from the Washington Department of Ecology (ECY), which noted that the project is subject to existing regulations regarding Dangerous Waste Regulations, toxics and waste cleanup, water quality, and Construction Stormwater Permit requirement.
8. Chapter 18.16 YMC requires a determination that the infrastructure facilities necessary to serve a proposed development are in place or planned for and properly funded with a reasonable expectation that the facilities will be in place at the time needed to preserve adopted levels of service.

- a. Concurrency with sewer infrastructure means the project is within an area approved for sewer pursuant to the adopted sewer comprehensive plan for the City and improvements necessary to provide facilities and services are present to meet the needs of the proposed development.

The previous approval required that the building connect to the City sewer system. Approval of this new system satisfies concurrency requirements.

- b. Concurrency with water infrastructure means the project is within an area approved for municipal water service pursuant to the adopted water comprehensive plan for the City and improvements necessary to provide services are present.

There is currently one metered water service on serving the existing building. This connection satisfies concurrency requirements.

- c. Concurrency with transportation infrastructure means that the project completes frontage improvements, makes off-site improvements required for the safe movement of traffic and pedestrians if impacted by traffic from the development, and pays a traffic facilities charge.

The parcel fronts NP Road SE. NP Road is considered a Commercial Collector Street, but is not constructed to City Standards. A signed agreement for deferral of frontage improvements is required as part of the previous approval. This agreement would meet concurrency requirements. Dedication of right-of-way is needed to provide for future frontage improvements.

- d. Concurrency with school infrastructure means the developer pays a school impact fee at the time of construction.

The proposal will have no impact on the School system as it will not increase student population.

- e. Concurrency with fire protection means the developer pays a fire impact fee at the time of construction.

Fire impact fees are based on square footage of new construction, and paid at the time of building permit issuance.

8. Title 18 YMC is the Unified Development Code for the City of Yelm and establishes standards for development within the various zoning districts. The subject property is identified by the Zoning Map as being within the Industrial zoning district. The City of Yelm sewer treatment facility is located to the north, vacant industrial zoned property to the east, a manufacturing plant to the west, and industrial zoned properties including vacant land and residential uses to the south.
 - a. Warehousing of equipment is allowed in the Industrial zoning district as a permitted use. [Section 18.39.020 YMC]
 - b. Setback requirements for the Industrial zoning district are 15 feet from front, side, and rear yards. [Section 18.39.040 YMC] Existing and proposed buildings meet the Industrial district setback requirements.
 - c. Buildings in the Industrial zoning district may be up to 40 feet in height. [Section 18.39.040 YMC]. The existing and proposed buildings meet the height requirement for the Industrial district.
 - d. Chapter 18.52 provides guidance for Ingress and egress. Access was approved as part of the previous approval. This expansion does not require any changes.
 - e. Industrial uses require one parking space per employee based on the greatest number of employees on a single shift, plus one square foot parking per square foot of display or retail area, plus one space for each vehicle owned, leased or operated by the company, one of which must be a van accessible handicap stall.

The conceptual plan shows 4 parking stalls based on 4 full-time employees, with adequate accessible handicap stall. No additional parking is required for this expansion.
9. Title 18. YMC provides guidance and regulation for site planning during development. Chapter 18.55 establishes landscaping requirements for various types of development.
 - a. Perimeter landscape includes an 8-foot planter area with a combination of evergreen and deciduous trees. The site has some existing natural growth that may be augmented to meet the perimeter landscaping intent.
 - b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas. This is landscaping is achieved with frontage improvements. The applicant has requested a deferral of frontage improvements. If approved, the pedestrian corridor landscape would be included in the deferral.

Although not shown in the conceptual site plan, if the applicant proposes to fence the property for security purposes, chain link fencing is not allowed when visible from a public right-of-way. Solid wood or other fencing material should be considered.

- c. Chapter 18.57 requires the preservation of existing trees during construction. No existing trees shall be removed until a decision is made regarding the feasibility of preserving existing trees. All site plans shall include the location of all trees to be retained and removed exceeding eight inches in diameter.
 - d. Chapter 18.59 requires trash enclosures to be incorporated into the architectural feature of the primary structure and landscaping. The enclosure shall be constructed of CMU, wood or architectural steel, with gates of similar durable materials. [Section 18.59.040 YMC]
 - e. Section 18.59.050 YMC provides guidance for illumination. Walkways shall be lit to a minimum of 2 foot candles. Parking lot illumination levels shall not exceed 0.1-foot candle at five feet past the edge of the property line(s). Fixtures shall be mounted to a maximum of 20 feet above grade.
 - f. Mailboxes for the site shall be cluster box units (CBU) and placed on site. [Section 18.59.080 YMC]
 - g. Section 18.51.050 requires that outside storage shall be maintained in an orderly manner consistent with good housekeeping practices and shall be effectively fenced and screened from all residential areas and public rights-of-way.
10. The Yelm Critical Areas and Resource Lands, Chapter 18.21 YMC provides protection for critical aquifer recharge areas, frequently flooded areas, wetlands, geologically hazardous areas, and fish and wildlife habitat conservation areas.
- a. All of Yelm is identified as a critical aquifer recharge area. Compliance with Federal, State, and County water source protection regulations and with the City's adopted stormwater regulations is required to protect the aquifer. [Section 18.21.070 (C) YMC]
 - b. The Mazama Pocket Gopher has been listed as a threatened species by the Washington Department of Fish and Wildlife since at least 2008. Yelm has protected this species through the implementation of the Critical Areas Code. When a development occurs on property suspected to be occupied by the Mazama Pocket Gopher, the Community Development Department has required the applicant prepare a critical areas report which would include mitigation measures if it was determined that pocket gophers would be impacted by the

proposed development. The Washington Department of Fish and Wildlife is provided with notice of all threshold determinations issued pursuant to the State Environmental Policy Act and the City consults with the Department when a critical areas report is required.

In April, 2014, the U.S. Fish and Wildlife Service listed the Yelm subspecies of the Mazama Pocket Gopher as threatened under the Endangered Species Act. While the City of Yelm is not responsible for implementation or enforcement of the Endangered Species Act, it consults with the Service and provides notice to applicants that the pocket gopher is a federally protected species and a permit from the U.S. Fish and Wildlife Service may be required.

Visual reconnaissance from City staff show no indications of Mazama Pocket Gophers or Prairie Habitat found on the project site. The area of expansion is gravel.

Compliance with Yelm's requirements under the Critical Areas Code does not ensure compliance with the provisions of the Endangered Species Act. The applicant should contact the US Fish and Wildlife Service with any questions about compliance with Federal standards for threatened species.

11. Chapter 13.04 YMC and Chapter 6 of the Development Guidelines establish requirements for connection to the City's water system.
 - a. Water service connections are by a service line and water meter in the public right-of-way. [Section 13.04.110 YMC]. New service connections are calculated at 875 cubic feet per equivalent residential unit (ERU). [Section 13.04.120 YMC]

The site is currently served by 1 metered City water account. The meter is located to the rear of the building, on the City's driveway access to the sewer treatment facility.
 - b. If the proposed use will use more than 875 cubic feet of water per month, additional water connections will be required. An engineer's estimate of water usage is required to determine water connection requirements.

12. Chapter 13.08 YMC and Chapter 7 of the Development Guidelines establish requirements for connection to the City's sewer system.
 - a. The previous approval required connection to the City sewer system.
 - b. There is a sewer latecomers' fee associated with this parcel in the amount of \$5,278.00 plus interest. This latecomer fee is required to be paid prior to civil plan approval.

13. All of Yelm is considered a critical aquifer discharge area. The control and treatment of stormwater is required to protect the critical aquifer. The City has adopted the latest edition of the *Stormwater Management Manual for Western Washington* published by the Washington Department of Ecology. [Section Chapter 18.27 YMC]. The project as proposed triggers Best Management Practices as provided by the manual.

The expansion of the storage yard area requires an updated stormwater management plan.

14. Frontage improvements are required as part of development in the City. [Section 18.16.050 YMC]

- a. Frontage improvements are required for all new development within the city, including change of use that requires a site plan review approval. The property fronts N.P. Road, and is considered a Commercial Collector.

Section 18.16.080 (C) YMC allows the City to determine when frontage improvements are required, and under certain circumstances may permit deferral of installation of such improvements to a later date.

The applicant has requested a deferral of frontage improvements based on low traffic generation. There is public benefit in coordinating small improvements with a larger project such as through local Improvement Districts (LID).

Deferred frontage improvements shall be secured for installation at a later date by a waiver of protest, and commitment to participate in a local improvement district. Any required right-of-way shall be dedicated prior to occupancy.

- b. Transportation facilities charges are based on gross floor area of new buildings.

CONCLUSIONS OF LAW

- A. Section 18.13.020 (B) YMC allows the Site Plan Review Committee to approve a proposal when the preliminary site plan conforms to the standards, provisions and policies of the city as expressed in its various adopted plans and ordinances.
- B. International Construction Equipment has established that the request for site plan review approval can satisfy all criteria set forth in Section 18.13.020(C) YMC, meet all requirements of the Industrial District zoning classification, and meet all other requirements of the Yelm Municipal Code. Therefore, the preliminary site plan should be approved subject to the following conditions:

1. A final drainage report meeting the minimum requirements of the Stormwater Management Manual for Western Washington, as published by the Washington State Department of Ecology shall be submitted with civil plan submission.
 2. Proof of compliance with Washington State oil spill prevention and contingency regulation is required.
 3. The applicant shall provide a detailed plan pursuant to the requirements of the 2015 IFC Chapter 35, Section 3504.1 - 3504.1.9 that illustrates all safety measures are met, as well as the provisions of Sections 3504.2 - 3504.3.1 IFC. This plan shall be reviewed and approved by the City of Yelm Fire Marshal and the South East Thurston Fire Authority.
 4. Proof of Compliance with Dangerous Waste Regulations, Chapter 173-303 Washington Administrative Code.
 5. Connection to the City sewer system shall be completed and approved.
 6. The sewer latecomer fee shall be paid prior to civil plan approval.
 7. An Agreement and Waiver of Protest for the deferral of frontage improvements on NP Road shall be recorded. Right-of-way dedication on NP Road shall be required.
 8. The conditions of the previous site plan review approval dated August 9, 2017 are required to be completed.
- C. The site plan is valid for eighteen (18) months from the date of this approval. The applicant may request a six-month extension on the approval, if the request is made in writing prior to the expiration date of this approval.

DECISION

The request for site plan review approval is hereby granted subject to the conditions contained in the conclusions above.

Dated this 15th day of October, 2018



Grant Beck,
Community Development Director



Chad Bedlington,
Public Works Director

Prepared this 15th day of October, 2018



Tami Merriman,
Associate Planner

APPEAL

The Site Plan Review Committee's decision in this matter may be appealed pursuant to Chapter 18.10 YMC, to the City of Yelm Hearing Examiner no later than 21 days from the date of this decision. An appeal must be in writing, contain specific factual objections, and include the appeal fee of \$1,250.00.