



LEROY SURVEYORS & ENGINEERS, INC.

Surveying • Engineering • Geology • Septic Design • GPS • GIS Mapping

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 3.1.2.1, Driveways that serve any use other than detached dwelling units may not be located closer than 150 feet to any street intersection or to any other driveway, whether on or off the subject property. Driveways that serve only residential use may not be located closer than 25 feet to any street intersection.
- B. City Standard 2.23.2, All frontage improvements shall be made across full frontage or property from centerline to right-of-way line.
- C. City Standards requiring roadway widening and/or surfacing along Barksdale Avenue (City of Dupont Dwg. No. 2.4-2.1, Commercial Access Street Office/Retail Village).

Request for Variance -- A (above): City Standard 3.1.2.1.

Code Requirement:

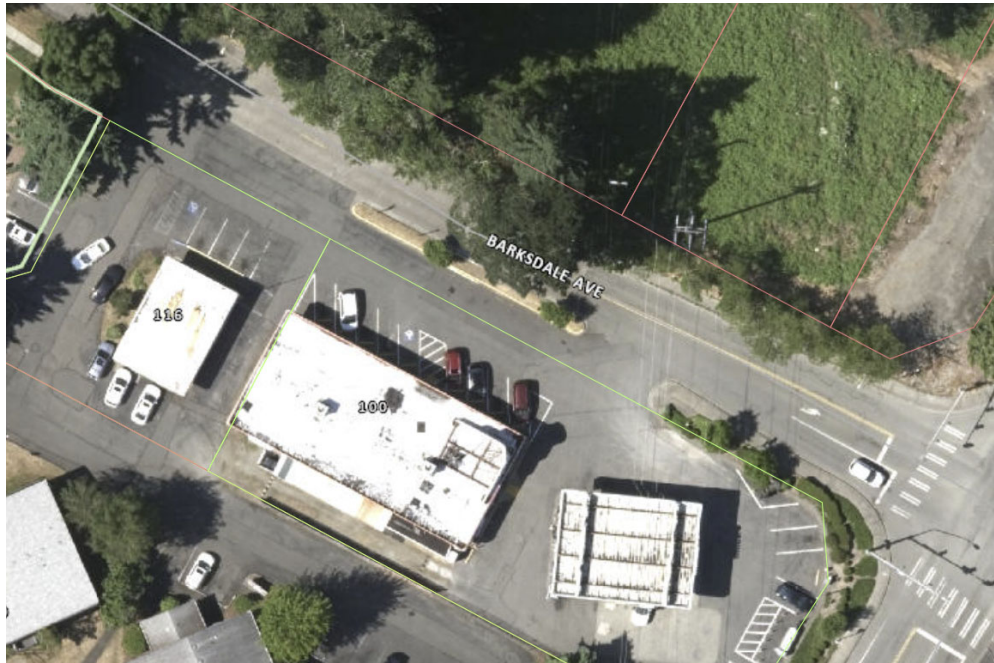
In accordance with City Standard 3.1.2.1, Driveways that serve any use other than detached dwelling units may not be located closer than 150 feet to any street intersection or to any other driveway, whether on or off the subject property. Driveways that serve only residential use may not be located closer than 25 feet to any street intersection.

Existing Condition:

In the existing condition, there are no driveway accesses within 150-feet of the proposed driveway connection on the project side of Barksdale Avenue. The property(s) opposite the project site on Barksdale Avenue contain unusually oversized drive access. And as can be seen by the following arial view the drive-access is located within the existing Barksdale Avenue

P.O. Box 740, Puyallup, Washington 98371
253.848.6608 ♦ fax 253.840.4140 ♦ www.lseinc.com

Right-of-Way creating a non-standard road section. The eastern edge of the drive access located on the south side of Barksdale, is approximately 145-feet from the centerline of Steilacoom Dupont Road SW. As can be seen, below, the asphalt extends for approximately 230-feet west along Barksdale as one continuous drive entrance. An existing landscape buffer containing ornamental cherry trees is within Barksdale Avenue. right-of-way and serves as the lane divider leading up to an existing 40-foot-long left-hand turn pocket.



Developed Condition:

In the developed condition the p40-foot-longses a single access point along Barksdale Avenue. The centerline of the proposed 30-foot-wide drive access will be located approximately 300 feet west of the centerline of the right-of-way of Steilacoom Dupont Road SW. A portion of the western end of the existing planter will be removed to assist in turning movements from the proposed access, however the project will install a curbing to essentially maintain the original length of the planter. On recommendation of the TIA the project will extend the existing left-hand turn pocket to 60-feet from the current 40-foot length allowing for additional queuing of vehicles.

Proposed Plan (Requested Variance):

The Project proposes to construct access from Barksdale Avenue closer than 150 feet to the driveway access located on the south side of Barksdale Avenue which does not meet the criteria set forth in City Standard 3.1.2.1.

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 constraints imposed upon the project by existing access for the properties located on the south side of Barksdale Avenue, making it infeasible for the project to meet City Standard 3.1.2.1. 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. The TIA confirms, "Overall, no intersection or capacity deficiencies are identified." As part of this project Barksdale Avenue will be restriped to extend the existing left-turn pocket to 60-feet from the existing 40-feet. According to page 22 of the TIA, "By providing increased storage length of at least 60-feet, sufficient capacity will be provided, and no driveway blockage is anticipated."
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.

Request for Variance -- B (above): City Standard 2.23.2.

Code Requirement:

In accordance with City Standard 2.23.2, All frontage improvements shall be made across full frontage or property from centerline to right-of-way line.

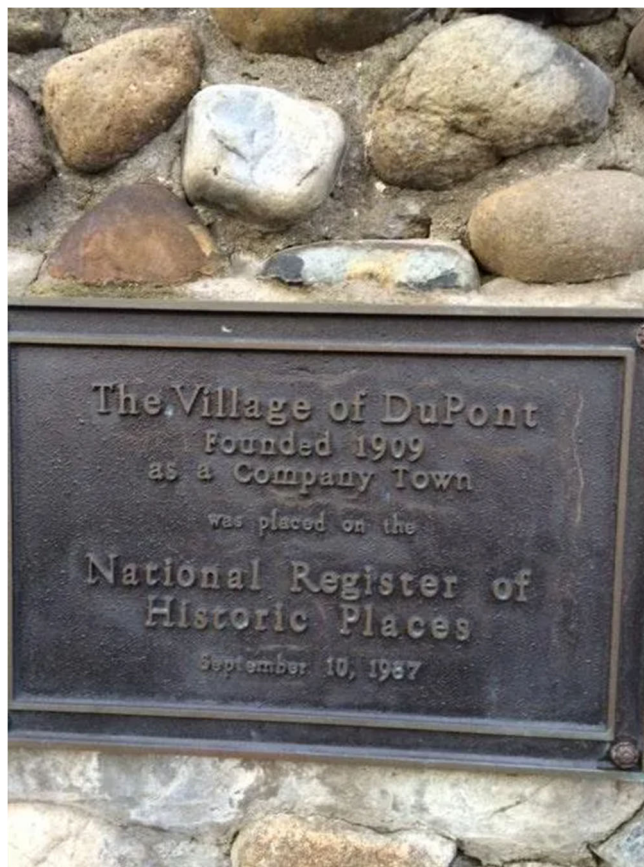
Existing Condition:

Sidewalk improvements exist along the full length of the project parcels that are adjacent to Barksdale Avenue which also includes existing cherry trees with a historic connection to the City DuPont and Historic Monuments.

Developed Condition:

The project is proposing revision to the existing sidewalk and installation of new curbing along with a minor amount of road widening along the full length of the road frontage adjacent to

Barksdale Avenue. The projects' goal is to minimize removal of the existing cherry trees and leave intact the Historic Monuments (see following archival photo). In order to protect the monuments to project is proposing to extend the new sidewalk improvements to within 3-feet of the existing monument and then tie back into the existing concrete sidewalk. The new sidewalk installation would end approximately 22' back from the western most project property line. The new curb and gutter is proposed to extend to the western property line.



Proposed Plan (Requested Variance):

The Project requests a variance from the current requirement of "All frontage improvements shall be made across full frontage.". To maintain the monuments in the current condition the project is requesting relief from installation of frontage improvements across the full frontage and be allowed to shorten the improvements by approximately 22 to 30' short of the westerly property line.

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 the location of historically significant monumentation as well as historical plantings (existing Cherry Trees). It has been voiced by residents that they wish that the existing cherry trees will remain in their current condition and location as much as is feasible. According to on-line information:

"The cherry trees lining Barksdale Avenue and throughout the Historic Village were originally planted in the 1930's by the DuPont Company. In 1976, the City and townspeople replaced dead and diseased trees. For decades the blossoming trees have been a symbol of spring and hope for the villagers. An annual Cherry Blossom Tea was begun by the Village ladies in the 1940's to celebrate the blossoming trees. This tradition continues today by the DuPont Historical Society, which hosts DuPont's Annual Cherry Blossom Tea and Vintage Fashion Show."

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 not be materially detrimental to the public

welfare or injurious to the property or improvements in the vicinity and district but would benefit the property and local area by maintaining the historical and local traditions, which are so important to the identity of the City of DuPont.

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.

Request for Variance -- C (above): City Standards requiring roadway widening and/or surfacing along Barksdale Avenue.

Code Requirement:

In accordance with City Standards requiring roadway widening and/or surfacing along Barksdale Avenue (City of Dupont Dwg. No. 2.4-2.1, Commercial Access Street Office/Retail Village)

Existing Condition:

In the existing condition, the Roadway Cross Section in Barksdale Avenue is non-standard, with roll curb and a 4-foot-wide sidewalk with no planter strip.

Developed Condition:

In the developed condition the project is proposing to install concrete vertical curbing on the project side with slight road widening to accommodate turning movements from both the project site and properties located on the south side of Barksdale Avenue. For the first approximately 100' heading west from Dupont-Steilacoom Road a proposed 5-foot-wide sidewalk will be installed without a buffer behind the vertical curb and gutter. At this point, the proposed 5' sidewalk will offset north to the existing Barksdale Avenue right-of-way line and run west (parallel to Barksdale Avenue) for approximately 234-feet which will create a planter strip. The planter strip will exceed the 5' minimum width providing sufficient room for the existing cherry trees to remain. At the end of the 234 feet the proposed sidewalk will shift south and connect to the existing sidewalk. Like the existing condition this too is non-standard.

Proposed Plan (Requested Variance):

The Project proposes to construct a non-standard road section and is requesting a variance from the standard. According to the *City of Dupont Dwg. 2.4-2.1, Commercial Access Street Office/Retail Village* the roadway is required to be widened to accommodate a 9'-0" parking lane with buffer and sidewalk. There are multiple reasons for this variance request.

- If the roadway is widened the existing cherry trees will need to be removed, which local response from the community is that they would like the trees to remain.
- The TIA confirms, "Overall, no intersection or capacity deficiencies are identified." As part of this project Barksdale Avenue will be restriped to extend the existing left-turn pocket to 60-feet from the existing 40-feet. According to page 22 of the TIA, "By providing increased storage length of at least 60-feet, sufficient capacity will be provided, and no driveway blockage is anticipated."

- Since the proposed project is a Church facility and not a retail business and parking for the church facility is provided on-site, the offsite parking lane would only benefit the properties to the south and create a condition where pedestrians would be crossing Barksdale Avenue at varying points.
- The project is proposing to provide, as much is feasible, curb, gutter, landscape buffer, and a 5-foot-wide sidewalk in meeting with the standards while maintaining the existing cherry trees and character of the area.

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 constraints imposed upon the project by existing access for the properties located on the south side of Barksdale Avenue, existing cherry trees that residents wish to remain, and that the parking lane would not actually serve the community in a meaningful way. 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" and "By providing increased storage length of at least 60-feet, sufficient capacity will be provided, and no driveway blockage is anticipated." Again the parking lane would not serve the community in a meaningful way and might increase the chances of a pedestrian vehicle incident if someone parked and crossed Barksdale Avenue to access the businesses on the south side of the roadway.
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,

Steve Nelson, P.E.
Professional Engineer
snelson@lseinc.com
253-848-6608 ext. 107
253-433-5850 (cell)

