

**ROBERTO ARTEAGA/ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21**

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

EXHIBIT LIST

Applicant: Roberto Arteaga & Araceli Gonzales T
File Numbers: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21
Site Address: 9503, 9509, 9515 Tieton Dr.
Staff Contact: Eric Crowell, Senior Planner

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ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER AA

Hearing Examiner Recommendation

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

September 23, 2021

In the Matter of Planned Development,)	
Class (2) Duplex Use and Short Plat)	
Applications Submitted by:)	
)	PD#001-21
Roberto Arteaga & Araceli GonzalesTello)	CL2#016-21
)	PSP#009-21
For a Planned Development, 7 Class (2))	SEPA#009-21
Duplex Uses and a Commercial Lot in)	
An 8-Lot Short Plat within the R-1 Zone)	
At 9503, 9509 and 9515 Tieton Drive)	

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 on September 9, 2021.

(2) The thorough Planning Division staff report which was prepared by Senior Planner Eric Crowell was presented by Senior Planner Trevor Martin because Mr. Crowell was out of the state at the time of the hearing. The staff report recommended approval of the Planned Development, the 7 Class (2) Duplex Uses and the 8-Lot Preliminary Short Plat subject to conditions (*Document Index A-1 of the record*).

(3) Testimony in favor of the application was presented by the applicants' representative, Thomas Durant of PLSA Engineering – Surveying – Planning, who

Roberto Arteaga & Araceli Gonzales Tello
Planned Development, 7 Class (2) Duplexes
8-Lot Short Plat in the R-1 Zoning District
Located at 9503, 9509 and 9515 Tieton Drive
PD#001-21; CL2#016-21; PSP#009-21; SEPA#009-21

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also suggested revisions to some of the recommended conditions. Further testimony in favor of the proposal was presented by the applicants' representative, Leanne Liddicoat of Digital Design and Development, who indicated that grading the site to make the street slopes passable from Tieton Drive and from South 96th Avenue will require grading of the site that will likely lower to some extent the elevation of the duplexes on the north so as to possibly alleviate to some extent the two commenting neighbors' privacy concerns and that fencing for back yards along the north of the property could be expected even though it will not be required between residential uses.

(4) No one appeared to present testimony in opposition to the proposal.

(5) Written comments of nearby property owners were submitted by Robert McCulloch who commented about the Environmental Checklist; and by Luella Huff; by Randy and Bev Dahl; and by Bruce and Dixie Tillet who indicated by way of identical letters certain corrections to statements in the application, questions about the proposal and concerns about privacy, noise and traffic which caused them to strongly oppose the proposed development (*Document Index G-2, G-3, G-4 and G-5 of the record*).

(6) This recommendation has been issued within ten business days of the open record public hearing.

B. Summary of Recommendations. The Hearing Examiner recommends approval of this Planned Development with 7 Class (2) duplexes in an 8-Lot Preliminary Short Plat for the duplexes and for one lot that may be developed for one or more future commercial uses, subject to conditions.

C. Basis for Recommendations. Based on a view of the site with no one else present on September 7, 2021; the staff report, exhibits, testimony and other evidence presented at the open record public hearing on September 9, 2021; and a consideration of the applicable Planned Development criteria, Class (2) use

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criteria, Preliminary Short Plat requirements, development standards and consistency criteria; the Hearing Examiner makes and issues the following:

FINDINGS

I. Applicants/Property Owners/Representative. The applicants and property owners are Roberto Arteaga and Araceli Gonzales Tello who are represented by Thomas Durant of PLSA Engineering – Surveying – Planning, 521 North 20th Avenue, Suite 3, Yakima, Washington 98902 and by Leanne Liddicoat of Digital Design & Development, 1909 West Lincoln Avenue, Suite #1, Yakima Washington 98902.

II. Location. The location of the proposal is 9503, 9509 and 9515 Tieton Drive on Yakima County Assessor's Parcel Nos. 181319-33005, -33009 and -33010 at the northeast corner of the Tieton Drive/South 96th Avenue intersection.

III. Application. The main aspects of the history and details of these applications may be summarized as follows:

(1) These applications are for approval of a Planned Development, 7 Class (2) duplex uses and an 8-Lot Preliminary Short Plat for the 7 duplexes plus one lot for one or more future commercial uses. The property is located on approximately 2.03 acres in the R-1 zoning district at the northeast corner of the Tieton Drive/South 96th Avenue intersection.

(2) The applications for a Planned Development, for Type (3) Review of 7 Class (2) duplex uses and for SEPA Environmental Review were received on March 26, 2021. The application for a Preliminary Short Plat was received on

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May 25, 2021. The applications were deemed complete for processing on May 28, 2021. They are being processed under YMC Chapter 15.28 for the Master Planned Development, RCW Chapters 15.14 and 15.15 for the Class (2) duplex uses that have been referred to the Hearing Examiner for Type (3) review, YMC Chapter 14.15 for the Preliminary Short Plat review and YMC Chapter 6.88 for the SEPA Environmental review.

IV. Jurisdiction. Section 15.28.040(D) of the Yakima Municipal Code (YMC) provides that the Hearing Examiner shall hold a public hearing and submit a recommendation to the City Council relative to the Planned Development criteria listed in YMC §15.28.040. YMC §15.11.100(A)(1) provides that if any of the required approvals constitute a recommendation to the legislative body, the decision of the administrative official as to all such permits or approvals shall constitute a recommendation to the legislative body. Since the Planned Development application constitutes a recommendation to the City Council, the related Class (2) duplex uses and the proposed Preliminary Short Plat also constitute recommendations to the City Council.

V. Notices. The property was posted with a land use action sign on May 28, 2021. A Notice of Application and Environmental Review was sent to the applicant, SEPA agencies and property owners within 300 feet of the subject property on May 28, 2021. The Notice of Public Hearing and SEPA determination was sent to the applicant, SEPA agencies and property owners within 300 feet of the subject property on August 6, 2021. The Notice of the Public Hearing was also published in the Yakima Herald-Republic on August 6, 2021.

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VI. Zoning and Land Use. The zoning of the subject property is Single-Family Residential (R-1). The R-1 zoning district is intended 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.

(7) Nearby properties have the following characteristics:

<u>Location</u>	<u>Zoning</u>	<u>Land Use</u>
North	Suburban Residential (SR)	Residential
South	Local Business (B-2) & Suburban Residential (SR)	Residential
East	Suburban Residential (SR)	Residential
West	Local Business (B-2)	Residential

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VII. Yakima Comprehensive Plan 2040. The subject property is located within the Low Density Residential designation which provides for low density residential development. The following Comprehensive Plan goals and policies apply to this proposal:

(1) Goal 2.1: Establish a development pattern consistent with the community's vision.

(2) Policy 2.1.7: Allow new development only where adequate public services can be provided.

(3) Goal 2.3: Preserve and enhance the quality, character, and function of Yakima's residential neighborhoods.

(4) 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.

(5) Policy 2.3.1(E): Duplexes. Continue to allow duplexes in appropriate residential zones, provided density standards are met. Consider incorporating design standards that emphasize a pedestrian-oriented design and the inclusion of usable open space.

(6) Policy 2.3.3: Create walkable residential neighborhoods with safe streets and good connections to schools, parks, transit, and commercial services.

(7) Policy 2.3.6: Allow some comparable nonresidential uses in residential zones, such as appropriately scaled schools, churches, parks and other public/community facilities, home occupations, day care centers, and other uses that provide places for people to gather. Maintain standards in the zoning code for locating and designing these uses in a manner that respects the character and scale of the neighborhood.

(8) Goal 5.1: Encourage diverse and affordable housing choices.

(9) Policy 5.1.3: Encourage mixed use infill development, particularly downtown and in commercial nodes.

(10) Goal 5.4: Encourage design, construction, and maintenance of high quality housing.

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(11) Policy 5.4.2: Use transitional densities, design and landscape standards to ensure housing is compatible with existing character and planned goals.

VIII. Environmental Review. These applications were required to undergo State Environmental Policy Act (SEPA) review due to the requirements of a Planned Development. On August 6, 2021, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) which was not appealed.

IX. Transportation Concurrency Ordinance. The applicant applied for Transportation Concurrency review on March 26, 2021 (TCO#007-21). It was approved for Concurrency on August 23, 2021, based on a finding that the traffic resulting from the development would not exceed the PM peak hour capacity of the City arterial system and reserve capacity exists on all impacted streets.

X. Applicants' Statement of Details Relative to the Proposed Planned Development. Pursuant to YMC §15.28.030, the applicants' narrative for the Planned Development application provides answers set forth in italics below to specific questions relative to the proposal as follows:

(1) What land uses are proposed? *Proposed land uses are seven duplexes and yet undetermined commercial land use. It is anticipated that the commercial use will be typical of the General Commercial zoning district, although the size, location, access limitations and other characteristics will tend to limit the use of the site to commercial land uses of a more compatible neighborhood commercial nature. As proposed, the development agreement will also limit minor modifications in the manner required by YMC 15.28.080. This includes no substantial increase in area for a particular land use, no material changes in the type or*

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character of approved land uses or material impacts on the overall design of the approved master plan.

The application is being made as a Mixed-use planned development under YMC 15.28.020 (A)(4) based on mixed use planned developments being permitted in the R-1 zone (YMC 15.28.020(A)) and the proposed commercial lot size exceeding the 10% limitation for nonresidential land uses in residential planned developments (YMC 15.28.020(C)(2))¹.

The mixed-use category is appropriate to this site because commercial use of the corner of 96th Avenue and Tieton Drive is consistent with commercial zoning of the other corners and is more compatible with this signalized intersection. As such, it is designed in harmony with the overall site plan and does not significantly impact adjoining properties and development. It provides flexibility in design, concept and usage that meets the needs of the community and marketplace (YMC 15.28.020(B)(3)).

*¹This limitation is characterized as a factor that the hearing examiner should **take into consideration** when authorizing additional land uses (YMC 15.28.020(C)). This suggests that it is not necessarily mandatory in a residential planned development. [emphasis by the applicant]*

(2) Will the land be subdivided? If so, what type of subdivision? (Long Plat, Short Plat, Binding Site Plan, etc.) *The eight lots will be created by short subdivision, although it is also possible to reconfigure the three existing parcels.*

(3) How does the proposed Planned Development allow flexibility in development standards and permitted uses while ensuring compatibility with neighboring uses? *Revised street improvement standards are intended to develop a narrower street providing a smaller scale character to the proposed neighborhood and to make more of the site available for residential use. As a private residential street and not a through street, it will have low speeds and traffic levels. A single sidewalk is to be provided for pedestrian access. The slope of the proposed street is necessary to accommodate existing topography. The commercial site is intended to provide for mixed use and to make use of a corner on a busy intersection that is less desirable for residential use. Since the other corners of the intersection are now zoned commercial, the use of this property should be generally compatible with surrounding properties. The commercial lot will have direct frontage and access on to the adjoining arterial streets and will*

not utilize the neighborhood street for access except where it enters the site at the commercial lot.

(4) Describe how the proposed Planned Development facilitates the efficient use of the land. *Because of its topography, this is a relatively difficult site to develop. The narrower street configuration provides for efficient use of the site allowing more space for residential sites. Orientation of the residential and commercial land uses to the 96th Avenue / Tieton Drive intersection provides for a transition of land use intensity from the existing neighborhoods north and east of the site to the commercial site at the intersection. The slopes are a physical boundary between residential and commercial use of the site.*

(5) Describe how the proposed Planned Development increases economic feasibility (i.e., fostering efficient arrangement of land use, buildings, transportation systems, open space and utilities). *Duplexes are permitted as a Class 2 land use in the R-1 zoning district. Proposed lot sizes and lot widths conform to the minimum zoning standards and the residential lots conform to minimum lot coverage and building height standards. For the commercial lot, a modified lot coverage standard is proposed consistent with standards typically allowed for commercial use. The planned development and subdivision are efficiently laid out and consist of private vehicular circulation and residential lots.*

(6) How does the proposed Planned Development preserve or enhance natural amenities, features, shorelines and critical areas in the development of the site? *Site design provides for the topography of the site, generally consisting of two levels separated by a relatively steep slope. The slope will accommodate view lots and possibly daylight basements and forms a logical boundary between the residential area on the higher part of the site and the commercial area fronting on the signalized intersection. No common open space is proposed because lot sizes are sufficient for private yards. There are no shorelines or critical areas on or in proximity to the site.*

(7) Identify environmental impacts and appropriate mitigation measures. *SEPA review has not been completed and significant environmental impacts have not been identified. Some of the site considerations that are being made, based in part on meeting with the City Development Service Team, include locating site approaches with sufficient distance from the signalized intersection, designing the*

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interior street to reduce the potential for hazardously steep slopes coming into the approaches to City streets and accommodating a pressurized sewer main in 72nd Avenue in utility design. Design of the commercial and residential parts of the project to account for topography and orientation to the signalized arterial street intersection promotes compatibility among the land uses on the site and nearby neighborhoods.

(8) How does the proposed Planned Development encourage environmentally sustainable development? *The project will use "low-impact development" concepts defined as stormwater management and land development strategies that emphasize conservation and use of existing natural site features integrated with disturbed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings (YMC 15.02.020). Stormwater will be retained on-site and drainage and infiltration facilities. The proposal accommodates population growth within the urban growth area to the benefit of resource and sensitive lands farther out and to reduce sprawl.*

(9) What services and facilities are available to serve the property? Are those services adequate? *Available utilities include 8-inch sewer lines and 12-inch water lines in both Tieton Drive and 96th Avenue. Existing fire hydrants are on Tieton Drive in front of the proposed commercial lot and northwest of the site at the corner of 96th Avenue and Walnut Street. Also available are electric power, natural gas, cable television and telephone. The site is in the West Valley School District - Cottonwood Elementary School is about ½ mile away - and is served by City fire, police and emergency services.*

(10) Will the proposed development promote economic development, job creation, diversification or affordable housing? *With or without the Master Planned Development, the project provides economic development and construction jobs. The proposed housing adds to capacity currently needed in the community.*

(11) How does the proposed development create vibrant mixed-use neighborhoods, with a balance of housing, commercial, and recreational facilities? *The proposal, along with neighboring properties, provide a mix of housing and commercial opportunities to this area. The neighborhood to the north and east has*

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a combination of attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes. There is a self-storage (residential mini storage) complex about 300 feet north of the site. Property to the east has older homes on larger lots north of Tieton Drive and newer duplexes and single-family residence on the south side of the street. The properties across 96th Avenue and Tieton Drive are commercially zoned parcels that are mostly undeveloped, with single-family homes and a few small businesses.

(12) How is the proposal consistent with goals, policies, and objectives of the Yakima Urban Area Comprehensive Plan? *Consistency with Plan goals and policies include the following:*

Policy 2.1.7. Allow new development only where adequate public services can be provided.

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.

Duplexes are allowed in appropriate residential zones provided that density standards are met (Policy 2.3.1.E) and are listed as a permitted use in the R-1 zone (Class 2 review – generally permitted). Pedestrian orientation is provided by the private access street. Lot size and home design provide usable open space on each lot.

The proposal preserves and enhances established residential neighborhoods (Policy 2.3.2) by providing housing units in an area already characterized by a mixture of housing types and that are compatible with them in character and design. Tieton Drive and 96th Avenue are served by public transit.

The private residential street is safe and walkable (Policy 2.3.3), ties into existing sidewalks on the arterial streets, and has good connections with transit access to schools, parks and commercial services.

The commercial lot can be allowed in a residential zone under Policy 2.3.6.

The proposal adds to the diversity of housing choices consistent with Goal 5.1.

The use of transitional densities to ensure compatibility is consistent with Policy 5.4.2. In this case the transition is from the existing neighbor-

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hood north and east to the somewhat higher residential density of the site and then to commercial at the intersection of 96th and Tieton.

(13) How does the proposed Planned Development utilize unique and innovative facilities that encourage the efficient and economical use of the land? *Development of the project to the topographic characteristics of the site using a modified, narrower street design encourages efficient and economical use of the land.*

(14) Does the proposed Planned Development promote a sound system for traffic and pedestrian circulation? Describe. *The small-scale private access street will provide a safe route for vehicles and pedestrians with a single sidewalk that connects to existing sidewalks and transit on 96th and Tieton. Sidewalks are continuous on both sides of Tieton Drive to the west, 96th Avenue to the north and south on 96th Avenue to Cottonwood School and beyond.*

(15) How does the proposed Planned Development promote open space and use of natural and/or developed amenities? *The project is being designed to physical characteristics of the site, which is made up of two levels separated by a relatively steep slope. This provides for residential views and a physical boundary between the residential and commercial elements of the development, the latter which is oriented to the arterial street intersection. Private yards are being provided on each residential lot.*

(16) Will the proposed Planned Development provide an architecturally attractive, durable and energy efficient development? *Residential buildings will be similar in look, but varied in part to account for lot slope and configuration. A mix of exterior surfaces and colors that are compatible with the surrounding neighborhoods will be used. They are being designed to conform to current building codes and the Washington State Energy Code. All City setback, lot coverage, lot size and lot width standards are to be met on the residential lots.*

(17) Please provide a summary of all previously known land use decisions affecting the applicant's property and all outstanding conditions of approval with respect to such prior land use decisions. *Review of public records did not uncover any previous land use decisions affecting this property. It is not part of a plat or*

short subdivision and Yakima County Assessor's records show no segregation or merge transactions recorded in their system.

(18) Any other development standards proposed to be modified from the underlying zoning district requirements. Underlying zoning district standards being reduced by this application other than private road construction standards are focused on the commercial lot. A lot coverage standard of 100% is proposed, typical of commercially zoned areas in the City. This addresses the need for additional impervious surfaces such as parking and for less open space. Sitescreening standards are to be modified to take into account the topographic characteristics.

Private roads are allowed in master planned development overlays by YMC 15.09.100. The proposal conforms to private road standards with the following exceptions:

a. YMC 15.09.100(A) requires the private road to be constructed to the minimum standards of the jurisdiction. The minimum standards are in Title 12 and the fire apparatus road standards required by YMC 15.05.055. Deviation from these minimums are described below.

b. Deviation from Title 12 standards for private roads (YMC 12.06.090) include easement width of 40 feet rather than 50 feet, pavement width of 24 feet, sidewalk on one side of the street (YMC 12.05.010) and decorative street lights that may not entirely meet the design standards of the City engineer (YMC 12.06.080).

c. Slopes exceeding 10 percent on the private street are proposed to accommodate the topography of this site. While this slope standard is given as a maximum for fire apparatus roads, the fire official may authorize it to be exceeded in some instances. On this basis, if such authorization is given, it would presumably not be a deviation from YMC 15.05.055, which does not specifically require this standard.

A modified lot coverage standard of 100% is proposed for the commercial lot only, consistent with the standard for the General Commercial zone. Parking lot landscaping and stormwater control will probably reduce lot coverage in the commercial lot to below this maximum.

The modified lot coverage standard is consistent with that required in commercial areas and the intent of lot coverage in commercial districts to

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promote development consistent with the character of the district, protect setbacks and integrate open space, landscaping and off-street parking because the latter improvements will be required under other code provisions not being modified. The standard is consistent with the intent of lot coverage in the R-1 zone to protect the open character of the district with setbacks and other design characteristics that promote compatibility between commercial and residential elements of this proposal.

Modified sitescreeing requirements between the commercial and residential lots are to allow residential fences to meet the normally required Standard 'C' requirement under YMC 15.07. Deviations would be from YMC 15.07.020, which for commercial land use, requires sitescreeing along a property line shared with a vacant parcel in the R-1 zone, from YMC 15.07.100, that requires sitescreeing to be completed prior to occupancy or commencement of use and from YMC 15.07.070(1) requiring sitescreeing to be located on the property line because due to the slope, residential fences may not be directly on the property line. For Lot 7, the fence may be located across the private street from and above the east line of the commercial lot.

The modification to the sitescreeing standard would allow residential fences to be constructed as the residential lots are developed. This is to accommodate the slopes between the commercial site and residential lots and in that manner to meet the purpose of sitescreeing to provide a visual buffer between land uses of different intensity. This purpose is being met because of the effect that the slope has on standard sitescreeing requirements. Sitescreeing is not necessary to reduce erosion and stormwater runoff because this will be accomplished for this site by other required measures.

(19) What are the aesthetic considerations related to building bulk, architectural compatibility, light and glare, urban design, solar access and shadow impacts? Residential buildings are designed to be architecturally compatible with surrounding neighborhoods. The commercial lot would be compatible with commercially zoned properties at the 96th and Tieton Drive intersection. None of the existing zoning district standards for bulk, light and glare are being reduced in the residential lots. Proposed building height is 35 feet and with setbacks and topographic characteristics (same general elevation as surrounding areas) no adverse solar access issues are expected. Because the commercial lot is at a lower

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elevation than the residential neighborhoods, this should not pose adverse solar access issues.

(20) Please provide an inventory of any on-site cultural, historic and/or archaeological resources. *Review of public records available from the Department of Archaeology and Historical Preservation showed no inventoried resources on the project site.*

XI. Applicants' Statement of Details Relative to the Class (2) Duplex

Uses. Pursuant to YMC §15.14.030, the applicants' narrative for the application for approval of Class (2) duplex uses provides answers set forth in italics below to specific questions relative to the proposal:

(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. *This Type 2 review application is to authorize the development of 14 duplexes in the R-1 zone. Off-street parking on each residential lot is to provide a minimum of two parking spaces per unit, or four spaces per lot for a total of at least 28 parking spaces.*

(2) How is the proposal compatible to neighboring properties? *Residential use of neighboring properties is a mixture of attached and detached single-family residences and duplexes, with single-family dwellings predominant. The proposed development provides a transition from the adjoining neighborhood to the commercial land use and zoning at the intersection of 95th [96th] Avenue and Tieton Drive. It is to be served by its own private street with no direct connection to the surrounding lower density areas.*

(3) What mitigation measures are proposed to promote compatibility? *Duplexes designed to be similar in look but varied with a mix of exteriors and colors that are compatible with surrounding neighborhoods. R-1 zoning standards*

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are being followed, including standards that have the most effect on compatibility – building height, residential setbacks and lot coverage.

(4) How is your proposal consistent with current zoning of your property? *This proposal is consistent with the intent of the Single-Family Residential zone to establish residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents, which may include duplexes if established during the subdivision process (YMC 15.03.020(B)). A private street is to be provided to allow for access from individual lots as a better alternative to using the arterial streets for access that, in this instance, are the only City streets available to the site.*

(5) How is your proposal consistent with uses and zoning of neighboring properties? *Surrounding properties are Suburban Residential to the north and east and B-2, Local Business to the south and west. There are also higher density R-2 and R-3 zoned areas farther to the west and northwest and to the southeast across Tieton Drive. The proposal is consistent with the residential use and densities of the surrounding residential areas.*

Compatibility with the commercially zoned areas is being addressed by the planned commercial use of a new proposed lot at the intersection of the two major adjoining streets, an action that is not part of this Type 2 review. The commercial lot along with the different elevations that characterize the project site provide for a transition from the commercial zoned lands across the street and the busy intersection to the proposed duplex development. The transition continues to the lower density residential areas to the north and east which are characterized by a mixture of residential construction including attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes, a self-storage (residential mini storage) complex about 300 feet north of the site, older homes on larger lots on the north side of Tieton Drive and newer duplexes and single-family residence on the south side of the street.

(6) How is your proposal in the best interest of the community? *The proposed housing is consistent with comprehensive plan policies 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, encourage diverse and affordable housing choices throughout the City, convenient access to transit and a range of unit types.*

XII. Development Services Team and Interested Agency Comments. The following comments were submitted by the Development Services Team as a result of its review conducted on June 8, 2021, and by the other public agencies which submitted information regarding this proposal:

(1) Code Administration:

(a) Preliminary addressing for the plat is as follows:

Lot 1	413 S. 96th Avenue #1-2	Lot 5	421 S. 96th Avenue #1-2
Lot 2	415 S. 96th Avenue #1-2	Lot 6	9505 Tieton Drive #1-2
Lot 3	417 S. 96th Avenue #1-2	Lot 7	9503 Tieton Drive #1-2
Lot 4	419 S. 96th Avenue #1-2	Lot 8	9515 Tieton Drive

(b) Payment of applicable Wastewater connection fees must be paid pursuant to YMC 7.58.

(c) Any work to be performed in City right-of-way requires an Excavation permit from City Engineering prior to commencing work (YMC 8.72).

(2) Engineering: This project requires Title 8 and 12 improvements, including but not limited to the following:

(a) 12.02 Easements shall be established per this chapter.

(b) 12.02 – Private streets shall be constructed with curbs, sidewalks, and street lighting and shall otherwise conform to the standards for public streets.

(c) 12.06.020 – Right of way – Tieton Drive is classified as Minor Arterial requiring a total of 80 feet of right of way (40 feet half width). Adequate right of way shall be dedicated if necessary to provide for 40 feet width from centerline of right of way along frontage. South 96th Avenue is classified as a Collector Arterial requiring a total of 60 feet of right of way (30 feet half width). Adequate right of way shall be dedicated if necessary to provide for 30 feet width from centerline of right of way along frontage.

(d) YMC 15.06.065 – Driveway access shall be limited in the vicinity of a signalized street intersection. No driveway shall be permitted

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within one hundred feet of a signalized intersection, as measured from the right-of-way line. Any driveway within two hundred feet of the right-of-way line of the intersection shall be restricted to right turns only.

(e) YMC 8.67 and 12.05 – Where existing driveways are not utilized, they shall be removed, and new curb, gutter and sidewalk shall be installed. New sidewalks shall be constructed per standard detail R5. Any existing curb, gutter along frontage that is unfit or unsafe shall also be repaired/replaced.

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

(g) All improvements and shall be completed prior to Certificate of Occupancy.

(3) Nob Hill Water Association: The owner will need to submit finalized engineered plans for site. Design and cost estimate will be needed to supply new development. Owner will need to call Nob Hill Water.

(4) Surface Water:

(a) If this project involves clearing or grading one acre or more, a Large Project Stormwater Permit shall be required from the applicant. The requirements of a Large Project Stormwater Permit are:

- (i) Drainage plan(s) and calculations;
- (ii) Stormwater maintenance agreement and plan;
- (iii) Proof that the maintenance agreement was recorded in the Yakima County Auditor's Office

(iv) Construction Stormwater Pollution Prevention Plan (SWPPP) or Erosivity Waiver. The Construction SWPPP (or Erosivity Waiver Certificate Statement) shall be reviewed and approved by the Surface Water Engineer prior to any grading or construction. A Temporary Erosion and Sediment Control (TESC) plan shall be submitted for approval.

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(v) In lieu of turning in a Construction Stormwater Pollution Prevention Plan, the applicant can satisfy this requirement by obtaining a Construction Stormwater General Permit through the Washington State Department of Ecology. A copy of the signed General Permit shall be delivered to the Surface Water Engineer.

(vi) A narrative explaining how Core Elements 1-8 are being satisfied.

(vii) An operation and maintenance plan for the perpetual maintenance of the facilities is now required.

(b) Grading and/or building permits shall not be issued without the project site first passing an erosion control inspection.

(c) Complete stormwater design plans, specifications and runoff/storage calculations supporting the stormwater design are required pursuant to the Eastern Washington Stormwater Manual and City of Yakima standards. These plans and control measures must be completed by a licensed Professional Engineer and then be reviewed and approved by the City of Yakima Surface Water Engineer prior to construction.

(d) UIC Registration – Stormwater:

(i) In accordance with the August 2019 edition of the Department of Ecology's Stormwater Management Manual for Eastern Washington (SMMEW), Underground Injection Control (UIC) wells constructed on or after February 3, 2006 are considered new and must be registered with the Department of Ecology (DOE) 60 days prior to construction. UIC wells that receive polluted runoff shall retain the larger of the 100-year 3-hour and 100-year 24-hour storms and shall be designed for treatment using Table 5.23 of the SMMEW.

(ii) If the clearing and grading is less than one acre then a drainage report shall be required for the project. The report shall be prepared by a licensed engineer in Washington State for review by the Surface Water Engineer. All stormwater runoff up to the 25-year storm shall be retained and infiltrated on site.

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(5) Wastewater: Proposed sewer extension will need to be submitted per Title 12 requirements. There is a City of Yakima Wastewater Lift Station on the southwest corner of the lot. The access for this Lift Station will need to be maintained. The associated ENG permit will need to show the lift station limits and call out existing easements.

(6) Yakima-Tieton Irrigation District: Parcel 181319-33005 is within the Yakima-Tieton Irrigation District boundary and has a permanent easement on the above parcel so they will need to show the easement on plat map. They will need to follow our Resolution 97-5.

(7) Department of Archaeology & Historic Preservation:

(a) 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.

(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. Should you have any questions, please feel free to contact me.

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XIII. Public Comments Relative to the Proposal. The public notice was sent out on May 28, 2021. As of the September 9, 2021, hearing a total of four public comments from residents of the area were received. Three of them were identical letters from the residents of two properties adjacent to the proposal on the north and one property across the street to the north of those two properties. Those comments in italics which are slightly edited in the Planning Division staff report and which are followed by the staff responses are as follows:

(1) I have questions and comments concerning this review. Why didn't I receive a copy of this form? I had to borrow it from my neighbor who lives across our shared driveway. Staff Response: Public notice is mailed to property owners within 300 feet of the subject property, and your property is located just outside of that radius.

(2) I noticed 2 errors in their Environmental Checklist form. On page 8, section 4 Plants, they checked only grass and weeds are present. However, there is one Evergreen tree that's about 60 to 100 feet tall. There is also 4 or more Deciduous trees 20 to 40 feet tall along with several Juniper bushes. On page 11, section 9 Housing, part a, it asks about a number of units and the price range of them. They listed the number of units (14) but did not state whether they were going to be high, middle, or low-income housing. Staff Response: The Urban Area Zoning Ordinance does not regulate housing based on income and does not affect the Planning Division's recommendation.

(3) First of all, 14 housing units, at least 28 vehicles, and upwards of 50 people living on 1.3 acres of land cannot possibly be considered "low density." This proposal is completely incompatible with the quiet, rural, single-family residences surrounding this property. Staff Response: Each lot exceeds the minimum lot size of 8,000 square feet required for a duplex in the R-1 zoning district.

Incorrect Statements:

(4) The applicant states that there are currently "a few small businesses" on the properties at the intersection of Tieton Drive and 96th Avenue. There are NO businesses on those properties; there are single-family homes on the

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northwest and southwest corners, and a pasture on the southeast corner. Staff Response: The three other corners of the intersection at which the subject property is located are all zoned Local Business (B-2). The northwest corner recently underwent land use review (CL1#052-21 / SEPA#006-21) and was approved for a commercial development.

(5) *The applicant states that Sidewalks are continuous on both sides of Tieton Drive to the west. The sidewalks on Tieton Drive end at the intersection with 96th Avenue and do not extend any further to the west.* Staff Response: There is existing sidewalk on both sides of Tieton Dr. along the subject property's frontage.

(6) *On Page 11 of the Environmental Checklist, #10, Aesthetics, b. What views in the immediate vicinity would be altered or obstructed?, the applicant states that "New buildings erected next to neighboring properties to the north and east, although the difference in elevation is not substantial". Our property elevation is approximately 10' lower than the proposed development's property elevation. The applicant states that "no soul will be removed from the property". When you erect a 35' tall building on top of that, we are pretty sure that our view to the south will not only be altered, but completely obliterated. We consider a 45' difference in elevation quite "substantial."* Staff Response: While the Environmental Checklist asks about view changes, the zoning ordinance does not regulate or protect views between properties.

(7) *On Page 12 of the Environmental Checklist, #13, Historic and Cultural Preservation, a. Are there any buildings, structures, or sites, located on or near the site.....". The applicant states "No". There is an underground bunker at the base of the steep slope, approximately in the center of the proposed development site. The structure could contain contaminates and/or hazardous materials that may have been stored there when the property was previously used for agricultural purposes.* Staff Response: No comments were received from the Washington State Department of Ecology.

Questions:

(8) *Is Lot 8 (the proposed "commercial" lot) currently zoned for commercial use?* Staff Response: Lot 8 is not currently zoned commercial nor is it proposed to be rezoned. A Master Planned Development Overlay allows for commercial uses regardless of the underlying zoning district.

(9) *How can duplexes be considered "single-family dwellings" when, by design, they are meant to house 2 families side by side?* Staff Response: The preliminary plat application was marked "single-family dwellings" rather than "two-family dwellings," but the rest of the application references duplexes as the proposed housing type.

(10) *We strongly question the need for additional housing capacity in the West Valley area when there are currently dozens of single and multi-unit housing developments underway throughout the West Valley area.* Staff Response: The City of Yakima Housing Action Plan (HAP), finalized in June 2021, determined that vacancy rates for both rentals and homes for sale are below 1 percent, that median housing prices are rising twice as fast as median incomes, and that more than a third of households are cost burdened. In order for Yakima to achieve a healthy vacancy rate of 5 percent, 295 dwelling units need to be built annually through 2040. Most housing capacity is located in the western part of the city.

Concerns:

(11) *Our biggest concern is the complete loss of privacy for ourselves and the surrounding neighbors. The tenants in the proposed new buildings will be able to look directly into our backyards and our southern-facing windows. To mitigate this concern, we are requesting: (a) That the building height for the proposed new structures be limited to 20'; and/or (b) That the developer be required to install privacy fencing along the northern border of their development tall enough to maintain our existing level of privacy.* Staff Response: The planned development only proposes to modify sitescreeing requirements by delaying their installation along the commercial portion of the development. Sitscreeing Standard A (or a higher standard) shall be installed along the northern and eastern property lines of the development.

(12) *The nature of the proposed business to be located on Lot 8 is not disclosed in these documents. If this proposal is approved and a business is allowed to open and operate at the intersection, will we be notified prior to the establishment of the business and will we be able to comment on the proposed business?* Staff Response: The planned development proposes to limit the commercial lot to Class (1), (2), and (3) uses permitted in the General Commercial (GC) zoning district, and will be reviewed as such. Class (1) uses generally require Type (1) Review, which is an administrative decision, Class (2) uses generally require Type (2) Review, which is an administrative decision with a public notice

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and comment period, and Class (3) uses require Type (3) Review, which is an administrative recommendation with a public notice, comment period, public hearing, and decision by the Hearing Examiner.

(13) In closing, we cannot overstate how strongly we are opposed to this multi-family/commercial development, as proposed. It would completely disrupt our current, long-established, quiet, safe, low density population neighborhood.

XIV. Applicable City Ordinance Provisions Relative to the Proposed Planned Development. City ordinance provisions which are applicable to the proposed Planned Development include the following:

(1) YMC §15.28.010(A): Purpose: A master planned development overlay (PD) is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources, and amenities.

(2) YMC §15.28.025: Minimum Project Size: The minimum project size for a master planned development shall be two acres. All properties included in the master development plan shall be contiguous with logical outer boundaries.

(3) YMC §15.28.050: Development Agreement: An approved master planned development overlay (including conditions and development standards) shall be incorporated into a development agreement as authorized by RCW 36.70B.170. The development agreement shall provide for vesting of such development conditions and standards as are deemed reasonable and necessary to accomplish the goals of the master planned development. This agreement shall be binding on all property owners within the master planned development and their successors and shall require that development of the subject property be consistent with and implement the provisions of the approved master planned development. The approved development agreement shall be signed by the city manager and all property owners and lienholders within the boundaries of the master planned development overlay and recorded prior to approval and/or issue of any implementing plats or permits.

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(4) YMC §15.28.070(A):Vesting: The master planned development review shall be vested to development regulations, standards, conditions, and laws applicable at the time the development agreement described in YMC §15.28.050 is recorded, inclusive of specific conditions and standards set forth in said development agreement. The vesting period shall be for the time stated in the development agreement associated with each specific master planned development and shall be agreed upon by the parties to the development agreement after giving consideration to the extent and complexity of the proposed development as well as specific development planning considerations raised by the developer. During the stated vesting period the applicant shall be entitled to implement the master planned development in accordance with the terms and conditions of approval described in the development agreement.

(5) YMC §15.09.100(H): Private Street Review Requirements: The face of any plat, short plat, master development plan, binding site plan, or condominium document containing a private road, and all subsequent documents transferring ownership of lots within such plat or short plat, shall bear the following language:

“The City of Yakima has no responsibility to build, improve, maintain or otherwise service any private road for this plat/short plat. Any right-of-way dedicated to the public by this plat/short plat shall not be opened as a City (or County) street until such time as it is improved to city street standards and accepted as part of the City transportation system.”

XV. City Ordinance Provisions Applicable to the Seven Proposed Class

(2) Duplex Uses. City of Yakima ordinance provisions which are applicable to the seven proposed Class (2) duplex 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

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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: Dwelling, Two-Family Defined: "Dwelling, two-family" means a structure designed exclusively for occupancy by two families living independently of each other and containing two attached dwelling units on the same lot. This definition includes the term "duplex."

(5) Parking Spaces Required: YMC Table 6-1 in YMC §15.06.040 requires two-family dwellings or duplexes to have two spaces per unit or a total of four spaces.

(6) Sitescreening: Table 7-1 in YMC §15.07.050 requires Standard A (or a higher standard) to be installed along the rear property lines of the duplexes abutting the adjacent single-family lots along the north and east property lines of the boundaries of the Master Planned Development overlay, and also along the rear property lines of the duplexes abutting Lot 8 within the overlay.

(7) 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 YMC Chapter 15.07.

(8) 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.

(9) Sitescreening Standard C: Sitescreening Standard C consists of a six-foot-high, view-obscuring fence, made of wood, masonry block, concrete, or

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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.

(10) Lot Coverage: When developed, each duplex lot shall not exceed the lot coverage limitation of not more than 60% in the Single-Family Residential (R-1) zoning district.

XVI. Applicable City Ordinance Provisions and State Statutory Provisions Relative to the Proposed 8-Lot Preliminary Short Plat.

City of Yakima ordinance provisions and State statutory provisions which are applicable to the proposed 8-Lot Preliminary Short Plat which by virtue of YMC §14.15.020(B) and §14.15.050 are similar to the requirements for Preliminary Long Plats 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), the Table establishes basic development criteria for lot size and width that must be met when reviewing an application for a new subdivision. For two-family dwelling construction in the R-1 zoning district, the required minimum lot size is 8,000 square feet, while for permitted non-residential uses the required minimum lot size is 10,000 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-foot-wide, unobstructed, paved lanes.

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(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: YMC §12.03.010 requires all new lots and developments to 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 the 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.

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(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 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) YMC §14.15.020(B) Short Plat Criteria: YMC §14.15.020(B) states, in language similar to RCW 58.17.110(1) and (2) applicable to long plats, that short subdivisions must appropriately provide for 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 which are also features required by RCW 58.17.110(1). The administrator may determine that other considerations are appropriate to evaluate as criteria for approval.

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XVII. Master Planned Development Overlay Criteria and Findings.

The purpose of a Planned Development described in YMC Chapter 15.28 is to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources and amenities. YMC §15.28.040(D) provides that the Hearing Examiner shall evaluate a Master Planned Development application and other evidence submitted into the record, and shall issue a recommendation to the City Council based upon the following considerations and criteria:

(1) Subsection 15.28.040(D)(1) -- The Master Planned Development application demonstrates the economic and efficient use of land and provides for an integrated and consistent development plan for the site. The residential nature of the proposed development that abuts existing single-family homes is consistent with the R-1 zoning district and the future land use designation of Low Density Residential. The planned development/subdivision design is efficiently laid out and consists of a private street, seven duplex lots, and a commercial lot.

(2) Subsection 15.28.040(D)(2) -- The applicant has identified development standards and uses that are consistent with the master plan and designed in a manner that is compatible with adjacent land uses after consideration of applicable mitigation and site design. The Hearing Examiner may consider development standards that are different from currently adopted development standards in order to provide flexibility in site planning; to implement project design and concepts; to respond to market conditions; or to otherwise achieve the public benefits contemplated by the concept plan. The modifications of street standards from 50 to 40 feet of right-of-way width with 24 feet of pavement width, with sidewalk on one side of the street, with possible slopes exceeding 10% and with possible street light modifications; the modification of the lot coverage allowed for the commercial lot of 100%; and modifications of the sitescreening which is to be provided as each duplex is constructed which are all described above in Subsection (X)(18) are features that will provide flexibility while being compatible with the adjacent land uses.

(3) Subsection 15.28.040(D)(3) -- Consideration shall be given to “low impact development” concepts. The duplex lots will exceed the minimum lot size of 8,000 square feet and will serve as a buffer between the existing single-family homes and the commercial lot which will have a lot coverage of up to 100 percent.

(4) Subsection 15.28.040(D)(4) -- There will be adequate infrastructure capacity available by the time each phase of development is completed. All lots will be served by City of Yakima sewer and Nob Hill Water Association water. There will be adequate transportation infrastructure, as noted in the Traffic Concurrency decision. The private road provides for an efficient traffic circulation pattern with no dead ends.

(5) Subsection 15.28.040(D)(5) -- The Master Planned Development contains design, landscaping, parking/traffic management, and use mixture and location that limit or mitigate conflicts between the Master Planned Development and adjacent uses. Consideration shall be given to site planning that supports land use flexibility through means of appropriate setbacks, landscaping, site screening, buffers, and other design features or techniques. The proposed lot sizes, lot width, and setbacks will allow the dwelling units to be situated in a low density manner, serving as a buffer from the commercial lot.

(6) Subsection 15.28.040(D)(6) -- All potential significant off-site impacts including noise, shading, glare, and traffic have been identified and mitigation incorporated to the extent reasonable and practical. There are not anticipated to be any significant off-site impacts. Each duplex will have its own parking. A SEPA Determination of Nonsignificance was issued on August 6, 2021, which was not appealed.

(7) Subsection 15.28.040(D)(7) -- The project is designed and includes appropriate consideration of open spaces and transportation corridors, designs of street and public open space amenities, and results in the functional and visual appearance of one integrated project. The development contains private open spaces located on the individual lots. The duplex lots will visually separate the commercial lot from the existing single-family homes north and east of the subject property.

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(8) Subsection 15.28.040(D)(8) -- The proposed project is not adverse to the public health, safety, or welfare. The development will not adversely affect the environs of the area, nor is it expected to cause any traffic concerns.

(9) Subsection 15.28.040(D)(9) -- The public benefits of approving the Master Planned Development outweigh the effect of modification of standards to the underlying zoning district. Approval of this Planned Development will provide for seven duplex lots. Lot sizes and lot widths will follow the standards of the R-1 zoning district. The additional residential housing will provide a benefit to the public that outweighs the effect of modification of standards relative primarily to the width of the private street which will be adequate for the seven duplexes.

(10) Subsection 15.28.040(D)(10) -- The proposed development is designed to be consistent with the provisions of the Shoreline Master Program and Critical Areas Ordinance of the City of Yakima. The subject property is not within a critical area. Environmental Review was required only due to the requirements for a Master Planned Development Overlay.

(11) Subsection 15.28.030(B)(5) -- The following elements set forth in Subsection 15.28.030(B)(5) of the YMC are properly addressed in a Development Agreement:

- (A) Narrative description of project and objectives;**
- (B) Summary of development standards;**
- (C) Site plan elements;**
- (D) Development phasing, including times of performance to preserve vesting;**
- (E) Public meeting summaries;**
- (F) Performance standards and conditions addressing the above items;**
- (G) Criteria for determining Major vs. Minor modifications and amendments; and**
- (H) Signature(s) by each owner of property within the Master Development Plan area acknowledging that all owners will agree to be bound by conditions of approval, including use, design and layout, and development standards contained with an approved Plan and Development Agreement.**

One of the recommended conditions for approval of the proposed Planned Development would be the recording of a Development Agreement prior to final plat approval.

XVIII. Class (2) Duplex Use Criteria and Findings. Since a duplex 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 duplex use on seven of the lots within the Planned Development and the Preliminary Short Plat are required to include specific reasons and ordinance provisions demonstrating that the duplex uses satisfy all of the following Class (2) use requirements that are set forth in YMC §15.04.020(B), §15.14.040(G), §15.02.020 and the similar Type (3) Review criteria that are set forth in YMC §15.15.040(I):

(1) Compliance and Compatibility with the Objectives and Development Standards of the Comprehensive Plan. The proposed duplex uses would be compliant and compatible with Comprehensive Plan Goals 2.1, 2.3, 5.1 and 5.4 as well as Policies 2.1.7, 2.3.1, 2.3.1(E), 2.3.3, 2.3.6, 5.1.3 and 5.4.2 as described above in Section VII of these recommendations.

(2) Compliance and Compatibility with the Intent and Character of the Single-Family (R-1) Zoning District. The proposed 7 duplexes on a 2.03-acre parcel would be compliant and compatible with the intent of the Single-Family Residential (R-1) zoning district which in YMC §15.03.020(B) allows duplexes if established during the subdivision process. The proposed duplexes would also be compliant and compatible with the intent of the Single-Family Residential (R-1) zoning district because YMC Table 4-1 in YMC §15.04.030 allows duplexes as Class (2) uses that are generally permitted in that zone. The duplexes would be compliant and compatible with the character of the R-1 zoning district which is developed with residential uses in all directions. The concerns expressed by written comments of two adjacent property owners on the north are understandable and not unusual when two-story residential uses are proposed for

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adjacent property, but the testimony at the hearing indicated that the development site may be graded to allow for the street slopes to be passable in all types of weather which to some extent may lower the elevation of the site next to the north side of the property. The testimony at the hearing also favored approval of the proposal for many reasons and the staff report correctly responded to concerns expressed by the written comments.

(3) Compliance with the Provisions and Standards Established in the Zoning Ordinance. Provisions and standards in the zoning ordinance applicable to the duplexes include those detailed above in the comments of the Development Services Team, detailed above in Section XV of these recommendations and detailed below in Subsection XIX(1)(b) of these recommendations.

XIX. Preliminary Short Plat Criteria and Findings. YMC §14.15.050 and YMC §14.15.060 require that in reaching a decision whether to approve or disapprove short subdivisions, a determination shall be made as to whether the zoning ordinance requirements of YMC Title 15 have been satisfied and whether the short subdivision is consistent with the standards of the zoning ordinance and the Comprehensive Plan. YMC §14.15.020(B) requires that the proposed short subdivision appropriately provides for features similar to those required by YMC Chapter 14.20 and RCW 58.17.110(1) and (2) relative to long plats. The Hearing Examiner's findings as to such criteria are as follows:

(1) Consistency with the City's Urban Area Zoning Ordinance Improvement and Development Provisions Applicable to the R-1 Zoning District. A determination as to the consistency with the City's Urban Area Zoning Ordinance 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

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zoning district is in part to allow duplexes established during the subdivision process.

(b) Consistency with the Design, Improvement and Development Provisions Applicable to the Single-family Residential (R-1) Zoning District: YMC Chapter 15.05 establishes development standards which may be varied in a Short Plat that is processed in conjunction with a Planned Development. Proposed development standards applicable to this Short Plat and Planned Development include the following:

(i) *Minimum Lot Size*: The minimum lot size for a duplex in the R-1 zoning district is 8,000 square feet. Here the lot sizes for the duplexes range from 9,404 square feet to 10,063 square feet and the commercial lot is 19,576 square feet.

(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 residential lots within the proposed preliminary plat have sufficient lot area to comply with this 60% maximum lot coverage development standard. The commercial lot is proposed to allow the 100% lot coverage that is applicable to some commercial zones as one of the revised standards to be allowed in the Planned Development.

(iv) *Structure Setbacks*: The following setbacks are required for the Planned Development unless different setbacks are allowed by the Development Agreement:

Location	From Centerline of Right-of-Way	From the Property Line
Front, private road	37.5 feet	20 feet
Front, Tieton Drive	60 feet	20 feet
Rear	N/A	15 feet

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Side, South 96 th Avenue	50 feet	10 feet
Side, private road	32.5 feet	10 feet
Side (internal)	N/A	5 feet

(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 would have 20 feet of frontage upon a public street in accordance with YMC §15.05.020(H) or would be accessed through a private street within the Planned Development.

(vii) *Sidewalk*: It is proposed that there will be a sidewalk along one side of the private access street for the duplexes in the Planned Development. Per YMC §15.05.020(J), there currently are sidewalks along the South 96th Avenue and Tieton Drive frontages of the proposed commercial lot.

(viii) *Density*: With an approximate density of 15.73 dwelling units per net residential acre, the proposed preliminary plat complies with YMC §15.05.030(B) and Table 4-1 of YMC Chapter 15.04 which allows duplexes in the R-1 zone as a generally-permitted Class (2) use, and does not limit the density of such a use. Net residential density excluding the commercial lot and the streets calculated per YMC §15.05.030: total lot area = 2.03 acres; area of the residential lots not including the commercial lot and the private street = 0.89 acres; $14 \text{ dwelling units} \div 0.89 = 15.73 \text{ dwelling units per net residential acre}$. (The Notice of Application listed a lower density due to the inclusion of the commercial lot in the calculation).

(ix) *Streets/Dedication of Right-of-Way*: No additional right-of-way is required to be dedicated. Along the private street, curb and gutter shall be installed on both sides and a five-foot-wide sidewalk shall be installed on one side.

(x) *Frontage Improvements*: Per YMC §15.05.020(J), there currently are curbs, gutters and sidewalks along both the South 96th Avenue and the Tieton Drive frontages of the site. Per the Planned Development, the applicant is proposing slopes on the private street

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to exceed 10 percent if considered a reduction in standards in accordance with YMC §15.05.055. 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 the cost will be 150% of the restoration fee with no PCI discount.

(xi) *Wastewater*: Sewer shall be extended to the subject plat. There shall be 8-foot-wide easements along the front of the lots in accordance with YMC §12.02.010 and §12.02.020. All lots within the subject 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 Nob Hill Water Association.

(xiii) *Irrigation*: Parcel number 181319-33005 is within the Yakima-Tieton Irrigation District which has a permanent easement on the parcel.

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

(xv) *Public health, safety, welfare*: This proposal complements adjacent uses and will promote the public health, safety and general welfare insofar as there is a need in this community for additional housing.

(xvi) *Open spaces*: The proposed plat provides large enough duplex lots to provide open spaces of at least 40% of the area within each lot that would be free of impermeable surfaces.

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

(xviii) *Streets, alleys, and other public ways*: The subject property has frontage upon South 96th Avenue and Tieton Drive, and

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the duplex lots would have frontage on a private road with 40 feet of right-of-way width and 24 feet of pavement width to provide adequate access to the duplex lots.

(xix) *Water supplies:* Public water is required to be used for domestic and fire flow purposes, and water is available to the site from Nob Hill Water Association.

(xx) *Sanitary waste disposal:* A City of Yakima sewer main capable of serving the development shall be extended in order to serve all lots. The access to the lift station on the southwest corner of the lot shall be maintained.

(xxi) *Parks and playgrounds:* A park and playground is located approximately 1.7 miles from this subdivision at West Valley Park.

(xxii) *Sites for schools:* Cottonwood Elementary School is located approximately 0.5 miles from this subdivision, West Valley Junior High School is located approximately 2.6 miles away, and West Valley High School is located approximately 1.3 miles away. The School District did not submit any written comments.

(xxiii) *Sidewalks:* Per the provisions of the Development Agreement outline, a sidewalk will be provided along one side of the private street that will provide access to the duplex lots in the Planned Development. There are existing sidewalks along the South 96th Avenue and Tieton Drive frontages of the site that will provide access to the commercial lot in the Planned Development.

(xxiv) *Public Transit:* Yakima Transit Route 1 passes the intersection of South 96th Avenue and Tieton Drive where the proposed subdivision is located.

(xxv) *Serves the public use and interest:* This proposed eight-lot mixed-use Planned Development and Subdivision serves the public use and interest by providing lots for future residential and commercial development in the City.

(xxvi) *Time Limitation:* Upon preliminary plat approval, the applicant has five years from the date of preliminary approval to

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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.

XX. Consistency Analysis under Subsection 16.06.020(B) of the Yakima Municipal Code.

The following analysis involves the consistency of the Planned Development, Duplexes and 8-Lot Preliminary Short Plat with applicable development regulations, or in the absence of applicable regulations, the adopted Comprehensive Plan as mandated by the State Growth Management Act and the Yakima Municipal Code. During project review, neither the City nor any subsequent reviewing body may re-examine alternatives to, or hear appeals on, the following items identified in these conclusions except for issues of code interpretation:

(1) The type of land use contemplated by the proposal (a residential duplex development with one commercial lot) is permitted as a Planned Development and Subdivision with approval of Class (2) duplex uses on the site so long as it is approved by the Yakima City Council and complies with the conditions imposed by the City Council.

(2) The level of development with the proposed residential density of the development will not exceed the allowable level of development allowed for a Planned Development in the Single-Family Residential (R-1) zoning district.

(3) The availability and adequacy of infrastructure and public facilities is not an issue because the additional infrastructure that will be provided by the applicants will insure that adequate infrastructure and public facilities will be available for the proposed Planned Development and Preliminary Short Plat with seven Class (2) duplexes and a lot for one or more future commercial uses.

(4) The character of the proposal, such as the proposal's consistency with applicable development standards of the City's Urban Area Zoning Ordinance, would be in compliance with the Planned Development Agreement and the conditions of the Preliminary Short Plat approval required by the City Council.

CONCLUSIONS

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

(1) The Hearing Examiner has jurisdiction to recommend to the Yakima City Council the approval of a proposed Planned Development and Preliminary Short Plat with seven Class (2) duplexes and a lot for one or more future commercial uses that is set forth in YMC §14.3.080, YMC §15.28.040, YMC §15.14.040(G), YMC §15.15.040(I), YMC §14.15.020, YMC §14.15.050 and YMC §14.15.060.

(2) A SEPA Determination of Nonsignificance (DNS) was issued for this proposed Planned Development and Preliminary Short Plat on August 6, 2021, and became final without an appeal.

(3) The proposed modifications to development standards described in Subsection X(18) of these recommendations and to be described in a Development Agreement will allow for flexibility in the siting of new duplexes and commercial uses in the future.

(4) The proposed Planned Development as conditioned below satisfies all of the considerations and criteria for approval set forth in YMC §15.28.040(D).

(5) The proposed Class (2) duplex uses as conditioned below satisfy all of the considerations and criteria for approval set forth in YMC §15.14.040(G) and YMC §15.15.040(I).

(6) The proposed Preliminary Short Plat as conditioned below satisfies the criteria for approval set forth in YMC §14.15.050, YMC §14.15.060 and YMC §14.15.020(B) because it is in compliance with the City's Comprehensive Plan,

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zoning ordinance and subdivision ordinance; makes appropriate provisions for the public health, safety and general welfare and for open spaces, drainage ways, streets, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds and sidewalks; will serve the public use and interest; and, according to the weight of the evidence presented at the hearing, does not require that specific provisions be made for the other requisite plat considerations such as additional schools, additional schoolgrounds or additional planning features that assure safe walking conditions for students who walk to and from school.

(7) This proposed Planned Development and Preliminary Short Plat for seven Class (2) duplex uses and a lot for one or more future commercial uses are in compliance with all of the consistency requirements of Subsection 16.06.020(B) of the Yakima Municipal Code.

RECOMMENDATIONS

The Hearing Examiner recommends to the Yakima City Council that the proposed Planned Development and the proposed 8-lot Preliminary Short Plat for seven Class (2) duplexes with one lot for one or more future commercial uses at 9503, 9509 and 9515 Tieton Drive as described in the project narrative; as shown on the site plan dated April 21, 2020, which was received by the Planning Division on March 26, 2021; as described in these recommendations; and as described by related documents in the record of this matter which consists of the Planning Division file numbers PD#001-21, CL2#016-21, PSP#009-21 and SEPA#009-21 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 also of YMC Title 12 except for modifications thereof allowed for the Planned Development;

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

(D) Public utility easements shall be established along the front of each lot which are a minimum of eight feet in width, or twice the buried depth of the utility, whichever is greater, in accordance with YMC §12.02.010 and §12.02.020;

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

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

(G) 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;

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

(I) 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;

(J) 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

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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;
3. The City of Yakima has no responsibility to build, improve, maintain or otherwise service any private road for this plat/short plat. Any right-of-way dedicated to the public by this plat/short plat shall not be opened as a City (or County) street until such time as it is improved to city street standards and accepted as part of the City transportation system; and
4. This subdivision is subject to the specific Master Planned Development Overlay of PD#001-21, as approved by the Yakima City Council on ____, under Resolution No. ____, and recorded under Auditor's File Number ____, which controls the development and usage of the property within this recorded plat.

(K) Irrigation approval by the Yakima-Tieton Irrigation District is required, and shall be shown on the face of the final plat;

(L) A current title report covering the subject property must accompany the final short plat;

(M) The applicant and City of Yakima shall enter into a Development Agreement specifying all development standards, modifications thereto and conditions of approval prior to final plat approval which shall be finalized and recorded in accordance with RCW 36.70B and all other laws applicable to Development Agreements;

(N) Standard setbacks for the R-1 zoning district shall apply except for any setback modifications included in the Development Agreement;

(O) 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;

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(P) 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;

(Q) Prior to the issuance of any permits, the applicant is encouraged to conduct a professional archaeological survey of the project area, with copies of the survey being provided to DAHP and the Planning Division. If the applicant does not wish to have a cultural resources survey conducted on the site, an Inadvertent Discovery Plan (IDP) shall be prepared by the applicant, and a copy of the IDP shall be submitted to the City;

(R) In accordance with YMC §14.20.230, the City shall not issue any building permits until a copy of the final recorded short plat is submitted; and

(S) All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety except for the modifications to standards that are specified in the Development Agreement for the Planned Development.

DATED this 23rd day of September, 2021.



Gary M. Cuillier, Hearing Examiner

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER A

Staff Report

[illegible]



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

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**CITY OF YAKIMA PLANNING DIVISION'S
FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION
for**

**REQUEST FOR PLANNED DEVELOPMENT, PRELIMINARY SHORT PLAT,
TYPE (2) REVIEW AND ENVIRONMENTAL REVIEW**

File Numbers: PD#001-21, PSP#009-21, CL2#016-21, & SEPA#009-21

APPLICANT:	Digital Design & Development c/o Leanne Liddicoat
APPLICANT ADDRESS:	1909 W. Lincoln Ave., Yakima, WA 98902
PROJECT LOCATION:	9503, 9509, & 9515 Tieton Dr.
TAX PARCEL NUMBER:	181319-33005, -33009, & -33010
DATE OF REQUEST:	March 26, 2021
DATE OF RECOMMENDATION:	September 9, 2021
STAFF CONTACT:	Eric Crowell, Associate Planner

I. DESCRIPTION OF REQUEST:

Master planned development consisting of seven residential lots, to be improved with 14 duplex units and a commercial lot, located in the R-1 zoning district.

II. SUMMARY OF DECISION:

The Administrative Official recommends **approval** of the Planned Development and Preliminary Plat, subject to conditions.

III. FACTS:

A. Processing

1. The applications for a Planned Development, Type (2) Review, and SEPA Environmental Review were received on March 26, 2021.
2. The application for a Preliminary Short Plat was received on May 25, 2021.
3. The applications were deemed complete for processing on May 28, 2021.
4. The applications are being processed under YMC Ch. 14.20 for Subdivision, YMC Ch. 15.28 for Master Planned Development Overlay, 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 recommendation 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:

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A-1



- a. The subject property was posted with a land use action sign on May 27, 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 four public comments were received.
 - d. A Notice of DNS and Public Hearing was sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on August 6, 2021.
7. **Environmental Review:** This application was required to undergo State Environmental Policy Act (SEPA) review due to the requirements of a Planned Development. A Determination of Non-Significance (DNS) was issued on August 6, 2021, and was not appealed.

B. Transportation Concurrency: The applicant applied for Transportation Concurrency (TCO#007-21) on March 26, 2021, and was approved for Concurrency on August 23, 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 2.03 acres, is zoned Single-Family Residential (R-1), and is currently vacant.
2. 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	SR	Residential
South	B-2, SR	Residential
East	SR	Residential
West	B-2	Residential

D. Planned Development—Written Narrative

Pursuant to YMC § 15.28.030, the applicant provided the following statements in the Planned Development application:

1. What land uses are proposed?

Proposed land uses are seven duplexes and yet undetermined commercial land use. It is anticipated that the commercial use will be typical of the General Commercial zoning district, although the size, location, access limitations and other characteristics will tend to limit the use of the site to commercial land uses of a more compatible neighborhood commercial nature. As proposed, the development agreement will also limit minor modifications in the manner required by YMC 15.28.080. This includes no substantial increase in area for a particular land use, no material changes in the type or character of approved land uses or material impacts on the overall design of the approved master plan.

The application is being made as a Mixed-use planned development under YMC 15.28.020 (A)(4) based on mixed use planned developments being permitted in the R-1 zone (YMC 15.28.020(A)) and the proposed commercial lot size exceeding the 10% limitation for non-residential land uses in residential planned developments (YMC 15.28.020(C)(2))¹.

The mixed-use category is appropriate to this site because commercial use of the corner of 96th Avenue and Tieton Drive is consistent with commercial zoning of the other corners and is more compatible with this signalized intersection. As such, it is designed in harmony with the overall site plan and does not significantly impact adjoining properties and development. It provides flexibility in design, concept and usage that meets the needs of the community and marketplace (YMC 15.28.020(B)(3)).

¹This limitation is characterized as a factor that the hearing examiner should **take into consideration** when authorizing additional land uses (YMC 15.28.020(C)). This suggests that it is not necessarily mandatory in a residential planned development. [emphasis by the applicant]

2. Will the land be subdivided? If so, what type of subdivision? (Long Plat, Short Plat, Binding Site Plan, etc.)

The eight lots will be created by short subdivision, although it is also possible to reconfigure the three existing parcels.

3. How does the proposed Planned Development allow flexibility in development standards and permitted uses while ensuring compatibility with neighboring uses?

Revised street improvement standards are intended to develop a narrower street providing a smaller scale character to the proposed neighborhood and to make more of the site available for residential use. As a private residential street and not a through street, it will have low speeds and traffic levels. A single sidewalk is to be provided for pedestrian access. The slope of the proposed street is necessary to accommodate existing topography. The commercial site is intended to provide for mixed use and to make use of a corner on a busy intersection that is less desirable for residential use. Since the other corners of the intersection are now zoned commercial, the use of this property should be generally compatible with surrounding properties. The commercial lot will have direct frontage and access on to the adjoining arterial streets and will not utilize the neighborhood street for access except where it enters the site at the commercial lot.

4. Describe how the proposed Planned Development facilitates the efficient use of the land.

Because of its topography, this is a relatively difficult site to develop. The narrower street configuration provides for efficient use of the site allowing more space for residential sites. Orientation of the residential and commercial land uses to the 96th Avenue / Tieton Drive intersection provides for a transition of land use intensity from the existing neighborhoods north and east of the site to the commercial site at the intersection. The slopes are a physical boundary between residential and commercial use of the site

5. Describe how the proposed Planned Development increases economic feasibility (i.e., fostering efficient arrangement of land use, buildings, transportation systems, open space and utilities).

Duplexes are permitted as a Class 2 land use in the R-1 zoning district. Proposed lot sizes and lot widths conform to the minimum zoning standards and the residential lots conform to minimum lot coverage and building height

standards. For the commercial lot, a modified lot coverage standard is proposed consistent with standards typically allowed for commercial use. The planned development and subdivision are efficiently laid out and consist of private vehicular circulation and residential lots

6. How does the proposed Planned Development preserve or enhance natural amenities, features, shorelines and critical areas in the development of the site?

Site design provides for the topography of the site, generally consisting of two levels separated by a relatively steep slope. The slope will accommodate view lots and possibly daylight basements and forms a logical boundary between the residential area on the higher part of the site and the commercial area fronting on the signalized intersection. No common open space is proposed because lot sizes are sufficient for private yards. There are no shorelines or critical areas on or in proximity to the site.

7. Identify environmental impacts and appropriate mitigation measures.

SEPA review has not been completed and significant environmental impacts have not been identified. Some of the site considerations that are being made, based in part on meeting with the City Development Service Team, include locating site approaches with sufficient distance from the signalized intersection, designing the interior street to reduce the potential for hazardously steep slopes coming into the approaches to City streets and accommodating a pressurized sewer main in 72nd Avenue in utility design. Design of the commercial and residential parts of the project to account for topography and orientation to the signalized arterial street intersection promotes compatibility among the land uses on the site and nearby neighborhoods.

8. How does the proposed Planned Development encourage environmentally sustainable development?

The project will use "low-impact development" concepts defined as stormwater management and land development strategies that emphasize conservation and use of existing natural site features integrated with disturbed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings (YMC 15.02.020). Stormwater will be retained on-site and drainage and infiltration facilities. The proposal accommodates population growth within the urban growth area to the benefit of resource and sensitive lands farther out and to reduce sprawl.

9. What services and facilities are available to serve the property? Are those services adequate?

Available utilities include 8-inch sewer lines and 12-inch water lines in both Tieton Drive and 96th Avenue. Existing fire hydrants are on Tieton Drive in front of the proposed commercial lot and northwest of the site at the corner of 96th

Avenue and Walnut Street. Also available are electric power, natural gas, cable television and telephone. The site is in the West Valley School District - Cottonwood Elementary School is about ½ mile away - and is served by City fire, police and emergency services.

10. Will the proposed development promote economic development, job creation, diversification or affordable housing?

With or without the Master Planned Development, the project provides economic development and construction jobs. The proposed housing adds to capacity currently needed in the community.

11. How does the proposed development create vibrant mixed-use neighborhoods, with a balance of housing, commercial, and recreational facilities?

The proposal, along with neighboring properties, provide a mix of housing and commercial opportunities to this area. The neighborhood to the north and east has a combination of attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes. There is a self-storage (residential mini storage) complex about 300 feet north of the site. Property to the east has older homes on larger lots north of Tieton Drive and newer duplexes and single-family residence on the south side of the street. The properties across 96th Avenue and Tieton Drive are commercially zoned parcels that are mostly undeveloped, with single-family homes and a few small businesses.

12. How is the proposal consistent with goals, policies, and objectives of the Yakima Urban Area Comprehensive Plan?

Consistency with Plan goals and policies include the following:

Policy 2.1.7. Allow new development only where adequate public services can be provided.

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.

Duplexes are allowed in appropriate residential zones provided that density standards are met (Policy 2.3.1.E) and are listed as a permitted use in the R-1 zone (Class 2 review -generally permitted). Pedestrian orientation is provided by the private access street. Lot size and home design provide usable open space on each lot.

The proposal preserves and enhances established residential neighborhoods (Policy 2.3.2) by providing housing units in an area already characterized by a mixture of housing types and that are compatible with them in character and design. Tieton Drive and 96th Avenue are served by public transit.

The private residential street is safe and walkable (Policy 2.3.3), ties into existing sidewalks on the arterial streets, and has good connections with transit access to schools, parks and commercial services.

The commercial lot can be allowed in a residential zone under Policy 2.3.6.

The proposal adds to the diversity of housing choices consistent with Goal 5.1.

The use of transitional densities to ensure compatibility is consistent with Policy 5.4.2. In this case the transition is from the existing neighborhood north and east to the somewhat higher residential density of the site and then to commercial at the intersection of 96th and Tieton.

13. How does the proposed Planned Development utilize unique and innovative facilities that encourage the efficient and economical use of the land?

Development of the project to the topographic characteristics of the site using a modified, narrower street design encourages efficient and economical use of the land.

14. Does the proposed Planned Development promote a sound system for traffic and pedestrian circulation? Describe.

The small-scale private access street will provide a safe route for vehicles and pedestrians with a single sidewalk that connects to existing sidewalks and transit on 96th and Tieton. Sidewalks are continuous on both sides of Tieton Drive to the west, 96th Avenue to the north and south on 96th Avenue to Cottonwood School and beyond.

15. How does the proposed Planned Development promote open space and use of natural and/or developed amenities?

The project is being designed to physical characteristics of the site, which is made up of two levels separated by a relatively steep slope. This provides for residential views and a physical boundary between the residential and commercial elements of the development, the latter which is oriented to the arterial street intersection. Private yards are being provided on each residential lot.

16. Will the proposed Planned Development provide an architecturally attractive, durable and energy efficient development?

Residential buildings will be similar in look, but varied in part to account for lot slope and configuration. A mix of exterior surfaces and colors that are compatible with the surrounding neighborhoods will be used. They are being designed to conform to current building codes and the Washington State Energy Code. All

City setback, lot coverage, lot size and lot width standards are to be met on the residential lots.

17. Please provide a summary of all previously known land use decisions affecting the applicant's property and all outstanding conditions of approval with respect to such prior land use decisions.

Review of public records did not uncover any previous land use decisions affecting this property. It is not part of a plat or short subdivision and Yakima County Assessor's records show no segregation or merge transactions recorded in their system.

18. Any other development standards proposed to be modified from the underlying zoning district requirements.

Underlying zoning district standards being reduced by this application other than private road construction standards are focused on the commercial lot. A lot coverage standard of 100% is proposed, typical of commercially zoned areas in the City. This addresses the need for additional impervious surfaces such as parking and for less open space. SITESCREENING standards are to be modified to take into account the topographic characteristics.

Private roads are allowed in master planned development overlays by YMC 15.09.100. The proposal conforms to private road standards with the following exceptions:

- a. *YMC 15.09.100(A) requires the private road to be constructed to the minimum standards of the jurisdiction. The minimum standards are in Title 12 and the fire apparatus road standards required by YMC 15.05.055. Deviation from these minimums are described below.*
- b. *Deviation from Title 12 standards for private roads (YMC 12.06.090) include easement width of 40 feet rather than 50 feet, pavement width of 24 feet, sidewalk on one side of the street (YMC 12.05.010) and decorative street lights that may not entirely meet the design standards of the City engineer (YMC 12.06.080).*
- c. *Slopes exceeding 10 percent on the private street are proposed to accommodate the topography of this site. While this slope standard is given as a maximum for fire apparatus roads, the fire official may authorize it to be exceeded in some instances. On this basis, if such authorization is given, it would presumably not be a deviation from YMC 15.05.055, which does not specifically require this standard.*

A modified lot coverage standard of 100% is proposed for the commercial lot only, consistent with the standard for the General Commercial zone. Parking lot landscaping and stormwater control will probably reduce lot coverage in the commercial lot to below this maximum.

The modified lot coverage standard is consistent with that required in commercial areas and the intent of lot coverage in commercial districts to promote development consistent with the character of the district, protect setbacks and integrate open space, landscaping and off-street parking because the latter improvements will be required under other code provisions not being modified. The standard is consistent with the intent of lot coverage in the R-1 zone to protect the open character of the district with setbacks and other design characteristics that promote compatibility between commercial and residential elements of this proposal.

Modified sitescreeing requirements between the commercial and residential lots are to allow residential fences to meet the normally required Standard 'C' requirement under YMC 15.07. Deviations would be from YMC 15.07.020, which for commercial land use, requires sitescreeing along a property line shared with a vacant parcel in the R-1 zone, from YMC 15.07.100, that requires sitescreeing to be completed prior to occupancy or commencement of use and from YMC 15.07.070(1) requiring sitescreeing to be located on the property line because due to the slope, residential fences may not be directly on the property line. For Lot 7, the fence may be located across the private street from and above the east line of the commercial lot.

The modification to the sitescreeing standard would allow residential fences to be constructed as the residential lots are developed. This is to accommodate the slopes between the commercial site and residential lots and in that manner to meet the purpose of sitescreeing to provide a visual buffer between land uses of different intensity. This purpose is being met because of the effect that the slope has on standard sitescreeing requirements. Sitescreeing is not necessary to reduce erosion and stormwater runoff because this will be accomplished for this site by other required measures.

19. What are the aesthetic considerations related to building bulk, architectural compatibility, light and glare, urban design, solar access and shadow impacts.

Residential buildings are designed to be architecturally compatible with surrounding neighborhoods. The commercial lot would be compatible with commercially zoned properties at the 96th and Tieton Drive intersection. None of the existing zoning district standards for bulk, light and glare are being reduced in the residential lots. Proposed building height is 35 feet and with setbacks and topographic characteristics (same general elevation as surrounding areas) no adverse solar access issues are expected.

Because the commercial lot is at a lower elevation than the residential neighborhoods, this should not pose adverse solar access issues.

20. Please provide an inventory of any on-site cultural, historic and/or archaeological resources.

Review of public records available from the Department of Archaeology and Historical Preservation showed no inventoried resources on the project site.

E. Type (2) Review—Written Narrative

Pursuant to YMC § 15.14.030, the applicant has provided the following statements in 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 the business.

This Type 2 review application is to authorize the development of 14 duplexes in the R-1 zone. Off-street parking on each residential lot is to provide a minimum of two parking spaces per unit, or four spaces per lot for a total of at least 28 parking spaces.

2. How is the proposal compatible to neighboring properties?

Residential use of neighboring properties is a mixture of attached and detached single-family residences and duplexes, with single-family dwellings predominant. The proposed development provides a transition from the adjoining neighborhood to the commercial land use and zoning at the intersection of 95th Avenue and Tieton Drive. It is to be served by its own private street with no direct connection to the surrounding lower density areas.

3. What mitigation measures are proposed to promote compatibility?

Duplexes designed to be similar in look but varied with a mix of exteriors and colors that are compatible with surrounding neighborhoods. R-1 zoning standards are being followed, including standards that have the most effect on compatibility – building height, residential setbacks and lot coverage.

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

This proposal is consistent with the intent of the Single-Family Residential zone to establish residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents, which may include duplexes if established during the subdivision process (YMC 15.03.020(B)). A private street is to be provided to allow for access from individual lots as a better alternative to using the arterial streets for access that, in this instance, are the only City streets available to the site.

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

Surrounding properties are Suburban Residential to the north and east and B-2, Local Business to the south and west. There are also higher density R-2 and R-3 zoned areas farther to the west and northwest and to the southeast across Tieton Drive. The proposal is consistent with the residential use and densities of the surrounding residential areas.

Compatibility with the commercially zoned areas is being addressed by the planned commercial use of a new proposed lot at the intersection of the two major adjoining streets, an action that is not part of this Type 2 review. The commercial lot along with the different elevations that characterize the project site provide for a transition from the commercial zoned lands across the street and the busy intersection to the proposed duplex development. The transition continues to the lower density residential areas to the north and east which are characterized by a mixture of residential construction including attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes, a self-storage (residential mini storage) complex about 300 feet north of the site, older homes on larger lots on the north side of Tieton Drive and newer duplexes and single-family residence on the south side of the street.

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

The proposed housing is consistent with comprehensive plan policies 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, encourage diverse and affordable housing choices throughout the City, convenient access to transit and a range of unit types.

F. Development Services Team Review: A Development Services Team (DST) Review was conducted on June 8, 2021, for technical review of this project. The following comments were received:

1. Code Administration:

a. Preliminary addressing for the Plat is as follows:

Lot 1	413 S. 96th Ave. #1-2	Lot 5	421 S. 96th Ave. #1-2
Lot 2	415 S. 96th Ave. #1-2	Lot 6	9505 Tieton Dr. #1-2
Lot 3	417 S. 96th Ave. #1-2	Lot 7	9503 Tieton Dr. #1-2
Lot 4	419 S. 96th Ave. #1-2	Lot 8	9515 Tieton Dr.

b. Payment of applicable Wastewater connection fees must be paid pursuant to YMC 7.58.

c. Any work to be performed in City right-of-way requires an Excavation permit from City Engineering prior to commence work YMC 8.72.

2. Engineering

a. This project requires Title 8 and 12 improvements, including but not limited to the following:

i. 12.02 – Easements shall be established per this chapter.

- ii. 12.02 – Private streets shall be constructed with curbs, sidewalks, and street lighting and shall otherwise conform to the standards for public streets.
 - iii. 12.06.020 – Right of way – Tieton Dr. is classified as Minor Arterial requiring a total of 80 feet of right of way (40 feet half width). Adequate right of way shall be dedicated if necessary to provide for 40 feet width from centerline of right of way along frontage. S. 96th Ave. is classified as a Collector Arterial requiring a total of 60 feet of right of way (30 feet half width). Adequate right of way shall be dedicated if necessary to provide for 30 feet width from centerline of right of way along frontage.
 - iv. YMC 15.06.065 – Driveway access shall be limited in the vicinity of a signalized street intersection. No driveway shall be permitted within one hundred feet of a signalized intersection, as measured from the right-of-way line. Any driveway within two hundred feet of the right-of-way line of the intersection shall be restricted to right turns only.
 - v. YMC 8.67 and 12.05 – Where existing driveways are not utilized, they shall be removed, and new curb, gutter and sidewalk shall be installed. New sidewalks shall be constructed per standard detail R5. Any existing curb, gutter along frontage that is unfit or unsafe shall also be repaired/replaced.
 - vi. YMC 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way.
 - vii. All improvements and shall be completed prior to Certificate of Occupancy.
3. Nob Hill Water Association
- a. Owner will need to submit finalized engineered plans for site. Design and cost estimate will be needed to supply new development. Owner will need to call Nob Hill Water.
4. Surface Water
- a. If this project involves clearing or grading one acre or more, a Large Project Stormwater Permit shall be required from the applicant. The requirements of a Large Project Stormwater Permit are:
 - i. Drainage plan(s) and calculations
 - ii. Stormwater maintenance agreement and plan
 - iii. Proof that the maintenance agreement was recorded in the Yakima County Auditor's Office
 - iv. Construction Stormwater Pollution Prevention Plan (SWPPP) or Erosivity Waiver. The Construction SWPPP (or Erosivity Waiver Certificate Statement) shall be reviewed and approved by the Surface Water

- Engineer prior to any grading or construction. A Temporary Erosion and Sediment Control (TESC) plan shall be submitted for approval.
- v. In lieu of turning in a Construction Stormwater Pollution Prevention Plan, the applicant can satisfy this requirement by obtaining a Construction Stormwater General Permit through the Washington State Department of Ecology. A copy of the signed General Permit shall be delivered to the Surface Water Engineer.
 - vi. A narrative explaining how Core Elements 1-8 are being satisfied.
 - vii. An operation and maintenance plan for the perpetual maintenance of the facilities is now required.
- b. Grading and/or building permits shall not be issued without the project site first passing an erosion control inspection.
 - c. Complete stormwater design plans, specifications and runoff/storage calculations supporting the stormwater design are required pursuant to the Eastern Washington Stormwater Manual and City of Yakima standards. These plans and control measures must be completed by a licensed Professional Engineer and then be reviewed and approved by the City of Yakima Surface Water Engineer prior to construction.
 - d. UIC Registration – Stormwater
 - i. In accordance with the August 2019 edition of the Department of Ecology's Stormwater Management Manual for Eastern Washington (SMMEW), Underground Injection Control (UIC) wells constructed on or after February 3, 2006 are considered new and must be registered with the Department of Ecology (DOE) 60 days prior to construction. UIC wells that receive polluted runoff shall retain the larger of the 100-year 3-hour and 100-year 24-hour storms and shall be designed for treatment using Table 5.23 of the SMMEW.
 - ii. If the clearing and grading is less than one acre then a drainage report shall be required for the project. The report shall be prepared by a licensed engineer in Washington State for review by the Surface Water Engineer. All stormwater runoff up to the 25-year storm shall be retained and infiltrated on site.
5. Wastewater
- a. Proposed sewer extension will need to be submitted per Title 12 requirements. There is a City of Yakima Wastewater Lift Station on the southwest corner of the lot. The access for this Lift Station will need to be maintained. The associated ENG permit will need to show the lift station limits and call out existing easements.

6. Yakima-Tieton Irrigation District
 - a. Parcel 181319-33005 is within the Yakima-Tieton Irrigation District boundary and has a permanent easement on above parcel so they will need to show easement on plat map. They will need to follow our Resolution 97-5.
7. Department of Archaeology & Historic Preservation
 - a. 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.
 - 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. Should you have any questions, please feel free to contact me.

G. Public Comments: The public notice for this proposal was sent out on May 28, 2021. As of September 2, 2021, a total of four comments were received (the second comment was sent from three individual neighbors), lightly edited and reproduced below with staff responses:

1. *I have questions and comments concerning this review. Why didn't I receive a copy of this form? I had to borrow it from my neighbor who lives across our shared driveway.*

Staff Response: Public notice is mailed to property owners within 300 feet of the subject property, and your property is located just outside of that radius.

I noticed 2 errors in their Environmental Checklist form. On page 8, section 4 Plants, they checked only grass and weeds are present. However, there is one Evergreen tree that's about 60 to 100 feet tall. There is also 4 or more Deciduous trees 20 to 40 feet tall along with several Juniper bushes.

On page 11, section 9 Housing, part a, it asks about a number of units and the price range of them. They listed the number of units (14) but did not state whether they were going to be high, middle, or low-income housing.

Staff Response: The Urban Area Zoning Ordinance does not regulate housing based on income and does not affect the Planning Division's recommendation.

2. *First of all, 14 housing units, at least 28 vehicles, and upwards of 50 people living on 1.3 acres of land cannot possibly be considered "low density." This proposal is completely incompatible with the quiet, rural, single-family residences surrounding this property.*

Staff Response: Each lot exceeds the minimum lot size of 8,000 square feet required for a duplex in the R-1 zoning district.

Incorrect Statements:

1. *The applicant states that there are currently "a few small businesses" on the properties at the intersection of Tieton Drive and 96th Avenue. There are NO businesses on those properties; there are single-family homes on the northwest and southwest corners, and a pasture on the southeast corner.*

Staff Response: The three other corners of the intersection at which the subject property is located are all zoned Local Business (B-2). The northwest corner recently underwent land use review (CL1#052-21 / SEPA#006-21) and was approved for a commercial development.

The applicant states that Sidewalks are continuous on both sides of Tieton Drive to the west. The sidewalks on Tieton Drive end at the intersection with 96th Avenue and do not extend any further to the west.

Staff Response: There is existing sidewalk on both sides of Tieton Dr. along the subject property's frontage.

On Page 11 of the Environmental Checklist, #10, Aesthetics, b. What views in the immediate vicinity would be altered or obstructed?, the applicant states that "New buildings erected next to neighboring properties to the north and east, although the difference in elevation is not substantial". Our property elevation is approximately 10' lower than the proposed development's property elevation. The applicant states that "no soul will be removed from the property". When you erect a 35' tall building on top of that, we are pretty sure that our view to the south will not only be altered, but completely obliterated. We consider a 45' difference in elevation quite "substantial."

Staff Response: While the Environmental Checklist asks about view changes, the zoning ordinance does not regulate or protect views between properties.

On Page 12 of the Environmental Checklist, #13, Historic and Cultural Preservation, a. Are there any buildings, structures, or sites, located on or near the site.....". The applicant states "No". There is an underground bunker at the base of the steep slope, approximately in the center of the proposed development site. The structure could contain contaminants and/or hazardous materials that may have been stored there when the property was previously used for agricultural purposes.

Staff Response: No comments were received from the Washington State Department of Ecology.

Questions:

- 1. Is Lot 8 (the proposed "commercial" lot) currently zoned for commercial use?*

Staff Response: Lot 8 is not currently zoned commercial nor is it proposed to be rezoned. A Master Planned Development Overlay allows for commercial uses regardless of the underlying zoning district.

- 2. How can duplexes be considered "single-family dwellings" when, by design, they are meant to house 2 families side by side?*

Staff Response: The preliminary plat application was marked "single-family dwellings" rather than "two-family dwellings," but the rest of the application references duplexes as the proposed housing type.

- 3. We strongly question the need for additional housing capacity in the West Valley area when there are currently dozens of single and multi-unit housing developments underway throughout the West Valley area.*

Staff Response: The City of Yakima Housing Action Plan (HAP), finalized in June 2021, determined that vacancy rates for both rentals and homes for sale are below 1 percent, that median housing prices are rising twice as fast as median incomes, and that more than a third of households are cost burdened.

In order for Yakima to achieve a healthy vacancy rate of 5 percent, 295 dwelling units need to be built annually through 2040. Most housing capacity is located in the western part of the city.

Concerns:

Our biggest concern is the complete loss of privacy for ourselves and the surrounding neighbors. The tenants in the proposed new buildings will be able to look directly into our backyards and our southern-facing windows. To mitigate this concern, we are requesting:

1. *That the building height for the proposed new structures be limited to 20'; and/or*
2. *That the developer be required to install privacy fencing along the northern border of their development tall enough to maintain our existing level of privacy.*

Staff Response: The planned development only proposes to modify sitescreening requirements by delaying their installation along the commercial portion of the development. Sitescreening Standard A (or a higher standard) shall be installed along the northern and eastern property lines of the development.

The nature of the propose business to be located on Lot 8 is not disclosed in these documents. If this proposal is approved and a business is allowed to open and operate at the intersection, will we be notified prior to the establishment of the business and will we be able to comment on the proposed business?

The planned development proposes to limit the commercial lot to Class (1), (2), and (3) uses permitted in the General Commercial (GC) zoning district, and will be reviewed as such. Class (1) uses generally require Type (1) Review, which is an administrative decision, Class (2) uses generally require Type (2) Review, which is an administrative decision with a public notice and comment period, and Class (3) uses require Type (3) Review, which is an administrative recommendation with a public notice, comment period, public hearing, and decision by the Hearing Examiner.

In closing, we cannot overstate how strongly we are opposed to this multi-family/commercial development, as proposed. It would completely disrupt our current, long-established, quiet, safe, low density population neighborhood.

H. 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 two-family dwelling construction in the R-1 zoning district, the required minimum lot size is 8,000 square feet, while for permitted non-residential uses the required minimum lot size is 10,000 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 § 14.15.020 (B): The proposed short subdivision appropriately provides for the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys and 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 walk to and from school. The administrator may determine that other considerations are appropriate to evaluate as criteria for approval.

I. 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: Dwelling, Two-Family Defined: “Dwelling, two-family” means a structure designed exclusively for occupancy by two families living independently of each other and containing two attached dwelling units on the same lot. This definition includes the term “duplex.”
5. Parking:
 - i. YMC § 15.06.040, Table 6-1: Spaces Required: Two-Family Dwellings require two spaces per unit.

6. Sitescreening:

- i. YMC § 15.07.050, Table 7-1: Sitescreening Standard A (or a higher standard) shall be installed along the rear property lines of the duplexes abutting the adjacent single-family lots along the north and east property lines of the boundaries of the master planned development overlay, and also along the rear property lines of the duplexes abutting Lot 8 within the overlay.
- 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-obscurating 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.

J. Applicable Law—Master Planned Development Overlay

1. YMC § 15.28.010 (A): Purpose: A master planned development overlay (PD) is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources, and amenities.
2. YMC § 15.28.025: Minimum Project Size: The minimum project size for a master planned development shall be two acres. All properties included in the master development plan shall be contiguous with logical outer boundaries.
3. YMC § 15.28.050: Development Agreement: An approved master planned development overlay (including conditions and development standards) shall be incorporated into a development agreement as authorized by RCW 36.70B.170. The development agreement shall provide for vesting of such development conditions and standards as are deemed reasonable and necessary to accomplish the goals of the master planned development. This agreement shall be binding on all property owners within the master planned development and their successors and shall require that development of the subject property be consistent with and implement the provisions of the approved master planned development. The approved development agreement shall be signed by the city manager and all property owners and lienholders within the boundaries of the master planned development overlay and recorded prior to approval and/or issue of any implementing plats or permits.

4. YMC §§ 15.28.070 (A): Vesting: The master planned development review shall be vested to development regulations, standards, conditions, and laws applicable at the time the development agreement described in YMC 15.28.050 is recorded, inclusive of specific conditions and standards set forth in said development agreement. The vesting period shall be for the time stated in the development agreement associated with each specific master planned development and shall be agreed upon by the parties to the development agreement after giving consideration to the extent and complexity of the proposed development as well as specific development planning considerations raised by the developer. During the stated vesting period the applicant shall be entitled to implement the master planned development in accordance with the terms and conditions of approval described in the development agreement.
5. YMC § 15.09.100 (H): Private Street Review Requirements: The face of any plat, short plat, master development plan, binding site plan, or condominium document containing a private road, and all subsequent documents transferring ownership of lots within such plat or short plat, shall bear the following language:

"The City of Yakima has no responsibility to build, improve, maintain or otherwise service any private road for this plat/short plat. Any right-of-way dedicated to the public by this plat/short plat shall not be opened as a City (or County) street until such time as it is improved to city street standards and accepted as part of the City transportation system."

K. 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 2.1: Establish a development pattern consistent with the community's vision.
 - i. Policy 2.1.7: Allow new development only where adequate public services can be provided.
 - b. 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 2.3.1 (E): Duplexes. Continue to allow duplexes in appropriate residential zones, provided density standards are met. Consider incorporating design standards that emphasize a pedestrian-oriented design and the inclusion of usable open space.
 - iii. Policy 2.3.3: Create walkable residential neighborhoods with safe streets and good connections to schools, parks, transit, and commercial services.
 - iv. Policy 2.3.6: Allow some compatible nonresidential uses in residential zones, such as appropriately scaled schools, churches, parks and other

public/community facilities, home occupations, day care centers, and other uses that provide places for people to gather. Maintain standards in the zoning code for locating and designing these uses in a manner that respects the character and scale of the neighborhood.

- c. Goal 5.1: Encourage diverse and affordable housing choices.
 - i. Policy 5.1.3: Encourage mixed use infill development, particularly Downtown and in commercial nodes.
- d. Goal 5.4: Encourage design, construction, and maintenance of high quality housing.
 - i. Policy 5.4.2: Use transitional densities, design and landscape standards to ensure housing is compatible with existing character and planned goals.

IV. SUBDIVISION FINDINGS:

A. Background and Processing:

1. The subject property is approximately 2.03 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 and YMC §§ 1.43.080, 1.43.100 and 15.28.040 (C), 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 a Master Planned Development Overlay 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. Planned Development Site Design and Improvement Standards:

1. One of the purposes of the Planned Development Ordinance is to allow flexibility in development standards. This proposal includes the following development standards:
 - a. Lot Size: The preliminary plat and planned development indicates that duplex lot sizes will range from 9,404 square feet to 10,063 square feet, while the commercial lot will be 19,576 square feet.
 - b. Lot Width: The preliminary plat indicates that the lots meet the standard lot width of 50 feet in the R-1 zoning district.

- c. Lot Coverage: The maximum lot coverage permitted in the R-1 zoning district is 60 percent, which the duplex lots will follow, and the planned development indicates that the commercial lot will have a maximum lot coverage of 100 percent.
- d. Setbacks: All lots within the preliminary plat and planned development propose the following setbacks:

Location	From Centerline of Right-of-Way	From Property Line
Front, private road	37.50	20 feet
Front, Tieton Dr.	60	20 feet
Rear	N/A	15 feet
Side, S. 96th Ave.	50	10 feet
Side, private road	32.50	10 feet
Side (internal)	N/A	5 feet

(Note: All of these setbacks shall apply unless setback modifications are also listed in the development agreement.)

2. Maximum Building Height: YMC § 15.05.030, Table 5-1 identifies that the maximum building height for development within the R-1 zoning district is 35 feet.
3. Access: In accordance with YMC §15.05.020 (H), all lots have 20 feet of frontage upon a public street, or are accessed through the private street within the planned development.
4. Sidewalk: Per the provisions of the Planned Development, there will be no curb, gutter, or sidewalk along one side of the private access street and adjacent duplex lots. In accordance with YMC §.15.05.020 (J), there currently is curb, gutter, and sidewalk along the site's S. 96th Ave. and Tieton Dr. frontages.
5. Density: With a density of approximately 12.28 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 duplexes in the R-1 zone as a Class (2) use, and does not limit the density of such a use.
 - a. Net residential density excluding commercial lot and streets calculated per YMC § 15.05.030:
 - Total lot area: 2.03 acres
 - Residential lots, minus commercial lot and private street: 0.89 acres
 - $14 \text{ dwelling units} / 0.89 = 15.73 \text{ dwelling units per net residential acre}$
(The Notice of Application listed a lower density due to the inclusion of the commercial lot in the calculation.)

6. Streets/Dedication of Right-of-Way: No additional right-of-way is required to be dedicated. Along the private street, curb and gutter shall be installed on both sides and a five-foot-wide sidewalk shall be installed on one side.

C. Development Standards:

1. Frontage Improvements

- a. Per the planned development, the applicant is proposing to reduce the private street section from 50 feet to 40 feet, the pavement width from 30 feet to 24 feet, and constructing sidewalk on only one side of the street.
- b. Per the planned development, the applicant is proposing for slopes on the private street to exceed 10 percent if considered a reduction in standards in accordance with YMC § 15.05.055.
- c. 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. Sewer shall be extended to the subject plat.
- 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 Nob Hill Water Association.

4. Irrigation

- a. The subject parcel is not located within the Yakima-Tieton Irrigation District.

- 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: This proposal complements 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 Hearing Examiner.
 2. Open spaces: The proposed plat provides for private open spaces throughout the duplex subdivision of the development.
 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 S. 96th Ave. and Tieton Dr., and proposes a private road to provide adequate access to all lots.
 5. Water supplies: Public water is required to be used for domestic and fire flow purposes, and water is available to the site from Nob Hill Water Association.
 6. Sanitary waste disposal: A City of Yakima sewer main capable of serving the development shall be extended in order to serve all lots. The access for the lift station on the southwest corner of the lot shall be maintained.
 7. Parks and playgrounds: Open space, parks, recreation, and playgrounds are located approximately 1.7 miles from this subdivision due to the proximity of West Valley Park.
 8. Sites for schools: Cottonwood Elementary School is located approximately 0.5 miles from this subdivision, West Valley Junior High School is located approximately 2.6 miles away, and West Valley High School is located approximately 1.3 miles away.
 9. Sidewalks: Per the provisions of the development agreement outline, sidewalks will be provided along one side of this development's private street that serves the lots. There is existing sidewalk along the site's S. 96th Ave. and Tieton Dr. frontages.
 10. Public Transit: Yakima Transit Route 1 passes the intersection of S. 96th Ave. and Tieton Dr. along the subdivision.
 11. Serves the public interest and use: This proposed eight-lot mixed-use master planned subdivision is consistent with neighboring land uses and better serves the needs of the City of Yakima than the undeveloped status of the property.
- F. Time Limitation:** 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. MASTER PLANNED DEVELOPMENT OVERLAY FINDINGS

- A. The purpose of YMC Ch. 15.28 is to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources, and amenities.
- B. Pursuant to YMC § 15.28.040 (D), the hearing examiner shall evaluate a master planned development application and other evidence submitted into the record; and shall issue such recommendation based upon the following considerations and criteria:
1. The master planned development application demonstrates the economic and efficient use of land and provides for an integrated and consistent development plan for the site. The residential nature of the proposed development that abuts existing single-family homes is consistent with the R-1 zoning district and the future land use designation of Low Density Residential. The planned development/subdivision design is efficiently laid out and consists of a private street, seven duplex lots, and a commercial lot.
 2. The applicant has identified development standards and uses that are consistent with the master plan and designed in a manner that is compatible with adjacent land uses after consideration of applicable mitigation and site design. The hearing examiner may consider development standards that are different from currently adopted development standards in order to provide flexibility in site planning; to implement project design and concepts; to respond to market conditions; or to otherwise achieve the public benefits contemplated by the concept plan. The private street standards will be reduced to allow for larger duplex lots, and the required sitescreening along the commercial lot will be installed as each duplex lot is developed. The development is compatible with adjacent uses.
 3. Consideration shall be given to "low impact development" concepts. The duplex lots will exceed the minimum lot size of 8,000 square feet and will serve as a buffer between the existing single-family homes and the commercial lot, which will have a lot coverage of up to 100 percent.
 4. There will be adequate infrastructure capacity available by the time each phase of development is completed: All lots will be served by city sewer and Nob Hill Water Association water. There will be adequate transportation infrastructure, as noted in the Traffic Concurrence decision. The private road provides for an efficient traffic circulation pattern with no dead ends.
 5. The master planned development contains design, landscaping, parking/traffic management, and use mixture and location that limit or mitigate conflicts between the master planned development and adjacent uses. Consideration shall be given to site planning that supports land use flexibility through means of appropriate setbacks, landscaping, sitescreening, buffers, and other design

features or techniques. The proposed lot sizes, lot width, and setbacks will allow the dwelling units to be situated in a low density manner, serving as a buffer from the commercial lot.

6. All potential significant off-site impacts including noise, shading, glare, and traffic have been identified and mitigation incorporated to the extent reasonable and practical. There are not anticipated to be any significant off-site impacts. Each duplex will have its own parking.
7. The project is designed and includes appropriate consideration of open spaces and transportation corridors, designs of street and public open space amenities, and results in the functional and visual appearance of one integrated project. The development contains private open spaces located on the individual lots. The duplex block will visually separate the commercial lot from the existing single-family homes north and east of the subject property.
8. The proposed development is not adverse to the public health, safety, or welfare. The development will not adversely affect the environs of the area, nor is it expected to cause any traffic concerns.
9. The public benefits of approving the master planned development outweigh the effect of modification of standards to the underlying zoning district. Approval of this planned development will provide for seven duplex lots. Lot sizes, lot width, and setbacks will follow the standards of the R-1 zoning district.
10. The proposed development is designed to be consistent with the provisions of the shoreline master program and critical areas ordinance of the appropriate jurisdiction. The subject property is not within a critical area. Environmental Review was required only due to the requirements for a Master Planned Development Overlay.

VI. ADDITIONAL TYPE (2) REVIEW FINDINGS:

- A. Parking: Each duplex building shall provide two parking spaces per unit.
- B. Lot Coverage: When developed, each duplex lot shall not exceed the lot coverage standard of 60 percent in the R-1 zoning district.
- C. Sitescreening: Sitescreening Standard A (or a higher standard) shall be installed along the rear property lines of the duplexes abutting the adjacent single-family lots along the north and east property lines of the boundaries of the master planned development overlay, and also along the rear property lines of the duplexes abutting Lot 8 within the overlay.

VII. CONCLUSIONS:

- A. The Hearing Examiner has jurisdiction (RCW Ch. 58.17, YMC §§ 1.43.080, 14.20.100, and 15.28.040).
- B. This recommendation is based upon a project narrative and site plan received March 26, 2021.

- C. This Preliminary Short Plat complies with the general requirements for subdivision approval as specified by YMC Ch. 14.15 and 15.05.
- D. This Master Planned Development Overlay and Development Agreement outline complies with the general requirements for a planned development as specified by YMC Ch. 15.28.
- E. The proposed modifications by the Development Agreement to reduce the private street standards and sitescreening requirements of this subdivision will allow for flexibility when siting new duplexes, while the maximum 100 percent lot coverage on the commercial lot will allow it to function similarly to a parcel in the GC zoning district.
- F. A Determination of Nonsignificance (DNS) was issued on August 6, 2021, for this proposed development, and was not appealed.
- G. This proposed subdivision serves the public use and interest and provides for the possibility of creating new additional housing within the City of Yakima.
- H. 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, and Title 12 Development Standards, and Chapter 12.08.
- I. 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.

VIII. RECOMMENDATION:

The Planning Division recommends that this Master Planned Development—Mixed Use and eight-lot subdivision, file numbers PD#001-21, PSP#009-21, and CL2#016-21 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. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification from City of Yakima 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. 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;
- I. 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;
- J. 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;
- K. 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;
 - 3. The City of Yakima has no responsibility to build, improve, maintain or otherwise service any private road for this plat/short plat. Any right-of-way dedicated to the public by this plat/short plat shall not be opened as a City (or County) street until such time as it is improved to city street standards and accepted as part of the City transportation system; and
 - 4. This subdivision is subject to the specific Master Planned Development Overlay of PD#001-21, as approved by the Yakima City Council on ____, under Resolution No. ____, and recorded under Auditor's File Number ____, which controls the development and usage of this property within this recorded plat.
- L. Irrigation approval is required, and shall be shown on the face of the final plat;

- M. The subdivision shall follow the Yakima-Tieton Irrigation District's Resolution 97-5;
- N. A current title report covering the subject property must accompany the final long plat;
- O. The applicant and City of Yakima shall enter into a Development Agreement codifying all development standards and conditions of approval prior to final plat approval to be finalized and recorded in accordance with RCW 36.70B and all other laws applicable to development agreements;
- P. Standard setbacks for the R-1 zoning district shall apply unless setback modifications are also included in the development agreement;
- Q. 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;
- R. 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;
- S. Prior to the issuance of any permits, the applicant is encouraged to conduct a professional archaeological survey of the project area, with copies of the survey provided to DAHP and the Planning Division;
- T. In accordance with YMC 14.20.230, the city shall not issue any building permits until a copy of the final recorded short plat is submitted; and
- U. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER B

Maps

[illegible]

VICINITY MAP



File Number: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
Project Name: ROBERTO ARTEAGA/ ARACELI GONZALES TELLO
Site Address: 9503, 9509, 9515 TIETON DRIVE



Proposal: Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq ft to 10,063 sq ft in size), and a 19,576 sq ft commercial lot, located in the R-1 zoning district.

Contact the City of Yakima Planning Division at (509) 575-6183

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



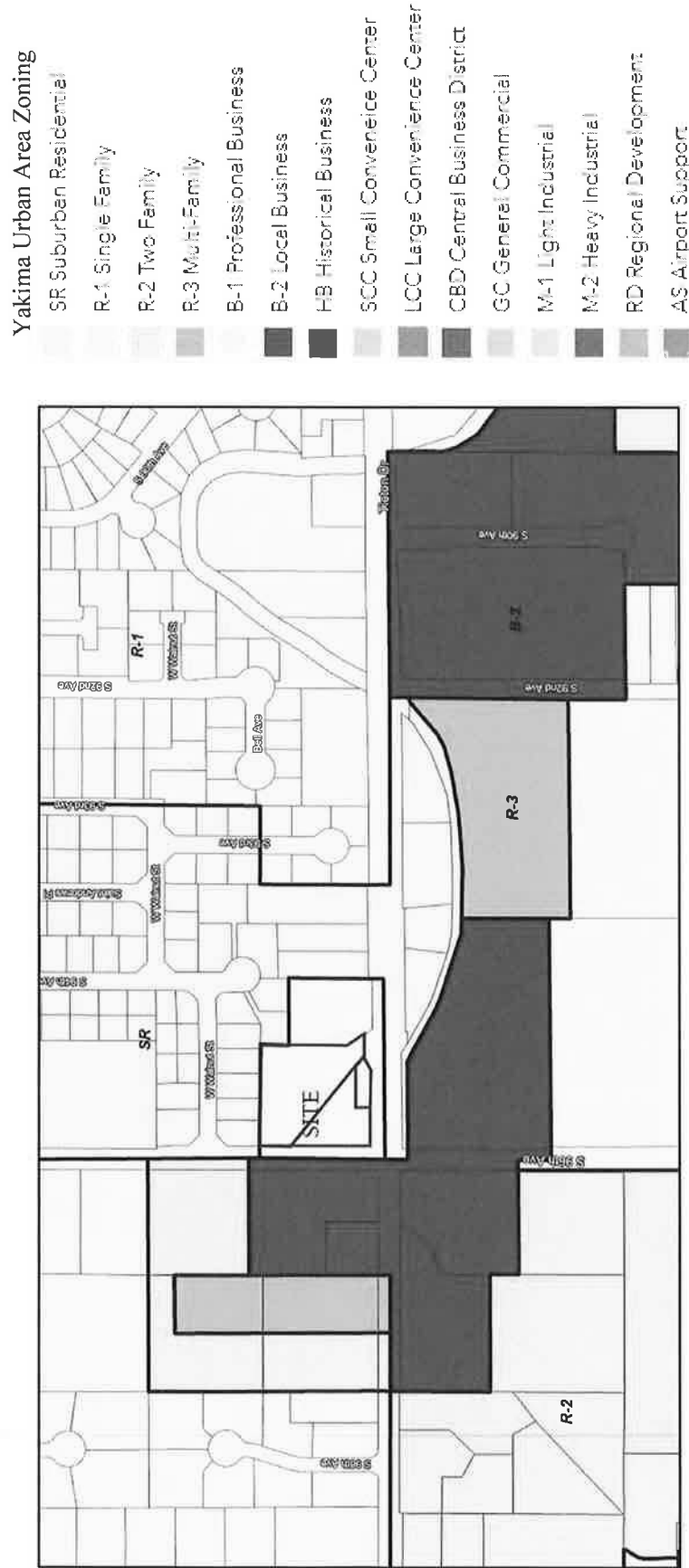
DOC. INDEX #

B-1

File Number(s): PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21



ZONING MAP



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Date Created: 5/26/2021

DOC. INDEX #

B-1



CITY OF YAKIMA
Planning

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



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Date Created: 5/26/2021

DOC, INDEX #

B-1

Project Name: ROBERTO ARTEAGA/ARACELI GONZALES TELLO

Site Address: 9503, 9509, 9515 TIETON DR

File Number(s): PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21



AERIAL MAP



DOC. INDEX #
B-1

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Date Created: 5/26/2021



EXHIBIT LIST

[illegible]

SW COR. SEC. 15
T-13 N. R-18 E. W.M.
YAK-TIE MON. IN MON.
CASE FOUND. SEE
LOR APN. 7133425

TIFTON DRIVE

S 1/4 COR. SEC. 15
T-13 N. R-18 E. W.M.
RAILROAD SPIKE PNO.
SEE LOR APN. 7133420

SOUTH 96TH AVENUE

N 0°00'25" E 2851.31'

W 1/4 COR. SEC. 15
T-13 N. R-18 E. W.M.
2-1/2" ALUM. CAP
IN MON. CASE FOUND
SEE LOR APN. 7001250

SIERRA ESTATES - PHASE 1

SIERRA ESTATES - PHASE 1

LOT 2, S.P. M-12

NOTES

1. O - DENOTES 1/2" REBAR WITH CAP NOS. 18526/44333 SET.
2. O - DENOTES MAG NAIL WITH WASHER NOS. 18929/44333 SET.
3. ● - DENOTES 1/2" IRON PIN WITH CAP NO. 200000000 FOUND.
4. BEARINGS SHOWN ARE ON ASSUMED DATUM, RELATIVE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15 BEING NORTH 89°41'50" EAST.
5. SECTION SUBDIVISION INFORMATION TAKEN FROM THE PLAT OF PROPOSED WEST DIVISION NO. 1, RECORDED IN VOLUME 700 OF PLATS, PAGE 23, RECORDS OF YAKIMA COUNTY, WASHINGTON.
6. GLO SECTION SUBDIVISION CORNERS SHOWN HEREON AS FOUND WERE VISITED IN OCTOBER 2015.
7. PORTIONS OF THE BOUNDARY PREVIOUSLY SURVEYED AND RECORDED IN BOOKS 54, 55 OF 7502030, RECORDS OF YAKIMA COUNTY, WASHINGTON.
8. A PORTION OF THIS SURVEY WAS PERFORMED WITH A LEICA OS14 CHRS RECEIVER CONNECTED TO THE WASHINGTON STATE REFERENCE NETWORK (WSRN) USING REAL TIME KINEMATIC (RTX) PROCEDURES.
9. A PORTION OF THIS SURVEY WAS PERFORMED WITH LEICA MSSO USING FIELD TRAVERSE PROCEDURES.
10. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED IN MAC 332-120-080.

MAR 26 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

SCALE 1" = 20'



PLSA

ENGINEERING-SURVEYING-PLANNING
521 NORTH 20th AVENUE, SUITE 3
YAKIMA, WASHINGTON 98902
(509) 575-8990

DRAWN BY: RICK

DATE: 4/21/2020

JOB NO. 19261

SHEET NO.

1 of 2

CITY OF YAKIMA SHORT PLAT

PARCEL NO. 181319 - 33005, 33006 & 33010

PREPARED FOR

DIGITAL DESIGN & DEVELOPMENT

SW 1/4, SW 1/4, SEC. 15, T-13 N. R-18 E. W.M.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ___ DAY OF
20___ AT ___ M., UNDER A.F. NO. _____
RECORDS OF YAKIMA COUNTY, WASHINGTON.

COUNTY AUDITOR

BY DEPUTY

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A
SURVEY MADE BY ME OR UNDER MY
DIRECTION IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SURVEY
RECORDING ACT AT THE REQUEST
OF LEANNE LIDICAT IN APRIL, 2020.

RICHARD L. WEHR
CERTIFICATE NO. 18929.

DATE



DOC. INDEX #
C-1

EXHIBIT LIST

[illegible]



City of Yakima Development Services Team
Request For Comments
June 4, 2021

To:	City of Yakima Development Services Team
From:	Eric Crowell, Associate Planner
Subject:	Request for Comments
Applicant:	Digital Design & Development c/o Leanne Liddicoat
File Numbers:	PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
Location:	9503, 9509, & 9515 Tieton Dr.
Parcel Number(s):	181319-33005, -33009, & -33010
DST MEETING DATE:	6/8/2021

Proposal

Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq. ft. to 10,063 sq. ft. in size), and a 19,576 sq. ft. commercial lot, located in the R-1 zoning district.

Please review the attached application and site plan and prepare any written comments you might have regarding this proposal. This project will come up for discussion at the weekly DST meeting to be held June 8, 2021 at 2:00 p.m. As always, should you have comments, but find you are unable to attend, please submit your comments prior to the meeting. Should you have any questions, or require additional information, please contact me at eric.crowell@yakimawa.gov or (509) 576-6736.

Comments:

Contact Person

Department/Agency

DOC. INDEX #
D-1

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

DST COMMENTS

Name	Comment	Date
Lisa Maxey – Code Administration Division	See Attached	05/26/2021
David Della – Engineering Division	Per 12.06.090 Private streets shall be constructed with curbs, sidewalks, and street lighting and shall otherwise conform to the standards for public streets.	06/09/2021
Randy Meloy – Surface Water	See Attached	06/08/2021
Kirsten McPherson – Nob Hill Water	Owner will need to submit finalized engineered plans for site. Design and cost estimate will be needed to supply new development. Owner will need to call Nob Hill Water.	05/05/2021
Dana Kallevig – Wastewater Division	Proposed sewer extension will need to be submitted per Title 12 requirements. There is a City of Yakima Wastewater Lift Station on the southwest corner of the lot. The access for this Lift Station will need to be maintained. The associated ENG permit will need to show the lift station limits and call out existing easements.	06/14/2021

DCC. INDEX #

D-2



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

May 26, 2021

To: Eric Crowell, Associate Planner

From: Lisa Maxey, Permit Project Coordinator

Re: DST Comments for PD#001-21 – Master Planned Development for 7 duplex lots and 1 commercial lot

The preliminary addressing for this proposal is:

Lot 1: 413 S 96th Ave #1-2
Lot 2: 415 S 96th Ave #1-2
Lot 3: 417 S 96th Ave #1-2
Lot 4: 419 S 96th Ave #1-2
Lot 5: 421 S 96th Ave #1-2
Lot 6: 9505 Tieton Dr #1-2
Lot 7: 9503 Tieton Dr #1-2
Lot 8: 9515 Tieton Dr

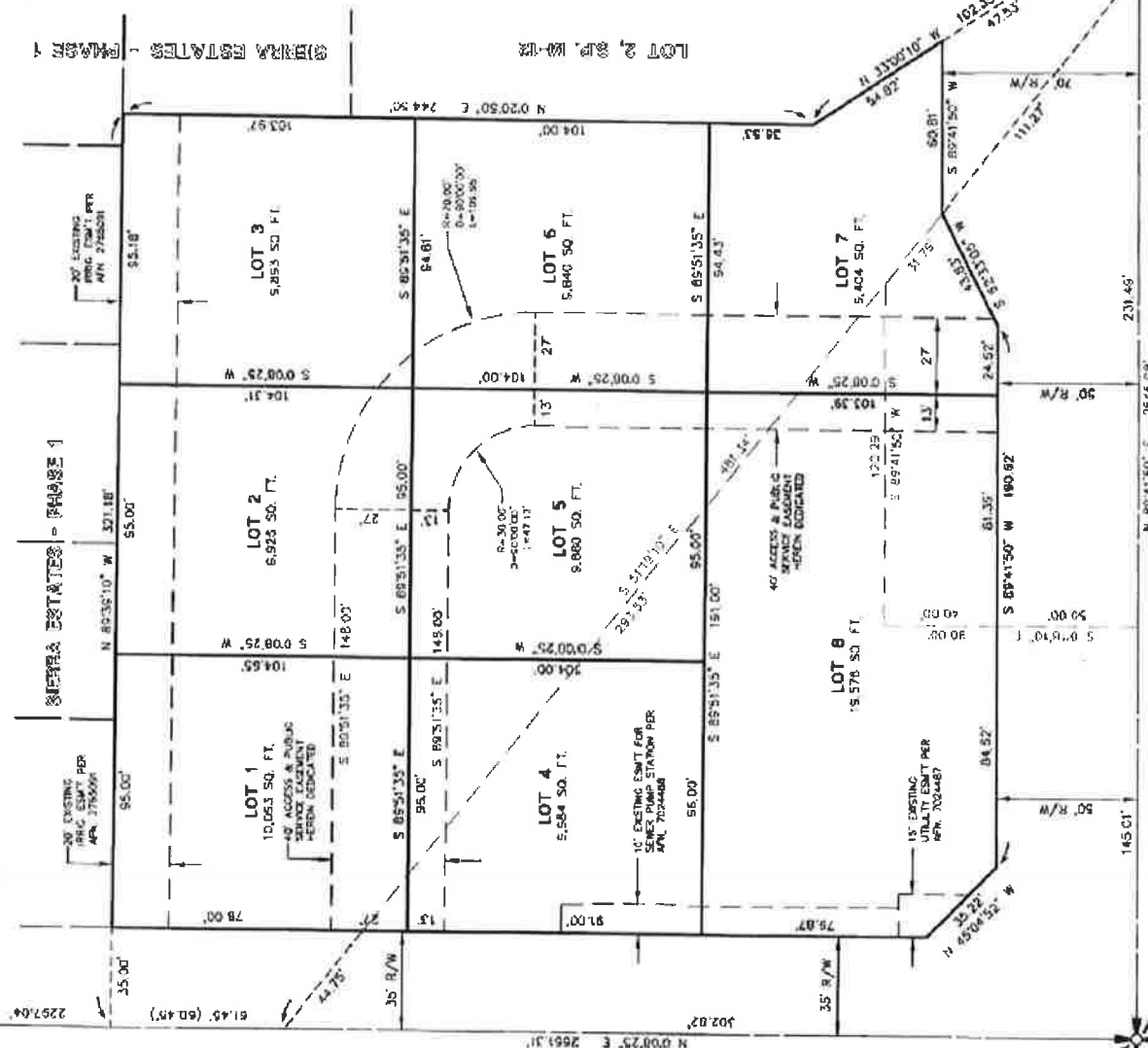
Payment of applicable Wastewater connection fees must be paid pursuant to YMC 7.58.

Any work to be performed in City right-of-way requires an Excavation permit from City Engineering prior to commence work YMC 8.72.

DOC. INDEX #

D-2

SW 1/4 COR. SEC. 15
T-13 N. R-18 E. 1/4
2-1/2" ALUM. CAP
IN MON. CASE FOUND
SEE LOR AFN. 7001260



NOTES

1. O - DENOTES 1/2" REBAR WITH CAP NO'S. 18925/44333 SET.
2. O - DENOTES MAG NAIL WITH WASHER NO'S. 18926/44333 SET.
3. O - DENOTES 1/2" IRON PIN WITH CAP NO. XXXXXXXXX FOUND.
4. BEARINGS SHOWN ARE ON ASSIGNED DATUM, RELATIVE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15 BEING NORTH 05°41'50" EAST.
5. SECTION SUBDIVISION INFORMATION TAKEN FROM THE PLAT OF RIDGEVIEW WEST, DIVISION NO. 1, RECORDED IN VOLUME 1007 OF PLATS, PAGE 25, RECORDS OF YAKIMA COUNTY, WASHINGTON.
6. G.L.D. SECTION SUBDIVISION CORNERS SHOWN HEREON AS FOUND WERE VISITED IN OCTOBER 2015.
7. PORTIONS OF THE BOUNDARY PREVIOUSLY SURVEYED AND RECORDED IN BOOK 23 OF SURVEYS, PAGE 64, BOOK 35 OF SURVEYS, PAGE 18 AND RECORDED IN VOLUME 1007 OF PLATS, PAGE 25, RECORDS OF YAKIMA COUNTY, WASHINGTON.
8. A PORTION OF THIS SURVEY WAS PERFORMED WITH A LEICA GS14 GNSS RECEIVER CONNECTED TO THE WASHINGTON STATE REFERENCE NETWORK (WSRN) USING REAL TIME KINEMATIC (RTK) PROCEDURES.
9. A PORTION OF THIS SURVEY WAS PERFORMED WITH LEICA M550 USING FIELD TRAVERSE PROCEDURES.
10. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED IN WAC 357-130-0102.

SOUTH 96TH AVENUE

DOC. INDEX #

D-2

SW COR. SEC. 15
T-13 N. R-18 E. 1/4
YAK-TE MON. CASE FOUND
SEE LOR AFN. 7153435

TETON DRIVE

S 1/4 COR. SEC. 15
T-13 N. R-18 E. 1/4
RAILROAD SPIKE FOUND
SEE LOR AFN. 7153430



MAR 26 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

ENGINEERING-SURVEYING-PLANNING
921 NORTH 20TH AVENUE, SUITE 9
YAKIMA, WASHINGTON 98902
(509) 575-8990

PLSA

CITY OF YAKIMA SHORT PLAT
PARCEL NO. 181319 - 33000, 33009 & 33010
PREPARED FOR
DIGITAL DESIGN & DEVELOPMENT
SW 1/4, SW 1/4, SEC. 19, T-13 N. R-18 E. 1/4

1 of 2
SHEET NO.
JOB NO. 19261
DATE: 4/21/2020
DRAWN BY: RECK

AUDITORS' CERTIFICATE

FILED FOR RECORD THIS DAY OF
AT _____, UNDER A.F.N. NO. _____
RECORDS OF YAKIMA COUNTY, WASHINGTON.

COUNTY AUDITOR

BY DEPUTY



SURVEYORS' CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT OF 1901 AND THE SURVEYING ACT OF 1907. I CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF WASHINGTON. DATE: 4/21/2020

RECKARD L. MEHR
CERTIFICATE NO. 18929

City of Yakima Stormwater

Memorandum

Date: June 8, 2021

To: Eric Crowell
Associate Planner

From: Randy Meloy
Surface Water Engineer

Subject: PD#001-21
Roberto Arteaga/Araceli Gonzales Tello
9503 Tieton Dr.

Eric,

If this project involves clearing or grading one acre or more, a Large Project Stormwater Permit shall be required from the applicant. The requirements of a Large Project Stormwater Permit are:

- **Drainage plan(s) and calculations**
- **Stormwater maintenance agreement and plan**
- Proof that the maintenance agreement was **recorded** in the Yakima County Auditor's Office
- **Construction Stormwater Pollution Prevention Plan (SWPPP) or Erosivity Waiver.** The Construction SWPPP (or Erosivity Waiver Certificate Statement) shall be reviewed and approved by the Surface Water Engineer prior to any grading or construction. A Temporary Erosion and Sediment Control (TESC) plan shall be submitted for approval.
- In lieu of turning in a Construction Stormwater Pollution Prevention Plan, the applicant can satisfy this requirement by obtaining a Construction Stormwater General Permit through the Washington State Department of Ecology. A copy of the signed General Permit shall be delivered to the Surface Water Engineer.
- A narrative explaining how Core Elements 1-8 are being satisfied.
- An operation and maintenance plan for the perpetual maintenance of the facilities is now required.

Grading and/or building permits shall not be issued without the project site first passing an erosion control inspection.

Complete stormwater design plans, specifications and runoff/storage calculations supporting the stormwater design are required pursuant to the Eastern Washington Stormwater Manual and City of Yakima standards. These plans and control measures must be completed by a licensed Professional Engineer and then be reviewed and approved by the City of Yakima Surface Water Engineer prior to construction.

UIC Registration - Stormwater

In accordance with the August 2019 edition of the Department of Ecology's Stormwater Management Manual for Eastern Washington (SMMEW), Underground Injection Control (UIC) wells constructed on or after February 3, 2006 are considered new and must be registered with the Department of Ecology (DOE) 60 days prior to construction. UIC wells that receive polluted runoff shall retain the larger of the 100-year 3-hour and 100-year 24-hour storms and shall be designed for treatment using Table 5.23 of the SMMEW.

If the clearing and grading is **less than one acre** then a drainage report shall be required for the project. The report shall be prepared by a licensed engineer in Washington State for review by the Surface Water Engineer. All stormwater runoff up to the 25-year storm shall be retained and infiltrated on site.

Randy Meloy
Surface Water Engineer
City of Yakima
(509) 576-6606

DOC. INDEX #
b-2

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER E

Applications

[illegible]

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CITY OF YAKIMA
COMMUNITY DEVELOPMENT



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

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable.

This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV - CERTIFICATION are on this page. PART II and III 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:	Digital Design and Development		
	Mailing Address:	3611 River Road, Suite 100		
	City:	Yakima	St:	WA
	E-Mail:	leanne@3dyakima.com		
2. Applicant's Interest in Property:	Check One:	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Purchaser
		<input type="checkbox"/> Other		
3. Property Owner's Information (If other than Applicant):	Name:	Roberto Arteaga & Araceli Gonzales Tello		
	Mailing Address:	14400 Tieton Drive		
	City:	Yakima	St:	WA
	E-Mail:			

4. Subject Property's Assessor's Parcel Number(s): 181319-33005, 33009, 33010

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

Attached

6. Property Address: 9503, 9509, 9515 Tieton Drive

7. Property's Existing Zoning:

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

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

<input checked="" type="checkbox"/> Planned Development	<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Admin. Adjustment	<input type="checkbox"/> Binding Site Plan
<input type="checkbox"/> Type (1) Review	<input checked="" type="checkbox"/> Type (2) Review	<input type="checkbox"/> Type (3) Review	<input type="checkbox"/> Comprehensive Plan Map or Text Amendment
<input type="checkbox"/> Critical Areas Review	<input type="checkbox"/> Easement Release	<input checked="" type="checkbox"/> Environmental Checklist (SEPA Review)	<input type="checkbox"/> Final Long Plat
<input type="checkbox"/> Final Short Plat	<input type="checkbox"/> Interpretation by Hearing Examiner	<input type="checkbox"/> Long Plat Alteration	<input type="checkbox"/> Modification
<input type="checkbox"/> Non-Conforming Use/Structure	<input type="checkbox"/> Overlay District	<input type="checkbox"/> Preliminary Long Plat	<input type="checkbox"/> Preliminary Short Plat
<input type="checkbox"/> Rezone	<input type="checkbox"/> Right-of-Way Vacation	<input type="checkbox"/> Shoreline	<input type="checkbox"/> Short Plat Amendment
<input type="checkbox"/> Short Plat Exemption	<input checked="" type="checkbox"/> Transportation Concurrence	<input type="checkbox"/> Variance	<input type="checkbox"/> Other:

PART II – SUPPLEMENTAL APPLICATION & PART III – REQUIRED ATTACHMENTS

SEE ATTACHED SHEETS

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.

Property Owner's Signature: *[Signature]*
Applicant's Signature: *Leanne Judd*

Date: 11/12/20
Date: 11/12/20

PSP#009-21

FILE/APPLICATION(S)# PD#001-21, CL2#016-21, SEPA#009-21, 700#007-21

DATE FEE PAID: 5/19/21	RECEIVED BY: online	AMOUNT PAID: \$3105.00	RECEIPT NO: CL. 2-001553
---------------------------	------------------------	---------------------------	-----------------------------

Revised 4/2019

Page | 3

\$1720.00

DOC. INDEX #
E-1



Supplemental Application For:
PLANNED DEVELOPMENT
YAKIMA MUNICIPAL CODE CHAPTER 15.28

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COMMUNITY DEVELOPMENT

PART II - APPLICATION INFORMATION

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

Roberto Arteaga
Araceli Gonzales Tello

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

PLSA Engineering & Surveying Contact: Thomas R. Durant 575-6990
521 N. 20th Ave, Suite 3 Surveyor: Rick Wehr

3. NAME OF PLANNED DEVELOPMENT: 96th & Tieton

4. ZONING OF SUBJECT PROPERTY: (check all that apply)

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

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:

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 Nob Hill ☐ Irrigation

7. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: 50 to 350 feet

B. Distance to Nearest School (and name of school): Cottonwood Elementary, approx. 1/2 mile

C. Distance to Nearest Park (and name of park): West Valley Community, approx. 1 3/4 mile

D. Method of Handling Stormwater Drainage: On-site retention

E. Type of Planned Development: ☐ Residential ☐ Commercial ☐ Industrial ☒ Mixed Use

PART III - REQUIRED ATTACHMENTS

1. PRELIMINARY PLAT/SITE PLAN REQUIRED (please use the attached City of Yakima Plat/Site Plan Checklist)

2. TITLE REPORT (disclosing all lien holders and owners of record):

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

4. ENVIRONMENTAL CHECKLIST

5. NARRATIVE (attached)

6. DRAFT DEVELOPMENT AGREEMENT: (which shall include: Narrative Description of Project and Objectives; Summary of Development Standards; Site Plan Elements; Development Phasing, including times of performance to preserve vesting (YMC 15.28.070); Public Meeting Summaries; Performance Standards and Conditions addressing the items above; Criteria for Determining Major vs. Minor Modifications and amendments; and, Signatures by each owner of property within the Master Development Plan area acknowledging that all owners will agree to be bound by conditions of approval, including use, design and layout, and development standards contained within the approved Plan and Development Agreement.)

I hereby authorize the submittal of the planned development 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 approval and that failure to meet these conditions may result in denial of the development.

Property Owner Signature (required)

Date

11/12/20

OUTLINE: Proposed Development Agreement entered into between the City of Yakima, a Washington municipal corporation ("City"), and Roberto Arteaga and Araceli Gonzales Tello, husband and wife ("Developer"). The agreement will be prepared consistent with a form provided by the City of Yakima or as modified or prepared by the developer's attorney.

1. The "proposed development" is a mixed-use subdivision and planned development, not more than 7 two-family residential structures (duplexes) on separate lots and a single lot for commercial development together with accompanying amenities. The preliminary short plat, type 2 review and planned development application will be reviewed by the Hearing Examiner for the City and, if approved, will be incorporated into the agreement.
2. Developer will agree to abide by the terms and conditions of approval recommended by the Hearing Examiner, the SEPA Determination of Nonsignificance issued by the City and the mitigation and other requirement identified as a part of the DNS. The development will be vested to the regulations, etc., in effect on the date the development agreement is recorded. The City's Master Planned Development ordinance (YMC 15.28), as it exists on that date, will guide and control the planned development aspect of the development until the agreement terminates
3. **Summary of proposed modifications to development standards:** Proposed reduction of the following Title 12 private road standards (YMC 12.06.090):
 - a. Access easement width from 50 feet to 40 feet,
 - b. Pavement width from 30 feet to 24 feet,
 - c. Sidewalk on only one side of the street,

To the extent that it is considered a reduction in City standards, slopes on the private street to exceed 10% as approved by the Fire Official in accordance with YMC 15.05.055.

Increase in lot coverage for Lot '8', the proposed commercial lot, to 100% (YMC 15.05.030(A), Table 5-1).

Modification of the following sitescreeing standards (YMC 15.07) to allow residential fences as they are installed, to serve as sitescreeing between commercial development on Lot '8' and contiguous residential lots:

- a. Requirement to sitescreeen a commercial land use along a property line shared with a vacant parcel in the R-1 zone (YMC 15.07.020).
- b. Required sitescreeing completion prior to occupancy or commencement of (in this case, commercial) use (YMC 15.07.100).
- c. Sitescreeing to be located on the property line (YMC 15.07.070(1)).

Permitted uses of the commercial lot are to be all listed Class 1, 2 and 3 land uses in the General Commercial zone subject to review under said classifications.

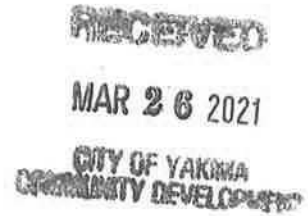
4. This term of the agreement is thirty years unless extended or terminated as provided for in the agreement or when the property has been fully developed, whichever occurs first. The agreement does not relieve the Developer's responsibility to comply with other codes and requirements.
5. Private streets in the development will remain private and not accepted by the City as public streets
6. Minor modifications will undergo Type 1 Review and are reviewed by the administrative official to determine 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.
 - c. The amendment does not materially change the type and character of approved uses.
 - d. The amendment does not materially change parking or traffic circulation within the development.
 - e. The amendment does not materially change 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.
 - 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 undergo Type 3 Review and referred to the hearing examiner.

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COMMUNITY DEVELOPMENT

DOC. INDEX #

E-1



Written Narrative – Part IV: Master Planned Development

Introduction

This proposal is to subdivide three existing parcels into an 8-lot subdivision consisting of seven duplex lots and a commercial lot. The finished project will consist of 14 residential units on an interior private street and a commercial site with frontage on 96th Avenue and Tieton Drive. The master planned development application is being used to provide for an internal private street for residential access that does not meet all City road standards and to allow the commercial lot.

1. What land uses are proposed?

Proposed land uses are seven duplexes and yet undetermined commercial land use. It is anticipated that the commercial use will be typical of the General Commercial zoning district, although the size, location, access limitations and other characteristics will tend to limit the use of the site to commercial land uses of a more compatible neighborhood commercial nature. As proposed, the development agreement will also limit minor modifications in the manner required by YMC 15.28.080. This includes no substantial increase in area for a particular land use, no material changes in the type or character of approved land uses or material impacts on the overall design of the approved master plan.

The application is being made as a Mixed-use planned development under YMC 15.28.020 (A)(4) based on mixed use planned developments being permitted in the R-1 zone (YMC 15.28.020(A)) and the proposed commercial lot size exceeding the 10% limitation for non-residential land uses in residential planned developments (YMC 15.28.020(C)(2))¹.

The mixed-use category is appropriate to this site because commercial use of the corner of 96th Avenue and Tieton Drive is consistent with commercial zoning of the other corners and is more compatible with this signalized intersection. As such, it is designed in harmony with the overall site plan and does not significantly impact adjoining properties and development. It provides flexibility in design, concept and usage that meets the needs of the community and marketplace (YMC 15.28.020(B)(3)).

¹ This limitation is characterized as a factor that the hearing examiner should **take into consideration** when authorizing additional land uses (YMC 15.28.020(C)). This suggests that it is not necessarily mandatory in a residential planned development.

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COMMUNITY DEVELOPMENT

2. Will the land be subdivided? If so, what type of subdivision? (Long Plat, Short Plat, Binding Site Plan, etc.)

The eight lots will be created by short subdivision, although it is also possible to reconfigure the three existing parcels.

3. How does the proposed Planned Development allow flexibility in development standards and permitted uses while ensuring compatibility with neighboring uses?

Revised street improvement standards are intended to develop a narrower street providing a smaller scale character to the proposed neighborhood and to make more of the site available for residential use. As a private residential street and not a through street, it will have low speeds and traffic levels. A single sidewalk is to be provided for pedestrian access. The slope of the proposed street is necessary to accommodate existing topography. The commercial site is intended to provide for mixed use and to make use of a corner on a busy intersection that is less desirable for residential use. Since the other corners of the intersection are now zoned commercial, the use of this property should be generally compatible with surrounding properties. The commercial lot will have direct frontage and access on to the adjoining arterial streets and will not utilize the neighborhood street for access except where it enters the site at the commercial lot.

4. Describe how the proposed Planned Development facilitates the efficient use of the land.

Because of its topography, this is a relatively difficult site to develop. The narrower street configuration provides for efficient use of the site allowing more space for residential sites. Orientation of the residential and commercial land uses to the 96th Avenue / Tieton Drive intersection provides for a transition of land use intensity from the existing neighborhoods north and east of the site to the commercial site at the intersection. The slopes are a physical boundary between residential and commercial use of the site.

5. Describe how the proposed Planned Development increases economic feasibility (i.e., fostering efficient arrangement of land use, buildings, transportation systems, open space and utilities).

Duplexes are permitted as a Class 2 land use in the R-1 zoning district. Proposed lot sizes and lot widths conform to the minimum zoning standards and the residential lots conform to minimum lot coverage and building height standards. For the commercial lot, a modified lot coverage standard is proposed consistent with standards typically allowed for commercial use. The planned development and subdivision are efficiently laid out and consist of private vehicular circulation and residential lots.

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CITY OF YAKIMA
PLANNING & COMMUNITY DEVELOPMENT

6. How does the proposed Planned Development preserve or enhance natural amenities, features, shorelines and critical areas in the development of the site?

Site design provides for the topography of the site, generally consisting of two levels separated by a relatively steep slope. The slope will accommodate view lots and possibly daylight basements and forms a logical boundary between the residential area on the higher part of the site and the commercial area fronting on the signalized intersection. No common open space is proposed because lot sizes are sufficient for private yards. There are no shorelines or critical areas on or in proximity to the site.

7. Identify environmental impacts and appropriate mitigation measures.

SEPA review has not been completed and significant environmental impacts have not been identified. Some of the site considerations that are being made, based in part on meeting with the City Development Service Team, include locating site approaches with sufficient distance from the signalized intersection, designing the interior street to reduce the potential for hazardously steep slopes coming into the approaches to City streets and accommodating a pressurized sewer main in 72nd Avenue in utility design. Design of the commercial and residential parts of the project to account for topography and orientation to the signalized arterial street intersection promotes compatibility among the land uses on the site and nearby neighborhoods.

8. How does the proposed Planned Development encourage environmentally sustainable development?

The project will use "low-impact development" concepts defined as stormwater management and land development strategies that emphasize conservation and use of existing natural site features integrated with disturbed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings (YMC 15.02.020). Stormwater will be retained on-site and drainage and infiltration facilities. The proposal accommodates population growth within the urban growth area to the benefit of resource and sensitive lands farther out and to reduce sprawl.

9. What services and facilities are available to serve the property? Are those services adequate?

Available utilities include 8-inch sewer lines and 12-inch water lines in both Tieton Drive and 96th Avenue. Existing fire hydrants are on Tieton Drive in front of the proposed commercial lot and northwest of the site at the corner of 96th Avenue and Walnut Street. Also available are electric power, natural gas, cable television and telephone. The site is in the West Valley School District – Cottonwood Elementary School is about ½ mile away – and is served by City fire, police and emergency services.

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CITY OF YAKIMA
COMMUNITY DEVELOPMENT

10. Will the proposed development promote economic development, job creation, diversification or affordable housing?

With or without the Master Planned Development, the project provides economic development and construction jobs. The proposed housing adds to capacity currently needed in the community.

11. How does the proposed development create vibrant mixed-use neighborhoods, with a balance of housing, commercial, and recreational facilities?

The proposal, along with neighboring properties, provide a mix of housing and commercial opportunities to this area. The neighborhood to the north and east has a combination of attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes. There is a self-storage (residential mini storage) complex about 300 feet north of the site. Property to the east has older homes on larger lots north of Tieton Drive and newer duplexes and single-family residence on the south side of the street. The properties across 96th Avenue and Tieton Drive are commercially zoned parcels that are mostly undeveloped, with single-family homes and a few small businesses.

12. How is the proposal consistent with goals, policies, and objectives of the Yakima Urban Area Comprehensive Plan?

Consistency with Plan goals and policies include the following:

Policy 2.1.7. Allow new development only where adequate public services can be provided.

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.

Duplexes are allowed in appropriate residential zones provided that density standards are met (Policy 2.3.1.E) and are listed as a permitted use in the R-1 zone (Class 2 review – generally permitted). Pedestrian orientation is provided by the private access street. Lot size and home design provide usable open space on each lot.

The proposal preserves and enhances established residential neighborhoods (Policy 2.3.2) by providing housing units in an area already characterized by a mixture of housing types and that are compatible with them in character and design. Tieton Drive and 96th Avenue are served by public transit.

The private residential street is safe and walkable (Policy 2.3.3), ties into existing sidewalks on the arterial streets, and has good connections with transit access to schools, parks and commercial services.

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The commercial lot can be allowed in a residential zone under Policy 2.3.6.

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The proposal adds to the diversity of housing choices consistent with Goal 5.1.

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The use of transitional densities to ensure compatibility is consistent with Policy 5.4.2. In this case the transition is from the existing neighborhood north and east to the somewhat higher residential density of the site and then to commercial at the intersection of 96th and Tieton.

13. How does the proposed Planned Development utilize unique and innovative facilities that encourage the efficient and economical use of the land?

Development of the project to the topographic characteristics of the site using a modified, narrower street design encourages efficient and economical use of the land.

14. Does the proposed Planned Development promote a sound system for traffic and pedestrian circulation? Describe.

The small-scale private access street will provide a safe route for vehicles and pedestrians with a single sidewalk that connects to existing sidewalks and transit on 96th and Tieton. Sidewalks are continuous on both sides of Tieton Drive to the west, 96th Avenue to the north and south on 96th Avenue to Cottonwood School and beyond.

15. How does the proposed Planned Development promote open space and use of natural and/or developed amenities?

The project is being designed to physical characteristics of the site, which is made up of two levels separated by a relatively steep slope. This provides for residential views and a physical boundary between the residential and commercial elements of the development, the latter which is oriented to the arterial street intersection. Private yards are being provided on each residential lot.

16. Will the proposed Planned Development provide an architecturally attractive, durable and energy efficient development?

Residential buildings will be similar in look, but varied in part to account for lot slope and configuration. A mix of exterior surfaces and colors that are compatible with the surrounding neighborhoods will be used. They are being designed to conform to current building codes and

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the Washington State Energy Code. All City setback, lot coverage, lot size and lot width standards are to be met on the residential lots.

17. Please provide a summary of all previously known land use decisions affecting the applicant's property and all outstanding conditions of approval with respect to such prior land use decisions.

Review of public records did not uncover any previous land use decisions affecting this property. It is not part of a plat or short subdivision and Yakima County Assessor's records show no segregation or merge transactions recorded in their system.

18. Any other development standards proposed to be modified from the underlying zoning district requirements.

Underlying zoning district standards being reduced by this application other than private road construction standards are focused on the commercial lot. A lot coverage standard of 100% is proposed, typical of commercially zoned areas in the City. This addresses the need for additional impervious surfaces such as parking and for less open space. Sitescreening standards are to be modified to take into account the topographic characteristics.

Private roads are allowed in master planned development overlays by YMC 15.09.100. The proposal conforms to private road standards with the following exceptions:

- a. YMC 15.09.100(A) requires the private road to be constructed to the minimum standards of the jurisdiction. The minimum standards are in Title 12 and the fire apparatus road standards required by YMC 15.05.055. Deviation from these minimums are described below.
- b. Deviation from Title 12 standards for private roads (YMC 12.06.090) include easement width of 40 feet rather than 50 feet, pavement width of 24 feet, sidewalk on one side of the street (YMC 12.05.010) and decorative street lights that may not entirely meet the design standards of the City engineer (YMC 12.06.080).
- c. Slopes exceeding 10 percent on the private street are proposed to accommodate the topography of this site. While this slope standard is given as a maximum for fire apparatus roads, the fire official may authorize it to be exceeded in some instances. On this basis, if such authorization is given, it would presumably not be a deviation from YMC 15.05.055, which does not specifically require this standard.

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A modified lot coverage standard of 100% is proposed for the commercial lot only, consistent with the standard for the General Commercial zone. Parking lot landscaping and stormwater control will probably reduce lot coverage in the commercial lot to below this maximum.

The modified lot coverage standard is consistent with that required in commercial areas and the intent of lot coverage in commercial districts to promote development consistent with the character of the district, protect setbacks and integrate open space, landscaping and off-street parking because the latter improvements will be required under other code provisions not being modified. The standard is consistent with the intent of lot coverage in the R-1 zone to protect the open character of the district with setbacks and other design characteristics that promote compatibility between commercial and residential elements of this proposal.

Modified sitescreening requirements between the commercial and residential lots are to allow residential fences to meet the normally required Standard 'C' requirement under YMC 15.07. Deviations would be from YMC 15.07.020, which for commercial land use, requires sitescreening along a property line shared with a vacant parcel in the R-1 zone, from YMC 15.07.100, that requires sitescreening to be completed prior to occupancy or commencement of use and from YMC 15.07.070(1) requiring sitescreening to be located on the property line because due to the slope, residential fences may not be directly on the property line. For Lot 7, the fence may be located across the private street from and above the east line of the commercial lot.

The modification to the sitescreening standard would allow residential fences to be constructed as the residential lots are developed. This is to accommodate the slopes between the commercial site and residential lots and in that manner to meet the purpose of sitescreening to provide a visual buffer between land uses of different intensity. This purpose is being met because of the effect that the slope has on standard sitescreening requirements. Sitescreening is not necessary to reduce erosion and stormwater runoff because this will be accomplished for this site by other required measures.

19. What are the aesthetic considerations related to building bulk, architectural compatibility, light and glare, urban design, solar access and shadow impacts.

Residential buildings are designed to be architecturally compatible with surrounding neighborhoods. The commercial lot would be compatible with commercially zoned properties at the 96th and Tieton Drive intersection. None of the existing zoning district standards for bulk, light and glare are being reduced in the residential lots. Proposed building height is 35 feet and with setbacks and topographic characteristics (same general elevation as surrounding areas) no adverse solar access issues are expected.

Because the commercial lot is at a lower elevation than the residential neighborhoods, this should not pose adverse solar access issues.

20. Please provide an inventory of any on-site cultural, historic and/or archaeological resources.

Review of public records available from the Department of Archaeology and Historical Preservation showed no inventoried resources on the project site.

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Supplemental Application For:
PRELIMINARY SHORT 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.

Roberto Arteaga
 Araceli Gonzales Tello

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

PLSA Engineering & Surveying Contact: Thomas R. Durant 575-6990
 521 N. 20th Ave, Suite 3 tdurant@plsaoofyakima.com
 Yakima, WA 98902 Surveyor: Rick Wehr

3. NUMBER OF LOTS AND THE RANGE OF LOT SIZES: 8 lots; 9,404 - 10,063 sf (res.) 19,576 sf (com.)

4. 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?

None.

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.

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

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

6. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: 50 to 350 feet

B. Distance to Nearest School (and name of school): Cottonwood Elementary, approx. 1/2 mile

C. Distance to Nearest Park (and name of park): West Valley Community Park - Approx 1 3/4 mile

D. Method of Handling Stormwater Drainage: On-site retention

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

2. PRELIMINARY PLAT REQUIRED (please use the attached City of Yakima Preliminary Plat Checklist)

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.

Roberto Arteaga
 Property Owner Signature (required)

5/18/21
 Date



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)

Two-Family Dwelling (Duplex) (*)

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 Narrative

B. How is the proposal compatible to neighboring properties?

See Attached Narrative

C. What mitigation measures are proposed to promote compatibility?

See Attached Narrative

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

See Attached Narrative

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

See Attached Narrative

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

See Attached Narrative

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Written Narrative – Part IV: Type 2 Review

- 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:**

This Type 2 review application is to authorize the development of 14 duplexes in the R-1 zone. Off-street parking on each residential lot is to provide a minimum of two parking spaces per unit, or four spaces per lot for a total of at least 28 parking spaces.

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

Residential use of neighboring properties is a mixture of attached and detached single-family residences and duplexes, with single-family dwellings predominant. The proposed development provides a transition from the adjoining neighborhood to the commercial land use and zoning at the intersection of 96th Avenue and Tieton Drive. It is to be served by its own private street with no direct connection to the surrounding lower density areas.

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

Duplexes designed to be similar in look but varied with a mix of exteriors and colors that are compatible with surrounding neighborhoods. R-1 zoning standards are being followed, including standards that have the most effect on compatibility – building height, residential setbacks and lot coverage.

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

This proposal is consistent with the intent of the Single-Family Residential zone to establish residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents, which may include duplexes if established during the subdivision process (YMC 15.03.020(B)). A private street is to be provided to allow for access from individual lots as a better alternative to using the arterial streets for access that, in this instance, are the only City streets available to the site.

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

Surrounding properties are Suburban Residential to the north and east and B-2, Local Business to the south and west. There are also higher density R-2 and R-3 zoned areas farther to the west and northwest and to the southeast across Tieton Drive. The proposal is consistent with the residential use and densities of the surrounding residential areas.

Compatibility with the commercially zoned areas is being addressed by the planned commercial use of a new proposed lot at the intersection of the two major adjoining streets, an action that is not part of this Type 2 review. The commercial lot along with the different elevations that characterize the project site provide for a transition from the commercial

zoned lands across the street and the busy intersection to the proposed duplex development. The transition continues to the lower density residential areas to the north and east which are characterized by a mixture of residential construction including attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes, a self-storage (residential mini storage) complex about 300 feet north of the site, older homes on larger lots on the north side of Tieton Drive and newer duplexes and single-family residence on the south side of the street.

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

The proposed housing is consistent with comprehensive plan policies 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, encourage diverse and affordable housing choices throughout the City, convenient access to transit and a range of unit types.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

YAKIMA MUNICIPAL CODE CHAPTER 6.88

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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 you 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

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

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

1. **Name Of Proposed Project (If Applicable):**
96th and Tieton
2. **Applicant's Name & Phone:**
Digital Design and Development
3. **Applicant's Address:**
4. **Contact Person & Phone:**
Leanne Liddicoat, 833-8552
5. **Agency Requesting Checklist:** City of Yakima
6. **Proposed Timing Or Schedule (Including Phasing, If Applicable):**
Begin construction as soon as duplexes are permitted, projected Fall of 2020. Commercial construction in Spring 2021.
7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:**
No
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:**
Not aware of any.

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

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:
No.

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

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.):

Master planned development consisting of seven residential lots, to be improved with 14 duplex units, ranging from 9,404 to 10,063 square feet in size and a 19,576 square foot commercial lot. The residential lots are to be served by a private street. The entire development served by public sewer and water service.

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:

Northeast corner of S. 96th Avenue and Tieton Drive in Yakima. The site is in the SW quarter of Section 19, T. 13 N., R. 18 E.W.M. Yakima County Parcel numbers 181319-33005, 33009 & 33010.

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
1. Earth	<div style="text-align: center;"> RECEIVED MAR 26 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT </div>
a. General description of the site (✓ one):	
<input checked="" type="checkbox"/> flat <input type="checkbox"/> rolling <input type="checkbox"/> hilly <input checked="" type="checkbox"/> steep slopes <input type="checkbox"/> mountainous <input type="checkbox"/> other	
b. What is the steepest slope on the site (approximate percent slope)? Slopes up to 40% separate the property into two levels.	
c. 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. NRCS soil classifications are Gorst, Harwood and Cowiche loam, of which the Cowiche is considered to be prime farmland. The site is not designated agricultural land of long-term commercial significance due to its location in the City limits. No soil to be removed.	
d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No.	
e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Excavation and grading for internal street, homesites and commercial site. Entire property affected. Any off-site fill would be as needed to balance cuts and fills.	
f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Some erosion potential during construction that can be addressed through commonly used construction practices.	
g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Up to 100% for commercial lot but probably less. Including typical residential lot coverage, up to approximately 80% of the entire site.	
h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Commonly used practices to control erosion. Objective to balance cuts & fills to extent possible. Landscaping and drainage control of impervious surfaces for completed project.	
2. Air	
a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Some dust emissions during construction. Minimal vehicle exhaust emissions from the completed development.	
b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No.	
c. Proposed measures to reduce or control emissions or other impacts to air, if any: Dust control measures as specified by dust control plan such as application of water and controlling vehicle track-out. Parking and vehicle areas to be hard surfaced for completed project. Vehicle emissions controlled at the source by the State.	
3. Water	
a. Surface Water	




B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments	
<p>1. 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.</p> <p>No.</p>	<p>RECEIVED MAR 28 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>	
<p>2. 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.</p> <p>N/A.</p>		
<p>3. 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.</p> <p>N/A.</p>		
<p>4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.</p> <p>No. Domestic water is available to the site from Nob Hill Water Association.</p>		
<p>5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.</p> <p>No.</p>		
<p>6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.</p> <p>No.</p>		
<p>b. Ground Water</p>		
<p>1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.</p> <p>No.</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>None. City sewer service is available.</p>		
<p>c. Water Runoff (including stormwater)</p>		

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<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.</p> <p>New and existing rooftops and hard-surfaced parking and travel surfaces. Use of on-site retention and infiltration facilities to control run-off.</p>	<p>RECEIVED</p> <p>MAR 26 2021</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>2. Could waste materials enter ground or surface waters? If so, generally describe.</p> <p>No.</p>	
<p>3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.</p> <p>No.</p>	
<p>d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:</p> <p>Stormwater plan preparation and approval by City. On-site retention of stormwater.</p>	
<p>4. Plants</p>	
<p>a. Check (✓) types of vegetation found on the site:</p>	
Deciduous Tree:	<input type="checkbox"/> Alder <input type="checkbox"/> Maple <input type="checkbox"/> Aspen <input 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 <input type="checkbox"/> Crop Or Grain <input type="checkbox"/> Orchards, vineyards, or other permanent crops
Wet Soil Plants:	<input type="checkbox"/> Cattail <input type="checkbox"/> Buttercup <input type="checkbox"/> Bullrush <input type="checkbox"/> Skunk Cabbage <input type="checkbox"/> Other
Water Plants:	<input type="checkbox"/> Milfoil <input type="checkbox"/> Eelgrass <input type="checkbox"/> Water Lily <input type="checkbox"/> Other
<p><input checked="" type="checkbox"/> Other types of vegetation forbs, weeds</p>	
<p>b. What kind and amount of vegetation will be removed or altered?</p> <p>The site will be cleared of existing vegetation as it is developed.</p>	
<p>c. List threatened or endangered species known to be on or near the site.</p> <p>None.</p>	
<p>d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:</p> <p>The completed development will be landscaped as typical for residential lots and neighborhood commercial</p>	
<p>e. List all noxious weeds and invasive species known to be on or near the site.</p> <p>Not aware of any.</p>	
<p>5. Animals</p>	
<p>a. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.</p> <p>Examples include:</p> <p>birds: hawk, heron, eagle, songbirds, other:</p> <p>mammals: deer, bear, elk, beaver, other:</p> <p>fish: bass, salmon, trout, herring, shellfish, other _____</p> <p>Song birds, small mammals.</p>	
<p>b. List any threatened or endangered species known to be on or near the site.</p> <p>None.</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>c. Is the site part of a migration route? If so, explain. Not aware of it being in a migration route.</p>	
<p>d. Proposed measures to preserve or enhance wildlife, if any: None.</p>	
<p>e. List any invasive animal species known to be on or near the site. None.</p>	
<p>6. Energy and Natural Resources</p>	
<p>a. 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. Electric power and natural gas for heating and other residential energy needs.</p>	<p>RECEIVED MAR 26 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No.</p>	
<p>c. 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: None.</p>	
<p>7. Environmental Health</p>	
<p>a. 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. No.</p>	
<p>1. Describe any known or possible contamination at the site from present or past uses. None known.</p>	
<p>2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. None.</p>	
<p>3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Chemicals used for cleaning, maintenance and landscaping but nothing out of the ordinary for a typical residential or commercial land use.</p>	
<p>4. Describe special emergency services that might be required. None.</p>	
<p>5. Proposed measures to reduce or control environmental health hazards, if any: None.</p>	
<p>b. Noise</p>	
<p>1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)? None.</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments	
<p>2. 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.</p> <p>Short term equipment noise during construction and traffic noise when the project is completed.</p>	<p>RECEIVED</p> <p>MAR 26 2021</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>	
<p>3. Proposed measures to reduce or control noise impacts, if any:</p> <p>Construction hours limited as required by City Code. Small scale private residential street should limit traffic noise. The area with direct frontage on the arterials to be in commercial use.</p>		
<p>8. Land and Shoreline Use</p>		
<p>a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.</p> <p>The site is vacant. Surrounding properties are residential with both single and two-family dwellings, a few small businesses to the south and west and self-storage about 300' north.</p>		
<p>b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?</p> <p>The site may have been in agricultural use in the past but not recently. It does not have current use tax status. No farmland would be converted to non-farm use by this proposal.</p> <p>1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:</p> <p>No.</p>		
<p>c. Describe any structures on the site.</p> <p>None.</p>		
<p>d. Will any structures be demolished? If so, what?</p> <p>N/A.</p>		
<p>e. What is the current zoning classification of the site?</p> <p>R-1, Single Family Residential</p>		
<p>f. What is the current comprehensive plan designation of the site?</p> <p>Low Density Residential</p>		
<p>g. If applicable, what is the current shoreline master program designation of the site?</p> <p>N/A.</p>		
<p>h. Has any part of the site been classified as a critical area by the city or county? If so, specify.</p> <p>No.</p>		
<p>i. Approximately how many people would reside or work in the completed project?</p> <p>Approximately 35 residents when built out. The number of workers at the commercial site is not determined at this time, but would be small business, based on the size of the site.</p>		
<p>j. Approximately how many people would the completed project displace?</p> <p>None.</p>		

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>k. Proposed measures to avoid or reduce displacement impacts, if any. N/A.</p>	
<p>l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Transitions from commercial at intersection to lower-density residential to north and west.</p>	
<p>m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: No agricultural or forest lands of long-term commercial significance in the immediate vicinity.</p>	
<p>9. Housing</p>	<p>RECEIVED MAR 26 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Fourteen</p>	
<p>b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. None.</p>	
<p>c. Proposed measures to reduce or control housing impacts, if any: None.</p>	
<p>10. Aesthetics</p>	
<p>a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Building height standard of the R-1 zone is 35 feet. Wood frame residential structures. Commercial structures, wood frame, masonry or steel buildings as is typical.</p>	
<p>b. What views in the immediate vicinity would be altered or obstructed? New buildings erected next to neighboring properties to the north and east, although the difference in elevation is not substantial. The commercial site is at the bottom of a slope reducing its potential effect on views. Properties to the south and west are generally lower in elevation than the site. The view of the site from surrounding areas will change from that of vacant land to a mixed commercial and residential development.</p>	
<p>c. Proposed measures to reduce or control aesthetic impacts, if any: Residential buildings similar in look with some variety, a mix of exterior surfaces and colors. Commercial site at signalized intersection, across from existing commercial at lowest part of site.</p>	
<p>11. Light and Glare</p>	
<p>a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Parking lot and street lighting. Typical residential lighting. Security lighting, possible lighted signage on commercial lot. During all hours of darkness.</p>	
<p>b. Could light or glare from the finished project be a safety hazard or interfere with views? No.</p>	
<p>c. What existing off-site sources of light or glare may affect your proposal? None.</p>	
<p>d. Proposed measures to reduce or control light and glare impacts, if any: Lighting fixtures shielded and not directed toward surrounding areas. Lighted signage to also meet City standards.</p>	
<p>12. Recreation</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
a. What designated and informal recreational opportunities are in the immediate vicinity? Parks and school playgrounds in the general vicinity.	
b. Would the proposed project displace any existing recreational uses? If so, describe. No.	
c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: No expected impacts.	<div style="text-align: right;">    </div>
13. Historic and Cultural Preservation	
a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. No.	
b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. None identified.	
c. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. None.	
14. Transportation	
a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. S. 96th Ave. & Tieton Drive, both City arterials. Residential access proposed in 2 locations at least 200 feet from the intersection. Commercial site access 100' or more from intersection.	
b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Yes. Transit stop at the intersection.	
c. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Two residential parking spaces per dwelling unit for a total of 28 spaces, possibly additional residential parking. Commercial site parking not determined but based on its use.	
d. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). No.	
e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No.	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?</p> <p>Residential development is expected to generate 82 to 140 daily vehicular trips based on ITC Trip Generation Manual projections. The City will determine peak traffic volumes as part of its traffic concurrency review.</p>	<p>RECEIVED MAR 26 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:</p> <p>No.</p>	
<p>h. Proposed measures to reduce or control transportation impacts, if any:</p> <p>None proposed or expected.</p>	
<p>15. Public Services</p>	
<p>a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:</p> <p>There would be an increase in the need for public services, but consistent with the growth potential being planned for in this location.</p>	
<p>b. Proposed measures to reduce or control direct impacts on public services, if any.</p> <p>None.</p>	
<p>16. Utilities</p>	
<p>a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____</p>	
<p>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.</p> <p>City of Yakima will provide sewer service. Domestic water service from Nob Hill Water. Energy from Pacific Power & Cascade Natural Gas. Utility installation in conjunction with internal street construction & site development.</p>	
<p>C. SIGNATURE (To be completed by the applicant.)</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>	
<p><i>Leanne Liddicoat</i></p> <p>Property Owner or Agent Signature</p>	<p>11/12/20</p> <p>Date Submitted</p>
<p><i>Leanne Liddicoat</i></p> <p>Name of Signee</p>	<p>Digital Design & Dev.</p> <p>Position and Agency/Organization</p>
<p>PLEASE COMPLETE SECTION "D" ON THE NEXT PAGE IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW</p>	

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (To be completed by the applicant.) (IT IS NOT NECESSARY to use this sheet 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, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.</p>	<p>RECEIVED MAR 26 2021 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>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?</p>	
<p>Proposed measures to avoid or reduce such increases are:</p>	
<p>2. How would the proposal be likely to affect plants, animals, fish, or marine life?</p>	
<p>Proposed measures to protect or conserve plants, animals, fish, or marine life are:</p>	
<p>3. How would the proposal be likely to deplete energy or natural resources?</p>	
<p>Proposed measures to protect or conserve energy and natural resources are:</p>	
<p>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?</p>	
<p>Proposed measures to protect such resources or to avoid or reduce impacts are:</p>	
<p>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?</p>	
<p>Proposed measures to avoid or reduce shoreline and land use impacts are:</p>	
<p>6. How would the proposal be likely to increase demands on transportation or public services and utilities?</p>	
<p>Proposed measures to reduce or respond to such demand(s) are:</p>	
<p>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.</p>	

fwd original to David Della engineering 3/29/2021
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CITY OF YAKIMA
COMMUNITY DEVELOPMENT

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

FEE: \$250 (Receipt # _____)

Applicant Name: <u>Digital Design & Devel.</u> Contact Person: <u>Leanne Liddicoat</u> Mailing Address: <u>3611 River Rd, Ste 100</u> <u>Yakima, WA 98902</u>	Project Address: <u>9503 Tieton Drive</u> <u>9509 Tieton Drive</u> <u>9515 Tieton Drive</u> Parcel No(s): <u>181319-33005, 33009,</u> <u>33010</u>
---	--

RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Housing Type* <u>Duplex</u> (Single-Family, Apartments, etc)	Describe Use* <u>Commercial</u>	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>14</u>	Number of Employees _____	Number of Employees _____

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

Project Description: Master Planned Development and 8 lot short plat. Seven duplex lots, 1 commercial lot, approx. 20,000 sq. ft. Commercial business as allowed in General Commercial zone and as typical for this lot size and location.

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



First American

Schedule C

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3462888

The land in the County of Yakima, State of Washington, described as follows:

PARCEL A:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE EAST 376.5 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 30.0 FEET;
THENCE NORTH 32°42' WEST 102.35 FEET;
THENCE NORTH 0°39' EAST 244.5 FEET;
THENCE NORTH 89°21' WEST 320.15 FEET TO THE WEST LINE OF SAID SECTION 19;
THENCE SOUTH 0°26' WEST ALONG SAID WEST LINE OF SAID SECTION 19, A DISTANCE OF 60.45 FEET;
THENCE SOUTH 51°01' EAST 481.3 FEET TO THE POINT OF BEGINNING,
EXCEPT COUNTY ROAD.

PARCEL B:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, AT A POINT 145 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE CONTINUING EAST 231.5 FEET;
THENCE NORTH 51°01' WEST FOR 143.06 FEET;
THENCE WEST 120.29 FEET;
THENCE SOUTH 90 FEET TO POINT OF BEGINNING;
EXCEPT COUNTY ROAD

PARCEL C:

IN SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M.;

THAT PORTION OF THE WEST HALF OF LOT 4 OF SAID SECTION 19, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT, 376.5 FEET EAST OF ITS SOUTHWEST CORNER;
THENCE NORTH 51°01' WEST 481.3 FEET TO THE WEST LINE OF LOT 4;
THENCE SOUTH TO ITS SOUTHWEST CORNER;
THENCE EAST TO THE POINT OF BEGINNING;

EXCEPT: BEGINNING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, AT A POINT 145 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE CONTINUING EAST 231.5 FEET;
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CITY OF YAKIMA
COMMUNITY DEVELOPMENT

E-1

EXCEPT COUNTY ROAD

AND EXCEPT THOSE PORTIONS CONVEYED TO YAKIMA COUNTY UNDER AUDITOR'S FILE NUMBERS
3087358, 3087359, 7293036, 7335543, AND 7335545, RECORDS OF YAKIMA COUNTY, WASHINGTON.

SITUATED IN YAKIMA COUNTY, STATE OF WASHINGTON.

DOC. INDEX #
E-1

FILE# 7995933
YAKIMA COUNTY, WA
10/16/2018 01:51:04PM
DEED
PAGES: 4
SIMPLIFILE
FIRST AMERICAN TITLE
Recording Fee: \$102.00

AFTER RECORDING MAIL TO:

Roberto Arteaga and Araceli Gonzalez Tello
14400 Tieton Drive
Yakima, WA 98908

YAKIMA COUNTY EXCISE TAX
DATE: 10/16/2018
PAID: \$1,785.00
REC. NO. E020079
BY: SHANNA W.
Yakima County Treasurer's Office

RECEIVED

MAR 26 2021

**CITY OF YAKIMA
COMMUNITY DEVELOPMENT**

Filed for Record at Request of:
First American Title Insurance Company

Space above this line for Recordors use only

First American Title

STATUTORY WARRANTY DEED

File No: **4431-3128936 (MC)**

Date: **October 03, 2018**

Grantor(s): **Jodi Loutzenhiser Revocable Trust**

Grantee(s): **Roberto Arteaga and Araceli Gonzalez Tello**

Abbreviated Legal: **PTN SEC 19 TWP 13N RGE 18E; SW QTR SW QTR, YAKIMA COUNTY**

Additional Legal on page:

Assessor's Tax Parcel No(s): **181319-33005 and 181319-33009 and 181319-33010**

THE GRANTOR(S) Jodi Loutzenhiser, Trustee of the Jodi Loutzenhiser Revocable Trust, dated January 10, 2017, and as an individual for and in consideration of Ten Dollars and other Good and Valuable Consideration, in hand paid, conveys, and warrants to Roberto Arteaga and Araceli Gonzalez Tello, husband and wife, the following described real estate, situated in the County of Yakima, State of Washington.

LEGAL DESCRIPTION: Real property in the County of Yakima, State of Washington, described as follows:

PARCEL A:

**THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:
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THENCE EAST 376.5 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 30.0 FEET;
THENCE NORTH 32°42' WEST 102.35 FEET;
THENCE NORTH 0°39' EAST 244.5 FEET;
THENCE NORTH 89°21' WEST 320.15 FEET TO THE WEST LINE OF SAID SECTION 19;
THENCE SOUTH 0°26' WEST ALONG SAID WEST LINE OF SAID SECTION 19, A
DISTANCE OF 60.45 FEET;
THENCE SOUTH 51°01' EAST 481.3 FEET TO THE POINT OF BEGINNING,
EXCEPT COUNTY ROAD.**

**DOC. INDEX #
E-1**

PARCEL B:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:

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THENCE WEST 120.29 FEET;
THENCE SOUTH 90 FEET TO POINT OF BEGINNING;
EXCEPT COUNTY ROAD**

PARCEL C:

IN SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M.;

THAT PORTION OF THE WEST HALF OF LOT 4 OF SAID SECTION 19, DESCRIBED AS FOLLOWS:

**BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT, 376.5 FEET EAST OF ITS SOUTHWEST CORNER;
THENCE NORTH 51°01' WEST 481.3 FEET TO THE WEST LINE OF LOT 4;
THENCE SOUTH TO ITS SOUTHWEST CORNER;
THENCE EAST TO THE POINT OF BEGINNING;**

**EXCEPT: BEGINNING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, AT A POINT 145 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 19;
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THENCE WEST 120.29 FEET;
THENCE SOUTH 90 FEET TO POINT OF BEGINNING;
EXCEPT COUNTY ROAD**

AND EXCEPT THOSE PORTIONS CONVEYED TO YAKIMA COUNTY UNDER AUDITOR'S FILE NUMBERS 3087358, 3087359, 7293036, 7335543, AND 7335545, RECORDS OF YAKIMA COUNTY, WASHINGTON.

SITUATED IN YAKIMA COUNTY, STATE OF WASHINGTON.

Subject To: This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

Jodi Loutzenhiser Trustee of the Jodi
Loutzenhiser Revocable Trust, dated January
10, 2017

Jodi Loutzenhiser
Jodi Loutzenhiser, Trustee and as an individual

STATE OF Washington)
)-ss
COUNTY OF Yakima)

I certify that I know or have satisfactory evidence that Jodi Loutzenhiser is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they is/are authorized to execute the instrument and acknowledged it as the TRUSTEE OF the Jodi Loutzenhiser Revocable Trust, dated January 10, 2017 to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

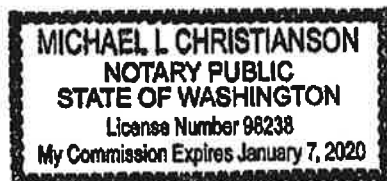
Dated: OCTOBER 15, 2018

Michael L. Christianson
Michael L. Christianson

Notary Public in and for the State of Washington

Residing at: YAKIMA

My appointment expires: 11/7/20



APN: 181319-33005

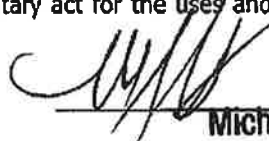
Statutory Warranty Deed
- continued

File No.: 4431-3128936 (MC)

STATE OF Washington)
COUNTY OF Yakima)-ss
)

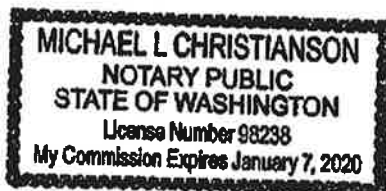
I certify that I know or have satisfactory evidence that **Jodi Loutzenhiser**, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: October 15, 2018



Michael L Christianson

Notary Public in and for the State of Washington
Residing at: Yakima
My appointment expires: 1/7/20





First American

First American Title Insurance Company

4710 Summitview Avenue, Suite 204
Yakima, WA 98908

May 07, 2020

Thomas Durant
PLSA
521 North 20th Avenue, Suite 3
Yakima, WA 98902

Phone: (509)575-6990
Fax:

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MAR 26 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

Title Officer:	Tracey Hoover
Phone:	(509)494-1537
Fax No.:	(866)635-0232
E-Mail:	tahoover@firstam.com
Order Number:	3462888

Escrow Number: 3462888

Buyer:

Owner:	Arteaga
Property:	9509, 9503 and 9515 Tieton Dr Yakima, Washington 98908

Attached please find the following item(s):

Guarantee

Thank You for your confidence and support. We at First American Title Insurance Company maintain the fundamental principle:

Customer First!

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First American

Guarantee

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

5003353-3462888

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,

FIRST AMERICAN TITLE INSURANCE COMPANY

a Nebraska corporation, herein called the Company

GUARANTEES

PLSA

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

First American Title Insurance Company

Dennis J. Gilmore, President

Greg L. Smith, Secretary

This jacket was created electronically and constitutes an original document

DCC. INDEX #
E-1

SCHEDULE OF EXCLUSIONS FROM COVERAGE OF THIS GUARANTEE

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
 - (b) (1) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
 - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
 - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
 - (c) The identity of any party shown or referred to in Schedule A.
 - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee.

GUARANTEE CONDITIONS AND STIPULATIONS

1. Definition of Terms.

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

2. Notice of Claim to be Given by Assured Claimant.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

3. No Duty to Defend or Prosecute.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

4. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all

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GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

5. Proof of Loss or Damage.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

6. Options to Pay or Otherwise Settle Claims: Termination of Liability.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the

indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

7. Determination and Extent of Liability.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A or in Part 2;
(b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
(c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

8. Limitation of Liability.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by

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GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

9. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

10. Payment of Loss.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

11. Subrogation Upon Payment or Settlement.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies. If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

12. Arbitration.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

13. Liability Limited to This Guarantee; Guarantee Entire Contract.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

14. Notices, Where Sent.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707 Claims.NIC@firstam.com Phone: 888-632-1642 Fax: 877-804-7606**



First American Title

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First American

Schedule A

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3462888

Order No.: 3462888

Liability: \$2,000.00

Fee: \$350.00

Tax: \$29.05

Name of Assured: PLSA

Date of Guarantee: April 30, 2020

The assurances referred to on the face page hereof are:

1. Title is vested in:

ROBERTO ARTEAGA AND ARACELI GONZALEZ TELLO, HUSBAND AND WIFE

2. That, according to the public records relative to the land described in Schedule C attached hereto (including those records maintained and indexed by name), there are no other documents affecting title to said land or any portion thereof, other than those shown under Record Matters in Schedule B.

3. The following matters are excluded from the coverage of this Guarantee

A. Unpatented Mining Claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.

B. Water rights, claims or title to water.

C. Tax Deeds to the State of Washington.

D. Documents pertaining to mineral estates.

4. No guarantee is given nor liability assumed with respect to the validity, legal effect or priority of any matter shown herein.

5. This Guarantee is restricted to the use of the Assured for the purpose of providing title evidence as may be required when subdividing land pursuant to the provisions of Chapter 58.17, R.C.W., and the local regulations and ordinances adopted pursuant to said statute. It is not to be used as a basis for closing any transaction affecting title to said property.

6. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment, guarantee or policy. It is furnished solely for the purpose of assisting in locating the premises and First American expressly disclaims any liability which may result from reliance made upon it.

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First American

Schedule B

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3462888

RECORD MATTERS

1. Taxes which may be assessed and extended on any subsequent roll for the tax year 2020, with respect to new improvements and the first occupancy which may be included on the regular assessment roll and which are an accruing lien not yet due or payable.
2. Municipal assessments, if any, levied by the City of Yakima.
3. Charges or assessments which may be due the Yakima-Tieton Irrigation District for construction, operation and maintenance.
4. Liability to further assessment by Yakima-Tieton Irrigation District.
5. Easement for right of way for necessary canals, tunnels, or other water conduits and for telephone and transmission lines required in connection with the Tieton Irrigation Project contained in instrument of record.
6. Easement for electric transmission and distribution lines of one or more wires, and all necessary or desirable appurtenances, including telephone and telegraph wires, towers, poles, props, guys and other supports; and related matters.

Recorded: April 6, 1978
Recording Information: 2499131
Grantee: Pacific Power & Light Company
Affects: Parcel A

7. Terms and conditions of Water Agreement and Easement, as attached:

Recorded: April 20, 1981
Recording Information: 2613714
Affects: Parcels B and C

8. Easement, including terms and provisions contained therein:

Recording Information: 2727841
In Favor of: Yakima-Tieton Irrigation District
For: To construct, reconstruct, operate, maintain, and remove a water pipeline or conduit and appurtenances thereto, or any part thereof, for the transportation of water
Affects: Parcel A

9. Terms and conditions of Donation and Indenture Deed, as attached:

Recorded: April 3, 1985
Recording Information: 2730104
Affects: Parcel C

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10. Easement, including terms and provisions contained therein:
Recording Information: 2765091
In Favor of: Yakima-Tieton Irrigation District
For: To construct, reconstruct, operate, maintain, and remove a water pipeline or conduit and appurtenances thereto, or any part thereof, for the transportation of water
Affects: Parcel A
11. Easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require, and related matters.
Recorded: August 11, 1992
Recording Information: 2969945
Grantee: U.S. West Communications, Inc.
Affects: Parcel C
12. Easement, including terms and provisions contained therein:
Recording Information: 7024487
In Favor of: City of Yakima
For: Utility easement for the construction, access, maintenance and service of a sanitary sewer pump station
Affects: Parcels B and C
13. Easement, including terms and provisions contained therein:
Recording Information: 7024488
In Favor of: City of Yakima
For: a ten feet wide (10 ft.) access easement to a sanitary sewer pump station
Affects: Parcels B and C
14. Conditions, notes, easements, provisions and/or encroachments contained or delineated on the face of the Survey recorded under Recording No. 7302030.
15. Terms and conditions of Public Sewer Utility System Reimbursement Agreement and Conveyance, as attached:
Recorded: April 01, 2004
Recording Information: 7392355

Note: Due to various ongoing closures and inaccessibility of certain records in municipalities across the country due to the COVID-19 virus, this report may not include Matters appearing in the records on or after the date of any such closure or inaccessibility.

Informational Notes, if any

- A. General taxes for the year 2020, which have been paid.

Tax Account No.: 181319-33005
Code Area: 586
Amount: \$ 486.06
Assessed Land Value: \$ 40,200.00
Assessed Improvement Value: \$ 0.00

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Affects: Parcel A

B. General taxes for the year 2020, which have been paid.

Tax Account No.: 181319-33009
Code Area: 586
Amount: \$ 245.45
Assessed Land Value: \$ 20,300.00
Assessed Improvement Value: \$ 0.00

Affects: Parcel B

C. General taxes for the year 2020, which have been paid.

Tax Account No.: 181319-33010
Code Area: 586
Amount: \$ 480.03
Assessed Land Value: \$ 39,700.00
Assessed Improvement Value: \$ 0.00

Affects: Parcel C

Note: Soil Conservation District assessment for year 2020 is paid in full.

Amount: \$ 5.02

Affects: Parcel A

Note: Weed District assessment for year 2020 is paid in full.

Amount: \$ 7.11

Affects: Parcel A

Note: Horticulture Pest and Disease Control District assessment for year 2020 is paid in full.

Amount: \$ 1.00

Affects: Parcel A

Note: Soil Conservation District assessment for year 2020 is paid in full.

Amount: \$ 5.01

Affects: Parcel B

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Note: Weed District assessment for year 2020 is paid in full.

Amount: \$ 7.10
Affects: Parcel B

Note: Horticulture Pest and Disease Control District assessment for year 2020 is paid in full.

Amount: \$ 1.00
Affects: Parcel B

Note: Soil Conservation District assessment for year 2020 is paid in full.

Amount: \$ 5.01
Affects: Parcel C

Note: Weed District assessment for year 2020 is paid in full.

Amount: \$ 7.11
Affects: Parcel C

Note: Stormwater District assessment for year 2020 is paid in full.

Amount: \$ 37.70
Affects: Parcel C

Note: Horticulture Pest and Disease Control District assessment for year 2020 is paid in full.

Amount: \$ 1.00
Affects: Parcel C

Note: Said premises may be assessed annually by:

Soil Conservation District
Weed District
Stormwater District
Horticulture Pest and Disease Control District

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- D. We don't find any voluntary liens of record affecting subject property. Inquire as to the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

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First American

Schedule C

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3462888

The land in the County of Yakima, State of Washington, described as follows:

PARCEL A:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE EAST 376.5 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 30.0 FEET;
THENCE NORTH 32°42' WEST 102.35 FEET;
THENCE NORTH 0°39' EAST 244.5 FEET;
THENCE NORTH 89°21' WEST 320.15 FEET TO THE WEST LINE OF SAID SECTION 19;
THENCE SOUTH 0°26' WEST ALONG SAID WEST LINE OF SAID SECTION 19, A DISTANCE OF 60.45 FEET;
THENCE SOUTH 51°01' EAST 481.3 FEET TO THE POINT OF BEGINNING,
EXCEPT COUNTY ROAD.

PARCEL B:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M., DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, AT A POINT 145 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE CONTINUING EAST 231.5 FEET;
THENCE NORTH 51°01' WEST FOR 143.06 FEET;
THENCE WEST 120.29 FEET;
THENCE SOUTH 90 FEET TO POINT OF BEGINNING;
EXCEPT COUNTY ROAD

PARCEL C:

IN SECTION 19, TOWNSHIP 13 NORTH, RANGE 18, E.W.M.;

THAT PORTION OF THE WEST HALF OF LOT 4 OF SAID SECTION 19, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT, 376.5 FEET EAST OF ITS SOUTHWEST CORNER;
THENCE NORTH 51°01' WEST 481.3 FEET TO THE WEST LINE OF LOT 4;
THENCE SOUTH TO ITS SOUTHWEST CORNER;
THENCE EAST TO THE POINT OF BEGINNING;

EXCEPT: BEGINNING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, AT A POINT 145 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 19;
THENCE CONTINUING EAST 231.5 FEET;
THENCE NORTH 51°01' WEST FOR 143.06 FEET;
THENCE WEST 120.29 FEET;
THENCE SOUTH 90 FEET TO POINT OF BEGINNING;

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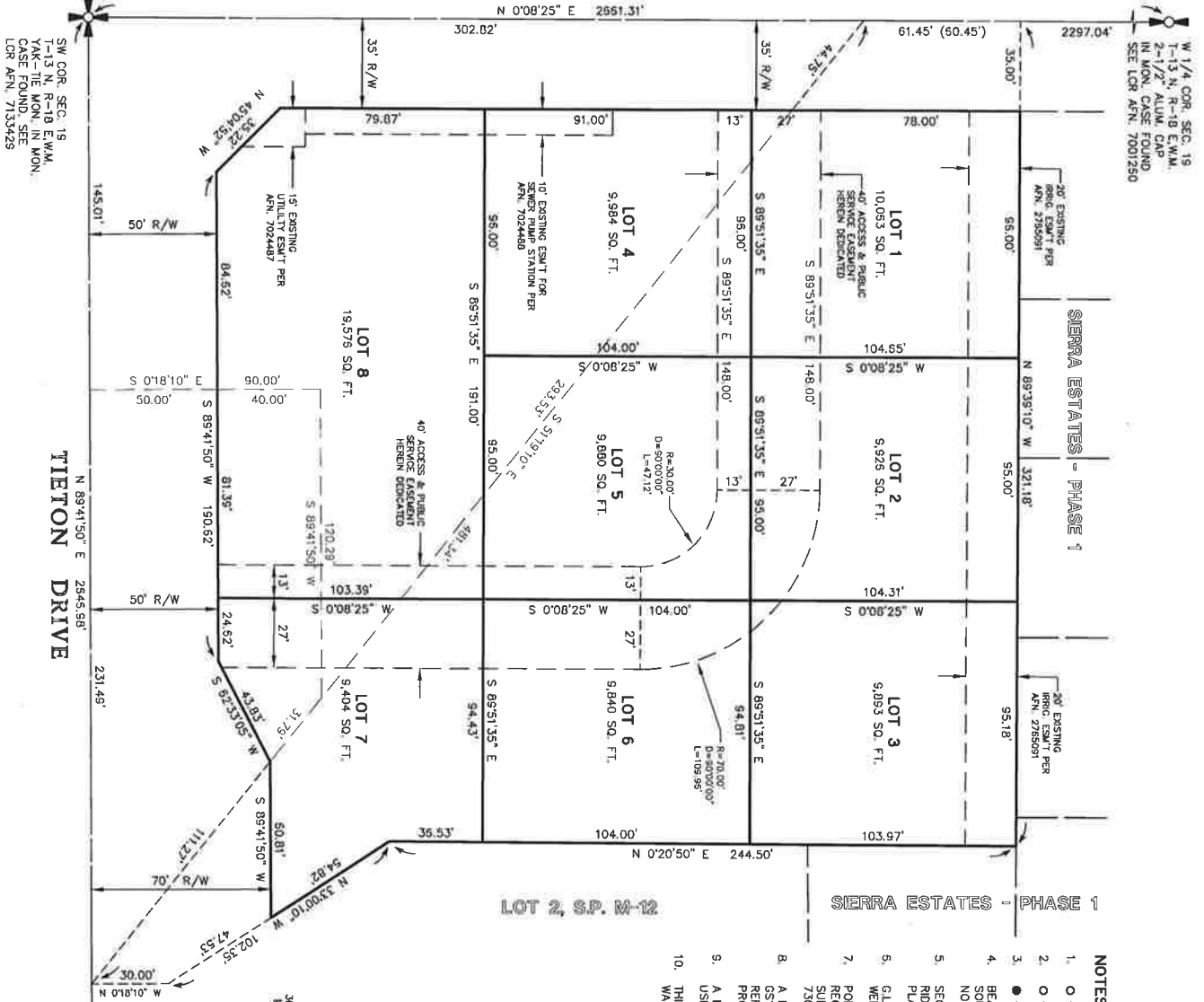
EXCEPT COUNTY ROAD

AND EXCEPT THOSE PORTIONS CONVEYED TO YAKIMA COUNTY UNDER AUDITOR'S FILE NUMBERS
3087358, 3087359, 7293036, 7335543, AND 7335545, RECORDS OF YAKIMA COUNTY, WASHINGTON.

SITUATED IN YAKIMA COUNTY, STATE OF WASHINGTON.

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SOUTH 96TH AVENUE



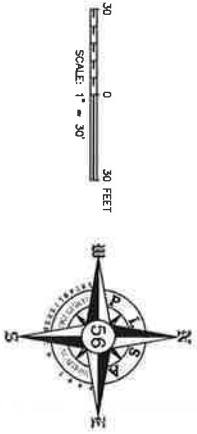
SIERRA ESTATES - PHASE 1

SIERRA ESTATES - PHASE 1

NOTES

1. O - DENOTES 1/2" REBAR WITH CAP NOS. 18929/4433 SET.
2. O - DENOTES MAG NAIL WITH WASHER NOS. 18929/4433 SET.
3. ● - DENOTES 1/2" IRON PIN WITH CAP NO. 3000000000 FOUND.
4. BEARINGS SHOWN ARE ON ASSUMED DATUM, RELATIVE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 19 BEING NORTH 89°41'50" EAST.
5. SECTION SUBDIVISION INFORMATION TAKEN FROM THE PLAT OF RUDGEMAN WEST DIVISION NO. 1, RECORDED IN VOLUME 700 OF PLATS, PAGE 25, RECORDS OF YAKIMA COUNTY, WASHINGTON.
6. S.L.O. SECTION SUBDIVISION CORNERS SHOWN HEREON AS FOUND WERE VISITED IN OCTOBER 2019.
7. PORTIONS OF THE BOUNDARY PREVIOUSLY SURVEYED AND RECORDED IN BOOK 29 OF SURVEYS, PAGE 64, BOOK 35 OF SURVEYS, PAGE 8 AND UNDER AUDITOR'S FILE NO. 7302030, RECORDS OF YAKIMA COUNTY, WASHINGTON.
8. A PORTION OF THIS SURVEY WAS PERFORMED WITH A LEICA DISTANCE MEASUREMENT SYSTEM (DMS) USING REAL TIME KINEMATIC (RTK) PROCEDURES.
9. A PORTION OF THIS SURVEY WAS PERFORMED WITH LEICA MSSO USING FIELD TRAVERSE PROCEDURES.
10. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED IN WAC 332-130-090.

CITY OF YAKIMA
COMMUNITY DEVELOPMENT
MAR 26 2021
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PLSA

ENGINEERING-SURVEYING-PLANNING
 521 NORTH 20th AVENUE, SUITE 3
 YAKIMA, WASHINGTON 98902
 (509) 575-6990

DRAWN BY: RICK
 DATE: 4/21/2020
 JOB NO. 19261
 SHEET NO. 1 OF 2

CITY OF YAKIMA SHORT PLAT
 PARCEL NO. 181319 - 33005, 33009 & 33010
 PREPARED FOR
DIGITAL DESIGN & DEVELOPMENT
 SW 1/4, SW 1/4, SEC. 19, T-13 N, R-18 E, W.M.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF ____
 20____, AT ____ M., UNDER A.F. NO. ____
 RECORDS OF YAKIMA COUNTY, WASHINGTON.
 COUNTY AUDITOR
 BY DEPUTY



SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF LEANNE LIDDICOAT IN APRIL, 2020.
 RICHARD L. WEHR
 CERTIFICATE NO. 18929, DATE

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER F
Public Notices

DOC INDEX #	DOCUMENT	DATE
F-1	Determination of Incomplete Application	05/13/2021
F-2	Land Use Action Installation Certificate	06/11/2021
F-3	Notice of Application, Environmental Review F-3a: Press Release and Distribution Email F-3b: Parties and Agencies Notified F-3c: Affidavit of Mailing	06/14/2021
F-4	Notice of Public Hearing & Mitigated Determination of Non-Significance F-4a: Legal Ad F-4b: Press Release and Distribution Email F-4c: Parties and Agencies Notified F-4d: Affidavit of Mailing	08/06/2021
F-5	HE Agenda and Packet Distribution List	09/02/2021
F-6	HE Agenda and Sign-in Sheet	09/09/2021
F-7	Notification of Hearing Examiner Recommendation (See DOC INDEX# AA-1 for HE Recommendation) F-7a: Parties and Agencies Notified F-7b: Affidavit of Mailing	09/28/2021
F-8	Letter of Transmittal to City Clerk: City Council Hearing (Mailing Labels & Vicinity Map)	11/02/2021

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:

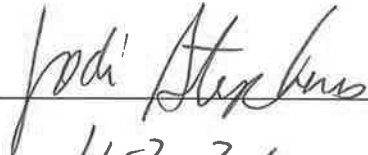
1. Mailing labels for Roberto Arteaga & Araceli Gonzales-Tello - PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 including all labels for property owners within the 300 feet radius and parties of record.
2. E-mail distribution lists for In-House, Local Media, SEPA Reviewing Agencies, Interested Parties and Parties of Record
3. Vicinity Map

Signed this 2nd day of November, 2021.



Analilia Núñez
Planning Technician

Received By: _____



Date: _____

11-2-21

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18131933413
48TH AVE MINI STORAGE LLC
PO BOX 8359
YAKIMA, WA 98908

18131933452
THE PRICE FAMILY REVOCABLE LIVING
TRUST
410 S 94TH AVE
YAKIMA, WA 98908

18133022401
TWELVE SIX LLC
5808 A SUMMITVIEW AVE # 89
YAKIMA, WA 98908

18131933009
ARACELI GONZALEZ TELLO
14400 TIETON DR
YAKIMA, WA 98908

18131933426
BARBARA NEUMEYER
9507 W WALNUT ST
YAKIMA, WA 98908

18131933459
BEVERLY J DAHL
9510 W WALNUT
YAKIMA, WA 98908

18131933563
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18133022411
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SEPA REVIEWING AGENCIES_updated
08/20/2021

Type of Notice: NTC of CC public Hearing

File Number: PD#001-21, CL2# 016-21, SEPA#001-21

Date of Mailing: ^{Am}12/7/21

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Revised 09/02/2021

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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:

NTZ of CC Hearing

File Number(s):

PD# 001-21, CL2# 016-21, SEPA# 009-21

Date of Mailing:

12/7/21

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Nunez, Analilia

From: Nunez, Analilia
Sent: Tuesday, November 02, 2021 3:27 PM
To: Claar Tee, Sonya
Subject: Public Hearing for Arteaga/Tello - PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21, TCO#007-21
Attachments: SEPA Agencies E-mail Distribution List _updated 10.06.2021; Local Media List _09.16.2021; In-House Distribution E-mail List_ updated 09.02.2021; MailingList_Arteaga - PD#001-21 Clerk's.xlsx; Map - Vicinity _ArteagaPD#001-21.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 10.06.2021.

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

Leanne Liddicoat - leanne@3dyakima.com

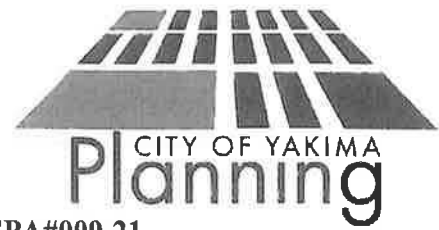
PLSA Engr & Surveying - Tom Durant - tdurant@plsaofyakima.com

I have attached the vicinity map and the Excel mailing list for the Print Guys.

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



VICINITY MAP



File Number: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
Project Name: ROBERTO ARTEAGA/ ARACELI GONZALES TELLO
Site Address: 9503, 9509, 9515 TIETON DRIVE



Proposal: Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq ft to 10,063 sq ft in size), and a 19,576 sq ft commercial lot, located in the R-1 zoning district.

Contact the City of Yakima Planning Division at (509) 575-6183

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



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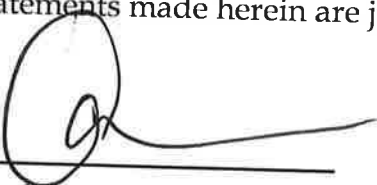
STATE OF WASHINGTON

CITY OF YAKIMA

RE: PD#001-21, CL2#016-21, PSP#009-21, & SEPA#009-21
ROBERTO ARTEAGA/ARACELI GONZALES TELLO
9503, 9509, 9515 Tieton Dr.

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 28th 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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9/28/21

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

Type of Notice: Notice of HE's Decision
 File Number(s): PD#001-21, CL2 #016-21, PSK#009-21, SEA#009-21
 Date of Mailing: 9/28/21

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 # F-79

Nunez, Analilia

From: Nunez, Analilia
Sent: Tuesday, September 28, 2021 4:43 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
Cc: Crowell, Eric; 'leanne@3dyakima.com'; 'tdurant@plsaofyakima.com'
Subject: NOTIFICATION OF HE RECOMMENDATION_Aretaga - PD#001-21, CL2#016-21, PSP# 009-21, & SEPA#009-21
Attachments: NOTIFICATION OF HE RECOMMENDATION_Aretaga - PD#001-21, CL2#016-21, PSP# 0....pdf

Attached is a Notice of the Hearing Examiner's Recommendation to City Council regarding the above-entitled project. If you have any questions about this proposal, please contact assigned planner Eric Crowell at eric.crowell@yakimawa.gov



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

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DEPARTMENT OF COMMUNITY DEVELOPMENT
Joan Davenport, AICP, Director

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

NOTIFICATION OF HEARING EXAMINER'S DECISION

DATE: 09/28/2021
TO: Applicant, Adjoining Property Owners & Parties of Record
SUBJECT: Notice of the Hearing Examiner's Decision
FILE #(S): PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21, TCO#007-21
APPLICANT: ROBERTO ARTEAGA/ARACELI GONZALES TELLO
PROJECT LOCATION: 9503, 9509, 9515 Tieton Dr.

On September 23, 2021, the City of Yakima Hearing Examiner rendered his decision on **PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21, TCO#007-21** a master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq ft to 10,063 sq ft in size), and a 19,576 sq ft commercial lot, located 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/. 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.

Eric M. Crowell

Eric Crowell
Senior Planner

Date of Mailing: September 28, 2021
Enclosures: Hearing Examiner's Decision

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DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd Floor, Yakima, WA 98901

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

**CITY OF YAKIMA
HEARING EXAMINER
AGENDA**

Thursday, September 9, 2021

Beginning at 9:00 a.m.

City Council Chambers

I. CALL TO ORDER

II. INTRODUCTION

II. PUBLIC HEARING

A. ROBERTO ARTEAGA/ARACELI GONZALES TELLO 03/29/2021 PD#001-21

PLANNER: Eric Crowell

ADDRESS: 9503, 9509, 9515 Tieton Dr.

REQUEST: Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq ft to 10,063 sq ft in size), and a 19,576 sq ft commercial lot, located in the R-1 zoning district.

B. GREG & ADELE BANTER 04/19/2021 PD#002-21

PLANNER: Trevor Martin

ADDRESS: 502 S. 90th Ave.

REQUEST: Master planned development to subdivide one parcel of 5.2 acres into 20 residential duplex lots (total of 40 residential units) with internal access by private streets, located in the B-2 zoning district.

C. KERRY & GINA MARTIN 04/30/2021 RZ#006-21

PLANNER: Trevor Martin

ADDRESS: 706 S. 48th Ave.

REQUEST: Proposed change to the Future Land Use map designation for one parcel from Low Density Residential to Community Mixed-Use and concurrent 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



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DEPARTMENT OF COMMUNITY DEVELOPMENT
Joan Davenport, AICP, Director

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

**CITY OF YAKIMA
HEARING EXAMINER
AGENDA**

**Thursday, September 9, 2021
Beginning at 9:00 a.m.
City Council Chambers**

I. CALL TO ORDER

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PLANNER: Eric Crowell

ADDRESS: 9503, 9509, 9515 Tieton Dr.

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



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

Sara Watkins
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Yakima County Public Services
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Yakima County Commissioners
Commissioners.web@co.yakima.wa.us

Analilia Núñez
Planning Technician
Analilia.nunez@yakimawa.gov

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

Binder Copy
For the Record/File

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F-S



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd Floor, Yakima, WA 98901

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

NOTICE OF PUBLIC HEARING

DATE: August 6, 2021
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
SUBJECT: Planned Development, Preliminary Short Plat, Type (2) Review, and Environmental Review
File Numbers: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
Project Applicant: Digital Design & Development for Roberto Arteaga & Araceli Gonzales Tello
Project Location: 9503, 9509, & 9515 Tieton Dr.
Parcel Numbers: 181319-33005, -33009, & -33010

PROJECT DESCRIPTION Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 square feet to 10,063 square feet in size), and a 19,576 square foot commercial lot, located 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 **September 9, 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 (PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21) and applicant's name (Arteaga/Gonzales Tello) 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.

DOO. WEEK 4

F-4



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd 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 6, 2021**

PROJECT DESCRIPTION: Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 square feet to 10,063 square feet in size), and a 19,576 square foot commercial lot, located in the R-1 zoning district.

LOCATION: 9503, 9509, & 9515 Tieton Dr.

PARCEL NUMBER: 181319-33005, -33009, & -33010

PROPONENT: Digital Design & Development for Roberto Arteaga & Araceli Gonzales Tello

PROPERTY OWNER: Roberto Arteaga

LEAD AGENCY: City of Yakima

FILE NUMBERS: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21

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 6, 2021

Signature Joan Davenport

☒ 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 20, 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**

Date:	08/04/21
Account #:	110358
Company Name:	CITY OF YAKIMA PLANNING
Contact:	ROSALINDA IBARRA,AP
Address:	129 N 2ND STREET YAKIMA, WA 98901-2720
Telephone:	(509) 575-6164
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@YAKIMAHERALD.COM
Ad ID:	983304
Start:	08/06/21
Stop:	08/06/21
Total Cost:	\$226.30
Lines:	124.0
# of Inserts:	1
Ad Class:	6021

Run Dates:	
Yakima Herald-Republic	08/06/21

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**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 8/6/2021; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** Digital Design & Development on behalf of Roberto Arteaga & Araceli Gonzales Tello (1909 W. Lincoln Ave., Yakima, WA 98902); **FILE NUMBER:** PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21; **LOCATION:** 9503, 9509, & 9515 Tieton Dr.; **TAX PARCEL NUMBER(S):** 181319-33005, -33009, & -33010; **DATE OF APPLICATION:** 3/29/2021; **DATE OF COMPLETENESS:** 5/28/2021; **PROJECT DESCRIPTION** Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq. ft. to 10,063 sq. ft. in size), and a 19,576 sq. ft. commercial lot, located 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: Master Planned Development and Preliminary Short Plat for residential and commercial uses; (2) Level of Development: Lots range from approximately 9,404 to 19,576 sq. ft.; (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: Master Planned Development and Preliminary Short Plat for residential and commercial uses; (2) Density of Development: Approximately 11.14 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 **September 1, 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 **September 9, 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 (PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21) and applicant's name (Arteaga/Gonzales Tello) 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.

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(983304) August 6, 2021

Courtesy of Yakima Herald-Republic

**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 8/6/2021; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** Digital Design & Development on behalf of Roberto Arteaga & Araceli Gonzales Tello (1909 W. Lincoln Ave., Yakima, WA 98902); **FILE NUMBER:** PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21; **LOCATION:** 9503, 9509, & 9515 Tieton Dr.; **TAX PARCEL NUMBER(S):** 181319-33005, -33009, & -33010; **DATE OF APPLICATION:** 3/29/2021; **DATE OF COMPLETENESS:** 5/28/2021; **PROJECT DESCRIPTION** Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 sq. ft. to 10,063 sq. ft. in size), and a 19,576 sq. ft. commercial lot, located 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: Master Planned Development and Preliminary Short Plat for residential and commercial uses; (2) Level of Development: Lots range from approximately 9,404 to 19,576 sq. ft.; (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: Master Planned Development and Preliminary Short Plat for residential and commercial uses; (2) Density of Development: Approximately 11.14 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 **September 1, 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 **September 9, 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 (PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21) and applicant's name (Arteaga/Gonzales Tello) 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.

(983304) August 6, 2021

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In-House Distribution E-mail List			Revised 06/14/2021
Name	Division	E-mail Address	
Silvia Corona	Clerk's Office	Silvia.Corona@yakimawa.gov	
Lisa Maxey	Code Administration	Lisa.Maxey@yakimawa.gov	
Glenn Denman	Code Administration	Glenn.Denman@yakimawa.gov	
John Zabell	Code Administration	John.Zabell@yakimawa.gov	
Kelli Horton	Code Administration	Kelli.Horton@yakimawa.gov	
Linda Rossignol	Code Administration	Linda.Rossignol@yakimawa.gov	
Pedro Contreras	Code Administration	Pedro.Contreras@yakimawa.gov	
Suzanne DeBusschere	Code Administration	Suzanne.Debusschere@yakimawa.gov	
Tony Doan	Code Administration	Tony.Doan@yakimawa.gov	
Joan Davenport	Community Development	Joan.Davenport@yakimawa.gov	
Rosalinda Ibarra	Community Development	Rosalinda.Ibarra@yakimawa.gov	
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Jeremy Rodriguez	Fire	Jeremy.Rodriguez@yakimawa.gov	
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Randy Layman	Refuse	Randy.Layman@yakimawa.gov	
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James Dean	Utilities	James.Dean@yakimawa.gov	
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Randy Meloy	Wastewater	Randy.Meloy@yakimawa.gov	
Dave Brown	Water/Irrigation	David.Brown@yakimawa.gov	
Mike Shane	Water/Irrigation	Mike.Shane@yakimawa.gov	

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

Type of Notice: NTC of public Hearing & DWS
File Number(s): PD# 001-21, SEPA #009-21
Date of Mailing: 08/06/21

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Nunez, Analilia

From: Nunez, Analilia
Sent: Friday, August 06, 2021 4:17 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_ARTEAGA - PD#001-21, PSP#009-21, CL2#016-21 & SEPA#009-21
Attachments: NOTICE OF PUBLIC HEARING & DNS_ARTEAGA - PD#001-21, PSP#009-21, CL2#016-....pdf

18131933413
48TH AVE MINI STORAGE LLC
PO BOX 8359
YAKIMA, WA 98908

18131933009
ARACELI GONZALEZ TELLO
14400 TIETON DR
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18131933563
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18131933458
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YAKIMA, WA 98908

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YAKIMA, WA 98908

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BARBARA NEUMEYER
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YAKIMA, WA 98908

18131933564
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18133022411
FIAUDIO & DOMINGA SOLIS
9400 TIETON DR
YAKIMA, WA 98908

18131933429
GEORGE & MARY C CROFTON
400 S 94TH AVE
YAKIMA, WA 98908

18131933427
JOHN E KOEMPEL
9505 W WALNUT ST
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18131933451
KEIL & FRANCES PFEIFFER
412 S 94TH AVE
YAKIMA, WA 98908

18131933453
MARCO ANTONIO LICEA
408 S 94TH AVE
YAKIMA, WA 98908

17132511412
MILTON W & LINDA ROSS
9702 TIETON DR
YAKIMA, WA 98908

18131933430
PETER W GARRETSON
510 N 29TH PL
YAKIMA, WA 98902

18133022401
TWELVE SIX LLC
5808 A SUMMITVIEW AVE # 89
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18131933459
BEVERLY J DAHL
9510 W WALNUT
YAKIMA, WA 98908

18131933450
CURTIS K JR & JACLYNN M BELL
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18133022412
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18131933405
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18131933491
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18131933428
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9107 SCENIC DR
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18131933449
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18131933005
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18131933448
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18131933454
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WALLACE E & ROBERTA J MOEN
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18131933492
WILLIAM M & MERRILEE KNIGHT
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YAKIMA, WA 98908

36
Total Parcels - Roberto Arteaga - PD#001-
21, CL2#016-21, SEPA#009-21,
TCO#007-21

Tom Durant
PLSA Engineering & Surveying
521 N 20th Avenue, Ste#3
Yakima, WA 98902

Leanne Liddicoat
Digital Design and Development
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*NB of public Hearing
and DNS mailed
8/10/21*

Ahtanum Irrigation District
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City of Yakima - Engineering Division
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United States Postal Service
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Yakima, WA 98903

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WA State Environmental Protection
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NEPA Review Unit
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Robert Smoot,
1640 Garretson Lane
Yakima, WA 98908

Yakima Valley Trolleys
Paul Edmondson,
313 North 3rd Street
Yakima, WA 98901

Yakima-Tieton Irrigation District
Sandra Hull,
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Yakima, WA 98908

Yakima Valley Conference of Governments
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SEPA REVIEWING AGENCIES_updated
06/08/2021

Type of Notice: NAZ OF Public Hearing : DNS
File Number: PP # 001-21 : SEPA # 009-21
Date of Mailing: 7/6/21

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PD#001-21, PSP#009-21, CL2#016-21 & SEPA#009-21

Roberto Arteaga & Araceli Gonzales-Tello

98503, 9509, 9515 Tieton Dr.

I, Analilia Núñez, as an employee of the City of Yakima Planning Division, have **Notice of Public Hearing and DNS**, true and correct copies of which are enclosed herewith; that said notices were addressed to the applicant, SEPA Reviewing Agencies, all 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 6th day of July, 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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DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd 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: Digital Design & Development on behalf of Roberto Arteaga & Araceli Gonzales Tello
FILE NUMBER: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
LOCATION: 9503, 9509, & 9515 Tieton Dr.
TAX PARCEL NUMBER(S): 181319-33005, -33009, & -33010
DATE OF APPLICATION: March 29, 2021
DATE OF COMPLETENESS: May 28, 2021

PROJECT DESCRIPTION: Master planned development consisting of seven residential lots, to be improved with 14 duplex units (ranging from 9,404 square feet to 10,063 square feet in size), and a 19,576 square foot commercial lot, located 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: Master Planned Development and Preliminary Short Plat for residential and commercial uses
2. Level of Development: Lots range from approximately 9,404 to 19,576 square feet
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: Master Planned Development and Preliminary Short Plat for residential and commercial uses
2. Density of Development: Approximately 11.14 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.

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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 (PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21) and applicant's name (Arteaga/Gonzales Tello) 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 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 N. 2nd St., Yakima, WA. If you have any questions on this proposal, please contact Eric Crowell, Associate Planner at (509) 576-6736, or email to: eric.crowell@yakimawa.gov.

Enclosed: Narratives, Project Descriptions, SEPA Checklist, Site Plans, and Vicinity Map

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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

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: Digital Design & Development / Roberto Arteaga & Araceli Gonzales Tello
No. DE ARCHIVO: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
UBICACIÓN: 9503, 9509, & 9515 Tieton Dr.
No. DE PARCELA(S): 181319-33005, -33009, & -33010
FECHA DE APLICACIÓN: 29 de marzo, 2021
FECHA DE APLICACIÓN COMPLETA: 28 de mayo, 2021

DESCRIPCIÓN DEL PROYECTO: Desarrollo planificado de subdivisión preliminar que consiste de siete lotes residenciales, con 14 unidades de dúplex (desde 9,404 pies cuadrados a 10,063 pies cuadrados de tamaño), y un lote comercial de 19,576 pies cuadrados, ubicado 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: Desarrollo planificado y subdivisión preliminar para usos residenciales y comerciales
2. Nivel de desarrollo: Tamaño de los lotes varían desde 9,404 a 19,576 pies cuadrados
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: Desarrollo planificado y subdivisión preliminar para usos residenciales y comerciales
2. Densidad del desarrollo: Aproximadamente 11.14 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

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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 (PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21) o al nombre del solicitante (Arteaga/Gonzales Tello) 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

Adjuntos: Narrativo, Descripción del Proyecto, Lista SEPA, Plan de Sitio, Mapa

In-House Distribution E-mail List

Revised 05/03/2021

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Randy Meloy	Wastewater	Randy.Meloy@yakimawa.gov
Dave Brown	Water/Irrigation	David.Brown@yakimawa.gov
Mike Shane	Water/Irrigation	Mike.Shane@yakimawa.gov

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:

File Number(s):

Date of Mailing:

Notice of Application & SEPA Review
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
05/28/2021

DCO: INC 2021
F-39

From: Ibarra, Rosalinda
Sent: Friday, May 28, 2021 11:42 AM
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; Zabel, 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 - Roberto Arteaga/ Araceli Gonzales Tello - PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
Attachments: NTC OF APPLICATION & SEPA REVIEW - Roberto Arteaga - PD#001-21, PSP#009-....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

Thank you!

Rosalinda Ibarra

Community Development Administrative Assistant

City of Yakima | Planning Division

129 North 2nd Street, Yakima WA 98901

p: (509) 575-6183 o f: (509) 575-6105



This email is a public record of the City of Yakima and is subject to public disclosure unless exempt under the Washington Public Records Act. This email is subject to the State Retention Schedule.

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18131933413
48TH AVE MINI STORAGE LLC
PO BOX 8359
YAKIMA, WA 98908

18131933009
ARACELI GONZALEZ TELLO
14400 TIETON DR
YAKIMA, WA 98908

18131933563
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18131933458
DIXIE & BRUCE TILLET
9508 W WALNUT ST
YAKIMA, WA 98908

17132511409
GEOFFREY L & AMY L KNAUTZ
7507 BARGE CT
YAKIMA, WA 98908

18131933455
JOE D & KATHERINE L BUCKHOLT
9502 W walnut st
YAKIMA, WA 98908

18131933425
JULIE L WALLACE
PO BOX 968
ROYAL CITY, WA 99357

17132444407
LISA A ESCOBAR
9705 TIETON DR
YAKIMA, WA 98908

18131933457
MICHAEL R DALLAS
9506 W WALNUT
YAKIMA, WA 98908

17132444419
PATRICK TRUE
402 S 96TH AVE
YAKIMA, WA 98908

18131933452
THE PRICE FAMILY REVOCABLE LIVING
TRUST
410 S 94TH AVE
YAKIMA, WA 98908

18131933426
BARBARA NEUMEYER
9507 W WALNUT ST
YAKIMA, WA 98908

18131933564
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18133022411
FIAUDIO & DOMINGA SOLIS
9400 TIETON DR
YAKIMA, WA 98908

18131933429
GEORGE & MARY C CROFTON
400 S 94TH AVE
YAKIMA, WA 98908

18131933427
JOHN E KOEMPEL
9505 W WALNUT ST
YAKIMA, WA 98908

18131933451
KEIL & FRANCES PFEIFFER
412 S 94TH AVE
YAKIMA, WA 98908

18131933453
MARCO ANTONIO LICEA
408 S 94TH AVE
YAKIMA, WA 98908

17132511412
MILTON W & LINDA ROSS
9702 TIETON DR
YAKIMA, WA 98908

18131933430
PETER W GARRETSON
510 N 29TH PL
YAKIMA, WA 98902

18133022401
TWELVE SIX LLC
5808 A SUMMITVIEW AVE # 89
YAKIMA, WA 98908

18131933459
BEVERLY J DAHL
9510 W WALNUT
YAKIMA, WA 98908

18131933450
CURTIS K JR & JACLYNN M BELL
407 S 94TH AVE
YAKIMA, WA 98908

18133022412
FRANCISCO SANCHEZ
110 S 40TH ST
YAKIMA, WA 98901

18131933405
JAMES ROBERT & DONNA M HARRIS
9403 TIETON DR
YAKIMA, WA 98908

18131933491
JOSEPH LEONARD HEIER
9515 W WALNUT
YAKIMA, WA 98908

18131933428
LINDA ANDERSON
9107 SCENIC DR
YAKIMA, WA 98908

18131933449
MARK ALLEN SR & TAMARA FAYE
CHANCE
405 S 94TH AVE
YAKIMA, WA 98908

17132444420
NORMAN & BEVERLY LEAVERTON
5808 A SUMMITVIEW AVE # 89
YAKIMA, WA 98908

18131933005
ROBERTO ARTEAGA
14400 TIETON DR
YAKIMA, WA 98908

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18131933010
ROBERTO ARTEAGA
14400 TIETON DR
YAKIMA, WA 98908

18131933456
ROGER L II & KATHLEEN TOLLEY
9504 W WALNUT ST
YAKIMA, WA 98908

18131933448
STEFANIE J WEIGAND
9314 W WALNUT ST
YAKIMA, WA 98908

18131933454
TRISHA & WILLIAM QUINN
9500 W WALNUT ST
YAKIMA, WA 98908

18131933431
WALLACE E & ROBERTA J MOEN
228 S 94TH AVE
YAKIMA, WA 98908

18131933492
WILLIAM M & MERRILEE KNIGHT
9511 W WALNUT ST
YAKIMA, WA 98908

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Total Parcels - Roberto Arteaga - PD#001-
21, CL2#016-21, SEPA#009-21,
TCO#007-21

Tom Durant
PLSA Engineering & Surveying
521 N 20th Avenue, Ste#3
Yakima, WA 98902

Leanne Liddicoat
Digital Design and Development
3611 River Rd, Ste#100
Yakima, WA 98902

Notice of Application &
SEPA Review
PD#001-21, PSP#009-21,
CL2#016-21, SEPA#009-21
5/28/2021

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Ahtanum Irrigation District
Beth Ann Brulotte, Executive Assistant
10705-B Gilbert Road
Yakima, WA 98903-9203
bethb@ahtanum.net

Charter Communications
Manager
1005 North 16th Ave
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City of Yakima - Engineering Division
Dan Riddle, Street Inspector
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Dan.Riddle@yakimawa.gov

Greater Yakima Chamber of Commerce
10 North 9th Street
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chamber@yakima.org

Office of Rural and Farm Worker Housing
Marty Miller,
1400 Summitview Ave, Ste# 203
Yakima, WA 98902
Martym@orfh.org

United States Postal Service
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205 W Washington Ave
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WA State Department of Commerce
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1011 Plum St SE
Olympia, WA 98504-3172
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WA State Department of Ecology
Lori White,
lori.white@ecy.wa.gov

WA State Department of Fish and Wildlife
Eric Bartrand,
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WA State Department of Health
Kelly Cooper,
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Cascade Natural Gas
8113 W Grandridge Blvd
Kennewick, WA 99336

City of Union Gap
Dennis Henne, Development Director
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Union Gap, WA 98903
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City of Yakima - Wastewater Division
Marc Cawley, Wastewater Operations
marc.cawley@yakimawa.gov
Dana Kallevig, Utility Project Manager
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Nob Hill Water Association
Bob Irving, Engineering Technician
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bob@nobhillwater.org

Pacific Power
Mike Paulson,
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WA State Attorney General's Office
1433 Lakeside Court, Ste# 102
Yakima, WA 98902

WA State Department of Ecology
Annie Szvetcz, SEPA Policy Lead
P.O. Box 47703
Olympia, WA 98504-7703
separegister@ecy.wa.gov

WA State Department of Ecology
Rhonda Luke, Project Coordinator
FormerOrchards@ecy.wa.gov

WA State Department of Fish and Wildlife
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WA State Department of Fish and Wildlife
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WA State Department of Natural
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PO Box 47015
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sepacenter@dnr.wa.gov

Century Link
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City of Yakima - Airport
Rob Peterson, Director
2400 West Washington Ave
Yakima, WA 98903
rob.peterson@yakimaairportterminal.com

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

WA State Department of Agriculture
Kelly McLain,
PO Box 42560
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kmclain@agr.wa.gov

WA State Department of Ecology
Gwen Clear, Regional Coordinator
1250 W Alder St
Union Gap, WA 98903
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WA State Department of Ecology
sepaunit@ecy.wa.gov

WA State Department of Fish and Wildlife,
SEPA Desk
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Olympia, WA 98504
SEPAdesk@dfw.wa.gov

WA State Department of Social & Health
Services, Office of Capital Programs
Robert J. Hubenthal,
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Robert.Hubenthal@dshs.wa.gov

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WA State Dept of Archaeology & Historic
Preservation
1063 S Capitol Way, Ste 106
Olympia, WA 98504-8343
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
Yakima, WA 98908-9299
vonessensa@wvwsd208.org

WSDOT South Central Region Planning
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SCplanning@wsdot.wa.gov

Yakama Bureau of Indian Affairs
Rocco Clark, Environmental Coordinator
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Rocco.clark@bia.gov

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Program, Elizabeth Sanchez
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esanchez@yakama.com

Yakima County Commissioners
Commissioners.web@co.yakima.wa.us

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Jason Earles, Zoning/Subdivision Section
128 North 2nd Street, 4th Floor
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Dianna Woods, Program Analyst
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Dianna.Woods@co.yakima.wa.us

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Jay Baucom, Director of Maintenance &
Operations
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baucom.jay@yakimaschools.org

WA State Dept of Health, Office of
Drinking Water
Jamie Gardipe jamie.gardipe@doh.wa.gov
16201 E Indiana Ave, Ste# 1500
Spokane Valley, WA 99216
SEPA.reviewteam@doh.wa.gov

WA State Governor's Office of Indian
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PO Box 40909
Olympia, WA 98504

West Valley School District
Mike Brophy, Superintendent
8902 Zier Road
Yakima, WA 98908
brophym@wvwsd208.org

WSDOT, Aviation Division
Max Platts, Aviation Planner
7702 Terminal St SW
Tumwater, WA 98501
plattst@wsdot.wa.gov

Yakama Indian Nation, Cultural Resources
Program
Johnson Meninick,
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Yakama-Klickitat Fisheries Project
John Marvin,
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Yakima, WA 98909
marj@yakamafish-nsn.gov
jmarvin@yakama.com

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Ryan Ibach, Director
1210 Ahtanum Ridge Dr Ste#200
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yhd@co.yakima.wa.us
ryan.ibach@co.yakima.wa.us

Yakima County Public Services
Lisa Freund, Public Services Director
128 North 2nd Street, 4th Floor
Yakima, WA 98901
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Yakima Greenway Foundation
Kellie Connaughton, Executive Director
111 South 18th Street
Yakima, WA 98901
kellie@yakimagreenway.org

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Stacey Locke, Assistant Superintendent of
Operations
104 North 4th Ave
Yakima, WA 98902
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

WA State Parks & Recreation Commission
Jessica Logan,
P.O. Box 42650
Olympia, WA 98504
jessica.logan@parks.wa.gov

WSDOT
Paul Gonseth, Planning Engineer
2809 Rudkin Road
Union Gap, WA 98903
gonsethp@wsdot.gov

Yakama Bureau of Indian Affairs
Superintendent
P.O. Box 632
Toppenish, WA 98948

Yakama Indian Nation, Yakima Tribal
Council
Ruth Jim,
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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

Yakima County Planning Division
Tommy Carroll, Planning Manager
128 North 2nd Street, 4th Floor
Yakima, WA 98901
Thomas.Carroll@co.yakima.wa.us

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Troy Havens, Manager
128 North 2nd Street, 4th Floor
Yakima, WA 98901
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

Yakima School District
Trevor Greene, Superintendent
104 North 4th Ave
Yakima, WA 98902
greenetrevor@yakimaschools.org

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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

Yakima Valley Museum
Peter Arnold, Executive Director
2105 Tieton Drive
Yakima, WA 98902
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

Yakima Waste Systems
Keith Kovalenko, District Manager
PO Box 2830
Yakima, WA 98907
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: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21

Date of Mailing: 05/28/2021

DOC. INDEX #

F-3 b

AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21

ROBERTO ARTEAGA/ARACELI GONZALES TELLO

9503, 9509, 9515 Tieton Drive

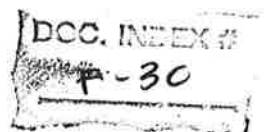
I, Rosalinda Ibarra, as an employee of the Yakima City Planning Division, have dispatched through the United States Mails, a **Notice of Application and Environmental Review**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, SEPA reviewing agencies, 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 28th 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

MAY 27 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

File Number:	PD 001-21
Applicant/Project Name:	Leanne Liddicoat
Site Address:	9503, 9509, 9515 Tieton Dr.
Date of Posting:	5/28/21
Land Use Sign ID#(s):	32, 46

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.

Leanne Liddicoat
Applicant's Signature

5/27/21
Date

Leanne Liddicoat
Applicant's Name (Please Print)

833-8552
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 or in person/by mail to: City of Yakima, Planning Division, 129 North 2nd Street, Yakima, WA 98901.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd Floor, Yakima, WA 98901

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

May 28, 2020

FILE NUMBER: PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21
APPLICANT: Digital Design & Development c/o Leanne Liddicoat
APPLICANT ADDRESS: 3611 River Rd., Ste. 100, Yakima, WA 98902
PROJECT LOCATION: 9503, 9509, & 9515 Tieton Dr.
TAX PARCEL NO: 181319-33005, -33009, & -33010
DATE OF REQUEST: March 29, 2021
SUBJECT: Notice of Complete Application

Ms. Liddicoat:

The application for your Planned Development, Preliminary Short Plat, and Type (2) Review for 9503, 9509, and 9515 Tieton Dr. was received on March 29, 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 §§ 15.28.030, 14.15.010, 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.

Sincerely,

Eric M. Crowell

Eric Crowell
Associate Planner

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F-1

ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER G

Public Comments

[illegible]

YAKIMA-TIETON IRRIGATION DISTRICT
470 CAMP 4 RD
YAKIMA, WA 98908
509-678-4101

RECEIVED


AUG 18 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

PSP#009-21, PD#001-21, CL2#016-21, SEPA#009-21
181319-33005
Digital Design & Development for Roberto Arteaga

Parcel 181319-33005 is within the Yakima-Tieton Irrigation District boundary and has a permanent easement on above parcel so they will need to show easement on plat map. They will need to follow our Resolution 97-5.

YAKIMA-TIETON IRRIGATION DISTRICT


ASSISTANT MANAGER

DATE 08-11-2021

DOC. INDEX #

9-6

June 12, 2021

Joan Davenport
Community Development Director
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

RECEIVED
JUN 17 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

RE: File Numbers PD#001-21, PSP#009-21, CL#016-21, SEPA#009-21
Applicant: Digital Design & Development on behalf of Roberto Arteaga &
Araceli Gonzales Tello

Dear Ms. Davenport,

We are writing in regards to the Notice of Application and Environmental Review referenced above. We own the property adjacent to the northwest corner of the proposed development. We have several concerns and we also need to address some incorrect information included in the proposal.

First of all, 14 housing units, at least 28 vehicles, and upwards of 50 people residing on 1.3 acres of land cannot possibly be considered "low density". This proposal is completely incompatible with the quiet, rural, single-family residences surrounding this property.

Incorrect Statements:

1. The applicant states that there are currently "a few small businesses" on the properties at the intersection of Tieton Drive and 96th Avenue. There are NO businesses on those properties; there are single-family homes on the northwest and southwest corners, and a pasture on the southeast corner.
2. The applicant states that "Sidewalks are continuous on both sides of Tieton Drive to the west. The sidewalks on Tieton Drive end at the intersection with 96th Avenue and do not extend any further to the west.
3. On Page 11 of the Environmental Checklist, #10, Aesthetics, b. What views in the immediate vicinity would be altered or obstructed?, the applicant states that "New buildings erected next to neighboring properties to the north and east, although the difference in elevation is not substantial". Our property elevation is approximately 10' lower than the proposed development's property elevation. The applicant states that "no soil will be removed from the property". When you erect a 35' tall building on top of that, we are pretty sure that our view to the south will not only be altered, but completely obliterated. We consider a 45' difference in elevation quite "substantial".
4. On Page 12 of the Environmental Checklist, #13, Historic and Cultural Preservation. a. Are there any buildings, structures, or sites, located on or near the site.....". The applicant states "No". There is an underground bunker at the base of the steep slope, approximately

DOC. NUMBER

6-5

in the center of the proposed development site. The structure could contain contaminants and/or hazardous materials that may have been stored there when the property was previously used for agricultural purposes.

Questions:

1. Is Lot 8 (the proposed "commercial" lot) currently zoned for commercial use?
2. How can duplexes be considered "single-family dwellings" when, by design, they are meant to house 2 separate families side by side?
3. We strongly question the need for additional housing capacity in the West Valley area when there are currently dozens of single and multi-unit housing developments underway throughout the West Valley area.

Concerns:

Our biggest concern is the complete loss of privacy for ourselves and the surrounding neighbors. The tenants in the proposed new buildings will be able to look directly into our backyards and our southern-facing windows. To mitigate this concern, we are requesting:

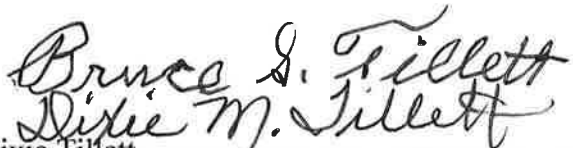
1. That the building height for the proposed new structures be limited to 20'; and/or
2. That the developer be required to install privacy fencing along the northern border of their development tall enough to maintain our existing level of privacy.

The nature of the proposed business to be located on Lot 8 is not disclosed in these documents. If this proposal is approved and a business is allowed to open and operate at the intersection, will we be notified prior to the establishment of the business and will we be able to comment on the proposed business?

We are very concerned about the increased noise and traffic that will be generated by this proposed development, and the significant impact it will have on all of the surrounding neighbors.

In closing, we cannot overstate how strongly we are opposed to this multi-family/commercial development, as proposed. It would completely disrupt our current, long-established, quiet, safe, low density population neighborhood. Thank you for the opportunity to comment on this proposal. We look forward to hearing the outcome of the decision.

Sincerely,


Bruce & Dixie Tillett
9508 W. Walnut Street
Yakima, WA 98908

RECEIVED

JUN 17 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

DOC. INDEX #
G-5

RECEIVED

JUN 17 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

June 12, 2021

Joan Davenport
Community Development Director
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

RE: File Numbers PD#001-21, PSP#009-21, CL#016-21, SEPA#009-21
Applicant: Digital Design & Development on behalf of Roberto Arteaga &
Araceli Gonzales Tello

Dear Ms. Davenport,

We are writing in regards to the Notice of Application and Environmental Review referenced above. We own the property adjacent to the northwest corner of the proposed development, and have lived here for over 21 years. We have several concerns and we also need to address some incorrect information included in the proposal.

First of all, 14 housing units, at least 28 vehicles, and upwards of 50 people residing on 1.3 acres of land cannot possibly be considered "low density". This proposal is completely incompatible with the quiet, rural, single-family residences surrounding this property.

Incorrect Statements:

1. The applicant states that there are currently "a few small businesses" on the properties at the intersection of Tieton Drive and 96th Avenue. There are NO businesses on those properties; there are single-family homes on the northwest and southwest corners, and a pasture on the southeast corner.
2. The applicant states that "Sidewalks are continuous on both sides of Tieton Drive to the west". The sidewalks on Tieton Drive end at the intersection with 96th Avenue, where Tieton Drive becomes a 2-lane road, with no sidewalks west of 96th Avenue.
3. On Page 11 of the Environmental Checklist, #10, Aesthetics, b. What views in the immediate vicinity would be altered or obstructed?, the applicant states that "New buildings erected next to neighboring properties to the north and east, although the difference in elevation is not substantial". Our property elevation is approximately 10' lower than the proposed development's property elevation. The applicant states that "no soil will be removed from the property". When you erect a 35' tall building on top of that, we are pretty sure that our view to the south will not only be altered, but completely obliterated. We consider a 45' difference in elevation quite "substantial".
4. On Page 12 of the Environmental Checklist, #13, Historic and Cultural Preservation, a. Are there any buildings, structures, or sites, located on or near the site.....". The applicant states "No". There is an underground bunker at the base of the steep slope, approximately

DCC. INDEX 3

9-4

in the center of the proposed development site. The structure could contain contaminants and/or hazardous materials that may have been stored there when the property was previously used for agricultural purposes. RECEIVED

JUN 17 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

Questions:

1. Is Lot 8 (the proposed "commercial" lot) currently zoned for commercial use?
2. How can duplexes be considered "single-family dwellings" when, by design, they are meant to house 2 separate families side by side?
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Sincerely,

Randy Dahl *Bev Dahl*

Randy & Bev Dahl
9510 W. Walnut Street
Yakima, WA 98908

DOC. INLET 0

6-4

June 12, 2021

Joan Davenport
Community Development Director
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

RECEIVED

JUN 17 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

RE: File Numbers PD#001-21, PSP#009-21, CL#016-21, SEPA#009-21
Applicant: Digital Design & Development on behalf of Roberto Arteaga &
Araceli Gonzales Tello

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6-3

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RECEIVED

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JUN 17 2021

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CITY OF YAKIMA
COMMUNITY DEVELOPMENT

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Sincerely,

Ms. Della Huff
- 9507 West Walnut St.
Yakima, Wa.
98908

*I agree with everything
in this letter. When I moved
here it was quiet and very little
traffic. And, we don't need a
business on 9th and Victor drive.*

DOC. INDEX #

9-3

Robert McCulloch
226 S. 94th Ave.
Yakima, Wa. 98908

RECEIVED
JUN 16 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

June 13, 2021

RE: PD#001-21, PSP#009-21, CL2#016-21 SEPA#009-21

Applicants: Arteaga/Gonzales Telllo

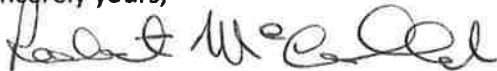
I have questions and comments concerning this review. Why didn't I receive a copy of this form? I had to borrow it from my neighbor who lives across our shared driveway.

I noticed 2 errors in their Environmental Checklist form. On page 8, section 4 Plants, they checked only grass and weeds are present. However, there is one Evergreen tree that's about 60 to 100 feet tall. There is also 4 or more Deciduous trees 20 to 40 feet tall along with several Juniper bushes.

On page 11, section 9 Housing, part a, it asks about the number of units and the price range of them. They listed the number of units (14) but did not state whether they were going to be high, middle, or low-income housing.

At this time I have no other comments or objections to this development.

Sincerely yours,



Robert McCulloch

DOC. INDEX #
6-2

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: 2021-06-03390
Property: City of Yakima_Roberto Arteaga/Araceli Gonzales Tello Subdivision (SEPA#009-21)
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

DCC. INDEX #

9-1



ROBERTO ARTEAGA & ARACELI GONZALES TELLO
PD#001-21, PSP#009-21, CL2#016-21, SEPA#009-21 &
TCO#007-21

EXHIBIT LIST

CHAPTER H

Supplemental Information

[illegible]



DEPARTMENT OF UTILITIES AND ENGINEERING

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

August 23, 2021

Leanne Liddicoat
Digital Design & Development
3611 River Road, Suite 100
Yakima, WA 98902

Subject: Notice of Decision for Transportation Concurrency – TCO#007-21
ITE Trip Generation Codes 210 – Single Family Homes
937 – Coffee/Donut Shop w/ Drive Thru

Leanne,

Enclosed is the Transportation Concurrency Analysis Decision for the proposed 9503 Tieton Drive subdivision, located in the vicinity of Tieton Drive and South 96th Avenue, 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

DOC. INDEX #

H-1

City of Yakima, Washington
Engineering Division
Transportation Concurrency Analysis
TCO#007-21

Date of Review: August 23, 2021
Review Prepared by: Ben Annen, PE, City Engineering
Proposed Development: Arteaga Subdivision
Subject Address: 9503 Tieton Drive
9509 Tieton Drive
9515 Tieton Drive
ITE Land Use: 210 – Single Family Homes
937 – Coffee/Donut Shop w/ Drive Thru

Expected Net PM Peak Hour Trip Generation: 100 PM Peak Hour Trips
Average Daily Weekday Trips: 1,770

Summary of Impact:

The applicant, Roberto Arteaga, represented by Digital Design & Development, proposes to subdivide three properties to construct seven duplexes, and a 20,000 square-foot commercial lot, on parcel numbers 181319-33005, 33009, and 33010, in the vicinity of Tieton Drive and South 96th Avenue, within the City of Yakima, Washington. All multi-family units are treated as single family homes, equating to 14 single family homes. The commercial lot did not designate a use, so the Coffee/Donut Shop w/Drive Thru ITE Land Use category was applied, with an estimated 2,000 square feet of building space. Traffic from this new subdivision is proposed to enter/exit the Arterial Street system on Tieton Drive and South 96th Avenue. 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	Tieton Drive	88th Ave - 80th Ave	7,360	2005	3200	640	2560	0.20	A	180	820	2380	0.26	A
2	Tieton Drive	80th Ave - 72nd Ave	10,080	2005	3200	877	2323	0.27	A	180	1057	2143	0.33	A
3	Tieton Drive	88th Ave to 96th Ave	6,150	2006	3200	535	2665	0.17	A	180	715	2485	0.22	A
4	96th Ave	Tieton Dr to Summitview	3,120	2006	1600	271	1329	0.17	A	20	291	1309	0.18	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.

DCC. INDEX #

H-1

David Della
engineer
3/29/2021
RECEIVED
MAR 26 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

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

FEE: \$250 (Receipt # _____)

Applicant Name: <u>Digital Design & Devel.</u> Contact Person: <u>Leanne Liddicoat</u> Mailing Address: <u>3611 River Rd, Ste 100</u> <u>Yakima, WA 98902</u>	Project Address: <u>9503 Tieton Drive</u> <u>9509 Tieton Drive</u> <u>9515 Tieton Drive</u> Parcel No(s): <u>181319-33005, 33009,</u> <u>33010</u>
---	--

RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Housing Type* <u>Duplex</u> (Single-Family, Apartments, etc)	Describe Use* <u>Commercial</u>	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>14</u>	Number of Employees _____	Number of Employees _____

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

Project Description: Master Planned Development and 8 lot short plat. Seven duplex lots, 1 commercial lot, approx. 20,000 sq. ft. Commercial business as allowed in General Commercial zone and as typical for this lot size and location.

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

RECEIVED

MAR 26 2021

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

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

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable.

This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV - CERTIFICATION are on this page. PART II and III 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:	Digital Design and Development			
	Mailing Address:	3611 River Road, Suite 100			
	City:	Yakima	St:	WA	Zip: 98902 Phone: () 833-8552
	E-Mail:	leanne@3dyakima.com			
2. Applicant's Interest in Property:	Check One:	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other
3. Property Owner's Information (If other than Applicant):	Name:	Roberto Arteaga & Araceli Gonzales Tello			
	Mailing Address:	14400 Tieton Drive			
	City:	Yakima	St:	WA	Zip: 98908 Phone: ()
	E-Mail:				
4. Subject Property's Assessor's Parcel Number(s): 181319-33005, 33009, 33010					
5. Legal Description of Property. (If lengthy, please attach it on a separate document) Attached					
6. Property Address: 9503, 9509, 9515 Tieton Drive					
7. Property's Existing Zoning: <input type="checkbox"/> SR <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> B-1 <input type="checkbox"/> B-2 <input type="checkbox"/> HB <input type="checkbox"/> SCC <input type="checkbox"/> LCC <input type="checkbox"/> CBD <input type="checkbox"/> GC <input type="checkbox"/> AS <input type="checkbox"/> RD <input type="checkbox"/> M-1 <input type="checkbox"/> M-2					
8. Type Of Application: (Check All That Apply)					
<input checked="" type="checkbox"/> Planned Development	<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Admin Adjustment	<input type="checkbox"/> Binding Site Plan		
<input type="checkbox"/> Type (1) Review	<input checked="" type="checkbox"/> Type (2) Review	<input type="checkbox"/> Type (3) Review	<input type="checkbox"/> Comprehensive Plan Map or Text Amendment		
<input type="checkbox"/> Critical Areas Review	<input type="checkbox"/> Easement Release	<input checked="" type="checkbox"/> Environmental Checklist (SEPA Review)	<input type="checkbox"/> Final Long Plat		
<input type="checkbox"/> Final Short Plat	<input type="checkbox"/> Interpretation by Hearing Examiner	<input type="checkbox"/> Long Plat Alteration	<input type="checkbox"/> Modification		
<input type="checkbox"/> Non-Confirming Use/Structure	<input type="checkbox"/> Overlay District	<input type="checkbox"/> Preliminary Long Plat	<input type="checkbox"/> Preliminary Short Plat		
<input type="checkbox"/> Rezone	<input type="checkbox"/> Right-of-Way Vacation	<input type="checkbox"/> Shoreline	<input type="checkbox"/> Short Plat Amendment		
<input type="checkbox"/> Short Plat Exemption	<input checked="" type="checkbox"/> Transportation Concurrence	<input type="checkbox"/> Variance	<input type="checkbox"/> Other:		

PART II – SUPPLEMENTAL APPLICATION & PART III – REQUIRED ATTACHMENTS

SEE ATTACHED SHEETS

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.

Property Owner's Signature: *[Signature]*
 Applicant's Signature: *Leanne Judd*

Date: 11/12/20
 Date: 11/12/20

FILE/APPLICATION(S)# PD#001-21, CL2#016-21, SEPA#009-21, TCO#007-21

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:



Supplemental Application For:
PLANNED DEVELOPMENT
YAKIMA MUNICIPAL CODE CHAPTER 15.28

RECEIVED
MAR 26 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

PART II - APPLICATION INFORMATION

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

Roberto Arteaga
Araceli Gonzales Tello

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

PLSA Engineering & Surveying Contact: Thomas R. Durant 575-6990
521 N. 20th Ave, Suite 3 Surveyor: Rick Wehr

3. NAME OF PLANNED DEVELOPMENT: 96th & Tieton

4. ZONING OF SUBJECT PROPERTY: (check all that apply)

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

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:

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 Nob Hill ☐ Irrigation

7. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: 50 to 350 feet

B. Distance to Nearest School (and name of school): Cottonwood Elementary, approx. 1/2 mile

C. Distance to Nearest Park (and name of park): West Valley Community, approx. 1 3/4 mile

D. Method of Handling Stormwater Drainage: On-site retention

E. Type of Planned Development: ☐ Residential ☐ Commercial ☐ Industrial ☒ Mixed Use

PART III - REQUIRED ATTACHMENTS

1. PRELIMINARY PLAT/SITE PLAN REQUIRED (please use the attached City of Yakima Plat/Site Plan Checklist)

2. TITLE REPORT (disclosing all lien holders and owners of record):

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

4. ENVIRONMENTAL CHECKLIST

5. NARRATIVE (attached)

6. DRAFT DEVELOPMENT AGREEMENT: (which shall include: Narrative Description of Project and Objectives; Summary of Development Standards; Site Plan Elements; Development Phasing, including times of performance to preserve vesting (YMC 15.28.070); Public Meeting Summaries; Performance Standards and Conditions addressing the items above; Criteria for Determining Major vs. Minor Modifications and amendments; and, Signatures by each owner of property within the Master Development Plan area acknowledging that all owners will agree to be bound by conditions of approval, including use, design and layout, and development standards contained within the approved Plan and Development Agreement.)

I hereby authorize the submittal of the planned development 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 approval and that failure to meet these conditions may result in denial of the development.

Property Owner Signature (required)

11/12/20
Date

RECEIVED
MAR 26 2021
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

OUTLINE: Proposed Development Agreement entered into between the City of Yakima, a Washington municipal corporation ("City"), and Roberto Arteaga and Araceli Gonzales Tello, husband and wife ("Developer"). The agreement will be prepared consistent with a form provided by the City of Yakima or as modified or prepared by the developer's attorney.

1. The "proposed development" is a mixed-use subdivision and planned development, not more than 7 two-family residential structures (duplexes) on separate lots and a single lot for commercial development together with accompanying amenities. The preliminary short plat, type 2 review and planned development application will be reviewed by the Hearing Examiner for the City and, if approved, will be incorporated into the agreement.
2. Developer will agree to abide by the terms and conditions of approval recommended by the Hearing Examiner, the SEPA Determination of Nonsignificance issued by the City and the mitigation and other requirement identified as a part of the DNS. The development will be vested to the regulations, etc., in effect on the date the development agreement is recorded. The City's Master Planned Development ordinance (YMC 15.28), as it exists on that date, will guide and control the planned development aspect of the development until the agreement terminates
3. **Summary of proposed modifications to development standards:** Proposed reduction of the following Title 12 private road standards (YMC 12.06.090):
 - a. Access easement width from 50 feet to 40 feet,
 - b. Pavement width from 30 feet to 24 feet,
 - c. Sidewalk on only one side of the street,

To the extent that it is considered a reduction in City standards, slopes on the private street to exceed 10% as approved by the Fire Official in accordance with YMC 15.05.055.

Increase in lot coverage for Lot '8', the proposed commercial lot, to 100% (YMC 15.05.030(A), Table 5-1).

Modification of the following sitescreeing standards (YMC 15.07) to allow residential fences as they are installed, to serve as sitescreeing between commercial development on Lot '8' and contiguous residential lots:

- a. Requirement to sitescreeen a commercial land use along a property line shared with a vacant parcel in the R-1 zone (YMC 15.07.020).
- b. Required sitescreeening completion prior to occupancy or commencement of (in this case, commercial) use (YMC 15.07.100).
- c. Sitescreeening to be located on the property line (YMC 15.07.070(1)).

Permitted uses of the commercial lot are to be all listed Class 1, 2 and 3 land uses in the General Commercial zone subject to review under said classifications.

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4. This term of the agreement is thirty years unless extended or terminated as provided for in the agreement or when the property has been fully developed, whichever occurs first. The agreement does not relieve the Developer's responsibility to comply with other codes and requirements.
5. Private streets in the development will remain private and not accepted by the City as public streets
6. Minor modifications will undergo Type 1 Review and are reviewed by the administrative official to determine 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.
 - c. The amendment does not materially change the type and character of approved uses.
 - d. The amendment does not materially change parking or traffic circulation within the development.
 - e. The amendment does not materially change 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.
 - 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 undergo Type 3 Review and referred to the hearing examiner.

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Written Narrative – Part IV: Master Planned Development

Introduction

This proposal is to subdivide three existing parcels into an 8-lot subdivision consisting of seven duplex lots and a commercial lot. The finished project will consist of 14 residential units on an interior private street and a commercial site with frontage on 96th Avenue and Tieton Drive. The master planned development application is being used to provide for an internal private street for residential access that does not meet all City road standards and to allow the commercial lot.

1. What land uses are proposed?

Proposed land uses are seven duplexes and yet undetermined commercial land use. It is anticipated that the commercial use will be typical of the General Commercial zoning district, although the size, location, access limitations and other characteristics will tend to limit the use of the site to commercial land uses of a more compatible neighborhood commercial nature. As proposed, the development agreement will also limit minor modifications in the manner required by YMC 15.28.080. This includes no substantial increase in area for a particular land use, no material changes in the type or character of approved land uses or material impacts on the overall design of the approved master plan.

The application is being made as a Mixed-use planned development under YMC 15.28.020 (A)(4) based on mixed use planned developments being permitted in the R-1 zone (YMC 15.28.020(A)) and the proposed commercial lot size exceeding the 10% limitation for non-residential land uses in residential planned developments (YMC 15.28.020(C)(2))¹.

The mixed-use category is appropriate to this site because commercial use of the corner of 96th Avenue and Tieton Drive is consistent with commercial zoning of the other corners and is more compatible with this signalized intersection. As such, it is designed in harmony with the overall site plan and does not significantly impact adjoining properties and development. It provides flexibility in design, concept and usage that meets the needs of the community and marketplace (YMC 15.28.020(B)(3)).

¹ This limitation is characterized as a factor that the hearing examiner should **take into consideration** when authorizing additional land uses (YMC 15.28.020(C)). This suggests that it is not necessarily mandatory in a residential planned development.

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- 2. Will the land be subdivided? If so, what type of subdivision? (Long Plat, Short Plat, Binding Site Plan, etc.)**

The eight lots will be created by short subdivision, although it is also possible to reconfigure the three existing parcels.

- 3. How does the proposed Planned Development allow flexibility in development standards and permitted uses while ensuring compatibility with neighboring uses?**

Revised street improvement standards are intended to develop a narrower street providing a smaller scale character to the proposed neighborhood and to make more of the site available for residential use. As a private residential street and not a through street, it will have low speeds and traffic levels. A single sidewalk is to be provided for pedestrian access. The slope of the proposed street is necessary to accommodate existing topography. The commercial site is intended to provide for mixed use and to make use of a corner on a busy intersection that is less desirable for residential use. Since the other corners of the intersection are now zoned commercial, the use of this property should be generally compatible with surrounding properties. The commercial lot will have direct frontage and access on to the adjoining arterial streets and will not utilize the neighborhood street for access except where it enters the site at the commercial lot.

- 4. Describe how the proposed Planned Development facilitates the efficient use of the land.**

Because of its topography, this is a relatively difficult site to develop. The narrower street configuration provides for efficient use of the site allowing more space for residential sites. Orientation of the residential and commercial land uses to the 96th Avenue / Tieton Drive intersection provides for a transition of land use intensity from the existing neighborhoods north and east of the site to the commercial site at the intersection. The slopes are a physical boundary between residential and commercial use of the site.

- 5. Describe how the proposed Planned Development increases economic feasibility (i.e., fostering efficient arrangement of land use, buildings, transportation systems, open space and utilities).**

Duplexes are permitted as a Class 2 land use in the R-1 zoning district. Proposed lot sizes and lot widths conform to the minimum zoning standards and the residential lots conform to minimum lot coverage and building height standards. For the commercial lot, a modified lot coverage standard is proposed consistent with standards typically allowed for commercial use. The planned development and subdivision are efficiently laid out and consist of private vehicular circulation and residential lots.

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6. How does the proposed Planned Development preserve or enhance natural amenities, features, shorelines and critical areas in the development of the site?

Site design provides for the topography of the site, generally consisting of two levels separated by a relatively steep slope. The slope will accommodate view lots and possibly daylight basements and forms a logical boundary between the residential area on the higher part of the site and the commercial area fronting on the signalized intersection. No common open space is proposed because lot sizes are sufficient for private yards. There are no shorelines or critical areas on or in proximity to the site.

7. Identify environmental impacts and appropriate mitigation measures.

SEPA review has not been completed and significant environmental impacts have not been identified. Some of the site considerations that are being made, based in part on meeting with the City Development Service Team, include locating site approaches with sufficient distance from the signalized intersection, designing the interior street to reduce the potential for hazardously steep slopes coming into the approaches to City streets and accommodating a pressurized sewer main in 72nd Avenue in utility design. Design of the commercial and residential parts of the project to account for topography and orientation to the signalized arterial street intersection promotes compatibility among the land uses on the site and nearby neighborhoods.

8. How does the proposed Planned Development encourage environmentally sustainable development?

The project will use “low-impact development” concepts defined as stormwater management and land development strategies that emphasize conservation and use of existing natural site features integrated with disturbed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings (YMC 15.02.020). Stormwater will be retained on-site and drainage and infiltration facilities. The proposal accommodates population growth within the urban growth area to the benefit of resource and sensitive lands farther out and to reduce sprawl.

9. What services and facilities are available to serve the property? Are those services adequate?

Available utilities include 8-inch sewer lines and 12-inch water lines in both Tieton Drive and 96th Avenue. Existing fire hydrants are on Tieton Drive in front of the proposed commercial lot and northwest of the site at the corner of 96th Avenue and Walnut Street. Also available are electric power, natural gas, cable television and telephone. The site is in the West Valley School District – Cottonwood Elementary School is about ½ mile away – and is served by City fire, police and emergency services.

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10. Will the proposed development promote economic development, job creation, diversification or affordable housing?

With or without the Master Planned Development, the project provides economic development and construction jobs. The proposed housing adds to capacity currently needed in the community.

11. How does the proposed development create vibrant mixed-use neighborhoods, with a balance of housing, commercial, and recreational facilities?

The proposal, along with neighboring properties, provide a mix of housing and commercial opportunities to this area. The neighborhood to the north and east has a combination of attached and detached single-family residences of both manufactured homes and homes of conventional construction with a few duplexes. There is a self-storage (residential mini storage) complex about 300 feet north of the site. Property to the east has older homes on larger lots north of Tieton Drive and newer duplexes and single-family residence on the south side of the street. The properties across 96th Avenue and Tieton Drive are commercially zoned parcels that are mostly undeveloped, with single-family homes and a few small businesses.

12. How is the proposal consistent with goals, policies, and objectives of the Yakima Urban Area Comprehensive Plan?

Consistency with Plan goals and policies include the following:

Policy 2.1.7. Allow new development only where adequate public services can be provided.

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.

Duplexes are allowed in appropriate residential zones provided that density standards are met (Policy 2.3.1.E) and are listed as a permitted use in the R-1 zone (Class 2 review – generally permitted). Pedestrian orientation is provided by the private access street. Lot size and home design provide usable open space on each lot.

The proposal preserves and enhances established residential neighborhoods (Policy 2.3.2) by providing housing units in an area already characterized by a mixture of housing types and that are compatible with them in character and design. Tieton Drive and 96th Avenue are served by public transit.

The private residential street is safe and walkable (Policy 2.3.3), ties into existing sidewalks on the arterial streets, and has good connections with transit access to schools, parks and commercial services.

The commercial lot can be allowed in a residential zone under Policy 2.3.6.

The proposal adds to the diversity of housing choices consistent with Goal 5.1.

The use of transitional densities to ensure compatibility is consistent with Policy 5.4.2. In this case the transition is from the existing neighborhood north and east to the somewhat higher residential density of the site and then to commercial at the intersection of 96th and Tieton.

13. How does the proposed Planned Development utilize unique and innovative facilities that encourage the efficient and economical use of the land?

Development of the project to the topographic characteristics of the site using a modified, narrower street design encourages efficient and economical use of the land.

14. Does the proposed Planned Development promote a sound system for traffic and pedestrian circulation? Describe.

The small-scale private access street will provide a safe route for vehicles and pedestrians with a single sidewalk that connects to existing sidewalks and transit on 96th and Tieton. Sidewalks are continuous on both sides of Tieton Drive to the west, 96th Avenue to the north and south on 96th Avenue to Cottonwood School and beyond.

15. How does the proposed Planned Development promote open space and use of natural and/or developed amenities?

The project is being designed to physical characteristics of the site, which is made up of two levels separated by a relatively steep slope. This provides for residential views and a physical boundary between the residential and commercial elements of the development, the latter which is oriented to the arterial street intersection. Private yards are being provided on each residential lot.

16. Will the proposed Planned Development provide an architecturally attractive, durable and energy efficient development?

Residential buildings will be similar in look, but varied in part to account for lot slope and configuration. A mix of exterior surfaces and colors that are compatible with the surrounding neighborhoods will be used. They are being designed to conform to current building codes and

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the Washington State Energy Code. All City setback, lot coverage, lot size and lot width standards are to be met on the residential lots.

17. Please provide a summary of all previously known land use decisions affecting the applicant's property and all outstanding conditions of approval with respect to such prior land use decisions.

Review of public records did not uncover any previous land use decisions affecting this property. It is not part of a plat or short subdivision and Yakima County Assessor's records show no segregation or merge transactions recorded in their system.

18. Any other development standards proposed to be modified from the underlying zoning district requirements.

Underlying zoning district standards being reduced by this application other than private road construction standards are focused on the commercial lot. A lot coverage standard of 100% is proposed, typical of commercially zoned areas in the City. This addresses the need for additional impervious surfaces such as parking and for less open space. Sitescreening standards are to be modified to take into account the topographic characteristics.

Private roads are allowed in master planned development overlays by YMC 15.09.100. The proposal conforms to private road standards with the following exceptions:

- a. YMC 15.09.100(A) requires the private road to be constructed to the minimum standards of the jurisdiction. The minimum standards are in Title 12 and the fire apparatus road standards required by YMC 15.05.055. Deviation from these minimums are described below.
- b. Deviation from Title 12 standards for private roads (YMC 12.06.090) include easement width of 40 feet rather than 50 feet, pavement width of 24 feet, sidewalk on one side of the street (YMC 12.05.010) and decorative street lights that may not entirely meet the design standards of the City engineer (YMC 12.06.080).
- c. Slopes exceeding 10 percent on the private street are proposed to accommodate the topography of this site. While this slope standard is given as a maximum for fire apparatus roads, the fire official may authorize it to be exceeded in some instances. On this basis, if such authorization is given, it would presumably not be a deviation from YMC 15.05.055, which does not specifically require this standard.

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A modified lot coverage standard of 100% is proposed for the commercial lot only, consistent with the standard for the General Commercial zone. Parking lot landscaping and stormwater control will probably reduce lot coverage in the commercial lot to below this maximum.

The modified lot coverage standard is consistent with that required in commercial areas and the intent of lot coverage in commercial districts to promote development consistent with the character of the district, protect setbacks and integrate open space, landscaping and off-street parking because the latter improvements will be required under other code provisions not being modified. The standard is consistent with the intent of lot coverage in the R-1 zone to protect the open character of the district with setbacks and other design characteristics that promote compatibility between commercial and residential elements of this proposal.

Modified sitescreeing requirements between the commercial and residential lots are to allow residential fences to meet the normally required Standard 'C' requirement under YMC 15.07. Deviations would be from YMC 15.07.020, which for commercial land use, requires sitescreeing along a property line shared with a vacant parcel in the R-1 zone, from YMC 15.07.100, that requires sitescreeing to be completed prior to occupancy or commencement of use and from YMC 15.07.070(1) requiring sitescreeing to be located on the property line because due to the slope, residential fences may not be directly on the property line. For Lot 7, the fence may be located across the private street from and above the east line of the commercial lot.

The modification to the sitescreeing standard would allow residential fences to be constructed as the residential lots are developed. This is to accommodate the slopes between the commercial site and residential lots and in that manner to meet the purpose of sitescreeing to provide a visual buffer between land uses of different intensity. This purpose is being met because of the effect that the slope has on standard sitescreeing requirements. Sitescreeing is not necessary to reduce erosion and stormwater runoff because this will be accomplished for this site by other required measures.

19. What are the aesthetic considerations related to building bulk, architectural compatibility, light and glare, urban design, solar access and shadow impacts.

Residential buildings are designed to be architecturally compatible with surrounding neighborhoods. The commercial lot would be compatible with commercially zoned properties at the 96th and Tieton Drive intersection. None of the existing zoning district standards for bulk, light and glare are being reduced in the residential lots. Proposed building height is 35 feet and with setbacks and topographic characteristics (same general elevation as surrounding areas) no adverse solar access issues are expected.

Because the commercial lot is at a lower elevation than the residential neighborhoods, this should not pose adverse solar access issues.

20. Please provide an inventory of any on-site cultural, historic and/or archaeological resources.

Review of public records available from the Department of Archaeology and Historical Preservation showed no inventoried resources on the project site.

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Supplemental Application For:
PRELIMINARY SHORT 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.

Roberto Arteaga
Araceli Gonzales Tello

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

PLSA Engineering & Surveying Contact: Thomas R. Durant 575-6990
521 N. 20th Ave, Suite 3 tdurant@plsaoofyakima.com
Yakima, WA 98902 Surveyor: Rick Wehr

3. NUMBER OF LOTS AND THE RANGE OF LOT SIZES: 8 lots; 9,404 - 10,063 sf (res.) 19,576 sf (com.)

4. 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?

None.

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.

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

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

6. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: 50 to 350 feet

B. Distance to Nearest School (and name of school): Cottonwood Elementary, approx. 1/2 mile

C. Distance to Nearest Park (and name of park): West Valley Community Park - Approx 1 3/4 mile

D. Method of Handling Stormwater Drainage: On-site retention

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

2. PRELIMINARY PLAT REQUIRED (please use the attached City of Yakima Preliminary Plat Checklist)

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.

Roberto Arteaga
Property Owner Signature (required)

5/18/21
Date

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