



# City of Yelm

EST. 1924

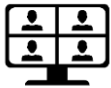
## WASHINGTON

"Pride of the Prairie"

### NOTICE OF PUBLIC HEARING - YELM HEARING EXAMINER

DATE: Thursday, March 4, 2021 – 10:00 AM

PLACE: Virtual Meeting Via Zoom



[Click here to join the meeting.](#)

PURPOSE: Public Hearing to receive comments regarding the following:

1. Stevens Street Multi-family Variance  
Case Number 2020.0295.VA0002. Variance request to reduce required building setbacks, located at XXX Stevens Avenue (Northwest corner of Stevens Avenue and 4<sup>th</sup> Street), Yelm, WA, Assessor's Tax Parcel Number 64423400100.

The City of Yelm Hearing Examiner will hold a public hearing to receive comments on the application listed above. The Hearing Examiner will make a decision on these matters within 10 working days after the hearing.

Testimony may be given at the hearing or through any written comments. Comments must be received by the close of the public hearing. Such written comments may be submitted to the City of Yelm at the address shown above, mailed to: City of Yelm Community Development Department, 106 2<sup>nd</sup> Street SE, Yelm WA 98597 or emailed to [tamim@yelmwa.gov](mailto:tamim@yelmwa.gov).

Any related documents are available for public review during normal business hours at the City of Yelm, 106 2<sup>nd</sup> Street SE, Yelm WA 98597. For additional information, please contact the Community Development Department at (360) 458-8496.

It is the City of Yelm's policy to provide reasonable accommodations for people with disabilities. If you require reasonable accommodations to participate at a meeting, please contact the City Clerk's office at 360.458.8402 at least four (4) working days prior to meeting. Information on the Americans with Disabilities Act and the Title VI Statement is available at [www.yelmwa.gov/human-resources](http://www.yelmwa.gov/human-resources).

Lori Lucas, City Clerk

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DO NOT PUBLISH BELOW THIS LINE



# City of Yelm

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## WASHINGTON

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Case Number: 2020.0295.VA0002

Applicant: C&E Developments, LLC  
Valeska Rae  
901 Binghampton Street  
Rainier, WA 98576

Request: Variance from Required Building Setbacks

Public Hearing Date: March 4, 2021

Recommendation: Approve Variance Request and underlying Site Plan Review Permit

### PROPOSAL

The applicant requests a variance from the strict interpretation of City of Yelm Unified Development Code standards for building setbacks. The applicant wishes to construct a multi-family dwelling unit on an existing parcel that meets the minimum density requirements of the underlying zoning district. The parcel is irregularly shaped. Building setbacks leaves a building footprint too small to achieve the density requirements.

### NOTICE OF APPLICATION AND PUBLIC HEARING

Notice of this application was sent to state and local agencies and mailed to property owners within 300 feet of the site on January 7, 2021, as well as published in the Nisqually Valley News in the legal notice section on January 7, 2021.

Notice of the date and time of the public hearing before the Hearing Examiner was posted on the project site, mailed to property owners within 300 feet of the site, and mailed to the recipients of the Notice of Application on February 22, 2021. Notice of the public hearing was published in the Nisqually Valley News in the legal notice section on February 18, 2021.

### ENVIRONMENTAL REVIEW

The proposal is categorically exempt from the Washington State Environmental Policy Act review, pursuant to WAC 197-11-800(b) and Section 18.20.020 YMC.

## PROPERTY CHARACTERISTICS

The property is located on the north side of Stevens Avenue at the intersection of Stevens Avenue and 4<sup>th</sup> Street, Yelm, WA, and identified by Assessor's Tax Parcel Number 64423400100. The property is zoned Commercial (C-1).

## CURRENT SITUATION

The C-1 zoning district allows residential development on lots or record one acre or less, at a density of up to 16 units per acre, subject to the design standards of the High Density Residential Development (R-16) zoning district. The parcel is approximately .35 acres. The minimum density required for this site would be three units, and the maximum allowed would be six units.

The parcel is pie shaped, wide in the front, and narrow in the rear, with only three boundary lines. When front, side, and rear building setbacks are applied, it leaves a building footprint too small to fit a multi-family dwelling. The applicant has applied for a variance to the required setbacks of the R-16 zone due to the irregular shape of the parcel that presents a hardship in achieving minimum density as required in the Yelm Municipal Code.

The variance requested by the applicant provides development similar to other housing within the surrounding neighborhood, meets the goals and policies of the City of Yelm Comprehensive Plan for varied and affordable housing, and the minimum density requirements of the underlying zoning district.

The construction of a new residential building containing between two and nine dwelling units is considered a ministerial site plan review permit. The ministerial site plan permit review permit does not require public notice or hearing however is the underlying permit for this variance request. Pursuant to Section 36.70B.120 RCW, approval of the underlying permit is included for decision by the Examiner to provide for one open record hearing.

## VARIANCE CRITERIA

The variance process allows a property owner the opportunity to request a variance to development standards under certain circumstances. Section 18.14.100 (C) YMC states that a variance shall be approved if:

1. Literal interpretation and application of provisions of this code would deprive the applicant of the rights commonly enjoyed by other properties in the same district;
2. A variance is necessary for the preservation and enjoyment of a property right possessed by other properties in the same vicinity or district, but which is denied to the property in question because of special circumstances on that property;

3. That the hardship described under this subsection is specifically related to the property and is the result of unique conditions such as irregular lot shape, size, or natural features, and the application of this code, and not, for example, from deed restrictions or the applicant's own actions;
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to the right of other property owners in the vicinity; and
5. The variance will not permit a use prohibited by the Unified Development Code in the district in which the subject property is located.

### FINDINGS AND CONCLUSIONS

The C-1 zone allows for residential development on lots of record one acre or less. [Section 18.36.020 YMC]

Residential development in the C-1 zone is subject to the Development standards of the High Density Residential Development (R-16) zoning district. [Section 18.36.040 YMC]

The R-16 zoning requires a density of not less than 8, and not more than 16 units per acre. [Section 18.33.040 YMC]

The Growth Management Act Planning Parameters state: "Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. This is the leading goal the Housing element of the City of Yelm Comprehensive plan, supported by several policies to provide for a variety of housing types, range of housing costs, and encourage housing density and diversity.

The parcel is approximately .35 acres, and is irregularly shaped with three boundary lines. The gross acreage requires a minimum of three units, and a maximum of six units. The parcel fronts on Stevens Avenue, which is classified as a Commercial Collector Street in the City of Yelm Engineering Specifications and Standard Details.

The R-16 zone requires a front yard setback of twenty-five feet from a collector street.[Section 18.33.040 (C)(3)]

Findings regarding variance criteria:

Required Finding #1. Does the literal interpretation and application of provisions of the YMC deprive the applicant of the rights commonly enjoyed by other properties in the same district?

Commercial zoning in the City allows for residential development on lots of record one acre or less. Parcels in this zone, and in the vicinity are development in both single family and multifamily uses. Due to the irregular shape of the parcel, the



literal interpretation of the required front and rear yard setbacks would leave a building footprint such that a multi-family structure could not be achieved.

Required Finding #2. Is a variance necessary for the preservation and enjoyment of a property right possessed by other properties in the same vicinity or district, but which is denied to the property in question because of special circumstances on that property?

The property is pie shaped, with three boundary lines. It is narrow in depth, and shaped in such a way that there are not clear side and rear yards. When both front and rear yard setbacks are set, it leaves a building footprint of size and shape that would not support a multi-family building.

Required Finding #3. Is a hardship described that is specifically related to the property and is the result of unique conditions such as irregular lot shape, size, or natural features, and the application of this code, and not, for example, from deed restrictions or the applicant's own actions?

Same as Finding #2. The property is pie shaped, with three boundary lines. It is narrow in depth, and shaped in such a way that there are not clear side and rear yards. When both front and rear yard setbacks are set, it leaves a building footprint of size and shape that would not support a multi-family building.

Required Finding #4. Will the granting of the variance be materially detrimental to the public welfare or injurious to the right of other property owners in the vicinity?

The surrounding properties are zoned C-1 and Central Business District, and developed as residential uses, with the exception of the adjacent parcel to the east, which is currently being developed as a commercial facility.

Most of the residential uses in this area were constructed prior to existing zoning, with front and rear yard setbacks less than current zoning requires. Allowing the reduced front yard setback will result in a development that provides continuity with existing development. It would not be detrimental to public welfare or to the rights of other property owners.

Required Finding #5. Will the variance permit a use prohibited by the Unified Development Code in the district in which the subject property is located?

The proposed multifamily dwelling is an allowed use in the C-1 zone. The variance, if granted, would not permit a use prohibited by the Unified Development Code in the C-1 zoning district.

#### Conclusion:

Analysis of the variance criteria shows that the irregular shape of the parcel creates a hardship to the applicant to achieve the required density of the property. The use is an allowed use, and would not be detrimental to public welfare.

The applicant requests a variance to construct multifamily dwelling units as allowed in the C-1 zone. With the requested setbacks, the applicant can meet the minimum density of the

R-16 zone, bring the site closer into conformance with the density requirements of the Yelm Municipal Code, and create affordable and varied housing established by the goals and policies of the Comprehensive Plan.

### RECOMMENDATION

The Community Development Department recommends the Hearing Examiner approve the variance, and the underlying permit base on the attached findings of fact, and conditions of approval.



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### SITE PLAN REVIEW AND VARIANCE 2020.0295.VA0002

#### FINDINGS OF FACT AND CONDITIONS OF APPROVAL

1. C & E Development proposes to construct a four unit multi-family structure located on the north side of Stevens Avenue at the intersection of Stevens Avenue and 4<sup>th</sup> Street, Yelm, WA, identified by Assessor's Tax Parcel Number 64423400100.
2. The property is approximately .35 acres and currently undeveloped. The properties to the north, east and west are zoned Commercial (C-1). The properties to the south are zoned Central Business District. (CBD) All surrounding properties are developed as residential, with the exception of the adjoining parcel to the east. This parcel was in commercial use in the past, and is currently being redeveloped as an automobile repair facility.
3. The property is zoned Commercial (C-1). Residential development is allowed in the C-1 zones on lots of record, one acre or less. Residential development in the C-1 zone is subject to the High Density Residential (R-16) zoning district, which is codified at Chapter 18.33 YMC. The R-16 zoning district is intended for high-density residential developments. Multifamily dwellings are an allowed use in the R-16 zone. [Section 18.33.020 YMC]

When calculating density, the gross area is used. Gross area includes all land within the exterior boundaries of the development, including but not limited to all land allocated for open space, critical areas, buffers, streets, roads, and public rights-of-ways. The total density required on this parcel is a minimum of three units and maximum of six dwelling units. [Section 18.30.010].

4. C & E Development submitted a site plan review application with a request for a variance from setbacks on December 17, 2020, and it was deemed complete on January 4, 2021. Proposed site improvements include a multi-family building with four dwelling units, associated parking, and improved open space. 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 January 7, 2021. In addition, the notice was published on the City's website and published in the Nisqually Valley News on the same date. No public comment was received.

Notice of the date and time of the public hearing before the Hearing Examiner was posted on the project site, mailed to property owners within 300 feet of the site, and mailed to the recipients of the Notice of Application on February 22, 2021. Notice of the public hearing was published in the Nisqually Valley News in the legal notice section on February 18, 2021.

6. The proposal is categorically exempt from the Washington State Environmental Policy Act review, pursuant to WAC 197-11-800(b).
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 required to connect to City sewer services. 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 required to connect to City water services. 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 parcel fronts Stevens Avenue, which is constructed to City Standards. The applicant proposes access to off street parking in addition to garages for each unit. These improvements and transportation facility charges satisfy concurrency for transportation.
  - d. Concurrency with school infrastructure means the developer pays a school impact fee at the time of construction.  
  
Payment of a school impact fee at the time of building permit issuance satisfies concurrency for school infrastructure.
  - 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.

- a. Multi-family dwelling units are allowed in the C-1 zoning district, on lots of record one acre or less, as a permitted use. [Section 18.36.020 (D) YMC].
- b. Residential development is subject to the standards of the High Density Residential zoning district. [18.36.040(A) YMC]
- c. Setback requirements for the R-16 zoning district are 25 feet from a collector street, 10 feet from side yards, and 25 feet from the rear yard. [Section 18.33.040 YMC]
- d. The applicant has applied for a variance to the required front yard setbacks of the R-16 zone due to the irregular shape of the parcel that presents a hardship in achieving minimum density as required in the Yelm Municipal Code. The variance approval allows the building setback of 10 feet from the collector street, and allows for reduced side and rear setbacks on the southeast side of the parcel.
- e. Buildings in the R-16 zoning district may be up to 35 feet in height. [Section 18.33.040 YMC]. The proposed building meets the height requirement for the R-16 zoning district.
- f. Chapter 18.52 YMC provides guidance for ingress and egress. Access proposed is a two-way access on the east side of the property, with one-way exiting at the west. The proposal meets the requirements of Chapter 18.52 YMC.
- g. Multi-family dwelling units require two off street parking spaces per unit. [Section 18.54.030 YMC] Standard parking stalls are 9'x20' as shown in Detail 2-22 of the Yelm Engineering Specifications and Standard Details. The proposed site plan shows the farthest parking stall to the north at 9'x19' feet and directly against the building. This does not meet minimum standard for parking and does not provide adequate vehicle overhang at a wheel stop.

The proposal exceeds the minimum requirements of Section 18.54.030 YMC, for the number of parking stalls provided, however one stall does not meet the design standards for standard parking stall size.

- 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 8-foot Perimeter landscape is required on the east and west property lines.

The applicant proposes a 6-foot solid wood fence as perimeter landscape, which is an allowed exception for single-family residences. In this instance, the property is bordered by commercial development to the east, and single-family residences to the north, and west. It would be appropriate to allow the solid wood perimeter fence adjacent to the commercial use to the east, as well as between other single-family residential uses.

The proposed landscape plan shows the fence to extend to the back of right of way on both the east and west property lines. Due to the property fronting on the commercial collector and at a curve, the proposed ingress and egress to this site, as well as adjoining property driveways, this will cause a sight barrier for entering and

exiting the site and adjoining properties. In order to meet safety requirements and line of site, the solid wood fence will need to end at a minimum of 20 – 25 feet from the back of right-of-way, and 8 foot landscaping installed. The landscaping in these areas shall provide for shrubs and ground cover to provide the visual and physical barrier, while not obstructing line of site.

Due to the location of utility infrastructure at the property frontage, the perimeter landscaping cannot be achieved along the entire property frontage, but can be installed when not in conflict with utilities.

- b. 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 provides for a landscape island with tree at the north end of the parking stalls, but does not include landscape for the southern end of the parking area. There are sewer service lines located in the area, and required landscape should provide clearance to these lines. Parking lot landscape is required where there are not utility conflicts.

- c. Any above ground stormwater facilities shall be landscaped pursuant to the requirements of Chapter 18.55 YMC and be incorporated with all on site landscaping.
- d. Chapter 18.56 requires a minimum of 10 percent of the gross area to be dedicated as open space recreational areas; this includes active recreation as well as environmental interpretation, protection, or other education.

The proposal includes a concrete barbeque and picnic table, as well as grass open space, which meets the requirements of Chapter 18.56 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.

The proposal provides pedestrian access from Stevens Avenue public sidewalks. Parking adjacent to street frontage is required to be landscaped, and is a condition of this approval.

- f. Trash enclosures shall 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]

Civil engineering plans shall clearly show location of trash enclosure with required landscaping if proposed.

- g. 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.



- h. Mailboxes for the site shall be cluster box units (CBU) and placed on site. [Section 18.59.080 YMC]

The site plan does not show mailbox location. Civil engineering plans shall include the location of onsite cluster box units.

The site plan is not clear if parking or walkways will be lighted. Civil engineering plans shall include an illumination plan if onsite lighting is proposed.

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 residential lawn.

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].

There is an 8-inch water main located in Stevens Avenue, with an 8-inch stub out to the property near the intersection of 4<sup>th</sup> Street. Connection to this stub out is required.

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. 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. Development requires extension of utility lines to all property frontages.

There is a 4-inch sewer main located in Stevens Avenue with a 4-inch sleeve for connection near the intersection of 4<sup>th</sup> Street. This stub out shall be used for sewer connection.

The conceptual utilities plan shows location of S.T.E.P. tanks to the side of the building, adjacent to and crossing waterlines. A 10-foot separation is required between these lines. When this separation cannot be achieved, or these lines cross, they must be sleeved.

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

Frontage improvements for Stevens Avenue are complete, however there is an existing driveway access located near the center of the property. This driveway is required to be removed. All curb and sidewalk replacement shall meet current ADA standards, and the planter strip with street trees continued.

Traffic Facilities Charges are based on the Institute of Traffic Engineers Trip Generation guide (ITE). The ITE lists multifamily housing as creating 0.44 new pm peak hour trips per unit.

15. The Yelm Engineering Specifications and Standard Details require that all electrical and communication facilities other than electrical or communication services located on private property shall be installed underground.

## CONDITIONS OF APPROVAL

C & E Developments, LLC has established that the site plan review approval can satisfy all criteria set forth in Section 18.13.020(C) YMC, meet all requirements of the C-1 and R-16 zoning classifications, and meet all other requirements of the Yelm Municipal Code with an approved variance to building setbacks. Therefore, the preliminary site plan should be approved subject to the following conditions:

1. Setbacks shall be based on the approved variance request of 10-foot front yard setback and 10-foot side yard setbacks. The 25 foot rear yard setback is reduced at the eastern building line.
2. Parking stalls shall be 9' x 20' feet with adequate vehicle overhang at the building.
3. The civil engineering plans shall include a detailed landscape plan that includes:
  - a. The solid wood fence on the perimeter shall not extend within 20 feet of the back of right of way to allow for line of site requirements.
  - b. Perimeter landscaping from the end of the solid wood fence to the back or right of way.
  - c. Perimeter landscaping is required along the property frontage, where not in conflict with utilities.
  - d. Parking landscaping shall be included around all of the parking area where not in conflict of utilities.
  - e. Above ground stormwater facilities shall be incorporated with all on site landscaping.
4. Civil engineering plans shall clearly show location of trash enclosure with required landscaping if proposed.
5. Civil engineering plans shall include an illumination plan for any onsite lighting.
6. Civil engineering plans shall include the location of onsite cluster box units.
7. Each dwelling unit shall connect to the City water system. The connection fee and meter fee will be established at the time of building permit issuance. All conditions for cross connection control shall be met, as required in Section 246-290-490 WAC.
8. Each dwelling unit shall connect to the City S.T.E.P. sewer system. The connection fee and inspection fee will be established at the time of building permit issuance.
9. 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.
10. 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.
11. Prior to construction, civil engineering plans shall be submitted to the Community Development Department for review and approval. Civil plans submission shall be consistent with the requirements of the Yelm Development Guidelines and shall include details on all required infrastructure.
12. The existing driveway is required to be removed. All curb and sidewalk replacement shall meet current ADA standards, and the planter strip with street trees continued.
13. All electrical and communication facilities other than electrical or communication services located on private property shall be installed underground.

14. Payment of a fire impact fee is due at the time of building permit issuance.
  15. Payment of a school impact fee is due at the time of building permit issuance.
  16. Payment of a traffic facilities charge is due at the time of building permit issuance.
- 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.

Exhibits:

Exhibit A: Variance application package

# Application

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## Permit Type

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### Ministerial Permits

- ☒ Ministerial Site Plan Review
- ☐ Boundary Line Adjustment
- ☐ Home Occupation
- ☐ Other

### Administrative Permits

- ☐ Administrative Site Plan Review
- ☐ Administrative Subdivision
- ☐ Administrative Variance
- ☐ Short Subdivision

### Quasi-Judicial Permits

- ☐ Binding Site Plan
- ☐ Planned Residential Dev.
- ☐ Mixed Use Development
- ☒ Variance
- ☐ Critical Area Exception
- ☐ Subdivision
- ☐ Special Use Permit

### Plans Upload

2020-08-06 Preliminary Stormwater Drainage Report.pdf	1.07MB
building elevation.pdf	197.41KB
CE Development - 4-plex site v3 - Sheet - A1-0 - SITE PLAN.pdf	953.09KB
fourplex storm drainage.pdf	2.17MB
geodata 300 ft radius with mailing.pdf	765.51KB

You may upload multiple Files. Files must be in .PDF, .TIF or Image Format.

### Business or Development Name: \*

Stevens Ave Fourplex

### Description of proposed development: \*

Construction of a 5,100 square foot, 2-story fourplex with 1,483 square feet of attached garage (two cars each unit) plus an extra off-street park for each of the four units. There shall be a community BBQ area in the back.

Due to the irregular shape of the parcel and the strict interpretation of the code creating a hardship in achieving the minimum density of the R-16 zone, we are requesting a variance for the front set backs on Stevens Ave.

## Applicant Name & Contact Information

---

**First Name \***

Valeska

**Last Name \***

Rae

**Phone \***

360-400-0432

**Email \***

valeska@candedeve  
lopments.com

**Applicant Address \***

Street Address

901 Binghamton Street

Address Line 2

none

City

Rainier

Postal / Zip Code

98576

State / Province / Region

Washington

Country

USA

## Owner Name & Contact Information

First Name	Last Name	Phone	Email
Peterson	Brothers LLC		

### Owner Address

Street Address

PO Box 2983

Address Line 2

none

City

Yelm

Postal / Zip Code

98597

State / Province / Region

Washington

Country

USA

## Representative Name & Contact Information

First Name	Last Name	Phone	Email
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### Representative Address

Street Address

Address Line 2

none

City

Postal / Zip Code

State / Province / Region

Country

USA

## Property Information

### Property Address \*

Street Address

xxx Stevens Avenue NE

City

Yelm

Postal / Zip Code

98597

State / Province / Region

Washington

### Legal Description

Section 19 Township 17 Range 2E Quarter NE SW Plat MCKENZIES DIV 2 BL PT C & D  
008104 LY SLY OF A LINE DES BAP ON WLY LN LT C S38-15W 116.4F FROM ITS  
MOST NLY POINT; S83-01E 435.4F TO 1/4 SEC

**Parcel # \*** (?)



<http://www.geodata.org/parcelinfo/>

64423400100

**Size of Site**

0.35 Acres

**Number of Lots**

1

**Gross Floor Area**

**Signature**

By submitting this application to the City of Yelm, you affirm that all answers, statements, and information contained in and submitted with this application are complete and accurate to the best of your knowledge and that you are the owner of the property or duly authorized by the owner to act on their behalf. Permission is granted to representatives of the City to enter upon and inspect the property as reasonably necessary to process the application



Valeska Rae

**For Internal Use Only**

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**Receipt #:**

14831

**Deposit Amount:**

\$ 2,000.00

**Project/Permit #:** \*

2020.0295.VA0002

**Comments / Edits**



# City of Yelm

EST. 1924

## WASHINGTON

"Pride of the Prairie"

### NOTICE OF APPLICATION

Mailed on: January 7, 2021

PROJECT NAME: Stevens Avenue Fourplex Variance Request

PROJECT LOCATION: XXX Stevens Avenue (Northwest corner of Stevens Avenue and 4<sup>th</sup> Street)

PROJECT PARCEL NUMBER: 64423400100

LAND USE CASE NUMBER: 2020.0295.VA0002

An application submitted by Peterson Brothers, LLC, PO Box 2983, Yelm, WA 98597 for the above referenced project was received by the City of Yelm on 12/17/2020. The City has determined the application to be complete on January 4, 2021. The application and any related documents are available for public review during normal business hours at the City of Yelm, 106 2<sup>nd</sup> Street SE, Yelm WA. For additional information, please contact the Community Development Department at (360) 458-3835.

PROJECT DESCRIPTION: Construction of a fourplex, with variance from setbacks.

ENVIRONMENTAL and OTHER DOCUMENTS SUBMITTED WITH THE APPLICATION: Site plan, preliminary landscape plan, and preliminary stormwater report.

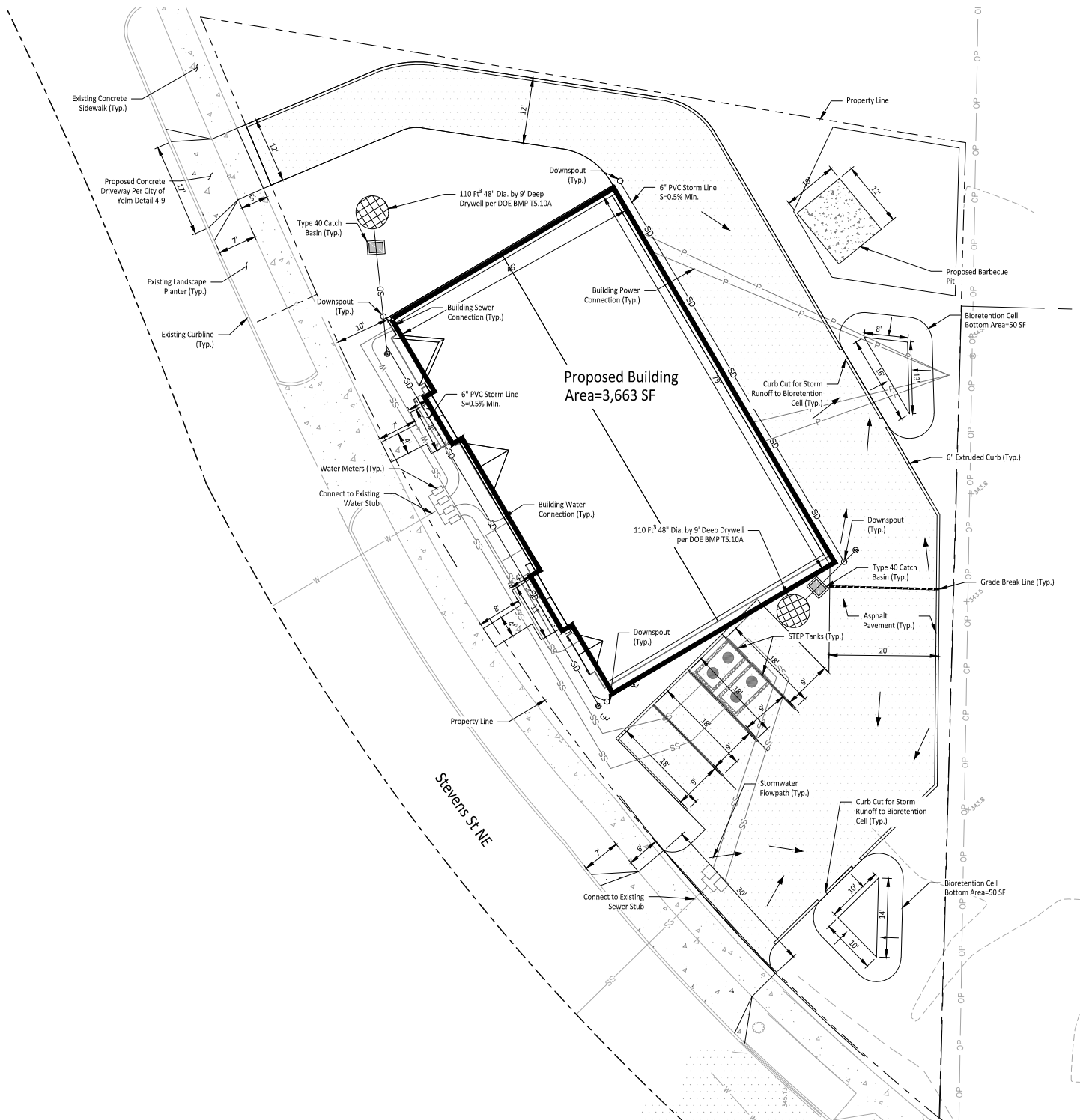
Additional Information or Project Studies Requested by the City: N/A

No preliminary determination of consistency with City development regulations has been made. At minimum, this project will be subject to the following plans and regulations: City of Yelm Comprehensive Plan, Unified Development Code Title 18 YMC, and the Stormwater Management Manual for Western Washington.

The City of Yelm invites your comments early in the review of this proposal. Comments should be directed to Tami Merriman, Community Development Department, 106 2<sup>nd</sup> Street SE, Yelm WA 98597, (360) 458-8496, or via email at [tamim@yelmwa.gov](mailto:tamim@yelmwa.gov).

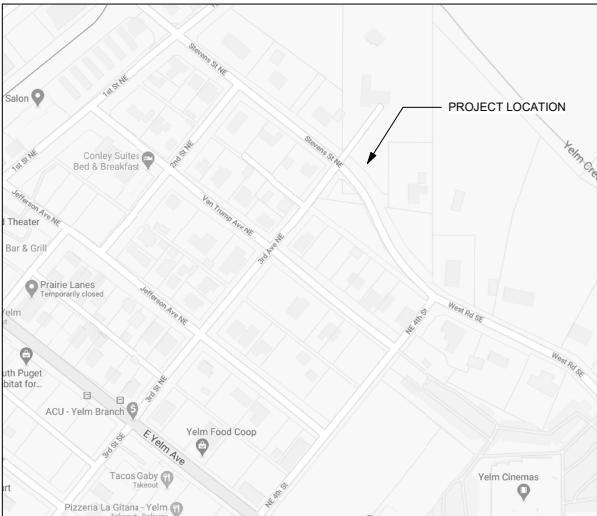
### THE 15-DAY PUBLIC COMMENT PERIOD ENDS AT 5:00 PM ON JANUARY 22, 2021

This notice has been provided to appropriate local and state agencies, and property owners within 300 feet of the project site. These recipients will also receive the following items when available or if applicable: Environmental Threshold Determination, Notice of Public Hearing and Notice of Final Decision. If the proposed project requires a City Council decision, it will be mailed to all those who participate in the public hearing and to anyone else requesting the decision in writing. Additionally, there will be a 14-day public comment period if an environmental determination is issued. Opportunities for appeal occur within twenty-one (21) days after the date the notice of decision is issued. City Council decision can be appealed through Superior Court.



# C&E DEVELOPMENT 4-PLEX APARTMENTS

xxxx Stevens Ave NE, Yelm 98



## VICINITY MAP

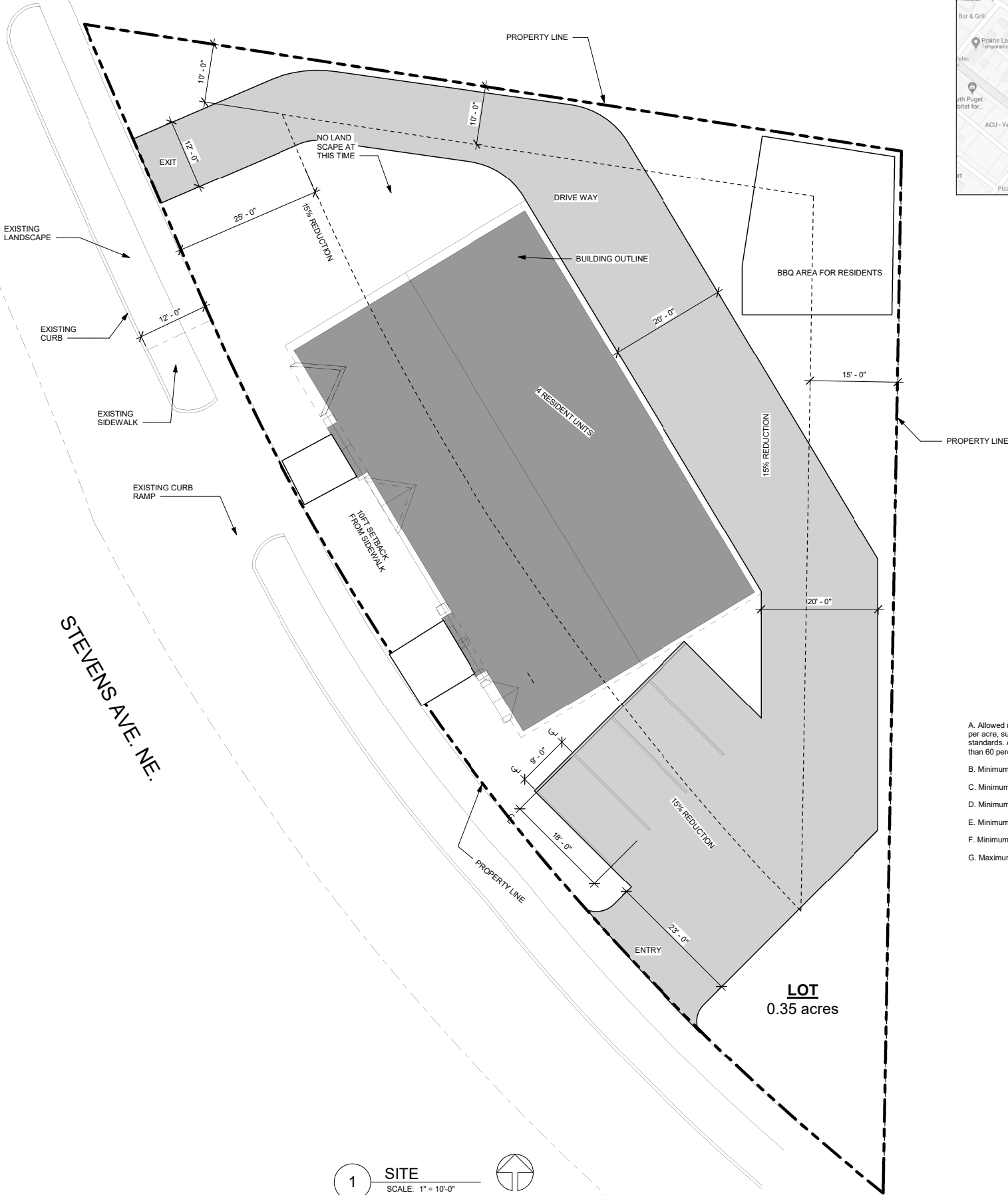
**PROJECT INFORMATION:**  
**ADDRESS:** XXXX STEVENS AVE. NE.  
YELM, WA 98597  
**PARCEL:** 64423400100  
**ZONING:** RL1 - RESIDENTIAL LOW IMPACT

**TOTAL BUILDING SQUARE FOOTAGE:** 1ST FLOOR: 3,421 S.F.  
2ND FLOOR: 3,663 S.F.  
TOTAL S.F. 7,084

**BUILDING SETBACKS**  
FRONT: 15 FT  
SIDE 10 FT  
REAR 20 FT

**LOT AREA** 15,246 S.F.  
**BUILDING AREA** 3,421 S.F.  
**CONC/PAVED AREA** 3,119 S.F.  
**TOTAL IMPERVIOUS** 6,540 S.F.  
**% LOT COVERAGE** 42.89 %

- A. Allowed residential density: 16 dwelling units per acre, subject to R-16 development standards. Apartments shall represent no more than 60 percent of a mixed use development.
- B. Minimum lot area: 5,000 square feet.
- C. Minimum front yard setback: 15 feet.
- D. Minimum side yard setback: 10 feet.
- E. Minimum rear yard setback: 20 feet.
- F. Minimum driveway approach: 20 feet.
- G. Maximum building heights: 40 feet.



1 SITE  
SCALE: 1" = 10'-0"



JOSH@REVIVALARCHITECTS.COM  
PHONE: 360-528-0513  
PO BOX 249  
TENINO, WA 98589

12015 REGISTERED ARCHITECT  
JOSHUA EARL SNOODGRASS  
STATE OF WASHINGTON

No.	Description	Date

PETERSON 4-PLEX  
XXXX STEVENS AVE. NE.  
YELM, WASHINGTON 98597

SITE PLAN

SCALE 1" = 10'-0"  
09/02/2020

A1.0

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# Preliminary Stormwater Drainage Report

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## Stevens St Development

Yelm, WA

### Prepared for

C & E Developments LLC  
PO Box 2983  
Yelm, WA 98597-2983  
(360) 400-0432

### Prepared by

JMJ TEAM  
905 Main St. Suite 200  
Sumner, WA 98390  
(206) 596-2020  
Justin Jones, PE

December 15, 2020



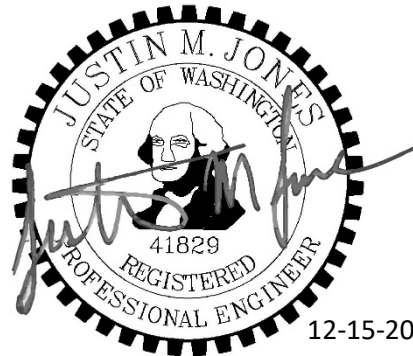
## PROJECT ENGINEER'S CERTIFICATION

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I hereby certify that this Preliminary Stormwater Drainage Report for the Stevens St Development has been prepared by me or under my supervision and meets minimum standards of City of Yelm and normal standards of engineering practice. I hereby acknowledge and agree that the jurisdiction does not and will not assume liability for the sufficiency, suitability, or performance of drainage facilities designed by me.



Justin Jones, PE



12-15-20



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Summary of Minimum Requirements	3
Appendix A: Site Development Drawings	



## PROJECT OVERVIEW AND MAPS

The Stevens St project is a new development project on a 15,246 sf lot (0.35 acres) along Stevens St NE in the City of Yelm.



Google Maps

The project includes the construction of a new 3,663 SF 4-plex building, a new 5,520 SF asphalt driveway, and 326 SF of new concrete pavement. The project will add a total of 9,509 SF of new impervious surfaces, which will be managed through new drywells and bioretention cells on-site. The roof and concrete areas will drain to new drywells on site through new storm pipes and be infiltrated into native soils below. Stormwater runoff from the new asphalt driveway areas will surface flow to two new bioretention cells for treatment, and then infiltrated into native soils below. The bioretention cells have been designed to treat and infiltrate 100% of the runoff directed to the cells.

## EXISTING CONDITIONS SUMMARY

The existing project site is comprised of grass vegetation and is relatively flat. The existing site is 100% pervious.

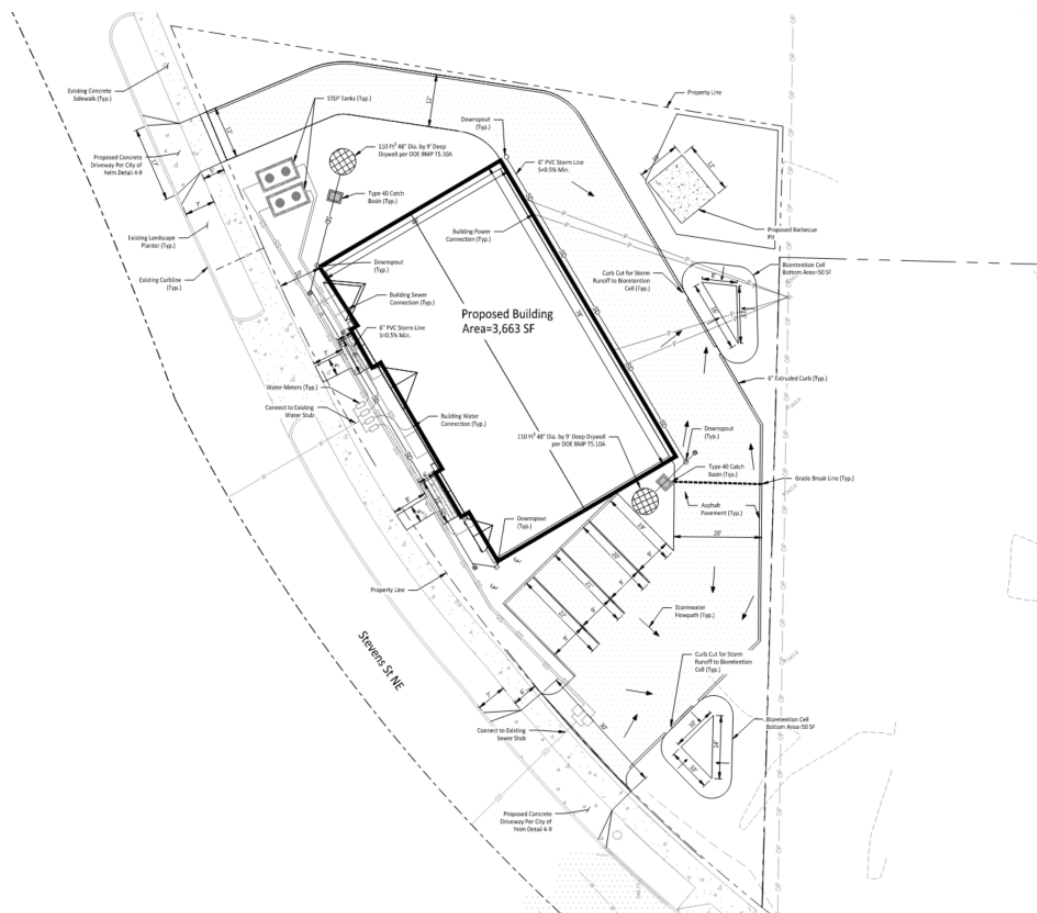
## PROPOSED CONDITIONS SUMMARY

The project proposes to add a new 4-plex building, a new driveway and new concrete walkways to the existing site, which will add 7,309 SF of roof area and hardscape. All proposed structures and hardscape will be directed to the new stormwater system comprised of new conveyance pipes, drywells, and bioretention cells.

Stormwater management practices were evaluated for both the building roof and the pollution generating hardscape areas.

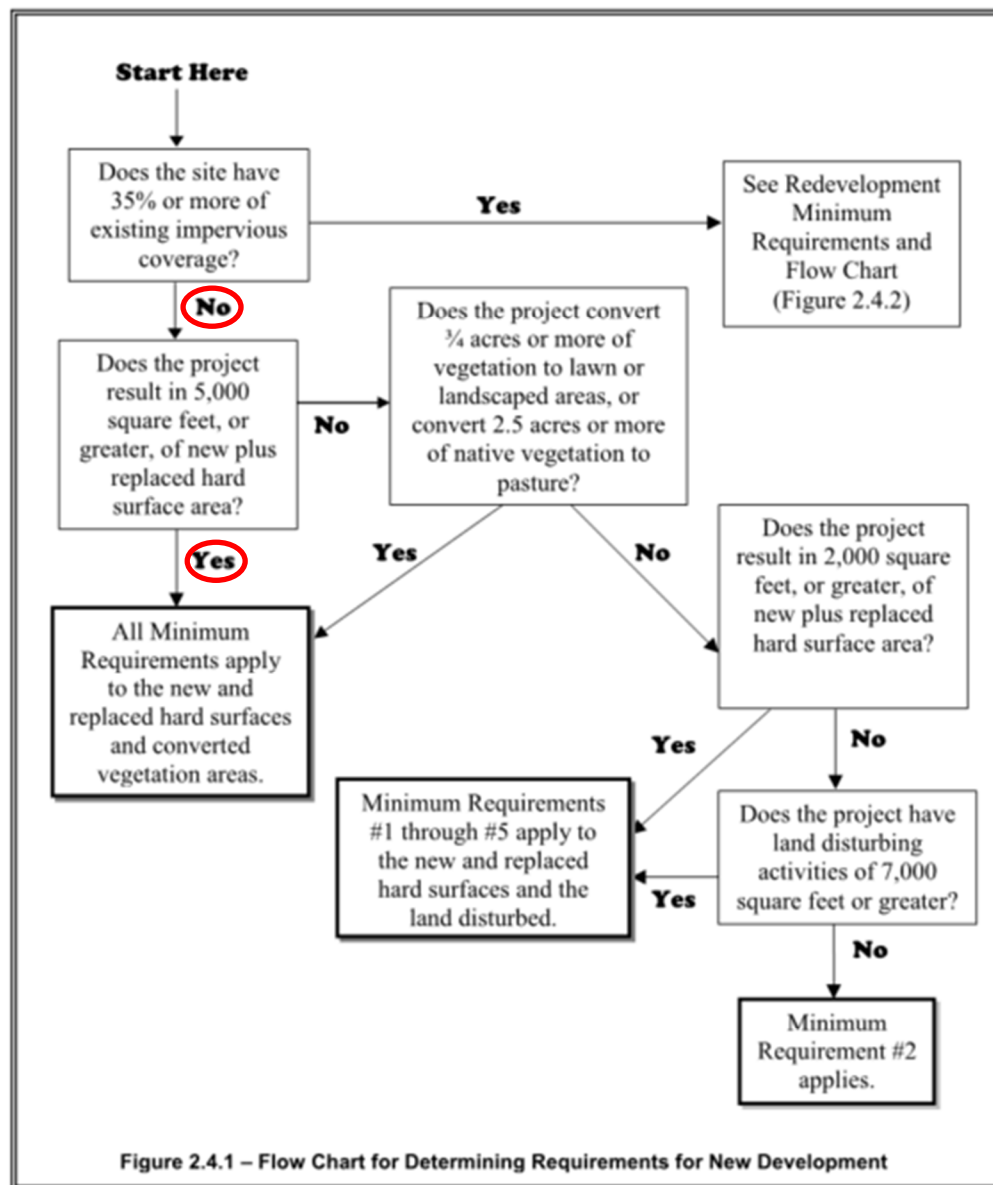
Infiltration was selected as the most appropriate stormwater management practice for the building roof areas. A stormwater drywell infiltration system has been selected to be placed on the southeast edge of the building, and the northwest edge of the building, each receiving half of the building roof runoff. The proposed system will route stormwater from gutters through piped connections from the proposed building. Catch basins will be installed inline prior to the drywells to serve as sump to collect debris prior to stormwater infiltration. The drywells will allow for all roof stormwater to be infiltrated into native soils below.

Bioretention was selected as the most appropriate stormwater management practice for the pollution generating hard surfaces on site. The proposed asphalt pavement shall be graded to direct stormwater surface runoff to two new bioretention cells on site. The bioretention cells shall contain a soil media treatment layer and plantings to remove pollutants from the stormwater prior to infiltration into native soils below.



## DOE Stormwater Management Manual – Minimum Requirements

City of Yelm utilizes the 2014 Department of Ecology Stormwater Management Manual. Volume 1 of this manual describes the minimum requirements for stormwater management for redevelopment sites. Using the flow chart below, minimum requirements 1-9 apply to the Stevens St Development site.





### Minimum Requirement 1 – Preparation of Stormwater Site Plans

Stormwater Site Plan drawings are submitted with this Permit.

### Minimum Requirement 2 – Construction Stormwater Pollution Prevention

As part of the Civil Permit application, the applicant will ensure a Stormwater Pollution Prevention Plan meets Department of Ecology code.

### Minimum Requirement 3 – Source Control of Pollution

This minimum requirement focuses on post-construction, such as the formation of a pollution prevention team, good housekeeping on the site, preventative maintenance, and spill prevention and cleanup. This will be outlined as part of the stormwater report at time of the Civil Permit application.

### Minimum Requirement 4 – Preservation of Natural Drainage Systems and Outfalls

Stormwater will be captured, treated, and infiltrated within the site by a 60 SF of bioretention cell area and two 110 CF drywells. No stormwater will leave the site, preserving the natural drainage of stormwater infiltration into native soils on-site.

### Minimum Requirement 5 – On-Site Stormwater Management

Minimum Requirement #5 states projects shall utilize either On-Site Stormwater Management BMP's from List #1 or demonstrate compliance with the LID Performance Standard. The Stevens St Development Project is selecting Stormwater BMP's from List #1 to manage site stormwater. List #1 requires the evaluation of BMP's in the order listed to determine the most appropriate stormwater management system for landscaped areas, roofs, and hard surfaces, see Appendix B for details. Below are evaluations of each stormwater BMP for the Morse Redevelopment Project:

- Lawn and Landscaped Areas
  - Post Construction Soil Quality and Depth In Accordance with BMP T5.13 shall be utilized for grass and landscaped areas of the Project.
- Roofs
  - Full Dispersion (BMP T5.30) is determined to be infeasible due to insufficient vegetated flow path within project site. Project does not maintain 65% of the site in a "native condition".
  - Downspout Infiltration (BMP T5.10A) is determined to be feasible for roof runoff, and shall be utilized for all roof areas of the project. The project is selecting drywells to be used on-site for infiltration of roof runoff. Drywells have been designed based upon the following criteria, as stated in the Ecology manual:
    - Bottom of Drywell must be 1 foot above seasonal high groundwater table
    - In Course Sands, Volume of Drain Rock = 60 CF per 1000 SF of roof area.
    - Min. 48" diameter
    - Geotextile on Top of drain rock

The project proposes 3,663 SF of roof area. The required drain rock to serve this area is as follows:

$$(3,663 \text{ SF Roof Area} / 1000 \text{ SF}) \times 60 \text{ CF} = 220 \text{ CF required.}$$



Due to the slope of the proposed building roof, the roof runoff shall be directed to two separate drywells, on opposing sides of the house. Each drywell shall be designed to have a minimum drain rock volume of 110 CF, resulting in a minimum drywell size of 48-inches in diameter, and 9 feet in depth. Stormwater will be conveyed to these drywells through roof downspouts, new storm lines and a catch basin sump for debris collection and maintenance. Stormwater will then enter the drywell system and be infiltrated into native soils on site.

- **Hard Surfaces**

- Full Dispersion (BMP T5.30) is determined to be infeasible due to insufficient vegetated flow path within project site. Project does not maintain 65% of the site in a “native condition”
- Permeable Pavement (BMP T5.15) will not be used on-site due to maintenance and longevity concerns.
- Bioretention (BMP 7.30) was selected to manage stormwater runoff from the pollution generating hard surfaces on-site. The bioretention cells were designed based upon the following criteria:
  - 1-foot ponding depth
  - 6-inches of freeboard
  - 3-inches of course compost
  - 18-inches of Bioretention Soil Media
  - 3:1 Side Slopes

The bioretention cell bottom areas were determined through WWHM modelling, and an assumed infiltration rate of 3 inches per hour based on site soil characteristics. Stormwater runoff from the proposed pollution generating asphalt pavement will be directed to two new bioretention cells on site. The bioretention cells will remove pollutants from the stormwater prior to infiltrating into native soils below. The cells will have the capacity to treat 100% of the pollution generating runoff, and infiltrate 100% of the stormwater directed to them.

All stormwater on-site will be managed through these BMPs, preserving the natural drainage and resulting in no increase in runoff or pollutants generated from the development of the site.

## Minimum Requirement 6 – Stormwater Runoff Treatment

Stormwater run-off treatment will be achieved through the construction of two new bioretention cells on site. The asphalt pavement is considered a pollution generating surface as it will have moderate vehicle traffic throughout its lifespan, and will drain to the bioretention cell on site. The bioretention cell is sized to treat the asphalt pavement, as well as receive a portion of the surrounding landscape areas.

The bioretention cell has been sized using the Western Washington Hydrology Model (WWHM) based on the following criteria:

- 1-foot ponding depth
- 6-inches of freeboard
- 3-inches of course compost
- 18-inches of Bioretention Soil Media
- 3:1 Side Slopes
- Infiltration rate of 3 inches per hour

The WWHM modelling of the required bioretention cell area assumes a minimum of 91% of stormwater treatment, and 100% of stormwater infiltration as shown below:

The screenshot displays the WWHM software interface for a bioretention cell design. The left pane shows the 'Basin 1 Mitigated' configuration with 'Flows To' set to 'Surface retention 1'. The 'Area in Basin' table lists various land use categories and their available pervious and impervious areas. The right pane shows the 'Bioretention 1 Mitigated' configuration with various design parameters.

Available Pervious	Acres	Available Impervious	Acres
A/B, Forest, Flat	0	ROADS/FLAT	0.124
A/B, Forest, Mod	0	ROADS/MOD	0
A/B, Forest, Steep	0	ROADS/STEEP	0
A/B, Pasture, Flat	0	ROOF TOPS/FLAT	0
A/B, Pasture, Mod	0	DRIVEWAYS/FLAT	0
A/B, Pasture, Steep	0	DRIVEWAYS/MOD	0
A/B, Lawn, Flat	0	DRIVEWAYS/STEEP	0
A/B, Lawn, Mod	0	SIDEWALKS/FLAT	0
A/B, Lawn, Steep	0	SIDEWALKS/MOD	0
C, Forest, Flat	0	SIDEWALKS/STEEP	0
C, Forest, Mod	0	PARKING/FLAT	0
C, Forest, Steep	0	PARKING/MOD	0
C, Pasture, Flat	0	PARKING/STEEP	0
C, Pasture, Mod	0	POND	0
C, Pasture, Steep	0	Porous Pavement	0
C, Lawn, Flat	0		
C, Lawn, Mod	0		
C, Lawn, Steep	0		
SAT, Forest, Flat	0		
SAT, Forest, Mod	0		
SAT, Forest, Steep	0		

**Bioretention 1 Mitigated**

Facility Name: Bioretention 1

Outlet 1: 0, Outlet 2: 0, Outlet 3: 0

Downstream Connection: 0

Facility Type: ☒ Use simple Bioretention, ☐ Underdrain Used

Bioretention Bottom Elevation: 0

Bioretention Dimensions: Length (ft) 10.000, Bottom Width (ft) 10.000, Freeboard (ft) 0.500, Over-road Flooding (ft) 0.000, Effective Total Depth (ft) 3.25, Bottom slope of bioretention (0-1) 0.000

Material Layers for: Layer 1 (0.250), Layer 2 (1.500), Layer 3 (0.000)

Soil Layer 1: SMMW/W 12 in/hr, Soil Layer 2: SMMW/W 12 in/hr, Soil Layer 3: GRAVEL

Orifice Number, Diameter (in), Height (ft): 1 (0, 0, 0), 2 (0, 0, 0), 3 (0, 0, 0)

Native Infiltration: Yes, Measured Infiltration Rate (in/hr) 3, Reduction Factor (infiltration factor) 1, Use Wetted Surface Area (sidewalls) NO

Total Volume Infiltrated (ac-ft) 0.579, Total Volume Through Riser (ac-ft) 0, Total Volume Through Facility (ac-ft) 0.579, Percent Infiltrated 100, Precipitation on Facility (acre-ft) 0.444, Evaporation from Facility (acre-ft) 0.188

WWHM modelling shows that a minimum bottom area of 50 SF is required to achieve full treatment and infiltration of the 5,520 SF of pollution generating asphalt pavement. Due to existing grades on site, it was determined that the most appropriate method for achieving this was to split the bioretention cell area into two distinct cells, with one cell to the north of the asphalt, and one to the southeast. Each cell was designed to maintain a minimum of 50 SF bottom area. The proposed asphalt pavement shall be graded to direct equal parts of the surface runoff to each cell through grade breaks and curb cuts. Each bioretention cell will contain a minimum 18-inch treatment layer, along with plantings to allow for the removal of pollutants prior to stormwater infiltration into native soils below the cells.

### **Minimum Requirement 7 – Flow Control**

Based on the DOE's minimum requirement flow chart for redevelopment, flow control is required for new and replaced hardscape, and converted vegetation areas. This results in allowable release rates equal to half the 2-year and the full 50-year flows from the site based on the forested condition.

The existing roof will use a 157 CF downspout full infiltration drywell sized per BMP T5.10A to infiltrate 100% of roof runoff. The asphalt pavement and landscape areas will drain to a bioretention cell sized to infiltrate 100% of runoff from these areas. Sizing is based on the 3" per hour infiltration rate of the DOE bioretention soil mix governing the design due high infiltration capabilities in the native soil.

Drywell and bioretention sizing results in 100% infiltration of site runoff and no stormwater discharging from the site.

### **Minimum Requirement 8 – Wetlands Protection**

There are no wetlands located within the development site.

### **Minimum Requirement 9 – Operations and Maintenance**

The project will include the development of an O&M manual in accordance with the DOE Stormwater Manual. This manual will be developed at the time of permitting and include a log of maintenance activities to be kept on-site for city inspection.

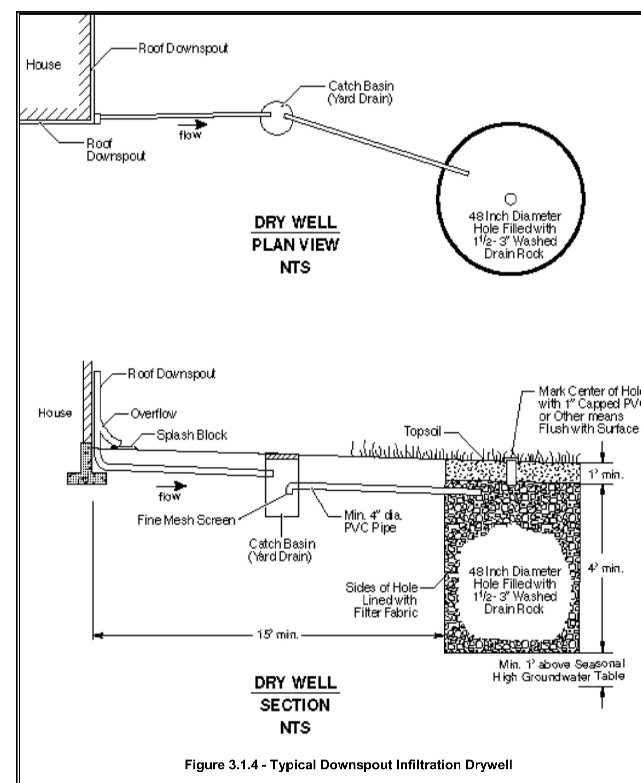
## APPENDIX A





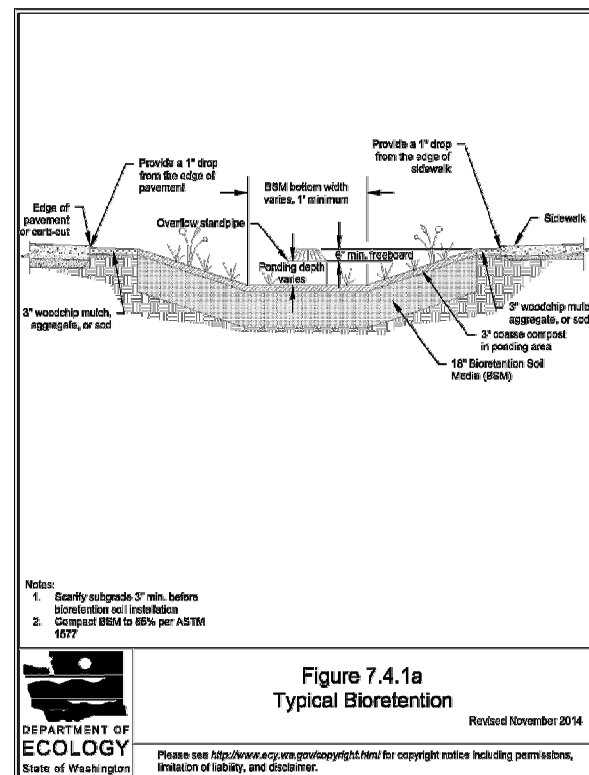




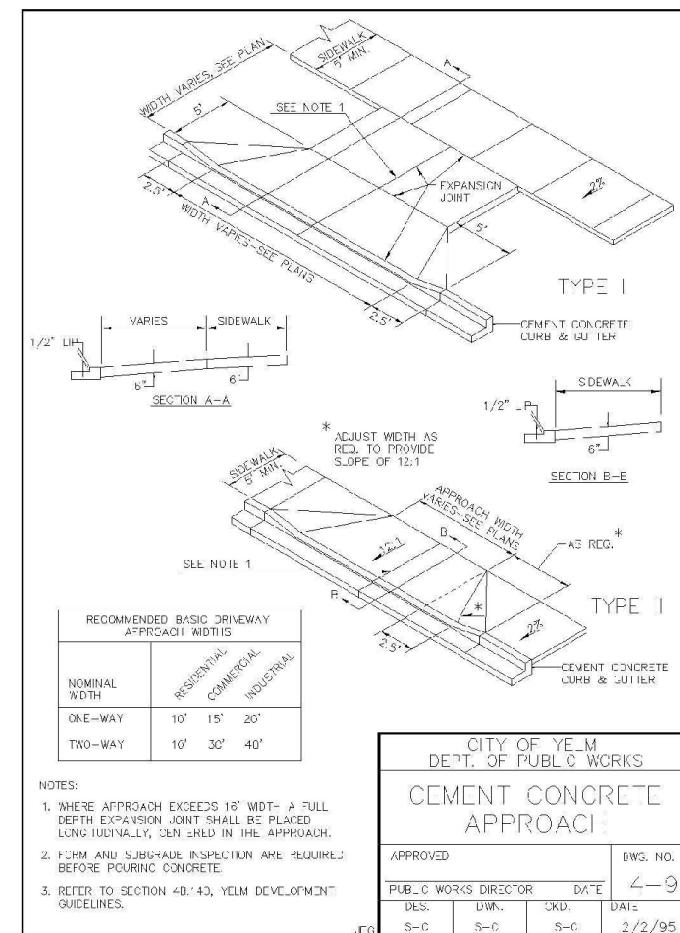


Source: King County

Volume III – Hydrologic Analysis and Flow Control BMPs – December 2014  
3-9



Volume V – Runoff Treatment BMPs – December 2014  
7-4



RECOMMENDED BASIC DRIVEWAY APPROACH WIDTHS			
NOMINAL WIDTH	RESIDENTIAL COMMERCIAL INDUSTRIAL		
	ONE-WAY	10' 15' 20'	
TWO-WAY	10' 30' 40'		

NOTES:

1. WHERE APPROACH EXCEEDS 18' WDT- A FULL DEPTH EXPANSION JOINT SHALL BE PLACED LONGITUDINALLY, CENTERED IN THE APPROACH.
2. FORM AND SUBGRADE INSPECTION ARE REQUIRED BEFORE POURING CONCRETE.
3. REFER TO SECTION 401.40, YIELD DEVELOPMENT GUIDELINES.

APPROVED			BWG. NO.
PUB. C WORKS DIRECTOR			DATE 4-9
DES.	DWR.	CKD.	DAI=
S-C	S-C	S-C	3/2/95

Owner/Developer:

C & E Developments LLC  
PO Box 2983  
Yelm, WA 98597-2983  
(360) 400-0432

Engineer:



Justin Jones, PE  
905 Main St. Suite 200  
Sumner, WA 98390  
(206) 596-2020

Project:  
Stevens St  
Development

ONE INCH AT FULL SCALE.  
IF NOT, SCALE ACCORDINGLY



2/15/20

[illegible]

DRAWN BY:	DESIGN BY:
-----------	------------

PROJ. NO:

DATE: December 15, 2020

DVG.

## Details

DVG.

C-03