



City of Yelm

Community Development Department

105 Yelm Avenue West

P.O. Box 479

Yelm, WA 98597

Case Number: **SUB-05-0068-YL (part of MPD-05-0067-YL)**

Proponent: **Tahoma Terra LLC**

Agent: **SCA Consulting**

Request: **Subdivide approximately 15 acres into 89 single family residential lots.**

Recommendation: **Approval with conditions**

Exhibit I: Site plan dated March 2005

Exhibit II: Notice of Application & Comment Letters

Exhibit III: Mitigated Determination of Non-Significance & Comment Letters

Exhibit IV: Public Hearing Notice

Proposal

This report is for a preliminary plat of 89 single family units, on approximately 20 acres. The proponent has applied for approval of a Conceptual Master Plan Development of approximately 220 acres, Final Master Plan approval for approximately 40 acres, and Preliminary Plat approval for approximately 20 acres. Included in the Final Master Site Plan is the completion of commercial space and developed open space.

Property Characteristics

The property is located at the west end of Longmire Street in the Southwest Annexation Area. The property subject to this preliminary plat application is identified as Parcel A of Boundary Line Adjustment BLA-04-0166-YL, as recorded at Thurston County File No. 3699428. (Tax Parcel Numbers were not available from Thurston County at the time of this report.)

Notice of Application and Public Hearing

Notice of this application was mailed to state and local agencies, and property owners within 1,000 feet of the project site on April 1, 2005.

Notice of the date and time of the public hearing before the Hearing Examiner was posted on the project site, mailed to the owners of property within 1,000 feet of the project site, and mailed to the recipients of the Notice of Application and SEPA Determination on Tuesday, Friday, June 24, 2005.

Notice of the date and time of the public hearing was published in the *Nisqually Valley News* in the legal notice section on Friday, June 24, 2005.

Concurrency

Chapter 15.40 YMC requires the reviewing authority to determine that required urban infrastructure is available at the time of development.

Concurrency with sewer infrastructure is achieved pursuant to Section 15.40.020 (B)(1) YMC 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 City standard facilities and services are present to meet the needs of the proposed development.

Concurrency with water infrastructure is achieved pursuant to Section 15.40.020 (B)(2) YMC 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 city standard facilities and services are present.

Concurrency with transportation infrastructure is achieved pursuant to Section 15.40.020 (5)(c) YMC when the project:

- Makes on-site and frontage improvements consistent with city standards and roads necessary to serve the proposed project consistent with safety and public interest;
- Makes such off-site facility improvements, not listed on the capital facilities plan, as are necessary to meet City standards for the safe movement of traffic and pedestrians attributable to the project;
- Makes a contribution to the facilities relating to capacity improvements identified in the adopted Six-Year Traffic Improvement Program, in the form of a transportation facility charge.

Concurrency with school infrastructure is achieved when the proponent provides a letter from the local school district that the school facilities impacted by the proposed development are present, or are on an approved and funded plan, to assure that facilities will be available to meet the needs and impacts of the proposed development.

State Environmental Policy Act

The City of Yelm SEPA Responsible Official issued a Mitigated Determination of Non-significance based on WAC 197-11-158 on May 24, 2005. This determination is final and fulfills the City's responsibility for disclosure of potential, significant environmental impacts. The Hearing Examiner may take action to deny or condition the proposal based on impacts identified in the environmental checklist or other environmental documents.

The Mitigated Determination of Non-significance was issued with the following conditions:

- The developer shall mitigate transportation impacts through the payment of a transportation facility charge (TFC) pursuant to Chapter 15.40 YMC. The fee shall be paid at the time of building permit issuance.
- The applicant shall be responsible for the following transportation improvements:
 - Prior to the final subdivision approval of any lots the applicant shall reconstruct

Longmire Street to a modified collector standard from the project entry to Yelm Avenue West (SR 510).

- Prior to the approval of any development permit (including a final subdivision) which includes the 90th peak P.M. trip generated from the project, the applicant shall construct a center left-turn lane on Yelm Avenue West (SR-510) at the Longmire Street intersection with sufficient storage to serve the anticipated traffic volumes generated by the project.
- Prior to the approval of any development permit (including a final subdivision) which includes the 513th peak P.M. trip generated from the project, construction of the Killion Road Boulevard extension from the property to Yelm Avenue West (SR-510) along with the realignment of Killion Road, a traffic signal, and left turn lanes on all four legs of the intersection with sufficient storage to serve the anticipated traffic volumes generated by the project.
- Prior to the approval of any development permit (including a final subdivision) which includes the 1,100th peak P.M. trip generated from the project, reconstruct Mosman Avenue to modified collector standards from Longmire Street to 1st Avenue (SR-507) and the Mosman Avenue/1st Avenue intersection to include realignment and a center left-turn lane on 1st Avenue (SR-507) with sufficient storage to serve the anticipated traffic volumes generated by the project.
- Prior to the approval of any development permit (including a final subdivision) which includes the 1,301st peak P.M. trip generated from the project, define and construct the Mosman Avenue connector between Longmire Street and Solberg Street OR; continue the Boulevard to SR 507 through the Thurston Highlands property.
- Plans for approval of all transportation improvements associated with Yelm Avenue (SR 510) and 1st Avenue (SR 507) shall be submitted to the Washington Department of Transportation and the City of Yelm for review and approval and all required improvements shall be constructed by the applicant pursuant to approved plans, and inspected and approved by the City of Yelm and Washington Department of Transportation.
- To mitigate previous impacts from agricultural activities to surface waters, plant communities and animal communities along the Thompson Creek corridor and its associated wetlands, the applicant has prepared a mitigation and enhancement plan to improve the surface water features of the site for both habitat and recreation purposes. Each Final Master Site Plan shall include a schedule for implementing improvements tied to the number of dwelling units of each subdivision within the Master Plan Community.
- The developer shall enter into an agreement with Yelm Community Schools to mitigate project impacts to the School District.
- Prior to the approval of any development permit (including a final subdivision) beyond the 89th lot, the applicant shall convey water rights to the City of Yelm sufficient to serve the proposed use within that area of the Final Master Plan and the first 89 lots. The conveyance shall be made to the City through a water rights agreement between Tahoma Terra, LLC and the City of Yelm. This condition is not applicable if the City

obtains water rights through the Department of Ecology which are sufficient to serve the projected density of the City, its urban growth area, and the subject property.

- Prior to disturbance of any identified geologic hazard area, the applicant shall submit to the City of Yelm Community Development Department a geotechnical report that identifies established best management practices for all activity within the geologic hazard areas and only allows activities which:
 - will not increase the threat of the geological hazard to adjacent properties beyond pre-development conditions;
 - will not adversely impact other critical areas;
 - are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than pre-development conditions;
 - are certified as safe as designed by a qualified engineer or geologist.
- Prior to building permit issuance, the applicant shall enter into a mitigation agreement with the City of Yelm which includes a mitigation fee toward the replacement of a police station required to be expanded in order to serve the proposed development. The mitigation fee shall be based on the applicant's aliquot impact on the need for replacement police station, which is \$310 per housing unit.

Lots Size and Setbacks

As part of the Final Master Plan Approval, different lot size and standard setbacks are established. These are listed in the Approved Final Master Plan, and have been reviewed for safety, and for compliance with the City of Yelm Comprehensive Plan.

Adjacent Land Uses and Zoning

The property is surrounded by properties currently in residential rural uses. These parcels are zoned R4 Low Density Residential, and R14 High Density Residential.

The plat as conditioned meets City of Yelm development requirements, and is a compatible use with surrounding properties.

Open Space

The Growth Management Act establishes a goal for open space and recreation that states "encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks" [RCW 36.70A.020(9)].

Chapter 14.12 YMC provides guidelines for the retention and creation of open space within the City. This chapter requires a minimum of five percent of the gross area of a new subdivision be dedicated as usable open space. Appropriate uses of dedicated open space include:

- Environmental interpretation or education
- Parks, recreation lands, or athletic fields
- Footpaths or bicycle trails

No more than five percent of any dedicated open spaces may be impermeable surfaces and open space must be sited so as to be suitable for its intended purpose and at least 75% of the open space must be accessible to either the general public or all residents of the associated development. Open space shall be dedicated at the time of final subdivision approval.

The Conceptual Master Plan provides for approximately 60 acres of open space land. This includes Thompson Creek and its associated flood plain and wetland system, enhancement of this area, along with established park facilities and footpaths. The applicant has proposed a phased completion of the entire open space. The Conceptual and Final Master Plan calls for a minimum of one "pocket park" for every 50 dwelling units, or a combination of "pocket parks", with a centrally located larger park, serving the proposed subdivisions. These "pocket parks" will provide recreation for the individual subdivisions, while the entire 60 acres of open space is available to all City residents.

Schools

New residential units create a demand for additional school services and facilities. The Yelm School District requests that the proponent enter into an agreement with the school district for the payment of mitigation fees based on the project's impact.

This request for a mitigation agreement between the proponent and the school district became a condition of the Mitigated Determination of Non-significance issued pursuant to the State Environmental Policy Act.

Transportation and Site Access

The City of Yelm Development Guidelines and the concurrency requirements of Chapter 15.24 YMC require all new subdivisions to improve street frontages to current City standards.

The applicant has proposed to use the City of Yelm Street Standards for all interior local access residential streets within this subdivision. A modified version of the City standard for a neighborhood collector street is proposed in the Final Master Plan for the land located east of Thompson Creek. The Final Master Plan also includes "*Boulevard*" detail found in the Southwest Master Plan Development documents.

Streets within this subdivision will be constructed to the local access standard and dedicated to the City upon final subdivision approval. A local access street includes two 11 foot travel lanes, two 7 foot parking lanes, a concrete rolled edge curb and gutter, a 6 foot planter strip with street trees 35 feet on center, a 5 foot sidewalk on one side of the street, and street lighting.

Chapter 16.16.090 YMC requires that the layout of new subdivisions provide for the continuation of streets existing in adjoining subdivisions and to provide for the continuation of new streets within the subdivision to adjacent properties that have not been subdivided. In this instance, the "*Boulevard*" creates future access to the land located in the Conceptual Master Plan Approval, and connecting streets throughout the development. As future phases of the Conceptual Master Plan are approved, other possible connections will be reviewed.

The City seeks to minimize impacts of through traffic upon residential neighborhoods by employing narrow streets, curves, indirect access routes, and other features.

Blocks greater than 660 feet in length shall incorporate traffic calming devices. These devices shall also serve as a visual break to the block through additional landscaping or hardscaping. The plat, as proposed, meets this standard by “bulb-outs” in the main streets, connecting the pedestrian pathways through the development.

The completed project will increase traffic and impact the City’s transportation system. Chapter 15.40, Concurrency Management, requires all development to mitigate impacts to the City transportation system. A single family home generates 1.01 p.m. peak hour trips per unit. The Transportation Facility Charge is payable at time of building permit issuance.

Parking

Chapter 17.72 YMC requires a minimum parking ratio of two spaces per dwelling unit, which is typically met in subdivisions within a standard driveway. On-street parking is allowed on both sides of local access residential streets

Water System

The City’s Water Comprehensive Plan identifies the property as being within the water service area. The applicant has provided to the City a “Water Right Conveyance and Right-of-Entry Agreement”. This conveyance establishes the water connection fees.

The proposed subdivision would be required to connect to the City’s water system and the projects internal roadways will be required to have a water main installed to serve fire hydrants and individual services.

Any existing well(s) on the property must be decommissioned per Department of Ecology standards and any water rights associated with these wells shall be dedicated to the City of Yelm.

The City of Yelm is dedicated to providing the best quality water possible to its consumers. Section 246-290-490, WAC, requires that the City take measures to ensure that contamination does not occur as a result of cross contamination.

An irrigation meter may be installed for the purpose of irrigation. A backflow prevention device will be required for all landscape irrigation connections between the irrigation system and the water meter. This also includes any individual irrigation systems that may be located on any individual lot within the subdivision.

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. In 2004, the City was also required to complete a vulnerability assessment in response to the new homeland security measures as a result of 9/11.

Sewer System

The City’s Sewer Comprehensive Plan identifies the property as being within the sewer service area. The current fee to connect to the City sewer system is \$5,417.00 per Equivalent Residential Unit (each ERU equals 900 cubic feet of water consumption per month). The

property is part of the City of Yelm Local Improvement District (LID) which allowed property owners to be a part of the improvement district by agreeing to purchase Equivalent Residential Unit (ERU) connections, guaranteeing capacity at the City's new water reclamation facility. The property is assessed a portion of the connection fee, and a reduced connection fee at the time of connection to the sewer system.

Any existing on-site sewage disposal system(s) shall be abandoned per Thurston County Health Department standards.

Reclaimed Water

It is the policy of the City of Yelm to reclaim 100 percent of the wastewater generated by the City and that reclaimed water shall be used within the jurisdiction wherever its use is economically justified, financially and technically feasible, and is consistent with legal requirements of Chapter 90.46 RCW, for the preservation of public health, safety and welfare, and the protection of the environment.

Reclaimed water uses may include, but are not limited to, the irrigation of food and nonfood crops, landscape irrigation, impoundments, fish hatchery basins, decorative fountains, flushing of sanitary sewers, street cleaning, dust control, fire fighting and protection, toilet and urinal flushing, washing aggregate and concrete production, industrial cooling and industrial processes.

Section 13.24.050 YMC requires that reclaimed water be used at identified reuse areas for consumptive beneficial use and ground water recharge areas. This information shall be used by City officials to mandate construction of reclaimed water distribution systems or other facilities in new and existing developments for current or future reclaimed water use as a condition of any development approval or continued potable water service if future reclamation facilities are proposed in the facilities plan indicating reclaimed water could adequately serve the development.

The Southwest Yelm Annexation Area is identified as a reuse area.

Stormwater Quality and Quantity

Impervious surfaces create stormwater runoff which, when uncontrolled and untreated can create health, safety, and environmental hazards. The City of Yelm has adopted the *1992 Department of Ecology Stormwater Manual*, which requires all development to treat and control stormwater.

The proponent has submitted a preliminary stormwater report which includes a conceptual design for the treatment and infiltration of the stormwater. This report includes low impact development technologies for stormwater treatment, to include "rain gardens" for the treatment of stormwater. The Community Development Department has reviewed this report and find that stormwater from the site can be managed appropriately through the conceptual plan.

Stormwater facilities require continued maintenance to ensure they remain in proper working condition.

Street Lighting

Adequate street lighting is necessary to provide safety to pedestrians, vehicles, and homeowners. High mast street lights will be incorporated on the Boulevard Road, and Longmire Street consistent with current standards of the Yelm Development Guidelines. Street lights at the internal street intersections will meet current standards of the Yelm Development Guidelines for height and brightness only. Low mast or pedestrian scale street lighting will be installed along the internal portions of the residential streets.

Subdivision Name and Addressing

A subdivision name must be reserved with the Thurston County Auditor's Office prior to submitting for final subdivision approval.

Addressing and street naming within the subdivision will be assigned by the Community Development Department prior to application for final subdivision approval.

Landscaping

Landscaping and screening are necessary to provide screening between compatible and incompatible land uses, to safeguard privacy and to preserve the aesthetic assets of the City. Chapter 17.80 YMC requires all development to provide on site landscaping.

The site is adjacent to properties that are compatibly zoned. Chapter 17.80 YMC requires that the perimeter of the site be landscaped with a Type II landscaping. In residential subdivisions the City allows fencing to meet the landscaping requirement for the perimeter of the site. Landscape requirements shall be installed and approved prior to application for final plat.

The applicant has proposed a street tree planting plan, which incorporates the City of Yelm landscaping requirements.

Landscaping is required in open space and stormwater facilities.

The applicant has submitted a full open space improvement plan which calls out landscaping in the stormwater treatment areas, as well as in the open space areas. This plan proposes a phased completion.

Chapter 17.80 YMC requires that at time of civil plan review and approval the proponent provide the Community Development Department a detailed final landscape and irrigation plan for approval.

Section 17.80.090 (F) YMC states that the owner/developer of any project requiring site plan review approval, subdivision approval, or short subdivision approval shall provide a performance assurance device in order to provide for maintenance of the required landscaping until the tenant or homeowners association becomes responsible for landscaping maintenance. The performance assurance device shall be 150 percent of the anticipated cost to maintain the landscaping for three years.

Staff Recommendation

Section 16.12.170 YMC requires written findings prior to a decision on a preliminary subdivision.

The proponent has established that the proposed subdivision, if conditioned, adequately provides for the public health, safety and general welfare and for such open spaces, drainage ways, streets, potable water supplies, sanitary wastes, parks and recreation, schools, and sidewalks.

That the public use and interest will be served by the subdivision of the property, if conditioned.

The subdivision, if conditioned, is in conformance with the Yelm-Thurston County Joint Comprehensive Plan, the City of Yelm Zoning Code, the City of Yelm Subdivision Code, the Shoreline Management Act and the Thurston County Shoreline Master Program, and the City of Yelm Development Guidelines.

The Hearing Examiner should approve the preliminary subdivision with the following conditions:

1. The proponent shall comply with the mitigation requirements of the MDNS issued on May 24, 2005, which include:
 - The developer shall mitigate transportation impacts through the payment of a transportation facility charge (TFC) pursuant to Chapter 15.40 YMC. The fee shall be paid at the time of building permit issuance.
 - The applicant shall be responsible for the following transportation improvements:
 - Prior to the final subdivision approval of any lots the applicant shall reconstruct Longmire Street to a modified collector standard from the project entry to Yelm Avenue West (SR 510).
 - Prior to the approval of any development permit (including a final subdivision) which includes the 90th peak P.M. trip generated from the project, the applicant shall construct a center left-turn lane on Yelm Avenue West (SR-510) at the Longmire Street intersection with sufficient storage to serve the anticipated traffic volumes generated by the project.
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- Prior to the approval of any development permit (including a final subdivision) which includes the 1,301st peak P.M. trip generated from the project, define and construct the Mosman Avenue connector between Longmire Street and Solberg Street OR; continue the Boulevard to SR 507 through the Thurston Highlands property.
- Plans for approval of all transportation improvements associated with Yelm Avenue (SR 510) and 1st Avenue (SR 507) shall be submitted to the Washington Department of Transportation and the City of Yelm for review and approval and all required improvements shall be constructed by the applicant pursuant to approved plans, and inspected and approved by the City of Yelm and Washington Department of Transportation.
- To mitigate previous impacts from agricultural activities to surface waters, plant communities and animal communities along the Thompson Creek corridor and its associated wetlands, the applicant has prepared a mitigation and enhancement plan to improve the surface water features of the site for both habitat and recreation purposes. Each Final Master Site Plan shall include a schedule for implementing improvements tied to the number of dwelling units of each subdivision within the Master Planned Community.
- The developer shall enter into an agreement with Yelm Community Schools to mitigate project impacts to the School District.
- Prior to the approval of any development permit (including a final subdivision) beyond the 89th lot, the applicant shall convey water rights to the City of Yelm sufficient to serve the proposed use within that area of the final master site plan and the first 89 lots. The conveyance shall be made to the City through a water rights agreement between Tahoma Terra, LLC and the City of Yelm. This condition is not applicable if the City obtains water rights through the Department of Ecology which are sufficient to serve the projected density of the City, its urban growth area, and the subject property.
- Prior to disturbance of any identified geologic hazard area, the applicant shall submit to the City of Yelm Community Development Department a geotechnical report that identifies established best management practices for all activity within the geologic hazard areas and only allows activities which:
 - will not increase the threat of the geological hazard to adjacent properties beyond pre-development conditions;
 - will not adversely impact other critical areas;
 - are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than pre-development conditions;
 - are certified as safe as designed by a qualified engineer or geologist.
- Prior to building permit issuance, the applicant shall enter into a mitigation agreement with the City of Yelm which includes a mitigation fee toward the replacement of a police station required to be expanded in order to serve the

proposed development. The mitigation fee shall be based on the applicant's aliquot impact on the need for replacement police station, which is \$310 per housing unit.

2. Each dwelling unit with the subdivision shall connect to the City water system. The applicant has provided to the City a "Water Right Conveyance and Right-of-Entry Agreement". This conveyance establishes the water connection fees.
3. The existing wells shall be abandoned per Washington State Department of Ecology standards. Any water rights associated with the well shall be deeded to the City of Yelm.
4. All conditions for cross connection control as required in Section 246-290-490 WAC.
5. Each dwelling within the subdivision 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. Existing septic systems shall be abandoned per the Thurston County Department of Health standards.
6. The applicant shall connect to the City's reclaimed water system. All irrigation systems for planting strips and required landscaping located within any open space, stormwater tracts, and the Boulevard shall be served by an irrigation system utilizing reclaimed water where available. The civil plans shall identify proposed reclaimed water lines, meters, and valves.
7. The applicant shall provide a final landscape and irrigation plan for this subdivision as a part of civil plan submission. Landscape plans shall meet Chapter 17.80 YMC, or as amended in the Final Master Plan approval.
8. The applicant shall provide for a minimum of one "pocket park" for the preliminary plat of 89 lots, and the completion of the proposed three (3) acres of open space area located at the southwest end of Longmire Street.
9. The proponent shall design and construct all stormwater facilities in accordance with the 1992 DOE Stormwater Manual, as adopted by the City of Yelm, and as amended in the Final Master Plan Approval. Best Management Practices (BMP's) are required during construction.
10. The final stormwater plan shall be submitted with civil engineering plans and shall include an operation and maintenance plan.
11. Storm water facilities shall be located in a separate recorded tract owned and maintained by the homeowners association.
12. All roof drain runoff shall be infiltrated on each lot utilizing individual drywells.
13. The stormwater system shall be held in common by the Homeowners Association. The Homeowners Agreement shall include provisions for the assessment of fees against individual lots for the maintenance and repair of the stormwater facilities.

14. The proponent shall submit a fire hydrant plan to the Community Development Department for review and approval as part of the civil engineering plans prior to final subdivision approval.
15. The proponent shall submit fire flow calculations for all existing and proposed hydrants. All hydrants must meet minimum City standards.
16. The proponent shall be responsible for the installation of hydrant locks on all fire hydrants required and installed as part of development. The proponent shall coordinate with the Yelm Public Works Department to purchase and install required hydrant locks. Hydrant lock details shall be included in civil plan submission.
17. Street lighting will be required. Civil plan submittal shall include a lighting design plan for review and approval.
18. Prior to the submission of final plat application, the proponent will provide the Community Development Department an addressing map for approval.
19. Prior to the submission of final plat application, a subdivision name must be reserved with the Thurston County Auditor's Office.
20. The proponent shall submit a final landscaping and irrigation plan for this plat, along with the phased open space improvements with civil engineering plans.
21. The proponent shall provide a performance assurance device in order to provide for maintenance of the required landscaping for this plat, until the tenant or homeowners' association becomes responsible for landscaping maintenance. The performance assurance device shall be 150 percent of the anticipated cost to maintain the landscaping for three years.

Based on the Analysis and Conditions of Approval above, staff recommends that the Hearing Examiner approve SUB-05-0068-YL.