



City of Yelm

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NOTICE OF DECISION

DATE: March 12, 2019
PROJECT NAME: T-Mobile Generator Installation
PROJECT LOCATION: 16220 Railway Road SE, Yelm, WA
PARCEL NUMBER: 64300700600
CASE NUMBER: 20190036

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

The complete decision may be viewed on the City’s website at www.yelmwa.gov and choosing ‘I Want To’ then ‘View’ then ‘Public Notices’ from the menu system. A copy of the decision may also be obtained at the Community Development Department in City Hall at 106 2nd Street SE, 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.



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**20190036 T-MOBILE GENERATOR INSTALLATION
MINISTERIAL SITE PLAN REVIEW
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

FINDINGS OF FACT

1. Armando Morales owns Lot 5 & 6, Block 7 of McKenna Irrigated Tracts, known as 16220 Railway Road SE, Yelm, WA, and identified by Assessor’s Tax Parcel Number 64300700600.
2. The property is approximately 9.62 acres in area and is identified by the Yelm Zoning Code as being within an Industrial (I) zoning district. The Industrial zone is listed as a priority location for Wireless Communication Facilities (WCF).
3. T-Mobile leases a portion of the property that currently contains an existing 150 foot steel monopole WCF. The existing wireless communication facility was constructed in 2008 as authorized by the City of Yelm site plan review approval number 20070355, issued in 2007.
4. T-Mobile desires to add a Generac 25KW propane generator and associated electrical panel at the existing wireless communication facility.
5. Wireless Communication Facilities are regulated by Chapter 18.70 YMC. Wireless Communication Facilities are allowed in priority and secondary locations, including the Industrial zoning district, through a site plan review process. A ministerial site plan review approval is required for the modification of an existing wireless communication facility.
6. T-Mobile submitted an application consistent with the requirements of Chapter 18.10 YMC for site plan review approval (20170349). The application included materials required by Section 18.10.120 YMC for wireless communication facilities.
7. Pursuant to Section 18.12.060 YMC Ministerial Site Plan Review does not require public notice. The Yelm Site Plan Review committee reviewed the application materials submitted.
8. Chapter 18.16 YMC requires the reviewing authority to determine that required urban infrastructure is available at the time of development (Concurrency), which is a determination that the 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 is achieved pursuant to Section 18.16.050 (A)(c) YMC when the city's sewer system is operating within the conditions and parameters of the city's national pollution discharge elimination permit and has capacity to serve the proposal. The subject property is within the City's sewer service area but is not currently connected to, nor required to be connected to, the City's STEP sewer system.
- b. Concurrency with water infrastructure is achieved pursuant to Section 18.16.050 (A)(b) YMC when the status of the city's water system annual operating permit with the Washington Department of Health allows new water system connections. The subject property is within the water service area but not currently connected to, nor required to be connected to, the City's water system.
- c. Concurrency with transportation infrastructure is achieved pursuant to Section 18.16.050 (A) (a) YMC when frontage improvements have been or will be constructed prior to building occupancy and all improvement identified as necessary to issue a finding of concurrency on the underlying development approval have been made or are fully funded six years from the date of the approval of the underlying development approval.

The project has frontage along N.P. Road, Rhoton Road, and Railway Road SE. Frontage improvements for the three roads are currently incomplete and are required to be constructed to current standards.

Section 4B.080 (C) Yelm Development guidelines 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 unmanned facility requires maintenance or personnel trips about one-time per month. The applicant requested and received a deferral of frontage improvements when the existing WCF was constructed. The deferral was signed by the previous property owner recorded in 2008. A new and updated deferral should be executed. This satisfies the requirement for concurrency with transportation infrastructure.

- e. Concurrency with school infrastructure is achieved pursuant to Section 18.16.090 when the project makes a contribution to the Yelm Community Schools as identified in the most current version of the capital facilities plan adopted by Yelm Community Schools and endorsed by resolution of the Yelm City Council. The proposal will have no impact on the School system as it will not increase the number of students within the school district.
- f. Concurrency with Fire Protection is achieved pursuant to Section 18.16.090 YMC when the project makes a contribution to the fire protection facilities as identified in the most current version of the capital facilities plan adopted by the SE Thurston Regional Fire

Authority and endorsed by resolution of the Yelm City Council. The Council has waived the fire impact fee by Resolution 533 until the SE Thurston Regional Fire Authority establishes a region wide impact fee. This fee is subject to change by City Council resolution and is collected at the time of building permit issuance.

9. All of Yelm is considered a critical aquifer recharge area. Existing development regulations require the treatment of stormwater prior to infiltration into the ground as well as the containment of hazardous materials on-site address the potential impacts to this critical area.

The City Critical Area Maps indicate that the west portion of the property lies within the 100 year FEMA flood zone, however the existing tower lies outside of wetlands, flood zones, and high ground water buffer areas.

11. The existing wireless communication structure was permitted in 2007. At that time the site and structure was reviewed for compliance with City of Yelm Design Standards. The generator and propane tank meet City of Yelm design standards for color with both the propane tank and generator enclosure being white or off-white. Noise from the generator does not exceed levels allowed in the industrial zone pursuant to Section 18.51.020 (B).
12. Impervious surfaces create stormwater runoff which, when uncontrolled and untreated can create health, safety, and environmental hazards. The City of Yelm has adopted the current Stormwater Management Manual for Western Washington as issued by the Washington State Department of Ecology, which requires all development to treat and control stormwater on site. The proposal is not creating any additional impervious surface. A stormwater report is not required for the proposed project.

CONCLUSIONS OF LAW

- A. Section 18.12.060 (B) Yelm Municipal Code allows the Site Plan Review Committee to approve a proposal when the site plan conforms to the standards, provisions and policies of the city as expressed in its various adopted plans and ordinances.
- B. The applicant has established that the request for site plan review approval satisfies all criteria set forth in Section 18.12.060 YMC, meets all requirements of the (I) Industrial zoning classification, and meets all other requirements of the Yelm Municipal Code. Therefore, the site plan should be approved subject to the following conditions:
 1. Street frontage improvements have been previously deferred by a waiver of protest recorded with the original wireless communication facility and by a previous property owner. This deferral shall be updated with the current property owner and date and recorded.

- D. 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. If you need additional information or assistance, please call the Community Development Department at (360) 458-3835.

DECISION

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

Dated this 12th day of March, 2019



Grant Beck,
Community Development Director



Chad Bedlington,
Public Works Director

Prepared this 12th day of March, 2019



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.