



NOTICE OF DECISION

DATE: April 20, 2022
PROJECT NAME: Masonry Cafe
PROJECT LOCATION: 103 Yelm Ave E, Yelm, WA 98597
PARCEL NUMBER: 64400500200
CASE NUMBER: 2022.0001

NOTICE IS HEREBY GIVEN that the Public Services Department issued an administrative site plan review approval to FP Yelm, LLC 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 Public Services Department at 901 Rhoton Rd. NW, Yelm, WA 98597 during normal business hours for a fee of 15 cents per page. For additional information, please contact the Public Services Department at 360-458-8496.

Ministerial SITE PLAN REVIEW 2022.0001 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

FINDINGS OF FACT

1. Masonry Café proposes to expand in an existing building at 103 Yelm Ave. E, Yelm, WA 98597, identified by Assessor's Tax Parcel Number 64400500200. The project includes replacing the existing front entrance with a roll up garage door, adding seating, and adding a kitchen to the rear of the building.
2. The property is currently developed as a historic firehouse and was vacant. The property to the west is vacant and a parking lot. The property to the east is developed as Masonry Café and the property to the south is Tims Pharmacy and a parking lot. The property is approximately 0.14 acres.
3. The property is zoned Commercial Business District (CBD) which is codified at Chapter 18.35 YMC. The CBD district is intended to promote the special characteristics of the existing downtown Yelm area, to provide a pedestrian shopping atmosphere and to promote the rehabilitation of existing structures and the most desirable uses of land. Service oriented establishments are a permitted use in the CBD district [Section 18.35.020 YMC].
4. Masonry Café submitted a site plan review application on January 18, 2022, and it was determined to be complete on March 23, 2022. The application materials included a preliminary site plan, and a tenant improvement floor plan.
5. Chapter 13.04 YMC and Chapter 6 of the Development Guidelines establish requirements for connection to the City's water system.

The site is currently connected to City water service.

Water connections are based on a consumption rate of 875 cubic feet a month. The civil engineer shall provide estimated water calculations at the time of civil plan review (if one is needed) to determine if additional water connections are needed to serve the project.

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) YMC].

The commercial meter currently does not have a reduced pressure backflow assembly which does not meet requirements for non-irrigation meters. A reduced pressure backflow assembly is required on the commercial meter.

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

The site is currently connected to City sewer service. Sewer connections are based on water usage. Proposed water calculations will be used to determine if additional sewer connections are required.

Any commercial use that potentially generates Fats, Oils, or Greases (FOG) are required to remove FOG from the wastewater before it enters the STEP tank through grease traps and grease interceptors.

Proof of compliance with FOG regulations is required at civil plan submission (if this is required).

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.

The proposed development is connected to City sewer service. This satisfies the concurrency requirement for sewer.

- 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.

The proposed development is connected to City water service. This satisfies the concurrency requirement for water.

- 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 proposed development frontage improvements have already been completed. This satisfies the concurrency for transportation infrastructure.

Transportation Facility Charges are due and payable at the time of building permit issuance.

The payment of Transportation Facility Charges satisfies concurrency for transportation improvements.

- 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. Frontage improvements and traffic facilities charges are required as part of development in the City [Section 18.16.050 YMC].

Frontage improvements for Yelm Ave. SE. have already been completed.

Traffic Facilities Charges are based on the Institute of Traffic Engineers Trip Generation guide's average trip generation rate during the pm peak hour of generator on a weekday (ITE). Fast casual restaurants generate 18.57 new pm peak hour trips per 1,000 sq ft.

The additional building square footage generated by the expansion is 504 sq. ft. At 504 new sq ft, 9.36 new pm peak hour trips are generated. Traffic Facilities Charges are due and payable at building permit issuance.

9. This project is exempt from SEPA review pursuant to WAC 197-11-800(1)(d).
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.

As this site is already improved with primarily impervious surfaces, a gopher study is not required.

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. 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.

The current building does not exceed 30 feet, fire access lanes are not required.

12. All of Yelm is considered a critical aquifer recharge area. The control and treatment of stormwater is required to protect the critical aquifer. The City has adopted the latest edition (2019) of the Stormwater Management Manual for Western Washington (SWMMWW) published by the Washington Department of Ecology [Chapter 18.27 YMC].

There was no preliminary stormwater plan due to no new pavement being proposed.

13. 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 CBD zoning district. Chapter 18.35 provides guidance for the CBD district.

- a. Service oriented establishments are a permitted use in the CBD zoning district [Section 18.35.020(B) YMC].
- b. Setback requirements for nonresidential structures in the CBD zoning district are based upon providing continuity with existing streets, alleys, sidewalks, and bikeways [Section 18.35.040 YMC].

The proposed main building meets the CBD setback requirements.

- c. Buildings in the CBD zoning district may be up to 35 feet in height [Section 18.35.040 YMC].

Building height is not over 30 feet.

- d. Yelm Ave. E. is classified as a pedestrian-oriented street. Properties fronting pedestrian-oriented streets shall include features in compliance with Section 18.35.040(L) YMC.

The current building satisfies these City standards.

- e. Developments in the CBD district are required to provide at least two pedestrian amenities near the sidewalk such as pedestrian furniture, weather protection such as awnings, or window displays over the majority of the front façade.

The current building provides window displays over a majority of the front façade, and pedestrian furniture (benches) are proposed. These improvements satisfy the City standards for Section 18.36.40 (M) YMC.

- 14. Chapter 18.52 YMC provides guidance for ingress and egress.

The preliminary site plan shows one full access from 1st St. S. The existing access 1st St. S. meets City standards.

- 15. Establishments for the sale and consumption of food and beverages require a minimum of one parking stall per 200 square feet of gross floor area [Section 18.54.030 YMC].

- a. All stalls are required to be at least 20 feet in length pursuant to Chapter 2 of Yelms Transportation Details.

Preliminary site plan shows stalls at a length of 17 feet, this does not meet City standards. Proof of 20 foot stall length is required prior to issuance of certificate of occupancy.

- b. All aisle widths are required to be at least 23 feet in width for parking stalls at an angle of 90 degrees pursuant to Chapter 2 of Yelms Transportation Details.

Aisle widths are not provided in preliminary site plans. Proof of 23 foot aisle widths and a parking lot design map is required prior to issuance of occupancy.

- c. Accessible stalls meeting ADA standards are required.

The proposal shows one ADA parking stall, this will meet the requirements of Section 18.54.030 YMC. If a van accessible stall is being installed that space shall have an additional sign that identifies the parking space(s) as “van accessible”.

- 16. Chapter 18.55 YMC 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.

Perimeter landscaping along Yelm Ave. E. is completed to City standards pursuant to Section 18.55.040 YMC.

- b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas.

Streetscape landscaping along Yelm Ave. E. is completed to City standards.

- c. Parking lot 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 parking lot landscaping is completed to City standards.

- d. Stormwater Facility Landscaping includes landscaping of the stormwater facility to be incorporated with all on-site landscaping.

Stormwater facility landscaping has already been completed to City standards (no new pavement added).

- 17. Chapter 18.57 YMC requires the protection of trees during development. There are minimal trees onsite.

If any trees with a diameter exceeding 8 inches are removed, they must be replaced at a 1:1 basis.

- 18. Chapter 18.59 YMC regulates site planning during development.

- a. Section 18.59.040 YMC requires that trash enclosures 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 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].

The preliminary site plan does not show the refuse area.

Trash enclosure must be at the rear of the site upon site walkthrough.

- b. 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.

Lighting was not provided in the preliminary site plan, proof of illumination compliance is required upon building inspection.

- 19. Chapter 18.60 YMC regulates pedestrian circulation.

- a. All paved pedestrian pathways must be at least 60 inches wide and are required from the public sidewalk to the main entry of the building.

In the preliminary site plan, the pedestrian pathway to the building connects to the parking at the side of the building.

The pedestrian pathway to the side of the building must be at least 60 inches wide and paved.

- b. Pedestrian areas at building entries are required to have two architectural elements to highlight and define the entrance [Section 18.60.050 YMC].

The existing building has 200 square feet of landscaping near the entry, and is also proposing benches in the front of the business. This satisfies the requirements of Section 18.60.050 YMC.

- c. Pedestrian pathways must connect all businesses and the entries of multiple buildings on the same development site while also providing pathways through parking lots.

Currently there is no pathway connecting Tim's Pharmacy and the Masonry Café parking area. A pathway must be created connecting these two sites (crosswalks, pavement, etc.).

- 20. Chapter 18.61 YMC provides requirements for building design.

- a. Buildings facing a public street or park shall be enhanced with at least one element of Section 18.61.040 YMC.

The preliminary site plans show for two large decorative window/doors added to the existing building which may serve as a decorative window/door treatment. This satisfies the requirements of Section 18.61.040 YMC.

- b. All buildings must adhere to the allowed materials and colors, and roof-mounted mechanical equipment shall be screened.

Proof of compliance with Chapter 18.61 YMC is required at building permit submittal.

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. Masonry Café 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 CBD Central Business 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 RPBA is required on the commercial water meter.
 - 2. Proof of compliance with the City's Fats, Oils, or Greases (FOG) regulations is required.
 - 3. 9.36 new pm peak hour trips are generated. Traffic Facilities Charges are due and payable at building permit issuance.
 - 4. Proof of 20 foot stall length is required.
 - 5. Proof of 23 foot aisle widths is required with a parking lot design map.

6. Site shall provide for at least one van accessible parking stall and have an additional sign that identifies the parking space as “van accessible”.
7. Trash enclosure must be at the rear of the building.
8. A paved pedestrian walkway is required from the public sidewalk to the building entrance.
9. Proof of walkway illumination is required upon building inspection.
10. Pedestrian pathway on the side of the building must be paved at least 60 inches wide.
11. Show one extra architectural element from Section 18.60.050 (benches were proposed).
12. Provide a pedestrian pathway connecting all businesses.

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.

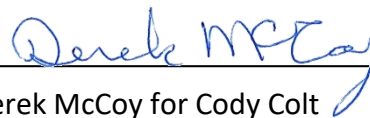
DECISION

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

Dated this 20th day of April, 2022



London Hawes
Planning and Building Manager



Derek McCoy for Cody Colt
Public Works Director

Prepared this 20th day of April, 2022



Assistant 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.

