



City of Yelm

EST. 1924

WASHINGTON

"Pride of the Prairie"

## NOTICE OF DECISION

DATE: June 2, 2020  
PROJECT NAME: Freedom Training Center  
PROJECT LOCATION: 902 NE Algiers Drive, Yelm, WA  
PARCEL NUMBERS: 22730110203  
CASE NUMBER: 2020.0145.PR0006

**NOTICE IS HEREBY GIVEN** that the Community Development Department issued an Administrative site plan review approval to the Freedom Training Center 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 '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 2<sup>nd</sup> 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.



# City of Yelm

EST. 1924

## WASHINGTON

"Pride of the Prairie"

### MINISTERIAL SITE PLAN REVIEW 2020.0145.PR0006

### FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

#### INTRODUCTION

Stephanie Cruz (Cruz), owner of Freedom Training Center filed a ministerial site plan review application to the City of Yelm for the conversion of a commercial space from retail/storage to a service establishment.

The application for site plan review includes 3 exhibits submitted by Cruz, including application, vicinity map and internal site plans. A full list of exhibits is described below.

- Exhibit A: Site Plan Review Application
- Exhibit B: Vicinity Map
- Exhibit C: Internal Site Plan

Having fully considered the record, the Site Plan Review Committee enters the following:

#### FINDINGS OF FACT

1.

Cruz proposes to convert an existing retail/storage space into a fitness center, located at 902 NE Algiers Drive, Units 1A & 1C, identified by Assessor's Tax Parcel Number 22730110203.

The project includes the conversion of the interior, and space outdoor for additional fitness activities.

2.

The property is currently developed as the Nisqually Shopping Center. Properties to the north, east and west are developed as commercial uses. The total unit square footage is approximately 4,000 square feet.

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. Service establishments are an allowed use in the C-1 zone. [Section 18.36.020 YMC].

4.

Cruz submitted a site plan review application on May 21, 2020, which was determined to be complete on May 26, 2020. The application materials included a vicinity map and internal site plan.

5.

The project is exempt from SEPA review pursuant to Section 197-11-800 (1) WAC and Section 18.20.020 (A).

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.

Concurrency with sewer infrastructure is met when 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 currently connected to City sewer services.

Concurrency with water infrastructure is met when 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.

The building is currently connected to City water services.

Concurrency with transportation infrastructure is met when 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 site is served by 103<sup>rd</sup> Avenue and Yelm Avenue East (SR507) both of which are constructed to current City standards.

Transportation facility charges are not required as a health/fitness center generates less new pm peak hour trips than retail, which was the previous use.

Concurrency with school infrastructure is met through the payment of a school impact fee at the time of construction.

The project does not generate new students and are therefore exempt from school impact fees.

Concurrency with fire protection is met through the payment of a fire impact fee at the time of construction.

The project does not include construction of new structure, therefore a fire impact fee is not required.

7.

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 C-1 zoning district.

Service oriented establishments are allowed in the C-1 zoning district as a permitted use. [Section 18.36.020 (B) YMC]

Setback requirements for the C-1 zoning district are 15 feet front yard, 10 feet side yard, and 20 feet rear yard. [Section 18.36.040 YMC]

The existing building meets setback requirements.

Buildings in the C-1 zoning district may be up to 40 feet in height. [Section 18.36.040 YMC].

The existing building meets height requirements.

Minimum parking requirements for assembly areas, such as conference rooms and gymnasiums require one stall for each 10 occupants, based on the maximum occupant load per the International Building Code (IBC). The occupancy for the building is an A-3, with an occupant load of 80, pursuant to the IBC.

Parking for the plaza exceeds the minimum requirement for parking.

Cruz proposes to use open area behind the building for outdoor fitness activities. This is a paved open area which also includes vehicle travel lanes and emergency vehicle access. For the safety of the fitness center patrons, traffic barriers delineating the fitness area shall be placed to prevent vehicles from entering the area used by patrons. The drive lane width must be a minimum of 23 feet wide.

8.

Title 18 YMC provides guidance and regulation for site planning during development. Chapter 18.55 establishes landscaping requirements for various types of development.

Existing landscaping meets the requirements of Chapter 18.55.

Trash enclosures are required to incorporate the architectural feature of the primary structure and landscaping. Trash enclosures should be located to the rear of the site, and not located between a street and the front of a building, and location approved by the local provider. The enclosure shall be constructed of CMU, wood or architectural steel, with gates of similar durable materials. [Section 18.59.040 YMC]. Landscaping shall consist of shrub trees of the *Thuja occidentalis pyramidalis* variety, spaced 2.5 feet on center, with perimeter landscape groundcover around the enclosure. [Section 18.59.040 (C) YMC]

The applicant proposes to use standard residential size garbage cans.

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 are required to be mounted to a maximum of 20 feet above grade.

Illumination for the site is existing and meets the requirements of Section 18.59.050 YMC.

Mailboxes for the site are required to be cluster box units (CBU) and placed on site and not in the public right-of-way (ROW). [Section 18.59.080 YMC]

Cruz receives mail for the training center at their personal residence, and does not require on-site mail delivery.

9.

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.

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]

The site has existing stormwater facilities. No additional impervious surfaces are proposed.

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.

The site is encumbered by buildings and paved parking areas.

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.

10.

Chapter 13.04 YMC and Chapter 4 of the Yelm Engineering Specifications and Standard Details establish requirements for connection to the City's water system. .  
[Section 13.04.110 YMC]

The existing building is connected to the City's water system.

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]

The site currently has a double check valve at the existing meter which does not meet the standards of Chapter 248-54 WAC.

11.

Fire protection to the buildings is required to meet the International Fire Code. The specific requirements for installation of additional fire hydrants is determined during civil plan review. The IBC provides occupancy ratings for different types of uses.

The building is rated as A-3. No additional fire protection is needed.

12.

Chapter 13.08 YMC and Chapter 5 of the Development Guidelines establish requirements for connection to the City's sewer system.

The existing building is connected to the City's sewer system.



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

The site has existing stormwater facilities. No additional impervious surfaces are proposed.

14.

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

The site is served by 103<sup>rd</sup> Avenue and Yelm Avenue East \*SR 507), both of which are constructed to current City 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.

The proposal, as submitted, is generally consistent with the development, construction, and design standards of the Unified Development Code if certain mitigating measures are applied.

C.

The proposal does not provide delineation of outdoor fitness area from vehicle travel lanes.

The site does not meet the requirements of cross-connection and backflow control.

The applicant does not propose to provide refuse enclosure

## DECISION

In accordance with the analysis above, the Site Plan Review Committee issues the following decision:

The Ministerial Site Plan Review is hereby approved as proposed, subject to the following conditions:

1. The outdoor fitness area shall be delineated and protected from vehicle travel. The minimum travel lane must be 23 feet wide. The applicant shall provide the City with a delineation plan for review and approval.

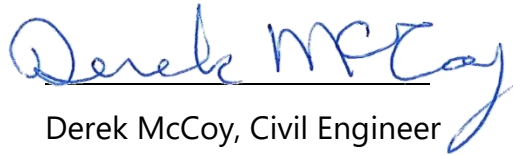
2. A reduced pressure backflow assembly meeting the requirements of Chapter 248-54 WAC is required.

3. Refuse containers (garbage cans) shall be stored inside with the exception of pick up day. If cans are stored outside, they shall be screened pursuant to Section 18.59.040(C) YMC.

Dated this 2<sup>nd</sup> day of June, 2020



Grant Beck,  
Community Development Director



Derek McCoy, Civil Engineer  
for Cody Colt,  
Public Works Director

Prepared this 29<sup>th</sup> day of May, 2020



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.