

VARIANCE Application

CITY OF ROY

216 McNaught Street POB 700 ♦ Roy, WA 98580
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Please type or print clearly. Incomplete information may delay the project approval.

APPLICANT: Roy Meadows Development Group, LLC Attn: Camille Minogue	Phone: 206-829-9947	Fax:
Address (City, State, Zip): 1000 2 nd Ave., Ste. 3200 Seattle, WA 98104-1074	E-Mail Address: camille@truthandjustice.legal	
OWNER: same as Applicant	Phone:	Fax:
Address (City, State, Zip):	E-Mail Address:	
AGENT: Apex Engineering, LLC Attn: Tres Kirkebo	Phone: 253-473-4494	Fax: 253-473-0599
Address (City, State, Zip): 2601 S. 35 th St., Ste. 200 Tacoma, WA 98409	E-Mail Address: kirkebo@apexengineering.net	

PROJECT NAME & TYPE: Oakview Preliminary Plat				
Project Address: 29401 SR 507 S.			Parcel Number(s): 0217036009	
Zoning: SFR		Current Use: undeveloped vacant land		
Area/Acreage: 38.36 +/-	Township 17N	Range 2E	Section 3	Quarter Section NW, NE, SE, SW

Has this project been reviewed at a Technical Review Committee (TRC) Meeting? A Pre-Application Conference was held on December 12, 2019.

VARIANCE TYPE: Minor (≤ 20% of code standard) Major (> 20% of code standard)

Provide a detailed description of proposal & what requirements you are seeking relief from (may be attached).

See attached

Before a Variance can be granted, certain criteria must be met. Please answer the following questions, in detail, so the City can understand the nature of your request. Attach additional sheets, if necessary.

What are the special circumstances that apply to your property, which makes it different from other properties in your neighborhood that have the same zoning? (Special circumstances may include size, shape, topography, location and surroundings, etc.)

See attached

Explain why this Variance will not be detrimental to the public welfare and your neighbors, or injurious to property or improvements in the vicinity. (Consider invasion of privacy, fire safety, future road or utility expansion, and impacts on the character of the neighborhood.)

See attached

Explain why your proposal cannot meet minimum development requirements without a Variance. Have you exhausted all reasonable design options (size, shape, and placement on the lot) in an effort to meet the minimum requirements (setbacks, height, etc.)?

See attached

What site-related hardship will result if the Variance is denied? What will your options be for the proposal if this Variance is not granted? Explain how you have or have not been responsible for the situation that would make a Variance necessary.

See attached

What conditions might be imposed which would keep your project on the same scale as similar uses in your neighborhood?

See attached

I hereby state that I am the applicant listed above; and that the forgoing statements and answers herein made and all information and evidence herein made, and all information and information herewith submitted are in all respects and to the best of my knowledge and belief, true and complete. I understand that the intake fee accompanying this application is not refundable, that the deposit fee may not be sufficient to cover all processing costs and therefore I may be billed additional fees per the City's planning services fee schedule, and that the payment of said fees does not result in automatic issuance of the permit requested in the application.

Dan R. Young, co-manager for RMDG

(Printed name)

(Signature)

Dan R. Young

8-31-2022

Date

OFFSITE VARIANCE

Variance: Neighborhood Street Section

- 1. Provide a detailed description of proposal & what requirements you are seeking relief from (may be attached).**

Offsite improvements within 292nd St S are required by Roy City Code along the frontage of the Oakview Plat pursuant to Section 2.1.3 of the City of Roy Ordinance No.836 Exhibit D (Roy Design Standards and Guidelines – Streetscape Elements) (the “Streetscape Code”).

292nd St S is a privately owned and maintained roadway that is classified as a Neighborhood Street and has an existing width of 24 feet and does not provide for on-street parking or have sidewalks.

The owner is seeking the following relief

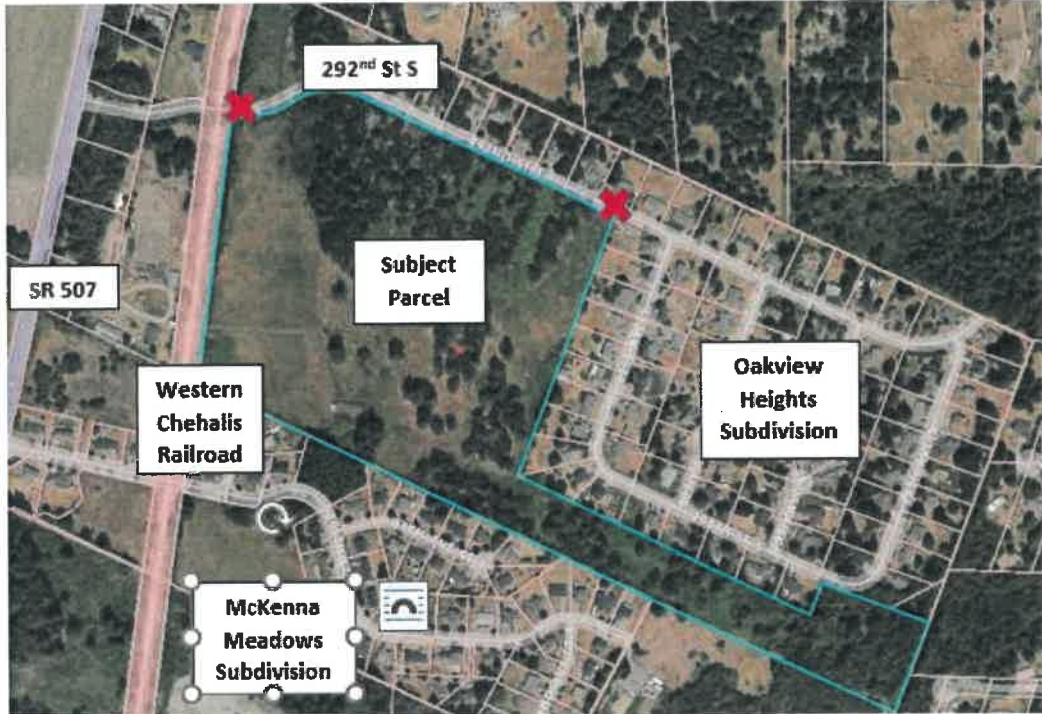
- **Street Width:** The Streetscape Code requires Neighborhood Streets to be at least 28 feet wide, which includes an allowance for on-street parallel parking of 8 ft. The owner is proposing to maintain the existing roadway width of 24 feet.
- **On-street Parking:** The owner is proposing a 4-ft reduction from the minimum road width requirement of 28 feet by not requiring an allowance for on-street parking, and thereby maintaining the existing road width of 24 feet.
- **Sidewalks:** The Streetscape Code also requires Neighborhood Streets to have sidewalks. The owner seeks a variance from this requirement.

- 2. What are the special circumstances that apply to your property, which makes it different from other properties in your neighborhood that have the same zoning? (Special circumstances may include size, shape, topography, location and surroundings, etc.)**

The Subject Segment of 292nd St S

The subject segment of 292nd St S runs from the east side of the Western Chehalis Railroad tracks, up a hill, and to the eastern portion of the existing Oakview Heights subdivision. The endpoints of the subject segment of 292nd St S are depicted with red x’s in the aerial photo below.

Figure 1: Aerial Photo Demarking the Segment of 292nd St S Subject to Improvement



Below are photos depicting the subject segment of 292nd going from east to west with the owner's property on the left.

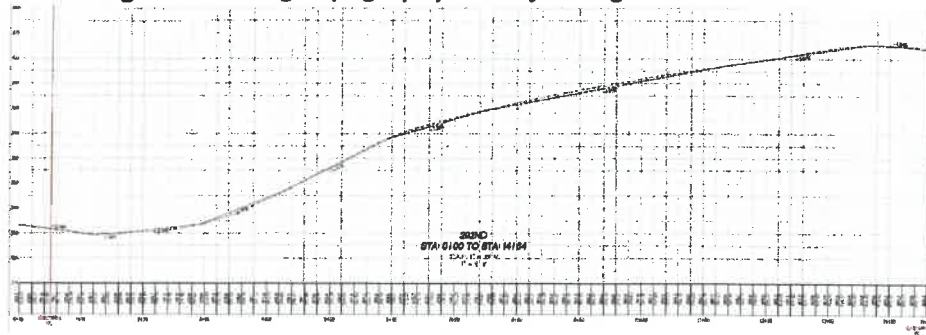
Figure 2: Subject Segment of 292nd St S



Topography

The subject segment of 292nd St S has a rolling topography with grade at 12.77% at its greatest. Figure 3 depicts the change in grade of 292nd St S from the west side of the plat (red line on left) to east side of the plat (redline one right). Due to the rolling topography, parallel parking could be difficult or even pose a hazard to traffic or other parked cars. Cars attempting to park on a steep hill may require additional time and space to maneuver, which could cause a queue of traffic.

Figure 3: Rolling Topography of Subject Segment of 292nd St S



In contrast, the western and eastern segments of 292nd St S are relatively flat.

The Western Segment of 292nd St S

The western segment of 292nd St S – which is that portion of 292nd St S west of the Western Chehalis Railroad tracks – is a privately owned and maintained road. It is 24 feet wide, does not have on-street parking, and has no sidewalks.

Figure 4: Western Segment of 292nd St S



The Eastern Segment of 292nd St S

The eastern segment of 292nd St S exclusively serves the Oakview Heights Subdivision and has no outlet to any other neighborhoods. (See Figure 1.) As with the western segment, the eastern segment has a 24-foot road, no on-street parking or sidewalks. Figure 5 is an east-facing photo that shows the subject segment of 292nd St S in the foreground and the eastern segment beginning at the fence on the right and extending into the distance.

Figure 5: Eastern Segment of 292nd St S



Adjacent Residential Developments

Adjacent residential developments of Oakview Heights and McKenna Meadows have Neighborhood Streets consistent with the existing configuration of 292nd St S, i.e., no on-street parking or sidewalks.

Retaining essentially the same roadway configuration of the subject segment of 292nd St S without added sidewalks and without added width to accommodate on-street parking matches the aesthetics and design of the adjacent residential developments and of the western and eastern segments of 292nd St S.

3. Explain why this Variance will not be detrimental to the public welfare and your neighbors, or injurious to property or improvements in the vicinity. (Consider invasion of privacy, fire safety, future road or utility expansion, and impacts on the character of the neighborhood.)

The requested variance is not expected to negatively affect the public welfare, neighbors, property, or emergency vehicle access, as it proposes to keep the status quo as to the existing right-of-way on 292nd St S. That said, there are some additional detrimental impacts if the variance is not granted, as described at the end of this section.

Road Width/On-Street Parking

There is no detrimental impact anticipated by the requested variance to the road width and on-street parking requirement.

The requested variance as to road width/on-street parking is justified because the existing homes on 292nd St S already have ample off-street parking capacity. Also, the proposed development will not contain any new homes facing 292nd St S, and all new homes will have ample off-street parking of their own. Therefore, a new need for parking on the subject segment of 292nd St S is not anticipated.

The requested relief as to road width/on-street parking will not have a detrimental impact on the character of the neighborhood because the variance would allow the subject segment of 292nd St S to retain its current width, which is consistent with the eastern and western segments of 292nd St S and with the streets of the neighboring residential subdivisions.

Sidewalks

There is no detrimental impact to pedestrian safety anticipated by not adding sidewalks to 292nd St S.

Currently, foot traffic is seldom, if ever, seen on the subject segment 292nd St S. To the extent the residents of the proposed development do walk, they will have their own more convenient and gentler-sloping sidewalks within their own development. Oakview Heights residents can also avail themselves to the sidewalks within the project site.

Bethel School District anticipates that the school bus stop will be at the northeast end of the plat. The children from Oakview would not be walking along 292nd St S to reach the bus stop, but utilizing the internal roads for the plat, which will have sidewalks.

While sidewalks are generally thought to enhance connectivity and promote walking, it is doubtful that a newly added sidewalk would cause people to start walking on 292nd St S. The nearest services are in downtown Roy, which is about a mile away from the proposed plat, or a 15-to-20-minute walk. As a result, current residents residing in Oakview Heights don't walk, they drive. It is anticipated that residents of the new development would behave the same.

Future Road Expansion

As to the impact on the City's ability to make future road expansions, the requested variance will not have a detrimental impact. With the proposed plat, the area adjacent to the subject segment of 292nd St S will be fully developed. At the east end of 292nd St S is a dead end while at the west end it comes to a "T" with SR 507. (See Figure 1.) As an isolated and disconnected street, any further road extension of 292nd St S is unlikely. Therefore, the granting of a variance should not create any detrimental impacts to future road expansion.

Detriments of Not Granting the Variance

By not allowing the variance:

- It may cause a detrimental impact on privacy because a number of trees would have to be removed to accommodate the widening of 292nd St S and adding a sidewalk. (See item 4 below.)
- The adding of impervious surfaces from widening 292nd St S and adding a sidewalk will increase the volume of storm water runoff that must be planned for and managed.
- 292nd St S will lose its rural aesthetics and the continuity of those aesthetics with the adjacent segments of 292nd St S will be disrupted.
- 292nd St S, west and east of the project's frontage, are very unlikely to be improved to match the design required by city code. These improvements would then fail to connect in either direction.
- It will add a significant cost to the project, with no clear benefit to the ultimate owners of the homes.
- It will add to the ongoing road maintenance costs of the private road.
- It will increase the cost of the proposed housing units.

4. Explain why your proposal cannot meet minimum development requirements without a Variance. Have you exhausted all reasonable design options (size, shape, and placement on the lot) in an effort to meet the minimum requirements (setbacks, height, etc.)?

The project cannot meet the Streetscape Code requirements without disturbing native area, including significant trees.

Without the relief sought, additional significant trees will need to be removed. Without a variance, maintenance costs associated with the private road will increase and the amount of impervious surface and runoff will increase. The requested variance will spare trees and not add unnecessarily to the amount of impervious surface.

Sidewalks are already provided within the proposed plat and connect at two points to 292nd St S, as depicted by the blue x's in Figure 6 below. These internal sidewalks are safer and more convenient to future homeowners of Oakview and potentially existing Oakview Heights homeowners along with providing safe access for children walking to the designated school bus pick up location.

Figure 6: Proposed Plat Map – Connections to 292nd St S



- 5. What site-related hardship will result if the Variance is denied? What will your options be for the proposal if this Variance is not granted? Explain how you have or have not been responsible for the situation that would make a Variance necessary.**

Widening the road, added parking, and a sidewalk means increasing the amount of impervious surface, and with that comes increased stormwater runoff. It also means that additional significant trees would need to be removed within the Oak Tree Preservation Area where it borders 292nd St S.

With these impacts come the attendant costs: added construction costs, greater tree replacement costs, and increased road maintenance costs. All of these costs detrimentally impact the ultimate cost of a housing unit in Roy.

If these improvements are required, 292nd St S would lack the consistency that the current road condition has provided to the community of Oakview Heights or the future residents of Oakview.

- 6. What conditions might be imposed which would keep your project on the same scale as similar uses in your neighborhood?**

Retaining essentially the same roadway configuration of the subject segment of 292nd St S without an added sidewalk, width, and on-street parking matches the aesthetics, scale, and design of the adjacent residential developments and of the western and eastern segments of 292nd St S.