



# *City of Yelm*

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## *Site Plan Review Committee*

*105 Yelm Avenue West  
Yelm, WA 98597*

### **NOTICE OF DECISION**

DATE: June 21, 2017  
PROJECT NAME: JC Property Management  
PROJECT LOCATION: 10619 Vancil Road SE, Yelm, WA  
PARCEL NUMBER: 22730121500  
CASE NUMBER: 20170191

**NOTICE IS HEREBY GIVEN** that the Community Development Department issued a site plan review approval to JC Property Management at the above referenced location.

The complete decision may be viewed on the City's website at [www.yelmwa.gov](http://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 20170191

#### Findings of Fact, Conclusions of Law, and Decision

##### FINDINGS OF FACT

1. Bill & Jeannie Hertel own the land and buildings located at 10619 Vancil Road SE, identified by Assessor's Tax Parcel Number 27730121500.
2. The property includes a 2-story home, a residential shop, and a mobile home. A residential subdivision is located to the south, a retail pharmacy to the north, and a grocery store across the street. The property is approximately 2.05 acres.
3. The property is zoned Commercial District (C-1) which is codified at Chapter 18.36 YMC. The C-1 district is intended to provide for the location of business centers to serve the needs of the community for convenience goods. Retail sales are an allowed use in the C-1 zone. [Section 18.36.020 YMC].
4. JC Property Management submitted a site plan review application on May 15, 2017. The applicant proposes to convert the existing shop to a retail sales establishment, remove the mobile home from the site, and leave the existing 2-story home. If the mobile home is demolished, the applicant is required to get a demolition permit from the Olympic Region Clean Air Agency as well as the City of Yelm.

The application materials included a preliminary site plan and preliminary drainage assessment.

5. The project is exempt from State Environmental Policy Act (SEPA) review. [Section 197-11-800 (3) WAC].
6. 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 shop is connected to the City sewer system. The existing home and mobile are served by onsite septic systems. Connecting all buildings to the City sewer 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 the property. Each building is required to have an individual water service. Connecting all buildings to the City water system 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 Vancil Road. Vancil Road is constructed to a modified collector standard. This meets concurrency requirements.

- 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.

The City Council has waived fire impact fees by Resolution 533 until the SE Thurston Regional Fire Authority establishes a region wide impact fee. This fee is subject to change by resolution of the City Council and is collected 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 Commercial (C-1) zoning district. Properties to the north and east are developed commercial uses, the properties to the south are residential and the property to the west is developed with a retail tire facility and church.

- a. Retail establishments are allowed in the C-1 zoning district as a permitted use. [Section 18.36.020 YMC]

- b. Setback requirements for the C-1 zoning district are 15 feet from the front yard, 10 feet from side yards, and 20 feet from the rear yard. [Section 18.36.040 YMC] The existing buildings meet the C-1 setback requirements.
- c. Buildings in the C-1 zoning district may be up to 40 feet in height. [Section 18.36.040 YMC]. The existing buildings meet the height requirement for the C-1 zoning district.
- d. Chapter 18.52 provides guidance for Ingress and egress. The site has been historically residential, with an existing home, residential shop, and mobile home. Conversion of the residential shop to commercial use requires review for safe ingress and egress movement. The existing northern ingress/egress does not meet minimum ADA standards. It should be reconstructed to meet these standards, with center point of access to align with the Safeway driveway access across the street.
- e. Retail Establishments require one parking space for every 250 square feet of gross floor area. [Section 18.54.030 YMC] The existing shop at approximately 1,728 square feet would require 7 parking spaces, one of which must be a van accessible handicap stall.

The conceptual plan shows 7 parking stalls, with adequate drive lane width. The parking stalls at the north and south ends do not have adequate area to maneuver to exit the parking lot. A “push out” at the north, and a paved driveway apron to the home would take care of this issue.

The applicant proposes to remove the existing mobile home. The mobile and associated structures shall be removed, and the disturbed area re-vegetated.

The existing two-story home shall be accessed through the retail parking area. The driveway apron serving the residence shall be of the same material as the retail parking area. The southern ingress/egress from Vancil Road shall be removed; curb and sidewalk replacement shall meet minimum ADA standards.

- 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 conversion of the existing shop to retail does not encompass the entire site; however landscaping should follow the areas of construction. Perimeter landscaping on the northern property line should extend from the back of sidewalk approximately 150 feet to the west, or at a minimum, to the extent of all improvements.

- b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas. Vancil Road was improved to a modified standard. On the west side of Vancil Road, there is not a planter strip for street trees. The 8 foot landscape requirement on the entire eastern property line should include trees approved on the City of Yelm street tree list, with ground cover.

The conceptual site plan proposes a 6 foot cedar fence between the proposed retail and the existing home, with a gate for driveway access. When a non residential activity is proposed adjacent to a residential use, a 15 foot dense site barrier is required. This must be a combination of trees, shrubs, and berms in addition to the fence. The fence must not impede vision when adjacent to the street.

- c. Chapter 18.59 requires development to relate to street fronts by defining the street edge with building and landscape. This is achieved by providing direct access to the building from the public sidewalk and substantial landscaping when parking is located adjacent to street frontage.

The conceptual site plan shows a sidewalk from the public sidewalk on Vancil Road to the building. The landscape area on the eastern property line, fronting Vancil Road shall be augmented with shrubs in addition to the streetscape landscape required.

- d. Trash enclosures shall incorporate 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]

- 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 site is mostly covered by residential lawn and buildings, with a large area of gravel parking.

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 applicant proposes to remove the existing mobile and use the existing meter to serve the proposed retail.

The existing home is served by an exempt well. The home shall connect to the City water system and the existing well decommissioned pursuant to Washington State Department of Ecology standards.

- b. The City implements a cross-connection and backflow control program pursuant to Title 43 RCW and Chapter 248-54 WAC. [Section 13.04.220 YMC] A backflow prevention assembly is required to protect Yelm's water system from cross-connections from all new development. [Section 13.04.220 (D)].

There is a backflow assembly located at the existing meter. This may be used for the retail conversion.

- 12. Chapter 13.08 YMC and Chapter 7 of the Development Guidelines establish requirements for connection to the City's sewer system.

- a. The residential shop is connected to the City sewer system with a 1,000 gallon S.T.E.P. tank serving the building. The tank is anticipated to be adequately sized to serve the proposed retail. If there are or will be floor drains, the tank will need to be upgraded to a Commercial system.
- b. The existing home is served by an on-site septic system. The home shall connect to the City sewer system, and the on-site system abandoned pursuant to Thurston County Department of Health standards. An action plan for the onsite septic system should be included with civil plan submission
- c. The septic system that served the mobile home will also need to be abandoned pursuant to Thurston County Department of Health standards. An action plan for the onsite septic system should be included with civil plan submission
- d. The discharge of waste containing fats, oils, or greases in excess of 100 mg/l to the S.T.E.P. tank is prohibited. [Section 13.08.080 (B) YMC]

If preparing or processing of any food products has the potential of generating fats, oils, or greases to the S.T.E.P. tank, requiring an oil/water separator or a grease interceptor would ensure compliance with Section 13.08.080 (B) YMC.

- 13. 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 applicant is proposing to direct stormwater runoff from the new parking area to an onsite drywell. The draft drainage report does not include analysis to support the 100-year flow below 0.15 cfs. The civil plans should include a full drainage report showing this analysis and how it meets the most current edition of the Stormwater Management Manual for Western Washington.

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 Vancil Road. Vancil Road is improved to a modified collector standard. The southern ingress/egress from Vancil Road is required to be removed. All curb and sidewalk replacement shall meet current ADA standards.

#### **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. JC Property Management 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 Commercial 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. If the mobile home is demolished, a demolition permit from the Olympic Region Clean Air Agency and a City of Yelm demolition permit is required. The disturbed area must be re-vegetated.
  2. All buildings on site must connect to City of Yelm water system. The existing reduced pressure backflow assembly at the current meter may be used for the shop conversion to commercial.
  3. All buildings on site must connect to the City sewer system. All onsite septic systems shall be abandoned per Thurston County Department of Health standards. A septic abandonment plan shall be included with civil plan submission.
  4. If the shop currently has or proposes floor drains, the existing STEP tank must be upgraded to a commercial system.
  5. The existing northern ingress/egress on Vancil Road shall be reconstructed to meet ADA standards, with center point of access to align with the Safeway access across the street. The southern ingress/egress on Vancil Road shall be removed, and any curb and sidewalk replacement shall meet minimum ADA standards.
  6. The existing two-story home shall be accessed through the retail parking area. A driveway apron from the parking lot to the site shall be of the same material as the retail parking area.

7. The applicant shall provide a minimum of seven (7) parking stalls, one of which must be a van accessible handicap stall. A “push out” at the north end of the parking lot is required.
8. The existing two-story home shall be accessed through the retail parking area. The driveway apron shall be of the same material as the retail parking area.
9. Perimeter landscape shall include an 8 foot planter area with a combination of evergreen and deciduous trees, and shrubs. Perimeter landscaping on the northern property line should extend from the back of sidewalk at Vancil Road, approximately 150 feet to the west, or at a minimum, to the extent of all improvements.

The eastern property line adjacent to Vancil Road should be a streetscape landscape to include trees approved on the City of Yelm street tree list, and augmented with shrubs to meet site planning standards.

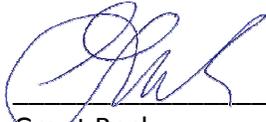
The southern perimeter landscape shall be located adjacent to the proposed fence. It is required to be a dense site barrier and should include a 15 foot dense landscape strip adjacent to the proposed fence. This must be a combination of trees, and shrubs, in addition to the fence. The fence, where adjacent to Vancil Road must not impede vision triangle of the ingress/egress to the site.

10. A trash enclosure is required, and shall incorporate 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, and landscaped pursuant to Section 18.59.040(C) YMC.
  11. 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.
  12. Mailboxes for all units shall be cluster box units (CBU) and placed on site.
  13. Stormwater for all new impervious surfaces shall meet the most current version of the Stormwater Management Manual for Western Washington (SMMWW). Civil plans shall include a full drainage report with analysis to show compliance with SMMWW.
- 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 21<sup>st</sup> day of June, 2017



\_\_\_\_\_  
Grant Beck,  
Community Development Director



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Chad Bedlington,  
Public Works Director

Prepared this 21<sup>st</sup> day of June, 2017



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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.