



City of Yelm

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NOTICE OF DECISION

DATE: November 1, 2019
PROJECT NAME: Deschutes Coffee Co Drive-Through Coffee Stand and Additional Parking
PROJECT LOCATION: 10619 Vancil Road SE, Yelm, WA
PARCEL NUMBER: 22730121500
CASE NUMBER: 2019.0416.PR0008

NOTICE IS HEREBY GIVEN that the Community Development Department issued a site plan review approval to Deschutes Coffee Co 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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SITE PLAN REVIEW 2019.0416.PR0008

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

FINDINGS OF FACT

1. Deschutes Coffee Co proposes to construct a 200 square foot drive-through coffee stand and new parking area located at 10619 Vancil Road SE, identified by Assessor’s Tax Parcel Number 22730121500.
2. The property includes a 2-story home and a retail establishment. 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 and service establishments are an allowed use in the C-1 zone. [Section 18.36.020 YMC].
4. Deschutes Coffee Co submitted a site plan review application on September 20, 2019, and it was determined to be complete on October 3, 2019. The applicant proposes to construct a 200 square foot drive-through coffee stand. Site improvements include a new parking area. The application materials included a preliminary site plan, and preliminary drainage report.
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 October 4, 2019. The notice had a typographical error, and did not include a site plan. An amended notice was sent on October 15, 2019 with an extended comment deadline. In addition, the notice was published on the City’s website on October 4, 2019 and published in the Nisqually Valley News on October 10, 2019. No comments were received.
6. The project is exempt from SEPA review pursuant to Section 197-11-800 (1) WAC and Section 18.20.020 (A) (3).
7. 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.

Buildings on site are currently connected to the City sewer system. The applicant is not connecting the new structure to sewer service, however intends to provide an agreement with adjacent properties for use of restrooms.

- 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.

Buildings on site are currently connected to the City water system. The applicant is proposing to obtain water from the existing retail establishment into a self-contained unit.

- 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 Payment of the traffic facilities charge at the time of building permit issuance satisfies concurrency requirements.

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

The project does not impact schools as it does not increase student population.

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

Payment of the Fire Impact Fee at the time of building permit issuance satisfies concurrency requirements.

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. Service oriented 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 proposed building 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 proposed building meet the height requirement for the C-1 zoning district.
 - d. Chapter 18.52 YMC provides guidance for Ingress and egress. Current access meets the requirements of Chapter 18.52 YMC.
 - e. Retail Establishments require one parking space for every 250 square feet of gross floor area, and restaurants one space for every 300 square feet of gross floor area. [Section 18.54.030 YMC] The proposed new parking and access to the drive-through provides 19 new parking stalls, in addition to 7 provided for the existing retail establishment. The proposal exceeds minimum requirements of Section 18.54.030 YMC.
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 existing perimeter landscaping along the front and a portion of the northern property line.

The 8 foot planter area along the north property line shall be extended to the western edge of all new development on site.
 - b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas.

Vancil Road landscaping is complete.
 - c. Parking landscaping includes a minimum of 24 square feet of landscape area for each parking stall proposed, planting area must contain at least one tree with no parking stall located more than 50 feet from a tree.

The proposed site plan meets this requirement.
 - c. Stormwater Facility Landscaping includes landscaping of the stormwater facility to be incorporated with all on-site landscaping.

The civil construction plans shall include a detailed landscape plan meeting the landscape requirements of Chapter 18.55 YMC.
 - e. 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.

Pedestrian access shall be provided between existing structures.
 - 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]

There is an existing trash enclosure on site. If new trash receptacles are proposed, they shall meet the requirements of 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]

Existing mailbox on site meets this requirement.

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 lawn and 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. Water service connections are by a service line and water meter in the public right-of-way. [Section 13.04.110 YMC].

The site is connected to City water service. The applicant proposes to use water from the existing retail establishment on site. The applicant shall verify with the Thurston County Department of Health for grey water disposal.

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 an approved backflow assembly at the meter on this site.

12. Fire protection to the buildings must be provided per the International Fire Code. The specific requirements for installation of additional fire hydrants will be determined during civil plan review. The International building code (IBC) provides occupancy ratings for different types of uses. The fire coverage system for the proposed use must meet IBC requirements.

Identified in the 2002 City of Yelm Water Comprehensive Plan is a requirement to install fire hydrant locks as part of the City's water conservation and accountability program.

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

- a. The property is located in the City of Yelm's STEP sewer system service area, and the existing buildings are connected to City sewer service. The drive-through coffee stand is a self-contained unit, and will not connect to City sewer service.

14. 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 (SMMWW) published by the Washington Department of Ecology. [Section Chapter 18.27 YMC].

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

Frontage improvements are complete.

Traffic Facilities Charges are based on the Institute of Traffic Engineers Trip Generation guide. Drive-through establishments creates 18.27 new PM peak hour trips per 1,000 square feet.


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. Deschutes Coffee Co 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 C-1 Commercial 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. Agreement with adjacent property owners for the use of restroom facilities is required for hours the drive-through coffee stand is open.
 - 2. Proof of approved location for disposal of grey water is required.
 - 3. Payment of a Fire Impact Fee is due at the time of building permit issuance.
 - 4. Payment of a traffic facilities charge is due at the time of building permit issuance.
 - 5. Perimeter landscape shall include a 15-foot planter area with a combination of evergreen and deciduous trees, and shrubs along the western property line to match the extent of new development. Parking lot and stormwater landscaping is required. A detailed landscape plan is required as part of civil plan submission.
 - 6. Any onsite trash enclosures shall be enclosed and landscaped pursuant to Section 18.59.040 YMC, and location approved by Pacific Disposal.
 - 7. 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.
 - 8. Pedestrian circulation plan shall be updated to meet Section 18.60.030 YMC.
- 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 1st day of November, 2019



Grant Beck,
Community Development Director

Public Works Director

Prepared this 1st day of November, 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.