



September 24, 2024

Department of Community Development
 1700 Civic Drive
 DuPont, WA 98327
 Attn: Barb Kincaid

RE: Champions Centre – Site Plan Review (PLNG2023-010)

**Associated Applications: Critical Areas/Tree Modifications (PLNG2023-011),
 Boundary Line Adjustment/Lot Line Elimination (PLNG2023-012), SEPA
 Environmental Review (PLNG 2023-013)**

LSE Job No.: 12895

This request for variance regarding the Champions Centre Project is submitted on behalf of our client in accordance with the DuPont Municipal Code (DMC) Chapter 25.160, Variances. We are requesting variance from the following specific code:

- A. City Standard 3.1.1.1, Driveways directly giving access onto arterials will be denied if alternate access is available.

Request for Variance -- A (above): City Standard 3.1.1.1.

Code Requirement:

In accordance with City Standard 3.1.1.1, Driveways directly giving access onto arterials will be denied if alternate access is available.

Existing Condition:

In the existing condition, according to the submitted BLA documentation, Original Parcel B (TPN 0119362043) only has access from Dupont-Steilacoom Road. This parcel does not abut the lesser roadway (Barksdale Avenue).

Developed Condition:

In the developed condition the new revised Parcel B will again only have access directly from Dupont-Steilacoom Road.

Proposed Plan (Requested Variance):

The Project proposes to construct access for the revised Parcel B from Dupont-Steilacoom Road as a right-in, right-out only access. The access for Parcel B has been designed to align with Station Drive located on the opposite side (east side) of Dupont-Steilacoom Road and will be the only direct access to the Revised Parcel B.

According to page 20 of the Traffic Impact Analysis (TIA) prepared for the Champions Centre Project by Heath and Associates and dated September 1, 2024, "The proposed accesses are similarly projected to operate with LOS B conditions under all scenarios. Overall, no intersection or capacity deficiencies are identified."

Variance Review Criteria and Response:

According to DMC Chapter 25.160 Variances, this variance request is classified as a General Variance (DMC 25.160.040) and is subject to the review criteria set forth in DMC Section 25.160.050 (underlined italics below with answer response following).

1. *The proposed variance will not amount to a rezone nor authorize any use not allowed in the land use district.* Zoning for the property is Commercial and the proposed variance will not amount to a rezone nor authorize any use not allowed in the land use district.
2. *Special conditions and circumstances exist which are peculiar to the land such as size, shape, topography or location, not applicable to other land in the same land use district, demonstrating that literal interpretation of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same zoning district under the terms of this title.* This variance is requested due to access constraints for the Revised Parcel B as the only direct connection to the public roadway system is Dupont-Steilacoom Road. Limiting access to the restaurant would directly impact the viability of the business as it would not be obvious how a visitor to the City of DuPont, once exiting from I-5 via the future Round-A-Bout, would access the facility. Similar establishments located across Dupont-Steilacoom Road already enjoy direct access from Dupont-Steilacoom Road. Granting this variance will allow the owner the same rights commonly enjoyed by other properties similarly situated in the same zoning district.
3. *The special conditions and circumstances noted in subsection (2) of this section are not the result from the actions of the applicant or property owner.* The special conditions and circumstances noted in subsection (2) above are not the result of any actions of the applicant or property owner.
4. *Granting of the variance requested will not confer a special privilege that is denied other properties in the same land use district.* Granting the variance requested will not confer a special privilege that is denied other properties in the same land use district.
5. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and district in which the subject property is situated.* Granting the variance will be a benefit to the overall property and public welfare. As was mentioned previously, the TIA confirms, "Overall, no intersection or capacity deficiencies are identified." As noted above, the project is proposing a right-in, right-out connection point to Dupont-Steilacoom Road although this is mentioned in the TIA as a possible temporary condition. According to page 4 of the TIA, "Under present conditions, the Dupont-Steilacoom access would function as a right-in, right-out. However, a full movement access may be permitted upon completion of the I-5 Interchange Relocation project in which Exit 119 would relocate to the north prior to

Pendleton Avenue – resulting in reduced volumes along the project's Dupont-Steilacoom Road frontage."

6. *The requested variance does not go beyond the minimum necessary to afford relief.* The requested variance does not go beyond the minimum necessary to afford relief but is reasonable and like rights and privileges enjoyed by other property owners.

Thank you for your time in addressing this Variance Request. Please do not hesitate to contact us if anything is missing, incomplete or if you have any questions.

Sincerely,

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