

**APPLE TREE NO 4 PHASE 2  
PLP#001-21, SEPA#004-21, CL2#023-21**

**Hearing Examiner  
Closed Record Public Hearing  
December 7, 2021**

**EXHIBIT LIST**

Applicant:	Apple Tree No. 4 Phase 2
File Numbers:	PLP#001-21
Site Address:	9300 Apple Tree Parkway
Staff Contact:	Eric Crowell, Senior Planner

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**APPLE TREE NO 4 PHASE 2**  
**PLP#001-21, SEPA#004-21, CL2#023-21**

## EXHIBIT LIST

## CHAPTER AA

### Hearing Examiner's Recommendation

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**CITY OF YAKIMA, WASHINGTON  
HEARING EXAMINER'S RECOMMENDATIONS**

**September 10, 2021**

<b>In the Matter of Preliminary Long Plat</b>	)	
<b>And Class (2) Applications Submitted by:</b>	)	
	)	
<b>Apple Tree Construction</b>	)	<b>PLP#001-21</b>
<b>Company, LLC</b>	)	<b>CL2#023-21</b>
	)	<b>SEPA#004-21</b>
<b>For a Preliminary Plat Consisting of 29</b>	)	
<b>Single-Family Lots, 3 Triplex Lots and</b>	)	
<b>3 Tracts in the R-1 Zoning District to be</b>	)	
<b>Located at 9300 Apple Tree Parkway to</b>	)	
<b>Be Known as "Apple Tree No. 4 - Phase 2"</b>	)	

**A. Introduction.** The preliminary findings relative to the hearing process for this matter are as follows:

(1) The Hearing Examiner conducted an open record public hearing relative to this Preliminary Long Plat application and this Class (2) triplex application on August 26, 2021.

(2) Associate Planner Eric Crowell's thorough Planning Division staff report recommended approval of these applications for a Preliminary Long Plat so as to allow the creation of 29 single-family lots and 3 triplex lots plus 3 undeveloped tracts, subject to conditions. The applicant's representative for this application, Mike Heit of HLA Engineering and Land Surveying, Inc., presented testimony in favor of the proposed Preliminary Long Plat with three lots for Class (2) triplexes and pointed out that the State Department of Archeology & Historic



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Preservation letter that was received during the comment period recommended rather than required that a professional archaeological survey be conducted.

(3) No written public comments were submitted by members of the public and no one else testified at the hearing. Pursuant to Subsections 15.05.030(E) and 15.11.100(A)(1) of the Yakima Municipal Code, this recommendation relative to the proposed Preliminary Long Plat will also include a recommendation as to the three Class (2) triplex uses proposed for Lots 61, 62 and 63 of the plat. This recommendation has been issued within the requisite ten working days of the open record public hearing.

**B. Summary of Recommendations.** The Hearing Examiner recommends that the City Council approve this Preliminary Long Plat of "Apple Tree No. 4 - Phase 2" and three Class (2) triplexes for three of the lots, subject to conditions.

**C. Basis for Recommendations.** Based on a view of the site with no one else present on August 24, 2021; the staff report, exhibits, testimony and other evidence presented at the open record public hearing conducted on August 26, 2021; and a consideration of the applicable subdivision ordinance requirements, zoning ordinance requirements, development standards and consistency criteria; the Hearing Examiner makes and issues the following:

## **FINDINGS**

**I. Applicant/Property Owner/Representative.** The applicant and property owner is Apple Tree Construction Company, LLC, 2550 Borton Road, Yakima, Washington 98903. The representative of the applicant/property owner for this



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proposal is Michael Heit of HLA Engineering and Land Surveying, Inc., 2803 River Road, Yakima, Washington 98902.

**II. Location.** The location of the proposed Preliminary Long Plat for the development of 29 lots for single-family residences, three lots for Class (2) triplexes and three undeveloped tracts is 2300 Apple Tree Parkway which is to the west off of South 86<sup>th</sup> Avenue between Occidental Road and Ahtanum Road. The Yakima County Assessor's Parcel Numbers for the proposed Preliminary Plat are 171201-13405, 181206-23014, -23026, -23401, -23402 and -23404.

**III. Applications.** These applications are for a 14.03-acre Preliminary Long Plat and for three Class (2) triplex uses in a Single-Family Residential (R-1) zoning district. The proposed Preliminary Long Plat would allow the development of 29 single-family lots, 3 triplex lots and 3 undeveloped tracts. The application for approval of a Preliminary Long Plat was received on February 22, 2021. The application for approval of a Class (2) triplex use on Lots 61, 62 and 63 was received on May 25, 2021. The applications were deemed complete for processing by the Planning Division on May 28, 2021.

**IV. Jurisdiction.** Sections 1.43.080 and 14.20.100 of the Yakima Municipal Code (YMC) provide that the Hearing Examiner shall hold a public hearing and submit a recommendation to the City Council which shall include findings and conclusions to support the recommendation relative to the subdivision criteria listed in YMC §14.20.100(A) and in RCW Chapter 58.17. YMC §15.11.100(A)(1) provides that the Hearing Examiner shall make a recommendation to the City



Council relative to any uses that are proposed in conjunction with any required approval that constitutes a recommendation to the City Council such as a Preliminary Long Plat.

**V. Notices.** A Notice of Application, Environmental Review and Public Hearing for approval of a Preliminary Long Plat (PLP#001-21), for three Class (2) triplex uses (CL2#023-21) and for SEPA review (SEPA#004-21) was provided in accordance with YMC Title 14 (Subdivision Ordinance), YMC Title 15 (Yakima Urban Area Zoning Ordinance) and YMC Title 16 (Development Permit Regulations) by posting a Land Use Action Sign on the property on April 8, 2021, and by mailing said Notice to the applicant, SEPA agencies and adjoining property owners within 300 feet of the subject property on May 28, 2021. A Notice of the Public Hearing to be held on August 26, 2021, was provided by the posting of the Land Use Action Sign on the property on April 8, 2021; by the mailing of said Notice to the applicant, SEPA agencies and adjoining property owners within 300 feet of the subject property on August 5, 2021; and by the publishing of said Notice in the Yakima Herald-Republic on August 5, 2021. No comments from neighbors or other members of the general public were received during the 20-day public comment period for these applications.

**VI. Zoning and Land Use.** The subject property and all surrounding properties are located within the Single-Family Residential (R-1) zoning district. The subject property is currently undeveloped. The land use of properties to the north and south is a golf course and to the east and west is residential. The main purpose of the Yakima Urban Area Zoning Ordinance (UAZO) in Title 15 of the Yakima



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Municipal Code (YMC) is to implement the Yakima Urban Area Comprehensive Plan and promote the general health, safety and welfare of the present and future inhabitants of the Yakima Urban Area. YMC §15.03.020(B) states that the purpose and intent of the R-1 zoning district is to:

(1) Establish new residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents of, this district, which may include duplexes and zero lot lines if established during the subdivision process;

(2) Preserve existing residential neighborhoods for detached single-family dwellings free from other uses to ensure the preservation of the existing residential character, and serve the residents of this district; and

(3) Locate moderate-density residential development, up to seven dwelling units per net residential acre, in areas served by public water and sewer system.

(4) Detached single-family dwellings are the primary use in this district. The district is characterized by up to sixty percent lot coverage; access to individual lots by local access streets; required front, rear and side yard setbacks; and one- and two-story structures. The density in the district is generally seven dwelling units per net residential acre or less.

(5) This zone is intended to afford single-family neighborhoods the highest level of protection from encroachment by potentially incompatible nonresidential land uses or impacts. Nonresidential uses within these zones are not allowed; except for public or quasi-public uses, which will be required to undergo extensive public review and will have all necessary performance or design standards assigned to them as necessary to mitigate potential impacts to adjacent residences.

(6) Duplex and multifamily development up to seven dwelling units per net residential acre may be allowed in accordance with Table 4-1.

**VII. Environmental Review.** These applications were required to undergo State Environmental Policy Act (SEPA) review because they involved subdivision of land into more than nine lots in the R-1 zoning district. A Determination of Nonsignificance (DNS) was issued on August 5, 2021, which was not appealed.



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**VIII. Transportation Concurrency Ordinance.** The applicant applied for Transportation Concurrency (TCO#003-21) on February 22, 2021. The proposal was approved for Concurrency on August 18, 2021, because it will not exceed the PM peak hour capacity of the City arterial system, and reserve capacity exists on all impacted streets.

**IX. Development Services Team relative to Features of the Proposed Preliminary Plat.** Comments of a Development Services Team (DST) Review conducted the week of March 8, 2021, are as follows:

(1) Code Administration: Pursuant to the Chapter 5 of the Washington State Fire Code (WSFC), publicly available fire hydrants will be required along streets spaced at intervals that will provide required fire flow coverage for proposed structures in accordance with WSFC Appendix C. These findings are not intended to be an exhaustive review of this proposal. The preliminary addressing for the lots within this Preliminary Long Plat are the following Apple Tree Parkway addresses:

Lot 1	8611 Apple Tree Pkwy.	Lot 12	9101 Apple Tree Pkwy.	Lot 56	9204 Apple Tree Pkwy.
Lot 2	8609 Apple Tree Pkwy.	Lot 13	9103 Apple Tree Pkwy.	Lot 57	9202 Apple Tree Pkwy.
Lot 3	8801 Apple Tree Pkwy.	Lot 14	9201 Apple Tree Pkwy.	Lot 58	9200 Apple Tree Pkwy.
Lot 4	8803 Apple Tree Pkwy.	Lot 15	9203 Apple Tree Pkwy.	Lot 59	9102 Apple Tree Pkwy.
Lot 5	8805 Apple Tree Pkwy.	Lot 16	9205 Apple Tree Pkwy.	Lot 60	9100 Apple Tree Pkwy.
Lot 6	8807 Apple Tree Pkwy.	Lot 32	9513 Apple Tree Pkwy.	Lot 61	9002 Apple Tree Pkwy. #1-3
Lot 7	8809 Apple Tree Pkwy.	Lot 33	9515 Apple Tree Pkwy.	Lot 62	9000 Apple Tree Pkwy. #1-3
Lot 8	8901 Apple Tree Pkwy.	Lot 34	9517 Apple Tree Pkwy.	Lot 63	8900 Apple Tree Pkwy. #1-3
Lot 9	8903 Apple Tree Pkwy.	Lot 35	9519 Apple Tree Pkwy.	Lot 65	8607 Apple Tree Pkwy.
Lot 10	9001 Apple Tree Pkwy.	Lot 39	9514 Apple Tree Pkwy.	Lot 66	8605 Apple Tree Pkwy.
Lot 11	9003 Apple Tree Pkwy.	Lot 55	9300 Apple Tree Pkwy.		

(2) Engineering: Engineering comments relative to this proposed Preliminary Long Plat are as follows:



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(a) YMC Chapters 8.67 and 12.05 – Street improvements shall conform to standard detail R3, including private streets, unless otherwise approved by City Engineer. New sidewalks shall be constructed per standard detail R5.

(b) YMC Chapter 8.64 – Driveways to be constructed per this chapter and standard detail R4.

(c) YMC Chapter 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way.

(d) YMC Chapter 12.02 – Easements will need to be established per this chapter.

(e) YMC Chapter 12.06 – Private streets shall be constructed with curbs, sidewalks, and street lighting and shall otherwise conform to the standards for public streets. Private streets shall provide cul-de-sac/hammer head turnaround to accommodate emergency and refuse collection vehicles.

(f) YMC §12.06.050 Cul-de-sac streets – Cul-de-sacs shall be constructed within a street right-of-way eighty feet in diameter and have an improved diameter of sixty-five feet. The maximum length of a cul-de-sac street shall be six hundred feet measured along the street centerline from the nearest through street intersection to the center of the cul-de-sac.

(g) YMC §14.05.200 / §14.20.130 – All frontage improvements shall be completed prior to long plat approval. At the discretion of the City Engineer, the owner may bond for required frontage improvements. Bonding shall be executed and recorded prior to or as part of approval of the long plat. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements. All frontage improvements shall be completed prior to Certificate of Occupancy. Civil engineering plans for public improvements shall be approved prior to issuance of building permits.

(3) Surface Water: For the long plat I have no comments. When civil plans are produced for this project a Large Project Stormwater Permit shall be required.

(4) Wastewater: All proposed lots appear to have sewer available except Lots 1, 2, and 65. Sewer will need to be extended per YMC Title 12 requirements and per City of Yakima Wastewater Standard Details.



(5) Nob Hill Water Association: Nob Hill Water is currently installed in Phase 4 of Apple Tree. However, the main line must be extended to Ahtanum to provide the necessary fire flow for homes in the area. This tie-in will also improve reliability and water quality in this development.

(6) Department of Ecology: The Department of Ecology comments relative to this proposed Preliminary Plat are as follows:

(a) Historical aerial photos indicate a portion of this property was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. This project is required to conduct soil sampling prior to development under the Model Toxics Control Act (Chapter 173-340 WAC).

(b) If sampling indicates elevated levels of lead and arsenic, cleanup will be required. The Department of Ecology plans to use Model Remedies for lead and arsenic pesticide contamination in historical orchards of Central Washington. A Focus Sheet on the Model Remedies can be found at <https://apps.ecology.wa.gov/publications/documents/2109007.pdf>.

(c) Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

(d) Ecology can provide free initial sampling, as well as free technical assistance for your project.

(e) Please contact Jeff Newschwander, Project Manager, at 509-388-5223 or email [jeff.newschwander@ecy.wa.gov](mailto:jeff.newschwander@ecy.wa.gov), for further information or to schedule your initial sampling.

(7) Ahtanum Irrigation District: Ahtanum Irrigation District comments relative to this proposed Preliminary Plat are as follows:

(a) Please note that parcel 171201-13405 is not within our District's boundaries.

(b) Our records indicate the above-listed parcels falling within 181206 have no surface water right as established in the Final Decree (2019), the Conditional Final Order Subbasin No. 23 (Ahtanum) (2019),



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and the Final Schedule of Rights dated May 9, 2019 in State of Washington, Dept. of Ecology v. Acquavella, et al (2019).

(c) However, our Board must sign off on the plat for this subdivision. The surveyor will need to provide us with the original Mylar, as well as one copy, for District signature. As our Board meets once per month, please telephone in advance for meeting dates to avoid delays.

(8) Department of Archaeology and Historic Preservation (DAHP): The DAHP comments relative to this proposed Preliminary Plat are as follows:

(a) A review of our statewide predictive model has identified the project area as having a very high probability for archaeological resources. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

(b) These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

(c) Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports.

**X. Applicable City Subdivision Ordinance Provisions and Applicable State Subdivision Statutory Provisions.** City of Yakima subdivision ordinance provisions and State statutory subdivision provisions which are applicable to the proposed Preliminary Long Plat include the following:



(1) YMC §15.05.030(A): Creation of new lots – Subdivision requirements: Table of Subdivision Requirements: Pursuant to YMC §15.05.030(A), Table 5-2 establishes basic development criteria for lot size and width that must be met when reviewing an application for a new subdivision. For detached single-family dwelling construction in the R-1 zoning district, the required minimum lot size is 6,000 square feet.

(2) YMC §15.05.055(1): New development improvement standards: Fire apparatus access roads for multiple-family residential developments and one- or two-family residential developments shall be subject to the provisions of Sections D106 and D107, respectively, of Appendix D of the applicable International Fire Code. Additionally, such residential developments shall be subject to the requirements of Section D105 of Appendix D, of the applicable International Fire Code pertaining to aerial fire apparatus roads, as applicable. All other applicable provisions of the International Fire Code, as now existing or as hereafter amended and adopted by the City, are required. Minimum requirements for the primary and secondary access will be at least twenty feet wide, unobstructed, paved lanes.

(3) YMC §12.02.010: Establishment of easements: Public utility easements shall be established for the location of new and proposed public utility lines serving new land divisions and land development. Public utility easements shall also be established across the front of new lots and redeveloped lots to provide future utility access as determined necessary by the City Engineer. Public utility easements shall be dedicated (granted) at the time that subdivision and/or land use approval is granted.

(4) YMC §12.02.020: Easement location and width: Eight-foot-wide utility easements shall be dedicated along the front of each lot in subdivisions and short subdivisions. Easements for new and/or future utility lines shall be a minimum of eight feet in width, or twice the buried depth of the utility, whichever is greater.

(5) YMC §12.03.010: Sewer service required: Pursuant to YMC §12.03.010, all new lots and development shall be served by a sanitary sewer line located adjacent to the lot or development site.

(6) YMC §12.03.040: Minimum sewer size: The minimum size for public sewer lines is eight inches in diameter.

(7) YMC §12.03.070: Side sewer service: Each building containing sanitary facilities shall be served by a separate private side sewer line from a public main.



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Branched side sewers serving multiple buildings and properties shall not be permitted. Single side sewers serving multi-unit buildings are permitted.

(8) YMC §12.03.090: Gravity flow required: Sewer lines shall be designed for gravity flow operation. Lift stations and force mains (pressurized lines) shall be limited to those locations and circumstances where they are consistent with the comprehensive sewer plan and are the preferable short-term solution to service the development site and other properties in the vicinity.

(9) YMC §12.04.010: Water service required: All new lots and development shall be served by a public water supply line maintained by the City of Yakima, Nob Hill Water Company [Association], or other water purveyor, and located adjacent to the lot or development site. The water line shall be capable of providing sufficient flow and pressure to satisfy the fire flow and domestic service requirements of the proposed lots and development as approved by the City Engineer in cooperation with the Code Administration Manager and Water Irrigation Division Manager.

(10) YMC §12.04.020: Water line extension required: Water lines shall be extended to the point where the adjoining property owner's responsibility for further extension begins. This typically requires extension across the street or easement frontage of the developing property. In some cases it will require dedication of an easement and a line extension across the property or extension along two or more sides of the developing property. Extensions will be consistent with and implement the City's adopted water comprehensive plan.

(11) YMC §12.04.040: Minimum size and material standards: New water lines in the City of Yakima water system shall be constructed of Class 52 ductile iron and shall be a minimum of eight inches in diameter. Improvements and additions to the Nob Hill Water Company [Association] system shall conform to the requirements of Nob Hill Water Company [Association].

(12) YMC §12.05.010: Sidewalk installation required: Sidewalks shall be installed along both sides of all new, improved and reconstructed streets. Projects which repair small portions of or maintain existing street shall not be considered "improvement" for the purpose of this section and shall not trigger the requirements of this section. Sidewalks shall also be installed across the frontage of all newly developed or redeveloped lots where feasible.

(13) YMC §12.06.010: Street types, functional classification: The Yakima Urban Area Comprehensive Plan, and/or the West Valley Neighborhood Plan,



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designates the functional classification of the principal arterial, minor arterial and collector streets and establishes their functional classification. All other streets are classified as local residential access.

(14) YMC §12.06.030: Design standards, adjustment of standards: Final design of street improvements is subject to approval by the City Engineer. The City Engineer, at his discretion, is authorized to adjust these standards as necessary to facilitate the construction of new streets and improvement of existing streets. Projects which repair small portions of or maintain existing streets shall not be considered "improvements" for the purposes of this section.

(15) YMC §12.06.070: Provision of street curbing: Barrier curbs shall be installed along all public streets. Rolled mountable curbs may be permitted along residential access streets. Curb design shall be consistent with the standards of the City Engineer.

(16) YMC §12.06.080: Street lighting: A street light shall be installed at each street intersection and at midblock if the block exceeds five hundred feet in length. Street lights shall meet the design and placement standards of the City Engineer. Lighting improvements shall become the property of the City of Yakima upon installation and will thereafter be maintained by the City.

(17) YMC §14.05.200(A-B): Allowance of bond in lieu of actual construction of improvements prior to approval of short plat or final plat: The subdivision or short subdivision applicant may, as an alternative to actual construction of any required improvements, provide a surety bond or other secure method providing for and securing to the City the actual construction of required improvements within a specified period of time and expressed in a bond or other appropriate instrument establishing such security. Any bond or other method of securing actual construction of required improvements shall specify the improvements covered and the schedule for completion. In cases of subdivision, the bond or other method of securing actual construction of required improvements shall be subject to approval by the City Engineer and City Attorney prior to approval of the final plat by the City Council. In cases of short subdivisions, the bond or other method of securing actual construction of required improvements shall be subject to approval by the City Engineer and City Attorney prior to approval of the final short plat by the Administrator. In no case shall the amount of the bond or other method of securing actual construction of required improvements be less than one hundred ten percent of the estimated actual cost of



the improvements based upon the approved civil engineering design of the required improvements.

(18) RCW 58.17.110(1), YMC §14.20.100(A) and YMC §14.20.120(A): The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine (a) if appropriate provisions are made for the public health, safety and general welfare and for open spaces, drainage ways, streets and other public ways, transit stops, potable water supplies, irrigation and other water supplies, sanitary waste disposal, parks and recreation, playgrounds, schools and schoolgrounds, sidewalks, and other planning features that assure safe walking conditions for students who walk to and from school; and (b) whether said plat will serve the public use and interest.

**XI. Preliminary Plat Criteria and Findings.** YMC §14.20.100(A) provides that the Hearing Examiner shall review a proposed Preliminary Long Plat during an open record public hearing to inquire into and determine whether or not the following standards are satisfied:

**(1) Subsection 14.20.100(A)(1) – Consistency with the City’s Urban Area Zoning Ordinance Intent, Design, Improvement and Development Provisions Applicable to the R-1 Zoning District.** A determination relative to consistency with the City’s Urban Area Zoning Ordinance intent, design, improvement and development provisions applicable to the R-1 zoning district involves a consideration of the following provisions of Title 15 and Title 12 of the Yakima Municipal Code (YMC):

(a) Consistency with the Intent of the R-1 Single-Family Residential Zoning District: YMC §15.03.020(B) indicates that the intent of the R-1 zoning district is in part to establish new neighborhoods for detached single-family dwellings free from incompatible uses. The proposed preliminary plat is designed primarily for 29 single-family residences and secondarily for three Class (2) triplex uses which will be considered in the sections of this recommendation applicable to the consideration of Class (2) uses.



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(b) Consistency with Design, Improvement and Development Provisions Applicable to the Single-family Residential (R-1) Zoning District: YMC Chapter 15.05 establishes certain basic development requirements. These are the minimum criteria that must be met to assure land use compatibility and promote the public health, safety and welfare. The proposed development meets the requirements applicable in the R-1 zoning district as follows:

(i) *Minimum Lot Size:* The 29 single-family residential lots ranging in size from approximately 9,144 square feet to approximately 14,782 square feet will meet the minimum 6,000-square-foot lot size requirement for single-family residences. Lots 61, 62 and 63 range in size from 18,669 square feet to 23,363 square feet which will also comply with the minimum lot size that is required for multifamily dwellings prescribed by YMC Table 5-2 and YMC §15.05.030(A).

(ii) *Minimum Lot Width:* The lots will all meet or exceed the minimum lot width of 50 feet prescribed for the R-1 zoning district by YMC Table 5-2 and YMC §15.05.030(A).

(iii) *Maximum Lot Coverage:* The maximum lot coverage is the percentage of net land area of a site that can be covered with structures and other impervious surfaces. In the R-1 zoning district, the maximum lot coverage prescribed by YMC Table 5-1 in YMC Chapter 15.05 is 60%. All lots within the proposed preliminary plat have sufficient lot area to comply with this 60% maximum lot coverage development standard.

(iv) *Structure Setbacks:* In the residential zoning districts, structure setbacks are intended to provide light, air and emergency access. All of the lots in the proposed preliminary plat would have sufficient area to comply with the setback requirements specified by YMC Table 5-1 in YMC Chapter 15.05 which are as follows:

Location	From Centerline of Right-of-Way	From the Property Line
Front, Apple Tree Pkwy.	45 feet	20 feet
Front, access easement	N/A	10 feet



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Rear	N/A	15 feet
Side (internal)	N/A	5 feet
Side, Apple Tree Pkwy.	40 feet	5 feet
Side, South 86 <sup>th</sup> Ave.	40 feet	5 feet

If Tract A will be accessed from South 86<sup>th</sup> Avenue and have that access considered the front yard, then the front yard setback will be 50 feet from the centerline of the right-of-way and 20 feet from the property line; otherwise that tract shall fully utilize the above table as appropriate.

(v) *Maximum Building Height*: YMC Table 5-1 in YMC Chapter 15.05 provides that the maximum building height in the R-1 zoning district is 35 feet.

(vi) *Access*: All lots will have 20 feet of frontage upon a public street in accordance with YMC §15.05.020(H).

(vii) *Sidewalk*: Curb, gutter and sidewalk is already constructed along Apple Tree Parkway. If the cul-de-sac or any other portion of Apple Tree Parkway is not currently improved, then in that event curb, gutter and sidewalk shall be installed along those portions.

(viii) *Density*: The proposed preliminary plat will have 2.71 dwelling units per net residential acre with streets excluded (38 dwelling units ÷ 14.03 acres = 2.71 dwelling units per net residential acre). This density complies with YMC §15.05.030(B) and YMC Table 4-1 in YMC Chapter 15.04 which allow up to 7 dwelling units per net residential acre in the R-1 zoning district as Class (1) uses (while multifamily developments are Class (2) uses).

(ix) *Street Right-of-Way*: The preliminary plat does not require dedication of any right-of-way.

(x) *Frontage Improvements*: At a minimum, one street light shall be installed midblock on the westernmost section of the loop as the street exceeds 500 feet in total length. Street lighting shall meet the design and placement standards of the City Engineer. Lighting improvements shall become the property of the City of Yakima upon



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installation and will thereafter be maintained by the City. Pursuant to YMC Chapter 8.72, an excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but that will cost 150 percent of the restoration fee with no PCI discount.

(xi) *Wastewater*: All proposed lots appear to have sewer available except Lots 1, 2 and 65. A minimum 16-foot-wide easement shall be maintained over all public utility lines in accordance with YMC §12.02.010 and §12.02.020. All lots within the plat shall be served by a separate side sewer line from a public main in accordance with YMC §12.03.070. Sewer is to be installed per the Yakima Municipal Code.

(xii) *Water*: The applicant shall extend potable water to the subject plat in accordance with YMC §12.04.010. Water is served by the Nob Hill Water Association, and is currently installed along the entirety of Apple Tree Parkway. However, the main line shall be extended to Ahtanum Road to provide the necessary fire flow for homes in the area. This tie-in will also improve reliability and water quality in this development.

(xiii) *Irrigation*: All but one of the subject parcels are located within the Ahtanum Irrigation District and therefore irrigation district approval is required to be shown upon the final plat.

(xiv) *Easements*: Easements are to be established in accordance with YMC §12.02.010 and §12.02.020.

**(2) Subsection 14.20.100(A)(2) – Consistency with the provisions of the Comprehensive Plan.** The Future Land Use Map III-3 of the 2040 Yakima Urban Area Comprehensive Plan designates the property within the proposed preliminary plat as suitable for Low Density Residential development. The proposed preliminary plat is consistent with the following Goal and Policies of the City's Comprehensive Plan:

(a) Goal 2.3 which is to preserve and enhance the quality, character and function of Yakima's residential neighborhoods.



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(b) Policy 2.3.1 which is to provide for a wide variety of housing types within the City to meet the full range of housing needs for Yakima's evolving population.

(c) Policy 2.3.2 which is to preserve and enhance established residential neighborhoods. Specifically: ... (A) Ensure that new development is compatible in scale, density and aesthetic quality to an established neighborhood.

**(3) Subsection 14.20.100(A)(3) – Consistency with the provisions of this title, Title 14 entitled “Subdivision Ordinance.”** As proposed and with the recommended conditions, this Preliminary Plat will meet all the design requirements of the City's subdivision ordinance and of the City's Title 12 development standards. This review and the recommended conditions are intended to ensure consistency with the provisions of the City's subdivision ordinance as well as other applicable City ordinances.

**(4) Subsection 14.20.100(A)(4) – Appropriate provisions for enumerated features.** As proposed and with the recommended conditions, this Preliminary Plat of Apple Tree No. 4 – Phase 2 will make appropriate provisions for the following features required by YMC §14.20.100(A)(4) and RCW 58.17.110(1):

(a) *Public health, safety, welfare:* The construction of new single-family dwellings and three triplexes will complement adjacent uses and will promote the public health, safety and general welfare insofar as there is a need in this community for additional housing and insofar as this proposed Preliminary Plat would be required to comply with all applicable City development standards, and all conditions of approval specified by the City Council.

(b) *Open spaces:* The proposed lots are larger than the minimum lot size required in the R-1 zoning district for both the single-family residences and the three triplexes. Lot coverage of 60 percent or less in the R-1 zoning district will provide adequate light and air for future residents in accordance with the standards in the zoning ordinance without additional open spaces.

(c) *Drainage systems:* Drainage system facilities must be provided in accordance with state and local regulations including the City of Yakima Municipal Code and the Eastern Washington Storm Water Manual.



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(d) *Streets, alleys, and other public ways:* The subject property has frontage upon Apple Tree Parkway and upon South 86<sup>th</sup> Avenue.

(e) *Water supplies:* Public water is required to be used for domestic and fire flow purposes. Water is available to the site from Nob Hill Water Association by way of Apple Tree Parkway and South 86<sup>th</sup> Avenue.

(f) *Sanitary waste disposal:* Public sewer is required to service all lots within the subject development.

(g) *Parks and playgrounds:* Open space, parks, recreation and playgrounds are located within approximately four miles of this subdivision at West Valley Park.

(h) *Sites for schools:* Wide Hollow Elementary School and West Valley Middle Level Campus are located approximately 3.2 miles from this subdivision, while West Valley High School is located approximately 4.2 miles away. No comments were submitted by the School District.

(i) *Sidewalks:* Sidewalks are required and shall be provided along any portion of Apple Tree Parkway where they are not currently located.

(j) *Public Transit:* Yakima Transit Routes 2 and 5 pass the intersection of South 64<sup>th</sup> Avenue and West Washington Avenue approximately 2.2 miles north of the subdivision.

(k) *Serves the public use and interest:* This proposed residential subdivision is consistent with neighboring land uses, better serves the needs of the City than the present undeveloped status of the property and helps satisfy the need for additional housing within the City.

(l) *Time Limitation:* Upon preliminary plat approval, the applicant has five years from the date of preliminary plat approval to submit the final plat. Thereafter, at least 30 days prior to the expiration of preliminary approval, the applicant must submit to the City Council a written request to extend the approval period for a maximum period of one additional year (YMC §14.20.160). Before the final plat can be recorded, all required infrastructure must either be engineered, completed and inspected or be engineered and financially secured, and approval of the final plat must be obtained from the City Community Development Department.



**XII. Applicant's Description of the Features of the Three Proposed**

**Class (2) Triplex Uses.** The applicant's narrative description of the proposed Class (2) triplex uses to be located on Lots 61, 62 and 63 of the proposed Preliminary Plat is set forth in italics following the details required to be addressed in the application for approval of a Class (2) use:

(1) Fully describe the proposed development, including number of dwelling units and parking spaces. If the proposal is for a business, describe hours of operation, days per week and all other relevant information related to the business.

*The proposed Apple Tree No.4 - Phase 2 project property is located at 9300 Apple Tree Parkway, Yakima, Washington. The proposed project will consist of three multi-family tri-plex townhouse lots, lots 61-63, of the proposed Apple Tree No.4 - Phase 2 long plat lots. The 3 tri-plex lots vary in size from 18,669 square feet to 23,363 square feet. Apple Tree Parkway is private gated road, and was constructed as part of Phase 1, and will not need to be improved as part of this project. The lots will have frontage onto the private roadway. The three lots will contain the proposed 9 townhouse units. Access to the lots will be from private roads, and access easements extending throughout the proposed Apple Tree No.4 - Phase 2 plat, off S. 86th Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. All storm water is proposed to be retained on-site in underground infiltration trenches. The drainage structures shown represent the actual structures installed in the phase 1 stormwater design. The property is proposed to be landscaped with normal residential multi-family type landscaping. Interior landscaping will consist of trees, shrubs, and low ground cover plantings. Lot coverage has been calculated at approximately 50 percent on the parcel. The height of the new structures will be approximately 30 feet and is likely to be constructed of glass, and wood. The maximum building height in the R-1 zoning district is 35 feet. Pedestrian access to the building will be by the existing concrete sidewalks.*

(2) How is the proposal compatible to neighboring properties? *The proposed new Apple Tree No.4 - Phase 2 multi-family townhouse lots are compatible to neighboring properties because the properties located to the north of these proposed lots in other phase of Apple Tree are similar existing multi-family townhouse units. The proposed new multifamily lots will complement the*



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*design and construction of adjacent existing single-family homes, as well the multi-family townhouse in other locations of Apple Tree resort. The neighboring properties are a mixture of retail, restaurants, single family, and multi-family residential houses. This proposal is similar in nature to other neighboring new single-family and multi-family developments adjacent to the property. The general hours of operation are the same, and the amount of traffic is similar.*

(3) What mitigation measures are proposed to promote compatibility? *The proposed new Apple Tree No.4 - Phase 2 multi-family apartment complex is close to existing multi-family property with similar uses, and it is believed mitigation measures are not necessary to be compatible with the neighborhood. The units will be designed and constructed by same design and construction companies as the adjacent single-family homes, so they can control the appearance to assure uniformity with construction appearance. The proposed facility will be compatible with and provide additional upscale multi-family townhouse facilities. The complex will have similar hours of operation and traffic volumes as the adjacent multi-family complexes and provide additional patrons to the adjacent retail business. Driveway and garage parking will be constructed and landscaped in accordance with City of Yakima Code requirements.*

(4) How is your proposal consistent with current zoning of your property? *This proposal is consistent with the current zoning of the property because it is a tri-plex multifamily townhouse complex on an R-1 zoned property. The proposal meets the development standards of the district, specifically building height, parking standards, lot coverage, and setbacks. The R-1 Zoning District is a single-family residential that allows multi-family development if they do not exceed 7 dwelling units per acre. This proposal meets the development standards, is aesthetically designed to blend with neighboring single-family and multi-family facilities, consistent with the intent of the zoning districts.*

(5) How is your proposal consistent with uses and zoning of neighboring properties? *This proposal is consistent with uses and zoning of neighboring residential and commercial properties because of the mixed-use residential aspect of the neighborhood along the Apple Tree Resort complex. The uses in the adjacent neighborhood consist of the existing single family, and multi-family residential complexes located to the west and north of this proposed development. There is traditional retail and restaurants located to the north and south. The project site is also adjacent to Apple Tree Golf Course, and the West Valley Schools all which provide recreational opportunities important to the townhouse*



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*living lifestyle. All these uses occur within the immediate area of the subject property, and consist of a mixture of zoning districts. This is a classic mixed-use neighborhood, and the proposed project is consistent with surrounding uses and zoning. The multi-family townhouse complex use is permitted in the R-1 zoning district.*

(6) How is your proposal in the best interest of the community? *This proposal is in the best interest of the community because it provides the community additional upscale multi-family townhouse options. The proposal will create new living options at a convenient location, with good access to recreation and local retail and eating establishments, all in the best interest of the community.*

### **XIII. Applicable City Ordinance Provisions Relative to the Proposed**

**Class (2) Triplex Uses.** City of Yakima ordinance provisions which are applicable to the three proposed Class (2) triplex uses include the following:

(1) YMC § 15.04.020(B): Class (2) Land Use Defined: Pursuant to YMC §15.04.020(B), Class (2) uses are generally permitted in the district. However, the compatibility between a Class (2) use and the surrounding environment cannot be determined in advance, and occasionally a Class (2) use may be incompatible at a particular location. Therefore, a Type (2) review by the administrative official is required in order to promote compatibility with the intent and character of the district and the policies and development criteria of the Yakima urban area comprehensive plan. The procedures in YMC Chapter 15.14 shall be used to review and evaluate Class (2) uses. In certain circumstances, the administrative official may require that a Class (2) use undergo a Type (3) review, as provided within this title.

(2) YMC §15.14.020: Type (2) Review: Type (2) Review is required for any proposed use shown on Table 4-1 as a Class (2) use, for Class (1) uses requiring Type (2) review in YMC §15.13.020; and for other specific reviews established by this YMC Title 15.

(3) YMC §15.02.020: Compatibility Defined: "Compatibility" means the characteristics of different uses or developments that permit them to be located near each other in harmony with or without special mitigation measures.



(4) YMC §15.10.020: Development, Multifamily Defined: “Development, multifamily” means a structure or structures, or portion thereof, designed for occupancy by three or more families living independently of each other and containing three or more attached or detached dwelling units on a lot. Any combination of three-plus, duplex and detached single-family dwellings that have a common driveway access on a single lot of record is considered multifamily development.

(5) Parking: YMC §15.06.040, Table 6-1: Spaces Required: Multifamily Development with 10 units or less requires two spaces per unit.

(6) Parking: YMC §15.06.090(A): Landscaping: The standard for landscaping of parking and vehicle storage lots with five or more spaces shall be ten percent of the total parking area.

(7) Parking: YMC §15.06.100: Lighting: Lighting shall be provided to illuminate any off-street parking or loading space used at night. When provided, lighting shall be directed to reflect away from adjacent and abutting properties. Parking lots adjacent to residential districts or uses shall be designed with down-shielding and luminaries creating no lighting pollution upon those properties. A photometric lighting plan may be required if the parking lot is located adjacent to or abutting residential properties. Further requirements and restrictions are required when the property is located within the airport safety overlay.

(8) Sitescreening: YMC §15.07.050, Table 7-1: Sitescreening Standard A (or a higher standard) shall be installed along the property lines of the triplexes abutting single-family lots.

(9) Sitescreening: YMC §15.07.040(A): Sitescreening Standard A: Sitescreening Standard A consists of a ten-foot-wide landscaped planting strip with trees at twenty-foot to thirty-foot centers, which includes shrubs and groundcover. The administrative official may also require sitescreening standard A along an arterial when such action is consistent with the purpose of this chapter.

(10) Sitescreening: YMC §15.07.040(A): Sitescreening Standard B: Sitescreening Standard B consists of a three-foot-wide planting strip that will create a living evergreen screen that is at least six feet in height within three years.

(11) Sitescreening: YMC §15.07.040(A): Sitescreening Standard C: Sitescreening Standard C consists of a six-foot-high, view-obscuring fence, made of wood, masonry block, concrete, or slatted chain link material. A three-foot-wide



planting strip landscaped with a combination of trees, shrubs and groundcover along the outside of the fence is also required when the fence is adjacent to a street, alley or pedestrian way.

**XIV. Class (2) Triplex Use Criteria and Findings.** Since a Multifamily Development of 0-7 dwelling units per net residential acre is listed as a Class (2) use in the R-1 zoning district by YMC Table 4-1 in YMC §15.04.030, the Hearing Examiner's findings and conclusions relative to the proposed triplex use to be located on Lots 61, 62 and 63 are required to include specific reasons and ordinance provisions demonstrating that the triplex use satisfies the following Class (2) use requirements set forth in YMC §15.04.020(B), §15.14.040(G), §15.02.020 and similar Type (3) Review criteria set forth in YMC §15.15.040(I):

**(1) Compliance and Compatibility with the Policies, Objectives and Development Standards of the Comprehensive Plan.** The proposed triplexes are compliant and compatible with the Low Density Residential designation of the property because they will be located within a plat that will be developed primarily for single-family residences without being incompatible with them. They are compliant and compatible with Goal 2.3 which is to preserve and enhance the quality, character and function of Yakima's residential neighborhoods; Policy 2.3.1 which is to provide for a wide variety of housing types within the City to meet the full range of housing needs for Yakima's evolving population; Policy 2.3.2 which is to preserve and enhance established residential neighborhoods. Specifically: ... (A) Ensure that new development is compatible in scale, density and aesthetic quality to an established neighborhood; Goal 5.1 which is to encourage diverse and affordable housing choices; and Goal 5.2 which is to preserve and improve existing residential neighborhoods.

**(2) Compliance and Compatibility with the Intent and Character of the Single-Family Residential (R-1) Zoning District.** The proposed three triplexes in addition to 29 single-family residences would be compliant and compatible with the intent of the Single-Family Residential (R-1) zoning district described in YMC §15.03.020(B)(1) which allows uses other than single-family



residences if they are compatible with the district and serve the residents of the district. The proposed three triplexes would also be compliant and compatible with the intent of the Single-Family Residential (R-1) zoning district described in YMC §15.03.020(B)(3) which allows moderate-density residential development up to seven dwelling units per net residential acre in areas served by public water and sewer. The proposed three triplexes would also be compliant and compatible with the intent of the Single-Family Residential (R-1) zoning district described in YMC Table 4-1 in YMC §15.04.030 which allows such multifamily uses as Class (2) uses that are generally permitted in that zone. The proposed three triplexes would finally also be compliant and compatible with the character of this Single-Family Residential (R-1) zoning district because there are mixed residential and commercial uses in this area with multifamily residential complexes located to the west and north of this proposed development.

**(3) Compliance with the Provisions and Standards Established in the Zoning Ordinance.** The applicable provisions and standards in the zoning ordinance include requirements detailed above in Subsection XI(1)(b) and Section XIII. Development standards applicable to the triplexes which are worthy of again noting include the following:

(a) Number of Parking Spaces Required: YMC Table 6-1 in YMC §15.06.040 requires two parking spaces for each unit which means that six parking spaces are required for each of the three triplexes.

(b) Landscaping of Parking Lots Required: YMC §15.06.090(A) requires that landscaping of parking lots with five or more spaces shall be ten percent of the total parking area. The landscaping area may be included to satisfy the lot coverage limitation of YMC Table 5-1.

(c) Lighting of Parking Lots Required: YMC §15.06.100 provides that lighting shall be provided to illuminate any off-street parking or loading space used at night. When provided, lighting shall be directed to reflect away from adjacent and abutting properties. Parking lots adjacent to residential districts or uses shall be designed with down-shielding and luminaries creating no lighting pollution upon those properties. A photometric lighting plan may be required if the parking lot is located adjacent to or abutting residential properties.



(d) Sitescreening: Sitescreening Standard A (or a higher standard) shall be installed along the property lines of the triplex lots abutting single-family lots.

**XV. The Consistency of the Proposed Triplex Uses with Development Regulations and the Comprehensive Plan under the Criteria Required by YMC §16.06.020(B)** is determined by consideration of the following factors:

(1) **The types of land uses permitted at the site** include the proposed three triplexes which are allowed as Class (2) uses in the R-1 zoning district if, as here, the criteria for approval of the proposed Preliminary Plat with a triplex on Lot 61, on Lot 62 and on Lot 63 are satisfied.

(2) **The density of residential development** of 2.71 residential dwelling units per net residential acre which would consist of 29 single-family residences and 3 triplexes on approximately 14.03-acres would not exceed the maximum density of 60 percent lot coverage allowed in the R-1 zoning district where 0-7 dwelling units per net residential acre are allowed as a Class (2) use.

(3) **The availability and adequacy of infrastructure and public facilities** is not an issue here since there are adequate public and private utility services available for the plat and for the triplexes and since there is adequate access to the site by way of South 86<sup>th</sup> Avenue and Apple Tree Parkway.

(4) **The characteristics of the development** will be consistent with the development regulations and Comprehensive Plan considerations as discussed in detail above, and no administrative adjustments or variances of development standards have been requested.

**CONCLUSIONS**

Based upon the foregoing Findings, the Hearing Examiner reaches the following Conclusions:



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(1) Pursuant to YMC §1.43.080, §14.20.100 and §15.11.100(A)(1), the Hearing Examiner has jurisdiction to recommend approval by the Yakima City Council of the proposed Preliminary Plat and the three Class (2) triplex uses.

(2) Public notice for the August 26, 2021, open record public hearing was provided in accordance with zoning ordinance requirements.

(3) A SEPA Determination of Nonsignificance (DNS) for this proposed Preliminary Plat and the three Class (2) triplex uses was issued on August 5, 2021, and became final without any appeals.

(4) No testimony or written comments were submitted in opposition to the proposed Preliminary Plat or the triplexes.

(5) This proposed Preliminary Plat with a triplex on three of the lots serves the public use and interest because it provides for new additional housing within the City of Yakima.

(6) This Preliminary Plat with three triplexes complies with the goals and objectives of the Urban Area Comprehensive Plan, the intent and purpose of the R-1 zoning district and the provisions of the Urban Area Zoning Ordinance, the Subdivision Ordinance, the Title 12 Development Standards, and the Traffic Concurrency Ordinance.

(7) The proposed Preliminary Plat complies with RCW 58.17.110 and YMC §14.20.100(A) by making appropriate provisions for the public health, safety, and general welfare, open spaces, drainage ways, streets or roads, alleys and other public ways, transit stops, potable water supplies, irrigation and other water suppliers, sanitary waste disposal, parks and recreation, playgrounds, schools and school grounds, sidewalks, and other planning features that assure safe walking conditions for students who walk to and from school and by serving the public use and interest.

(8) This proposed Preliminary Plat with Class (2) triplex uses complies with the YMC §16.06.020(B) criteria for making a Determination of Consistency.



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(9) The proposed Preliminary Plat and the proposed Class (2) triplex uses satisfy all of the requisite criteria for their approval.

## RECOMMENDATIONS

Pursuant to YMC §15.05.030(E) and YMC §15.11.100(A)(1) which require that a decision relative to proposed Class (2) triplex uses shall also constitute a recommendation to the City Council because it is consolidated with a Preliminary Long Plat application, the Hearing Examiner recommends to the Yakima City Council that these applications for a proposed Preliminary Long Plat with a triplex to be located on Lot 61, on Lot 62 and on Lot 63 as described in the information and documentation submitted for City File Nos. PLP#001-21, CL2#023-21 and SEPA#004-21 be **APPROVED**, subject to the following conditions:

(A) Prior to approval of the final plat, all required improvements shall be constructed or financially secured according to the standards and requirements of the City Engineer and YMC Title 12;

(B) All lots shall be served with public water from the Nob Hill Water Association. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification from Nob Hill Water Association must be submitted to the Planning Division indicating that each lot within the plat has been served with domestic water and that applicable fees have been paid;

(C) All lots shall be provided with public sewer service according to YMC Title 12 standards. Prior to final plat approval written verification from the City of Yakima Engineering Department must be provided to the Planning Division indicating that all sewer extensions have been completed and inspected or financially secured;



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(D) A minimum eight-foot-wide public utility easement shall be provided adjacent to all public road rights-of-way;

(E) Easements for new and/or future utilities shall be a minimum of 16 feet in width, provided that the width of easements for buried utilities will be twice the depth of the planned excavation;

(F) All public and private utilities shall be located underground, with the exception of telephone boxes and such similar structures;

(G) All public and private utilities to be located within public road rights-of-way must be constructed prior to the start of road construction;

(H) All interior roads on the preliminary plat shall be constructed with curb, gutter, sidewalks on both sides of the street, and street lighting in accordance with YMC Chapter 12.06, Standard Detail R5, and WSDOT Curb and Sidewalk Plans F-10.12-03;

(I) An excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but the cost will be 150 percent of the restoration fee with no PCI discount;

(J) All frontage improvements shall be completed or bonded for prior to final long plat approval. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements;

(K) At the discretion of the City Engineer, the owner may bond for required frontage improvements or enter into a deferral agreement for future participation in the cost of any frontage and/or roadway improvement of a Local Improvement District (LID) which is constructed abutting the owner's property. The bond or deferral agreement shall be executed and recorded prior to or as part of approval of the plat;

(L) Fire hydrants shall be placed at the locations specified by the Building Codes, Planning Division, and the Yakima Fire Department. All lots must be provided with adequate fire flow;



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(M) All permits that are required by the Yakima Regional Clean Air Agency shall be obtained;

(N) Soil sampling shall be conducted prior to development under the Model Toxics Control Act in accordance with Department of Ecology standards;

(O) Streetlights shall be installed per the direction of the Engineering Division;

(P) This plat shall be subject to the following notes, which must be placed on the face of the plat:

1. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Yakima Building Codes Division is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.
2. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site;

(Q) Irrigation approval is required, and shall be shown on the face of the final plat;

(R) A current title report covering the subject property must accompany the final long plat;

(S) Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year;

(T) Because the Type (2) Review request is part of the overall Preliminary Long Plat, that approval shall be applicable so long as the plat remains otherwise conforming;



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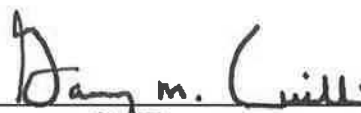
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(U) The applicant shall submit site plans in conformance with all applicable standards of Title 15 to the Planning Division to be approved prior to the issuance of permits for the triplexes;

(V) The applicant is encouraged to conduct a professional archaeological survey of the project area, with copies of any survey to be provided to DAHP and the Planning Division; and

(W) All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.

**DATED** this 10<sup>th</sup> day of September, 2021.



Gary M. Cuillier, Hearing Examiner



## EXHIBIT LIST

[illegible]





DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**CITY OF YAKIMA PLANNING DIVISION'S  
FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION  
for  
REQUEST FOR PRELIMINARY LONG PLAT  
and TYPE (2) REVIEW**

**File Numbers: PLP#001-21, CL2#023-21, & SEPA#004-21**

<b>APPLICANT:</b>	Apple Tree Construction Company LLC
<b>APPLICANT ADDRESS:</b>	2550 Borton Rd., Yakima, WA 98903
<b>PROJECT LOCATION:</b>	9300 Apple Tree Pkwy.
<b>TAX PARCEL NUMBER:</b>	171201-13405, 181206-23014, -23026, -23401, -23402, & -23404
<b>DATE OF REQUEST:</b>	February 22, 2021
<b>DATE OF RECOMMENDATION:</b>	August 26, 2021
<b>STAFF CONTACT:</b>	Eric Crowell, Associate Planner

**I. DESCRIPTION OF REQUEST:**

Preliminary Long Plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts, in the R-1 zoning district.

**II. SUMMARY OF DECISION:**

The Administrative Official recommends **approval** of the Preliminary Plat and Type (2) Review, subject to conditions.

**III. FACTS:**

**A. Processing**

1. The application for a Preliminary Long Plat was received on February 22, 2021.
2. The application for a Type (2) Review was received on May 25, 2021.
3. The application was deemed complete for processing on May 28, 2021.
4. The applications are being processed under YMC Ch. 14.20 for Subdivision, YMC Ch. 15.14 for Type (2) Review, and YMC Ch. 6.88 for SEPA Environmental Review.
5. Pursuant to YMC Ch. 1.43, the Hearing Examiner has the authority to make a decision on matters prescribed by YMC Title 15.
6. **Public Notice:** In accordance with YMC Title 14, Subdivision Ordinance; YMC Title 15, Urban Area Zoning Ordinance; and YMC Title 16, Development Permit Regulations, notice was provided for this application as follows:



- a. The subject property was posted with a land use action sign on April 9, 2021.
- b. A Notice of Application and Environmental Review was sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on May 28, 2021.
- c. The 20-day public comment period for SEPA ended on June 17, 2021, and no comments were received.
- d. A Notice of Public Hearing was sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on August 5, 2021.

7. **Environmental Review:** This application was required to undergo State Environmental Policy Act (SEPA) review because it proposed to subdivide a parcel of land into more than nine lots. A Determination of Non-Significance (DNS) was issued on August 5, 2021, and was not appealed.

**B. Transportation Concurrency:** The applicant applied for Transportation Concurrency (TCO#003-21) on February 22, 2021, and was approved for Concurrency on August 18, 2021. The development will not exceed the PM peak hour capacity of the city arterial system and reserve capacity exists on all impacted streets.

**C. Current Zoning and Land Use:**

1. The subject property is approximately 14.03 acres, is zoned Single-Family Residential (R-1), and is current vacant.
2. The main purpose of the Yakima Urban Area Zoning Ordinance (UAZO) is to implement the Yakima Urban Area Comprehensive Plan and promote the general health, safety and welfare of the present and future inhabitants of the Yakima Urban Area. YMC § 15.03.020 (B) provides that the purpose of the Single-Family Residential District is intended to:
  - a. Establish new residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents of, this district, which may include duplexes and zero lot lines if established during the subdivision process;
  - b. Preserve existing residential neighborhoods for detached single-family dwellings free from other uses to ensure the preservation of the existing residential character, and serve the residents of this district; and
  - c. Locate moderate-density residential development, up to seven dwelling units per net residential acre, in areas served by public water and sewer system.



Detached single-family dwellings are the primary use in this district. The district is characterized by up to sixty percent lot coverage; access to individual lots by local access streets; required front, rear and side yard setbacks; and one- and two-story structures. The density in the district is generally seven dwelling units per net residential acre or less.

This zone is intended to afford single-family neighborhoods the highest level of protection from encroachment by potentially incompatible nonresidential land uses or impacts. Nonresidential uses within these zones are not allowed; except for public or quasi-public uses, which will be required to undergo extensive public review and will have all necessary performance or design standards assigned to them as necessary to mitigate potential impacts to adjacent residences.

Duplex and multifamily development up to seven dwelling units per net residential acre may be allowed in accordance with Table 4-1.

3. The surrounding properties contain uses and zoning as follows:

Direction	Zoning	Land Use
North	R-1	Golf Course
South	R-1	Golf Course
East	R-1	Residential
West	R-1	Residential

**D. Type (2) Review—Written Narrative**

Pursuant to YMC § 15.13.030, the applicant has submitted Type (2) application for the benefit of this subdivision in order to add triplexes to three parcels, and has provided in the application (dated May 25, 2021) the following statements explaining the applicant's reasons for the Type (2) Review:

1. Fully describe the proposed development, including number of dwelling units and parking spaces. If the proposal is for a business, describe hours of operation, days per week and all other relevant information related to the business.

*The proposed Apple Tree No.4 - Phase 2 project property is located at 9300 Apple Tree Parkway, Yakima, Washington. The proposed project will consist of three multi-family tri-plex townhouse lots, lots 61-63, of the proposed Apple Tree No.4- Phase 2 long plat lots. The 3 tri-plex lots vary in size from 18,669 square feet to 23,363 square feet. Apple Tree Parkway is private gated road, and was constructed as part of Phase 1, and will not need to be improved as part of this project. The lots will have frontage onto the private roadway. The three lots will contain the proposed 9 townhouse units.*

*Access to the lots will be from private roads, and access easements extending throughout the proposed Apple Tree No.4 - Phase 2 plat, off S. 861h Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. All storm water is proposed to be retained on-site in*



*underground infiltration trenches. The drainage structures shown represent the actual structures installed in the phase 1 stormwater design.*

*The property is proposed to be landscaped with normal residential multi-family type landscaping. Interior landscaping will consist of trees, shrubs, and low ground cover plantings. Lot coverage has been calculated at approximately 50 percent on the parcel. The height of the new structures will be approximately 30 feet and is likely to be constructed of glass, and wood. The maximum building height in the R-1 zoning district is 35 feet.*

*Pedestrian access to the building will be by the existing concrete sidewalks.*

2. How is the proposal compatible to neighboring properties?

*The proposed new Apple Tree No.4 - Phase 2 multi-family townhouse lots are compatible to neighboring properties because the properties located to the north of these proposed lots in other phase of Apple Tree are similar existing multi-family townhouse units. The proposed new multi-family lots will complement the design and construction of adjacent existing single-family homes, as well the multi-family townhouse in other locations of Apple Tree resort. The neighboring properties are a mixture of retail, restaurants, single family, and multi-family residential houses.*

*This proposal is similar in nature to other neighboring new single-family and multi-family developments adjacent to the property. The general hours of operation are the same, and the amount of traffic is similar.*

3. What mitigation measures are proposed to promote compatibility?

*The proposed new Apple Tree No.4 - Phase 2 multi-family apartment complex is close to existing multi-family property with similar uses, and it is believed mitigation measures are not necessary to be compatible with the neighborhood. The units will be designed and constructed by same design and construction companies as the adjacent single-family homes, so they can control the appearance to assure uniformity with construction appearance. The proposed facility will be compatible with and provide additional upscale multi-family townhouse facilities. The complex will have similar hours of operation and traffic volumes as the adjacent multi-family complexes and provide additional patrons to the adjacent retail business. Driveway and garage parking will be constructed and landscaped in accordance with City of Yakima Code requirements.*

4. How is your proposal consistent with current zoning of your property?

*This proposal is consistent with the current zoning of the property because it is a tri-plex multi-family townhouse complex on an R-1 zoned property. The proposal meets the development standards of the district, specifically building height, parking standards, lot coverage, and setbacks. The R-1 Zoning District is a*



*single-family residential that allows multi-family development if they do not exceed 7 dwelling units per acre. This proposal meets the development standards, is aesthetically designed to blend with neighboring single-family and multi-family facilities, consistent with the intent of the zoning districts.*

5. How is your proposal consistent with uses and zoning of neighboring properties?

*This proposal is consistent with uses and zoning of neighboring residential and commercial properties because of the mixed-use residential aspect of the neighborhood along the Apple Tree Resort complex. The uses in the adjacent neighborhood consist of the existing single family, and multi-family residential complexes located to the west and north of this proposed development. There is traditional retail and restaurants located to the north and south. The project site is also adjacent to Apple Tree Golf Course, and the West Valley Schools all which provide recreational opportunities important to the townhouse living lifestyle. All these uses occur within the immediate area of the subject property, and consist of a mixture of zoning districts. This is a classic mixed-use neighborhood, and the proposed project is consistent with surrounding uses and zoning. The multi-family townhouse complex use is permitted in the R-1 zoning district.*

6. How is your proposal in the best interest of the community?

*This proposal is in the best interest of the community because it provides the community additional upscale multi-family townhouse options. The proposal will create new living options at a convenient location, with good access to recreation and local retail and eating establishments, all in the best interest of the community.*

**E. Development Services Team Review:** A Development Services Team (DST) Review was conducted the week of March 8, 2021, for technical review of this project. The following comments were received:

1. Code Administration:

a. Pursuant to the Chapter 5 of the Washington State Fire Code (WSFC), publicly available fire hydrants will be required along streets spaced at intervals that will provide required fire flow coverage for proposed structures in accordance with WSFC Appendix C.

b. These findings are not intended to be an exhaustive review of this proposal.

c. Preliminary addressing for the Plat is as follows:

Lot 1	8611 Apple Tree Pkwy.	Lot 12	9101 Apple Tree Pkwy.	Lot 56	9204 Apple Tree Pkwy.
Lot 2	8609 Apple Tree Pkwy.	Lot 13	9103 Apple Tree Pkwy.	Lot 57	9202 Apple Tree Pkwy.
Lot 3	8801 Apple Tree Pkwy.	Lot 14	9201 Apple Tree Pkwy.	Lot 58	9200 Apple Tree Pkwy.
Lot 4	8803 Apple Tree Pkwy.	Lot 15	9203 Apple Tree Pkwy.	Lot 59	9102 Apple Tree Pkwy.
Lot 5	8805 Apple Tree Pkwy.	Lot 16	9205 Apple Tree Pkwy.	Lot 60	9100 Apple Tree Pkwy.



Lot 6	8807 Apple Tree Pkwy.	Lot 32	9513 Apple Tree Pkwy.	Lot 61	9002 Apple Tree Pkwy. #1-3
Lot 7	8809 Apple Tree Pkwy.	Lot 33	9515 Apple Tree Pkwy.	Lot 62	9000 Apple Tree Pkwy. #1-3
Lot 8	8901 Apple Tree Pkwy.	Lot 34	9517 Apple Tree Pkwy.	Lot 63	8900 Apple Tree Pkwy. #1-3
Lot 9	8903 Apple Tree Pkwy.	Lot 35	9519 Apple Tree Pkwy.	Lot 65	8607 Apple Tree Pkwy.
Lot 10	9001 Apple Tree Pkwy.	Lot 39	9514 Apple Tree Pkwy.	Lot 66	8605 Apple Tree Pkwy.
Lot 11	9003 Apple Tree Pkwy.	Lot 55	9300 Apple Tree Pkwy.		

## 2. Engineering

- a. 8.67 and 12.05 – Street improvements shall conform to standard detail R3, including private streets, unless otherwise approved by City Engineer. New sidewalks shall be constructed per standard detail R5.
- b. 8.64 – Driveways to be constructed per this chapter and standard detail R4.
- c. 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way.
- d. 12.02 – Easements will need to be established per this chapter.
- e. 12.06 – Private streets shall be constructed with curbs, sidewalks, and street lighting and shall otherwise conform to the standards for public streets. Private streets shall provide cul-de-sac/hammer head turnaround to accommodate emergency and refuse collection vehicles.
- f. 12.06.050 Cul-de-sac streets – Cul-de-sacs shall be constructed within a street right-of-way eighty feet in diameter and have an improved diameter of sixty-five feet. The maximum length of a cul-de-sac street shall be six hundred feet measured along the street centerline from the nearest through street intersection to the center of the cul-de-sac.
- g. YMC 14.05.200 / 14.20.130 – All frontage improvements shall be completed prior to long plat approval. At the discretion of the City Engineer, the owner may bond for required frontage improvements. Bonding shall be executed and recorded prior to or as part of approval of the long plat. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements. All frontage improvements shall be completed prior to Certificate of Occupancy. Civil engineering plans for public improvements shall be approved prior to issuance of building permits.

## 3. Nob Hill Water Association

- a. Nob Hill Water is currently installed in phase 4 of Apple Tree. However, our main line must be extended to Ahtanum to provide the necessary fire flow for homes in the area. This tie in will also improve reliability and water quality in this development.



4. Surface Water
  - a. For the long plat I have no comments. When civil plans are produced for this project a Large Project Stormwater Permit shall be required.
5. Wastewater
  - a. All proposed lots appear to have sewer available except Lots 1, 2, and 65. Sewer will need to be extended per YMC Title 12 requirements and per COY Wastewater Standard Details.
6. Department of Ecology
  - a. Historical aerial photos indicate a portion of your property was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. This project is required to conduct soil sampling prior to development under the Model Toxics Control Act (Chapter 173-340 WAC).
  - b. If sampling indicates elevated levels of lead and arsenic, cleanup will be required. The Department of Ecology plans to use Model Remedies for lead and arsenic pesticide contamination in historical orchards of Central Washington. A Focus Sheet on the Model Remedies can be found at <https://apps.ecology.wa.gov/publications/documents/2109007.pdf>.
  - c. Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.
  - d. Ecology can provide free initial sampling, as well as free technical assistance for your project.
  - e. Please contact Jeff Newschwander, Project Manager, at 509-388-5223 or email [jeff.newschwander@ecy.wa.gov](mailto:jeff.newschwander@ecy.wa.gov), for further information or to schedule your initial sampling.
7. Ahtanum Irrigation District
  - a. Please note that parcel 171201-13405 is not within our District's boundaries.
  - b. Our records indicate the above-listed parcels falling within 181206 have no surface water right as established in the Final Decree (2019), the Conditional Final Order Subbasin No. 23 (Ahtanum) (2019), and the Final Schedule of Rights dated May 9, 2019 in State of Washington, Dept. of Ecology v. Acquavella, et al (2019).
  - c. However, our Board must sign off on the plat for this subdivision. The surveyor will need to provide us with the original Mylar, as well as one copy, for District signature. As our Board meets once per month, please telephone in advance for meeting dates to avoid delays.



8. Department of Archaeology and Historic Preservation

- a. A review of our statewide predictive model has identified the project area as having a very high probability for archaeological resources. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.
- b. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.
- c. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports.

**F. Applicable Law—Subdivision**

1. YMC § 15.05.030 (A): Creation of new lots—Subdivision requirements: Table of Subdivision Requirements: Pursuant to YMC § 15.05.030 (A), this table establishes basic development criteria for lot size and width that must be met when reviewing an application for a new subdivision. For detached single-family dwelling construction in the R-3 zoning district, the required minimum lot size is 6,000 square feet.
2. YMC § 15.05.055 (1): New development improvement standards: Fire apparatus access roads for multiple-family residential developments and one- or two-family residential developments shall be subject to the provisions of Sections D106 and D107, respectively, of Appendix D of the International Fire Code (2009 Edition). Additionally, such residential developments shall be subject to the requirements of Section D105 of Appendix D, International Fire Code (2009 Edition), pertaining to aerial fire apparatus roads, as applicable. All provisions of the International Fire Code referenced above are hereby adopted and incorporated herein by this reference, as now existing or as hereafter amended and adopted by the city. Minimum requirements for the primary and secondary access will be at least twenty feet wide, unobstructed, paved lanes.
3. YMC § 12.02.010: Establishment of easements: Public utility easements shall be established for the location of new and proposed public utility lines serving new land divisions and land development. Public utility easements shall also be established across the front of new lots and redeveloped lots to provide future utility access as determined necessary by the city engineer. Public utility easements shall be dedicated (granted) at the time that subdivision and/or land use approval is granted.



4. YMC § 12.02.020: Easement location and width: Eight-foot-wide utility easements shall be dedicated along the front of each lot in subdivisions and short subdivisions. Easements for new and/or future utility lines shall be a minimum of eight feet in width, or twice the buried depth of the utility, whichever is greater.
5. YMC § 12.03.010: Sewer service required: Pursuant to YMC § 12.03.010, all new lots and development shall be served by a sanitary sewer line located adjacent to the lot or development site.
6. YMC § 12.03.040: Minimum sewer size: The minimum size for public sewer lines is eight inches in diameter.
7. YMC § 12.03.070: Side sewer service: Each building containing sanitary facilities shall be served by a separate private side sewer line from a public main. Branched side sewers serving multiple buildings and properties shall not be permitted. Single side sewers serving multi-unit buildings are permitted.
8. YMC § 12.03.090: Gravity flow required: Sewer lines shall be designed for gravity flow operation. Lift stations and force mains (pressurized lines) shall be limited to those locations and circumstances where they are consistent with the comprehensive sewer plan and are the preferable short-term solution to service of the development site and other properties in the vicinity.
9. YMC § 12.04.010: Water service required: All new lots and development shall be served by a public water supply line maintained by the city of Yakima, Nob Hill Water Company, or other water purveyor, and located adjacent to the lot or development site. The water line shall be capable of providing sufficient flow and pressure to satisfy the fire flow and domestic service requirements of the proposed lots and development as approved by the city engineer in cooperation with the code administration manager and water irrigation division manager.
10. YMC § 12.04.020: Water line extension required: Water lines shall be extended to the point where the adjoining property owner's responsibility for further extension begins. This typically requires extension across the street or easement frontage of the developing property. In some cases it will require dedication of an easement and a line extension across the property or extension along two or more sides of the developing property. Extensions will be consistent with and implement the city's adopted water comprehensive plan.
11. YMC § 12.04.040: Minimum size and material standards: New water lines in the city of Yakima water system shall be constructed of Class 52 ductile iron and shall be a minimum of eight inches in diameter. Improvements and additions to the Nob Hill Water Company system shall conform to the requirements of Nob Hill Water Company.
12. YMC § 12.05.010: Sidewalk installation required: Sidewalks shall be installed along both sides of all new, improved, and reconstructed streets. Projects which repair small portions of or maintain existing street shall not be considered "improvement" for the purpose of this section and shall not trigger the



requirements of this section. Sidewalks shall also be installed across the frontage of all newly developed or redeveloped lots where feasible.

13. YMC § 12.06.010: Street types, functional classification: The Yakima urban area comprehensive plan, and/or the West Valley neighborhood plan, designates the functional classification of the principal arterial, minor arterial and collector streets and establishes their functional classification. All other streets are classified as local residential access.
14. YMC § 12.06.030: Design standards, adjustment of standards: ... Final design of street improvements is subject to approval by the city engineer. The city engineer, at his discretion, is authorized to adjust these standards as necessary to facilitate the construction of new streets and improvement of existing streets. Projects which repair small portions of or maintain existing streets shall not be considered "improvements" for the purposes of this section.
15. YMC § 12.06.070: Provision of street curbing: Barrier curbs shall be installed along all public streets. Rolled mountable curbs may be permitted along residential access streets. Curb design shall be consistent with the standards of the city engineer.
16. YMC § 12.06.080: Street lighting: A street light shall be installed at each street intersection and at mid block if the block exceeds five hundred feet in length. Street lights shall meet the design and placement standards of the city engineer. Lighting improvements shall become the property of the city of Yakima upon installation and will thereafter be maintained by the city.
17. YMC § 14.05.200 (A-B): Allowance of bond in lieu of actual construction of improvements prior to approval or short plat or final plat: The subdivision or short subdivision applicant may, as an alternative to actual construction of any required improvements, provide a surety bond or other secure method providing for and securing to the city the actual construction of required improvements within a specified period of time and expressed in a bond or other appropriate instrument establishing such security. Any bond or other method of securing actual construction of required improvements shall specify the improvements covered and the schedule for completion.

In cases of subdivision, the bond or other method of securing actual construction of required improvements shall be subject to approval by the city engineer and city attorney prior to approval of the final plat by the city council. In cases of short subdivisions, the bond or other method of securing actual construction of required improvements shall be subject to approval by the city engineer and city attorney prior to approval of the final short plat by the administrator. In no case shall the amount of the bond or other method of securing actual construction of required improvements be less than one hundred ten percent of the estimated actual cost of the improvements based upon the approved civil engineering design of the required improvements.

18. RCW 58.17.110 (1) and YMC § 14.20.120: The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If



appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

**G. Applicable Law—Type (2) Review**

1. YMC § 15.04.020 (B): Class (2) Land Use Defined: Pursuant to YMC § 15.04.020 (B), Class (2) uses are generally permitted in the district. However, the compatibility between a Class (2) use and the surrounding environment cannot be determined in advance, and occasionally a Class (2) use may be incompatible at a particular location. Therefore, a Type (2) review by the administrative official is required in order to promote compatibility with the intent and character of the district and the policies and development criteria of the Yakima urban area comprehensive plan. The procedures in YMC Chapter 15.14 shall be used to review and evaluate Class (2) uses. In certain circumstances, the administrative official may require that a Class (2) use undergo a Type (3) review, as provided within this title.
2. YMC § 15.14.020: Type (2) Review: Type (2) Review is required for any proposed use shown on Table 4-1 as a Class (2) use, for Class (1) uses requiring Type (2) review in YMC 15.13.020; and for other specific reviews established by this title.
3. YMC § 15.02.020: Compatibility Defined: “Compatibility” means the characteristics of different uses or developments that permit them to be located near each other in harmony with or without special mitigation measures.
4. YMC § 15.10.020: Development, Multifamily Defined: “Development, multifamily” means a structure or structures, or portion thereof, designed for occupancy by three or more families living independently of each other and containing three or more attached or detached dwelling units on a lot. Any combination of three-plus, duplex and detached single-family dwellings that have a common driveway access on a single lot of record is considered multifamily development.
5. Parking:
  - i. YMC § 15.06.040, Table 6-1: Spaces Required: Multifamily Development with 10 units or less requires two spaces per unit.
  - ii. YMC § 15.06.090 (A): Landscaping: The standard for landscaping of parking and vehicle storage lots with five or more spaces shall be ten percent of the total parking area.
  - iii. YMC § 15.06.100: Lighting: Lighting shall be provided to illuminate any off-street parking or loading space used at night. When provided, lighting shall be directed to reflect away from adjacent and abutting properties. Parking lots adjacent to residential districts or uses shall be designed with down-shielding and luminaries creating no lighting pollution upon those properties. A photometric lighting plan may be required if the parking lot is located adjacent



to or abutting residential properties. Further requirements and restrictions are required when the property is located within the airport safety overlay.

6. Sitescreening:

- i. YMC § 15.07.050, Table 7-1: Sitescreening Standard A (or a higher standard) shall be installed along the property lines of the triplexes abutting single-family lots.
- ii. YMC § 15.07.040 (A): Sitescreening Standard A: Sitescreening Standard A consists of a ten-foot-wide landscaped planting strip with trees at twenty-foot to thirty-foot centers, which includes shrubs and groundcover. The administrative official may also require sitescreening standard A along an arterial when such action is consistent with the purpose of this chapter.
- iii. YMC § 15.07.040 (A): Sitescreening Standard B: Sitescreening Standard B consists of a three-foot-wide planting strip that will create a living evergreen screen that is at least six feet in height within three years.
- iv. YMC § 15.07.040 (A): Sitescreening Standard C: Sitescreening Standard C consists of a six-foot-high, view-obscuring fence, made of wood, masonry block, concrete, or slatted chain link material. A three-foot-wide planting strip landscaped with a combination of trees, shrubs and groundcover along the outside of the fence is also required when the fence is adjacent to a street, alley or pedestrian way.

**H. Yakima Comprehensive Plan 2040**

1. Defined: Low Density Residential provides for low density residential development.
2. The following goals and policies apply to this proposal:
  - a. Goal 2.3: Preserve and enhance the quality, character, and function of Yakima's residential neighborhoods.
    - i. Policy 2.3.1: Provide for a wide variety of housing types within the city to meet the full range of housing needs for Yakima's evolving population.
    - ii. Policy 2.3.2: Preserve and enhance established residential neighborhoods. Specifically:
      - (A.) Ensure that new development is compatible in scale, density, and aesthetic quality to an established neighborhood.

**IV. SUBDIVISION FINDINGS:**

**A. Background and Processing:**

1. The subject property is currently vacant, is approximately 14.03 acres in size, has a Future Land Use designation of Low Density Residential, and is zoned Single-Family Residential (R-1).
2. Pursuant to RCW Ch. 58.17, YMC § 1.43.080 and YMC § 14.20.100, the City of Yakima Hearing Examiner is authorized to make a recommendation for approval



or disapproval, with written findings of fact and conclusions to support the recommendation to the City Council on preliminary plats due to land use review (Type (2) Review) being part of the application. Within ten working days of the conclusion of a hearing, unless the applicant agrees to a longer period in writing, the Hearing Examiner shall render a written recommendation, which shall include findings and conclusions based on the record.

3. Public notice for this public hearing was provided in accordance with the Yakima Municipal Code.

**B. Site Design and Improvement Standards:**

1. All proposed lots are at least 6,000 square feet in area and have at least the minimum of 20 feet of lot frontage upon a public road in accordance with YMC §15.05.020 (H), and at least the minimum standard lot width of 50 feet in accordance with YMC § 15.05.030 (A) and Table 5-2.
2. Lot Size: The preliminary plat indicates that lot sizes will range from 18,669 square feet to 35,932 square feet, which is consistent with Table 5-1 of Ch. 15.05 of the UAZO for single-family construction.
3. Lot Width: Table 5-2 of Ch. 15.05 of the UAZO requires a minimum lot width for the R-1 zoning district of 50 feet. All proposed lots meet or exceed the minimum requirement.
4. Lot Coverage: The maximum lot coverage permitted in the R-1 zoning district is 60 percent and all lots have sufficient area to comply with this development standard.
5. Setbacks: YMC Ch. 15.05 Table 5-1 identifies the required setbacks for development within the R-1 zoning district. All lots within the proposed plat shall meet the required setbacks as follows:

Location	From Centerline of Right-of-Way	From Property Line
Front, Apple Tree Pkwy.	45 feet	20 feet
Front, access easement	N/A	10 feet
Rear	N/A	15 feet
Side (internal)	N/A	5 feet
Side, Apple Tree Pkwy.	40 feet	10 feet
Side, S. 86th Ave.	40 feet	10 feet

If Tract A will be accessed from S. 86th Ave. and have that access considered the front yard, then the front yard setback will be 50 feet from the centerline of the right-of-way and 20 feet from the property line; otherwise that tract shall fully utilize the above table as appropriate.

6. Maximum Building Height: In accordance with YMC Ch. 15.05 Table 5-1, the maximum building height for development within the R-1 zoning district is 35 feet.



7. Access: In accordance with YMC §15.05.020 (H), all lots have 20 feet of frontage upon a public street, or are accessed by a 20-foot access easement.
8. Sidewalk: Curb, gutter, and sidewalk is installed along Apple Tree Pkwy. If the cul-de-sac or any other portion of Apple Tree Pkwy. is not currently improved, curb, gutter, and sidewalk shall be installed along those portions.
9. Density: With a density of approximately 2.71 dwellings per net residential acre, the proposed preliminary plat complies with YMC § 15.05.030 (B) and Table 4-1 of Ch. 15.04 of the UAZO which allows up to 7 dwelling units per net residential acre in the R-1 zone as Class (1) uses (while multifamily developments are Class (2) uses).
  - a. The Preliminary Long Plat is occurring as a single action and thus the density calculation is based upon a single action of dividing 14.03 acres into 32 residential lots and three tracts.
  - b. Net residential density excluding streets calculated per YMC § 15.05.030
    - $38 \text{ dwelling units} / 14.03 = 2.71 \text{ dwelling units per net residential acre}$
10. Streets/Dedication of Right-of-Way: This project does not require dedication of right-of-way.

**C. Development Standards:**

1. Frontage Improvements
  - a. At minimum, one street light shall be installed midblock on the westernmost section of the loop as the street exceeds 500 feet in total length. Street lighting shall meet the design and placement standards of the city engineer. Lighting improvements shall become the property of the City of Yakima upon installation and will thereafter be maintained by the city.
  - b. Pursuant to Ch. 8.72, an excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but will cost 150 percent of the restoration fee with no PCI discount.
2. Wastewater
  - a. All proposed lots appear to have sewer available except Lots 1, 2, and 65.
  - b. A minimum sixteen foot easement shall be maintained over all public utility lines in accordance with YMC §§ 12.02.010 and 12.02.020.
  - c. All lots with the subject plat shall be served by a separate side sewer line from a public main in accordance with YMC § 12.03.070.
  - d. Sewer is to be installed per the Yakima Municipal Code.



3. Water

- a. The applicant shall extend potable water to the subject plat in accordance with YMC § 12.04.10.
- b. Water is served by the Nob Hill Water Association, and is currently installed along the entirety of Apple Tree Pkwy. However, the main line shall be extended to Ahtanum to provide the necessary fire flow for homes in the area. This tie in will also improve reliability and water quality in this development.

4. Irrigation

- a. All but one of the subject parcels are located within the Ahtanum Irrigation District and therefore irrigation district approval is required upon the final plat.

**D. Easements:** Easements are to be established in accordance with YMC §§ 12.02.010 and 12.02.020.

**E. Subdivision Ordinance**

As proposed, and with the recommended conditions, this preliminary plat meets all the design requirements of YMC Title 14, the City's subdivision ordinance and the development standards of YMC Title 12. The recommended conditions are intended to ensure consistency with the provisions of the City's subdivision ordinance and that appropriate provisions are provided for the following:

1. Public health, safety, welfare: The construction of new single-family and multifamily development will complement adjacent uses and will promote the public health, safety and general welfare insofar as there is a need in this community for additional housing and insofar as this proposed preliminary plat would be required to comply with all applicable City development standards, and all conditions of approval specified by the City of Yakima Planning Commission.
2. Open spaces: The proposed lots are larger than the minimum lot size required in the R-1 zoning district for single-family development and the three multifamily lots meet density requirements. Lot coverage of 60 percent or less in the R-1 zoning district will provide adequate light and air for future residents in accordance with the standards in the zoning ordinance without additional open spaces.
3. Drainage systems: Drainage system facilities will be provided in accordance with state and local regulations including the City of Yakima Municipal Code and the Eastern Washington Storm Water Manual.
4. Streets, alleys, and other public ways: The subject property has frontage upon Apple Tree Pkwy and S. 86th Ave.
5. Water supplies: Public water is required to be used for domestic and fire flow purposes. Water is available to the site from Nob Hill Water Association via Apple Tree Pkwy. and S. 86th Ave.



6. Sanitary waste disposal: Public sewer is required to service all lots within the subject development.
7. Parks and playgrounds: Open space, parks, recreation, and playgrounds are located approximately within four miles of this subdivision due to the proximity of West Valley Park.
8. Sites for schools: Wide Hollow Elementary School and West Valley Middle Level Campus are located approximately 3.2 miles from this subdivision, while West Valley High School is located approximately 4.2 miles away.
9. Sidewalks: Sidewalks shall be installed along any portion of Apple Tree Pkwy. where they are not currently located.
10. Public Transit: Yakima Transit Routes 2 and 5 pass the intersection of S. 64th Ave. and W. Washington Ave. approximately 2.2 miles north of the subdivision.
11. Serves the public interest and use: This proposed 32-lot residential subdivision is consistent with neighboring land uses and better serves the needs of the City of Yakima than the undeveloped status of the property. However, a professional archaeological survey of the project area shall be conducted due to comments received from DAHP.

#### **F. Time Limitation**

1. Upon preliminary plat approval, the applicant has five years from the date of preliminary approval to submit the final plat. Thereafter, 30 days prior to the expiration of preliminary approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year (YMC § 14.20.160). Before the final plat can be recorded, all required infrastructure must be engineered, completed and inspected or engineered and financially secured and receive final plat approval from the Community Development Department.

#### **V. ADDITIONAL TYPE (2) REVIEW FINDINGS:**

- A. Parking: Each triplex building shall provide two parking spaces per unit. The parking lot shall be lit with down-shielding and luminaries creating no lighting pollution upon adjacent residential properties.
- B. Landscaping: On each triplex lot, area equivalent to ten percent of the parking area shall be landscaped.
- C. Sitescreening: Sitescreening Standard A (or a higher standard) shall be installed along the property lines of the triplex lots abutting single-family lots.

#### **VI. CONCLUSIONS:**

- A. The Hearing Examiner has jurisdiction (RCW Ch. 58.17, YMC §§ 1.43.080, and 14.20.100).
- B. This recommendation is based upon a project narrative and site plan received February 22, 2021, with additional materials received through May 25, 2021.



- C. This Preliminary Long Plat complies with the general requirements for subdivision approval as specified by YMC Ch. 14.20 and 15.05.
- D. During project review it has been found that this request is in compliance with YMC § 16.06.020 (B) for making a Determination of Consistency as follows:
  - 1. The use is permitted within the R-1 zoning district.
  - 2. All necessary public facilities are available to serve the site.
  - 3. This proposal is consistent with existing development regulations for this location.
- E. A Determination of Nonsignificance (DNS) was issued on August 5, 2021, for this proposed development, and was not appealed.
- F. This proposed subdivision serves the public use and interest and provides for the possibility of creating new additional housing within the City of Yakima.
- G. This preliminary subdivision complies with the goals and objectives of the Urban Area Comprehensive Plan, the intent and purpose of the R-1 zoning district, the provisions of the Urban Area Zoning Ordinance, Subdivision Ordinance, Title 12 Development Standards, and Chapter 12.08 the Traffic Concurrency Ordinance.
- H. The proposed plat complies with the provisions of RCW 58.17.110 and YMC § 14.20.100, providing appropriately for: the public health, safety, and general welfare, open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, sidewalks, and other planning features that assure safe walking conditions for residents of the neighborhood.

**VII. RECOMMENDATION:**

The Planning Division recommends that this subdivision known as "Apple Tree No. 4 Phase 2," file number PLP#001-21, be approved based upon the above findings and conclusions and subject to the conditions of approval as follows:

- A. Prior to approval of the final plat, all required improvements shall be constructed or financially secured according to the standards and requirements of the City Engineer and YMC Title 12;
- B. All lots shall be served with public water from the Nob Hill Water Association. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification from Nob Hill Water Association must be submitted to the Planning Division indicating that each lot with the plat has been served with domestic and applicable fees paid;
- C. All lots shall be provided with public sewer service according to YMC Title 12 standards. Prior to final plat approval written verification from the City of Yakima Engineering Department must be provided to the Planning Division indicating that all sewer extensions have been completed and inspected or financially secured;



- D. A minimum eight-foot-wide public utility easement shall be provided adjacent to all public road rights-of-way;
- E. Easements for new and/or future utilities shall be a minimum of 16 feet in width, provided that the width of easements for buried utilities will be twice the depth of the planned excavation;
- F. All public and private utilities shall be located underground, with the exception of telephone boxes and such similar structures;
- G. All public and private utilities to be located within public road rights-of-way must be constructed prior to the start of road construction;
- H. All interior roads on the preliminary plat shall be constructed with curb, gutter, sidewalks on both sides of the street, and street lighting in accordance with YMC Ch. 12.06, Standard Detail R5, and WSDOT Curb and Sidewalk Plans F-10.12-03;
- I. An excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but will cost 150 percent of the restoration fee with no PCI discount;
- J. All frontage improvements shall be completed or bonded for prior to long plat approval. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements;
- K. At the discretion of the City Engineer, the owner may bond for required frontage improvements or enter into a deferral agreement for future participation in the cost of any frontage and/or roadway improvement of Local Improvement District (LID) which is constructed abutting the owner's property. The bond or deferral agreement shall be executed and recorded prior to or as part of approval of the plat;
- L. Fire hydrants shall be placed at the locations specified by the Building Codes, Planning Division, and the Yakima Fire Department. All lots must be provided with adequate fire flow;
- M. All permits required by the Yakima Regional Clean Air Authority shall be obtained;
- N. Soil sampling shall be conducted prior to development under the Model Toxics Control Act in accordance with Department of Ecology standards;
- O. Streetlights shall be installed per the direction of the Engineering Division;
- P. This plat shall be subject to the following notes, which must be placed on the face of the plat:
  - 1. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Yakima Building Codes Division is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.



2. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site;
- Q. Irrigation approval is required, and shall be shown on the face of the final plat;
- R. A current title report covering the subject property must accompany the final long plat;
- S. Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year;
- T. Because the Type (2) Review request is part of the overall preliminary long plat, that approval shall be applicable so long as the plat remains otherwise conforming;
- U. The applicant shall submit site plans in conformance with all applicable standards of Title 15 to the Planning Division and be approved prior to the issuance of permits for the triplexes;
- V. Prior to the issuance of any permits, a professional archaeological survey of the project area shall be conducted, with copies of the survey provided to DAHP and the Planning Division; and
- W. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.



## EXHIBIT LIST

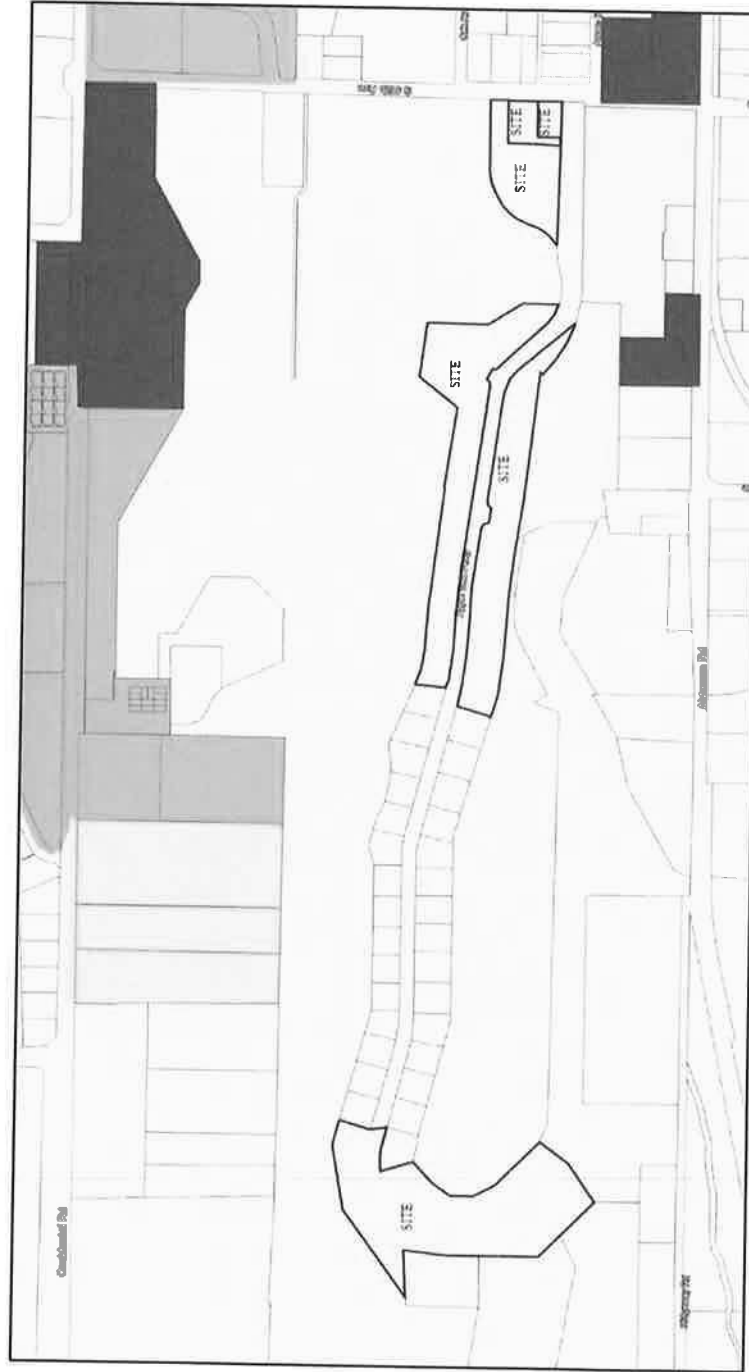
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**Project Name:** APPLE TREE NO 4 PHASE 2  
**Site Address:** 9300 APPLE TREE PARKWAY  
**File Number(s):** PLP#001-21, SEPA#004-21, CL2#023-21



## ZONING MAP



- Yakima Urban Area Zoning**
- SR Suburban Residential
  - R-1 Single Family
  - R-2 Two Family
  - R-3 Multi-Family
  - B-1 Professional Business
  - B-2 Local Business
  - HB Historical Business
  - SCC Small Convenience Center
  - LCC Large Convenience Center
  - CBD Central Business District
  - GC General Commercial
  - M-1 Light Industrial
  - M-2 Heavy Industrial
  - RD Regional Development
  - AS Airport Support

Map Disclaimer: Information shown on this map is for planning and illustration purposes only. The City of Yakima assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any action taken, or action not taken by the user in reliance upon any maps or information provided herein.  
 Date Created: 5/26/2021

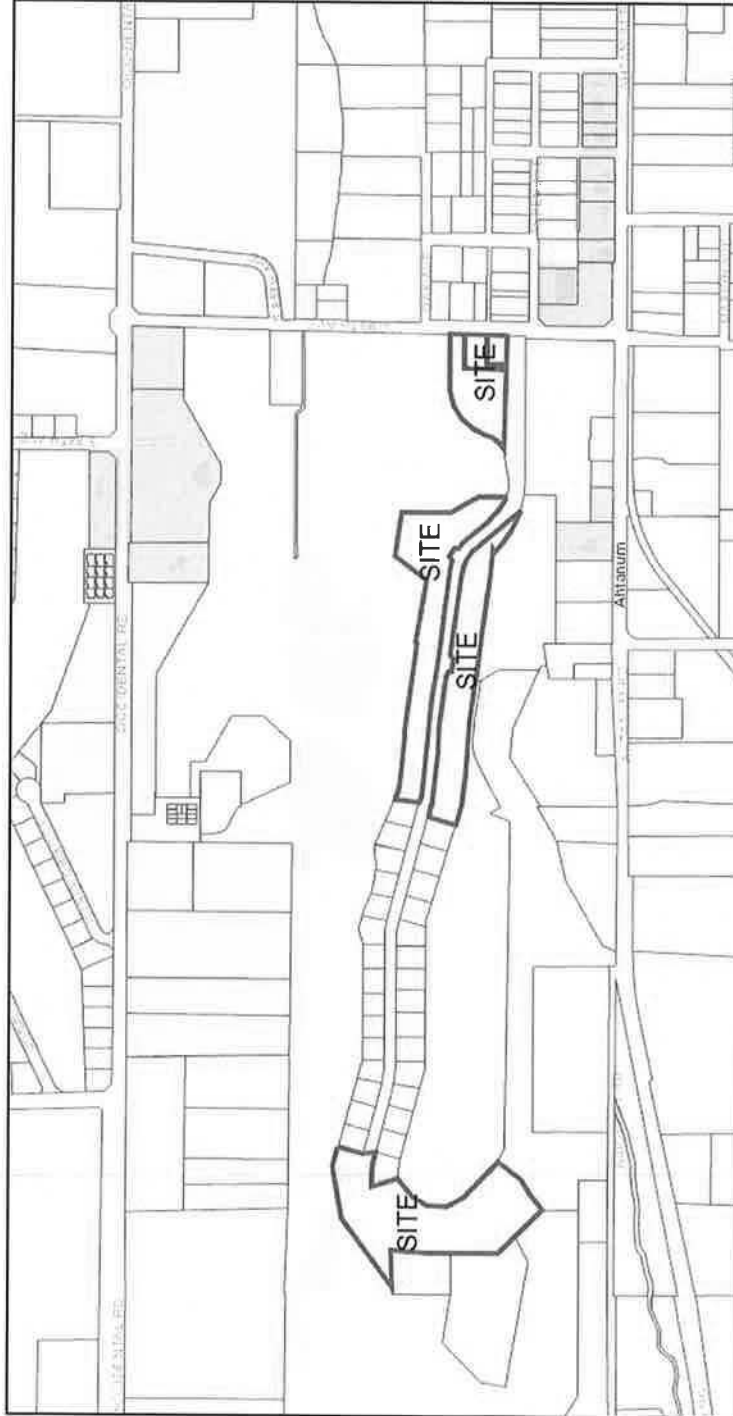




**Project Name:** APPLE TREE NO 4 PHASE 2  
**Site Address:** 9300 APPLE TREE PARKWAY  
**File Number(s):** PLP#001-21, SEPA#004-21, CL2#023-21



# FUTURE LAND USE MAP



- Yakima Future Land Use Designations**
- Low Density Residential
  - Mixed Residential
  - Central Business Core Commercial
  - Commercial Mixed Use
  - Regional Commercial
  - Community Mixed Use
  - Industrial





**Project Name:** APPLE TREE NO 4 PHASE 2  
**Site Address:** 9300 APPLE TREE PARKWAY  
**File Number(s):** PLP#001-21, SEPA#004-21, CL2#023-21



## AERIAL MAP



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Date Created: 5/26/2021



# B-1

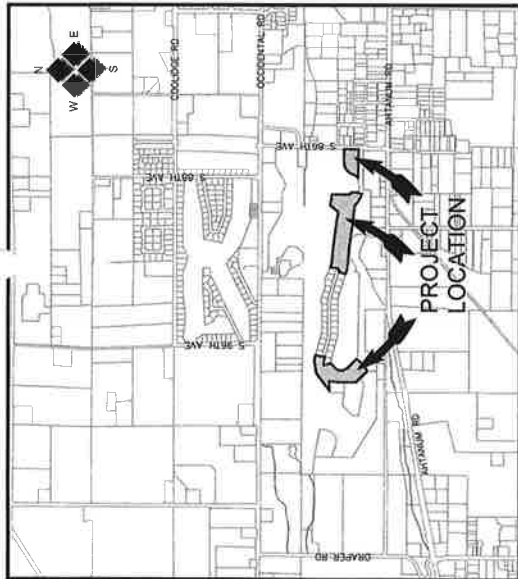


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# PRELIMINARY PLAT OF "APPLE TREE NO. 4 - PHASE 2"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6, TOWNSHIP 12  
NORTH, RANGE 18 EAST, W.M. AND A PORTION OF THE NORTH  
1/2, SEC. 1, TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



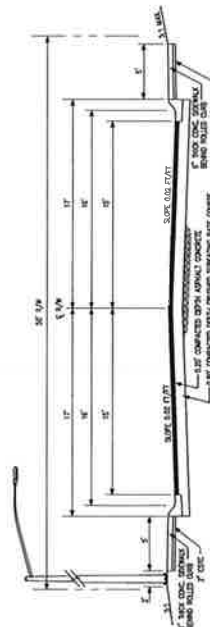
VICINITY MAP - N.T.S.

## DEVELOPER

APPLE TREE CONSTRUCTION COMPANY, LLC  
2550 BORTON ROAD  
YAKIMA, WA 98903  
JOHN BORTON (509) 945-3715  
DUANE ROGERS (509) 930-2496  
JON KINLOCH (509) 945-3712

## ENGINEER/SURVEYOR

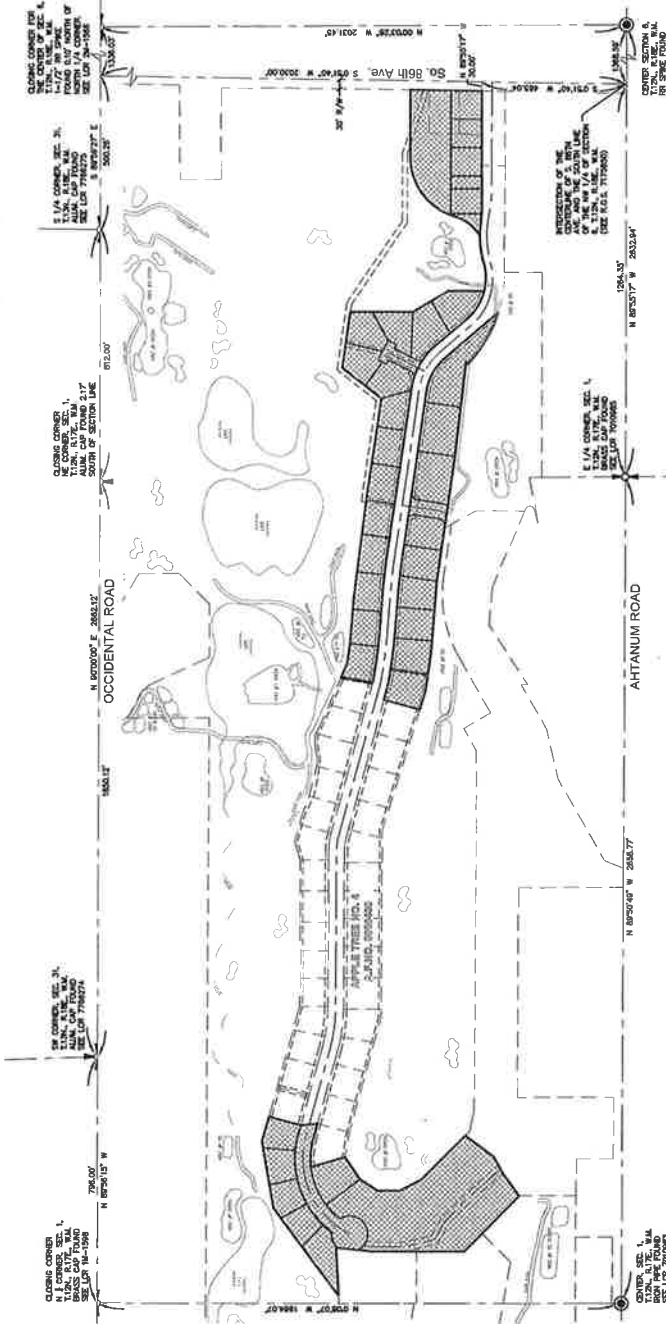
HLA ENGINEERING & LAND SURVEYING, INC.  
2603 RIVER ROAD  
YAKIMA, WA 98902  
MICHAEL B. HENRIC  
ERIC T. HERZOG, P.L.S.  
(509) 986-7000



URBAN ROADWAY SECTION D (YAK. CO.)-PRIVATE RESIDENTIAL ROADWAYS  
NOT TO SCALE



2603 River Road  
Yakima, WA 98902  
509.946.7000  
Fax 509.965.3800  
www.hlaenvl.com



LEGAL DESCRIPTION  
SEE SHEET 5

## NOTES:

1. EXISTING PROPERTY AND ADJACENT PROPERTIES ARE ZONED R-1, SINGLE FAMILY ZONE.
2. STREET IMPROVEMENTS SHALL BE PRIVATE ROADS CONFORMING TO CITY OF YAKIMA STANDARDS.
3. SEWER IS PROVIDED BY CITY OF YAKIMA.
4. HYDRAULIC ANALYSIS OF THE PROPOSED ROADS, MANHOLES AND STORMWATER SYSTEMS HAS BEEN COMPLETED. ELEVATIONS ARE BASED ON THE DATUM ELEVATION OF 1264.35'.
5. ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWING AND FIELD SURVEY. ANY CHANGES TO THE UTILITIES SHALL BE THE RESPONSIBILITY OF THE UTILITY OWNERS.
6. ALL UTILITIES SHALL BE DEEPER THAN THE PROPOSED ROADWAY SURFACE.
7. POWER, TV, CABLE, TELEPHONE CABLES AND NATURAL GAS LINES ARE NOT SHOWN ON THESE PLANS BUT ARE TO BE LOCATED WITH THE PUBLIC UTILITY COMPANIES AND SHALL BE THE RESPONSIBILITY OF THE UTILITY COMPANIES FOR DESIGN AND INSTALLATION OF THEIR FACILITIES.
8. TYPICAL BUILDING SETBACKS - 20' FRONT SETBACK FROM PROPERTY LINE, 5' SIDE & 20' REAR SETBACK ON STANDARD LOTS.



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MAY 04 2021  
CITY OF YAKIMA  
PLANNING DIV.

PARCEL NUMBERS: 171201-13405  
181206-23401  
181206-23402  
181206-23404  
181206-23026  
181206-23014

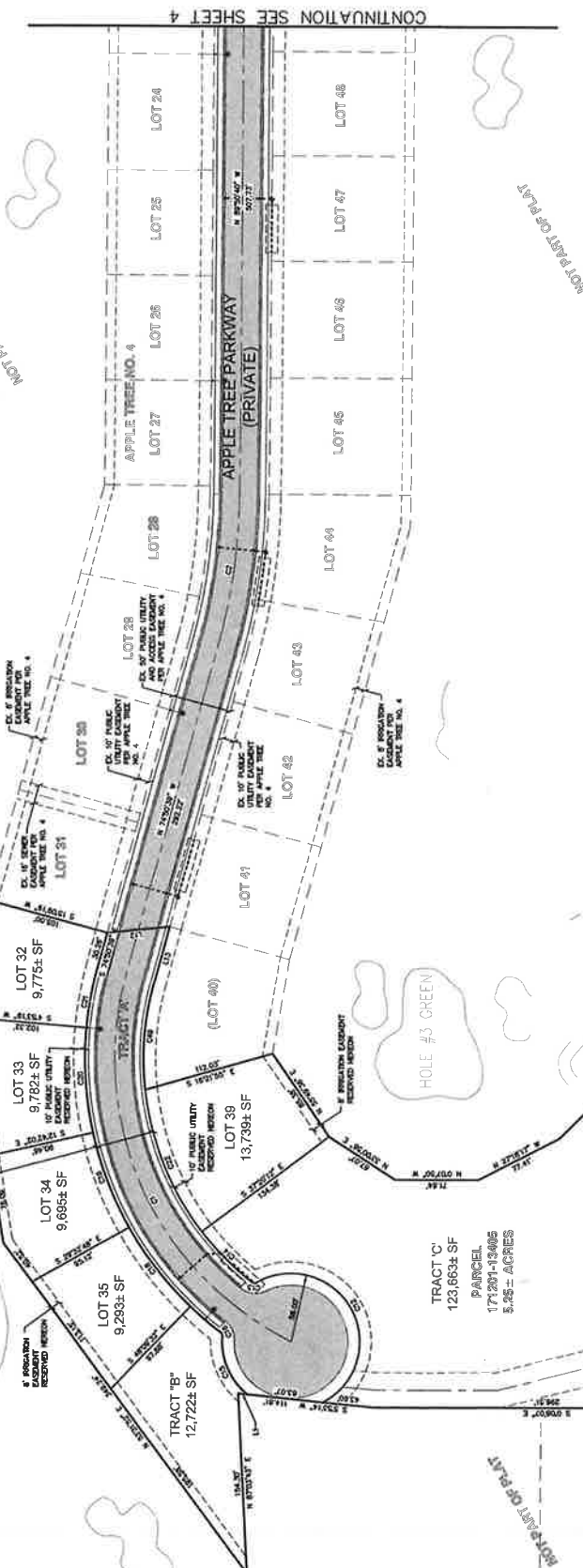
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DESIGNED BY:	MRH	
ENTERED BY:	A-JH	
REVISION:		

APPLE TREE CONSTRUCTION CO., LLC  
APPLE TREE NO. 4 - PHASE 2  
YAKIMA COUNTY, WASHINGTON  
PRELIMINARY PLAT



# PRELIMINARY PLAT OF PLAT OF "APPLE TREE NO. 4 - PHASE 2"

(A PORTION OF THE NORTHWEST 1/4, SEC. 8,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



RECEIVED

MAY 04 2021

CITY OF YAKIMA  
PLANNING DIV.

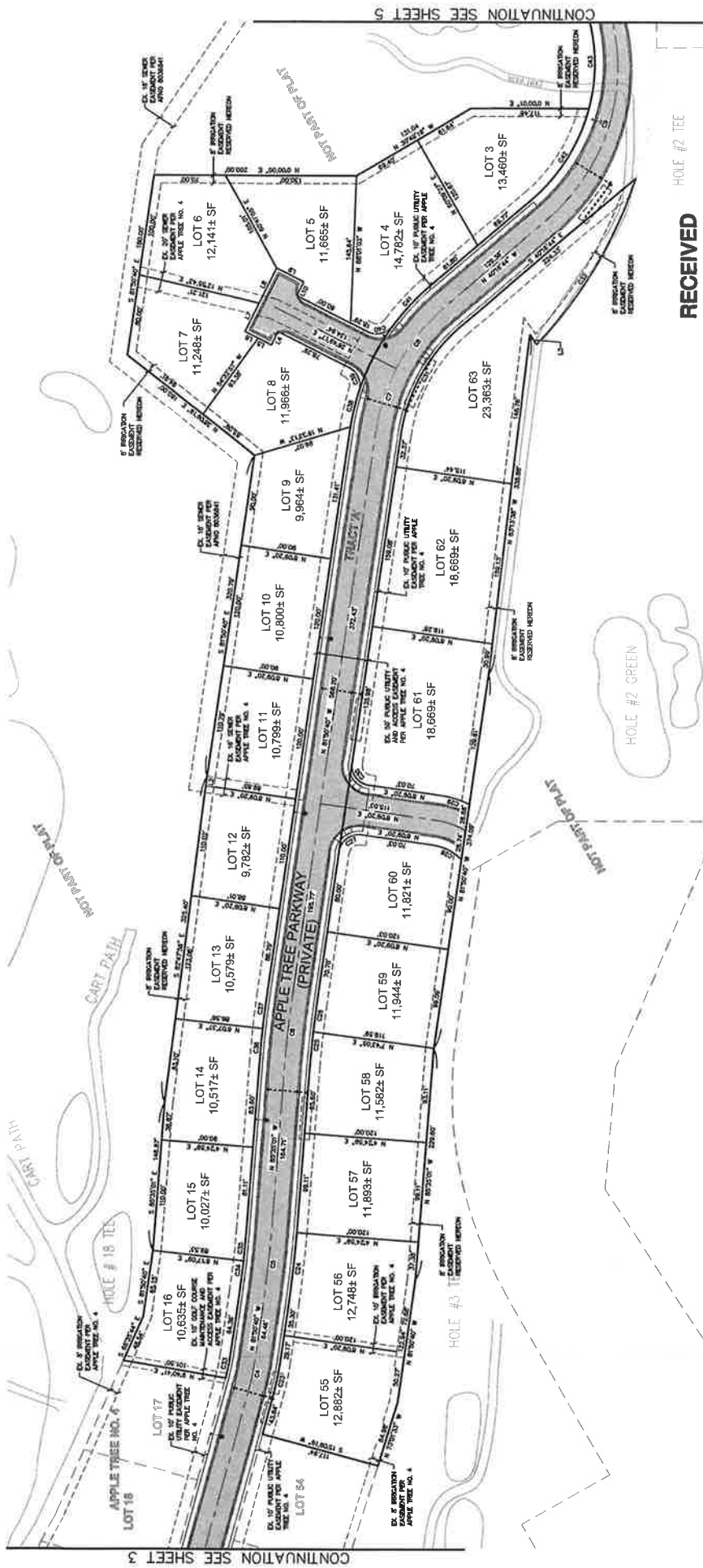
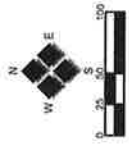
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181206-23014

<p>2803 River Road Yakima, WA 98902 509 966 7000 Fax 509 965 3800 www.hla civil.com</p>			<p>DATE: 5-3-21 FILE NAME: 17090-LLA-PH 2 DRAWING: 17090-LLA-PH 2 PLAN: 17090-LLA-PH2.dwg DESIGNED BY: MRH ENTERED BY: AJH</p>	<p>REVISION</p>	<p>DATE</p>	<p>APPLE TREE CONSTRUCTION CO., LLC APPLE TREE NO. 4 - PHASE 2 YAKIMA COUNTY, WASHINGTON</p>	<p>PRELIMINARY PLAT</p>	<p>SHEET 3 OF 5</p>
								<p>CONTINUATION SEE SHEET 4</p>



# PRELIMINARY PLAT OF PLAT OF "APPLE TREE NO. 4 - PHASE 2"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



RECEIVED

MAY 04 2021

CITY OF YAKIMA  
PLANNING DIV.

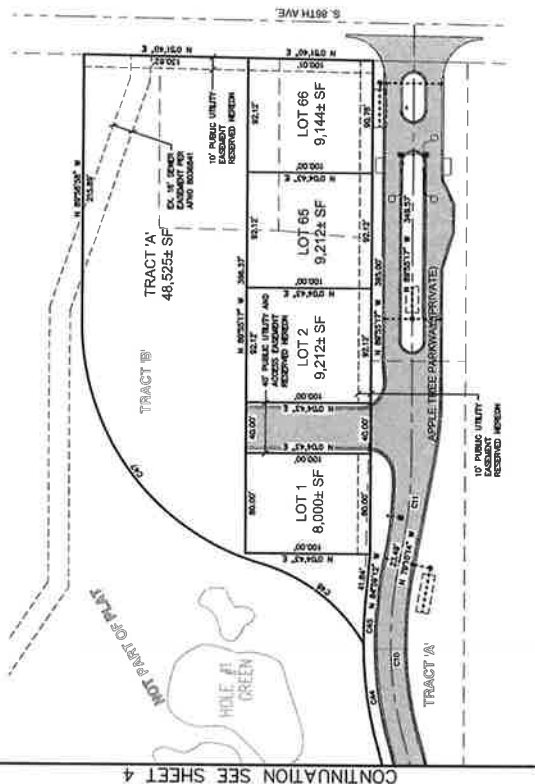
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181206-23404  
181206-23026  
181206-23014

<p><b>HILA</b> Engineering and Land Surveying, Inc.</p> <p>2303 River Road Yakima, WA 98902 509.946.7000 Fax 509.963.3800 www.hilavtl.com</p>			<p>2303 River Road Yakima, WA 98902 509.946.7000 Fax 509.963.3800 www.hilavtl.com</p>	JOB NUMBER: 17090	DATE: 5-3-21	FILE NAME: 17090-LA-PH 2	SHEET 4
				DESIGNED BY: MRH	ENTERED BY: AJH	PRELIMINARY PLAT	OF 5

APPLE TREE CONSTRUCTION CO., LLC  
APPLE TREE NO. 4 - PHASE 2  
YAKIMA COUNTY, WASHINGTON



(A PORTION OF THE NORTHWEST 1/4, SEC. 6, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. AND A PORTION OF THE NORTH 1/2, SEC. 1, TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



PARCEL NUMBERS: 171201-13405  
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181206-23026  
181206-23014

JOB NUMBER: 17090	DATE: 5-3-21
FILE NAMES: DRAWING: 17090-LLA-PH 2 PRE-PLAT.dwg PLAN: 17090-LLA-PH2.dwg	
DESIGNED BY:	MRH
ENTERED BY:	AJB

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101



2803 River Road  
Yakima, WA 98901  
509.966.7000  
Fax 509.965.3811  
www.hiacivil.com

# HLA

# 61



**APPLE TREE NO 4 PHASE 2**  
**PLP#001-21, SEPA#004-21, CL2#023-21**

## EXHIBIT LIST

## CHAPTER D

### DST Review

[illegible]



## DST REVIEW & COMMENTS

APPLE TREE NO 4 PHASE 2  
PLP#001-21, SEPA#004-21, CL2#023-21

Name	Comment	Date
Randy Meloy – City of Yakima Surface Water	No comments during the long plat process. There will be drainage requirements during the Civil phase of the project.	03/03/2021
David Della – City of Yakima Engineering	No comments during the long plat process. During the Civil design phase of the project, there will be requirements for frontage improvements.	03/03/2021
Dana Kallevig – City of Yakima Wastewater	All proposed lots appear to have sewer available except Lots 1, 2, and 65. Sewer will need to be extended per YMC Title 12 requirements and per COY Wastewater Standard Details.	03/10/2021
Kristen McPherson – Nob Hill Water	Nob Hill Water is currently installed in Phase 4 of Apple Tree. However, our main line must be extended to Ahtanum to provide the necessary fire flow for homes in the area. This tie in will also improve reliability and water quality in this development.	04/01/2021
Lisa Maxey – City of Yakima Codes	See Attached.	08/19/2021





COMMUNITY DEVELOPMENT DEPARTMENT  
Office of Code Administration  
129 North Second Street, 2<sup>nd</sup> Floor Yakima, Washington 98901  
(509) 575-6126 Fax (509) 576-6576  
codes@yakimawa.gov www.buildingyakima.com

August 19, 2021

To: City of Yakima Planning Division

From: Lisa Maxey, Permit Project Coordinator

Re: Addressing for Apple Tree No. 4 – Phase 2 (32 lots)  
PLP#001-21 & SEPA#004-21  
Parcel No. 171201-13405, 181206-23401, 181206-23402, and 181206-23404

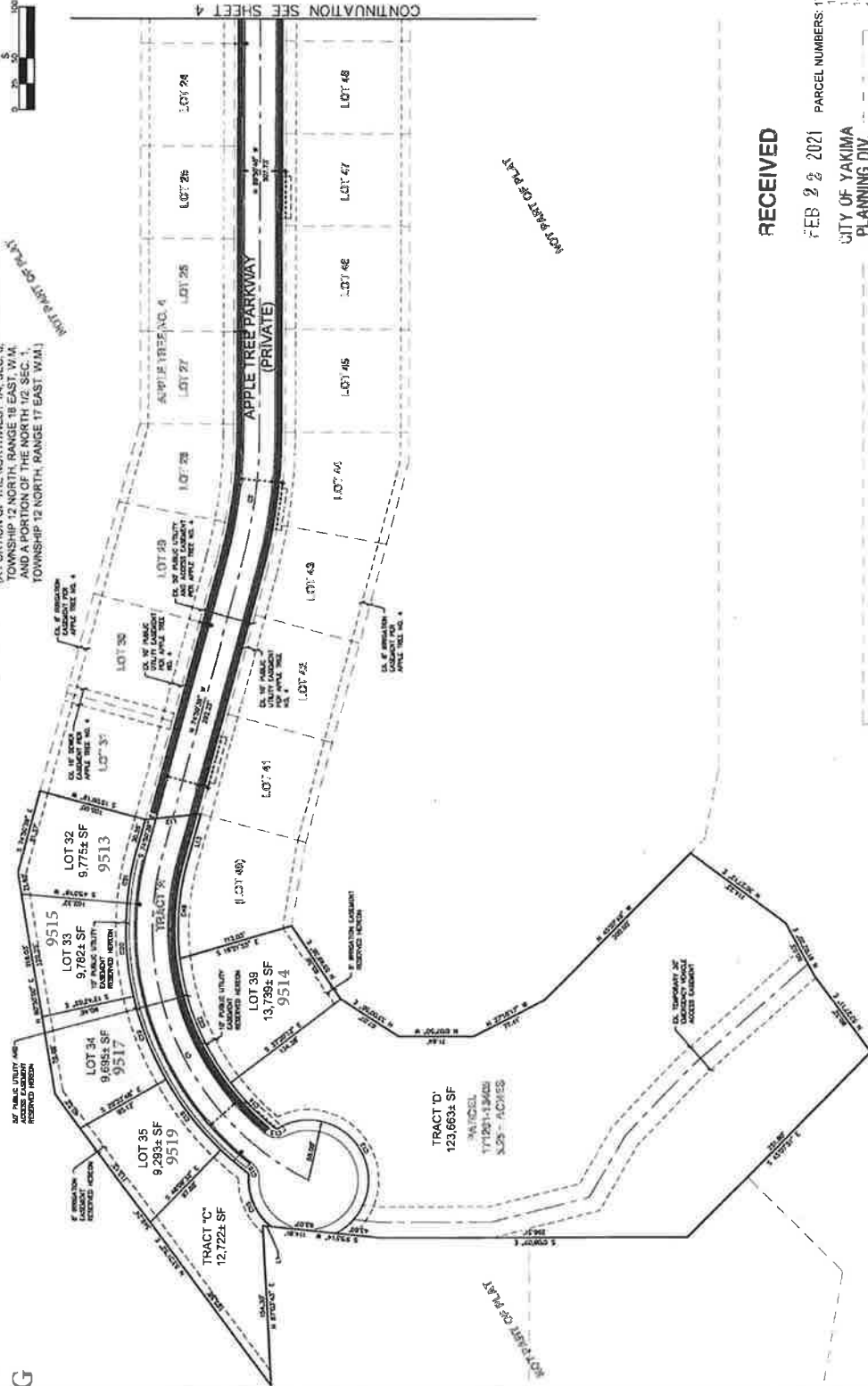
**The preliminary addressing is as follows:**

Lot 1:	8611 Apple Tree Pkwy	Lot 32:	9513 Apple Tree Pkwy
Lot 2:	8609 Apple Tree Pkwy	Lot 33:	9515 Apple Tree Pkwy
Lot 3:	8801 Apple Tree Pkwy	Lot 34:	9517 Apple Tree Pkwy
Lot 4:	8803 Apple Tree Pkwy	Lot 35:	9519 Apple Tree Pkwy
Lot 5:	8805 Apple Tree Pkwy	Lot 39:	9514 Apple Tree Pkwy
Lot 6:	8807 Apple Tree Pkwy	Lot 55:	9300 Apple Tree Pkwy
Lot 7:	8809 Apple Tree Pkwy	Lot 56:	9204 Apple Tree Pkwy
Lot 8:	8901 Apple Tree Pkwy	Lot 57:	9202 Apple Tree Pkwy
Lot 9:	8903 Apple Tree Pkwy	Lot 58:	9200 Apple Tree Pkwy
Lot 10:	9001 Apple Tree Pkwy	Lot 59:	9102 Apple Tree Pkwy
Lot 11:	9003 Apple Tree Pkwy	Lot 60:	9100 Apple Tree Pkwy
Lot 12:	9101 Apple Tree Pkwy	Lot 61:	9002 Apple Tree Pkwy #1-3
Lot 13:	9103 Apple Tree Pkwy	Lot 62:	9000 Apple Tree Pkwy #1-3
Lot 14:	9201 Apple Tree Pkwy	Lot 63:	8900 Apple Tree Pkwy #1-3
Lot 15:	9203 Apple Tree Pkwy	Lot 65:	8607 Apple Tree Pkwy
Lot 16:	9205 Apple Tree Pkwy	Lot 66:	8605 Apple Tree Pkwy

**Enclosed:** Addressing Map



PRELIMINARY  
ADDRESSING  
5/27/21



FEB 22 2021  
CITY OF YAKIMA  
PLANNING DIV.



2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hilacivil.com



JOB NUMBER 17090	DATE 2-22-21
FILE NAMES: DRAWING: 17090-LIA-PH 2 PRT: 17090-LIA-PH 2.dwg PLAN: 17090-LIA-PH 2.dwg	
DESIGNED BY:	WITH A.J.H.
ENTERED BY:	

APPLE TREE CONSTRUCTION CO., LLC  
APPLE TREE NO. 4 - PHASE 2  
YAKIMA COUNTY, WASHINGTON

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PRELIMINARY PLAT

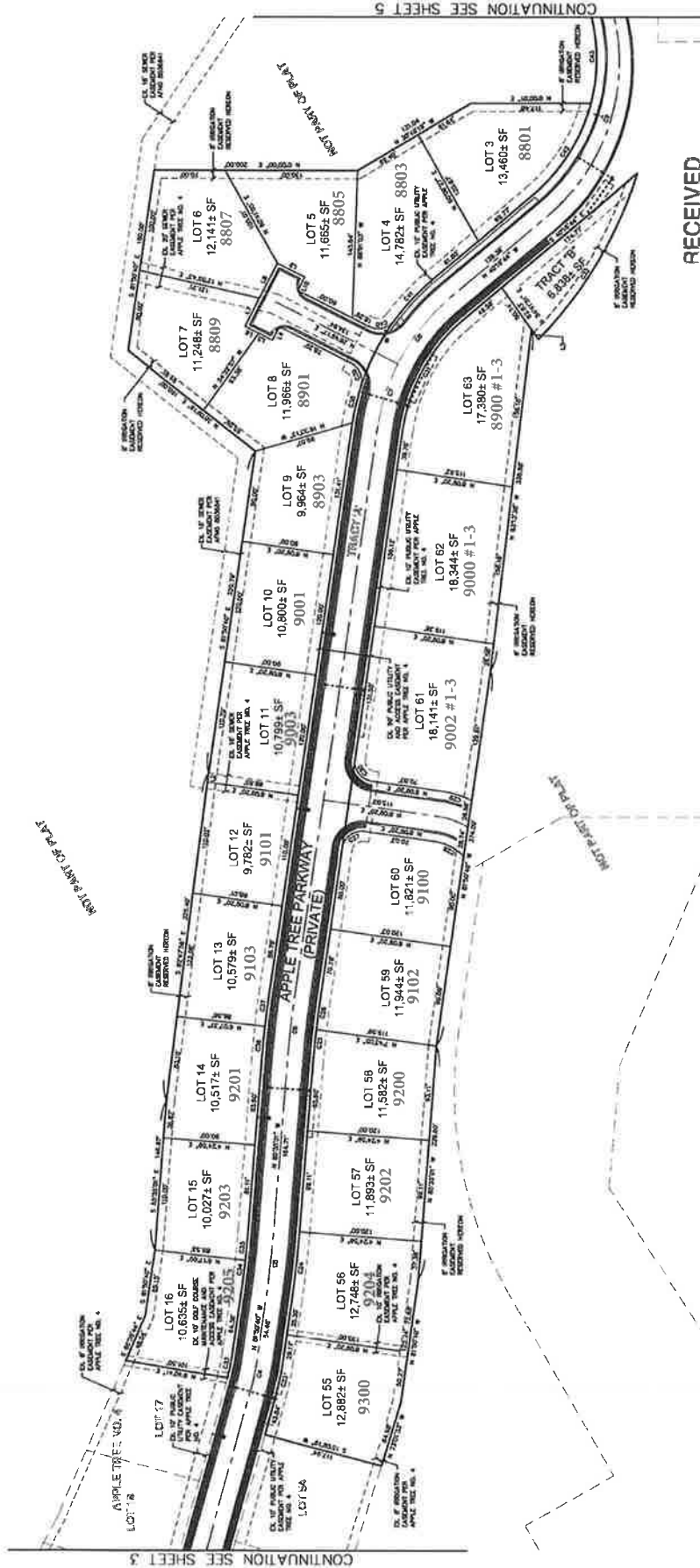
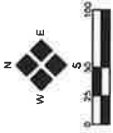
PRELIMINARY PLAT

DOC. INDEX  
# D-2



# PRELIMINARY PLAT OF PLAT OF "APPLE TREE NO. 4 - PHASE 2"

(A PORTION OF THE NORTHWEST 1/4, SEC. 8,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



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FEB 2 2021  
CITY OF YAKIMA  
PLANNING DIV

PARCEL NUMBERS: 171201-13405  
181206-23401  
181206-23402  
181206-23404  
181206-23026  
181206-23014

APPLE TREE CONSTRUCTION CO., LLC  
APPLE TREE NO. 4 - PHASE 2  
YAKIMA COUNTY, WASHINGTON

PRELIMINARY PLAT

DATE: 1/29/21  
DRAWN: 1700-1A-791-2  
PLAN: 1700-1A-792-001

DESIGNED BY: WSH  
ENTERED BY: ALM



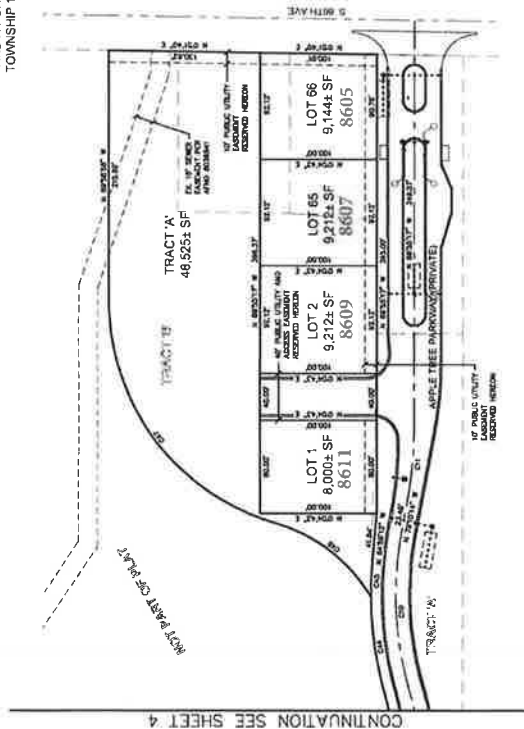
2803 River Road  
Yakima, WA 98902  
509-966-7000  
Fax: 509-965-3500  
www.hlausa.com





# PRELIMINARY PLAT OF "APPLE TREE NO. 4 - PHASE 2"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



LINE TABLE

LINE	BEARING	LENGTH	CURVE	CHORD	CHORD BEARING	CHORD LENGTH
1	N 89°52'42" E	8.14				
2	N 89°52'42" E	8.14				
3	N 89°52'42" E	8.14				
4	N 89°52'42" E	8.14				
5	N 89°52'42" E	8.14				
6	N 89°52'42" E	8.14				
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68	N 89°52'42" E	8.14				
69	N 89°52'42" E	8.14				
70	N 89°52'42" E	8.14				
71	N 89°52'42" E	8.14				
72	N 89°52'42" E	8.14				
73	N 89°52'42" E	8.14				
74	N 89°52'42" E	8.14				
75	N 89°52'42" E	8.14				
76	N 89°52'42" E	8.14				
77	N 89°52'42" E	8.14				
78	N 89°52'42" E	8.14				
79	N 89°52'42" E	8.14				
80	N 89°52'42" E	8.14				
81	N 89°52'42" E	8.14				
82	N 89°52'42" E	8.14				
83	N 89°52'42" E	8.14				
84	N 89°52'42" E	8.14				
85	N 89°52'42" E	8.14				
86	N 89°52'42" E	8.14				
87	N 89°52'42" E	8.14				
88	N 89°52'42" E	8.14				
89	N 89°52'42" E	8.14				
90	N 89°52'42" E	8.14				
91	N 89°52'42" E	8.14				
92	N 89°52'42" E	8.14				
93	N 89°52'42" E	8.14				
94	N 89°52'42" E	8.14				
95	N 89°52'42" E	8.14				
96	N 89°52'42" E	8.14				
97	N 89°52'42" E	8.14				
98	N 89°52'42" E	8.14				
99	N 89°52'42" E	8.14				
100	N 89°52'42" E	8.14				

CURVE TABLE						
LINE	BEARING	LENGTH	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH
C1 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C2 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C3 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C4 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C5 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C6 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C7 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C8 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C9 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C10 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C11 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C12 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C13 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C14 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C15 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C16 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C17 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C18 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C19 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C20 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C21 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C22 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C23 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C24 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C25 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C26 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C27 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C28 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C29 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C30 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C31 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C32 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C33 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C34 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C35 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C36 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C37 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C38 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C39 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C40 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C41 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C42 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C43 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C44 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C45 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C46 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C47 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C48 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C49 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C50 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C51 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C52 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C53 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C54 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C55 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C56 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C57 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C58 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C59 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C60 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C61 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C62 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C63 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C64 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C65 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C66 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C67 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C68 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C69 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C70 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C71 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C72 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
C73 <td>N 89°52'42" E<td>771.00</td><td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td></td>	N 89°52'42" E <td>771.00</td> <td>N 89°52'42" E<td>764.21</td><td>N 89°52'42" E<td>764.21</td></td></td>	771.00	N 89°52'42" E <td>764.21</td> <td>N 89°52'42" E<td>764.21</td></td>	764.21	N 89°52'42" E <td>764.21</td>	764.21
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City of Yakima Development Services Team  
Request For Comments  
March 5, 2021

<b>To:</b>	City of Yakima Development Services Team
<b>From:</b>	Eric Crowell, Associate Planner
<b>Subject:</b>	Request for Comments
<b>Applicant:</b>	Apple Tree Construction Company LLC
<b>File Number(s):</b>	PLP#001-21, SEPA#004-21
<b>Location:</b>	9300 Apple Tree Pkwy.
<b>Parcel Number(s):</b>	171201-13405, 181206-23014, -23026, -23401, -23402, -23404

**Proposal**

Preliminary Long Plat in the R-1 zoning district for 27 single-family lots, 2 fourplexes lots, and a duplex lot.

Please review the attached application and site plan and prepare any written comments you have regarding this proposal. Attach your comments in SmartGov or send them to my email address: [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov). Should you have any questions or require additional information, please call me at (509) 576-6736.

**Comments:**


\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Department/Agency



**APPLE TREE NO 4 PHASE 2**  
**PLP#001-21, SEPA#004-21, CL2#023-21**

## EXHIBIT LIST

## CHAPTER E

### Application

[illegible]





## LAND USE APPLICATION

CITY OF YAKIMA, DEPARTMENT OF COMMUNITY DEVELOPMENT  
129 NORTH SECOND STREET, 2ND FLOOR, YAKIMA, WA 98901

PHONE: (509) 575-6183 EMAIL: ask.planning@yakimawa.gov

RECEIVED

MAY 25 2021

CITY OF YAKIMA  
COMMUNITY DEVELOPMENT

### INSTRUCTIONS - PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

If you have any questions about this form or the application process, please ask to speak with a planner. All necessary attachments and the filing fee are required upon submittal. Filing fees are not refundable. This application consists of four parts. PART I - GENERAL INFORMATION AND PART V - CERTIFICATION are on this page. PART II, III, and IV contain additional information specific to your proposal and MUST be attached to this page to complete the application.

### PART I - GENERAL INFORMATION

1. Applicant's Information:	Name:	Apple Tree Construction Company, LLC				
	Mailing Address:	2550 Borton Rd.				
	City:	Yakima	St:	WA	Zip:	98903
	Phone:	( 509 ) 945-3712				
	E-Mail:	Jon.Kinloch@Appletreeresort.com				
2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____	
3. Property Owner's Information (If other than Applicant):	Name:					
	Mailing Address:					
	City:		St:		Zip:	
	Phone:	( )				
	E-Mail:					

4. Subject Property's Assessor's Parcel Number(s): 171201-23404

5. Legal Description of Property. (if lengthy, please attach it on a separate document)  
See Attached

6. Property Address: 9300 Apple Tree Parkway, Yakima, WA 98903

7. Property's Existing Zoning:

☐ SR ☒ R-1 ☐ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ HB ☐ SCC ☐ LCC ☐ CBD ☐ GC ☐ AS ☐ RD ☐ M-1 ☐ M-2

8. Type Of Application: (Check All That Apply)

☒ Type (2) Review ☐ Administrative Adjustment ☐ Environmental Checklist (SEPA Review)  
☐ Transportation Concurrency ☐ Critical Areas Review ☐ Other: \_\_\_\_\_  
☒ Master Application  
(select if submitting two or more applications under Title 15)

**PART II - LAND USE DESIGNATION** (See attached page)

**PART III - ATTACHMENTS INFORMATION** (See attached page)

**PART IV - WRITTEN NARRATIVE** (See attached page)

### PART V - CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

*John E. Borton*  
Property Owner's Signature

*5/3/2021*  
Date

*John E. Borton*  
Applicant's Signature

*5/3/2021*  
Date

FILE/APPLICATION(S)#

*CL2#023-21*

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:





Supplemental Application For:  
**PRELIMINARY LONG PLAT**  
CITY OF YAKIMA, SUBDIVISION ORDINANCE, TITLE 14

**PART II - APPLICATION INFORMATION**

1. PROPERTY OWNERS (attach if long): List all parties and financial institutions having an interest in the property.

Apple Tree Construction Company, LLC  
2550 Borton Rd.  
Yakima, WA 98903

2. SURVEYOR AND/OR CONTACT PERSON WITH THEIR CONTACT INFORMATION:

Tim Fries, HLA Engineering and Land Surveying, 509-966-7000.

3. NAME OF SUBDIVISION: Apple Tree No.4 - Phase 2

4. NUMBER OF LOTS AND THE RANGE OF LOT SIZES: 27 SF lots, 2 four-plexes, a duplex, 8,000 sf to 18,344 sf

5. SITE FEATURES:

A. General Description: ☐ Flat ☒ Gentle Slopes ☐ Steepened Slopes

B. Describe any indication of hazards associated with unstable soils in the area, i.e. slides or slipping?

N/A

C. Is the property in a 100-Year Floodplain or other critical area as mapped by any local, state, or national maps or as defined by the Washington State Growth Management Act or the Yakima Municipal Code? No

6. UTILITY AND SERVICES: (Check all that are available)

☒ Electricity ☒ Telephone ☒ Natural Gas ☒ Sewer ☒ Cable TV ☒ Water ☐ Irrigation

7. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: along Apple Tree Parkway subdivision road.

B. Distance to Nearest School (and name of school): 4,500 ft, West Valley High School

C. Distance to Nearest Park (and name of park): 8,200 ft, West Valley Park

D. Method of Handling Stormwater Drainage: Underground infiltration

E. Type of Potential Uses: (check all that apply)

☒ Single-Family Dwellings ☒ Two-Family Dwellings ☒ Multi-Family Dwellings ☐ Commercial ☐ Industrial

**PART III - REQUIRED ATTACHMENTS**

1. PRELIMINARY PLAT REQUIRED: (Please use the attached City of Yakima Preliminary Plat Checklist)

2. TRAFFIC CONCURRENCY: (if required, see YMC Ch. 12.08, Traffic Capacity Test)

3. ENVIRONMENTAL CHECKLIST (required):

I hereby authorize the submittal of the preliminary plat application to the City of Yakima for review. I understand that conditions of approval such as dedication of right-of-way, easements, restrictions on the type of buildings that may be constructed, and access restrictions from public roads may be imposed as a part of preliminary plat approval and that failure to meet these conditions may result in denial of the final plat.

Property Owner Signature (required)

Date

2/22/21



RECEIVED

MAY 25 2021

CITY OF YAKIMA  
COMMUNITY DEVELOPMENT



Supplemental Application For:

## TYPE (2) REVIEW

YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.14

### PART II - LAND USE DESIGNATION AS LISTED ON TABLE 4-1 PERMITTED LAND USES

1. PROPOSED LAND USE TYPE: (See YMC § 15.04.030)

Multifamily Dwelling (\*): 0—7 DU/NRA

### PART III - ATTACHMENTS INFORMATION

2. SITE PLAN REQUIRED (Please use the City of Yakima Site Plan Checklist, attached)

3. TRAFFIC CONCURRENCY (if required, see YMC Ch. 12.08, Traffic Capacity Test)

4. ENVIRONMENTAL CHECKLIST (if required by the Washington State Environmental Policy Act)

### PART IV - WRITTEN NARRATIVE: (Please submit a written response to the following questions)

A. Fully describe the proposed development, including number of dwelling units and parking spaces. If the proposal is for a business, describe hours of operation, days per week and all other relevant information related the business.

See attached.

B. How is the proposal compatible to neighboring properties?

See attached.

C. What mitigation measures are proposed to promote compatibility?

See attached.

D. How is your proposal consistent with current zoning of your property?

See attached.

E. How is your proposal consistent with uses and zoning of neighboring properties?

See attached.

F. How is your proposal in the best interest of the community?

See attached.



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WRITTEN NARRATIVE  
TYPE (2) REVIEW

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CITY OF YAKIMA  
COMMUNITY DEVELOPMENT

**A. Fully describe the proposed development, including number of dwelling units and parking spaces. If the proposal is for a business, describe hours of operation, days per week and all other relevant information related to the business.**

The proposed Apple Tree No.4 - Phase 2 project property is located at 9300 Apple Tree Parkway, Yakima, Washington. The proposed project will consist of three multi-family tri-plex townhouse lots, lots 61-63, of the proposed Apple Tree No.4 - Phase 2 long plat lots. The 3 tri-plex lots vary in size from 18,669 square feet to 23,363 square feet. Apple Tree Parkway is private gated road, and was constructed as part of Phase 1, and will not need to be improved as part of this project. The lots will have frontage onto the private roadway. The three lots will contain the proposed 9 townhouse units.

Access to the lots will be from private roads, and access easements extending throughout the proposed Apple Tree No.4 - Phase 2 plat, off S. 86<sup>th</sup> Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. All storm water is proposed to be retained on-site in underground infiltration trenches. The drainage structures shown represent the actual structures installed in the phase 1 stormwater design.

The property is proposed to be landscaped with normal residential multi-family type landscaping. Interior landscaping will consist of trees, shrubs, and low ground cover plantings. Lot coverage has been calculated at approximately 50 percent on the parcel. The height of the new structures will be approximately 30 feet and is likely to be constructed of glass, and wood. The maximum building height in the R-1 zoning district is 35 feet.

Pedestrian access to the building will be by the existing concrete sidewalks.

**B. How is the proposal compatible to neighboring properties?**

The proposed new Apple Tree No.4 - Phase 2 multi-family townhouse lots are compatible to neighboring properties because the properties located to the north of these proposed lots in other phase of Apple Tree are similar existing multi-family townhouse units. The proposed new multi-family lots will complement the design and construction of adjacent existing single-family homes, as well the multi-family townhouse in other locations of Apple Tree resort. The neighboring properties are a mixture of retail, restaurants, single family, and multi-family residential houses.

This proposal is similar in nature to other neighboring new single-family and multi-family developments adjacent to the property. The general hours of operation are the same, and the amount of traffic is similar.

**C. What mitigation measures are proposed to promote compatibility?**

The proposed new Apple Tree No.4 - Phase 2 multi-family apartment complex is close to existing multi-family property with similar uses, and it is believed mitigation measures are not necessary to be compatible with the neighborhood. The units will be designed and constructed by same design and construction companies as the adjacent single-family homes, so they can control the appearance to assure uniformity with construction appearance. The proposed facility will be compatible with and provide additional upscale multi-family townhouse facilities. The complex will have similar hours of operation and traffic volumes as the adjacent multi-family complexes



and provide additional patrons to the adjacent retail business. Driveway and garage parking will be constructed and landscaped in accordance with City of Yakima Code requirements.

**D. How is your proposal consistent with current zoning of your property?**

This proposal is consistent with the current zoning of the property because it is a tri-plex multi-family townhouse complex on an R-1 zoned property. The proposal meets the development standards of the district, specifically building height, parking standards, lot coverage, and setbacks. The R-1 Zoning District is a single-family residential that allows multi-family development if they do not exceed 7 dwelling units per acre. This proposal meets the development standards, is aesthetically designed to blend with neighboring single-family and multi-family facilities, consistent with the intent of the zoning districts.

**E. How is your proposal consistent with uses and zoning of neighboring properties?**

This proposal is consistent with uses and zoning of neighboring residential and commercial properties because of the mixed-use residential aspect of the neighborhood along the Apple Tree Resort complex. The uses in the adjacent neighborhood consist of the existing single family, and multi-family residential complexes located to the west and north of this proposed development. There is traditional retail and restaurants located to the north and south. The project site is also adjacent to Apple Tree Golf Course, and the West Valley Schools all which provide recreational opportunities important to the townhouse living lifestyle. All these uses occur within the immediate area of the subject property, and consist of a mixture of zoning districts. This is a classic mixed-use neighborhood, and the proposed project is consistent with surrounding uses and zoning. The multi-family townhouse complex use is permitted in the R-1 zoning district.

**F. How is your proposal in the best interest of the community?**

This proposal is in the best interest of the community because it provides the community additional upscale multi-family townhouse options. The proposal will create new living options at a convenient location, with good access to recreation and local retail and eating establishments, all in the best interest of the community.

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COMMUNITY DEVELOPMENT





# ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

YAKIMA MUNICIPAL CODE CHAPTER 6.88

## PURPOSE OF CHECKLIST

The State Environmental Policy Act (SEPA), RCW Ch. 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

## INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later. Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## USE OF CHECKLIST FOR NONPROJECT PROPOSALS

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

### A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. **Name Of Proposed Project (If Applicable):** Preliminary Plat of Apple Tree No.4 – Phase 2
2. **Applicant's Name & Phone:** Apple Tree Construction Company, LLC (509) 945-3712
3. **Applicant's Address:** 2550 Borton Rd., Yakima, WA 98903
4. **Contact Person & Phone:** Jon Kinloch, (509) 945-3712
5. **Agency Requesting Checklist:** City of Yakima
6. **Date The Checklist Was Prepared:** February 21, 2021
7. **Proposed Timing Or Schedule (Including Phasing, If Applicable):** The Plat of Apple Tree No.4 - Phase 2 will be developed in one phase, and anticipate construction starting in Summer, 2021.
8. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:** This SEPA is in conjunction with a Preliminary Plat Application for Apple Tree No.4 - Phase 2 and construction of the proposed residential buildings. The property will be fully developed upon completion of this project.

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9. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:** The applicant has a previous SEPA determination on this property that was issued as part of Apple Tree No.4 – Phase 1.

**Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:** None are known to exist.

10. **List any government approvals or permits that will be needed for your proposal, if known:**

City of Yakima – Preliminary Plat Approval  
City of Yakima - SEPA Determination.  
City of Yakima - Building Permit Approval.  
City of Yakima - Plan review and approval, and construction approval for municipal facilities constructed by private parties

11. **Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):**

This proposed plat will subdivide approximately 14.03 acres into 29 single family lots, and 3 tri-plex lots and three tracts. The single-family lot sizes will vary in size from approximately 8,000 square feet to 14,782 square feet. The 3 tri-plex lots, lots 61-63, vary in size from 18,669 square feet to 23,363 square feet. The internal street is private and gated, and was constructed as part of Phase 1. The lots will have frontage onto the private roadway.

Access to the plat is from an extension off S. 86<sup>th</sup> Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will all be contained on-site in drain rock envelopes for underground infiltration.

12. **Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.:**

Preliminary Plat of Apple tree No. 4 – Phase 2 is located 425 ft. north of the intersection of Ahtanum Road and S. 86<sup>th</sup> Avenue, and extends west off of S. 86<sup>th</sup> Avenue. A portion of the NW Quarter of Section 6, Township 12 North, Range 18 E., W.M. and a portion of the North Half of Section 1, Township 12 North, Range 17 E., W.M.

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**CITY OF YAKIMA  
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p><b>1. Earth</b></p> <p>a. <b>General description of the site (✓ one):</b>  <input type="checkbox"/> flat <input checked="" type="checkbox"/> rolling <input type="checkbox"/> hilly <input type="checkbox"/> steep slopes <input type="checkbox"/> mountainous <input type="checkbox"/> other Gently Sloping</p> <p>b. <b>What is the steepest slope on the site (approximate percent slope)?</b> The steepest slope is approximately 12 percent.</p> <p>c. <b>What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.</b> National Resources Conservation Service Soil Mapping was consulted regarding the onsite soils at the plant site. The USDA Soil Conservation Service (SCS) indicated the primary soil for the site is a Harwood Loam which is a CL-CG or A-6 soil type. The remainder of the site is a mixture of Esquatzel Silt Loam, which is a ML or A-4 soil type, Gorst Loam, which is a CL or A-6 soil type, and Kittitas Silt Loam, which is a ML or A-4 soil type. The Harwood Loam and Kittitas Silt Loam are considered prime farmland. The Gorst Loam and Esquatzel Silt Loam are considered prime farmland if irrigated.</p> <p>d. <b>Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.</b>  There are no known indications of unstable soils on site or in the immediate vicinity.</p> <p>e. <b>Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.</b>  The project consists of usual and normal embankment construction for new streets and building lots. As it applies to the entire project area, there is significant grading proposed for street construction and lot development expected. No fill is proposed and no net increase or decrease in quantity of material is anticipated. Earthwork quantities will be determined during the design phase of the development. Source of fill will be from on-site excavations or from approved/permitted borrow site.</p> <p>f. <b>Could erosion occur as a result of clearing, construction, or use? If so, generally describe.</b> It is possible erosion could occur during the construction phase of the development, but it is not expected. After construction is completed, each individual residential lot will be landscaped, and long-term erosion is unlikely to occur.</p> <p>g. <b>About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?</b>  Apple Tree No.4 - Phase 2 will be constructed in accordance with R-1 standards, with approximately 40-percent of the site will be covered with impervious surfacing. The lot coverage maximum in the R-1 zone is 60 percent.</p> <p>h. <b>Proposed measures to reduce or control erosion, or other impacts to the earth, if any:</b>  During the site development and construction activities, the contractor will be required to utilize appropriate erosion control Best Management Practices, and regulatory erosion control stormwater management plans will be implemented. Silt fencing and dust control measures will be implemented. Storm drainage improvements will be constructed to comply with City of Yakima standards. The site will be permanently stabilized post-construction by sodding and landscaping.</p>	

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p><b>2. Air</b></p> <p>a. <b>What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.</b> Typical emissions of dust and automobile odors will be generated during construction. Dust control procedures will be in place during construction to limit the dust to the maximum extent practicable. Construction activity will be limited to area immediately adjacent to the construction area. Dust is not expected after construction as the site will be fully landscaped and irrigated, or will be covered with asphalt concrete pavement. After project completion, there will be no adverse effects on the air, the emissions will be from automobiles belonging to local residents and staff. Minimal emissions from commercial heating devices may occur after project completion. Approximate quantities are not known.</p> <p>b. <b>Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.</b> None are known to exist.</p> <p>c. <b>Proposed measures to reduce or control emissions or other impacts to air, if any:</b> The contractor shall comply with Yakima Regional Clean Air Agency regulatory requirements. The contractor may be required to use dust control measures such as watering of the construction area to eliminate wind-borne erosion if a problem arises. The contractor will also be required to clean mud and dust from public roadways as necessary. In addition, construction equipment will be well maintained to prevent excessive exhaust emissions.</p>	
<p><b>3. Water</b></p> <p>a. <b>Surface:</b></p> <p>1. <b>Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.</b> There are no existing surface bodies of water or stream on the site. There are existing irrigation/decoration ponds immediately north of the property on the golf course. There is also spring creek approximately 200 ft plus to the south of the property.</p> <p>2. <b>Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.</b> There will be no work over or in any of the bodies of water. The new private roadway construction will occur within approximately 150' south of the closest irrigation pond and lot grading activity will be within 120 ft. of the south edge of the pond.</p> <p>3. <b>Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.</b> No fill or dredge material will be placed or removed from any surface water or wetlands.</p> <p>4. <b>Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.</b>  The new development will not require any surface water withdrawals or diversions.</p> <p>5. <b>Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.</b> According to FEMA panel number 1036, FIRM map number 53077C1036D, the site does not lie within the 100-year floodplain.</p> <p>6. <b>Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.</b> The proposal will not discharge any waste material to surface waters.</p>	

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**CITY OF YAKIMA  
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments																									
<p><b>b. Ground:</b></p> <p>1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known. The proposal will not withdraw or discharge to ground water. Domestic water supply is proposed from the Nob Hill Water which has deep source water wells.</p> <p>2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.</p> <p>Waste materials will not be discharged from any source into the ground. The projects will be connected to City of Yakima public sanitary sewer.</p>																										
<p><b>c. Water Runoff (including stormwater):</b></p> <p>1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. The sources of water runoff will be primarily from rainfall and snowmelt. The runoff is proposed to be collected and managed on-site via surface retention and infiltration facilities or underground infiltration facilities. Stormwater treatment and disposal facilities will be designed and sized in accordance with the Eastern Washington Storm Water Manual and City of Yakima standards. This project will not result in the discharge of storm water into a surface water body.</p> <p>2. Could waste materials enter ground or surface waters? If so, generally describe. No waste materials are anticipated to enter ground or surface waters.</p> <p>3. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: Stormwater runoff from the roads will be retained, treated, and disposed of on-site via surface retention and infiltration facilities, or underground infiltration facilities. Stormwater from homes will be directed onto landscaped areas on each residential lot. Accepted BMP engineering practices for stormwater drainage systems will be implemented to collect and manage the surface and runoff water impacts.</p>																										
<p><b>4. Plants:</b></p> <p>a. Check (✓) types of vegetation found on the site:</p> <table border="0"> <tr> <td>Deciduous Tree:</td> <td><input type="checkbox"/> Alder</td> <td><input type="checkbox"/> Maple</td> <td><input type="checkbox"/> Aspen</td> <td><input checked="" type="checkbox"/> Other</td> </tr> <tr> <td>Evergreen Green:</td> <td><input type="checkbox"/> Fir</td> <td><input type="checkbox"/> Cedar</td> <td><input type="checkbox"/> Pine</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Shrubs</td> <td><input checked="" type="checkbox"/> Grass</td> <td><input type="checkbox"/> Pasture Crop Or Grain</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td>Wet Soil Plants:</td> <td><input type="checkbox"/> Cattail</td> <td><input type="checkbox"/> Buttercup</td> <td><input type="checkbox"/> Bullrush</td> <td><input type="checkbox"/> Skunk Cabbage</td> </tr> <tr> <td>Water Plants:</td> <td><input type="checkbox"/> Milfoil</td> <td><input type="checkbox"/> Eelgrass</td> <td><input type="checkbox"/> Water Lily</td> <td><input type="checkbox"/> Other</td> </tr> </table> <p>Other Types Of Vegetation:</p> <p>b. What kind and amount of vegetation will be removed or altered? The development will be cleared of existing natural occurring pasture grasses and trees where necessary for the construction of the street, utility improvements, and home construction.</p> <p>c. List threatened or endangered species known to be on or near the site. There are no listed endangered or threatened plants on the project site or within the general project vicinity.</p>	Deciduous Tree:	<input type="checkbox"/> Alder	<input type="checkbox"/> Maple	<input type="checkbox"/> Aspen	<input checked="" type="checkbox"/> Other	Evergreen Green:	<input type="checkbox"/> Fir	<input type="checkbox"/> Cedar	<input type="checkbox"/> Pine	<input type="checkbox"/> Other		<input type="checkbox"/> Shrubs	<input checked="" type="checkbox"/> Grass	<input type="checkbox"/> Pasture Crop Or Grain	<input type="checkbox"/> Other	Wet Soil Plants:	<input type="checkbox"/> Cattail	<input type="checkbox"/> Buttercup	<input type="checkbox"/> Bullrush	<input type="checkbox"/> Skunk Cabbage	Water Plants:	<input type="checkbox"/> Milfoil	<input type="checkbox"/> Eelgrass	<input type="checkbox"/> Water Lily	<input type="checkbox"/> Other	
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>d. <b>Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:</b> The completed residential homesites will be landscaped with typical residential lawns, trees, flowers, and shrubs. The completed residential apartment complex homesites will be landscaped with typical residential lawns, trees, flowers, and shrubs. Additionally, landscaping will occur within the parking areas, and along the property lines.</p>	
<p><b>5. Animals:</b></p> <p>a. <b>Check (✓) any birds and animals which have been observed on or near the site or are known to be on or near the site:</b></p> <p>Birds: <input type="checkbox"/> Hawk <input type="checkbox"/> Heron <input type="checkbox"/> Eagle <input checked="" type="checkbox"/> Songbirds <input type="checkbox"/> Other</p> <p>Mammals: <input type="checkbox"/> Deer <input type="checkbox"/> Bear <input type="checkbox"/> Elk <input type="checkbox"/> Beaver <input type="checkbox"/> Other</p> <p>Fish: <input type="checkbox"/> Bass <input type="checkbox"/> Salmon <input type="checkbox"/> Trout <input type="checkbox"/> Herring <input type="checkbox"/> Shellfish <input type="checkbox"/> Other</p> <p>b. <b>List any threatened or endangered species known to be on or near the site.</b> There are no known endangered or threatened species on or near the project site.</p> <p>c. <b>Is the site part of a migration route? If so, explain.</b> Most of Washington State is part of the Pacific Flyway migratory route for birds.</p> <p>d. <b>Proposed measures to preserve or enhance wildlife, if any:</b> None.</p>	
<p><b>6. Energy and Natural Resources</b></p> <p>a. <b>What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.</b> It is anticipated that electricity and/or natural gas will be the primary sources of cooling and heating the residences. Electricity will also be used for normal residential demands of lighting, etc. During construction: equipment fuel.</p> <p>b. <b>Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.</b> The project will not affect the potential use of solar energy by adjacent properties.</p> <p>c. <b>What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:</b> New construction will be built to Washington State Energy Codes and as required by the International Building Code.</p>	
<p><b>7. Environmental Health</b></p> <p>a. <b>Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.</b> There are no known environmental health hazards that could occur as a result of proposal. A fuel spill may occur as a result of construction activities.</p> <p>1. <b>Describe special emergency services that might be required.</b> There are no known emergency services that would be needed as a result of this new building. Emergency medical aid may be required should an injury occur during construction.</p> <p>2. <b>Proposed measures to reduce or control environmental health hazards, if any:</b> There are no known environmental health hazards associated with this proposal, therefore there are no proposed measures. The site is a historic pasture and the land was tested for arsenic during previous development and shown to be below the thresholds of concern.</p>	<p style="text-align: right;"><b>RECEIVED</b></p>



B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p><b>b. Noise</b></p> <p>1. <b>What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?</b> Traffic noise from adjacent public streets.</p> <p>2. <b>What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.</b></p> <p>Short-term noise consists of construction activities associated with commercial construction. Construction noise can be expected from approximately 7:00 a.m. to 7:00 p.m.</p> <p>Long-term noise is expected from the typical residential maintenance equipment, i.e. lawn mowers, leaf blowers, power trimmers, snow blowers, etc. during daylight hours.</p> <p>3. <b>Proposed measures to reduce or control noise impacts, if any:</b> No adverse noise impacts are anticipated; however, we propose to restrict construction to 7:00 a.m. to 7:00 p.m.. In addition, we will comply with the City of Yakima and Yakima County Noise Ordinance, as it applies to this project.</p> <p><b>8. Land and Shoreline Use</b></p> <p>a. <b>What is the current use of the site and adjacent properties?</b> The project area consists of unused open land. There is open land located immediately to the north and east of the subject parcel. Residential homes are located to the all sides of the subject property.</p> <p>b. <b>Has the site been used for agriculture? If so, describe.</b> The site has not been used for agriculturally for fruit production. The site has been used to pasture cows or grow alfalfa. The site is a historic pasture and the land was tested for arsenic during previous development and shown to be below the thresholds of concern.</p> <p>c. <b>Describe any structures on the site.</b> There is currently no residential home on the Apple Tree No.4 - Phase 2 site.</p> <p>d. <b>Will any structures be demolished? If so, what?</b> None.</p> <p>e. <b>What is the current zoning classification of the site?</b> R-1.</p> <p>f. <b>What is the current comprehensive plan designation of the site?</b> R-1.</p> <p>g. <b>If applicable, what is the current shoreline master program designation of the site?</b> Not applicable.</p> <p>h. <b>Has any part of the site been classified as an "environmentally sensitive" area? If so specify.</b> No part of the site has been classified as an "environmentally sensitive" area.</p> <p>i. <b>Approximately how many people would reside or work in the completed project?</b> Approximately 81 people (2.7 people per home) would reside in the completed project.</p> <p>j. <b>Approximately how many people would the completed project displace?</b> None</p> <p>k. <b>Proposed measures to avoid or reduce displacement impacts, if any.</b> Not applicable.</p> <p>l. <b>Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:</b> The current zoning for these properties is determined that the</p>	



B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>properties are suitable for uses permitted in the respective single family zoning district. The project meets the current and future land use plans of the City of Yakima.</p>	
<p><b>9. Housing</b></p>	
<p>a. <b>Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.</b> Approximately 29 single family lots, 3 tri-plex units will be created.</p>	
<p>b. <b>Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.</b> None.</p>	
<p>c. <b>Proposed measures to reduce or control housing impacts, if any:</b> Not applicable.</p>	
<p><b>10. Aesthetics</b></p>	
<p>a. <b>What is the tallest height of any proposed structures, not including antennas; what are the principal exterior building materials proposed?</b> Most likely less than 35 feet in max height. Principal building materials will consist of stone, brick, stucco, wood.</p>	
<p>b. <b>What views in the immediate vicinity would be altered or obstructed?</b> None known.</p>	
<p>c. <b>Proposed measures to reduce or control aesthetic impacts, if any:</b> Apple Tree No. 4 is a gated community and part of the master-planned Apple Tree Resort. The homes will reflect the style and quality of the Apple Tree Resort. Restrictive covenants will require fences and landscaping to be in harmony with the community and neighboring properties. Compliance with zoning and building code regulations regarding building height, lot coverage and setbacks will also be in effect.</p>	
<p><b>11. Light and Glare</b></p>	
<p>a. <b>What type of light or glare will the proposal produce? What time of day would it mainly occur?</b> Typical and normal residential and residential apartment security night lighting from dusk until dawn.</p>	
<p>b. <b>Could light or glare from the finished project be a safety hazard or interfere with views?</b> The light or glare is not expected to pose any safety hazards or interfere with any views.</p>	
<p>c. <b>What existing off-site sources of light or glare may affect your proposal?</b> None.</p>	
<p>d. <b>Proposed measures to reduce or control light and glare impacts, if any:</b></p> <p>Proposed street lighting, security lighting, and possible accent lighting will be directed downward throughout the development. Encourage the use of lowest necessary wattage.</p>	
<p><b>12. Recreation</b></p>	
<p>a. <b>What designated and informal recreational opportunities are in the immediate vicinity?</b> Apple Tree Golf Course is located immediately adjacent to the property. A community pool, cabana, and tot lot are located in the adjacent Apple Tree Subdivision.</p>	
<p>b. <b>Would the proposed project displace any existing recreational uses? If so, describe.</b> No.</p>	

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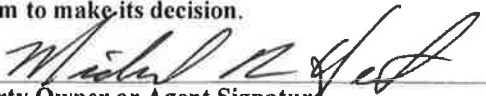
B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>c. <b>Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:</b> None needed.</p>	
<p><b>13. Historic and Cultural Preservation</b></p>	
<p>a. <b>Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.</b> According to the Department of Archaeology &amp; Historic Preservation's (DAHP) Washington Information System for Architectural and Archeological Records Data (WISAARD), there are no registered properties within or adjacent to the project limits.</p>	
<p>b. <b>Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural important known to be on or next to the site.</b> There are no known landmarks or evidence of historic, archaeological, scientific, or other cultural significance located on or near the site.</p>	
<p>c. <b>Proposed measures to reduce or control impacts, if any:</b> There are no known impacts, therefore no measures are proposed. If, during construction, artifacts are found, then work within the area will cease and the proper authority will be notified.</p>	
<p><b>14. Transportation</b></p>	
<p>a. <b>Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.</b> South 86<sup>th</sup> Avenue abuts Apple Tree No. 4 on the east and is just north of Ahtanum Road. The development will access south 86<sup>th</sup> avenue. Apple Tree No. 4 will not access Ahtanum Road. Additional road entrances would be provided to Ahtanum if future phases were added. See attached preliminary plat drawing.</p>	
<p>b. <b>Is site currently serviced by public transit? If not, what is the approximate distance to the nearest transit stop?</b> No. The nearest bus stop is located at Nob Hill and South 72nd Avenue, approximately 2 miles to the east.</p>	
<p>c. <b>How many parking spaces would the completed project have?</b>  <b>How many would the project eliminate?</b> None</p> <p>In Apple Tree No.4 - Phase 2, each homesite will have a minimum of 2 off-street parking spaces. There will be on-street parallel parking along the public roadway within the development. No parking spaces will be eliminated.</p>	
<p>d. <b>Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).</b> Yes, the internal road system is constructed except for the small road stub serving lots 5-8.</p>	
<p>e. <b>Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.</b> No.</p>	
<p>f. <b>How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.</b></p> <p>Based upon the Tenth Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, a single family residential project (Land Use 210) is anticipated to generate approximately 9.57 vehicle trips per weekday per residence. That equates to approximately 287 vehicle trips per day for (50% entering and 50% exiting). The</p>	

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**CITY OF YAKIMA  
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>residential condo/townhouse project (Land Use 230) is anticipated to generate approximately 5.81 vehicle trips per weekday per residence. That equates to approximately 58 vehicle trips per day for (50% entering and 50% exiting).</p> <p>The estimated volume during the A.M. peak hour (7:00 a.m. to 9:00 a.m.) of adjacent street traffic (S. 86<sup>th</sup> Avenue) is 0.74 trips per single residence or 44 trips and 0.44 trips per multi-family units or 4 trips at full build-out of all phases (25% entering, 75% exiting). The estimated volume during the P.M. peak hour (4:00 p.m. to 6:00 p.m.) of adjacent street traffic is 1.01 trips per single-family residence or 57 trips, and 0.52 trips per multi-family units, or 5 trips at full build-out of all phases (63% entering, 37% exiting).</p>	
<p>g. <b>Proposed measures to reduce or control transportation impacts, if any:</b> No measures are planned. Primary access will be provided via one gated entrance from South 86<sup>th</sup> Avenue.</p>	
<p><b>15. Public Services</b></p>	
<p>a. <b>Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe:</b></p> <p>The project will have probable incremental increased demand for fire and police protection, public safety services and schools could be anticipated, relative to the potential population increase.</p>	
<p>b. <b>Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity, which might be needed.</b> Water from Nob Hill Water and Sewer from the City of Yakima are available to serve the property and would be extended to serve new buildings.</p>	
<p><b>16. Utilities</b></p>	
<p>a. <b>Circle utilities currently available at the site:</b> <u>electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.</u></p>	
<p>b. <b>Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity, which might be needed.</b> Answered above</p> <p>Domestic Water: Nob Hill Water Association  Sanitary Sewer: City of Yakima  Refuse: City of Yakima or private company  Power: Pacific Power  Telephone: Qwest or Charter  Irrigation: Ahtanum  Natural Gas: Cascade Natural Gas Company</p>	
<p><b>C. SIGNATURE (To be completed by the applicant.)</b></p>	
<p>The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.</p> <div style="display: flex; justify-content: space-between;"> <div data-bbox="180 1612 743 1728">   Property Owner or Agent Signature </div> <div data-bbox="1036 1612 1214 1728"> 5/3/21  Date Submitted </div> </div>	
<p align="center"><b>PLEASE COMPLETE SECTION "D" ON THE NEXT PAGE IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW</b></p>	

**RECEIVED**



D. SUPPLEMENT SHEET FOR NONPROJECT ACTIONS (To be completed by the applicant.) (DO NOT USE THE FOLLOWING FOR PROJECT ACTIONS)	Space Reserved For Agency Comments
<p>Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities that would likely result from the proposal and how it would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.</p>	
<p><b>1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?</b>  The proposal will not increase discharges to water, air, release toxic or hazardous substances, or increase noise pollution.</p> <p><b>Proposed measures to avoid or reduce such increases are:</b> This question is not applicable.</p>	
<p><b>2. How would the proposal be likely to affect plants, animals, fish, or marine life?</b>  The proposal will not create any adverse impacts on plants, animals, fish or marine life.</p> <p><b>Proposed measures to protect or conserve plants, animals, fish, or marine life are:</b>  This question is not applicable.</p>	
<p><b>3. How would the proposal be likely to deplete energy or natural resources?</b> The proposal will not deplete energy or natural resources other than through normal building operations of commercial businesses.</p> <p><b>Proposed measures to protect or conserve energy and natural resources are:</b> Energy efficient measures will be installed wherever practicable; for instance, water efficient fixtures will be used.</p>	
<p><b>4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?</b> The proposal will not affect any sensitive areas or areas designated for governmental protection.</p> <p><b>Proposed measures to protect such resources or to avoid or reduce impacts are:</b>  This question is not applicable.</p>	
<p><b>5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?</b> The proposal will not affect land or shoreline use.</p> <p><b>Proposed measures to avoid or reduce shoreline and land use impacts are:</b>  This question is not applicable.</p>	
<p><b>6. How would the proposal be likely to increase demands on transportation or public services and utilities?</b> The proposal will have a slight increase of daily trips above the original road use, however the increase can be accommodated by the existing surface streets which were constructed to accommodate heavy traffic from surrounding land uses.</p> <p><b>Proposed measures to reduce or respond to such demand(s) are:</b> No negative impacts are anticipated.</p>	
<p><b>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.</b> The proposal is not known to conflict with local, state, or federal laws protecting the environment.</p>	

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CITY OF YAKIMA  
PLANNING DIV.



FEB 22 2021

CITY OF YAKIMA  
PLANNING DIV

## City of Yakima, Washington TRANSPORTATION CAPACITY ANALYSIS

The Washington State Growth Management Act (RCW 36.70A.70) requires all new development to be consistent with the existing or planned street system capacities. The City of Yakima adopted YMC Ch. 12.08 to implement this local requirement. The information you provide with this application will be used to estimate the impact of your development upon the PM Peak Hour traffic on the City of Yakima arterial streets.

### APPLICATION INFORMATION

**Applicant Name:** Apple Tree Construction Company      **Project Address:** 9300 Apple Tree Parkway

**Contact Person:** Jon Kinloch

**Mailing Address:** 2550 Borton Rd.

Yakima, WA 98903      **Parcel No(s):** 171201-13405, 181206-23401, -23402,

-23404, - 23026, -23014

Please fill out the appropriate column for your proposed use:

For RESIDENTIAL Use:	For COMMERCIAL Use:	For INDUSTRIAL Use:
Housing Type* SF, four-plexes, duplex (Single-Family, Apartments, etc)	Describe Use*	Describe Use*
Special Population* (Nursing Homes, etc)	Gross Floor Area	Gross Floor Area
Other* (Group Home, Daycare, Church, etc.)	Parking Spaces (Required/Provided)	Parking Spaces (Required/Provided)
Number of Units <u>27 SF, 10 MF</u>	Number of Employees	Number of Employees

\*Uses must match up with YMC Ch. 15.04, Table 4-1

**Project Description:** See Attached.

Submit this form with a site plan, the application fee, and any attachments to the City of Yakima, Permit Center, Yakima City Hall, 129 N. 2nd Street, Yakima, WA 98901. You will receive a Notice of Decision explaining the Findings of the resulting analysis. Please review the Decision when it is sent to you, as you only have 14 days to file a Request for Reconsideration or an Appeal.

**Questions?** Contact the City of Yakima, Planning Division, 129 N. 2nd Street, Yakima, WA 98901 - (509) 575-6183

FILE/APPLICATION #: <u>TLO # 003-21</u>			
DATE FEE PAID: <u>2/24/21</u>	RECEIVED BY: <u>online</u>	AMOUNT PAID: <u>\$250.<sup>00</sup></u>	RECEIPT NO: <u>CR-21-000622</u>



## PROJECT DESCRIPTION TRAFFIC CONCURRENCY

This proposed plat will subdivide approximately 14.03 acres into 27 single family lots, 2 four-plex lots, a duplex lot and 4 tracts. The single-family lot sizes will vary in size from approximately 8,000 square feet to 14,782 square feet. The 2 four-plex lots, lots 61-62, are approximately 18,141 square feet to 18,244 square feet, and duplex lot 63 is approximately 17,380 square feet. The internal street is private and gated and was constructed as part of Phase 1. The lots will have frontage onto the private roadway.

Access to the plat is from an extension off S. 86<sup>th</sup> Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will all be contained on-site in drain rock envelopes for underground infiltration.



FEB 22 2021

CITY OF YAKIMA  
PLANNING DIV.171201-13405

TRACT 'E', THE PLAT OF APPLE TREE PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 8050436, RECORDS OF YAKIMA COUNTY, WASHINGTON;

EXCEPT BEGINNING AT THE NORTHWEST CORNER OF LOT 41, OF SAID PLAT OF APPLE TREE PHASE 4;  
THENCE NORTH 74°50'39" WEST 49.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 245.00 FEET;  
THENCE WESTERLY ALONG SAID CURVE CONSUMING A CENTRAL ANGLE OF 21°43'20" AN ARC LENGTH OF 92.89 FEET;  
THENCE SOUTH 16°21'55" EAST 112.03 FEET TO THE SOUTHERLY LINE OF SAID TRACT 'E';  
THENCE SOUTH 80°20'46" EAST ALONG SAID SOUTHERLY LINE 82.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 41;  
THENCE NORTH 15°09'19" EAST 105.03 FEET ALONG THE WEST LINE OF SAID LOT 41 A DISTANCE OF 105.03 FEET TO THE POINT OF BEGINNING;

181206-23404

TRACT 'D' AND LOT 55, THE PLAT OF APPLE TREE PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 8050436, RECORDS OF YAKIMA COUNTY, WASHINGTON.

181206-23402

TRACT 'C' OF THE PLAT OF "APPLE TREE NO. 4" ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 8050436, RECORDS OF YAKIMA COUNTY, WASHINGTON;

AND TOGETHER WITH THAT PORTION OF PARCEL 'A' OF THAT RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 8020287, RECORDS OF YAKIMA COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 'C';  
THENCE NORTH 0°00'01" EAST ALONG THE EAST LINE OF SAID TRACT 'C' 118.16 FEET;  
THENCE NORTH 59°59'59" WEST ALONG SAID EAST LINE 40.00 FEET;  
THENCE NORTH 0°00'00" EAST ALONG SAID EAST LINE 80.00 FEET;  
THENCE SOUTH 30°49'19" EAST 131.04 FEET;  
THENCE SOUTH 0°00'01" WEST 117.48 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 'A', SAID POINT BEING ON A CURVE CONCAVE TO THE NORTHEAST, CENTER OF SAID CURVE BEARING NORTH 14°26'38" EAST 177.50 FEET;  
THENCE NORTHWESTERLY ALONG SAID CURVE CONSUMING A CENTRAL ANGLE OF 11°11'04" AN ARC LENGTH OF 34.65 FEET TO THE POINT OF BEGINNING;

SITUATED IN YAKIMA COUNTY, STATE OF WASHINGTON.

181206-23401

TRACT 'B', THE PLAT OF APPLE TREE PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 8050436, RECORDS OF YAKIMA COUNTY, WASHINGTON.





## DEPARTMENT OF UTILITIES AND ENGINEERING

*Engineering Division  
129 North Second Street  
Yakima, Washington 98901  
(509) 575-6111 • Fax (509) 576-6305*

August 18, 2021

Mike Heit, PE  
HLA Engineering and Surveying, Inc.  
2803 River Rd.  
Yakima, WA 98902

Subject: Notice of Decision for Transportation Concurrency – TCO#003-21  
ITE Trip Generation Code 210 – Single Family Homes

Mike,

Enclosed is the Transportation Concurrency Analysis Decision for the proposed Apple Tree No. 4 subdivision, in the vicinity of South 86<sup>th</sup> Avenue, between Ahtanum Road and Occidental Road, within the City of Yakima, Washington. This development has been APPROVED for Concurrency Analysis. Concurrency review determined that reserve capacity is available on all impacted arterial streets. Concurrency review does not evaluate impact to local access streets or street intersections. This review does not include safety or site design issues which will be addressed at the project review level of zoning and SEPA. This review concluded that the proposed development will not exceed the capacity of the arterial street system and reserve capacity exists on all impacted arterial streets.

Please review the enclosed report. You may appeal the Findings of this report or request Administrative Reconsideration within fifteen (15) days from the date of mailing of this Notice. Appeal forms and procedures are available at the Department of Community Development. If you have any questions, please call me at (509) 576-6754.

Sincerely,

Bill Preston, PE  
City Engineer

Enclosure

Cc: Planning  
TC File



**City of Yakima, Washington  
Engineering Division  
Transportation Concurrency Analysis**

Date of Review: August 18, 2021  
Review Prepared by: Ben Annen, PE, City Engineering  
Proposed Development: Apple Tree Construction Company, Apple Tree No. 4, Single and Multi-Family Lots  
Subject Address: 9300 Apple Tree Parkway  
ITE Land Use: 210 – Single Family Homes

Expected Net PM Peak Hour Trip Generation: 37 PM Peak Hour Trips  
Average Daily Weekday Trips: 352

**Summary of Impact:**

The applicant, Apple Tree Construction Company represented by HLA Engineering, proposes to construct 27 single family lots, 2 four-plex lots, a duplex, and 4 tracts, as part of Apple Tree No. 4 plat, in the vicinity of South 86<sup>th</sup> Avenue, between Ahtanum Road and Occidental Road, within the City of Yakima, Washington. All multi-family units are treated as a single family homes, equating to 37 single family homes. Traffic from this new development will enter/exit the Arterial Street system on South 86<sup>th</sup> Avenue to Occidental Road. City of Yakima Administrative procedures for Concurrency Analysis use the PM Peak hour trip of the adjacent street for the selected ITE use code. Based upon local data, City of Yakima Traffic Volumes for PM Peak Hour is assessed as 8.7% of total Average Daily Traffic (ADT). Peak hour reserve capacity includes any vehicle trips previously assigned under the Concurrency Ordinance. City of Yakima Transportation Concurrency assesses arterial street segment capacity only and does not address intersection capacity.

Seg #:	Street Segment	From - To	ADT	Year of Count	Pk Hr Capacity	Pk Hr Vol. (8.7% ADT)	Pk Hr Reserve Cap.	V/C	LOS	Project Pk Hr Trips	Total Pk Hr Vol. With TCO	Pk Hr Reserve Cap. After TCO	V/C with TCO	LOS with TCO
1	Occidental	64th Ave to 80th	3,455	2007	1600	301	1299	0.19	A	37	338	1262	0.21	A
2	Occidental	80th to 96th Ave	3,100	2007	1600	270	1330	0.17	A	37	307	1293	0.19	A
3	64th Avenue	Washington to Occidental	5,823	2007	1600	507	1093	0.32	A	30	537	1063	0.34	A
4	Washington Avenue	64th to 72nd Ave	8,271	2009	2000	720	1280	0.36	A	5	725	1275	0.36	A
5	Washington Avenue	48th to 64th Ave	9,365	2009	3600	815	2785	0.23	A	25	840	2760	0.23	A

**Summary of Impact to City of Yakima Arterial Streets:**

This application has been reviewed and approved for consistency with YMC 12.08 Transportation Capacity Management Ordinance. This development will not exceed the PM peak hour capacity of the City Arterial street system and reserve capacity exists on all impacted streets. This review does not include any site development or safety issues which may be discussed at the project level or SEPA review. The review does not address intersection level of service.





**FILED FOR RECORD AT REQUEST OF:**

Meyer, Fluegge & Tenney, P.S.  
Attn: James C. Carmody  
230 S. Second Street  
Yakima, Washington 98901

FILE# 8050437  
YAKIMA COUNTY, WA  
04/15/2020 01:13:03PM  
AGREEMENT  
PAGES: 14  
HLA

Recording Fee: 116.50

**DEVELOPMENT AGREEMENT  
FOR APPLE TREE NO. 4,**

The information contained in this boxed section is for recording purposes only pursuant to RCW 36.18 and RCW 65.04, and is not to be relied upon for any other purpose and shall not affect the intent of any warranty contained in the document itself.

**Reference number(s) (if applicable):**

**Declarant:** APPLE TREE CONSTRUCTION COMPANY, L.L.C., a Washington  
limited liability company

**Legal Description:**

Lots 17-31 of Plat of Apple Tree No. 4, Auditors File No. 8050436

Lots ~~40-54~~ of Plat of Apple Tree No. 4, Auditors File No. 8050436  
41-55

**Assessor's Tax Parcel ID Number(s):** 171201-13013, -14012, 181206-23025, -23013

DOC. INDEX  
# E-1



## **Development Agreement By and Between**

**City of Yakima**

**and**

**Apple Tree Construction Company, LLC for  
Apple Tree Phase No. 4**

This Development Agreement ("Agreement") is made and entered into between the City of Yakima, a Washington municipal corporation ("City") and Apple Tree Construction Company, LLC, a Washington limited liability company ("Apple Tree" or "Developer").

### **I. RECITALS**

Whereas, the City is a first class charter city incorporated under the laws of the State of Washington and has the authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and thereby to control the use and development of property within its corporate limits; and

Whereas, the City has the authority to enter into development agreements with those who own or control property within its jurisdiction pursuant to RCW 36.70B.170(1); and

Whereas, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement pursuant to RCW 36.70B.170(1); and

Whereas, for the purposes of this development agreement, "development standards" includes, but is not limited to, all of the standards listed in RCW 36.70B.170(3); and

Whereas, Developer is the owner of five parcels of approximately 24.83 acres at the west side of S. 86th Avenue, Yakima, Washington (the "Property"). The Property is legally described as follows:

See Attached Exhibit A., incorporated herein by this reference; and

Whereas, Developer has proposed a 68-lot subdivision comprised of three (3) phases together with three (3) individual plats, authorizing common private interior roadways, gates, and rolled curb and gutter, known as Apple Tree Development—Phase 4; and

Whereas, Apple Tree and City cooperated in a public/private partnership to design and construct public wastewater line and service facilities in order to provide wastewater service to the Ahtanum Sub – Basin. Sewer construction and financing was provided by Apple Tree Partnership pursuant to Sewer Construction and Bond Purchase Agreement dated November 14, 2000. Apple Tree Phase No. 4 is situated within the benefit area and properties subject to agreements with regard to wastewater connections as set forth in the referenced agreement; and

Whereas, pursuant to the Growth Management Act, RCW 36.70A, the City adopted its Yakima Urban Area Comprehensive Plan. Subsequently, the City has revised and updated this plan and has adopted and continues to adopt development regulations to implement the plan, including adoption of Yakima Urban Area Zoning Ordinances, which zoned the property Low Density Residential; and

Whereas, an open record public hearing was held before the City of Yakima Planning Commission on April 12, 2017, (following required public notice) and the Planning Commission issued a Recommendation to the Yakima City Council on April 26, 2017; and



Whereas, City Council held a closed record public hearing and considered the application, record and Planning Commission's Recommendation on June 6, 2017, and approved the subdivision (Resolution R-2017-070); and

Whereas, the parties intend this agreement to guide the current and future uses of the property, and,

Whereas, the City Council, at an open public hearing, authorized the City Manager to sign this development agreement with the developer,

Now, therefore, the parties hereto agree as follows:

## II. AGREEMENT

In consideration of mutual benefits, the parties agree as follows:

1. **The Project.** The project or Project is the development and use of approximately 24.83 acres in the City of Yakima. The Apple Tree Development—Phase 4 approval, PLP #002-13 and SEPA #024-13 describe the project as a thirty (30) lot residential development, and four additional tracts to be developed with residential use, all with gated private roads, and as more particularly set forth in the approved preliminary plat of Apple Tree Phase No. 4 ("Subdivision" or "Plat") – Exhibit B. Exhibit B is attached hereto and fully incorporated herein as the proposed development subject to this Agreement.

Apple Tree Phase No. 4 was reviewed and recommended for approval by the City of Yakima Planning Commission as set forth in the Recommendation to the Yakima City Council on April 26, 2017, and the Subdivision was approved by Yakima City Council on June 6, 2017.

The development, as outlined on Exhibit "B" and within the City Council's findings regarding the preliminary plat incorporating the Planning Commission recommendation, meets the minimum lot size and setback requirements for the R-1 zoning district. Consistent with YMC 15.28.035(D), the development will contain adequate infrastructure and landscaping as outlined on the plat.

2. **Subject Property.** The project site is legally described in Exhibit "A" attached hereto and incorporated herein by this reference (sometimes referred to as the "Subject Property" or "Property" herein).

3. **Parties to Development Agreement.** The parties to this Agreement are:

- a) The "City" is the City of Yakima.
- b) The "Developer" is Apple Tree Construction LLC.
- c) "Landowner" or "landowners". From time to time, as provided in this Agreement, the Developer may sell or otherwise lawfully dispose of a portion of the Subject Property to a landowner who, unless otherwise released, shall be subject to the applicable provisions of this Agreement related to such portion of the Subject Property.

4. **Private Undertaking.** It is agreed among the parties that the Project is a private development and that the City has no interest therein except as authorized in the exercise of its governmental functions.

5. **Development Terms.**

a) **Final Plat - Completion and Recording.** Developer agrees to abide by the terms and conditions established by City for the preliminary plat of Apple Tree Phase No. 4, including construction



(or bonding if approved pursuant to Yakima Municipal Code section 14.05.200) of all infrastructure and improvements described on the preliminary plat plan decisions.

b) Determination of Non - Significance. Developer agrees that the Property shall be used and developed in a manner consistent with the project description in the State Environmental Policy Act (SEPA) Determination of Non -Significance issued by the City of Yakima on April 11, 2014 (File No. SEPA #024-13), and incorporated herein by this reference as if set forth in full (the "DNS").

c) Gate and Interior Roads. Apple Tree Phase No. 4, Phases I, II, and III will be developed as a gated private residential community. Gate location shall be as set forth on attached Exhibit B. Interior roadways (including fire access roads) shall be private and maintained by Apple Tree and/or a homeowners' association established for or by residents of Apple Tree Phase No. 4. In the event Apple Tree and/or a homeowners' association is terminated, disassociated, or ceases to legally exist, the lot owners of Apple Tree Phase No. 4 shall be responsible for the gates and interior roads of the development. The private roadways shall not become public roadways unless they meet all City public road standards and requirements and are accepted by the City Engineer. If the streets are ever made public, all entry and exit gates will be removed.

d) Phased Development. Apple Tree Phase No. 4 is designed as a phased residential development. Development shall proceed at such times and manner as determined reasonable and/or appropriate by Apple Tree and subdivision approval shall continue for the period specified herein. Any residential construction shall be subject to applicable building codes in place at the time a complete building permit application for said construction has been received by the City.

The parties acknowledge that the most efficient and economic development of the Subject Property depends on numerous factors, such as market orientation and demand, interest rates, competition and similar factors, and that generally it will be most economically beneficial to the ultimate purchasers of the Subject Property to have the rate of development determined by the Developer. The parties also acknowledge that the first phase of Apple Tree Phase 4 will provide improvements available to all tracts of land associated with the entire phased development except Tract "D" and the improvements necessary for Tract "D" shall be constructed prior to, or at the time of development of Tract "D" as required.

e) Wastewater Connections. Developer acknowledges and agrees that it shall participate in the development and costs associated with all wastewater connections and necessary infrastructure as required under the Sewer Construction and Bond Purchase Agreement, dated November 14, 2000, which is fully incorporated herein.

That Agreement states that during the first 40 years of the Sewer Construction and Bond Purchase Agreement (so until November 13, 2040), the Developer shall not be charged for the future portion of the Trunkage Element found in YMC 7.58.060 as it existed at the time of the Agreement, and that the historic portion of the Trunkage element, which must be paid, is set at the rate in effect, by City ordinance on May 27, 1988.

That Agreement, in part, also states that the Developer will not be charged Collection Element, defined as: "that portion of the Connection Charge, as defined in Section 7.58.070 of the YMC and designated 'Base Collection Pipes Charge' ... [consisting of the] equitable share (historic) and actual cost (future)" for any current or future development where it constructs the wastewater collection system at its own expense.

As of the date of this Development Agreement the base rate for properties subject to the Sewer Construction and Bond Purchase Agreement is \$813.93, not including tax. This base rate will continue through this Development Agreement, pursuant to the Sewer Construction and Bond Purchase Agreement, and if the Developer is the connecting party and has built its own collection pipe.

All charges not specifically waived in the Sewer Construction and Bond Purchase Agreement shall be paid by the developer and/or landowner, such as taxes and fees.



f) Water Connections and Other Development Costs. Developer is responsible for all costs of development and the costs of the requirements outlined in the development permit decision approved by the City Council, other than as specifically stated herein.

g) Permitted Uses and Development Standards. The permitted uses, density and intensity of use, the maximum height and size of proposed buildings, and the construction, installation and extension of public improvements shall be those set forth in this Agreement; the permits, agreements and approvals identified herein; and all exhibits incorporated herein.

6. Term. This Agreement shall continue in force for a period of thirty-five (35) years unless extended or terminated as provided herein or when the property has been fully developed in accord with the preliminary plat, whichever first occurs. Termination of this Agreement shall not affect any of Developer's obligations herein which expressly or by implication are to continue after the termination of this Agreement; notwithstanding the generality of the foregoing, the parties expressly agree and covenant that the streets within Apple Tree Phase 4 shall be required to be private and shall not be accepted by the City of Yakima as public streets unless, prior to any public dedication of the private streets in the development, the streets are reconstructed to meet the City street standards at the expense of either the Developer, a homeowners' association, or the property owners, as the case may be.

7. Vesting. The subdivision shall be vested to development regulations, standards, conditions, and laws applicable at the time this Development Agreement is recorded, inclusive of specific conditions and standards set forth in said Development Agreement. The vesting period shall be for the Term of the Agreement, unless sooner terminated in accordance with the terms herein. During the stated vesting period the applicant shall be entitled to implement the Subdivision in accordance with the terms and conditions of approval set forth herein. The City and Developer agree that the development rights, obligations, terms and conditions specified in this Agreement are fully vested in the Developer and may not be changed or modified by the City, except as may be expressly permitted by, and in accordance with, the terms and conditions of this Agreement, including the Exhibits hereto, or as expressly consented thereto by the Developer.

8. City's Reservation of Rights. The parties intend this Agreement to be interpreted to the full extent authorized by law as an exercise of the City's authority to enter into development agreements pursuant to RCW 36. 70B. 170. Provided, however, that this Agreement shall be construed to exclude from the scope of this Agreement and to reserve to the City the authority which is prohibited by law from being subject to the mutual agreement with consideration of parties acting under Ch. 36.70B RCW. Without limitation, this shall include the right of the City to impose new or different conditions on the property to the extent required by a serious threat to public health and safety or as required by law.

9. Default/Notices. No party shall be in default under this Agreement unless it has failed to perform as required for a period of thirty (30) days after written notice of default to the other party. Each notice of default shall specify the nature of the alleged default and the manner in which the default may be cured satisfactorily. The party not in default under this Agreement shall have all rights and remedies provided by law or equity, including without limitation, damages, specific performance or writs to compel performance or require action consistent with this Agreement.

10. Assignment of Interests, Rights and Obligations. This Agreement shall be binding and inure to the benefit of the parties. No party may assign its rights under this Agreement without the written consent of the other party, which consent shall not be unreasonably withheld. This Agreement shall be binding upon and shall inure to the benefit of the heirs, successors, and assigns of Developer and the City.

11. Appeals. In the event that any of the permits or approvals associated with the proposed development, including but not limited to SEPA determinations, preliminary plat, or planned development approval, are or may be appealed, then in that event, the City's obligations under this Agreement, and under the above-referenced development entitlements, shall be suspended, and may be terminated upon



either order of court of competent jurisdiction or mutual agreement of the parties. Developer agrees not to appeal any of the previously required permits or approvals associated with the proposed development, including but not limited to SEPA determinations, preliminary plat, or planned development approval.

12. **Third-Party Legal Challenge.** In the event any legal action or special proceeding is commenced against the City by any person or entity other than a party to this Agreement to challenge this Agreement or any provision herein, including any of the permits, approvals, or entitlements associated with this Agreement, the City may elect to tender the defense of such lawsuit or individual claims in the lawsuit to Developer, and Developer shall have the sole responsibility for defense of the third-party legal challenge. The tender and acceptance thereof shall relate solely to defense of the claims but shall not include assumption of any municipal liability, obligation or legal responsibility arising from or related to challenged municipal acts or omissions. The Developer shall not settle any such tendered lawsuit without the consent of the City, which consent shall not be unreasonably withheld.

13. **Developer's Warranties and Representations.** Developer represents and warrants to City that Developer has a property interest in the property, and that the covenants and obligations of Developer in this Agreement and in the permits, approvals, and entitlements associated with this Agreement and the proposed development do not violate or constitute a default under or breach of any agreement between Developer and any third party by which Developer is bound. Developer represents and warrants to City that Developer is fully authorized to enter into and perform its obligations under this Agreement. Developer represents and warrants to City that there is neither pending nor, to the knowledge of Developer, any threatened legal action, arbitration or administrative hearing before any governmental authority to which Developer is a party and which could enjoin or restrict Developer's right or ability to perform its obligations under this Agreement.

14. **Modification of an Approved Master Planned Development Overlay.** Modifications to the adopted master development plan and/ or Development Agreement may be required from time to time. Minor modifications will be subject to Type (2) review as defined in YMC Chapter 15.13. The administrative official shall review modifications to adopted master development plan and/or Development Agreement as a minor modification if it has been determined that:

- a) The amendment does not increase the areas identified for any particular land use or increase the residential density approved in the master plan;
- b) The amendment does not increase the total area of nonresidential uses by more than five percent (5%);
- c) The amendment does not materially change the type and character of approved uses;
- d) The amendment does not materially change provisions for parking or traffic circulation within the development;
- e) The amendment does not materially change buffers, setbacks, buffers, landscaping, shoreline, critical areas, or other mitigation measures;
- f) The amendment does not materially impact the overall design of the approved master plan; and
- g) Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the master planned development which are deemed not to be material or significant in relation to the entire master planned development and are determined not to have any significant adverse effect on adjacent or nearby lands or the public health, safety or welfare.

Major modifications will be subject to Type (3) review as defined in YMC Chapter 15.15 and shall be referred to the Hearing Examiner in accordance with YMC 15.15.040. A "major modification" shall be any



modification to an approved development agreement that is deemed to be more significant than a "minor modification" as described hereinabove.

15. **Further Discretionary Action.** Developer acknowledges that the existing land use regulations for the City of Yakima contemplate the exercise of further discretionary powers by the City. Nothing in this Agreement shall be construed to limit the authority or the obligation of the City to hold legally required hearings, or to limit the discretion of the City and any of its officers or officials in complying with or applying existing land use regulations as appropriate. These powers may include, but are not limited to, review of additional permit applications under SEPA.

16. **Termination.** This Agreement shall expire and /or terminate as provided below:

a) This Agreement shall expire and be of no further force and effect if the Developer does not construct the Project as contemplated by the permits and approvals identified in this Agreement, and submits applications for development of the Property that are consistent with such permits and approvals.

b) This Agreement shall terminate upon the expiration of the term identified in Section 6 herein or when the Subject Property has been fully developed, whichever first occurs, and all of the Developer's obligations in connection therewith are satisfied as determined by the City. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City Attorney that the Agreement has been terminated.

c) **Effect upon Termination on Developer Obligations.** Termination of this Agreement as to the Developer of the Subject Property or any portion thereof shall not affect any of the Developer's obligations to comply with the City Comprehensive Plan and the terms and conditions or any applicable zoning code(s) or subdivision map or other land use entitlements approved with respect to the Subject Property, any other conditions of any other development specified in the Agreement to continue after the termination of this Agreement or obligations to pay assessments, liens, fees or taxes.

d) **Effects upon Termination on City.** Upon any termination of this Agreement as to the Developer of the Subject Property, or any portion thereof, the entitlements, conditions of development, limitations on fees and all other terms and conditions of this Agreement shall no longer be vested hereby with respect to the property affected by such termination (providing that vesting of such entitlements, conditions or fees may then be established for such property pursuant to then-existing planning and zoning laws).

17. **Severability.** If any provision of this Agreement are determined to be unenforceable or invalid pursuant to a final decree or judgment by a court of law or tribunal with jurisdiction, then the remainder of this Agreement not decreed or adjudged unenforceable or invalid shall remain unaffected and in full force and effect.

18. **Agreement to be Recorded.** This Agreement may be modified only by written agreement of the parties hereto. This Agreement or a memorandum thereof shall be recorded against the Property as a covenant with the land which touches and concerns the Property and shall be binding upon the City and Developer, their heirs, successors and assigns, and all future owners of the Property. Developer shall be responsible for the costs of recording. Any approved modifications to this Agreement shall also be recorded against the Property.

19. **Specific Performance.** The parties specifically agree that damages are not an adequate remedy for breach of this Agreement, and that the parties are entitled to compel specific performance of all material terms of this Agreement by any party in default hereof.

20. **Governing Law and Venue.** This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. Venue for any action shall lie in Yakima County Superior Court.



21. **Attorneys' Fees.** In the event of any litigation or dispute resolution process between the parties regarding an alleged breach of this Agreement, neither party shall be entitled to any award of attorneys' fees.

22. **No Third-Party Beneficiaries.** This Agreement is for the benefit of the parties hereto only and is not intended to benefit any other person or entity. No person or entity not a party to this Agreement (other than a subsequent landowner of a lot in the Plat of Apple Tree Phase No. 4) may enforce the terms and provisions of this Agreement.

23. **Integration.** This Agreement, including its recitals which are fully incorporated herein, represents the entire agreement of the parties with respect to the subject matter hereof. There are no other agreements between the parties, oral or written, except as expressly set forth herein.

24. **Covenants Running with the Land.** The conditions and covenants set forth in this Agreement shall run with the land. Developer and every purchaser, assignee, or transferee of any interest in the Property or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Property, or such portion thereof, sold, assigned, or transferred to it. Any such purchaser, assignee, or transferee shall observe and fully perform all of the duties and obligations of the Developer contained in this Agreement, as such duties and obligations pertain to that portion of the Property sold, assigned, or transferred to it.

25. **Notices.** Notices, demands or correspondence to the City and Developer shall be sufficiently given if dispatched by pre-paid, first-class mail to the following addresses:

City Manager  
City of Yakima  
129 North Second Street  
Yakima, WA 98902


Apple Tree  
Apple Tree Construction Company, LLC  
8805 Occidental Avenue  
Yakima, WA 98903

Notices to subsequent owners of lots in the Apple Tree Phase No. 4 shall be required to be given by the City only for those owners who have given the City written notice of their address for such notice. A party hereto shall, from time to time, advise the other of new addresses for such notices, demands, or correspondence.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date set forth below.

CITY OF YAKIMA

By:

  
Alex Meyerhoff  
Interim City Manager

CITY CONTRACT NO:

2020-021

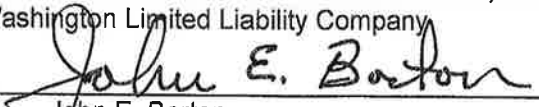
RESOLUTION NO:

R-2020-019

APPLE TREE CONSTRUCTION COMPANY, LLC

a Washington Limited Liability Company

By:

  
John E. Borton  
Managing Member

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# E-1



STATE OF WASHINGTON )  
 ) ss.  
County of Yakima )

I certify that I know or have satisfactory evidence that **JOHN E. BORTON** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Managing Member of APPLE TREE CONSTRUCTION COMPANY, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Given under my hand and official seal this 17<sup>th</sup> day of January, 2020.

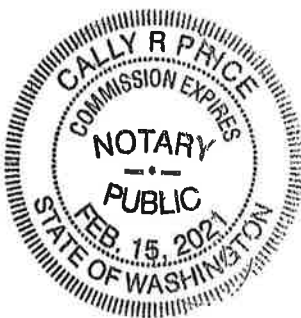


Dean R. Crow  
Type/Print Name Dean R. Crow  
Notary Public in and for the State of Washington residing  
at Yakima  
My Commission expires 9-20-21

STATE OF WASHINGTON )  
 ) ss.  
County of Yakima )

I certify that I know or have satisfactory evidence that **ALEX MEYERHOFF** is the Interim City Manager of the City of Yakima and the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Interim City Manager of CITY OF YAKIMA be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Given under my hand and official seal this 5<sup>th</sup> day of February 2020.



Cally R. Price  
Type/Print Name Cally R. Price  
Notary Public in and for the State of Washington residing  
at Yakima  
My Commission expires 2/15/2021

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# E-1



**EXHIBIT 'A'**

181206-23025

PARCEL 'B' OF THAT RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE  
NUMBER 8020287,  
RECORDS OF YAKIMA COUNTY, WASHINGTON.

171201-14012

PARCEL 'E' OF THAT RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE  
NUMBER 8020287,  
RECORDS OF YAKIMA COUNTY, WASHINGTON.

171201-13013

PARCEL 'F' OF THAT RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE  
NUMBER 8020287,  
RECORDS OF YAKIMA COUNTY, WASHINGTON.

181206-23013

BEGINNING 390 FEET NORTH AND 30 FEET WEST OF THE SOUTHEAST CORNER OF  
THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 12 NORTH,  
RANGE 18 EAST, W.M., THENCE NORTH 75 FEET; THENCE WEST 284 FEET; THENCE  
SOUTH 75 FEET; THENCE EAST 284 FEET TO THE POINT OF BEGINNING, RECORDS OF  
YAKIMA COUNTY, STATE OF WASHINGTON.



Plat

8050 436

1/4

## PLAT OF "APPLE TREE NO. 4"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)

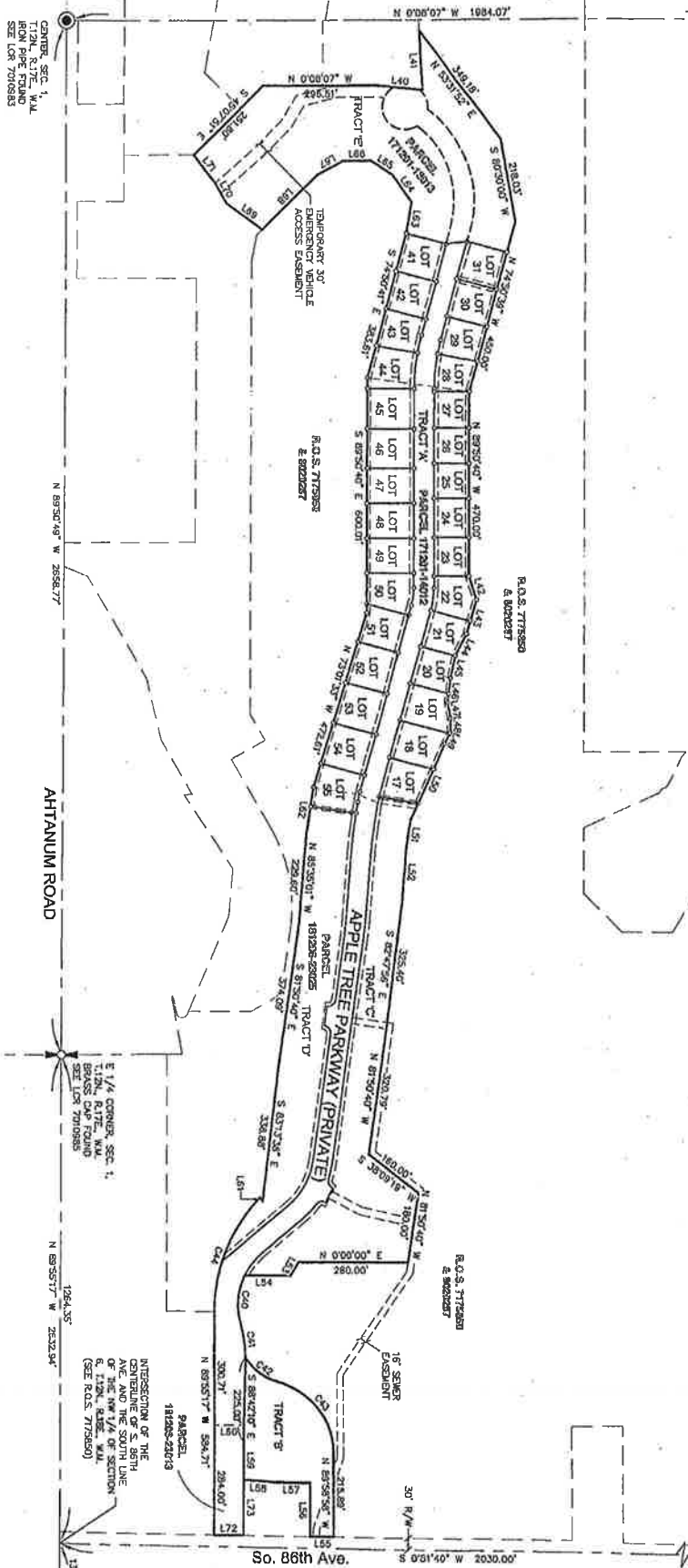
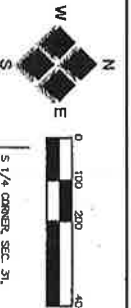
CLOSING CORNER  
N 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

SW CORNER, SEC. 31,  
T12N, R18E, W.M.  
ALUM. CAP FOUND  
SEE LOT 7768274

1850.12' N 89°00'00" E 2852.12'  
OCCIDENTAL ROAD

CLOSING CORNER  
NE CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND 2.17'  
SOUTH OF SECTION LINE  
S 89°58'27" E 500.25'

CLOSING CORNER FOR  
THE CENTER OF SEC. 6,  
T12N, R18E, W.M.  
FOUND 0.17' NORTH OF  
NORTH 1/4 CORNER  
SEE LOT 24-1586



## LEGAL DESCRIPTION

PARCEL 1, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 2, 1/4 CORNER, SEC. 31,  
T12N, R18E, W.M.  
ALUM. CAP FOUND  
SEE LOT 7768274

PARCEL 3, 1/4 CORNER, SEC. 6,  
T12N, R18E, W.M.  
FOUND 0.17' NORTH OF  
NORTH 1/4 CORNER  
SEE LOT 24-1586

PARCEL 4, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 5, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 6, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 7, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 8, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 9, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 10, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 11, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 12, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 13, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 14, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 15, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 16, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 17, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 18, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 19, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 20, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 21, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 22, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 23, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 24, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 25, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 26, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 27, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 28, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 29, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 30, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

PARCEL 31, 1/4 CORNER, SEC. 1,  
T12N, R17E, W.M.  
ALUM. CAP FOUND  
SEE LOT 14-1588

## YANMA COUNTY TREASURERS CERTIFICATE

I HEREBY CERTIFY THAT ALL CHARGEABLE REGULAR AND SPECIAL  
TAXES ON THE PROPERTY OF THE COUNTY HAVE BEEN PAID AND  
THAT THE SAME ARE NOT A LIEN ON THE PROPERTY OF THE COUNTY.  
DATED THIS 14th DAY OF April 2020

BY: *Charles Ross*  
YANMA COUNTY TREASURER'S OFFICE

## AUDITORS CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF April  
2020 AT 1:13 P.M. UNDER AUDITOR'S FILE NUMBER  
8050436 RECORDS OF YANMA COUNTY,  
WASHINGTON, INC.  
LAND SURVEYING, INC.  
Charles Ross  
YANMA COUNTY AUDITOR BY DEPUTY Nicole Smith

## SURVEYORS CERTIFICATE

I, TUDOR D. FRIES, A PROFESSIONAL LAND SURVEYOR, DO  
HEREBY CERTIFY THAT THE PLAT OF "APPLE TREE NO. 4" IS  
A TRUE AND CORRECT REPRESENTATION OF THE LAND  
AND THE INTERESTS THEREIN AS SHOWN ON THE PLAT.  
DATED THIS 14th DAY OF April 2020

BY: *Charles Ross*  
YANMA COUNTY TREASURER'S OFFICE



CERTIFICATE NUMBER 44631 Dec. 10, 2018

## NOTES

1. SEE SHEET 2 AND 3 FOR LOT DETAILS
2. SEE SHEET 4 FOR LINE TABLES, NOTES, APPROVALS, AND ADDITIONAL
3. SEE SHEET 2 FOR ADDRESS TABLE

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PARCEL NUMBERS: 1, 171201-14012  
181206-23025  
181206-23013



2805 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hlaenv.com

JOB NO. 17090  
DATE: DECEMBER 11, 2019  
SHEET 1 of 4



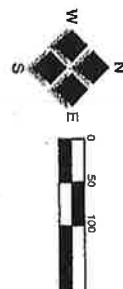
Plat

8050436

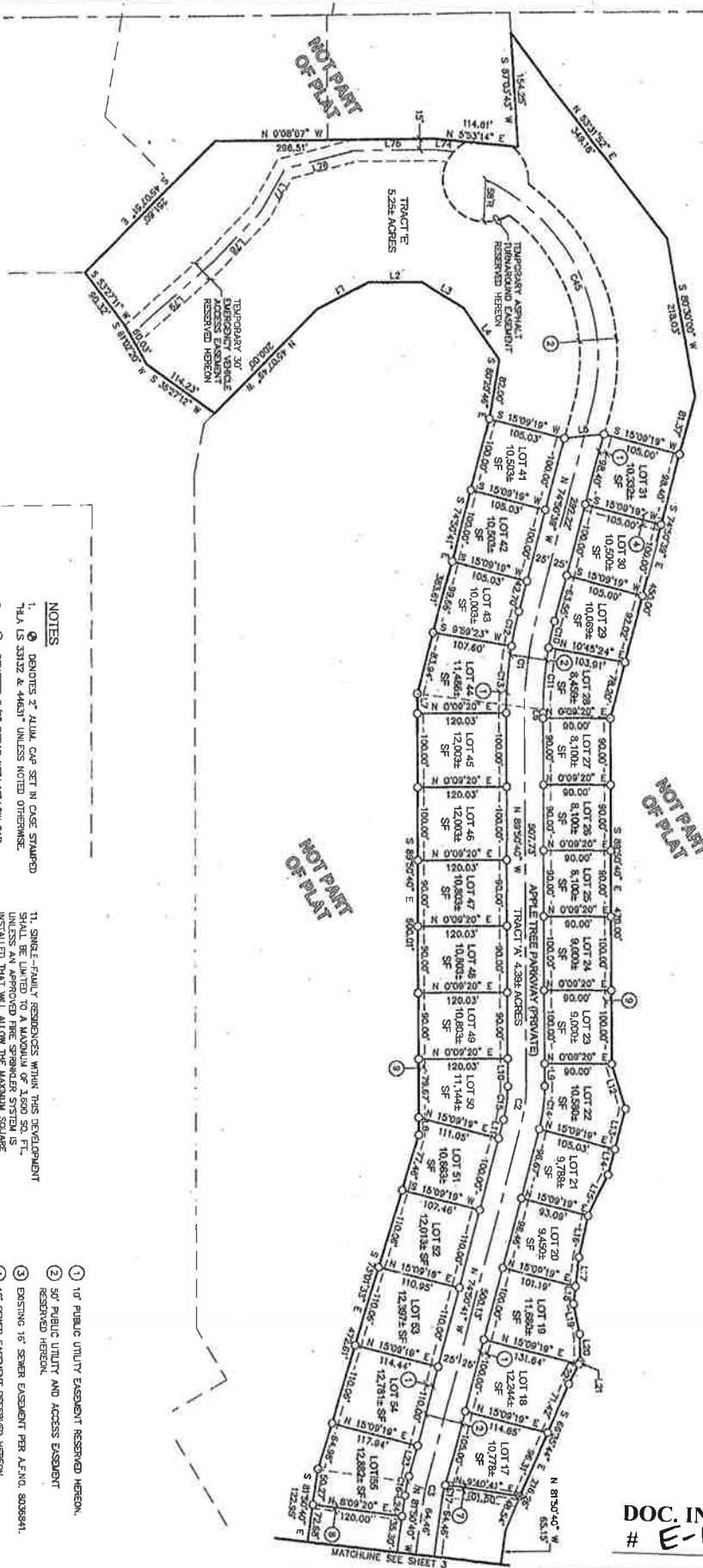
2/4

# PLAT OF "APPLE TREE NO. 4"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.,  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



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## ADDRESS TABLE

LOT 17 3301 APPLE TREE PARKWAY	LOT 41 3301 APPLE TREE PARKWAY
LOT 18 3303 APPLE TREE PARKWAY	LOT 42 3303 APPLE TREE PARKWAY
LOT 19 3305 APPLE TREE PARKWAY	LOT 43 3305 APPLE TREE PARKWAY
LOT 20 3307 APPLE TREE PARKWAY	LOT 44 3307 APPLE TREE PARKWAY
LOT 21 3309 APPLE TREE PARKWAY	LOT 45 3309 APPLE TREE PARKWAY
LOT 22 3311 APPLE TREE PARKWAY	LOT 46 3311 APPLE TREE PARKWAY
LOT 23 3313 APPLE TREE PARKWAY	LOT 47 3313 APPLE TREE PARKWAY
LOT 24 3315 APPLE TREE PARKWAY	LOT 48 3315 APPLE TREE PARKWAY
LOT 25 3317 APPLE TREE PARKWAY	LOT 49 3317 APPLE TREE PARKWAY
LOT 26 3319 APPLE TREE PARKWAY	LOT 50 3319 APPLE TREE PARKWAY
LOT 27 3321 APPLE TREE PARKWAY	LOT 51 3321 APPLE TREE PARKWAY
LOT 28 3323 APPLE TREE PARKWAY	LOT 52 3323 APPLE TREE PARKWAY
LOT 29 3325 APPLE TREE PARKWAY	LOT 53 3325 APPLE TREE PARKWAY
LOT 30 3327 APPLE TREE PARKWAY	LOT 54 3327 APPLE TREE PARKWAY
LOT 31 3329 APPLE TREE PARKWAY	LOT 55 3329 APPLE TREE PARKWAY

## NOTES

1. DENOTES 2" ALUM. CAP SET IN CASE STAMPED "ALA IS 3312 & 4463" UNLESS NOTED OTHERWISE.
2. DENOTES 5/8" REBAR WITH YELLOW CAP MARKED "ALA IS 3312/ALA IS 4463" SET.
3. DENOTES PROPERTY CORNER PLAIN AS NOTED.
4. DENOTES 1.17" BRASS MARKER SET IN CONCRETE IS 3312/4463.
5. THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 31, T. 13 N., R. 18 E., W.M. IS ASSUMED TO HAVE A BEARING OF N 80°00'00" E.
6. SURVEY PERFORMED WITH A LEICA 1172 2" REFLECTING TOTAL STATION, ELECTRONIC DISTANCE MEASURING UNIT, USING FIELD TRAVERSE PROCEDURES AND LEICA GS14 8"FS RECEIVER UTILIZING FAST STATIC AND REAL TIME KINEMATIC PROCEDURES.
7. MONUMENTS SHOWN HEREON AS FOUND WERE VERTED IN JANUARY 2019.
8. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED IN WAC 352-130-020.
9. THE ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AS OF THE DATE OF RECORDING, BUT MAY BE SUBJECT TO CHANGE. THE PROPERTY OWNERS ARE RESPONSIBLE FOR THE CORRECTION OR REASSIGNMENT OF ADDRESSES AT THE TIME OF BUILDING PERMIT ISSUANCE.
10. THE OWNERS SHOWN HEREON, 75% GRANTEES AND ASSIGNEES, HEREBY WARRANT AND AGREE TO MAINTAIN AND DEFEND THE PLAT TO RETAIN ALL SURFACE WATER GENERATED WITHIN THE PLAT ON-SITE.
11. SINGLE-FAMILY RESIDENCES WITHIN THIS DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 1,500 SQ. FT. UNLESS AN APPROVED TRAIL EASEMENT OR WATER EASEMENT IS SHOWN. THE MAXIMUM SQUARE FOOTAGE TO BE INCREASED TO 5,000 SQ. FT. THIS CONDITION OF APPROVAL SHALL APPLY UNTIL ANY INCREASED FINE FLOW IS ACCOMPLISHED.
12. THE STREETS WITHIN THIS SUBDIVISION ARE INTENDED TO BE PRIVATE UPON RECORDING OF A DEVELOPMENT AGREEMENT.

1. 10' PUBLIC UTILITY EASEMENT RESERVED HEREON.
2. 50' PUBLIC UTILITY AND ACCESS EASEMENT RESERVED HEREON.
3. EXISTING 16' SEWER EASEMENT PER A.F.N.O. 8036841.
4. 16' SEWER EASEMENT RESERVED HEREON.
5. PUBLIC UTILITY AND ACCESS EASEMENT RESERVED HEREON WITH VARYING WIDTHS.
6. 20' SEWER EASEMENT RESERVED HEREON.
7. 10' GOLF COURSE MAINTENANCE AND ACCESS EASEMENT RESERVED HEREON.
8. 10' IRRIGATION EASEMENT RESERVED HEREON.
9. 8' IRRIGATION EASEMENT RESERVED HEREON.

PARCEL NUMBERS: 171201-13013

171201-14012

181206-23025

181206-23013



2803 River Road  
Yakima, WA 98902  
509.965.7000  
Fax: 509.965.3800  
www.hlaenv.com

JOB NO. 17030  
DATE: DECEMBER 11, 2019  
SHEET 2 of 4

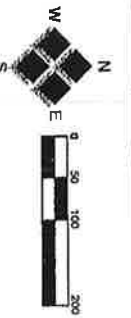
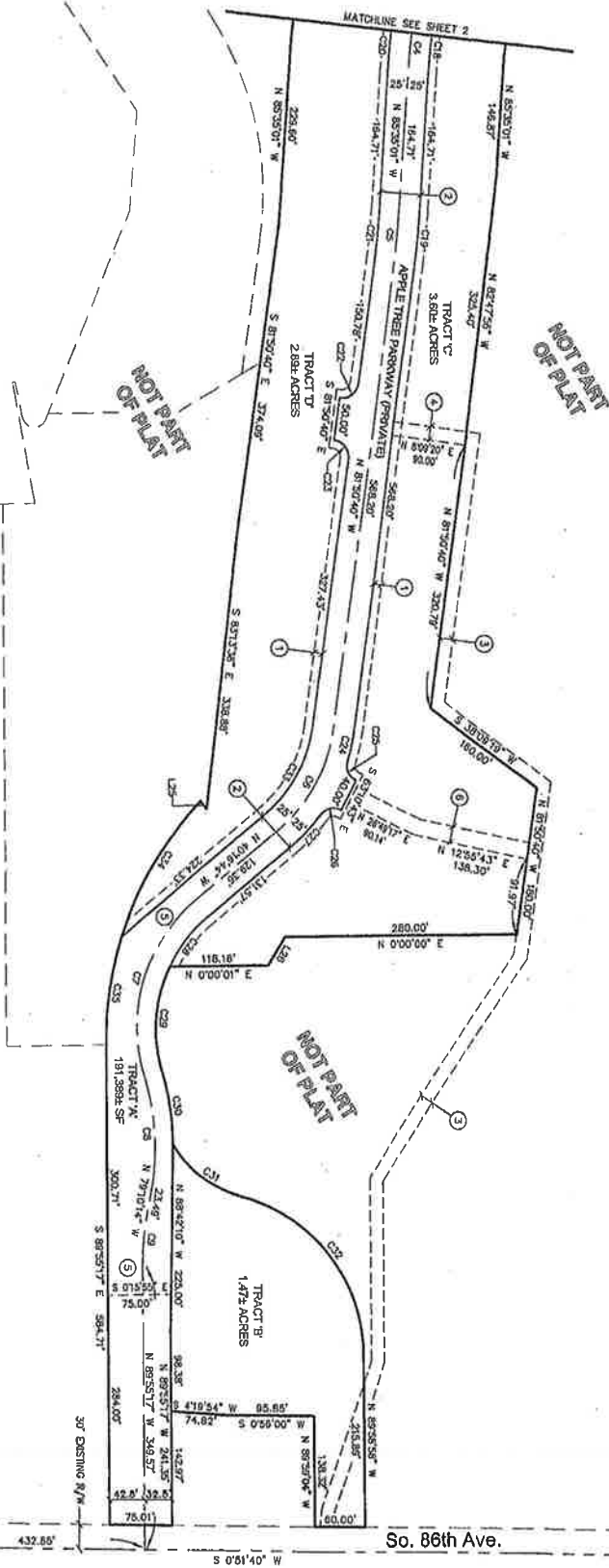


# Plat 8050436

# 3/4

## PLAT OF "APPLE TREE NO. 4"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6,  
TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.  
AND A PORTION OF THE NORTH 1/2, SEC. 1,  
TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)



DOC. INDEX  
# E-1

- 1 PUBLIC UTILITY EASEMENT RESERVED HEREON.
- 2 50' PUBLIC UTILITY AND ACCESS EASEMENT RESERVED HEREON.
- 3 EXISTING 15' SEWER EASEMENT PER A.F.N.D. 6028841.
- 4 15' SEWER EASEMENT RESERVED HEREON.
- 5 PUBLIC UTILITY AND ACCESS EASEMENT RESERVED HEREON WITH VARYING WIDTHS.
- 6 20' SEWER EASEMENT RESERVED HEREON.
- 7 10' GOLF COURSE MAINTENANCE AND ACCESS EASEMENT RESERVED HEREON.
- 8 10' IRRIGATION EASEMENT RESERVED HEREON.
- 9 8' IRRIGATION EASEMENT RESERVED HEREON.

PARCEL NUMBERS: 171201-13013

171201-14012  
181206-23025  
181206-23013



2803 River Road  
Yakima, WA 98802  
509.966.7000  
Fax: 509.965.3800  
www.hilainc.com

FILE NO. 17090  
DATE: DECEMBER 11, 2019  
SHEET 3 of 4

INTERSECTION OF THE  
CONTINUATION OF S. 86TH  
AVE. AND THE SOUTH LINE  
OF THE NW 1/4 OF SECTION  
(SEE P.L.S. 772680)



Plat 8050436 4/4

# DEDICATION AND WAIVER OF CLAIMS

KNOW ALL MEN BY THESE PRESENTS THAT APPLE TREE CONSTRUCTION COMPANY, LLC, A LIMITED LIABILITY COMPANY, ARE THE PARTIES HAVING THE UNDERSIGNED INTEREST IN THE TRACT OF LAND HEREIN DESCRIBED, AND IN ACCORDANCE WITH THE CONSENT AND IN ACCORDANCE WITH ITS DEEDS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON, AND HEREBY CERTIFY THAT THE DEEDS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

Apple Tree Construction Company, LLC  
*John E. Barber*

## ACKNOWLEDGMENT

STATE OF WASHINGTON  
 COUNTY OF YAKIMA

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT THE PERSON WHO APPEARED BEFORE ME AND SIGNED PERSONALLY ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, AND ACKNOWLEDGED IT AS HIS OWN, AND THAT HE WAS NOT UNDER ANY DURESS, COERCION, OR UNLAWFUL INFLUENCE, AND THAT HE WAS OF SOUND MIND AND SOUND MEMORY AT THE TIME HE SIGNED THE SAME, AND THAT HE WAS NOT UNDER ANY DURESS, COERCION, OR UNLAWFUL INFLUENCE, AND THAT HE WAS OF SOUND MIND AND SOUND MEMORY AT THE TIME HE SIGNED THE SAME.

DATED: 12/14/2014

NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 02/05/2021



## LINE TABLE

LINE	BEARING	LENGTH
L1	S 27°18'17" E	77.41
L2	N 00°07'56" W	71.64
L3	S 33°00'56" W	67.07
L4	N 55°49'36" E	85.38
L5	N 05°54'08" W	53.58
L6	N 89°30'40" W	7.27
L7	S 89°50'40" E	26.96
L8	S 89°50'40" E	23.37
L9	N 89°50'40" W	30.46
L10	N 89°50'40" W	37.73
L11	S 74°50'41" E	28.28
L12	S 73°20'10" W	63.81
L13	N 74°50'38" W	56.73
L14	N 74°50'38" W	35.68
L15	N 63°46'02" W	82.15
L16	N 77°17'45" W	58.65
L17	N 82°48'53" W	40.25
L18	N 82°48'53" W	23.61
L19	S 78°50'20" W	40.94
L20	N 89°26'27" E	37.10
L21	N 82°15'38" W	4.27
L22	N 82°15'38" W	30.04

LINE	BEARING	LENGTH
L23	S 74°50'41" E	43.84
L24	N 81°50'40" W	20.17
L25	S 54°41'51" W	11.89
L26	N 55°49'36" E	40.00
L27	N 05°54'08" W	114.81
L28	S 89°30'40" W	154.25
L29	S 89°50'40" E	62.81
L30	N 74°50'38" W	92.41
L31	N 81°50'40" W	82.15
L32	S 73°20'10" W	63.81
L33	N 74°50'38" W	56.73
L34	N 74°50'38" W	35.68
L35	N 63°46'02" W	82.15
L36	N 77°17'45" W	58.65
L37	N 82°48'53" W	40.25
L38	N 82°48'53" W	23.61
L39	S 78°50'20" W	40.94
L40	N 89°26'27" E	37.10
L41	N 82°15'38" W	4.27
L42	N 82°15'38" W	30.04

LINE	BEARING	LENGTH
L43	S 04°19'54" W	74.82
L44	N 89°50'37" W	98.38
L45	S 00°15'55" E	75.00
L46	S 54°41'51" W	11.89
L47	N 81°50'40" W	122.94
L48	S 89°30'40" E	82.00
L49	N 55°49'36" E	85.38
L50	S 33°00'56" W	67.07
L51	N 00°07'56" W	71.64
L52	S 27°18'17" E	77.41
L53	N 89°50'40" W	30.46
L54	N 89°50'40" W	37.73
L55	S 74°50'41" E	28.28
L56	S 73°20'10" W	63.81
L57	N 74°50'38" W	56.73
L58	N 74°50'38" W	35.68
L59	N 63°46'02" W	82.15
L60	N 77°17'45" W	58.65
L61	N 82°48'53" W	40.25
L62	N 82°48'53" W	23.61
L63	S 78°50'20" W	40.94
L64	N 89°26'27" E	37.10
L65	N 82°15'38" W	4.27
L66	N 82°15'38" W	30.04

LINE	BEARING	LENGTH
L67	S 04°19'54" W	74.82
L68	N 89°50'37" W	98.38
L69	S 00°15'55" E	75.00
L70	S 54°41'51" W	11.89
L71	N 81°50'40" W	122.94
L72	S 89°30'40" E	82.00
L73	N 55°49'36" E	85.38
L74	S 33°00'56" W	67.07
L75	N 00°07'56" W	71.64
L76	S 27°18'17" E	77.41
L77	N 89°50'40" W	30.46
L78	N 89°50'40" W	37.73
L79	S 74°50'41" E	28.28
L80	S 73°20'10" W	63.81
L81	N 74°50'38" W	56.73
L82	N 74°50'38" W	35.68
L83	N 63°46'02" W	82.15
L84	N 77°17'45" W	58.65
L85	N 82°48'53" W	40.25
L86	N 82°48'53" W	23.61
L87	S 78°50'20" W	40.94
L88	N 89°26'27" E	37.10
L89	N 82°15'38" W	4.27
L90	N 82°15'38" W	30.04

CURVE	DELTA	RADIUS	CHORD	DIRECTION	CHORD LENGTH
C1	15°00'00"	500.00	130.50	N 82°20'40" W	130.53
C2	14°50'59"	200.00	52.36	N 82°20'40" W	52.31
C3	6°59'59"	200.00	24.43	N 79°20'40" W	24.42
C4	3°44'22"	1000.00	63.25	N 83°42'50" W	65.25
C5	3°44'22"	1000.00	63.25	N 83°42'50" W	65.25
C6	41°33'56"	200.00	145.09	N 81°02'42" W	145.53
C7	66°06'55"	200.00	230.79	N 73°01'11" W	218.19
C8	27°13'25"	300.00	142.54	N 81°10'15" W	141.20
C9	10°45'03"	350.00	65.67	N 84°32'46" W	65.68
C10	4°23'57"	475.00	36.47	S 77°02'36" E	36.46
C11	10°36'04"	475.00	87.88	S 84°32'36" E	87.26
C12	5°08'57"	525.00	47.34	S 77°25'38" E	47.32
C13	9°50'03"	525.00	90.11	S 84°35'36" E	90.00
C14	14°59'59"	225.00	58.80	N 82°20'40" W	59.74
C15	14°59'59"	225.00	58.80	N 82°20'40" W	59.74
C16	6°59'59"	225.00	27.49	S 78°20'40" E	27.47
C17	6°59'59"	225.00	27.49	S 78°20'40" E	27.47
C18	3°44'22"	975.00	63.53	S 83°42'50" W	63.62
C19	3°44'22"	1025.00	66.80	N 83°42'50" W	66.88
C20	3°44'22"	1025.00	66.80	S 83°42'50" E	66.88

CURVE	DELTA	RADIUS	CHORD	DIRECTION	CHORD LENGTH
C21	3°44'22"	975.00	63.53	N 83°42'50" W	63.62
C22	9°00'00"	20.00	31.42	S 53°09'20" W	28.28
C23	9°00'00"	20.00	31.42	S 53°09'20" W	28.28
C24	9°16'08"	225.00	36.40	N 77°12'35" W	36.35
C25	80°56'13"	20.00	28.14	N 67°07'23" E	28.87
C26	80°56'13"	20.00	28.14	S 13°29'50" E	28.87
C27	13°30'12"	225.00	53.03	N 47°01'50" W	52.91
C28	24°08'35"	177.50	74.64	S 52°19'33" E	74.68
C29	41°39'25"	177.50	124.05	S 85°12'04" E	124.23
C30	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C31	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C32	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C33	41°33'56"	175.00	124.05	N 61°13'42" W	124.19
C34	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C35	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C36	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C37	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C38	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C39	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C40	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C41	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C42	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C43	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C44	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C45	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C46	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C47	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C48	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C49	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C50	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C51	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C52	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C53	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C54	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C55	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C56	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C57	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C58	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C59	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C60	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C61	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C62	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C63	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C64	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C65	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C66	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C67	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C68	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C69	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C70	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C71	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C72	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C73	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C74	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C75	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C76	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C77	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C78	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C79	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C80	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C81	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C82	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C83	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C84	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C85	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C86	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C87	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C88	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C89	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C90	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C91	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C92	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C93	15°45'26"	371.50	88.42	S 81°31'00" W	88.14
C94	43°01'57"	138.89	104.08	N 37°45'07" E	102.81
C95	73°51'35"	189.15	256.74	S 52°59'08" W	239.32
C96	41°33'56"	175.00	124.05	S 61°19'35" E	124.19
C97	26°00'17"	423.80	192.35	S 59°22'36" E	180.70
C98	17°53'37"	423.80	132.35	S 81°19'35" E	131.82
C99	41°39'25"	177.50	124.05	S 88°12'01" E	124.23
C100	15°45'26"	371.50	88.42	S 81°31'00" W	88.14

## PLAT OF "APPLE TREE NO. 4"

(A PORTION OF THE NORTHWEST 1/4, SEC. 6, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. AND A PORTION OF THE NORTH 1/2, SEC. 1, TOWNSHIP 12 NORTH, RANGE 17 EAST, W.M.)

## IRRIGATION COVENANT AND AGREEMENT

THE UNDERSIGNED OWNER AND DEVELOPER OF THE PLAT SHOWN ON THE LEFT



**APPLE TREE NO 4 PHASE 2  
PLP#001-21, SEPA#004-21, CL2#023-21**

**EXHIBIT LIST**

**CHAPTER F  
Public Notices**

<b>DOC INDEX #</b>	<b>DOCUMENT</b>	<b>DATE</b>
<b>F-1</b>	<b>Determination of Complete Application</b>	<b>05/28/2021</b>
<b>F-2</b>	<b>Land Use Action Installation Certificate</b>	<b>04/09/2021</b>
<b>F-3</b>	<b>Notice of Application and Environmental Review</b> <b>F-3a:</b> Press Release and Distribution Email <b>F-3b:</b> Parties and Agencies Notified <b>F-3c:</b> Affidavit of Mailing	<b>05/28/2021</b>
<b>F-4</b>	<b>Notice of Decision, DNS and Public Hearing</b> <b>F-4a:</b> Legal Ad <b>F-4b:</b> Press Release and Distribution Email <b>F-4c:</b> Parties and Agencies Notified <b>F-4d:</b> Affidavit of Mailing	<b>08/05/2021</b>
<b>F-5</b>	<b>HE Agenda and Packet Distribution List</b>	<b>08/19/2021</b>
<b>F-6</b>	<b>HE Agenda and Sign-in Sheet</b>	<b>08/26/2021</b>
<b>F-7</b>	<b>Notification of Hearing Examiner Recommendation</b> (See DOC INDEX# AA-1 for HE Recommendation) <b>F-7a:</b> Parties and Agencies Notified <b>F-7b:</b> Affidavit of Mailing	<b>09/14/2021</b>
<b>F-8</b>	<b>Letter of Transmittal to City Clerk: City Council Hearing</b> (Mailing Label & Vicinity Map)	<b>11/02/2021</b>



CITY OF YAKIMA, PLANNING DIVISION

LETTER OF TRANSMITTAL

I, Analilia Núñez, as an employee of the City of Yakima, Planning Division, have transmitted to: Sonya Claar Tee, City Clerk, by hand delivery, the following documents:


1. Mailing labels for Apple Tree - PLP#001-21, SEPA#004-21, CL2#023-21, TCO#003-21 including all labels for property owners within the 300 feet radius and parties of record.
2. E-mail distribution lists for In-House, Local Media, SEPA Reviewing Agencies, Interested Parties and Parties of Record
3. Vicinity Map

Signed this 2<sup>nd</sup> day of November, 2021.

  
\_\_\_\_\_  
Analilia Núñez  
Planning Technician

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

  
\_\_\_\_\_  
11-2-21

DOC.  
INDEX  
# F 6



17120111413  
ARTHUR JR & DEANNA VEYNA  
9150 OCCIDENTAL RD APT 11  
YAKIMA, WA 98903

18120624454  
ARTURO & BRITTANY M WEAVER TORRES  
8505 ASPEN RD  
YAKIMA, WA 98903

17120111414  
CAROLYN KAY NOEL  
9150 OCCIDENTAL RD APT 12  
YAKIMA, WA 98903

17120131402  
CHAWLEY R. THOMAS  
9810 RIDGEWAY RD  
YAKIMA, WA 98903

18120624448  
DAN & LEANNE LATON  
2412 S 85TH AVE  
YAKIMA, WA 98903

17120113403  
DAN K & CANDACE A HULL  
9703 RIDGEWAY RD  
YAKIMA, WA 98903

18120624500  
DANA & CANDY SIEKAWITCH  
2413 S 86TH AVE  
YAKIMA, WA 98903

17120111411  
DARREN M & TRACI L CLARK  
351 MAPLE LEAF LOOP  
CLE ELUM, WA 98922

17120112405  
DOUGLAS & LOUELLA HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

17120113405  
APPLE TREE CONSTRUCTION COMPANY LLC  
2550 BORTON RD  
YAKIMA, WA 98903

1812062451  
FRED & MELINDA MENDOZA  
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SEPA REVIEWING AGENCIES\_updated  
08/20/2021

Type of Notice: NTC of CL Hearing

File Number: PLP# 001-21, SEPA #004-21 & CL2#023-21

Date of Mailing: <sup>Hearing</sup> 12/7/21

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PLP# 001-21, SEPA# 004-21, CL2# 023-21

Date of Mailing:

12/7/21

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## Nunez, Analilia

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**Subject:** Public Hearing for Apple Tree - PLP#001-21, SEPA#004-21, CL2#023-21, TCO#003-21  
**Attachments:** In-House Distribution E-mail List\_ updated 09.02.2021; Local Media List \_09.16.2021; SEPA Agencies E-mail Distribution List \_updated 10.29.2021; SEPA REVIEWING AGENCIES\_updated 10.29.2021 - City Clerk Mailing List.xlsx; Mailing List\_PLP#001-21 - Apple Tree.xlsx; VicinityMap\_PLP#001-21, SEPA#004-21, CL2#023-21.pdf

Hi Sonya,

Please have the public hearing notice emailed to these distribution lists: In-house Distribution E-mail List updated 09.02.2021, Local Media List 09.16.2021, and SEPA Agencies E-mail Distribution List updated 10.29.2021.

Also, please email the notice to the following parties of record:

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p: 509.575.6261  
129 North 2nd Street, Yakima, Washington, 98901





**Project Name:** APPLE TREE NO 4 PHASE 2

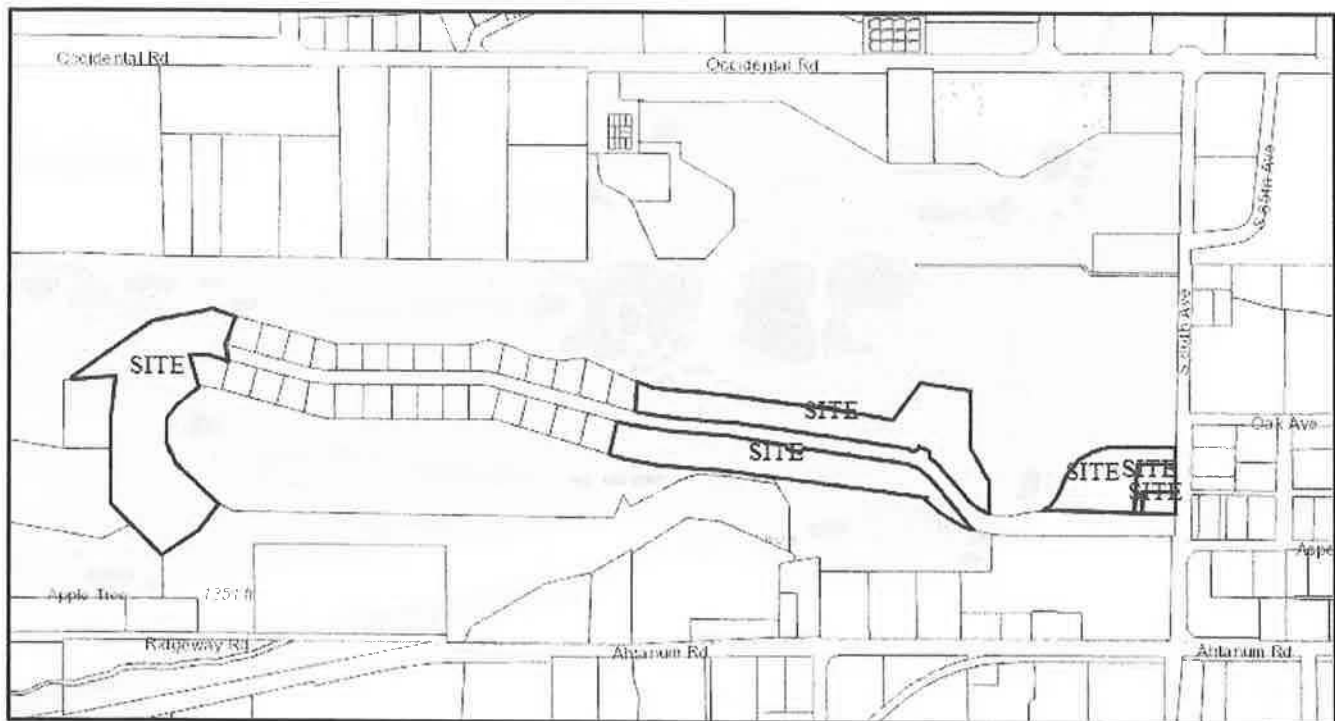
**Site Address:** 9300 APPLE TREE PARKWAY

**File Number(s):** PLP#001-21, SEPA#004-21, CL2#023-21

**Proposal:** Preliminary long plat to subdivide approximately 14.03 acres into 29 single-family residential lots, and 3 tri-plex lots and three tracts in the R-1 zoning district.



## VICINITY MAP



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Map Disclaimer: Information shown on this map is for planning and illustration purposes only. The City of Yakima assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any action taken, or action not taken by the user in reliance upon any maps or information provided herein.  
Date Created: 5/26/2021





## AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#001-21, SEPA#004-21, CL2#023-21, TCO#003-21

Apple Tree No 4 Phase 2

9300 Apple Tree Pkwy

I, Analilia Núñez, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Hearing Examiner's Recommendation**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, parties of record, and all property owners of record within a radius of 300 feet of subject property; that said property owners are individually listed on the mailing list retained by the Planning Division; and that said notices were mailed by me on this 14<sup>th</sup> day of September, 2021.

That I mailed said notices in the manner herein set forth and that all of the statements made herein are just and true.



Analilia Núñez

Planning Technician

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17120111413  
ARTHUR JR & DEANNA VEYNA  
9150 OCCIDENTAL RD APT 11  
YAKIMA, WA 98903

17120131402  
CHAWLEY R. THOMAS  
9810 RIDGEWAY RD  
YAKIMA, WA 98903

18120624500  
DANA & CANDY SIEKAWITCH  
2413 S 86TH AVE  
YAKIMA, WA 98903

17120112406  
DOUGLAS J & LOUELLA A HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622002  
HELEN TYLER  
420 S 72ND AVE STE 180 BOX 174  
YAKIMA, WA 98908

17120111406  
JAMES L & TAMYRA J GAGOUSH  
9150 OCCIDENTAL RD APT 4  
YAKIMA, WA 98903

17120113014  
JOHN W & JENNIFER L HULL  
9705 RIDGEWAY RD  
YAKIMA, WA 98903

18120624458  
KEITH HENRY  
8502 ASPEN RD  
YAKIMA, WA 98903

18120624487  
LUCIO M & ORALIA SANDOVAL FLORES  
2501 S 86TH AVE  
YAKIMA, WA 98903

18120624512  
MELINDA & FREDDY MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

18120624454  
ARTURO & BRITTANY M WEAVER  
TORRES  
8505 ASPEN RD  
YAKIMA, WA 98903

18120624448  
DAN & LEANNE LATON  
2412 S 85TH AVE  
YAKIMA, WA 98903

17120111411  
DARREN M & TRACI L CLARK  
351 MAPLE LEAF LOOP  
CLE ELUM, WA 98922

18120624513  
FRED & MELINDA MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

17120113406  
JACOB D & LESLIE M JOHNSON  
7313 AVALANCHE CT  
YAKIMA, WA 98908

17120112403  
JEWEL LARSON  
9600 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623004  
KANANI COWARD  
8815 AHTANUM RD  
YAKIMA, WA 98903

18120624486  
LARISSA ANN FROELICH  
8501 ASPEN ROAD  
YAKIMA, WA 98903

17120111407  
MARK & KATHLEEN SILVERSTEIN  
9150 OCCIDENTAL RD APT 5  
YAKIMA, WA 98903

18120624511  
MICHAEL A & TONYA WETCH  
2401 S 86TH AVE  
YAKIMA, WA 98903

17120111414  
CAROLYN KAY NOEL  
9150 OCCIDENTAL RD APT 12  
YAKIMA, WA 98903

17120113403  
DAN K & CANDACE A HULL  
9703 RIDGEWAY RD  
YAKIMA, WA 98903

17120112405  
DOUGLAS & LOUELLA HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111409  
GALE E & SHELLEY A MARQUETT  
9150 OCCIDENTAL RD APT 7  
YAKIMA, WA 98903

17120111408  
JACQUELINE K WISHERT  
9150 OCCIDENTAL RD # 6  
YAKIMA, WA 98908

17120112404  
JEWEL LARSON  
9600 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111403  
KAREN MARIE MCLAUGHLIN  
9150 OCCIDENTAL RD APT 1  
YAKIMA, WA 98903

18120624446  
LARS ERIC N & AMBER L HANSON  
210 WARREN ACRES RD  
YAKIMA, WA 98901

18120624449  
MARK & JANELLE WEISHAAR  
2504 S 85TH AVE  
YAKIMA, WA 98903

17120114006  
RANDY R BROECKEL  
PO BOX 808  
MOXEE, WA 98931

DOC.

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17120121001  
RENEE KINGSBORO  
10004 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623005  
RICHARD D & ANNABELLE BAILEY  
8811 AHTANUM RD  
YAKIMA, WA 98903

17120112006  
RICHARD S & C RENEE WAGNER  
9408 OCCIDENTAL RD  
YAKIMA, WA 98903

18120624514  
ROBERT & CHRISTINA GARNER  
PO BOX 2095  
SELAH, WA 98942

17120111412  
ROBERT & JULIE ST CLAIR  
201 GALER ST APT 221  
SEATTLE, WA 98109

17120111410  
ROBERT E SUTTON  
9150 OCCIDENTAL RD APT 8  
YAKIMA, WA 98903

18120623006  
SHAUN L & RUBY A ARMIJO  
219 S 36TH AVE  
YAKIMA, WA 98902

17120111005  
STEPHEN M & ELIZABETH J HULL  
9202 OCCIDENTIAL RD  
YAKIMA, WA 98903

17120111404  
STEVEN CROW  
9150 OCCIDENTAL RD APT 2  
YAKIMA, WA 98903

18120624453  
TERESA FIGUEROA  
8507 ASPEN RD  
YAKIMA, WA 98903

17120114401  
TRINIDAD C & ARACELY V OLIVERA  
9105 AHTANUM RD  
YAKIMA, WA 98903

17120114408  
TY W BEAUDRY  
9401 APPLE TREE PARKWAY  
YAKIMA, WA 98903

18120623027  
WAYNE T & SANDRA CLASEN  
2605 NELSON RD  
YAKIMA, WA 98903

18120624400  
WILLIAM M & ROBIN STEWART  
2407 S 86TH AVE  
YAKIMA, WA 98903

18120624504  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

18120624505  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

17120111006  
APPLE TREE CONSTRUCTION CO LLC  
2550 BORTON RD  
YAKIMA, WA 98903

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~~APPLE TREE CONSTRUCTION COMPANY~~  
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YAKIMA, WA 98903

18120623402

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YAKIMA, WA 98903

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YAKIMA, WA 98903

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YAKIMA, WA 98903

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YAKIMA, WA 98903

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AT RESORT PROPERTIES LLC  
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YAKIMA, WA 98903

17120114407  
BILLIE E COX AND LOREL LYNN COX  
REVOCABLE LIVING TRUST  
11392 ZIER RD  
YAKIMA, WA 98908

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COLUMBIA VALLEY FRUIT LLC  
1720 W AHTANUM RD  
UNION GAP, WA 98903

18120623028  
COLUMBIA VALLEY FRUIT LLC  
1720 W AHTANUM RD  
UNION GAP, WA 98903

18120622007  
G B H LP  
8806 OCCIDENTAL RD  
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18120623029  
GRIMES CO. OF YAKIMA, LLC  
12201 NELSON RD  
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17120111405  
KEYES FAMILY HOLDING TRUST  
9150 OCCIDENTAL RD APT 3  
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17120112004  
KINLOCH BORTON ENTERPRISES LLC  
2550 BORTON RD  
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18120624450  
NOB HILL WATER COMPANY  
6111 TIETON DR  
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17120111401  
RIGNEY FAMILY TRUST  
9204 OCCIDENTAL RD  
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17120111402  
RIGNEY FAMILY TRUST  
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17120142004  
TWO BLUFFS LLC  
2550 BORTON RD  
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TWO BLUFFS LLC  
2550 BORTON RD  
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WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
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18120621401  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
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18120621402  
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3801 SUMMITVIEW AVE  
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18120624402  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

122  
Total Parcels - PLP#001-21, SEPA#004-  
21, TCO#003-21

NTC OF HE REC.  
9/14/21

17120124005  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

HLA ENGINEERING  
C/O MIKE HEIT  
2803 RIVER RD  
YAKIMA, WA 98902

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In-House Distribution E-mail List			Revised 06/14/2021
Name	Division	E-mail Address	
Silvia Corona	Clerk's Office	<a href="mailto:Silvia.Corona@yakimawa.gov">Silvia.Corona@yakimawa.gov</a>	
Lisa Maxey	Code Administration	<a href="mailto:Lisa.Maxey@yakimawa.gov">Lisa.Maxey@yakimawa.gov</a>	
Glenn Denman	Code Administration	<a href="mailto:Glenn.Denman@yakimawa.gov">Glenn.Denman@yakimawa.gov</a>	
John Zabell	Code Administration	<a href="mailto:John.Zabell@yakimawa.gov">John.Zabell@yakimawa.gov</a>	
Kelli Horton	Code Administration	<a href="mailto:Kelli.Horton@yakimawa.gov">Kelli.Horton@yakimawa.gov</a>	
Linda Rossignol	Code Administration	<a href="mailto:Linda.Rossignol@yakimawa.gov">Linda.Rossignol@yakimawa.gov</a>	
Pedro Contreras	Code Administration	<a href="mailto:Pedro.Contreras@yakimawa.gov">Pedro.Contreras@yakimawa.gov</a>	
Suzanne DeBusschere	Code Administration	<a href="mailto:Suzanne.Debusschere@yakimawa.gov">Suzanne.Debusschere@yakimawa.gov</a>	
Tony Doan	Code Administration	<a href="mailto:Tony.Doan@yakimawa.gov">Tony.Doan@yakimawa.gov</a>	
Joan Davenport	Community Development	<a href="mailto:Joan.Davenport@yakimawa.gov">Joan.Davenport@yakimawa.gov</a>	
Rosalinda Ibarra	Community Development	<a href="mailto:Rosalinda.Ibarra@yakimawa.gov">Rosalinda.Ibarra@yakimawa.gov</a>	
Bill Preston	Engineering	<a href="mailto:Bill.preston@yakimawa.gov">Bill.preston@yakimawa.gov</a>	
Dan Riddle	Engineering	<a href="mailto:Dan.Riddle@yakimawa.gov">Dan.Riddle@yakimawa.gov</a>	
Aaron Markham	Fire	<a href="mailto:Aaron.markham@yakimawa.gov">Aaron.markham@yakimawa.gov</a>	
Jeremy Rodriguez	Fire	<a href="mailto:Jeremy.Rodriguez@yakimawa.gov">Jeremy.Rodriguez@yakimawa.gov</a>	
Sara Watkins	Legal	<a href="mailto:Sara.Watkins@yakimawa.gov">Sara.Watkins@yakimawa.gov</a>	
Archie Matthews	ONDS	<a href="mailto:Archie.Matthews@yakimawa.gov">Archie.Matthews@yakimawa.gov</a>	
Joseph Calhoun	Planning	<a href="mailto:Joseph.Calhoun@yakimawa.gov">Joseph.Calhoun@yakimawa.gov</a>	
Analilia Nunez	Planning	<a href="mailto:Analilia.nunez@yakimawa.gov">Analilia.nunez@yakimawa.gov</a>	
Matt Murray	Police	<a href="mailto:Matthew.murray@yakimawa.gov">Matthew.murray@yakimawa.gov</a>	
Scott Schafer	Public Works	<a href="mailto:Scott.Schafer@yakimawa.gov">Scott.Schafer@yakimawa.gov</a>	
Loretta Zammarchi	Refuse	<a href="mailto:Loretta.Zammarchi@yakimawa.gov">Loretta.Zammarchi@yakimawa.gov</a>	
Randy Layman	Refuse	<a href="mailto:Randy.Layman@yakimawa.gov">Randy.Layman@yakimawa.gov</a>	
Gregory Story	Transit	<a href="mailto:Gregory.Story@yakimawa.gov">Gregory.Story@yakimawa.gov</a>	
James Dean	Utilities	<a href="mailto:James.Dean@yakimawa.gov">James.Dean@yakimawa.gov</a>	
Dana Kallevig	Wastewater	<a href="mailto:Dana.Kallevig@yakimawa.gov">Dana.Kallevig@yakimawa.gov</a>	
Randy Meloy	Wastewater	<a href="mailto:Randy.Meloy@yakimawa.gov">Randy.Meloy@yakimawa.gov</a>	
Dave Brown	Water/Irrigation	<a href="mailto:David.Brown@yakimawa.gov">David.Brown@yakimawa.gov</a>	
Mike Shane	Water/Irrigation	<a href="mailto:Mike.Shane@yakimawa.gov">Mike.Shane@yakimawa.gov</a>	

Outside Distribution		
Name	Address	Included In Mailing?
Pacific Power Attn: Estimating Department (Subdivision notices ONLY)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Type of Notice: NTC of HE Recommendation  
 File Number(s): PLP# 001-21, SEP# 004-21, U2# 023-21  
 Date of Mailing: 9/14/21

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## Nunez, Analilia

---

**From:** Nunez, Analilia  
**Sent:** Tuesday, September 14, 2021 4:55 PM  
**To:** Brown, David; Calhoun, Joseph; Contreras, Pedro; Corona, Silvia; Davenport, Joan; Dean, James; DeBusschere, Suzanne; Denman, Glenn; Doan, Tony; Horton, Kelli; Ibarra, Rosalinda; Kallevig, Dana; Layman, Randy; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Murray, Matthew; Nunez, Analilia; Preston, Bill; Riddle, Dan; Rodriguez, Jeremy; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John; Zammarchi, Loretta; Ahtanum Irrigation District - Beth Ann Brulotte; Cawley, Marc; Chamber of Commerce; Department of Agriculture; Department of Commerce (CTED) - Review Team; Department of Ecology; Department of Ecology - Former Orchards; Department of Ecology - Lori White; Department of Ecology - SEPA Register; Department of Ecology - CRO Coordinator; Department of Fish and Wildlife; Department of Fish and Wildlife - Eric Bartrand; Department of Fish and Wildlife - Scott Downes; Department of Natural Resources; Dept of Social & Health Services - Larry Covey; Dept. Archaeology & Historic Preservation - SEPA Review; Energy Facility Site Evaluation Council - Stephen Posner; Henne, Dennis; Ibarra, Rosalinda; Kallevig, Dana; Nob Hill Water - Bob Irving; Nunez, Analilia; Office of Rural & Farmworker Housing - Marty Miller; Peterson, Robert; Riddle, Dan; Sergio Garcia; US Army Corps of Engineers - David Moore; WA State Dept of Health, Kelly Cooper; WA State Dept of Health, Office of Drinking Water; WA State Dept of Health, Office of Drinking Water; WA State Parks & Recreation Commission; WSDOT - Paul Gonseth; WSDOT - South Central Regional Planning Office; WSDOT Aviation - Max Platts; WVSD - Angela Watts, Asst Supt of Bus/Fin; WVSD - Mike Brophy, Supt.; Yakama Bureau of Indian Affairs - Rocco Clark; Yakama Nation Environmental Management Program - Elizabeth Sanchez; Yakama-Klickitat Fisheries - John Marvin; Yakama-Klickitat Fisheries Project - John Marvin; Yakima County Building Official - Harold Maclean; Yakima County Commissioners; Yakima County Flood Control District - Dianna Woods; Yakima County Flood Control District - Troy Havens; Yakima County Health District; Yakima County Health District - Ryan Ibach; Yakima County Planning - Manager - Tommy Carroll; Yakima County Planning - Zoning/Sub - Jason Earles; Yakima County Public Svcs Director, Lisa Freund; Yakima Greenway Foundation - Kellie Connaughton; Yakima Regional Clean Air Agency - Hasan Tahat; Yakima School District - Jay Baucom; Yakima School District - Stacey Locke; Yakima School District - Trevor Greene; Yakima Valley Museum - Peter Arnold, Exec Director; Yakima Valley Trolleys; Yakima Waste Systems - Keith Kovalenko; YVCOG - Lynn Deitrick  
**Cc:** Crowell, Eric; 'JON.KINLOCH@APPLETREERESORT.COM'; 'mheit@hlacivil.com'  
**Subject:** NOTIFICATION OF HE DECISION\_Apple Tree - PLP#001-21  
**Attachments:** NOTIFICATION OF HE DECISION\_Apple Tree - PLP#001-21.pdf

Attached is a Notice of the Hearing Examiner's decision regarding the above-entitled project. If you have any questions about this proposal, please contact assigned planner Eric Crowell at [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov)



Analilia Núñez  
Planning Technician  
City of Yakima Planning Division  
p: 509.575.6261  
129 North 2nd Street, Yakima, Washington, 98901





DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901

[ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) · [www.yakimawa.gov/services/planning](http://www.yakimawa.gov/services/planning)

**NOTIFICATION OF HEARING EXAMINER'S DECISION**

**DATE:** 09/14/2021  
**TO:** Applicant, Adjoining Property Owners & Parties of Record  
**SUBJECT:** Notice of the Hearing Examiner's Decision  
**FILE #(S):** PLP#001-21, SEPA#004-21, CL2#023-21  
**APPLICANT:** APPLE TREE CONSTRUCTION COMPANY LLC  
**PROJECT LOCATION:** 9300 Apple Tree Pkwy

On September 10, 2021, the City of Yakima Hearing Examiner rendered his decision on **PLP#001-21, SEPA#004-21, CL2#023-21**, a preliminary long plat to subdivide approximately 14.03 acres into 29 single-family residential lots, and 3 tri-plex lots and three tracts in the R-1 zoning district.

Enclosed is a copy of the Hearing Examiner's Decision. Any part of the Hearing Examiner's decision may be appealed to the Yakima City Council. Appeals shall be filed within fourteen (14) days following the date of mailing of this notice and shall be in writing on forms provided by the Planning Division. Forms can be found online at: [www.yakimawa.gov/services/planning/](http://www.yakimawa.gov/services/planning/). The appeal fee of \$340 must accompany the appeal application.

For further information or assistance, you may contact the City of Yakima Planning Department, at (509) 575-6183 or email to: [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov).

*Eric M. Crowell*

Eric Crowell  
Associate Planner

Date of Mailing: September 10, 2021  
Enclosures: Hearing Examiner's Decision

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DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

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ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**CITY OF YAKIMA  
HEARING EXAMINER  
AGENDA**

**Thursday, August 26, 2021**

**Beginning at 9:00 a.m.**

**City Council Chambers**

**I. CALL TO ORDER**

**II. INTRODUCTION**

**II. PUBLIC HEARING**

**A. APPLE TREE NO 4 PHASE 2**

**02/22/2021 PLP#001-21**

PLANNER: Eric Crowell

ADDRESS: 9300 Apple Tree Parkway

REQUEST: Preliminary long plat to subdivide approximately 14.03 acres into 29 single-family residential lots, and 3 tri-plex lots and three tracts in the R-1 zoning district.

**B. KERRY & GINA MARTIN**

**04/30/2021 RZ#006-21**

PLANNER: Trevor Martin

ADDRESS: 706 S. 48<sup>th</sup> Ave.

REQUEST: Proposed rezone from Single-Family Residential (R-1) to Local Business (B-2), and proposed multi-family development consisting of 14 apartment units with 29 parking spaces and associated site improvements.

**IV. ADJOURNMENT**

The staff recommendation report on the listed project(s) is available online at: [www.buildingyakima.com](http://www.buildingyakima.com)



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**SIGN-IN SHEET**  
City of Yakima HEARING EXAMINER  
City Hall Council Chambers  
Thursday, August 26, 2021  
Beginning at 9:00 a.m.



**Public Hearings**

CASE	FILE #	PROJECT NAME	SITE ADDRESS
A.	PLP#001-21	Apple Tree No. 4 Phase 2	9300 Apple Tree Pkwy

**PLEASE WRITE LEGIBLY**

Agenda Item of Interest	NAME	MAILING ADDRESS or E-MAIL	ZIP CODE

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DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901

ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**CITY OF YAKIMA  
HEARING EXAMINER  
AGENDA**

**Thursday, August 26, 2021**

**Beginning at 9:00 a.m.**

**City Council Chambers**

**I. CALL TO ORDER**

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Hearing Examiner Packet AGENDA,  
STAFF REPORT, SITE PLAN AND  
MAPS.....  
Updated 06/17/2021

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Archie Matthews  
ONDS  
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Dana Kallevig  
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Joan Davenport  
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Rosalinda Ibarra  
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Joseph Calhoun  
Planning Manager  
[Joseph.calhoun@yakimawa.gov](mailto:Joseph.calhoun@yakimawa.gov)

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Yakima County Public Services  
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Yakima County Commissioners  
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Analilia Núñez  
Planning Technician  
[Analilia.nunez@yakimawa.gov](mailto:Analilia.nunez@yakimawa.gov)

**DON'T FORGET TO SEND ONE TO  
THE APPLICANT & PROPERTY  
OWNER.....**

Binder Copy  
  
For the Record/File





DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
[ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) · [www.yakimawa.gov/services/planning](http://www.yakimawa.gov/services/planning)

**NOTICE OF PUBLIC HEARING**

**DATE:** August 5, 2021  
**TO:** SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners  
**FROM:** Joan Davenport, AICP, Community Development Director  
**SUBJECT:** Preliminary Long Plat, Type (2) Review, and Environmental Review  
**File Numbers:** PLP#001-21, CL2#023-21, SEPA#004-21  
**Project Applicant:** Apple Tree Construction Company LLC  
**Project Location:** 9300 Apple Tree Pkwy.  
**Parcel Numbers:** 171201-13405, 181206-23014, -23026, -23401, -23402, -23404

**PROJECT DESCRIPTION** Preliminary Long Plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts, in the R-1 zoning district.

**NOTICE OF PUBLIC HEARING** This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for **August 26, 2021 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (PLP#001-21, CL2#023-21, SEPA#004-21) and applicant's name (Apple Tree Construction Company LLC) in any correspondence you submit. You can mail your comments to:

**Joan Davenport, AICP, Community Development Director**  
**City of Yakima, Department of Community Development**  
**129 N. 2nd St., Yakima, WA 98901**

**NOTICE OF DECISION** Following the public hearing, the Hearing Examiner will issue his decision within ten (10) business days. When available, a copy of the decision will be mailed to parties of record and entities who were provided this notice.

The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 N. 2nd St., Yakima, WA. If you have questions regarding this proposal, please call Eric Crowell, Associate Planner, at (509) 576-6736, or email to: [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov).





DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**WASHINGTON STATE ENVIRONMENTAL POLICY ACT  
DETERMINATION OF NONSIGNIFICANCE  
CITY OF YAKIMA, WASHINGTON  
August 5, 2021**

**PROJECT DESCRIPTION:** Preliminary Long Plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts, in the R-1 zoning district.

**LOCATION:** 9300 Apple Tree Pkwy.

**PARCEL NUMBER:** 171201-13405, 181206-23014, -23026, -23401, -23402, & -23404

**PROPONENT:** Apple Tree Construction Company LLC

**PROPERTY OWNER:** Apple Tree Resort Development Co.

**LEAD AGENCY:** City of Yakima

**FILE NUMBERS:** PLP#001-21, CL2#023-21, SEPA#004-21

**DETERMINATION:** The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ This DNS is issued after using the optional DNS process in WAC 197-11-355.  
There is no further comment period on the DNS.

Responsible Official: Joan Davenport  
Position/Title: SEPA Responsible Official  
Phone: (509) 575-6183  
Address: 129 N. 2nd Street, Yakima, WA 98901

**Date:** August 5, 2021

**Signature**

☒ You may appeal this determination to: Joan Davenport, AICP, Director of Community Development, at 129 N. 2nd Street, Yakima, WA 98901.

No later than: **August 19, 2021.**

By method: Complete appeal application form and payment of \$580.00 appeal fee.

You should be prepared to make specific factual objections. Contact the City of Yakima Planning Division to read or ask about the procedures for SEPA appeals.



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**YAKIMA**  
**HERALD-REPUBLIC**  
WE TELL YOUR STORIES YAKIMAHERALD.COM  
**El Sol de Yakima**  
**-Ad Proof-**

**This is the proof of your ad scheduled to run on the dates indicated below.  
Please proof read notice carefully to check spelling and run dates,  
if you need to make changes**

<b>Date:</b>	08/03/21
<b>Account #:</b>	110358
<b>Company Name:</b>	CITY OF YAKIMA PLANNING
<b>Contact:</b>	ROSALINDA IBARRA,AP
<b>Address:</b>	129 N 2ND STREET YAKIMA, WA 98901-2720
<b>Telephone:</b>	(509) 575-6164
<b>Fax:</b>	

<b>Account Rep:</b>	Simon Sizer
<b>Phone #</b>	(509) 577-7740
<b>Email:</b>	ssizer@YAKIMAHERALD.COM
<b>Ad ID:</b>	983152
<b>Start:</b>	08/05/21
<b>Stop:</b>	08/05/21
<b>Total Cost:</b>	\$219.00
<b>Lines:</b>	120.0
<b># of Inserts:</b>	1
<b>Ad Class:</b>	6021

<b>Run Dates:</b>	
Yakima Herald-Republic	08/05/21



**CITY OF YAKIMA  
NOTICE OF PUBLIC HEARING**

**DATE:** 8/5/2021; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** Apple Tree Construction Company LLC (2550 Borton Rd., Yakima, WA 98903); **FILE NUMBER:** PLP#001-21, CL2#023-21, SEPA#004-21; **LOCATION:** 9300 Apple Tree Pkwy.; **TAX PARCEL NUMBER(S):** 171201-13405, 181206-23014, -23026, -23401, -23402, -23404; **DATE OF APPLICATION:** 2/22/2021; **DATE OF COMPLETENESS:** 5/28/2021; **PROJECT DESCRIPTION** Preliminary Long Plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts, in the R-1 zoning district. **DETERMINATION OF CONSISTENCY** Pursuant to YMC § 16.06.020(A), the project considerations are determined to be consistent with applicable development regulations, as follows: (1) The type of land use: Single-Family Dwellings are a Class (1) use, and Two-Family Dwellings and Multifamily Development are Class (2) uses in the R-1 zoning district; (2) Level of Development: 29 single-family lots, 3 triplex lots, 3 tracts; (3) Infrastructure and public facilities: The subject property is able to be served by public streets, water, garbage collection, etc.; and (4) Characteristics of development: The proposal shall adhere to all Title 12 and Title 15 development standards. Pursuant to YMC § 16.06.020(B), the development regulations and comprehensive plan considerations are found to be consistent, as follows: (1) The type of land use: Single-Family Dwellings are a Class (1) use, and Two-Family Dwellings and Multifamily Development are Class (2) uses in the R-1 zoning district; (2) Density of Development: Approximately 2.93 dwelling units per net residential acre; and (3) Availability and adequacy of infrastructure and public utilities: The subject property is able to be served by public facilities. **REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING** Your views on this proposal are welcome. All written comments received by 5:00 p.m. on **August 18, 2021**, will be considered prior to issuing the recommendation. This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for **August 26, 2021 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (PLP#001-21, CL2#023-21, SEPA#004-21) and applicant's name (Apple Tree Construction Company LLC) in any correspondence you submit. You can mail your comments to: **Joan Davenport, AICP, Community Development Director, City of Yakima, Department of Community Development, 129 N. 2nd St.; Yakima, WA 98901.** **NOTICE OF DECISION** Following the public hearing, the Hearing Examiner will issue his decision within ten (10) business days. When available, a copy of the decision will be mailed to parties of record. The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 N. 2nd St., Yakima, WA. If you have questions regarding this proposal, please call Eric Crowell, Associate Planner, at (509) 576-6736, or email to: [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov).

(983152) August 5, 2021

Courtesy of Yakima Herald-Republic



**Public Legal  
Notices**

**Public Legal  
Notices**

**CITY OF YAKIMA  
NOTICE OF PUBLIC HEARING**

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(983152) August 5, 2021



In-House Distribution E-mail List			Revised 06/14/2021
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Dana Kallevig	Wastewater	<a href="mailto:Dana.Kallevig@yakimawa.gov">Dana.Kallevig@yakimawa.gov</a>	
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Dave Brown	Water/Irrigation	<a href="mailto:David.Brown@yakimawa.gov">David.Brown@yakimawa.gov</a>	
Mike Shane	Water/Irrigation	<a href="mailto:Mike.Shane@yakimawa.gov">Mike.Shane@yakimawa.gov</a>	

Outside Distribution		
Name	Address	Included In Mailing?
Pacific Power Attn: Estimating Department (Subdivision notices ONLY)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Type of Notice: NTC of public Hearing ; DWS  
File Number(s): PLP# 001-21, CL2 # 023-21, SE PA#004-21  
Date of Mailing: 8/5/21



## Nunez, Analilia

---

**From:** Nunez, Analilia  
**Sent:** Thursday, August 05, 2021 4:45 PM  
**To:** Brown, David; Calhoun, Joseph; Contreras, Pedro; Corona, Silvia; Davenport, Joan; Dean, James; DeBusschere, Suzanne; Denman, Glenn; Doan, Tony; Horton, Kelli; Ibarra, Rosalinda; Kallevig, Dana; Layman, Randy; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Murray, Matthew; Nunez, Analilia; Preston, Bill; Riddle, Dan; Rodriguez, Jeremy; Rossignol, Linda; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John; Zammarchi, Loretta; Ahtanum Irrigation District - Beth Ann Brulotte; Cawley, Marc; Chamber of Commerce; Department of Agriculture; Department of Commerce (CTED) - Review Team; Department of Ecology; Department of Ecology - Former Orchards; Department of Ecology - Lori White; Department of Ecology - SEPA Register; Department of Ecology -CRO Coordinator; Department of Fish and Wildlife; Department of Fish and Wildlife; Department of Fish and Wildlife - Eric Bertrand; Department of Fish and Wildlife - Scott Downes; Department of Natural Resources; Dept of Social & Health Services - Larry Covey; Dept. Archaeology & Historic Preservation - SEPA Review; Energy Facility Site Evaluation Council - Stephen Posner; Henne, Dennis; Ibarra, Rosalinda; Kallevig, Dana; Nob Hill Water - Bob Irving; Nunez, Analilia; Office of Rural & Farmworker Housing - Marty Miller; Peterson, Robert; Riddle, Dan; Sergio Garcia; US Army Corps of Engineers - David Moore; WA State Dept of Health, Kelly Cooper; WA State Dept of Health, Office of Drinking Water; WA State Dept of Health, Office of Drinking Water; WA State Parks & Recreation Commission; WSDOT - Paul Gonseth; WSDOT - South Central Regional Planning Office; WSDOT Aviation - Max Platts; WVSD - Angela Watts, Asst Supt of Bus/Fin; WVSD - Mike Brophy, Supt.; Yakama Bureau of Indian Affairs - Rocco Clark; Yakama Nation Environmental Management Program - Elizabeth Sanchey; Yakama-Klickitat Fisheries - John Marvin; Yakama-Klickitat Fisheries Project - John Marvin; Yakima County Building Official - Harold Maclean; Yakima County Commissioners; Yakima County Flood Control District - Dianna Woods; Yakima County Flood Control District - Troy Havens; Yakima County Health District; Yakima County Health District - Ryan Ibach; Yakima County Planning - Manager - Tommy Carroll; Yakima County Planning - Zoning/Sub - Jason Earles; Yakima County Public Svcs Director, Lisa Freund; Yakima Greenway Foundation - Kellie Connaughton; Yakima Regional Clean Air Agency - Hasan Tahat; Yakima School District - Jay Baucom; Yakima School District - Stacey Locke; Yakima School District - Trevor Greene; Yakima Valley Museum - Peter Arnold, Exec Director; Yakima Valley Trolleys; Yakima Waste Systems - Keith Kovalenko; YVCOG - Lynn Deitrick; Brown, Michael; Davido, Sean; El Mundo; El Sol de Yakima; Fannin, John; KAPP TV News; KBBO-KRSE Radio - manager; KDNA Radio - Francisco Rios; KEPR TV News; KIMA TV News; KIT News; KIT/KATS/DMVW/KFFM - Lance Tormey; KNDO TV News; KNDU TV News; KUNW-TV Univision; KVEW TV News; La Casa Hogar; La Voz; Lozano, Bonnie; NWCN News; NWPR - Anna King; Randy Luvaas - Yakima Business Times; RCDR - Maria DJ Rodriguez; Tu Decides - Albert Torres; West Valley School District - Angela Watts; Yakima Herald Republic - Mai Hoang; Yakima Herald Republic Newspaper; Yakima Valley Business Times; YPAC - Randy Beehler  
**Cc:** Crowell, Eric  
**Subject:** NOTICE OF PUBLIC HEARING & DNS\_Apple Tree - PLP#001-21, CL2#023-21, SEPA# 004-21  
**Attachments:** NOTICE OF PUBLIC HEARING & DNS\_Apple Tree - PLP#001-21, CL2#023-21, SEPA....pdf

Attached is a Notice of Public Hearing and DNS regarding the above-entitled project. If you have any questions



about this proposal, please contact assigned planner Eric Crowell at [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov). Thank you!



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17120111413  
ARTHUR JR & DEANNA VEYNA  
9150 OCCIDENTAL RD APT 11  
YAKIMA, WA 98903

17120131402  
CHAWLEY R. THOMAS  
9810 RIDGEWAY RD  
YAKIMA, WA 98903

18120624500  
DANA & CANDY SIEKAWITCH  
2413 S 86TH AVE  
YAKIMA, WA 98903

17120112406  
DOUGLAS J & LOUELLA A HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622002  
HELEN TYLER  
420 S 72ND AVE STE 180 BOX 174  
YAKIMA, WA 98908

17120111406  
JAMES L & TAMYRA J GAGOUSH  
9150 OCCIDENTAL RD APT 4  
YAKIMA, WA 98903

17120113014  
JOHN W & JENNIFER L HULL  
9705 RIDGEWAY RD  
YAKIMA, WA 98903

18120624458  
KEITH HENRY  
8502 ASPEN RD  
YAKIMA, WA 98903

18120624487  
LUCIO M & ORALIA SANDOVAL FLORES  
2501 S 86TH AVE  
YAKIMA, WA 98903

18120624512  
MELINDA & FREDDY MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

18120624454  
ARTURO & BRITTANY M WEAVER  
TORRES  
8505 ASPEN RD  
YAKIMA, WA 98903

18120624448  
DAN & LEANNE LATON  
2412 S 85TH AVE  
YAKIMA, WA 98903

17120111411  
DARREN M & TRACI L CLARK  
351 MAPLE LEAF LOOP  
CLE ELUM, WA 98922

18120624513  
FRED & MELINDA MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

17120113406  
JACOB D & LESLIE M JOHNSON  
7313 AVALANCHE CT  
YAKIMA, WA 98908

17120112403  
JEWEL LARSON  
9600 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623004  
KANANI COWARD  
8815 AHTANUM RD  
YAKIMA, WA 98903

18120624486  
LARISSA ANN FROELICH  
8501 ASPEN ROAD  
YAKIMA, WA 98903

17120111407  
MARK & KATHLEEN SILVERSTEIN  
9150 OCCIDENTAL RD APT 5  
YAKIMA, WA 98903

18120624511  
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2401 S 86TH AVE  
YAKIMA, WA 98903

17120111414  
CAROLYN KAY NOEL  
9150 OCCIDENTAL RD APT 12  
YAKIMA, WA 98903

17120113403  
DAN K & CANDACE A HULL  
9703 RIDGEWAY RD  
YAKIMA, WA 98903

17120112405  
DOUGLAS & LOUELLA HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111409  
GALE E & SHELLEY A MARQUETT  
9150 OCCIDENTAL RD APT 7  
YAKIMA, WA 98903

17120111408  
JACQUELINE K WISHERT  
9150 OCCIDENTAL RD # 6  
YAKIMA, WA 98908

17120112404  
JEWEL LARSON  
9600 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111403  
KAREN MARIE MCLAUGHLIN  
9150 OCCIDENTAL RD APT 1  
YAKIMA, WA 98903

18120624446  
LARS ERIC N & AMBER L HANSON  
210 WARREN ACRES RD  
YAKIMA, WA 98901

18120624449  
MARK & JANELLE WEISHAAR  
2504 S 85TH AVE  
YAKIMA, WA 98903

17120114006  
RANDY R BROECKEL  
PO BOX 808  
MOXEE, WA 98936



17120121001  
RENEE KINGSBORO  
10004 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623005  
RICHARD D & ANNABELLE BAILEY  
8811 AHTANUM RD  
YAKIMA, WA 98903

17120112006  
RICHARD S & C RENEE WAGNER  
9408 OCCIDENTAL RD  
YAKIMA, WA 98903

18120624514  
ROBERT & CHRISTINA GARNER  
PO BOX 2095  
SELAH, WA 98942

17120111412  
ROBERT & JULIE ST CLAIR  
201 GALER ST APT 221  
SEATTLE, WA 98109

17120111410  
ROBERT E SUTTON  
9150 OCCIDENTAL RD APT 8  
YAKIMA, WA 98903

18120623006  
SHAUN L & RUBY A ARMIJO  
219 S 36TH AVE  
YAKIMA, WA 98902

17120111005  
STEPHEN M & ELIZABETH J HULL  
9202 OCCIDENTIAL RD  
YAKIMA, WA 98903

17120111404  
STEVEN CROW  
9150 OCCIDENTAL RD APT 2  
YAKIMA, WA 98903

18120624453  
TERESA FIGUEROA  
8507 ASPEN RD  
YAKIMA, WA 98903

17120114401  
TRINIDAD C & ARACELY V OLIVERA  
9105 AHTANUM RD  
YAKIMA, WA 98903

17120114408  
TY W BEAUDRY  
9401 APPLE TREE PARKWAY  
YAKIMA, WA 98903

18120623027  
WAYNE T & SANDRA CLASEN  
2605 NELSON RD  
YAKIMA, WA 98903

18120624400  
WILLIAM M & ROBIN STEWART  
2407 S 86TH AVE  
YAKIMA, WA 98903

18120624504  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

18120624505  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

17120111006  
APPLE TREE CONSTRUCTION CO LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120111003  
APPLE TREE CONSTRUCTION COMPANY  
2550 BORTON RD  
YAKIMA, WA 98903

18120623402  
APPLE TREE CONSTRUCTION COMPANY  
2550 BORTON RD  
YAKIMA, WA 98903

17120113405  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114011  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114403  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114404  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114405  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114406  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114409  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114410  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114411  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114412  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114413  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903



17120114414  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114417  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114420  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114423  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114426  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114429  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120124004  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623401  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18133133443  
APPLE TREE LAND COMPANY LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120113012  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120114415  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114418  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114421  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114424  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114427  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114430  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623014  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623404  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18133134510  
APPLE TREE LAND COMPANY LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114013  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120114416  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114419  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114422  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114425  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114428  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114431  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623400  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120112005  
APPLE TREE CONSTRUCTION LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120111007  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120124005  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903



17120124006  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622008  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622009  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623024  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120131007  
APPLE TREE PTNSHP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623026  
APPLE TREE RESORT DEVELOPMENT CO  
2550 BORTON RD  
YAKIMA, WA 98903

18133143403  
APPLE TREE RESORT DEVELOPMENT CO  
2550 BORTON RD  
YAKIMA, WA 98903

18133143404  
APPLE TREE RESORT DEVELOPMENT CO  
2550 BORTON RD  
YAKIMA, WA 98903

17120121002  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120122001  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123003  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123004  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123005  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123005  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123005  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18133133002  
AT RESORT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114407  
BILLIE E COX AND LOREL LYNN COX  
REVOCABLE LIVING TRUST  
11392 ZIER RD  
YAKIMA, WA 98908

18120623019  
COLUMBIA VALLEY FRUIT LLC  
1720 W AHTANUM RD  
UNION GAP, WA 98903

18120623028  
COLUMBIA VALLEY FRUIT LLC  
1720 W AHTANUM RD  
UNION GAP, WA 98903

18120622007  
G B H LP  
8806 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623029  
GRIMES CO. OF YAKIMA, LLC  
12201 NELSON RD  
YAKIMA, WA 98903

17120111405  
KEYES FAMILY HOLDING TRUST  
9150 OCCIDENTAL RD APT 3  
YAKIMA, WA 98903

17120112004  
KINLOCH BORTON ENTERPRISES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120624450  
NOB HILL WATER COMPANY  
6111 TIETON DR  
YAKIMA, WA 98908

17120111401  
RIGNEY FAMILY TRUST  
9204 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111402  
RIGNEY FAMILY TRUST  
9204 OCCIDENTAL RD  
YAKIMA, WA 98903

17120142004  
TWO BLUFFS LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120142004  
TWO BLUFFS LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120621008  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

18120621401  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902



18120621402

WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

18120624402

WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

122

Total Parcels - PLP#001-21, SEPA#004-  
21, TCO#003-21

*NTZ of Public Hearing : DNS  
Sent 8/5/21*

17120124005

APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

HLA ENGINEERING

C/O MIKE HEIT  
2803 RIVER RD  
YAKIMA, WA 98902



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10705-B Gilbert Road  
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Manager  
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Yakima, WA 98902

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Greater Yakima Chamber of Commerce  
10 North 9th Street  
Yakima, WA 98901  
[chamber@yakima.org](mailto:chamber@yakima.org)

Office of Rural and Farm Worker Housing  
Marty Miller,  
1400 Summitview Ave, Ste# 203  
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[Martym@orfh.org](mailto:Martym@orfh.org)

United States Postal Service  
Maintenance Dept.  
205 W Washington Ave  
Yakima, WA 98903

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Review Team,  
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Dana Kallevig, Utility Project Manager  
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Yakima, WA 98901

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Yakima, WA 98902

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Annie Szvetcz, SEPA Policy Lead  
P.O. Box 47703  
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WA State Department of Ecology  
Rhonda Luke, Project Coordinator  
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[Scott.Downes@dfw.wa.gov](mailto:Scott.Downes@dfw.wa.gov)  
WA State Department of Fish and Wildlife  
[TeamYakima@dfw.wa.gov](mailto:TeamYakima@dfw.wa.gov)

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PO Box 47015  
Olympia, WA 98504  
[sepacenter@dnr.wa.gov](mailto:sepacenter@dnr.wa.gov)

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Manager  
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Yakima, WA 98902

City of Yakima - Airport  
Rob Peterson, Director  
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Yakima, WA 98903  
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Federal Aviation Administration  
2200 W. Washington Ave  
Yakima, WA 98903

North Yakima Conservation District  
Manager  
1606 Perry Street, Ste. C  
Yakima, WA 98902

U.S. Army Corps of Engineers, Regulatory  
Branch  
David Moore, Project Manager  
P.O. Box 3755  
Seattle, WA 98124-3755  
[david.j.moore@usace.army.mil](mailto:david.j.moore@usace.army.mil)

WA State Department of Agriculture  
Kelly McLain,  
PO Box 42560  
Olympia, WA 98504  
[kmclain@agr.wa.gov](mailto:kmclain@agr.wa.gov)

WA State Department of Ecology  
Gwen Clear, Regional Coordinator  
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[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)

WA State Department of Ecology  
[sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov)

WA State Department of Fish and Wildlife,  
SEPA Desk  
PO Box 43200  
Olympia, WA 98501  
[SEPAdesk@dfw.wa.gov](mailto:SEPAdesk@dfw.wa.gov)

WA State Department of Social & Health  
Services, Office of Capital Programs  
Larry Covey  
P.O. Box 45848  
Olympia, WA 98504  
[Larry.covey@dshs.wa.gov](mailto:Larry.covey@dshs.wa.gov)



WA State Dept of Archaeology & Historic  
Preservation  
1063 S Capitol Way, Ste 106  
Olympia, WA 98504-8343  
[Sepa@dahp.wa.gov](mailto:Sepa@dahp.wa.gov)

WA State Environmental Protection  
Agency  
NEPA Review Unit  
1200 6th Ave. #155, 14 D-12  
Seattle, WA 98101

West Valley School District  
Angela Von Essen, Asst. Supt  
8902 Zier Road  
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[vonessensa@wvsd208.org](mailto:vonessensa@wvsd208.org)

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Office  
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Yakima-Tieton Irrigation District  
Sandra Hull,  
470 Camp 4 Rd  
Yakima, WA 98908

SEPA REVIEWING AGENCIES\_updated  
06/08/2021

Type of Notice: NTC of public Hearing : DNS  
File Number: PLP# 001-21, CL2 # 023-21, SEPA # 064-21  
Date of Mailing: 8/5/21



## AFFIDAVIT OF MAILING

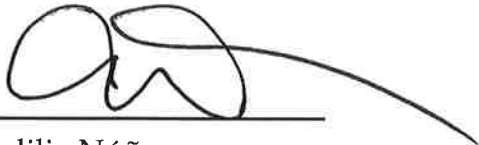
STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#001-21, CL2#023-21, SEPA#004-21  
Apple Tree Construction Company, LLC  
9300 Apple Tree Parkway

I, Analilia Núñez, as an employee of the Yakima City Planning Division, have dispatched through the United States Mails, a **Notice of Public Hearing and DNS**. A true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, parties of record, listed SEPA agencies and all property owners of record within a radius of 300 feet of subject property, that said property owners are individually listed on the mailing list retained by the Planning Division, and that said notices were mailed by me on the 5th day of August, 2021.

That I mailed said notices in the manner herein set forth and that all of the statements made herein are just and true.



Analilia Núñez

Planning Technician





DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901

ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**NOTICE OF APPLICATION AND ENVIRONMENTAL REVIEW**

**DATE:** May 28, 2021  
**TO:** SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners  
**FROM:** Joan Davenport, AICP, Community Development Director  
**APPLICANT:** Apple Tree Construction Company Inc. (2550 Borton Rd., Yakima, WA 98903)  
**FILE NUMBER:** PLP#001-21, CL2#023-21, SEPA#004-21  
**LOCATION:** 9300 Apple Tree Pkwy.  
**TAX PARCEL NUMBER(S):** 171201-13405, 181206-23014, -23026, -23401, -23402, -23404  
**DATE OF APPLICATION:** February 22, 2021  
**DATE OF COMPLETENESS:** May 28, 2021

**PROJECT DESCRIPTION:** Preliminary Long Plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts, in the R-1 zoning district.

**DETERMINATION OF CONSISTENCY:** Pursuant to YMC § 16.06.020(A), the project considerations are determined to be consistent with applicable development regulations, as follows:

1. The type of land use: Single-Family Dwellings are a Class (1) use, and Two-Family Dwellings and Multifamily Development are Class (2) uses in the R-1 zoning district.
2. Level of Development: 29 single-family lots, 3 triplex lots, 3 tracts
3. Infrastructure and public facilities: The subject property is able to be served by public streets, water, sewer, garbage collection, etc.
4. Characteristics of development: The proposal shall adhere to all Title 12 and Title 15 development standards.

Pursuant to YMC § 16.06.020(B), the development regulations and comprehensive plan considerations are found to be consistent, as follows:

1. The type of land use: Single-Family Dwellings are a Class (1) use, and Two-Family Dwellings and Multifamily Development are Class (2) uses in the R-1 zoning district.
2. Density of Development: Approximately 2.93 dwelling units per net residential acre
3. Availability and adequacy of infrastructure and public utilities: The subject property is able to be served by public facilities.

**NOTICE OF ENVIRONMENTAL REVIEW:** This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Yakima, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Yakima has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) per WAC § 197-11-355. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination will be mailed to parties of record and entities who were provided this notice and may be appealed pursuant to YMC § 6.88.170.

**Required Permits:** The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, Grading Permit

**Required Studies:** N/A

**Existing Environmental Documents:** None

**Development Regulations for Project Mitigation and Consistency Include:** the State Environmental Policy Act, the Yakima Urban Area Zoning Ordinance, YMC Title 12—Development Standards, and the Yakima Urban Area Comprehensive Plan.



**REQUEST FOR WRITTEN COMMENTS:** Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 20-day comment period for this review. This may be your only opportunity to comment. All written comments received by 5:00 p.m. on **June 17, 2021**, will be considered prior to issuing the final SEPA determination. Please reference file numbers (PLP#001-21, CL2#023-21, SEPA#004-21) and applicant's name (Apple Tree Construction Company LLC) in any correspondence you submit. You can mail your comments to:

**Joan Davenport, AICP, Community Development Director  
City of Yakima, Department of Community Development  
129 N. 2nd St.; Yakima, WA 98901**

**NOTICE OF SEPA DECISION:** A copy of the decision of the SEPA threshold determination will be mailed to parties of record and entities who were provided this notice once it is rendered.

**NOTICE OF PUBLIC HEARING:** This review requires that the Hearing Examiner hold an open record public hearing. A separate Notice of Public Hearing will be issued concurrently with the SEPA Determination at a later time, in accordance with public notice guidelines.

The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 North 2nd Street, Yakima, Washington. If you have questions regarding this proposal, please call Eric Crowell, Associate Planner, at (509) 576-6736, or e-mail to [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov).

**Enclosed:** Narratives, Project Descriptions, SEPA Checklist, Site Plan, and Vicinity Map





DEPARTAMENTO DE DESARROLLO COMUNITARIO  
Joan Davenport, AICP, Directora

Division de Planificación  
Joseph Calhoun, Gerente  
129 Norte Calle 2ª, 2º Piso, Yakima, WA 98901  
ask.planning@yakimawa.gov · [www.yakimawa.gov/services/planning](http://www.yakimawa.gov/services/planning)

**AVISO DE APLICACIÓN Y REVISIÓN AMBIENTAL**

El Departamento de Desarrollo Comunitario de la Ciudad de Yakima ha recibido una aplicación por parte de un propietario/solicitante y este es un aviso sobre esa solicitud. Información sobre la ubicación de la propiedad en cuestión y la solicitud es la siguiente:

**FECHA OTORGADA:** 28 de mayo, 2021  
**PARA:** Agencias de Revisión Ambiental, Solicitante y Propietarios Adyacentes  
**DE:** Joan Davenport, AICP, Directora de Desarrollo Comunitario  
**SOLICITANTE:** Apple Tree Construction Company LLC (2550 Borton Rd., Yakima, WA 98903)  
**No. DE ARCHIVO:** PLP#001-21, CL2#023-21, SEPA#004-21  
**UBICACIÓN:** 9300 Apple Tree Pkwy.  
**No. DE PARCELA(S):** 171201-13405, 181206-23014, -23026, -23401, -23402, -23404  
**FECHA DE APLICACIÓN:** 22 de febrero, 2021  
**FECHA DE APLICACIÓN COMPLETA:** 28 de mayo, 2021

**DESCRIPCIÓN DEL PROYECTO:** Revisión de subdivisión preliminar y Tipo 2 para crear 29 lotes para viviendas unifamiliares, 3 lotes para tri-plexes, y 3 lotes (tractos) en la zona residencial R-1.

**DETERMINACIÓN DE LA CONSISTENCIA** Conforme al Código Municipal YMC §16.06.020(A), las consideraciones del proyecto se determinan consistentes con las siguientes normas aplicables:

1. El tipo de uso terrenal: Viviendas Unifamiliar es un uso Clase 1, Viviendas Duplex y Multifamiliares son un uso Clase 2 en la zona residencial R-1.
2. Nivel de desarrollo: 29 lotes unifamiliares, 3 lotes triplex, y 3 tractos
3. Infraestructura e instalaciones públicas: La propiedad puede ser servida por calles públicas, agua, drenaje, recolección de basura, etc.
4. Características del desarrollo: La propuesta se adherirá a las normas de desarrollo del Título 12 y Título 15.

Conforme al Código Municipal YMC §16.06.020(B), los reglamentos de desarrollo y las consideraciones del plan comprensivo son coherentes, de la siguiente manera:

1. El tipo del uso terrenal: Viviendas Unifamiliar es un uso Clase 1, Viviendas Duplex y Multifamiliares son un uso Clase 2 en la zona residencial R-1.
2. Densidad del desarrollo: Aproximadamente 2.93 unidades de vivienda por acre residencial
3. Disponibilidad y adecuación de infraestructura y servicios públicos: La propiedad puede ser servida por instalaciones públicas.

**AVISO DE REVISIÓN AMBIENTAL:** Esto es para notificar a las agencias con jurisdicción y experiencia ambiental y al público que la Ciudad de Yakima, Division de Planificación, se establece como la agencia principal, de acuerdo con la Ley Estatal de Política Ambiental de Washington (SEPA) bajo WAC §197-11-928 para la revisión de este proyecto. La Ciudad de Yakima ha revisado el proyecto propuesto para posibles impactos ambientales adversos y espera emitir una Determinación de No-Significancia (DNS) para este proyecto conforme al proceso DNS opcional en WAC § 197-11-355. La propuesta puede incluir medidas de mitigación bajo los códigos aplicables y el proceso de revisión del proyecto puede incorporar o requerir medidas de mitigación independientemente de si se prepara un EIS (Declaración de Impacto Ambiental). Una copia de la determinación de umbral posterior se enviara a las personas y agencias que comentaron y que recibieron este aviso, y se puede apelar de acuerdo con el Código Municipal de Yakima YMC § 6.88.170.

**Permisos Requeridos:** Los siguientes permisos/aprobaciones locales, estatales, y federales pueden o serán necesarios para este proyecto: Permiso de Construcción y Nivelación Terrenal

**Estudios Requeridos:** N/A



**Documentos Ambientales Existentes:** Ninguno

**Los Reglamentos de Desarrollo para la Mitigación y Consistencia de Proyectos Incluyen:** La Ley Estatal de Política Ambiental de Washington, La Ordenanza de Zonificación del Área Urbana de Yakima, Los Estándares de Desarrollo del Título 12, y el Plan Integral del Área Urbana de Yakima.

**SOLICITUD DE COMENTARIOS ESCRITOS:** Se anima a las agencias, tribus, y el público a revisar y comentar sobre el proyecto y sobre sus probables impactos ambientales. Habrá un periodo de veinte (20) días para hacer sus comentarios. Este podría ser su única oportunidad para comentar. Todos los comentarios recibidos por escrito antes de las 5:00 p.m. el **17 de junio, 2021** serán considerados antes de emitir la determinación ambiental. Por favor de hacer referencia al número de archivo (PLP#001-21, CL2#023-21, SEPA#004-21) o al nombre del solicitante (Apple Tree Construction Company LLC) en cualquier correspondencia que envíe. Por favor de enviar sus comentarios sobre esta propuesta a:

**Joan Davenport, AICP, Community Development Director  
City of Yakima, Department of Community Development  
129 N. 2nd St., Yakima, WA 98901**

**AVISO DE LA DECISIÓN AMBIENTAL (SEPA):** Cuando la Determinación de la Revisión Ambiental sea emitida, una copia será enviada a las personas que mandaron comentarios o que recibieron este aviso.

**AVISO DE LA AUDIENCIA PÚBLICA:** Esta revisión requiere que el Examinador de Audiencias conduzca una audiencia pública de registro abierto. Posteriormente se enviara Un Aviso de Audiencia Pública por separado junto con la Determinación Ambiental (SEPA), de acuerdo a las reglas de avisos públicos.

El archivo que contiene la aplicación completa está disponible para inspección pública en la Oficina de Planificación de la Ciudad de Yakima en el 129 al Norte la Calle 2da, Yakima, WA.

Si tiene cualquier pregunta sobre esta propuesta, puede contactar a la Oficina de Planificación al (509) 575-6183 o por correo electrónico al: [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov)

**Adjuntos:** Narrativo, Descripción del Proyecto, Lista SEPA, Plan de Sitio, Mapa



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Mike Shane	Water/Irrigation	<a href="mailto:Mike.Shane@yakimawa.gov">Mike.Shane@yakimawa.gov</a>	

Outside Distribution		
Name	Address	Included In Mailing?
Pacific Power Attn: Estimating Department (Subdivision notices ONLY)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Type of Notice: Notice of Application & SEPA Review  
 File Number(s): PLP#001-21, CL2#023-21, SEPA#004-21  
 Date of Mailing: 05/28/2021



**From:** Ibarra, Rosalinda  
**Sent:** Friday, May 28, 2021 12:01 PM  
**To:** Brown, David; Calhoun, Joseph; Contreras, Pedro; Corona, Silvia; Davenport, Joan; Dean, James; DeBusschere, Suzanne; Della, David; Denman, Glenn; Doan, Tony; Horton, Kelli; Ibarra, Rosalinda; Kallevig, Dana; Layman, Randy; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Murray, Matthew; Nunez, Analilia; Preston, Bill; Riddle, Dan; Rodriguez, Jeremy; Rossignol, Linda; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John; Zammarchi, Loretta; Ahtanum Irrigation District - Beth Ann Brulotte; Cawley, Marc; Chamber of Commerce; Department of Agriculture; Department of Commerce (CTED) - Review Team; Department of Ecology; Department of Ecology - Former Orchards; Department of Ecology - Lori White; Department of Ecology - SEPA Register; Department of Ecology -CRO Coordinator; Department of Fish and Wildlife; Department of Fish and Wildlife; Department of Fish and Wildlife - Eric Bartrand; Department of Fish and Wildlife - Scott Downes; Department of Natural Resources; Dept of Social & Health Svcs - Robert Hubenthal; Dept. Archaeology & Historic Preservation - SEPA Review; Energy Facility Site Evaluation Council - Stephen Posner; Henne, Dennis; Ibarra, Rosalinda; Kallevig, Dana; Nob Hill Water - Bob Irving; Nunez, Analilia; Office of Rural & Farmworker Housing - Marty Miller; Peterson, Robert; Riddle, Dan; US Army Corps of Engineers - David Moore; WA State Dept of Health, Kelly Cooper; WA State Dept of Health, Office of Drinking Water; WA State Dept of Health, Office of Drinking Water; WA State Parks & Recreation Commission; WSDOT - Paul Gonseth; WSDOT - South Central Regional Planning Office; WSDOT Aviation - Max Platts; WVSD - Angela Watts, Asst Supt of Bus/Fin; WVSD - Mike Brophy, Supt.; Yakama Bureau of Indian Affairs - Rocco Clark; Yakama Nation Environmental Management Program - Elizabeth Sanchey; Yakama-Klickitat Fisheries - John Marvin; Yakama-Klickitat Fisheries Project - John Marvin; Yakima County Building Official - Harold Maclean; Yakima County Commissioners; Yakima County Flood Control District - Dianna Woods; Yakima County Flood Control District - Troy Havens; Yakima County Health District; Yakima County Health District - Ryan Ibach; Yakima County Planning - Manager - Tommy Carroll; Yakima County Planning - Zoning/Sub - Jason Earles; Yakima County Public Svcs Director, Lisa Freund; Yakima Greenway Foundation - Kellie Connaughton; Yakima Regional Clean Air Agency - Hasan Tahat; Yakima School District - Jay Baucom; Yakima School District - Stacey Locke; Yakima School District - Trevor Greene; Yakima Valley Museum - Peter Arnold, Exec Director; Yakima Valley Trolleys; Yakima Waste Systems - Keith Kovalenko; YVCOG - Lynn Deitrick; Gary Cuillier; Pat Spurgin (pds@spurginlawoffice.com)  
**Cc:** Crowell, Eric  
**Subject:** NOTICE OF APPLICATION & ENVIRONMENTAL REVIEW - Apple Tree No4 Ph4 - PLP#001-21, CL2#023-21, SEPA#004-21  
**Attachments:** NTC OF APPLICATION & SEPA REVIEW - Apple Tree No2 Ph4 - PLP#001-21, CL2#....pdf

Attached is a Notice of Application and Environmental Review for the above-entitled project.

This project review also requires a public hearing which will be scheduled at a later time and a Notice of Public Hearing will be provided with the forthcoming SEPA Determination after the public comment period ends.

If you have any questions about this proposal please contact assigned planner Eric Crowell at [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov)

Thank you!

**Rosalinda Ibarra**

Community Development Administrative Assistant

City of Yakima | Planning Division

129 North 2nd Street, Yakima WA 98901

p: (509) 575-6183 ♦ f: (509) 575-6105



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17120111413  
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9150 OCCIDENTAL RD APT 11  
YAKIMA, WA 98903

17120131402  
CHAWLEY R. THOMAS  
9810 RIDGEWAY RD  
YAKIMA, WA 98903

18120624500  
DANA & CANDY SIEKAWITCH  
2413 S 86TH AVE  
YAKIMA, WA 98903

17120112406  
DOUGLAS J & LOUELLA A HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622002  
HELEN TYLER  
420 S 72ND AVE STE 180 BOX 174  
YAKIMA, WA 98908

17120111406  
JAMES L & TAMYRA J GAGOUSH  
9150 OCCIDENTAL RD APT 4  
YAKIMA, WA 98903

17120113014  
JOHN W & JENNIFER L HULL  
9705 RIDGEWAY RD  
YAKIMA, WA 98903

18120624458  
KEITH HENRY  
8502 ASPEN RD  
YAKIMA, WA 98903

18120624487  
LUCIO M & ORALIA SANDOVAL FLORES  
2501 S 86TH AVE  
YAKIMA, WA 98903

18120624512  
MELINDA & FREDDY MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

18120624454  
ARTURO & BRITTANY M WEAVER  
TORRES  
8505 ASPEN RD  
YAKIMA, WA 98903

18120624448  
DAN & LEANNE LATON  
2412 S 85TH AVE  
YAKIMA, WA 98903

17120111411  
DARREN M & TRACI L CLARK  
351 MAPLE LEAF LOOP  
CLE ELUM, WA 98922

18120624513  
FRED & MELINDA MENDOZA  
2403 S 86TH AVE  
YAKIMA, WA 98903

17120113406  
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YAKIMA, WA 98908

17120112403  
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9600 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623004  
KANANI COWARD  
8815 AHTANUM RD  
YAKIMA, WA 98903

18120624486  
LARISSA ANN FROEHLICH  
8501 ASPEN ROAD  
YAKIMA, WA 98903

17120111407  
MARK & KATHLEEN SILVERSTEIN  
9150 OCCIDENTAL RD APT 5  
YAKIMA, WA 98903

18120624511  
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YAKIMA, WA 98903

17120111414  
CAROLYN KAY NOEL  
9150 OCCIDENTAL RD APT 12  
YAKIMA, WA 98903

17120113403  
DAN K & CANDACE A HULL  
9703 RIDGEWAY RD  
YAKIMA, WA 98903

17120112405  
DOUGLAS & LOUELLA HUGHES  
9612 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111409  
GALE E & SHELLEY A MARQUETT  
9150 OCCIDENTAL RD APT 7  
YAKIMA, WA 98903

17120111408  
JACQUELINE K WISHERT  
9150 OCCIDENTAL RD # 6  
YAKIMA, WA 98908

17120112404  
JEWEL LARSON  
9600 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111403  
KAREN MARIE MCLAUGHLIN  
9150 OCCIDENTAL RD APT 1  
YAKIMA, WA 98903

18120624446  
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17120114006  
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MOXEE, WA 98936



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SELAH, WA 98942

18120623006  
SHAUN L & RUBY A ARMIJO  
219 S 36TH AVE  
YAKIMA, WA 98902

18120624453  
TERESA FIGUEROA  
8507 ASPEN RD  
YAKIMA, WA 98903

18120623027  
WAYNE T & SANDRA CLASEN  
2605 NELSON RD  
YAKIMA, WA 98903

18120624505  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

18120623402

APPLE TREE CONSTRUCTION COMPANY  
2550 BORTON RD  
YAKIMA, WA 98903

17120114403  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114406  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114411  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623005  
RICHARD D & ANNABELLE BAILEY  
8811 AHTANUM RD  
YAKIMA, WA 98903

17120111412  
ROBERT & JULIE ST CLAIR  
201 GALER ST APT 221  
SEATTLE, WA 98109

17120111005  
STEPHEN M & ELIZABETH J HULL  
9202 OCCIDENTAL RD  
YAKIMA, WA 98903

17120114401  
TRINIDAD C & ARACELY V OLIVERA  
9105 AHTANUM RD  
YAKIMA, WA 98903

18120624400  
WILLIAM M & ROBIN STEWART  
2407 S 86TH AVE  
YAKIMA, WA 98903

17120111006  
APPLE TREE CONSTRUCTION CO LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120113405  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114404  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114409  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114412  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120112006  
RICHARD S & C RENEE WAGNER  
9408 OCCIDENTAL RD  
YAKIMA, WA 98903

17120111410  
ROBERT E SUTTON  
9150 OCCIDENTAL RD APT 8  
YAKIMA, WA 98903

17120111404  
STEVEN CROW  
9150 OCCIDENTAL RD APT 2  
YAKIMA, WA 98903

17120114408  
TY W BEAUDRY  
9401 APPLE TREE PARKWAY  
YAKIMA, WA 98903

18120624504  
AHTANUM PIONEER CHURCH  
8500 AHTANUM RD  
YAKIMA, WA 98903

17120111003  
APPLE TREE CONSTRUCTION COMPANY  
2550 BORTON RD  
YAKIMA, WA 98903

17120114011  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114405  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114410  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114413  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903



17120114414  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114417  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114420  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114423  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114426  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114429  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120124004  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623401  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18133133443  
APPLE TREE LAND COMPANY LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120113012  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120114415  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114418  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114421  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114424  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114427  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114430  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623014  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623404  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18133134510  
APPLE TREE LAND COMPANY LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114013  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120114416  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114419  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114422  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114425  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114428  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120114431  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120623400  
APPLE TREE CONSTRUCTION COMPANY  
LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120112005  
APPLE TREE CONSTRUCTION LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120111007  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120124005  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903



17120124006  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

18120622008  
APPLE TREE PARTNERSHIP  
~~8804 OCCIDENTAL RD~~  
YAKIMA, WA 98903

18120622009  
APPLE TREE PARTNERSHIP  
~~8804 OCCIDENTAL RD~~  
YAKIMA, WA 98903

18120623024  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

17120131007  
APPLE TREE PTNSHP  
~~8804 OCCIDENTAL RD~~  
YAKIMA, WA 98903

**18120623026**  
**APPLE TREE RESORT DEVELOPMENT CO**  
**2550 BORTON RD**  
YAKIMA, WA 98903

18133143403  
APPLE TREE RESORT DEVELOPMENT CO  
~~2550 BORTON RD~~  
YAKIMA, WA 98903

18133143404  
~~APPLE TREE RESORT DEVELOPMENT CO~~  
2550 BORTON RD  
YAKIMA, WA 98903

17120121002  
AT PROPERTIES LLC  
~~2550 BORTON RD~~  
YAKIMA, WA 98903

17120122001  
AT PROPERTIES LLC  
~~2550 BORTON RD~~  
YAKIMA, WA 98903

17120123003  
~~AT PROPERTIES LLC~~  
2550 BORTON RD  
YAKIMA, WA 98903

17120123004  
AT PROPERTIES LLC  
~~2550 BORTON RD~~  
YAKIMA, WA 98903

17120123005  
AT PROPERTIES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

17120123005  
AT PROPERTIES LLC  
~~2550 BORTON RD~~  
YAKIMA, WA 98903

17120123005  
~~AT PROPERTIES LLC~~  
2550 BORTON RD  
YAKIMA, WA 98903

~~18133133002~~  
~~AT RESORT PROPERTIES LLC~~  
~~2550 BORTON RD~~  
~~YAKIMA, WA 98903~~

17120114407  
BILLIE E COX AND LOREL LYNN COX  
REVOCABLE LIVING TRUST  
11392 ZIER RD  
YAKIMA, WA 98908

18120623019  
COLUMBIA VALLEY FRUIT LLC  
1720 W AHTANUM RD  
UNION GAP, WA 98903

~~18120623028~~  
~~COLUMBIA VALLEY FRUIT LLC~~  
~~1720 W AHTANUM RD~~  
~~UNION GAP, WA 98903~~

18120622007  
G B H LP  
8806 OCCIDENTAL RD  
YAKIMA, WA 98903

18120623029  
GRIMES CO. OF YAKIMA, LLC  
12201 NELSON RD  
YAKIMA, WA 98903

17120111405  
KEYES FAMILY HOLDING TRUST  
9150 OCCIDENTAL RD APT 3  
YAKIMA, WA 98903

17120112004  
KINLOCH BORTON ENTERPRISES LLC  
2550 BORTON RD  
YAKIMA, WA 98903

18120624450  
NOB HILL WATER COMPANY  
6111 TIETON DR  
YAKIMA, WA 98908

17120111401  
RIGNEY FAMILY TRUST  
9204 OCCIDENTAL RD  
YAKIMA, WA 98903

~~17120111402~~  
~~RIGNEY FAMILY TRUST~~  
~~9204 OCCIDENTAL RD~~  
~~YAKIMA, WA 98903~~

17120142004  
TWO BLUFFS LLC  
2550 BORTON RD  
YAKIMA, WA 98903

~~17120142004~~  
~~TWO BLUFFS LLC~~  
~~2550 BORTON RD~~  
~~YAKIMA, WA 98903~~

18120621008  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

~~18120621401~~  
~~WEST VALLEY NURSING HOMES INC~~  
~~3801 SUMMITVIEW AVE~~  
~~YAKIMA, WA 98902~~



18120621402  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

18120624402  
WEST VALLEY NURSING HOMES INC  
3801 SUMMITVIEW AVE  
YAKIMA, WA 98902

122  
Total Parcels - PLP#001-21, SEPA#004-  
21, TCO#003-21

Notice of Application 3  
SEPA Review  
PLP#001-21, CL2#023-21  
SEPA#004-21  
5/28/2021

17120124005  
APPLE TREE PARTNERSHIP  
8804 OCCIDENTAL RD  
YAKIMA, WA 98903

HLA ENGINEERING  
C/O MIKE HEIT  
2803 RIVER RD  
YAKIMA, WA 98902



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Dana Kallevig, Utility Project Manager  
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Federal Aviation Administration  
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Yakima, WA 98903

North Yakima Conservation District  
Manager  
1606 Perry Street, Ste. C  
Yakima, WA 98902

U.S. Army Corps of Engineers, Regulatory  
Branch  
David Moore, Project Manager  
P.O. Box 3755  
Seattle, WA 98124-3755  
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[sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov)

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WA State Department of Social & Health  
Services, Office of Capital Programs  
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WA State Environmental Protection Agency  
NEPA Review Unit  
1200 6th Ave. #155, 14 D-12  
Seattle, WA 98101

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Angela Von Essen, Asst. Supt  
8902 Zier Road  
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[vonessensa@wvwd208.org](mailto:vonessensa@wvwd208.org)

WSDOT South Central Region Planning Office  
[SCplanning@wsdot.wa.gov](mailto:SCplanning@wsdot.wa.gov)

Yakama Bureau of Indian Affairs  
Rocco Clark, Environmental Coordinator  
P.O. Box 632  
Toppenish, WA 98948  
[Rocco.clark@bia.gov](mailto:Rocco.clark@bia.gov)

Yakama Nation Environmental Mgmt Program, Elizabeth Sanchez  
P.O. Box 151  
Toppenish, WA 98948  
[esanchez@yakama.com](mailto:esanchez@yakama.com)

Yakima County Commissioners  
[Commissioners.web@co.yakima.wa.us](mailto:Commissioners.web@co.yakima.wa.us)

Yakima County Planning Division  
Jason Earles, Zoning/Subdivision Section  
128 North 2nd Street, 4th Floor  
Yakima, WA 98901  
[Jason.Earles@co.yakima.wa.us](mailto:Jason.Earles@co.yakima.wa.us)

Yakima County Water Resources Division  
Dianna Woods, Program Analyst  
128 North 2nd Street, 4th Floor  
Yakima, WA 98901  
[Dianna.Woods@co.yakima.wa.us](mailto:Dianna.Woods@co.yakima.wa.us)

Yakima School District  
Jay Baucom, Director of Maintenance & Operations  
104 North 4th Ave  
Yakima, WA 98902  
[baucom.jay@yakimaschools.org](mailto:baucom.jay@yakimaschools.org)

WA State Dept of Health, Office of Drinking Water  
Jamie Gardipe [Jamie.gardipe@doh.wa.gov](mailto:Jamie.gardipe@doh.wa.gov)  
16201 E Indiana Ave, Ste# 1500  
Spokane Valley, WA 99216  
[SEPA.reviewteam@doh.wa.gov](mailto:SEPA.reviewteam@doh.wa.gov)

WA State Governor's Office of Indian Affairs  
PO Box 40909  
Olympia, WA 98504

West Valley School District  
Mike Brophy, Superintendent  
8902 Zier Road  
Yakima, WA 98908  
[brophym@wvwd208.org](mailto:brophym@wvwd208.org)

WSDOT, Aviation Division  
Max Platts, Aviation Planner  
7702 Terminal St SW  
Tumwater, WA 98501  
[plattst@wsdot.wa.gov](mailto:plattst@wsdot.wa.gov)

Yakama Indian Nation, Cultural Resources Program  
Johnson Meninick,  
P.O. Box 151  
Toppenish, WA 98948

Yakama-Klickitat Fisheries Project  
John Marvin,  
760 Pence Road  
Yakima, WA 98909  
[marj@yakamafish-nsn.gov](mailto:marj@yakamafish-nsn.gov)  
[jmarvin@yakama.com](mailto:jmarvin@yakama.com)

Yakima County Health District  
Ryan Ibach, Director  
1210 Ahtanum Ridge Dr Ste#200  
Union Gap, WA 98903  
[yhd@co.yakima.wa.us](mailto:yhd@co.yakima.wa.us)  
[ryan.ibach@co.yakima.wa.us](mailto:ryan.ibach@co.yakima.wa.us)

Yakima County Public Services  
Lisa Freund, Public Services Director  
128 North 2nd Street, 4th Floor  
Yakima, WA 98901  
[lisa.freund@co.yakima.wa.us](mailto:lisa.freund@co.yakima.wa.us)

Yakima Greenway Foundation  
Kellie Connaughton, Executive Director  
111 South 18th Street  
Yakima, WA 98901  
[kellie@yakimagreenway.org](mailto:kellie@yakimagreenway.org)

Yakima School District  
Stacey Locke, Assistant Superintendent of Operations  
104 North 4th Ave  
Yakima, WA 98902  
[locke.stacey@ysd7.org](mailto:locke.stacey@ysd7.org)

WA State Energy Facility Site Evaluation Council  
Stephen Posner, SEPA Officer  
PO Box 43172  
Olympia, WA 98504-3172  
[sposner@utc.wa.gov](mailto:sposner@utc.wa.gov)

WA State Parks & Recreation Commission  
Jessica Logan,  
P.O. Box 42650  
Olympia, WA 98504  
[jessica.logan@parks.wa.gov](mailto:jessica.logan@parks.wa.gov)

WSDOT  
Paul Gonseth, Planning Engineer  
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Union Gap, WA 98903  
[gonsetp@wsdot.gov](mailto:gonsetp@wsdot.gov)

Yakama Bureau of Indian Affairs  
Superintendent  
P.O. Box 632  
Toppenish, WA 98948

Yakama Indian Nation, Yakima Tribal Council  
Ruth Jim,  
P.O. Box 151  
Toppenish, WA 98948

Yakima County Building Department  
Harold Maclean, Building Official  
128 North 2nd Street, 4th Floor  
Yakima, WA 98901  
[harold.maclean@co.yakima.wa.us](mailto:harold.maclean@co.yakima.wa.us)

Yakima County Planning Division  
Tommy Carroll, Planning Manager  
128 North 2nd Street, 4th Floor  
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Yakima County Water Resources Division  
Troy Havens, Manager  
128 North 2nd Street, 4th Floor  
Yakima, WA 98901  
[Troy.Havens@co.yakima.wa.us](mailto:Troy.Havens@co.yakima.wa.us)

Yakima Regional Clean Air Agency  
Hasan Tahat, Compliance and Engineering Division Supervisor  
186 Iron Horse Ct # 101  
Yakima, WA 98901  
[hasan@yrcaa.org](mailto:hasan@yrcaa.org)

Yakima School District  
Trevor Greene, Superintendent  
104 North 4th Ave  
Yakima, WA 98902  
[greenetrevor@yakimaschools.org](mailto:greenetrevor@yakimaschools.org)



Yakima Valley Canal Co  
Robert Smoot,  
1640 Garretson Lane  
Yakima, WA 98908

Yakima Valley Conference of Governments  
Lynn Deitrick, Senior Planner  
311 North 4th Street, Ste# 202  
Yakima, WA 98901  
[lynn.deitrick@yvcog.org](mailto:lynn.deitrick@yvcog.org)

Yakima Valley Museum  
Peter Arnold, Executive Director  
2105 Tieton Drive  
Yakima, WA 98902  
[peter@yvmuseum.org](mailto:peter@yvmuseum.org)

Yakima Valley Trolleys  
Paul Edmondson,  
313 North 3rd Street  
Yakima, WA 98901

Yakima Valley Trolleys  
PO Box 796  
Yakima, WA 98907  
[info@yakimavalleytrolleys.org](mailto:info@yakimavalleytrolleys.org)

Yakima Waste Systems  
Keith Kovalenko, District Manager  
PO Box 2830  
Yakima, WA 98907  
[keithk@wasteconnections.com](mailto:keithk@wasteconnections.com)

Yakima-Tieton Irrigation District  
Sandra Hull,  
470 Camp 4 Rd  
Yakima, WA 98908

SEPA REVIEWING AGENCIES\_updated  
05/03/2021

Type of Notice: Notice of Application & SEPA Review

File Number: PLP#001-21, CL2#023-21, SEPA#004-21

Date of Mailing: 05/28/2021



## AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#001-21, CL2#023-21, SEPA#004-21

APPLE TREE NO 4 PHASE 2

9300 Apple Tree Parkway

I, Rosalinda Ibarra, as an employee of the Yakima City Planning Division, have dispatched through the United States Mails, a **Notice of Application and Environmental Review**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, SEPA reviewing agencies, and all property owners of record within a radius of 300 feet of subject property; that said property owners are individually listed on the mailing list retained by the Planning Division; and that said notices were mailed by me on the 28<sup>th</sup> day of May, 2021.

That I mailed said notices in the manner herein set forth and that all of the statements made herein are just and true.



Rosalinda Ibarra

Community Development Administrative Assistant





CITY OF YAKIMA  
LAND USE ACTION INSTALLATION  
CERTIFICATE

RECEIVED

APR 09 2021

CITY OF YAKIMA  
COMMUNITY DEVELOPMENT

File Number:	PLP#001-21, SEPA#004-21
Applicant/Project Name:	Apple Tree No. 4 Phase 2
Site Address:	2504 S 86 <sup>th</sup> Ave
Date of Posting:	4-8-21
Land Use Sign ID#(s):	42

Location of Installation (Check One):

☒ Land Use Action Sign is installed per standards described in YMC §15.11.080(C).

☐ Land Use Action Sign is installed in an alternate location on the site.

*Note: this alternate location (if not pre-approved by the Planning Manager) may not be acceptable by the Planning Division and is subject to relocation (at the owner's expense) to a more visible site on the property.*

The alternative location is:

The required notice of application will be sent to the applicant and property owners within a 300-foot radius after the Planning Division has received this Land Use Action Installation Certification. Failure to post a Land Use Action sign and return this form signed in a timely manner may cause a delay in the application review process.

I hereby testify that the installed sign fully complies with the Land Use Action sign installation standards (see pg. 2), that the sign will be maintained until a decision has been rendered, and that the sign will be returned within 30 days from the date the final decision is issued.

Stan Hill  
Applicant's Signature

4-8-21  
Date

Stan Hill  
Applicant's Name (Please Print)

(509) 930-2490  
Applicant's Phone Number

Please fill out and sign the above certification after posting and deliver to the City of Yakima Planning Division via email to [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) or in person/by mail to: City of Yakima, Planning Division, 129 North 2<sup>nd</sup> Street, Yakima, WA 98901.





DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901

[ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) · [www.yakimawa.gov/services/planning](http://www.yakimawa.gov/services/planning)

May 28, 2020

**FILE NUMBER:** PLP#001-21, SEPA#004-21, CL2#023-21  
**APPLICANT:** Apple Tree Construction Company LLC c/o Jon Kinloch  
**APPLICANT ADDRESS:** 2550 Borton Rd., Yakima, WA 98903  
**PROJECT LOCATION:** 9300 Apple Tree Way  
**TAX PARCEL NO:** 171201-13405  
**DATE OF REQUEST:** February 22, 2021  
**SUBJECT:** Notice of Complete Application

Mr. Kinloch:

The application for your Preliminary Long Plat and Type (2) Review for 9300 Apple Tree Way was received on February 22, 2021. As of May 28, 2021, your application is considered **complete** as required by the City of Yakima's Municipal Code (YMC) and site plan checklist, as referenced in YMC §§ 14.20.030 and 6.88.090.

Your application is now considered to be complete. Continued processing of your request will include, but is not limited to, the following actions:

1. A Notice of Application and Environmental Review will be sent to all property owners within a 300-foot radius of your site. This notice will include a request for public comments during a 20-day comment period as is required by the City of Yakima. Notice of Application is scheduled to be issued on May 28, 2021 and the comment period will end on June 17, 2021.
2. Due to the transition from remote to in-person meetings, the public hearing for your project with the City of Yakima Hearing Examiner in the City of Yakima Council Chambers will be scheduled at a later date.

For any questions regarding this matter, please contact me at [eric.crowell@yakimawa.gov](mailto:eric.crowell@yakimawa.gov).

Sincerely,

*Eric M. Crowell*

Eric Crowell  
Associate Planner





## EXHIBIT LIST

[illegible]





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

RECEIVED

JUN 15 2021

CITY OF YAKIMA  
PLANNING DIV.

July 15, 2021

Eric Crowell  
Community Development  
City of Yakima  
129 North 2<sup>nd</sup> Street  
Yakima, WA 98901

Re: SEPA 202102824, PLP#001-21, CL2#023-21, SEPA#004-21

Dear Eric Crowell:

Thank you for the opportunity to comment during the Optional Determination of Non Significance process for the preliminary long plat and Type (2) Review to create 29 single-family lots, 3 triplex lots, and 3 tracts. We have reviewed the documents and have the following comments.

**TOXIC CLEAN UP**

Historical aerial photos indicate a portion of your property was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. This project is required to conduct soil sampling prior to development under the Model Toxics Control Act (Chapter 173-340 WAC).

If sampling indicates elevated levels of lead and arsenic, cleanup will be required. The Department of Ecology plans to use Model Remedies for lead and arsenic pesticide contamination in historical orchards of Central Washington. A Focus Sheet on the Model Remedies can be found at <https://apps.ecology.wa.gov/publications/documents/2109007.pdf>.

Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

Ecology can provide free initial sampling, as well as free technical assistance for your project.

Please contact Jeff Newschwander, Project Manager, at 509-388-5223 or email [jeff.newschwander@ecy.wa.gov](mailto:jeff.newschwander@ecy.wa.gov), for further information or to schedule your initial sampling.

Sincerely,

*Tricia Sawyer*

Tricia Sawyer on behalf of Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509)575-2012 (Gwen)  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)

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# 6-3



JUN 09 2021

CITY OF YAKIMA  
PLANNING DIV.Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

June 9, 2021

Eric Crowell  
Planner  
City of Yakima  
129 North 2nd Street  
Yakima, WA 98901

In future correspondence please refer to:  
Project Tracking Code: 2021-06-03386  
Property: City of Yakima\_Apple Tree No. 4 Phase II Subdivision (SEPA#004-21)  
Re: Survey Requested

Dear Eric Crowell:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Sydney Hanson'.

Sydney Hanson  
Transportation Archaeologist  
(360) 280-7563  
Sydney.Hanson@dahp.wa.gov







## AHTANUM IRRIGATION DISTRICT

10705 Gilbert Rd Ste B, Yakima, Washington 98903-9203  
Phone (509) 249-0226 ~ Fax (509) 249-0233

May 28, 2021

City of Yakima, Department of Community Development  
Joan Davenport, AICP, Community Development Director  
129 North Second Street - 2<sup>nd</sup> Floor  
Yakima, Washington 98901

RECEIVED  
JUN 01 2021  
CITY OF YAKIMA  
COMMUNITY DEVELOPMENT

Subject: PLP#001-21, CL2#023-21, SEPA#004-21  
Parcels 181206-23014, -23026, -23401, -23402, -23404

Dear Ms. Davenport:

Please find below our comments concerning the above-mentioned long plat. Please note that parcel 171201-13405 is not within our District's boundaries.

Our records indicate the above-listed parcels falling within 181206 have no surface water right as established in the Final Decree (2019), the Conditional Final Order Subbasin No. 23 (Ahtanum) (2019), and the Final Schedule of Rights dated May 9, 2019 in State of Washington, Dept. of Ecology v. Acquavella, et al (2019).

However, our Board must sign off on the plat for this subdivision. The surveyor will need to provide us with the original Mylar, as well as one copy, for District signature. As our Board meets once per month, please telephone in advance for meeting dates to avoid delays.

If any further information is required, you can contact us at (509) 249-0226.

Sincerely,

AHTANUM IRRIGATION DISTRICT

*George D. Marshall*

George D. Marshall, Stream Patrolman

GM:bab

Cc: Applicant/Owner: Apple Tree Construction Company, Inc.  
Surveyor: HLA Engineering and Land Surveying Inc. (Tim Fries)

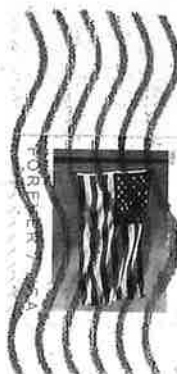
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**AHTANUM IRRIGATION DISTRICT**  
10705 Gilbert Rd Ste B  
Yakima WA 98903-9203

SEATTLE WA 980  
29 MAY 2021 PM 6 L



**CEIVED**

JUN 01 2021  
CITY OF YAKIMA  
PLANNING DIV.

City of Yakima, Dept. of Community Dev.  
Joan Davenport, AICP, Comm. Dev. Director  
129 North Second Street - 2<sup>nd</sup> Floor  
Yakima WA 98901

98901-263733



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