



City of Yelm

Site Plan Review Committee

*105 Yelm Avenue West
Yelm, WA 98597*

NOTICE OF DECISION

DATE: August 9, 2017
PROJECT NAME: I.C.E. Storage Yard
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
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Site Plan Review 20170254

Findings of Fact, Conclusions of Law, and Decision

FINDINGS OF FACT

1. International Construction Equipment, Inc. proposes to develop the land and building located at 925 NP Road SE, identified by Assessor's Tax Parcel Number 64300900300.
2. The property contains an abandoned industrial building previously utilized as a yeast processing plant. The property and building have not been used for industrial purposes in the past 18 months and the site does not meet present development standards. 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 July 3, 2017. The applicant proposes to convert the existing building and land to equipment storage areas, with a washing slab with recycle system. 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 building is not currently connected to the City sewer system. Connection to the 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 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. The applicant has requested a deferral of frontage improvements based on low traffic generation. A signed agreement for deferral of frontage improvements 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.

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 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] The existing building meets 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 building meets the height requirement for the Industrial district.
- d. Chapter 18.52 provides guidance for Ingress and egress. The driveway access has been in existence for many years. Conversion of the vacant building to industrial use requires review for safe ingress and egress movement. Industrial driveway widths shall not exceed 50 feet and meet minimum industrial driveway standards found in the Yelm Development Guidelines.

There is an easement for a rail line at the property entrance. The applicant shall coordinate access with BNSF Railway.

- 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.

- 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 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 site is mostly covered by trees and vegetation.

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 engineers estimate of water usage is required to determine water connection requirements.
 - 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)].
12. Chapter 13.08 YMC and Chapter 7 of the Development Guidelines establish requirements for connection to the City's sewer system.
 - a. The existing building is served by an on-site septic system. The building shall connect to the City sewer system, and the on-site system abandoned pursuant to Thurston County Department of Health standards.
 - b. The tank shall be a minimum 1,500 gallon with a 20 mgd pump. The tank is required to be a Class 1 Division 1 Commercial STEP system.

- c. S.T.E.P. tanks must be accessible to City staff for routine maintenance and pumping.
 - 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 the use 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.
 - e. 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 proposed stormwater treatment utilizing bio-retention swales and soils does not meet the minimum requirement to control target pollutants.
- The manual states that a construction business, (paving, heavy equipment storage and maintenance...) requires an oil control facility/device. Although proposed for the wash down facility, there is not adequate control for the storage areas.
- The preliminary stormwater report states that the infiltration rate is 20 inches per hour. This is acceptable when a different treatment method is used.
- The City of Yelm Development Guidelines at 4G.110 states that the surfacing of any parking lot or parking area or access thereto be an all-weather surface. Acceptable all-weather surfaces are asphalt and concrete, gravel is not allowed.
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. The transportation generation of the proposed use is the same or less than the previous use at the site. A transportation facility charge is not required.

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 reduced pressure backflow assembly is required at the current water meter. An engineers estimate of water usage is required to determine water connection requirements.
 - 2. The existing building shall connect to the City sewer system. All onsite septic systems shall be abandoned per Thurston County Department of Health standards. The STEP tank shall be a minimum 1,500 gallon with a 20 mgd pump. The tank is required to be a Class 1 Division 1 Commercial STEP system. Any potential of fats, oils or greases to the sewer system requires an oil/water separator or grease interceptor. The tank shall be accessible to City staff at all times.
 - 3. The sewer latecomer fee shall be paid at the time of connection to the sewer system.
 - 4. The existing ingress/egress on NP Road shall be constructed to meet City of Yelm Development Guideline standards.
 - 5. 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.

6. The applicant shall coordinate with BNSF Railway for any easement restrictions. Proof of mutual agreement of use is required.
 7. The applicant shall provide a minimum of four (4) parking stalls, one of which must be a van accessible handicap stall.
 8. Perimeter landscape shall include an 8 foot planter area with a combination of evergreen and deciduous trees, and shrubs. Existing vegetation may only be used to augment landscape requirements.
 9. A tree and vegetation plan is required prior to the removal of any existing trees eight or more inches in diameter.
 10. Any new fencing shall be of a material other than chain link. Existing chainlink fencing must be screened where visible from the public right-of-way.
 11. Outside storage of equipment must be effectively screened.
 12. 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.
 13. 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.
 14. Mailboxes for all units shall be cluster box units (CBU) and placed on site.
 15. All access, parking and equipment storage areas must be improved with an approved all-weather surface such as asphalt or concrete.
- 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 9th day of August, 2017



Grant Beck,
Community Development Director



Chad Bedlington,
Public Works Director

Prepared this 9thst day of August, 2017



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.