



**COTTONWOOD PARTNERS LLC
“PLAT OF ANDERSON PARK PHASE 4”
PLP#002-22, SEPA#003-22, CAO#001-22**

**City Council
Closed Record Public Hearing
July 5, 2022**

EXHIBIT LIST

Applicant: HLA Engineering & Surveying Inc.
File Numbers: PLP#002-22, SEPA#003-22, CAO#001-22, TCO#003-22
Site Address: Occidental Road and South 58th Avenue
Staff Contact: Eric Crowell, Senior Planner

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

May 26, 2022

**In the Matter of a Preliminary Long Plat)
Application Submitted by:)
Cottonwood Partners, LLC)
For a 30-Lot Single-Family Residential)
Preliminary Long Plat on 7.88 Acres)
Located in the Vicinity of Occidental)
Road and South 58th Avenue to be)
Known as "Anderson Park Phase 4")**

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PLP#002-22
CAO#001-22
SEPA#003-22

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 for this application on May 12, 2022.

(2) The Planning Division staff report which recommended approval of this preliminary long plat subject to enumerated conditions was presented by Senior Planner Eric Crowell. The applicant's representative for this application, Michael Heit, P.E., of HLA Engineering and Land Surveying, Inc., presented testimony in favor of the proposed preliminary plat.

(3) Yakima County Public Services Water Resources Manager Troy Havens, P.E., CFM, on behalf of the Yakima County Flood Control Zone District expressed appreciation for the recommended plat notes and LOMR Operation and Maintenance Plan requirements requested by his very detailed March 29, 2022, letter and again expressed concern for three proposed lots for building sites located south of the cross-street named Cottonwood Place that would also serve as part of the floodway channel.

(4) Besides the written comment received from Mr. Havens and from City commenters, comments were received from Transportation Archaeologist Sydney Hanson of the Department of Archaeology & Historic Preservation; Stream Patrolman George D. Marshall of the Ahtanum Irrigation District; and Yakama Nation Archaeologist Jessica Lally of the Yakama Nation Cultural Resources Program.

(5) No other testimony or written comments were submitted at or before the open record public hearing. This Recommendation has been submitted to the Planning Division within 10 business days of the public hearing.

B. Summary of Recommendation. The Hearing Examiner recommends approval of this proposed Preliminary Plat of “Anderson Park Phase 4” with the requested Critical Area Standard Development Permit, subject to conditions.

C. Basis for Recommendation. Based on a view of the site with no one else present on May 10, 2022; the staff report, exhibits, testimony and other evidence presented at the open record public hearing conducted on May 12, 2022; and a consideration of the applicable subdivision requirements, development standards, critical areas ordinance provisions and consistency criteria; the Hearing Examiner makes the following:

FINDINGS

I. Applicant, Property Owner and Representative. The applicant/property owner is Cottonwood Partners, LLC, P.O. Box 8335, Yakima, WA 98908. The representative of the applicant/property owner for this proposal is Michael Heit of HLA Engineering and Land Surveying, Inc., 2803 River Road, Yakima, WA 98902.

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II. Location. The location of the proposed preliminary plat is on Occidental Road east of South 64th Avenue along new north/south streets south of Occidental Road that would be named South 58th Avenue and South 57th Avenue and the east/west cross-street on the south end between them named Cottonwood Place. The site was recently annexed into the City on March 22, 2022. The west side of the parcel is adjacent to the existing Anderson Park single-family residential development. The Yakima County Assessor's Parcel Number of the site is 181204-22002.

III. Applications. Applications for a 7.88-acre 30-lot Preliminary Long Plat (PLP) with Critical Areas Ordinance (CAO) Review, State Environmental Policy Act (SEPA) Review and Transportation Concurrency Ordinance (TCO) Review were received on February 7, 2022 (*Document Index C-1 and E-1 to E-4*). On March 25, 2022, the applications were deemed complete for processing by the Planning Division. These applications are being processed under Chapters 14.20 for Subdivision, 15.27 for Critical Areas and 6.88 for SEPA Review set forth in the Yakima Municipal Code (YMC).

IV. Jurisdiction. YMC §1.43.080 and §14.20.100 provide that the Hearing Examiner shall hold a public hearing and submit a recommendation to the City Council regarding preliminary long plats which shall include findings and conclusions based on the record relative to the subdivision criteria listed in YMC §14.20.100(A) and in RCW Chapter 58.17. YMC §1.43.100, YMC 16.03.010(B-D) and YMC 15.04.020(E) provide that applications such as for a Critical Area Standard Development Permit may be consolidated with related applications to be considered under the highest level of review

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of the applications, which in this case is the type of review that requires a recommendation to the Yakima City Council which makes the final decision.

V. Notices. A Notice of Application, Environmental Review and Public Hearing for a Preliminary Long Plat (PLP#002-22), Critical Areas Ordinance Review (CAO#001-22) and State Environmental Policy Act Review (SEPA#003-22) was provided by posting a Land Use Action Sign on the property on March 10, 2022; by mailing said Notice to the applicant, SEPA agencies and adjoining property owners within 300 feet of the subject parcel requesting comments on the proposed application on March 25, 2022; and by publishing said Notice in the Yakima Herald-Republic also on March 25, 2022. No comments from neighbors or other members of the general public were received during the public comment period for this application.

VI. Comprehensive Plan. The site of the proposed Preliminary Plat of “Anderson Park Phase 4” is located within the Mixed Residential Comprehensive Plan designation which provides for areas with a mixture of housing types and densities. The following goals and policies apply to this proposal:

Goal 2.3: Preserve and enhance the quality, character, and function of Yakima’s residential neighborhoods.

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.

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

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VII. Zoning and Land Use. The 7.88-acre parcel is located within the Two-Family Residential (R-2) zoning district and it is currently vacant. The main purpose of the Yakima Urban Area Zoning Ordinance (UAZO) in Title 15 of the Yakima Municipal Code (YMC) is to implement the Yakima Urban Area Comprehensive Plan and promote the general health, safety and welfare of the present and future inhabitants of the Yakima Urban Area. YMC §15.03.020(C) states that the purpose and intent of the R-2 zoning district is to:

(1) Establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses compatible with the intent of this district; and

(2) Locate residential development with densities up to twelve dwelling units per net residential acre in areas receiving a full range of public services including public water and sewer service, and police and fire protection.

(3) The district is characterized by up to sixty percent lot coverage, access via local access streets and collectors, one- and two-story buildings, some clustering of units, and required front, rear and side yard setbacks. Typical uses in this district are single-family dwellings and duplexes. The density in this district generally ranges from seven to twelve dwelling units per net residential acre. However, development up to eighteen dwelling units per net residential acre may be allowed in accordance with YMC Chapter 15.04, Table 4-1.

(4) The zoning and the land uses of the surrounding properties may be described as follows:

<i>Direction</i>	<i>Zoning</i>	<i>Land Use</i>
North	R-1 & SR (County)	Residential
South	R-2	Vacant
East	R-1 (County)	Agriculture
West	R-3	Residential

VIII. Environmental Review. This application was required to undergo SEPA State Environmental Policy Act review because it proposes to subdivide a parcel of land into

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more than 20 lots in the R-2 zoning district and because of the requirement that the application undergo a Critical Areas Review. Notice was mailed on March 25, 2022, and the public comment period ended on April 14, 2022. No comments from neighbors or the general public were received. Due to extensive comments received from the Yakima County Flood Control Zone District (FCZD), the SEPA Responsible Official issued a Mitigated Determination of Nonsignificance (MDNS) addressing those comments on April 22, 2022, by means of recommended Mitigation Measures which was not appealed by FCZD or any other party.

IX. Transportation Concurrency Ordinance. The applicant applied for Transportation Concurrency (TCO#003-22) on February 7, 2022, which was approved on May 5, 2022. The proposal was approved for Concurrency because it will not exceed the PM peak hour capacity of the City arterial system, and reserve capacity exists on all impacted streets.

X. Development Services Team. The following comments were submitted by the Development Services Team which met on February 22, 2022, and by public agencies:

(1) Code Administration: The City of Yakima Code Administration comments were as follows:

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

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

(c) Preliminary addressing for this proposal is as follows:

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Lot 1	2300 S. 58th Ave. / 5800 Occidental Rd.	Lot 16	2312 S. 57th Ave. / 5701 Cottonwood Pl.
Lot 2	2302 S. 58th Ave.	Lot 17	2310 S. 57th Ave.
Lot 3	2304 S. 58th Ave.	Lot 18	2308 S. 57th Ave.
Lot 4	2306 S. 58th Ave.	Lot 19	2306 S. 57th Ave.
Lot 5	2308 S. 58th Ave.	Lot 20	2304 S. 57th Ave.
Lot 6	2310 S. 58th Ave.	Lot 21	2302 S. 57th Ave.
Lot 7	2312 S. 58th Ave.	Lot 22	2300 S. 57th Ave. / 5700 Occidental Rd.
Lot 8	2314 S. 58th Ave.	Lot 23	2301 S. 57th Ave.
Lot 9	2301 S. 58th Ave. / 5702 Occidental Rd.	Lot 24	2303 S. 57th Ave.
Lot 10	2303 S. 58th Ave.	Lot 25	2305 S. 57th Ave.
Lot 11	2305 S. 58th Ave.	Lot 26	2307 S. 57th Ave.
Lot 12	2307 S. 58th Ave.	Lot 27	2309 S. 57th Ave.
Lot 13	2309 S. 58th Ave.	Lot 28	2311 S. 57th Ave.
Lot 14	2311 S. 58th Ave.	Lot 29	2313 S. 57th Ave.
Lot 15	2313 S. 58th Ave. / 5703 Cottonwood Pl.	Lot 30	5700 Cottonwood Pl. / 2314 S. 59th Ave.

(2) Engineering: Engineering comments relative to this proposed preliminary plat were to the effect that TMC Title 12 improvements and other improvements are required including, but not limited to, the following:

(a) 8.67 and 12.05 – New curb, gutter and five-foot sidewalk is required within new development. Street section shall conform to standard detail R3. New sidewalks shall be constructed per standard detail R5. Seven-foot sidewalks are required for Occidental Rd. (Minor Arterial).

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

(c) 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way. Refer to chapter 8 for requirements. Roads less than five years old can be cut, but will cost one hundred fifty percent of restoration fee with no PCI discount.

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

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(e) 12.06.050 – Phased developments or temporary dead-end streets shall provide for adequate temporary turnarounds between project phases or future street extension. The design shall provide for continuation of the full right-of-way width to the property boundary.

(f) 12.06 – Street and right of way widths shall conform to this section unless otherwise approved. Fifty feet of right-of-way is required for the residential new streets. Occidental Rd. is classified as a Minor Arterial, requiring a total of 80 feet of right-of-way.

(g) 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.

(h) All frontage improvements shall be completed prior to Certificate of Occupancy. Civil engineering plans for public improvements shall be approved prior to issuance of building permits.

(3) Nob Hill Water Association: Developer will need to contact Nob Hill Water for cost estimate for new project. Mainline extension, fire hydrants, and water services will be required to be installed. Signed engineered plans will need to be submitted to start cost estimate for project.

(4) Wastewater: Sewer is to be installed per City of Yakima Municipal Code and Engineering Standards.

(5) Surface Water: For the long plat itself I have no comments. Just be aware that during the development of this parcel a Large Project Stormwater Permit will be required.

(6) The Washington State Department of Ecology (DOE): DOE submitted the following comments:

(a) If the project anticipates disturbing ground with the potential for stormwater discharge off-site, an NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

(b) The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all

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permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

(c) In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control, and is subject to enforcement action.

(d) More information on the stormwater program may be found on Ecology's stormwater website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Lloyd Stevens, Jr. at the Department of Ecology, (509) 571-3866, or email lloyd.stevensjr@ecy.wa.gov, with questions about this permit.

(7) Ahtanum Irrigation District: Our Board must sign off on the plat for this subdivision. The surveyor will need to provide us with the original Mylar, *as well as one copy* [emphasis that of the agency], for District signature. As our Board meets once per month, please telephone in advance for meeting dates to avoid delays.

(8) Yakima Air Terminal: If there will be cranes over 150 feet in height, the airport shall be contacted so it can issue a NOTAM for the pilots.

(9) Department of Archaeology and Historic Preservation (DAHP): DAHP submitted the following comments:

(a) Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to Bachelor Creek, a resource that may have been important to Native Americans and/or settlers in the past. 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 and a report be produced prior to ground disturbing activities. This report should meet DAHP's Standards for Cultural Resource Reporting.

(b) We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for

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listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.

(c) Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

(d) Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

(10) Yakama Nation Cultural Resources Program: We concur with DAHP's recommendations that this is high risk and an archaeological survey should be completed.

(11) Yakima County Flood Control Zone District (FCZD): The extensive FCZD comments were addressed in detail in the SEPA Mitigated Determination of Nonsignificance (MDNS). The MDNS provides that when the City finalizes the LOMR Operation and Maintenance Plan, it will be provided to the applicant and made available for future developers so that in response to FCZD comments it can be provided to future residents to make them aware of the requirement of maintaining flood carrying capacity in the floodway channel which includes periodic inspection, maintenance and reporting responsibilities. The MDNS also requires that the applicant comply with all applicable requirements for development in the floodway/floodplain prior to Final Plat Approval, in accordance with YMC Chapter 15.27, Part Four – Flood Hazard Areas; and that the final plat shall include the following plat notes:

(a) Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.

(b) No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in

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accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.

XI. Applicable Subdivision Ordinance and Statutory Provisions. Applicable subdivision regulatory provisions are as follows:

(1) YMC §15.03.020(C): R-2 Zoning District Defined: The purposes of the R-2 zoning district are first to establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses compatible with the intent of this district and also to locate residential development with densities up to twelve dwelling units per net residential acre in areas receiving a full range of public services including public water and sewer service, and police and fire protection. The district is characterized by up to sixty percent lot coverage, access via local access streets and collectors, one- and two-story buildings, some clustering of units, and required front, rear and side yard setbacks. Typical uses in this district are single-family dwellings and duplexes. The density in this district generally ranges from seven to twelve dwelling units per net residential acre. However, development up to eighteen dwelling units per net residential acre may be allowed in accordance with YMC Chapter 15.04, Table 4-1.

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

(3) YMC §15.30.040: Airport Safety Overlay Zones: The subject property is located in Zone 6 of the Airport Safety Overlay, and per YMC §15.30.060, detached single-family dwellings are Class (1) uses.

(4) YMC §15.30.050: Height Limitation: Height Limitation 2 (AOD Zone 6): No building within this zone shall exceed thirty-five feet above the ground. Any building proposed to exceed this height must undergo further review by the airport manager and the FAA. The administrative official may require lights or markers as a warning to aircraft on any buildings, structures, communication towers, uses, or trees, or the topping

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of any trees to reduce their height, when recommended by the FAA, WSDOT Aviation Division or the airport manager. Lights and markers shall meet FAA specifications. Whenever the height limitations of this section differ from those of any other section of this chapter, or that adopted by another local ordinance or regulation, the more restrictive limitation shall apply.

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

(6) 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.

(7) 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.

(8) 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.

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

(10) 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.

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

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

(13) 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.

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

(15) 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.

(16) 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

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establishes their functional classification. All other streets are classified as local residential access.

(17) 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.

(18) 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.

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

(20) 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.

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(21) RCW 58.17.110(1), YMC §14.20.100(A) and YMC §14.20.120(A): The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine (a) if appropriate provisions are made for, but not limited to, the public health, safety and general welfare and 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 schoolgrounds, sidewalks, and other planning features that assure safe walking conditions for students who walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

XII. Applicable Critical Areas Ordinance Provisions. Applicable Critical Areas Ordinance regulatory provisions are as follows:

(1) Critical Area Development Authorization Required: Pursuant to YMC §15.27.300(A), no new development, construction or use shall occur within a designated critical area without obtaining a development authorization in accordance with the provisions of this chapter, except for those provided for in YMC §15.27.303.

(2) General Critical Areas Protective Measures—Subdivision Standards: Pursuant to YMC §15.27.321(B)(2)(a-d), critical areas shall be actively protected through the following:

(a) Roads and utilities for the subdivision shall avoid critical areas and their buffers, as much as possible.

(b) When geologically hazardous areas (excluding erosion, oversteepened slopes of intermediate risk, stream undercutting, and earthquake hazards), FEMA floodways, channel migration zones (CMZs), streams, wetlands and/or vegetative buffers fall within the boundary of a subdivision:

(i) Said critical areas shall be protected by placing them entirely within a separate critical area tract or by including them entirely within one of the developable parcels. Other options, such as conservation easements and building envelopes, may be deemed appropriate by the administrative official as meeting this provision when special circumstances obstruct the viability of this provision;

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(ii) For those new lots that do contain said critical areas, usable building envelopes (five thousand square feet or more for residential uses) shall be provided on the plat that lies outside said critical areas.

(c) New lots partially within the floodplain shall provide a usable building envelope (five thousand square feet or more for residential uses) outside the floodplain.

(d) Floodplains and critical areas shall be depicted on preliminary subdivision plats and relevant information about them disclosed on the final plat.

(3) Permitted Uses – Floodway Fringe: Pursuant to YMC §15.27.409(A), Detached Single-Family Dwellings is a permitted use within the floodway fringe (floodplain) as long as the proposal complies with the flood hazard protection standards of YMC §15.27.407 and YMC §15.27.408.

(4) Permitted Uses – Floodway: Pursuant to YMC §15.27.411(A), Detached Single-Family Dwellings is a permitted use within the floodway as long as the proposal complies with the flood hazard protection standards of YMC §15.27.407 and YMC §15.27.408. Pursuant to YMC §15.27.411(H), roads and bridges are permitted uses within the floodway as long as they comply with the regulations of YMC §15.27.411(D).

(5) Subdivision Proposals: YMC §15.27.407(F) requires that all subdivision proposals shall:

- (a) Be consistent with the need to minimize flood damage;
- (b) Have roadways, public utilities, and other facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (c) Have adequate drainage provided to reduce exposure to flood damage;
- (d) Include base flood elevation data; and
- (e) In the cases where base flood elevation is not available and the subdivision is greater than five acres or fifty lots, a step-back water analysis shall be required to generate the base flood elevation data.

XIII. Preliminary Plat Findings. YMC §14.20.100(A) provides that the Hearing Examiner shall consider a proposed preliminary plat during an open record public hearing

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to inquire into and determine whether the following standards and criteria are satisfied:

(1) Subsection 14.20.100(A)(1) – Consistency with the City’s Urban Area Zoning Ordinance Intent, Design, Improvement and Development Provisions Applicable to the R-2 Zoning District. A determination of consistency with the City’s Urban Area Zoning Ordinance intent, design, improvement and development provisions applicable to the R-2 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 Two-Family Residential (R-2) Zoning District: YMC §15.03.020(C) indicates that the intent of the R-2 zoning district is in part to establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses that are compatible with the intent of the district.

(b) Consistency with Design, Improvement and Development Provisions Applicable to the Two-Family Residential (R-2) Zoning District: YMC Chapter 15.05 establishes certain basic development requirements. These are the minimum criteria that must be met to assure land use compatibility and promote the public health, safety and welfare. The proposed development meets the requirements applicable in the R-2 zoning district as follows:

(i) *Minimum Lot Size:* The lots ranging in size from 6,841 square feet to 13,342 square feet will meet the minimum 6,000-square-foot lot size requirement for single-family residences in the R-2 zoning district.

(ii) *Building Envelopes:* The preliminary plat indicates that building pads, envelopes or footprints on lots within the floodplain will range from 5,026.31 to 10,021.77 square feet in size, which is consistent with YMC Table 5-1 of YMC Chapter 15.05 for single-family construction.

(iii) *Minimum Lot Width:* The lots will all meet or exceed the minimum lot width of 50 feet prescribed for the R-2 zoning district by Table 5-2 of YMC Chapter 15.05.

(iv) *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-2 zoning district, the maximum lot coverage is 60%. All lots within the proposed preliminary plat have sufficient lot area to comply with this development standard.

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

Location	From Centerline Of Right-of-Way	From Property Line
Front	45 feet	20 feet
Rear	N/A	15 feet
Side (internal)	N/A	5 feet
Side (street)	40 feet	10 feet

(vi) *Maximum Building Height*: The maximum building height in the R-2 zoning district is 35 feet (YMC Chapter 15.05, Table 5-1). The property is entirely within Zone 6 of the Airport Safety Overlay (ASO) which also limits the building height to 35 feet. The applicant’s State Environmental Policy Act Checklist states that the tallest structure will be less than 35 feet in height so as to comply with both standards.

(vii) *Residential Accessory Structures*: Residential accessory structures are allowed upon all lots of record provided they meet the provisions of YMC §15.05.020(E).

(viii) *Fencing*: Fencing upon and behind property lines is allowed in accordance with YMC §15.05.020(G).

(ix) *Access*: All lots will have 20 feet of frontage upon a public street or be accessed by a 20-foot-wide access easement in accordance with YMC §15.05.020(H).

(x) *Sidewalk*: The proposed preliminary plat shows that curb, gutter and sidewalk will be constructed along all street frontages in accordance with YMC §15.05.020(J).

(xi) *Density*: The proposed preliminary plat which divides 5.45 net residential acres not including streets into 30 lots will have a density of 5.5 dwelling units per net residential acre with streets excluded (237,340 square feet ÷ 43,560 square feet = 5.45 acres; 30 dwelling units ÷ 5.45 acres = 5.5

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dwelling units per net residential acre). This density complies with YMC §15.05.030(B) and YMC Table 4-1 of YMC Chapter 15.04 which allow up to 7 dwelling units per net residential acre in the R-2 zoning district.

(xii) *Street Right-of-Way/Dedication of Right-of-Way:* The internal local access streets connecting to Occidental Road require the dedication of 50-foot-wide rights-of-way for the streets within the subdivision.

(xiii) *Frontage Improvements:* Curb, gutter and a five-foot-wide sidewalk shall be installed along the lot frontages of internal streets and seven-foot-wide sidewalk shall be installed along Occidental Road in accordance with YMC 12.05.010. The street section shall conform to standard detail R3 and the new sidewalks shall be constructed per standard detail R5, in accordance with YMC Chapters 8.67 and 12.05. At a minimum, one street light shall be installed midblock on the westernmost section of the loop since the street exceeds 500 feet in total length. Street lighting shall meet the design and placement standards of the City Engineer. Lighting improvements shall become the property of the City of Yakima upon installation and will thereafter be maintained by the City. Pursuant to YCC 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 will cost 150 percent of the restoration fee with no PCI discount.

(xiv) *Wastewater:* Sewer and a lift station have been extended across Occidental Road to the subject parcel. A minimum sixteen foot easement shall be maintained over all public utility lines in accordance with YMC §12.02.010 and YMC §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.

(xv) *Water:* The applicant shall extend potable water to the lots of the plat in accordance with YMC §12.04.010. Water is provided by the Nob Hill Water Association, and the preliminary plat displays water service across all street frontages to serve all lots.

(xvi) *Irrigation:* The subject parcel is located within the Ahtanum Irrigation District and therefore irrigation district approval is required upon the final plat.

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

(2) Subsection 14.20.100(A)(2) – Consistency with the provisions of the Comprehensive Plan. The Future Land Use Map III-3 of the 2040 Yakima Urban Area Comprehensive Plan designates the property within the proposed preliminary plat as suitable for Mixed Residential development which provides for a mixture of housing types and densities. As noted above, the proposed preliminary plat is consistent with the following Goal and Policies of the City’s Comprehensive Plan:

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

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

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

(3) Subsection 14.20.100(A)(3) – Consistency with the provisions of this title, Title 14 entitled “Subdivision Ordinance.” As proposed and with the recommended conditions, this preliminary plat will meet all the design requirements in YMC Chapter 14.20 of the City’s subdivision ordinance and in the City’s Title 12 development standards. This review and the recommended conditions are intended to ensure consistency with the provisions of the City’s subdivision ordinance as well as other applicable City ordinances.

(4) Subsection 14.20.100(A)(4) – Appropriate provisions for enumerated features. As proposed and with the recommended conditions, this 30-lot preliminary plat of “Anderson Park Phase 4” will make appropriate provisions for the following features required by YMC 14.20.100(A)(4) and RCW 58.17.110(1):

(a) *Public health, safety, welfare*: The construction of new single-family dwellings and/or two-family dwellings will complement the existing adjacent single-family development to the west. It 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

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with all applicable City development standards, and all conditions of approval specified by the City Council.

(b) *Open spaces*: The proposed lots are larger than the minimum lot size required in the R-2 zoning district for single-family dwellings. The lot coverage limitation of not more than 60% in the R-2 zoning district will provide adequate light and air for future residents in accordance with the standards in the zoning ordinance without additional open spaces.

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

(d) *Streets, alleys, and other public ways*: The subject property has frontage upon the extension of Occidental Road from South 64th Avenue to the east and includes new public streets (South 58th Avenue, South 57th Avenue and Cottonwood Place) to provide adequate access to all internal lots.

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

(f) *Sanitary waste disposal*: Public sewer is required to service all lots within the subject development. A City of Yakima sewer main capable of serving the development has been extended east to the site along Occidental Road.

(g) *Parks and playgrounds*: Open space, parks, recreation and playgrounds are located at the West Valley Middle Level Campus about 1.9 miles away, Wide Hollow Elementary School about 2.4 miles away and West Valley High School about 2.9 miles away from the subdivision.

(h) *Sites for schools*: As indicated, West Valley Middle Level Campus is located about 1.9 miles from this proposed subdivision, while Wide Hollow Elementary School is located about 2.4 miles from this proposed subdivision and West Valley High School is located approximately 2.9 miles from this proposed subdivision. No comments were submitted by the West Valley School District.

(i) *Sidewalks*: Sidewalks are required and shall be provided along this development's internal streets (South 58th Avenue, South 57th Avenue and Cottonwood Place) and along the Occidental Road frontage. Sidewalks have

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already been installed from South 64th Avenue to the site due to the existing residential development to the west and north of this site.

(j) *Public Transit:* Yakima Transit Routes 2 and 5 pass the intersection of South 64th Avenue and West Washington Avenue approximately 0.9 of a mile north of the subdivision.

(k) *Serves the public use and interest:* This proposed 30-lot residential subdivision is consistent with neighboring residential land uses, better serves the needs of the City than the present undeveloped status of the property and helps satisfy the need for additional housing within the City.

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

XIV. Critical Areas Ordinance Findings. Critical Areas Ordinance Findings are as follows:

(1) This application was subject to Environmental Review which resulted in the issuance of a Mitigated Determination of Nonsignificance on April 22, 2022, which was not appealed and therefore became final as to the Mitigation Measures needed to reduce all likely significant adverse environmental impacts noted in the Yakima County Flood Control Zone written comments and testimony to an acceptable level.

(2) Consistent with YMC §15.27.031(C)(2), the Administrative Official reviewed the available information pertaining to the proposal and made a determination that Critical Areas were present, but there is no impact.

(3) Per YMC §15.27.309, it has been determined that a Standard Development Permit is required.

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(4) Consistent with YMC §15.27.311 relative to Authorization Decisions – Basis for Action, the applicant meets the following criteria:

(a) *Impact of the project to critical area features on the property and abutting property:* The impact to critical area features will be minimal as long as the subdivision provides adequate building pads, envelopes or footprints elevated above the floodplain/floodway that crosses proposed Lots 8, 27 and 28 and crosses Cottonwood Place between Lots 15, 16 and 30. Mr. Havens testified on behalf of the Yakima County Flood Control Zone District (FCZD) to the effect that the MDNS Mitigation Measures which were imposed as a result of his comments still left him concerned about the safety of the residents of the three lots south of Cottonwood Place which serves as the floodway channel for floodwaters in a 100-year or greater flood. However, the MDNS was not appealed to give the Hearing Examiner jurisdiction to revise the SEPA Responsible Official's Mitigation Measures imposed to mitigate those FCZD concerns to an acceptable level. Despite that, Mr. Heit indicated that his recollection is that the level of the water flowing in the fairly flat street named Cottonwood Place in a 100-year flood would only be about 10 inches deep and in a 200-year flood would be about 18 inches deep. He added that all five of the lots adjacent to the floodway will have a required building pad, envelope or footprint located above the flood elevation outside the floodway and floodplain that will be shown on the plat. He also indicated that the owners of the adjacent property to the south are interested in developing that property, in which case South 58th Avenue and South 57th Avenue would be extended so as to give alternate access to Ahtanum Road from the lots that would be south of the floodway channel in the event of a flood. Mr. Heit did, however, express concern about the DAHP recommendation that a professional archeological survey be conducted and a report be prepared. His concern is that there would be no benefit from conducting such a survey due to the past agricultural uses of the land and its current disturbed condition, especially since no cultural resources were discovered during the development of the adjacent 94-lot Anderson Park single-family residential subdivision to the west. Instead of making that DAHP recommendation a requirement, the requirement will be that the applicant obtain the Planning Division's approval of an Inadvertent Discovery Plan to address the possibility of discovering cultural resources in the course of grading or developing the site.

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(b) *Danger to life or property that would likely occur as a result of the project:* The floodplain of Spring Creek – Tributary 1 is located on the parcel, and the proposed grading plan will channelize the floodwater flowing into the development to prevent flooding on specific parcels.

(c) *Compatibility of the project to critical area features:* In addition to the floodplain being realigned to generally follow the direction of Cottonwood Loop from the west, each lot encumbered by the floodplain will have a building pad, envelope or footprint located outside of the floodplain. Lots 8, 27 and 28 are far larger than the average lot in the subdivision which will allow floodwaters to flow across them to and from the paved street named Cottonwood Place which will largely confine floodwaters between Lots 15, 16 and 30 so as to avoid reaching the building pads, envelopes or footprints where the homes will be located.

(d) *Conformance with applicable development standards:* All applicable standards of YMC Chapter 15.27 will be met.

(e) *Compliance with the flood hazard mitigation requirements of YMC §15.27.400 through §15.27.436:* The existing FEMA FIRM Panels 53077C1029F and 53077C1037E were revised in 2020 (Case No. 20-10-0066R) which on the site channelized the floodplain through Cottonwood Place which resulted in building pads, envelopes or footprints for the affected lots in the subdivision being located outside of the floodplain.

(f) *Adequacy of the information provided by the applicant or available to the division:* The application that was submitted is adequate for review.

(g) *Alternative Courses of Action:* Based upon the project evaluation, the decision maker shall take one of the following actions.

- (i) Grant the development authorization;
- (ii) Grant the development authorization with conditions as allowed by YMC §15.27.312 in order to mitigate impacts to the critical area feature(s); or
- (iii) Deny the development authorization.

(5) Since the consideration of the Critical Area Standard Development Permit has been consolidated for review with the Preliminary Long Plat application, the Hearing Examiner recommends that the City Council grant the Critical Area Standard

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Development Permit development authorization in conjunction with approval of the Preliminary Long Plat of "Anderson Park Phase 4."

XV. Consistency Analysis Conducted Pursuant to Subsection 16.06.020(B) of the Yakima Municipal Code. The consistency analysis for this proposed Preliminary

Long Plat of "Anderson Park Phase 4" is as follows:

(1) **The type of land use contemplated by the proposal** (a single-family residential development) is permitted on this site so long as it complies with the conditions imposed by the Yakima City Council, as well as the regulations of the zoning ordinance, subdivision ordinance, building codes and other applicable regulations. The proposed single-family dwellings are Class (1) permitted uses in the R-2 zoning district.

(2) **The level of development** with the maximum lot coverage density of 60% and with lots that are larger than the minimum lot size requirements will not exceed the allowable level of development in the Two-Family Residential (R-2) zoning district.

(3) **The availability and adequacy of infrastructure and public facilities** is not an issue because the additional infrastructure that will be provided at the applicant's expense would insure that adequate infrastructure and public facilities are available for the proposed preliminary long plat.

(4) **The character of the proposal, such as the proposal's consistency with applicable development standards of the City's Urban Area Zoning Ordinance,** primarily involves consideration of specific development standards relating to lot size, access, potable water, sewage disposal and other features of the proposed preliminary plat which have been discussed in detail above. With the recommended conditions, the proposed Preliminary Long Plat of "Anderson Park Phase 4" with the requisite Standard Critical Area Standard Development Permit will be consistent with the development standards of applicable City ordinances.

CONCLUSIONS

Based on the foregoing Findings, the Hearing Examiner concludes as follows:

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(1) The Hearing Examiner has jurisdiction to recommend to the Yakima City Council the approval of the proposed Preliminary Long Plat of “Anderson Park Phase 4” with a Critical Area Standard Development Permit pursuant to YMC §1.43.080, YMC §14.20.100 and YMC Chapter 15.27.

(2) A SEPA Mitigated Determination of Nonsignificance (MDNS) was issued for this proposed preliminary plat on April 22, 2022, that became final without any appeal.

(3) Notices for the public hearing were given in accordance with applicable ordinance requirements.

(4) The proposed Preliminary Long Plat of “Anderson Park Phase 4,” with the requested Critical Area Standard Development Permit and subject to all of the conditions detailed below, is in compliance with the applicable provisions of the City’s 2040 Comprehensive Plan, 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; 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; and said plat will serve the public use and interest.

(5) This proposed Preliminary Long Plat of “Anderson Park Phase 4” with the requested Critical Area Standard Development Permit is in compliance with all of the consistency requirements of Subsection 16.06.020(B) of the Yakima Municipal Code.

RECOMMENDATION

The Hearing Examiner recommends to the Yakima City Council that the proposed 30-lot preliminary plat of “Anderson Park Phase 4” with the requested Critical Area Standard Development Permit to be developed for single-family residences as described in the project narrative and site plan submitted to the Planning Division on February 7, 2022, and described in related documents which are assigned file numbers PLP#002-22,

Cottonwood Partners, LLC
Occidental Rd. & S. 58th Ave.
Plat of “Anderson Park Phase 4”
PLP#002-22 and CAO#001-22
TCO#003-22 and SEPA#003-22

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CAO#001-22 and SEPA#003-22 be **APPROVED**, subject to compliance with the following conditions:

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

(B) All lots shall be served with public water from the Nob Hill Water Association. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification from the Nob Hill Water Association must be submitted to the Planning Division indicating that each lot within the plat has been served with domestic water and 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) A minimum 8-foot-wide public utility easement shall be provided adjacent to all public road rights-of-way;

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

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

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

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

(I) The subdivision's Occidental Road frontage shall be constructed with curb, gutter and seven-foot-wide sidewalk on both sides of the street;

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(J) 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;

(K) 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;

(L) 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 by means 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;

(M) Roadway sections within the floodplain/floodway shall be constructed in accordance with applicable regulations of YMC Chapter 15.27, Part Four;

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

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

(P) An NPDES Construction Stormwater General Permit is required if there is a potential for stormwater discharge from the construction site. The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction. The applicant shall contact the Department of Ecology to determine if these permits are required;

(Q) Streetlights shall be installed per the direction of the Engineering Division, and lighting guidelines set forth by the FAA shall be followed;

(R) 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.

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(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) Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.

(4) No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.

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

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

(U) 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;

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

(W) This subdivision shall comply with the conditions of the SEPA Mitigated Determination of Nonsignificance (SEPA#003-22); and

(X) The applicant shall prepare and obtain the Planning Division's approval of a Cultural Resources Inadvertent Discovery Plan and comply with the Plan if cultural resources are discovered on the site.

DATED this 26th day of May, 2022.



Gary M. Cuillier, Hearing Examiner



DEPARTMENT OF COMMUNITY DEVELOPMENT
Joan Davenport, AICP, Director

Planning Division
Joseph Calhoun, Manager
129 North Second Street, 2nd Floor, Yakima, WA 98901
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**CITY OF YAKIMA PLANNING DIVISION'S
FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION
for
REQUEST FOR PRELIMINARY LONG PLAT**

File Numbers: PLP#002-22, SEPA#003-22, & CAO#001-22

APPLICANT: HLA Engineering & Surveying on behalf of Cottonwood Partners LLC
APPLICANT ADDRESS: 2803 River Rd., Yakima, WA 98902
PROJECT LOCATION: Vicinity of Occidental Rd. & S. 58th Ave.
TAX PARCEL NUMBER: 181204-22002
DATE OF REQUEST: February 7, 2022
DATE OF RECOMMENDATION: May 12, 2022
STAFF CONTACT: Eric Crowell, Senior Planner

I. DESCRIPTION OF REQUEST:

Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-2 zoning district and partially within the floodplain.

II. SUMMARY OF DECISION:

The Administrative Official recommends approval of the Preliminary Plat, subject to conditions.

III. FACTS:

A. Processing

1. The application for a Preliminary Long Plat was received on February 7, 2022.
2. The application was deemed complete for processing on March 25, 2022.
3. The applications are being processed under YMC Ch. 14.20 for Subdivision, YMC Ch. 15.27 for Critical Areas, and YMC Ch. 6.88 for SEPA Environmental Review.
4. Pursuant to YMC Ch. 1.43, the Hearing Examiner has the authority to make a decision on matters prescribed by YMC Title 15.
5. **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. The subject property was posted with a land use action sign on March 10, 2022.
- b. A Notice of Application, Environmental Review, and Public Hearing was sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on March 25, 2022.
- c. The 20-day public comment period for SEPA ended on April 14, 2022, and no comments were received.

6. **Environmental Review:** This application was required to undergo State Environmental Policy Act (SEPA) review because it proposed to subdivide a parcel of land into more than 20 lots in the R-2 zoning district, and due to the requirement that the application undergo a Critical Areas Review. Notice was mailed on March 25, 2022, and the public comment period ended on April 14, 2022. No comments were received. Due to substantial comments received from the Yakima County Flood Control Zone District (FCZD), a Mitigated Determination of Non-Significance (MDNS) was issued on April 22, 2022, and was not appealed.

B. Transportation Concurrency: The applicant applied for Transportation Concurrency (TCO#003-22) on February 7, 2022, and was approved for Concurrency on May 5, 2022. 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 7.88 acres, is zoned Two-Family Residential (R-2), and is current vacant.

***Staff Note:** While the application, Notice of Public Hearing, and Notice of MDNS all noted this subdivision being located in the R-1 zoning district, it is actually located in the R-2 zoning district.*

2. The main purpose of the Yakima Urban Area Zoning Ordinance (UAZO) is to implement the Yakima Urban Area Comprehensive Plan and promote the general health, safety and welfare of the present and future inhabitants of the Yakima Urban Area. YMC § 15.03.020 (C) provides that the purpose of the Two-Family Residential District is intended to:

- a. Establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses compatible with the intent of this district; and
- b. Locate residential development with densities up to twelve dwelling units per net residential acre in areas receiving a full range of public services including public water and sewer service, and police and fire protection.

The district is characterized by up to sixty percent lot coverage, access via local access streets and collectors, one- and two-story buildings, some clustering of units, and required front, rear and side yard setbacks. Typical uses in this district are single-family dwellings and duplexes. The density in this district generally ranges from seven to twelve dwelling units per net residential acre. However, development up to eighteen dwelling units per net residential acre may be allowed in accordance with YMC Chapter 15.04, Table 4-1.

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

Direction	Zoning	Land Use
North	R-1, SR (County)	Residential
South	R-2	Vacant
East	R-1 (County)	Agriculture
West	R-3	Residential

D. Development Services Team Review: A Development Services Team (DST) Review was conducted on February 22, 2022, for technical review of this project. The following comments were received:

1. Code Administration:
 - a. Pursuant to the Chapter 5 of the Washington State Fire Code (WSFC), publicly available fire hydrants will be required along streets spaced at intervals that will provide required fire flow coverage for proposed structures in accordance with WSFC Appendix C.
 - b. These findings are not intended to be an exhaustive review of this proposal.
 - c. Preliminary addressing for this proposal:

Lot 1	2300 S. 58th Ave. / 5800 Occidental Rd.	Lot 16	2312 S. 57th Ave. / 5701 Cottonwood Pl.
Lot 2	2302 S. 58th Ave.	Lot 17	2310 S. 57th Ave.
Lot 3	2304 S. 58th Ave.	Lot 18	2308 S. 57th Ave.
Lot 4	2306 S. 58th Ave.	Lot 19	2306 S. 57th Ave.
Lot 5	2308 S. 58th Ave.	Lot 20	2304 S. 57th Ave.
Lot 6	2310 S. 58th Ave.	Lot 21	2302 S. 57th Ave.
Lot 7	2312 S. 58th Ave.	Lot 22	2300 S. 57th Ave. / 5700 Occidental Rd.
Lot 8	2314 S. 58th Ave.	Lot 23	2301 S. 57th Ave.
Lot 9	2301 S. 58th Ave. / 5702 Occidental Rd.	Lot 24	2303 S. 57th Ave.
Lot 10	2303 S. 58th Ave.	Lot 25	2305 S. 57th Ave.
Lot 11	2305 S. 58th Ave.	Lot 26	2307 S. 57th Ave.
Lot 12	2307 S. 58th Ave.	Lot 27	2309 S. 57th Ave.
Lot 13	2309 S. 58th Ave.	Lot 28	2311 S. 57th Ave.

Lot 14	2311 S. 58th Ave.	Lot 29	2313 S. 57th Ave.
Lot 15	2313 S. 58th Ave. / 5703 Cottonwood Pl.	Lot 30	5700 Cottonwood Pl. / 2314 S. 59th Ave.

2. Engineering

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

- i. 8.67 and 12.05 – New curb, gutter and five-foot sidewalk required within new development. Street section shall conform to standard detail R3. New sidewalks shall be constructed per standard detail R5. Seven-foot sidewalks are required for Occidental Rd. (Minor Arterial).
- ii. 8.64 – Driveways to be constructed per this chapter and standard detail R4.
- iii. 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way. Refer to chapter 8 for requirements. Roads less than five years old can be cut, but will cost one hundred fifty percent of restoration fee with no PCI discount.
- iv. 12.02 – Easements will need to be established per this chapter.
- v. 12.06.050 – Phased developments or temporary dead-end streets shall provide for adequate temporary turnarounds between project phases or future street extension. The design shall provide for continuation of the full right-of-way width to the property boundary.
- vi. 12.06 – Street and right of way widths shall conform to this section unless otherwise approved. Fifty feet of right-of-way is required for the residential new streets. Occidental Rd. is classified as a Minor Arterial, requiring a total of 80 feet of right-of-way.
- vii. 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.

b. All frontage improvements shall be completed prior to Certificate of Occupancy. Civil engineering plans for public improvements shall be approved prior to issuance of building permits.

3. Nob Hill Water Association

a. Developer will need to contact Nob Hill Water for cost estimate for new project. Mainline extension, fire hydrants, and water services will be required

to be installed. Signed engineered plans will need to be submitted to start cost estimate for project.

4. Wastewater
 - a. Sewer is to be installed per City of Yakima Municipal Code and Engineering Standards.
5. Surface Water
 - a. For the long plat itself I have no comments. Just be aware that during the development of this parcel a Large Project Stormwater Permit will be required.
6. Department of Ecology
 - a. If the project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.
 - b. The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.
 - c. In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.
 - d. More information on the stormwater program may be found on Ecology's stormwater website at:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Lloyd Stevens, Jr. at the Dept. of Ecology, (509) 571-3866 or email lloyd.stevensjr@ecy.wa.gov, with questions about this permit.
7. Ahtanum Irrigation District
 - a. Our Board must sign off on the plat for this subdivision. The surveyor will need to provide us with the original Mylar, as well as one copy [emphasis that of the agency], for District signature. As our Board meets once per month, please telephone in advance for meeting dates to avoid delays.
8. Yakima Air Terminal
 - a. If there will be cranes over 150 feet in height, the airport shall be contacted so it can issue a NOTAM for the pilots.

9. Department of Archaeology and Historic Preservation
 - a. Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to Bachelor Creek, a resource that may have been important to Native Americans and/or settlers in the past. 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 and a report be produced prior to ground disturbing activities. This report should meet DAHP's Standards for Cultural Resource Reporting.
 - b. We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.
 - c. We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.
 - d. Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.
 - e. Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).
10. Yakama Nation—Cultural Resources Program
 - a. We concur with DAHP's recommendations that this is high risk and an archaeological survey should be completed.
11. Yakima County Flood Control Zone District (FCZD)—*These comments were noted in the MDNS for SEPA#003-22. See Chapter F-4 of the hearing packet.*

E. Applicable Law—Subdivision

1. YMC § 15.03.020 (D): R-2 Zoning District Defined: The purpose of the two-family residential district is to establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses compatible with the intent of this district and locate residential development with densities up to twelve dwelling units per net residential acre in areas receiving a full range of public services including public water and sewer service, and police and fire protection.

The district is characterized by up to sixty percent lot coverage, access via local access streets and collectors, one- and two-story buildings, some clustering of units, and required front, rear and side yard setbacks. Typical uses in this district are single-family dwellings and duplexes. The density in this district generally ranges from seven to twelve dwelling units per net residential acre. However, development up to eighteen dwelling units per net residential acre may be allowed in accordance with YMC Chapter 15.04, Table 4-1.

2. YMC § 15.05.030 (A): Creation of new lots—Subdivision requirements: Table of Subdivision Requirements: This table establishes basic development criteria for lot size and width that must be met when reviewing an application for a new subdivision. For detached single-family dwelling construction in the R-2 zoning district, the required minimum lot size is 6,000 square feet.
3. YMC § 15.30.040: Airport Safety Overlay Zones: The subject property is located in Zone 6, and per YMC § 15.30.060, detached single-family dwellings are Class (1) uses.
4. YMC § 15.30.050: Height Limitation: Height Limitation 2 (Zone 6). No building within this zone shall exceed thirty-five feet above the ground. Any building proposed to exceed this height must undergo further review by the airport manager and the FAA.

The administrative official may require lights or markers as a warning to aircraft on any building, structure, communication tower, use, or tree(s) or to top the tree to reduce its height when recommended by the FAA, WSDOT Aviation Division or the airport manager. Lights and markers shall meet FAA specifications.

Whenever the height limitations of this section differ from those of any other section of this chapter, or that adopted by another local ordinance or regulation, the more restrictive limitation shall apply.

5. 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.

6. 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.
7. 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.
8. 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.
9. YMC § 12.03.040: Minimum sewer size: The minimum size for public sewer lines is eight inches in diameter.
10. 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.
11. 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.
12. 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.
13. 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.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

21. RCW 58.17.110 (1) and YMC § 14.20.120: The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

F. Applicable Law—Critical Areas

1. Critical Area Development Authorization Required: Pursuant to YMC § 15.27.300 (A), no new development, construction, or use shall occur within a designated critical area without obtaining a development authorization in accordance with the provisions of this chapter, except for those provided for in YMC § 15.27.303.
2. General Critical Areas Protective Measures—Subdivision Standards: Pursuant to YMC §§ 15.27.321 (B)(2)(a-c, g), critical areas shall be actively protected through the following:
 - a. Roads and utilities for the subdivision shall avoid critical areas and their buffers, as much as possible.
 - b. When geologically hazardous areas (excluding erosion, oversteepened slopes of intermediate risk, stream undercutting, and earthquake hazards), FEMA floodways, channel migration zones (CMZs), streams, wetlands and/or vegetative buffers fall within the boundary of a subdivision:
 - i. Said critical areas shall be protected by placing them entirely within a separate critical area tract or by including them entirely within one of the developable parcels. Other options, such as conservation easements and building envelopes, may be deemed appropriate by the administrative official as meeting this provision when special circumstances obstruct the viability of this provision;
 - ii. For those new lots that do contain said critical areas, usable building envelopes (five thousand square feet or more for residential uses) shall be provided on the plat that lies outside said critical areas.
 - c. New lots partially within the floodplain shall provide a usable building envelope (five thousand square feet or more for residential uses) outside the floodplain.

- d. Floodplains and critical areas shall be depicted on preliminary subdivision plats and relevant information about them disclosed on the final plat.
- 3. Permitted Uses—Floodway Fringe: Pursuant to YMC § 15.27.409 (A), Detached Single-Family Dwellings is a permitted use within the floodway fringe (floodplain) as long as the proposal complies with the flood hazard protection standards of YMC §§ 15.27.407 and 15.27.408.
- 4. Permitted Uses—Floodway:
 - a. Pursuant to YMC § 15.27.411 (A), Detached Single-Family Dwellings is a permitted use within the floodway as long as the proposal complies with the flood hazard protection standards of YMC §§ 15.27.407 and 15.27.408.
 - b. Pursuant to YMC § 15.27.411 (H), roads and bridges are permitted uses within the floodway as long as they comply with the regulations of YMC § 15.27.411 (D).
- 5. Subdivision Proposals: Pursuant to YMC § 15.27.407 (F), subdivision proposals shall:
 - i. Be consistent with the need to minimize flood damage;
 - ii. Have roadways, public utilities, and other facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - iii. Have adequate drainage provided to reduce exposure to flood damage;
 - iv. Include base flood elevation data; and
 - v. In the cases where base flood elevation is not available and the subdivision is greater than five acres or fifty lots, a step-back water analysis shall be required to generate the base flood elevation data.

G. Yakima Comprehensive Plan 2040

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

IV. SUBDIVISION FINDINGS:

A. Background and Processing:

1. The subject property is currently vacant, is approximately 7.88 acres in size, has a Future Land Use designation of Mixed Residential, and is zoned Two-Family Residential (R-2).
2. Pursuant to RCW Ch. 58.17, YMC § 1.43.080 and YMC § 14.20.100, the City of Yakima Hearing Examiner is authorized to make a recommendation for approval or disapproval, with written findings of fact and conclusions to support the recommendation to the City Council on preliminary plats due to land use review (Critical Areas) 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 Commission shall render a written recommendation, which shall include findings and conclusions based on the record.
3. Public notice for this public hearing was provided in accordance with the Yakima Municipal Code.

B. Site Design and Improvement Standards:

1. All proposed lots are at least 6,000 square feet in area and have at least the minimum of 20 feet of lot frontage upon a public road in accordance with YMC §15.05.020 (H), and at least the minimum standard lot width of 50 feet in accordance with YMC § 15.05.030 (A) and Table 5-2.
2. Lot Size: The preliminary plat indicates that lot sizes will range from 6,841 square feet to 13,342 square feet, which is consistent with Table 5-1 of Ch. 15.05 of the UAZO for single-family construction.
3. Building Envelope: The preliminary plat indicates that building envelopes on lots within the floodplain will range from 5,026.31 to 10,021.77 square feet, which is consistent with YMC § 15.27.321 (B)(2)(c) of the CAO for residential uses.
4. Lot Width: Table 5-2 of Ch. 15.05 requires a minimum lot width for the R-2 zoning district of 50 feet. All proposed lots meet or exceed the minimum requirement.
5. Lot Coverage: Table 5-1 of Ch. 15.05 limits lot coverage in the R-2 zoning district to 60 percent and all lots have sufficient area to comply with this development standard.
6. Setbacks: Table 5-1 of Ch. 15.05 identifies the required setbacks for development within the R-2 zoning district. All lots within the proposed plat shall meet the required setbacks as follows:

Location	From Centerline of Right-of-Way	From Property Line
Front	45 feet	20 feet
Rear	N/A	15 feet
Side (internal)	N/A	5 feet
Side (street)	40 feet	10 feet

7. Maximum Building Height: Table 5-1 of Ch. 15.05 identifies that the maximum building height for development within the R-2 zoning district is 35 feet. The subject parcel is entirely encumbered by Airport Safety Overlay (ASO) Zone 6, which also limits building height to 35 feet. As identified in the applicant's State Environmental Policy Act Checklist, the tallest structure will be less than 35 feet in height, complying with these standards.
8. Access: In accordance with YMC §15.05.020 (H), all lots have 20 feet of frontage upon a public street, or are accessed by a 20-foot access easement.
9. Sidewalk: In accordance with YMC §.15.05.020 (J), the subject plat identifies that curb, gutter, and sidewalk is proposed to be constructed along all interior street frontages.
10. Density: With a density of approximately 5.51 dwellings per net residential acre, the proposed preliminary plat complies with YMC § 15.05.030 (B) and Table 4-1 of Ch. 15.04 which allows up to 7 dwelling units per net residential acre or greater in the R-2 zone as Class (1) uses.
 - a. The Preliminary Long Plat is occurring as a single action and thus the density calculation is based upon a single action of dividing 5.45 acres into 30 residential lots.
 - b. Net residential density excluding streets calculated per YMC § 15.05.030:
 - Total lot area: 237,340 square feet
 - $237,340 / 43,560$ (acre) = 5.45 acres
 - 30 dwelling units / 5.45 = 5.50 dwelling units per net residential acre
11. Streets/Dedication of Right-of-Way: Connected to the existing Occidental Rd. access, minimum 50-foot-wide rights-of-way shall be dedicated for local access streets within the subdivision. Curb, gutter, and a five-foot-wide sidewalk shall be installed.

C. Development Standards:

1. Frontage Improvements
 - a. The applicant will be required to install curb, gutter, and sidewalk along parcel frontages in accordance with YMC § 12.05.010. The street section shall conform to standard detail R3 and the new sidewalks shall be constructed per standard detail R5, in accordance with YMC Ch. 8.67 and 12.05.
 - b. At minimum, one street light shall be installed midblock on the westernmost section of the loop as the street exceeds 500 feet in total length. Street lighting shall meet the design and placement standards of the city engineer. Lighting improvements shall become the property of the City of Yakima upon installation and will thereafter be maintained by the city.

- 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 and a lift station have been extended across Occidental Rd. to the subject parcel.
 - b. A minimum sixteen foot easement shall be maintained over all public utility lines in accordance with YMC §§ 12.02.010 and 12.02.020.
 - c. All lots with the subject plat shall be served by a separate side sewer line from a public main in accordance with YMC § 12.03.070.
 - d. Sewer is to be installed per the Yakima Municipal Code.
 3. Water
 - a. The applicant shall extend potable water to the subject plat in accordance with YMC § 12.04.10.
 - b. Water is served by the Nob Hill Water Association, and the preliminary plat displays water service across all street frontages to serve all lots.
 4. Irrigation
 - a. The subject parcel is located within the Ahtanum Irrigation District and therefore irrigation district approval is required upon the final plat.

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

E. Subdivision Ordinance

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

1. Public health, safety, welfare: The construction of new single-family and/or two-family dwellings will complement adjacent uses and will promote the public health, safety and general welfare insofar as there is a need in this community for additional housing and insofar as this proposed preliminary plat would be required to comply with all applicable City development standards, and all conditions of approval specified by the City of Yakima Hearing Examiner.
2. Open spaces: The proposed lots are larger than the minimum lot size required in the R-2 zoning district for both single-family and two-family dwellings. Lot coverage of 60 percent or less in the R-2 zoning district will provide adequate

light and air for future residents in accordance with the standards in the zoning ordinance without additional open spaces.

3. Drainage systems: Drainage system facilities will be provided in accordance with state and local regulations including the City of Yakima Municipal Code and the Eastern Washington Storm Water Manual.
4. Streets, alleys, and other public ways: The subject property will have frontage upon the extension of Occidental Rd., and proposes new public streets (S. 57th Ave., S. 58th Ave., and Cottonwood Pl.) to provide adequate access to all internal lots.
5. Water supplies: Public water is required to be used for domestic and fire flow purposes. Water is available to the site from Nob Hill Water Association via Occidental Rd.
6. Sanitary waste disposal: Public sewer is required to service all lots within the subject development. A City of Yakima sewer main capable of serving the development has been extended east via Occidental Rd.
7. Parks and playgrounds: Open space, parks, recreation, and playgrounds are located approximately within 2.5 miles of this subdivision due to the proximity of West Valley Park.
8. Sites for schools: Wide Hollow Elementary School is located approximately 2.4 miles away from this subdivision, West Valley Middle Level Campus is located approximately 1.9 miles away, and West Valley High School is located approximately 2.9 miles away.
9. Sidewalks: Sidewalks are required and shall be provided along this development's internal streets (S. 57th Ave., S. 58th Ave., and Cottonwood Pl.) and along the Occidental Rd. frontage.
10. Public Transit: Yakima Transit Routes 2 and 5 pass the intersection of S. 64th Ave. and W. Washington Ave. approximately 0.9 miles north of the subdivision.
11. Serves the public interest and use: This proposed 30-lot residential subdivision is consistent with neighboring land uses and better serves the needs of the City of Yakima than the undeveloped status of the property. However, it is recommended that a professional archaeological survey of the project area shall be conducted due to comments received from DAHP.

F. Time Limitation

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

V. CRITICAL AREAS FINDINGS

- A. The application was subject to Environmental Review, which resulted in a Mitigated Determination of Non-Significance on April 22, 2022.
- B. Consistent with YMC § 15.27.031 (C) (2), the Administrative Official reviewed the available information pertaining to the proposal and made a determination that a “Critical Areas are present, but there is no impact.”
- C. Per YMC § 15.27.309, it has been determined that a Standard Development Permit is required.
- D. YMC § 15.27.311: Authorization Decisions—Basis for Action
The applicant meets the following criteria:
 - 1. Impact of the project to critical area features on and abutting property: The impact to critical area features will be minimal as long as the subdivision provides adequate building pads elevated above the floodplain that crosses the subject parcel via Cottonwood Pl. between Lots 8, 27, and 28.
 - 2. Danger to life or property that would likely occur as a result of the project: The floodplain of Spring Creek—Tributary 1 is located on the parcel, and the proposed grading plan will channelize the floodwater flowing into the development to prevent flooding on specific parcels.
 - 3. Compatibility of the project to critical area features: In addition to the floodplain being realigned to generally follow the direction of Cottonwood Lp., each lot encumbered by the floodplain will have a building pad located outside of the floodplain. Lots 8, 27, and 28 are far larger than the average lot in the subdivision, and will allow floodwaters to flow across them via Cottonwood Pl. in a manner that will avoid the building pads where the homes will be located.
 - 4. Conformance with applicable development standards: All applicable standards of YMC Ch. 15.27 will be met.
 - 5. Compliance with flood hazard mitigation requirements of YMC 15.27.400 through 15.27.436: The existing FEMA FIRM Panels 53077C1029F and 53077C1037E were revised in 2020 (Case No. 20-10-0066R) which on the subject property channelized the floodplain through Cottonwood Pl. that result in building pads for the subdivision located outside of the floodplain.
 - 6. Adequacy of the information provided by the applicant or available to the division: The application submitted is adequate for review.
 - 7. Based upon the project evaluation, the administrative official shall take one of the following actions:
 - a. Grant the development authorization
 - b. Grant the development authorization with conditions, as provided in YMC 15.27.312, to mitigate impacts to the critical area feature(s)

- c. Deny the development authorization

VI. CONCLUSIONS:

- A. The Hearing Examiner has jurisdiction (RCW Ch. 58.17, YMC §§ 1.43.080, and 14.20.100).
- B. This recommendation is based upon a project narrative and site plan received February 7, 2022.
- C. This Preliminary Long Plat complies with the general requirements for subdivision approval as specified by YMC Ch. 14.20 and 15.05.
- D. During project review it has been found that this request is in compliance with YMC § 16.06.020 (B) for making a Determination of Consistency as follows:
 - 1. The use is permitted within the R-2 zoning district.
 - 2. All necessary public facilities are available to serve the site.
 - 3. This proposal is consistent with existing development regulations for this location.
- E. A Mitigated Determination of Nonsignificance (DNS) was issued on April 22, 2022 for this proposed development, and was not appealed.
- F. This proposed subdivision serves the public use and interest and provides for the possibility of creating new additional housing within the City of Yakima.
- G. This preliminary subdivision complies with the goals and objectives of the Urban Area Comprehensive Plan, the intent and purpose of the R-2 zoning district, the provisions of the Urban Area Zoning Ordinance, Subdivision Ordinance, Title 12 Development Standards, and Chapter 12.08 the Traffic Concurrency Ordinance.
- H. The proposed plat complies with the provisions of RCW 58.17.110 and YMC § 14.20.100, providing appropriately for: the public health, safety, and general welfare, open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, sidewalks, and other planning features that assure safe walking conditions for residents of the neighborhood.

VII. RECOMMENDATION:

The Planning Division recommends that this 30-lot subdivision known as "Anderson Park Phase 4," file number PLP#002-22, be approved based upon the above findings and conclusions and subject to the conditions of approval as follows:

- A. Prior to approval of the final plat, all required improvements shall be constructed or financially secured according to the standards and requirements of the City Engineer and YMC Title 12;
- B. All lots shall be served with public water from the Nob Hill Water Association. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification from Nob Hill Water Association must be

submitted to the Planning Division indicating that each lot with the plat has been served with domestic and applicable fees paid;

- C. All lots shall be provided with public sewer service according to YMC Title 12 standards. Prior to final plat approval written verification from the City of Yakima Engineering Department must be provided to the Planning Division indicating that all sewer extensions have been completed and inspected or financially secured;
- D. A minimum eight-foot-wide public utility easement shall be provided adjacent to all public road rights-of-way;
- E. Easements for new and/or future utilities shall be a minimum of 16 feet in width, provided that the width of easements for buried utilities will be twice the depth of the planned excavation;
- F. All public and private utilities shall be located underground, with the exception of telephone boxes and such similar structures;
- G. All public and private utilities to be located within public road rights-of-way must be constructed prior to the start of road construction;
- H. All interior roads on the preliminary plat shall be constructed with curb, gutter, five-foot sidewalks on both sides of the street, and street lighting in accordance with YMC Ch. 12.06, Standard Detail R5, and WSDOT Curb and Sidewalk Plans F-10.12-03;
- I. The subdivision's Occidental Rd. frontage shall be constructed with curb, gutter, and seven-foot sidewalk on both sides of the street;
- J. 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;
- K. 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;
- L. 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;
- M. Roadway sections within the floodplain/floodway shall be constructed in accordance with applicable regulations of YMC Ch. 15.27, Part Four.
- N. Fire hydrants shall be placed at the locations specified by the Building Codes, Planning Division, and the Yakima Fire Department. All lots must be provided with adequate fire flow;
- O. All permits required by the Yakima Regional Clean Air Authority shall be obtained;

- P. An NPDES Construction Stormwater General Permit is required if there is a potential for stormwater discharge from the construction site. The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction. The applicant shall contact the Department of Ecology to determine if these permits are required;
- Q. Streetlights shall be installed per the direction of the Engineering Division and lighting guidelines set forth by the FAA shall be followed;
- R. 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. Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.
 4. No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.
- S. Irrigation approval is required, and shall be shown on the face of the final plat;
- T. A current title report covering the subject property must accompany the final long plat;
- U. 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;
- V. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety;
- W. This subdivision shall comply with the conditions of the MDNS (SEPA#003-22); and
- X. Prior to the issuance of any permits, it is recommended that a professional archaeological survey of the project area be conducted, with copies of the survey provided to DAHP and the Planning Division.

Project Name: COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PH 4"

Site Address: LOWER AHTANUM/53RD

File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22



ZONING MAP



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



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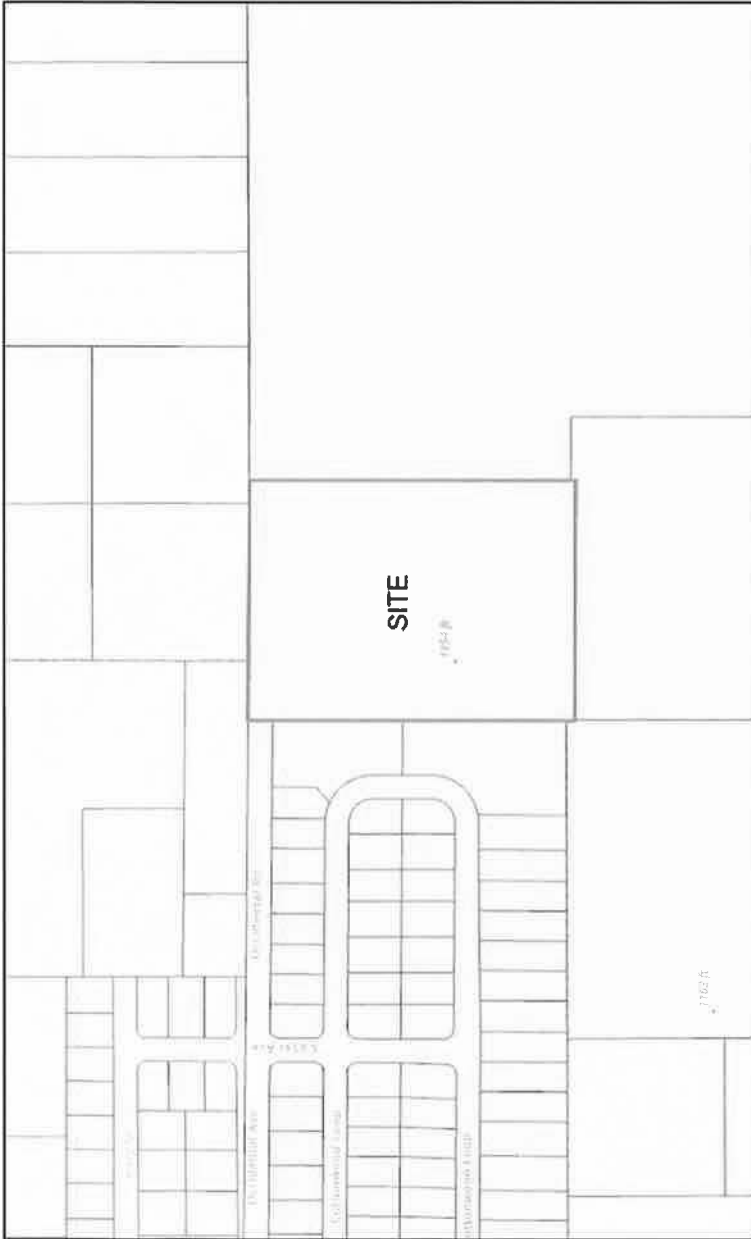
Map Disclaimer: Information shown on this map is for planning and illustration purposes only. The City of Yakima assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any action taken, or action not taken by the user in reliance upon any maps or information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

Date Created: 5/5/2022



Project Name: COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PH 4"
Site Address: LOWER AHTANUM/53RD
File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22

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



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: 5/5/2022

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Project Name: COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PH 4"

Site Address: LOWER AHTANUM/53RD

File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22

AERIAL MAP



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Date Created: 5/5/2022

Project Name: COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PHASE 4"

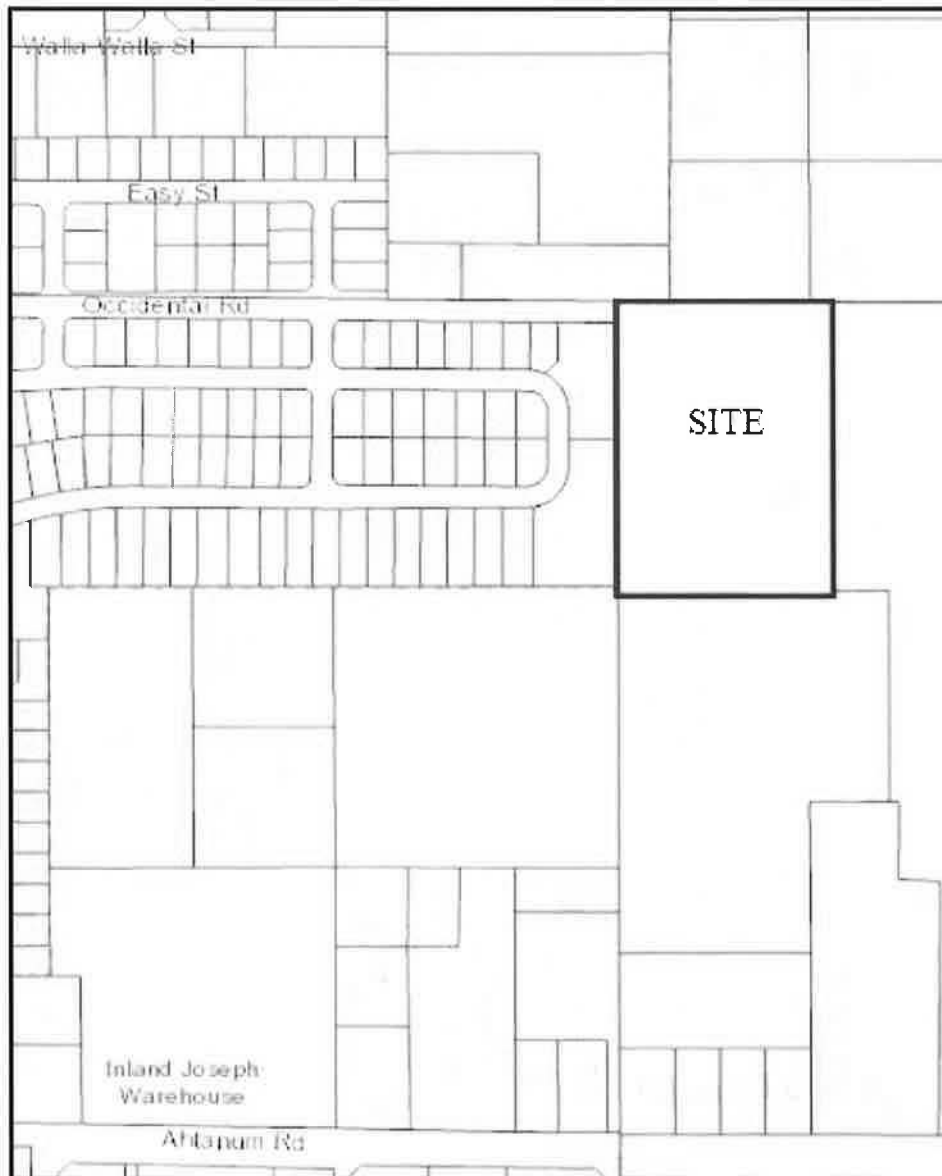
Site Address: LOWER AHTANUM/53RD

File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22 & TCO#003-22

Proposal: Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots. The site is located in the R-1 zoning district and is located partially within the floodplain.

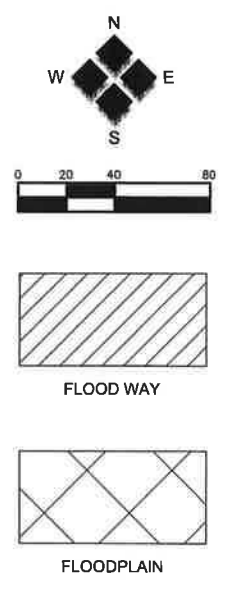
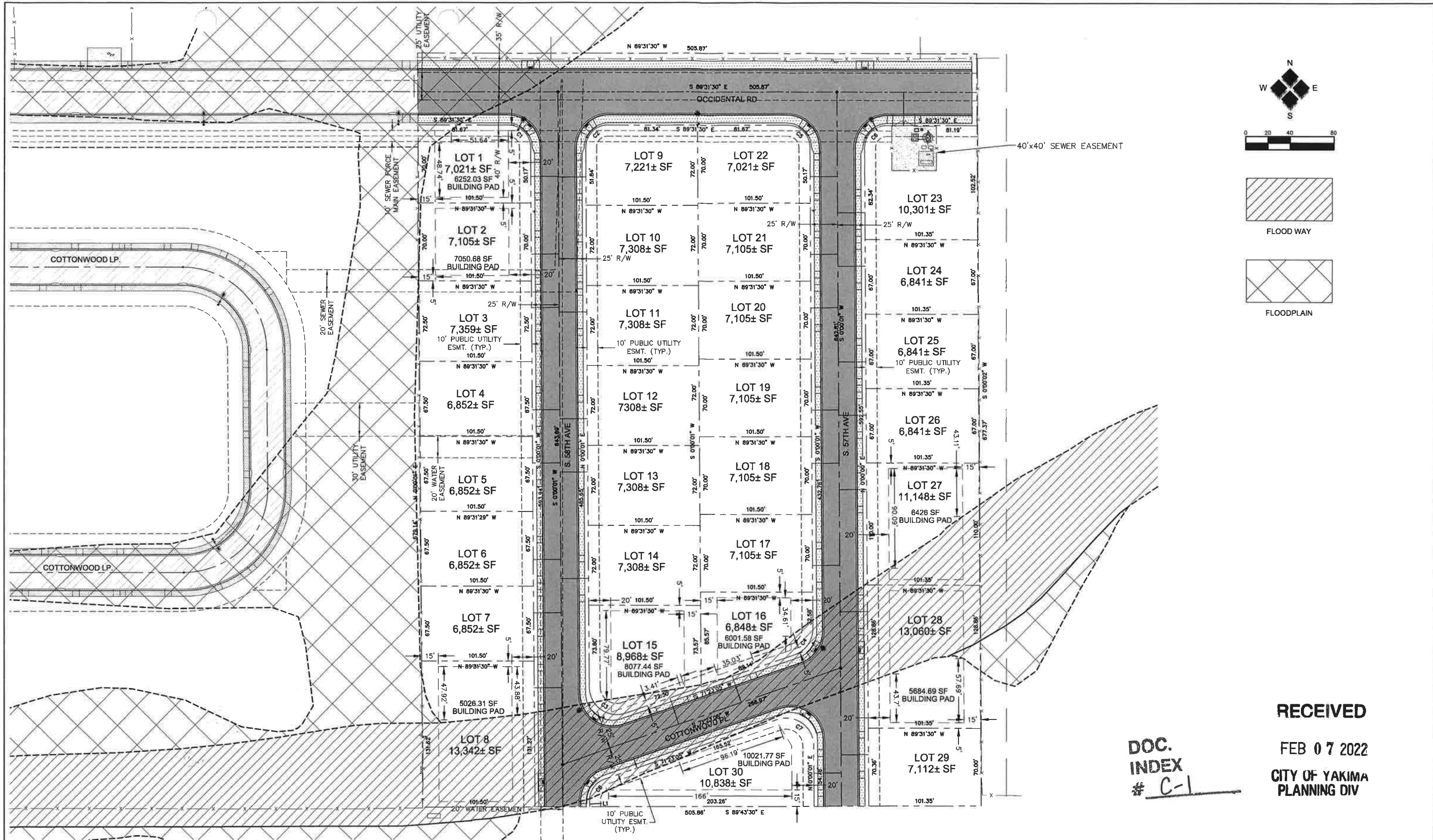


VICINITY MAP



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: 4/22/2022





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RECEIVED
FEB 07 2022
CITY OF YAKIMA
PLANNING DIV



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



PRELIMINARY
SUBJECT TO REVISION

JOB NUMBER: 21036	DATE: 2-04-22
FILE NAMES: DRAWING: 21036.dwg	
DESIGNED BY: ENTERED BY:	MRH MDH
REVISION	DATE

Cottonwood Partners, LLC.
Anderson Park
Yakima County, Washington
FLOOD ZONE SETBACK EXHIBIT

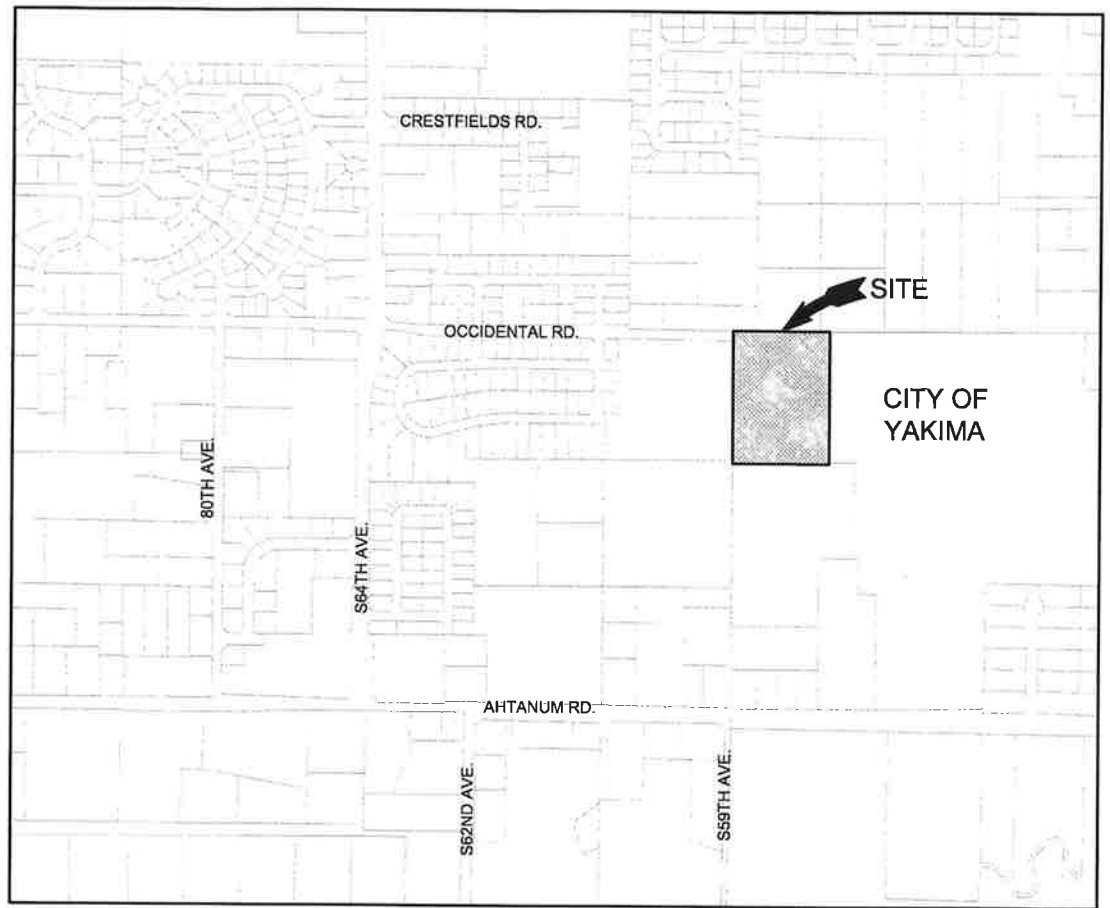
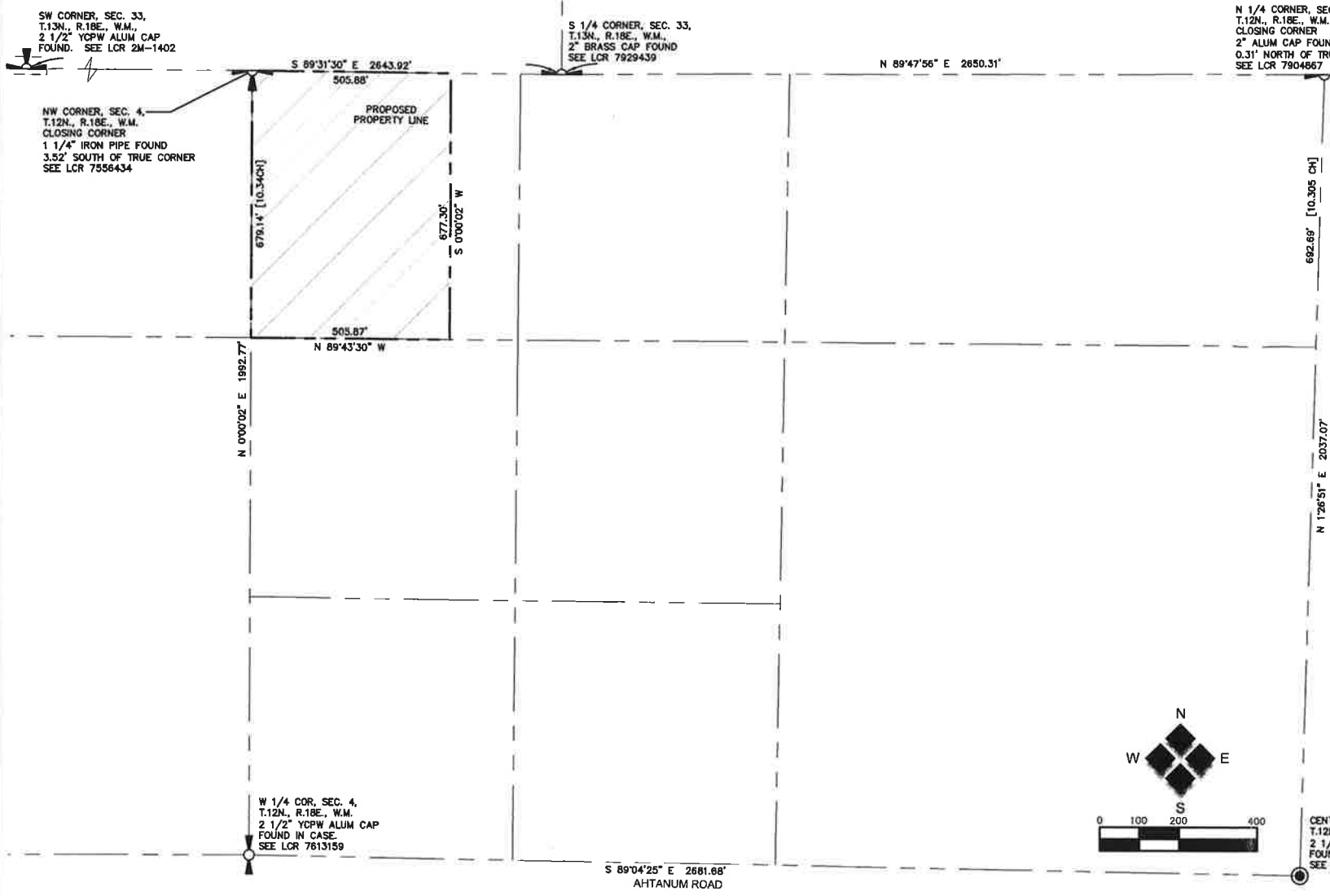
SHEET
1
OF
1

SE CORNER, SEC. 33,
T.13N., R.18E., W.M.,
2" ALUM. CAP FOUND
SEE LCR 2M-475

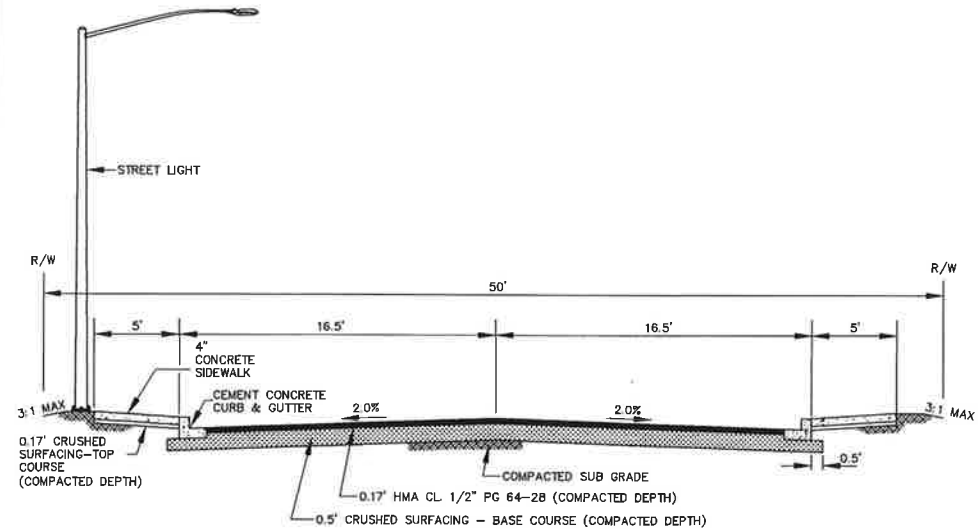
N 1/4 CORNER, SEC. 4,
T.12N., R.18E., W.M.
CLOSING CORNER
2" ALUM. CAP FOUND
0.31' NORTH OF TRUE CORNER
SEE LCR 7904867

PRELIMINARY PLAT OF "ANDERSON PARK"-PHASE 4

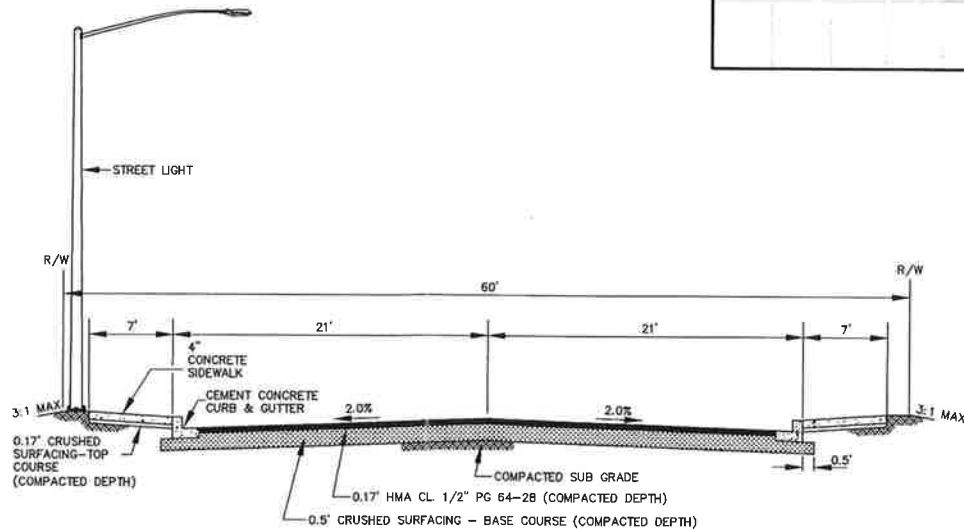
(A PORTION OF THE NW 1/4, SECTION 4, TOWNSHIP
12 NORTH, RANGE 18 EAST, W.M.)



VICINITY MAP
N.T.S.



CITY OF YAKIMA - RESIDENTIAL SECTION (INTERIOR PLAT ROAD)
NOT TO SCALE



CITY OF YAKIMA - RESIDENTIAL SECTION (OCCIDENTAL ROAD)
NOT TO SCALE

DATUM ELEVATION
YAKIMA COUNTY ALUMINUM CAP
AT THE INTERSECTION OF 86TH AVE.
AND OCCIDENTAL RD.
ELEVATION: 1183.95 (NAVD88)

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ENGINEER/SURVEYOR
HLA ENGINEERING & LAND
SURVEYING, INC.
2803 RIVER ROAD
YAKIMA, WA 98902
MIKE HEIT, PE
TIM FRIES, PLS
(509) 966-7000

DEVELOPER
COTTONWOOD PARTNERS, LLC
P.O. BOX 8335
YAKIMA, WA 98908

FEB 07 2022

HLA
Engineering and Land Surveying, Inc.

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

MICHAEL R. FRIES
REGISTERED PROFESSIONAL ENGINEER
37372
1-25-22

TIMOTHY D. FRIES
REGISTERED PROFESSIONAL LAND SURVEYOR
37372
1-25-22

JOB NUMBER: 21036	DATE: 1-24-22
FILE NAMES: DRAWING: 21036.DWG	
DESIGNED BY: ENTERED BY:	MRH MDH
REVISION	DATE

ANDERSON PARK - PHASE 4
COTTONWOOD PARTNERS, LLC.
YAKIMA COUNTY, WASHINGTON

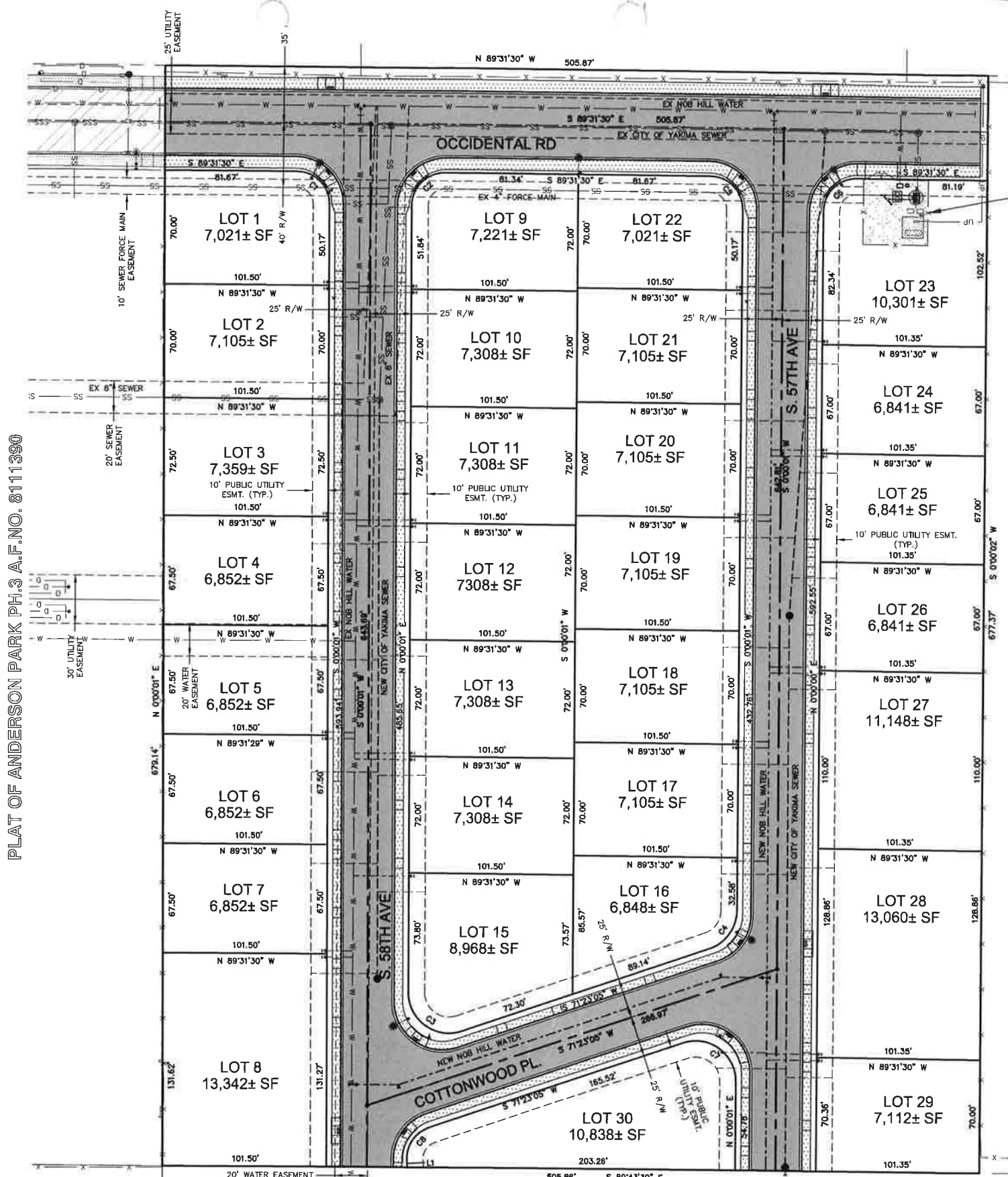
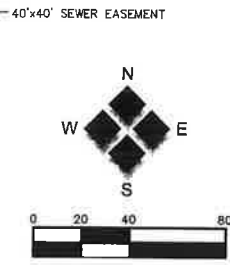
PRELIMINARY PLAT

PARCEL NO. 181204-22002

SHEET
1
OF
2

PRELIMINARY PLAT OF "ANDERSON PARK" - PHASE 4

(A PORTION OF THE NW 1/4, SECTION 4, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M.)



CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	89°31'30"	20.00	31.25	S 44°45'44" E	28.17
C2	90°28'30"	20.00	31.58	N 45°14'16" E	28.40
C3	108°36'55"	25.00	47.39	N 54°18'27" W	40.61
C4	71°23'05"	25.00	31.15	S 35°41'33" W	29.17
C5	89°31'30"	20.00	31.25	S 44°45'44" E	28.17
C6	90°28'30"	20.00	31.58	N 45°14'16" E	28.40
C7	108°36'55"	25.00	47.39	N 54°18'27" W	40.61
C8	73°43'19"	20.00	25.73	S 34°31'26" W	23.99

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 02°04'12" E	4.89

DOC. INDEX # _____

RECEIVED
FEB 07 2022

COMM

PLAT OF ANDERSON ESTATES SOUTH A.F.NO. 7981625

PLAT OF ANDERSON PARK PH.3 A.F.NO. 8111390

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

MICHAEL R. HALL
PROFESSIONAL ENGINEER
TIMOTHY D. PRICE
PROFESSIONAL LAND SURVEYOR

JOB NUMBER: 21036	DATE: 1-24-22
FILE NAMES: DRAWING: 21036.DWG	
DESIGNED BY: ENTERED BY:	MRH MDH
REVISION	DATE

ANDERSON PARK - PHASE 4
COTTONWOOD PARTNERS, LLC.
YAKIMA COUNTY, WASHINGTON

PRELIMINARY PLAT

PARCEL NO. 181204-22002

SHEET
2
OF
2

Crowell, Eric

From: Kallevig, Dana
Sent: Wednesday, May 04, 2022 2:42 PM
To: Crowell, Eric
Subject: RE: Wastewater comments for Plat of Anderson Park Phase 4?

Yes, generic comments on extending sewer to the site per Title 12 requirements and City Engineering Standard Plans and Specifications. I actually have already seen the civil plans and made comments on them.

Dana Kallevig

Utility Project Manager | City of Yakima
2220 East Viola Avenue | Yakima, WA 98901
Office: 509.249.6813 | Cell: 509.307.7382

From: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>
Sent: Wednesday, May 4, 2022 2:29 PM
To: Kallevig, Dana <Dana.Kallevig@yakimawa.gov>
Subject: Wastewater comments for Plat of Anderson Park Phase 4?
Importance: High

Dana,

Does Wastewater have any comments for this subdivision (PLP#002-22/SEPA#003-22/CAO#001-22), located in the vicinity of Occidental Rd. and S. 58th Ave.?

Attached are the notice and MDNS. The staff report will be finalized on 05/05 for the 05/12 public hearing.

Eric M. Crowell

Senior Planner
City of Yakima
129 N. 2nd St.
Yakima, WA 98901
(509) 576-6736
eric.crowell@yakimawa.gov



Crowell, Eric

From: Vera, Jaime
Sent: Wednesday, May 04, 2022 8:21 AM
To: Crowell, Eric
Subject: RE: Airport comments for Anderson Park Phase 4?

Eric,

Good morning and thanks for sending this over. No comments on my end. If there will be cranes over 150ft, have them call the airport so I can issue a NOTAM for the pilots.

Thanks!

From: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>
Sent: Tuesday, May 3, 2022 11:18 AM
To: Vera, Jaime <Jaime.Vera@yakimawa.gov>
Subject: Airport comments for Anderson Park Phase 4?

Jaime,

Does the Yakima Air Terminal have any comments for this subdivision (PLP#002-22/SEPA#003-22/CAO#001-22), located in the vicinity of Occidental Rd. and S. 58th Ave.?

Attached are the notice and MDNS. The staff report will be finalized on 05/05 for the 05/12 public hearing.

Below are the comments Rob provided me for the subdivision directly west of this one.

Eric M. Crowell
Senior Planner
City of Yakima
129 N. 2nd St.
Yakima, WA 98901
(509) 576-6736
eric.crowell@yakimawa.gov



From: Peterson, Robert
Sent: Thursday, August 29, 2019 9:35 AM
To: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>
Subject: FW: Comments on PLP#002-19?

Eric,

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CITY OF YAKIMA PLANNING DIVISION

DST COMMENTS SUBMITTED IN SMARTGOV

**Project Name: COTTONWOOD PARTNERS LLC / PLAT OF ANDERSON PARK
PHASE 4**

File Number: PLP#002-22, SEPA#003-22, CAO#001-22

DST COMMENTS	DEVELOPER WILL NEED TO CONTACT NOB HILL WATER FOR COST ESTIMATE FOR NEW PROJECT. MAINLINE EXTENTION, FIRE HYDRANTS, AND WATER SERVICES WILL BE REQUIRED TO BE INSTALLED. SIGNED ENGINEERED PLANS WILL NEED TO BE SUBMITTED TO START COST ESTIMATE FOR PROJECT.	02/25/2022	kirsten.mcpherson@yakimawa.gov
DST COMMENTS	For the long plat itself I have no comments. Just be aware that during the development of this parcel a Large Project Stormwater Permit will be required.	02/22/2022	randy.meloy@yakimawa.gov

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DATE: February 23, 2022
TO: Eric Crowell, Senior Planner
FROM: Mike Shane, Water / Irrigation Engineer
RE: PLP #002-16 — Vicinity of S. 58th Ave. & Occidental Rd. – COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PHASE 4"

Project Description – Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots. The site is located in the R-1 zoning district and is located partially within the floodplain.

This project requires Title 12 improvements, including but not limited to the following:

8.67 and 12.05 – New curb, gutter and 5' sidewalk required within new development. Street section shall conform to standard detail R3. New sidewalks shall be constructed per standard detail R5. 7' sidewalks are required for Occidental Rd. (Minor Arterial).

8.64 – Driveways to be constructed per this chapter and standard detail R4.

8.72 – An excavation and street break permit shall be obtained for all work within the public right of way. Refer to chapter 8 for requirements. Roads less than five years old can be cut, but will cost one hundred fifty percent of restoration fee with no PCI discount.

12.02 –Easements will need to be established per this chapter.

12.06.050 - Phased developments or temporary dead-end streets shall provide for adequate temporary turnarounds between project phases or future street extension. The design shall provide for continuation of the full right-of-way width to the property boundary.

12.06 – Street and right of way widths shall conform to this section unless otherwise approved. 50' of right of way is required for the residential new streets. Occidental Rd. is classified as a Minor Arterial, requiring a total of 80' of right of way.

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

All frontage improvements shall be completed prior to Certificate of Occupancy. Civil engineering plans for public improvements shall be approved prior to issuance of building permits.

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Mike Shane - Water/Irrigation Engineer
(509) 576-6480 Fax (509) 575-6187
mike.shane@yakimawa.gov



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

February 22, 2022

Eric Crowell
City of Yakima Planning Division
129 N 2nd St.
Yakima, WA 98901

From: Glenn Denman, Building Official

Re: DST Comments: PLP#002-22, S 53rd Ave/Ahtanum Rd

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

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

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COMMUNITY DEVELOPMENT DEPARTMENT

Joan Davenport, AICP, Director

Glenn Denman, Manager

Code Administration Division

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

Phone (509) 575-6126 • Fax (509) 576-6576 E-mail: codes@yakimawa.gov

February 14, 2022

To: City of Yakima Planning Division

From: Lisa Maxey, Permit Project Coordinator

Re: Preliminary Addressing for PLP#002-22 – Anderson Park Phase 4
Subdivide 1 parcel into 30 single-family lots
181204-22002

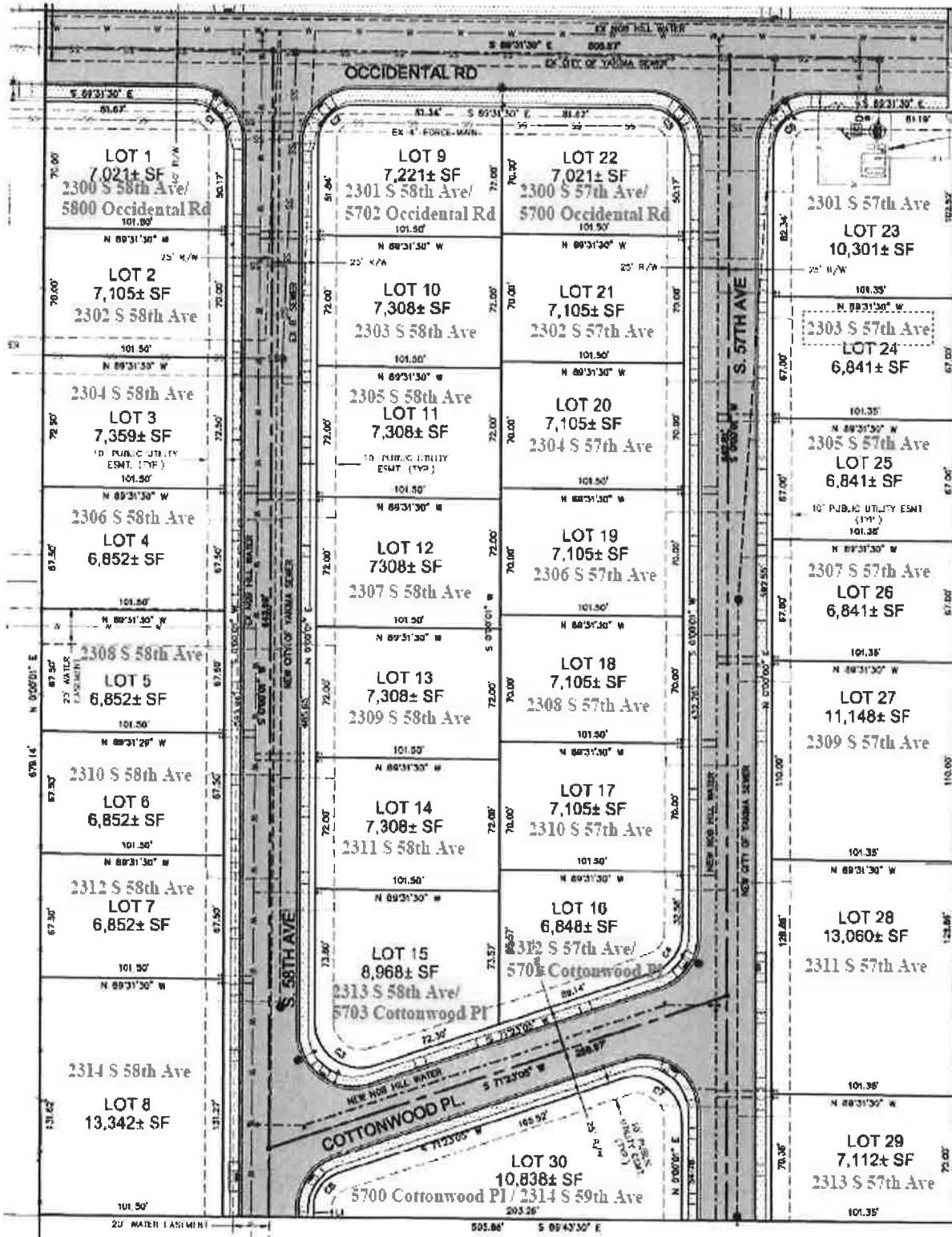
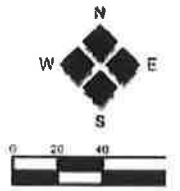
Preliminary Addressing for this Proposal:

- | | |
|--|--|
| Lot 1: 2300 S 58 th Ave / 5800 Occidental Rd | Lot 20: 2304 S 57 th Ave |
| Lot 2: 2302 S 58 th Ave | Lot 21: 2302 S 57 th Ave |
| Lot 3: 2304 S 58 th Ave | Lot 22: 2300 S 57 th Ave / 5700 Occidental Rd |
| Lot 4: 2306 S 58 th Ave | Lot 23: 2301 S 57 th Ave |
| Lot 5: 2308 S 58 th Ave | Lot 24: 2303 S 57 th Ave |
| Lot 6: 2310 S 58 th Ave | Lot 25: 2305 S 57 th Ave |
| Lot 7: 2312 S 58 th Ave | Lot 26: 2307 S 57 th Ave |
| Lot 8: 2314 S 58 th Ave | Lot 27: 2309 S 57 th Ave |
| Lot 9: 2301 S 58 th Ave / 5702 Occidental Rd | Lot 28: 2311 S 57 th Ave |
| Lot 10: 2303 S 58 th Ave | Lot 29: 2313 S 57 th Ave |
| Lot 11: 2305 S 58 th Ave | Lot 30: 5700 Cottonwood Pl / 2314 S 59 th Ave |
| Lot 12: 2307 S 58 th Ave | |
| Lot 13: 2309 S 58 th Ave | |
| Lot 14: 2311 S 58 th Ave | |
| Lot 15: 2313 S 58 th Ave / 5703 Cottonwood Pl | |
| Lot 16: 2312 S 57 th Ave / 5701 Cottonwood Pl | |
| Lot 17: 2310 S 57 th Ave | |
| Lot 18: 2308 S 57 th Ave | |
| Lot 19: 2306 S 57 th Ave | |

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"A"

60'x40' SCREEN EASEMENT



PLAT OF ANDERSON ESTATES SOUTH A.F.N.O. 7981825

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**City of Yakima Development Services Team
Request For Comments
February 18, 2022**

To:	City of Yakima Development Services Team
From:	Eric Crowell, Senior Planner
Subject:	Request for Comments
Applicant:	HLA Engineering & Surveying Inc. for Cottonwood Partners LLC
File Numbers:	PLP#002-22, SEPA#003-22, CAO#001-22
Location:	Vicinity of Occidental Rd. & S. 58th Ave.
Parcel Number(s):	181204-22002
DST MEETING DATE:	2/22/2022

Proposal
<p>Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-1 zoning district and partially within the floodplain.</p>
<p>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 February 22, 2022 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.</p>

Comments:

Contact Person

Department/Agency

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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:	Cottonwood Partners, LLC						
	Mailing Address:	P.O. Box 8335						
	City:	Yakima	St:	WA	Zip:	98908	Phone:	(509) 949-0125
	E-Mail:	lw_mllr@yahoo.com						
2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____			
3. Property Owner's Information (If other than Applicant):	Name:							
	Mailing Address:							
	City:		St:		Zip:		Phone:	()
	E-Mail:							
4. Subject Property's Assessor's Parcel Number(s): 181204-22002								
5. Legal Description of Property. (if lengthy, please attach it on a separate document) See Attached								
6. Property Address: LOWER AHTANUM/53RD								
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"/> Preliminary Long Plat <input checked="" type="checkbox"/> Environmental Checklist (SEPA Review) <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Transportation Concurrency <input checked="" type="checkbox"/> Other: Critical Areas CAO <input type="checkbox"/> Other: _____								

PART II – SUPPLEMENTAL APPLICATION & PART III – REQUIRED ATTACHMENTS

SEE ATTACHED SHEETS

PART IV – CERTIFICATION

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

Law Miller

Property Owner's Signature

12/31/2021

Date

Applicant's Signature

Date

TCO#003-22

FILE/APPLICATION(S)#

PIP# 002-22, SEPA# 003-22, CAO# 001-22

DATE FEE PAID: 2/7/22	RECEIVED BY: A. Firth	AMOUNT PAID: 2235 -	RECEIPT NO: CR.22.000308
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Supplemental Application For:

PRELIMINARY LONG PLAT

CITY OF YAKIMA, SUBDIVISION ORDINANCE, TITLE 14

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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.

Cottonwood Partners, LLC
P.O Box 8335
Yakima, WA 98908

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

Lew Miller, Cottonwood Partners, 509-949-0125
Tim Fries / Michael R. Heit, HLA Engineering and Land Surveying, Inc., (509) 966-7000.

3. NAME OF SUBDIVISION: Plat of Anderson Park - Phase 4

4. NUMBER OF LOTS AND THE RANGE OF LOT SIZES: 30 lots, 7,021 SF to 10,838 SF

5. SITE FEATURES:

A. General Description: Flat Gentle Slopes Steepened Slopes

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

C. Is the property in a 100-Year Floodplain or other critical area as mapped by any local, state, or national maps or as defined by the Washington State Growth Management Act or the Yakima Municipal Code? Yes

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: 250 feet, in Phase 3 or along Occidental

B. Distance to Nearest School (and name of school): 5,800 feet, West Valley Junior High

C. Distance to Nearest Park (and name of park): 7,300 feet, West Valley Park

D. Method of Handling Stormwater Drainage: On site underground infiltration.

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

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

PART III - REQUIRED ATTACHMENTS

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

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

3 ENVIRONMENTAL CHECKLIST (required):

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

Property Owner Signature (required)

12/31/2021

Date

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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

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2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____			
3. Property Owner's Information (If other than Applicant):	Name:							
	Mailing Address:							
	City:		St:		Zip:		Phone:	()
	E-Mail:							
4. Subject Property's Assessor's Parcel Number(s): 181204-22002								
5. Legal Description of Property. (if lengthy, please attach it on a separate document) See Attached								
6. Property Address: LOWER AHTANUM/53RD								
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"/> Critical Areas Review			<input type="checkbox"/> Type (1) Review			<input type="checkbox"/> Type (2) Review		
<input type="checkbox"/> Type (3) Review			<input type="checkbox"/> Environmental Checklist (SEPA Review)			<input type="checkbox"/> Shorelines		
<input type="checkbox"/> Master Application (select if submitting two or more applications under Title 15)			<input type="checkbox"/> Other: _____			<input type="checkbox"/> Other: _____		

PART II – SUPPLEMENTAL APPLICATION & PART III – REQUIRED ATTACHMENTS

SEE ATTACHED SHEETS

PART IV – CERTIFICATION

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

Law M. Miller
Property Owner's Signature

12/31/2021
Date

Applicant's Signature

Date

FILE/APPLICATION(S)# 0003A CAO # 001 - 22

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:

2/7/22

A. Firth

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Critical Areas Identification Form

CITY OF YAKIMA, DEPARTMENT OF COMMUNITY DEVELOPMENT

129 NORTH SECOND STREET, 2ND FLOOR, YAKIMA, WA 98901

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

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CITY OF YAKIMA
PLANNING DIV.

This form is intended to provide a sufficient level of information that, when combined with a site inspection, the Administrative Official can make an informed determination as to whether or not critical areas are present on the site, and whether or not the proposed activity will impact those critical areas. A "yes" response to any single question on the identification form does not necessarily indicate that further critical area review is required. **The Administrative Official will evaluate all the information provided on the form, in conjunction with the information provided with the initial permit application, to determine if further investigation is needed and whether completion of a critical area report is warranted.** In some instances, a preliminary report prepared by an environmental professional may be appropriate. If a buffer reduction is necessary for your project, a separate review will be required and a separate fee will be charged. Some of the questions listed here require locating the project area on reference maps. The City of Yakima has various maps on file, i.e. the FEMA Floodplain Map. Maps from other federal, state, and local agencies may also be used as indicators.

PART II - APPLICATION INFORMATION

A. Project Information

1. Name of project.

Plat of Anderson Park - Phase 4

2. Name and address of applicant.

Cottonwood Partners, LLC, P.O. Box 8335, Yakima, WA 98908

3. Name and address of individual completing the identification form and their environmental/technical expertise/special qualifications.

Michael R Hiet, PE., HLA Engineering and Land Surveying, Inc.
2803 River Road, Yakima, WA 98902

4. Date the identification form was prepared.

December 31, 2021

5. Location of the proposed activity (street address and legal description).

See Attached.

6. Give a brief, complete description of the proposed activity, including extent of proposed activities, and impervious surface areas.

The existing site is open land covered with natural occurring pasture grasses. It may have been used in the past for grazing land or growing hay. The land is proposed to be subdivided into 30 single family residential lots that will have single family homes constructed on them. The floodplain was revised through the LOMR process to create building pads outside of the floodplain consistent with CAO#008-19 and approved LOMR. Lots 1, 8, 15, 16, 27-30 have floodplain, floodway crossing or touching the property.

7. Describe the limits of the project area in relation to the site (for example, "the project area will extend to within 50 feet of the north property line"), including the limits of proposed clearing and construction activity.

The project area varies across the plat, see attached revised floodplain mapping.

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PLANNING DIV

B. General Questions That May Be Applicable To All Areas

1. What is the U.S. Department of Agriculture soil classification of the soil found on site?

The primary soil for the site is a Kittitas Silt Loam which is a CL, ML.

2. What types of soils are found on the site (for example, clay, sand, gravel, peat, muck)?

Silt Loam

3. What types of vegetation are found on site? Cattail, buttercup, bulrush, skunk cabbage, water lily, eelgrass, milfoil?

The primary vegetation on the site is natural occurring pasture grasses.

4. Describe any vegetation proposed to be planted as part of the project.

The project is to develop single family residential homes and standard residential type landscaping will be planted consisting of grass, trees and shrubs.

5. Give a brief, complete description of existing site conditions, including current and past uses of the property as well as adjoining land uses.

The existing site is open land covered with natural occurring pasture grasses.

6. Will the project include installation of an on-site septic system?

No, it will be connected to City sewer.

7. What is the proposed timing and schedule for all multi-phased projects?

The project began will begin in the Summer of 2022. The individual houses are to be constructed over the next two years and are anticipated to be complete by summer 2024.

8. Do you have any plans for future additions, expansion, or related activity? If yes, explain.

There are no plans for future additions at this time. The land will be fully developed upon completion of the project.

9. Have any critical areas or protection easements been recorded on the title of the property or adjacent properties?

There are none known to exist.

10. Will your project require review under the State Shoreline Management Act or the State Environmental Policy Act?

The project will be reviewed under the SEPA.

11. Is the site within the 100-year flood plain on flood insurance maps published by the Federal Emergency Management Agency (FEMA), or on other local flood data maps?

The site has a portion that is within the 100-year flood plain. See attached map

12. Describe any surface water and watercourses, including intermittent streams, drainage channels, ditches, and springs, located on site or within one-half mile of the site. If appropriate, provide the names of the water bodies to which the streams flow.

There are no existing surface bodies of water within the development. There is a piped irrigation ditch that passes across the southern portion of the property and continues just south of the south property line. Ahtanum Irrigation District considers it a part of Hugh Bowman Ditch.

13. Indicate the topography of the site (shallow areas often retain water and may be wetlands, although wetlands may also occur on slopes).

The site slopes gently to the east at approximately 1 1/2 percent.

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14. How will stormwater from the project be managed?

Runoff will be collected and managed on-site via underground infiltration facilities.

CITY OF YAKIMA
PLANNING DIV

15. Is development proposed to be clustered to reduce disturbance of critical areas?

The site 100-year flood plain was previously revised as part of the LOMR process to minimize disturbance to the critical areas. There are no wetlands or bodies of water on the site.

16. Will this project require other government approvals for environmental impacts?

- Hydraulic Project Approval (HPA) (Washington Department of Fish and Wildlife)
- Water quality certification [(Washington State Department of Ecology (Ecology)).
- National Pollutant Discharge Elimination System (Ecology).
- Municipal or health district wastewater/septic approval (Ecology).
- Water Use Permit; Certificate of Water Right (Ecology).
- U.S. Army Corps Section 404 or Section 10 Permits.
- Forest Practices Permit (Washington State Department of Natural Resources (DNR)).
- Aquatic Lands Lease and/or Authorization (DNR).
- Shoreline development, conditional use, or variance permit (local jurisdiction).
- Other _____

C. Available Information

1. Has a critical area review, or other environmental review, been conducted for another project located on or adjacent to the site? List any environmental information known to have been prepared, or expected to be prepared, relating to this proposal or project area.

The applicant has a previous SEPA and CAO determination on the adjacent property, SEPA#011-16 and CAO#001-16, and CAO#008-19 that were issued as part of a previous planning approvals.

D. Wetlands

1. Is there any evidence of ponding on or in the vicinity of the site?

There are no know wetlands on the property.

2. Does the proposed activity or construction involve any discharge of waste materials or the use of hazardous substances?

There are no discharges anticipated as part of the construction activity.

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E. Critical Aquifer Recharge Areas

1. What is the permeability (rate of infiltration) of the soils on the site? (Note: *General information for this question and the following question can be found in the Guidance Document for the Establishment of Critical Aquifer Recharge Area Ordinances, 2000, Ecology Publication #97-30*). Approximately 1 inch per hour.

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2. What is the annual average precipitation in the area?

6 to 12 inches per year.

3. Is there any evidence of groundwater contamination on or in the vicinity of the site?

None are know to exist.

4. Is there any groundwater information available from wells that have been dug in the vicinity? If so, describe, including depth of groundwater and groundwater quality.

Groundwater from test holes varies from 10 to 13 feet.

5. Does the proposed activity or construction involve any discharge of waste materials or the use of hazardous substances?

There are no discharges anticipated as part of the construction activity.

F. Frequently Flooded Areas

1. Is the site, or a portion of the site, at a lower elevation than surrounding properties?

The flood plain area is at a slightly lower elevation than the adjacent property.

G. Geological Hazard

1. Generally describe the site: Flat, rolling, hilly, steep slopes, mountainous, other.

The site is generally flat and slopes gently to the east.

2. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill material.

This proposal does not anticipate moving any material within the critical area. The only material moved would be excavations for the roadway so the road surface can be set at the existing ground elevation, resulting in zero net rise.

3. What is the steepest slope on the property? 1 1/2 percent

4. Is the area mapped by Ecology (Coastal Zone Atlas) or the Department of Natural Resource (slope stability mapping) as unstable ("U" or class 3), unstable old slides ("UOS" or class 4), or unstable recent slides ("URS" or class 5)?

No

5. Is the area designated as quaternary slumps, earthflows, mudflows, lahars, seismic hazard, or landslides on maps published by the U.S. Geological Survey or Dept. of Natural Resources?

No

6. Is there any indication of past landslides, erosion, or unstable soils in the vicinity?

No

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7. Is erosion likely to occur as a result of clearing, construction, or use?

It is not anticipated and Best Management Practices will be employed to prevent erosion.

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PLANNING DIV

8. Are soils proposed to be compacted?

Soils under the roadway will be compacted.

9. Are roads, walkways, and parking areas designed to be parallel to natural contours?

The roads and walkways slope with natural terrain.

H. Habitat

1. List any birds, mammals, fish, or other animal species found in the vicinity of the site, including those found during seasonal periods.

Songbirds.

2. Is the site or areas in the vicinity used for commercial or recreational fishing, including shellfish?

No

3. Is the area designated an Area of Special Concern under on-site sewage regulations to protect shellfish or the general aquatic habitat?

No

4. Are any natural area preserves or natural resource areas located within 500 feet of the site?

No

5. Is the site part of a migration route?

Most of Washington State is part of the Pacific Flyway migratory route for birds.

6. Are any priority habitat areas, as shown on maps published by the WA Dept. of Fish & Wildlife, within one-half mile of the site? If so, describe type of habitat and distance from project area.

No

7. Are any of the following located on or adjacent to the site?

- | | | |
|--|--|--|
| <input type="checkbox"/> Aspen stands | <input type="checkbox"/> Estuary and estuary like areas | <input type="checkbox"/> Juniper savannah |
| <input type="checkbox"/> Caves | <input type="checkbox"/> Marine/estuarine shorelines | <input type="checkbox"/> Prairies and steppe |
| <input type="checkbox"/> Cliffs | <input type="checkbox"/> Vegetative marine/estuarine areas | <input type="checkbox"/> Riparian areas |
| <input type="checkbox"/> Shrub-steppe | <input type="checkbox"/> Old-growth/mature forests | <input type="checkbox"/> Instream habitat areas |
| <input type="checkbox"/> Snags or logs | <input type="checkbox"/> Oregon white oak woodlands | <input type="checkbox"/> Rural natural open spaces |
| <input type="checkbox"/> Talus | <input type="checkbox"/> Freshwater wetlands and fresh deepwater | <input type="checkbox"/> Urban natural open spaces |

8. Does the proposal involve any discharge of waste materials or the use of hazardous substances?

There are no discharges anticipated as part of the construction activity.

9. What levels of noise will be produced from the proposed activity or construction?

Normal construction noise and normal residential maintenance noise. i.e. lawn mowers, leaf blowers, power trimmers.

10. Will light or glare result from the proposed activity or construction?

No, lights will be directed down or toward the interior.

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CITY OF YAKIMA
PLANNING DIV

III. REQUIRED ATTACHMENTS

1. Are there any existing environmental documents for the subject property?

2. Provide a detailed site plan which includes all the required items on the Site Plan Checklist, along with the extent and nature of on-site and off-site Critical Areas and the relationship of the project to those Critical Areas.

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**CITY OF YAKIMA
PLANNING DIV**

**PROJECT DESCRIPTION
Critical Areas ID Application**

The Plat of Anderson Park – Phase 4 will subdivide approximately 7.88 acres into 30 single family lots. The lot sizes vary in size from approximately 7,021 square feet to 10,838 square feet. The lots will have frontage onto a public roadway that will be constructed as part of this project.

Access to the plat will be from extensions off Occidental Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will be contained on-site in underground infiltration.

There are no existing surface bodies of water within the development. There is an irrigation ditch that passes across the southern portion of the adjacent Anderson Park property, but it does not appear to continue across this property and is possible piped. Ahtanum Irrigation District considers this a part of Hugh Bowman Ditch. Hugh Bowman Ditch was piped across a portion of the adjacent property as part of Anderson Estates South project. The irrigation ditch is miss-classified as a Type-3 stream.

The previous plats on the adjacent property has a previous SEPA and CAO determination, SEPA#011-16, CAO#001-16, SEPA#024-19, and CAO#008-19 that was issued as part of land use proposal to build multi-family apartment houses, and the ultimate single-family plat.

As part of CAO process the developer is revised the FEMA FIRM Panel 53077C1029F that covers this area and created building pads outside of the floodplain. Through CAO#008-19, Cottonwood Partners, with Yakima County's and the City of Yakima's support, obtained an approved the LOMR to modifying the FEMA FIRM Panel that extended across this property. See the attached mapping identifying the floodplains across the property.

Floodplain remains on the following parcels: Lots 1, 8, 15, 16, 27-30 have floodplain, floodway crossing or touching the property. See the attached mapping identifying the floodplains across the property.

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LEGAL DESCRIPTION

The west 505.86 feet of Government Lot 4, Section 4, Township 12 North, Range 18 East, W.M.

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CITY OF YAKIMA
PLANNING DIV

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ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

YAKIMA MUNICIPAL CODE CHAPTER 6.88

PURPOSE OF CHECKLIST

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

INSTRUCTIONS FOR APPLICANTS

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

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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

1. **Name Of Proposed Project (If Applicable):** Preliminary Plat of Anderson Park - Phase 4
2. **Applicant's Name & Phone:** Cottonwood Partners, LLC (509) 949-0125
3. **Applicant's Address:** P.O. Box 8335, Yakima, WA 98908
4. **Contact Person & Phone:** Lew Miller, (509) 949-0125
5. **Agency Requesting Checklist:** City of Yakima
6. **Date The Checklist Was Prepared:** December 31, 2021
7. **Proposed Timing Or Schedule (Including Phasing, If Applicable):** The Plat of Anderson Park - Phase 4 will be developed in three phases, and anticipate construction starting in Summer, 2021.
8. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:** This SEPA is in conjunction with a Preliminary Plat Application for Anderson Park - Phase 4 and construction of the proposed residential buildings. The property will be fully developed upon completion of this project.

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PLANNING DIV.

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9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal: The applicant has a previous SEPA and CAO determination on the adjacent property, SEPA#011-16 and CAO#001-16, that was issued as part of a previous land use proposals.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain: YES, a new CAO is being submitted that is showing the revised the FEMA FIRM Panel 53077C1029F that covers this area that would create building pads outside of the floodplain. Through the previous CAO, Cottonwood Partners successfully revised FEMA FIRM Panel through the LOMR process.

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

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

12. 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.):

The proposed Cottonwood Partners Anderson Park - Phase 4 site will subdivide approximately 7.88 acres into 30 single family lots. The lot sizes will vary in size from approximately 7,021 square feet to 10,838 square feet. The lots will have frontage onto a public roadway which will need to be improved as part of this project. Occidental Avenue improvements will need to be extended as part of this project.

Access to the plat will be from extensions off Occidental Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will all be contained on-site underground infiltration.

A Traffic Impact Analysis (TIA) was prepared as part of the of the previously proposed 660 apartments on this property combined with the 35 lot Anderson Estates plat located north of Occidental. The MDNS associated with TIA required a street light to be constructed at the intersection of Occidental Avenue and South 64th Avenue.

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**CITY OF YAKIMA
PLANNING DIV.**

13. 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.:

The proposed Cottonwood Partners Anderson Park - Phase 4 property is located east of the intersection of South 64th Avenue and Occidental Avenue. The NW Quarter of Section 1, Township 12 North, Range 18 E.W.M

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>1. Earth</p> <p>a. General description of the site (✓ one): <input checked="" type="checkbox"/> flat <input type="checkbox"/> rolling <input type="checkbox"/> hilly <input type="checkbox"/> steep slopes <input type="checkbox"/> mountainous <input type="checkbox"/> other Gently Sloping</p> <p>b. What is the steepest slope on the site (approximate percent slope)? The steepest slope is approximately 1 1/2 percent.</p> <p>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 prime farmland. National Resources Conservation Service Soil Mapping was consulted regarding the on-site soils at the plant site. The USDA Soil Conservation Service (SCS) indicated the primary soil for the site is a Kittitas Silt Loam which is a CL, ML or A-4 soil type. The remainder of the site is Naches Loam, which is a CL, SC or A-4 soil type. The Kittitas Silt Loam, and Naches Silt Loam are considered prime farmland if irrigated.</p> <p>d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. There are no known indications of unstable soils on site or in the immediate vicinity.</p> <p>e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. The project consists of usual and normal embankment construction for new streets and building lots in Anderson Park - Phase 4. As it applies to the Anderson Park - Phase 4 floodplain area, the finish elevations of the roadways will be graded to match the existing ground elevations within the floodplain so there will be no net rise. No net increase or decrease in quantity of material is anticipated within either construction project, so the same floodplain volume is available after the project is completed.</p> <p>f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. It is possible erosion could occur during the construction phase of the development, but it is not expected. After construction is completed, each individual residential lot will be landscaped, and long-term erosion is unlikely to occur.</p> <p>g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Anderson Park - Phase 4 will be constructed in accordance with R-1 standards, with approximately 40-percent of the site will be covered with impervious surfacing. The lot coverage maximum in the R-1 zone is 60 percent.</p> <p>h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: During the site development and construction activities, the contractor will be required to utilize appropriate erosion control Best Management Practices, and regulatory erosion control stormwater management plans will be implemented. Silt fencing and dust control measures will be implemented. Storm drainage improvements will be constructed to comply with City of Yakima standards. The site will be permanently stabilized post-construction by sodding and landscaping.</p>	<p style="text-align: center;">RECEIVED FEB 07 2022 CITY OF YAKIMA PLANNING DIV.</p>
<p>2. Air</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. Typical emissions of dust and automobile odors will be generated during construction. Dust control procedures will be in place during construction to limit the dust to the maximum extent practicable. Construction activity will be limited to area immediately adjacent to the construction area. Dust is not expected after construction as the site will be fully landscaped and irrigated, or will be covered with asphalt concrete pavement. After project completion, there will be no adverse effects on the air, the emissions will be from automobiles belonging to local residents and staff. Minimal emissions from commercial heating devices may occur after project completion. Approximate quantities are not known.</p>	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">FEB 07 2022</p> <p style="text-align: center;">CITY OF YAKIMA PLANNING DIV.</p>
<p>b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None are known to exist.</p>	
<p>c. Proposed measures to reduce or control emissions or other impacts to air, if any: The contractor shall comply with Yakima County Clean Air Authority regulatory requirements. The contractor may be required to use dust control measures such as watering of the construction area to eliminate wind-borne erosion if a problem arises. The contractor will also be required to clean mud and dust from public roadways as necessary. In addition, construction equipment will be well maintained to prevent excessive exhaust emissions.</p>	
<p>3. Water</p>	
<p>a. Surface:</p>	
<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. There are no existing surface bodies of water within the development. There is an irrigation ditch that passes across the southern portion of the adjacent Anderson Park property, but it does not appear to continue across this property and is possible piped. Ahtanum Irrigation District considers this a part of Hugh Bowman Ditch. Hugh Bowman Ditch was piped across a portion of the adjacent property as part of Anderson Estates South project. The irrigation ditch is miss-classified as a Type-3 stream.</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. Hugh Bowman Irrigation Ditch is miss classified as a Type 3 Stream. The ditch has already been piped across the adjacent southern portion of the property and no setbacks are required. There will be no work over or in any bodies of water.</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. No fill or dredge material will be placed or removed from any surface water or wetlands.</p>	
<p>4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. The new development will not require any surface water withdrawals or diversions.</p>	
<p>5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. The proposal is to not alter the floodplain. The adjacent lots will be large enough accommodate the building pad sites outside of the floodplain. The existing and proposed floodplains are shown on the attached mapping.</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. The proposal will not discharge any waste material to surface waters.</p>	

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>b. Ground:</p>	<p style="text-align: center;">RECEIVED FEB 07 2022 CITY OF YAKIMA PLANNING DIV.</p>
<p>1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known. The proposal will not withdraw or discharge to ground water. Temporary dewatering during construction of the sewer line is likely to occur, quantities are unknown. Domestic water supply is proposed from the Nob Hill Water which has deep source water wells.</p>	
<p>2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.</p> <p>Waste materials will not be discharged from any source into the ground. The projects will be connected to City of Yakima public sanitary sewer.</p>	
<p>c. Water Runoff (including stormwater):</p>	
<p>1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. The sources of water runoff will be primarily from rainfall and snowmelt. The runoff is proposed to be collected and managed on-site via surface retention and infiltration facilities or underground infiltration facilities. Stormwater treatment and disposal facilities will be designed and sized in accordance with the Eastern Washington Storm Water Manual and City of Yakima standards. This project will not result in the discharge of storm water into a surface water body.</p>	
<p>2. Could waste materials enter ground or surface waters? If so, generally describe. No waste materials are anticipated to enter ground or surface waters.</p>	
<p>3. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: Stormwater runoff from the roads will be retained, treated, and disposed of on-site via underground infiltration facilities. Stormwater from homes will be directed onto landscaped areas on each residential lot. Accepted BMP engineering practices for stormwater drainage systems will be implemented to collect and manage the surface and runoff water impacts.</p>	
<p>4. Plants:</p>	
<p>a. Check (✓) types of vegetation found on the site:</p>	
<p>Deciduous Tree: <input type="checkbox"/> Alder <input type="checkbox"/> Maple <input type="checkbox"/> Aspen <input type="checkbox"/> Other</p>	
<p>Evergreen Green: <input type="checkbox"/> Fir <input type="checkbox"/> Cedar <input type="checkbox"/> Pine <input type="checkbox"/> Other</p>	
<p><input type="checkbox"/> Shrubs <input checked="" type="checkbox"/> Grass <input type="checkbox"/> Pasture Crop Or Grain <input type="checkbox"/> Other</p>	
<p>Wet Soil Plants: <input type="checkbox"/> Cattail <input type="checkbox"/> Buttercup <input type="checkbox"/> Bullrush <input type="checkbox"/> Skunk Cabbage <input type="checkbox"/> Other</p>	
<p>Water Plants: <input type="checkbox"/> Milfoil <input type="checkbox"/> Eelgrass <input type="checkbox"/> Water Lily <input type="checkbox"/> Other</p>	
<p>Other Types Of Vegetation:</p>	
<p>b. What kind and amount of vegetation will be removed or altered? The development will be cleared of existing natural occurring pasture grasses and trees where necessary for the construction of the street, utility improvements, and home construction.</p>	
<p>c. List threatened or endangered species known to be on or near the site. There are no listed endangered or threatened plants on the project site or within the general project vicinity.</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments	
<p>d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: The completed residential homesites will be landscaped with typical residential lawns, trees, flowers, and shrubs. The completed residential apartment complex homesites will be landscaped with typical residential lawns, trees, flowers, and shrubs. Additionally, landscaping will occur within the parking areas, and along the property lines.</p>	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">FEB 07 2022</p> <p style="text-align: center;">CITY OF YAKIMA PLANNING DIV.</p>	
<p>5. Animals:</p>		
<p>a. Check (✓) any birds and animals which have been observed on or near the site or are known to be on or near the site:</p>		
<p>Birds: <input type="checkbox"/> Hawk <input type="checkbox"/> Heron <input type="checkbox"/> Eagle <input checked="" type="checkbox"/> Songbirds <input type="checkbox"/> Other</p>		
<p>Mammals: <input type="checkbox"/> Deer <input type="checkbox"/> Bear <input type="checkbox"/> Elk <input type="checkbox"/> Beaver <input type="checkbox"/> Other</p>		
<p>Fish: <input type="checkbox"/> Bass <input type="checkbox"/> Salmon <input type="checkbox"/> Trout <input type="checkbox"/> Herring <input type="checkbox"/> Shellfish <input type="checkbox"/> Other</p>		
<p>b. List any threatened or endangered species known to be on or near the site. There are no known endangered or threatened species on or near the project site.</p>		
<p>c. Is the site part of a migration route? If so, explain. Most of Washington State is part of the Pacific Flyway migratory route for birds.</p>		
<p>d. Proposed measures to preserve or enhance wildlife, if any: 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. It is anticipated that electricity and/or natural gas will be the primary sources of cooling and heating the residences. Electricity will also be used for normal residential demands of lighting, etc. During construction: equipment fuel.</p>		
<p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. The project will not affect the potential use of solar energy by adjacent properties.</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: New construction will be built to Washington State Energy Codes and as required by the International Building Code.</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. There are no known environmental health hazards that could occur as a result of proposal. A fuel spill may occur as a result of construction activities.</p>		
<p>1. Describe special emergency services that might be required. There are no known emergency services that would be needed as a result of this new building. Emergency medical aid may be required should an injury occur during construction.</p>		
<p>2. Proposed measures to reduce or control environmental health hazards, if any: There are no known environmental health hazards associated with this proposal, therefore there are no proposed measures. The site is a historic pasture and the land was tested for arsenic during previous development and shown to be below the thresholds of concern.</p>		

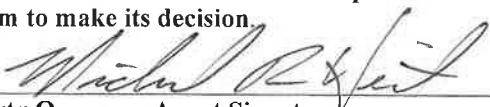
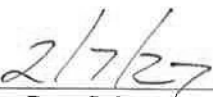
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
b. Noise	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">FEB 07 2022</p> <p style="text-align: center;">CITY OF YAKIMA PLANNING DIV.</p>
<p>1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)? Traffic noise from adjacent public streets.</p>	
<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 noise consists of construction activities associated with commercial construction. Construction noise can be expected from approximately 7:00 a.m. to 7:00 p.m.</p> <p>Long-term noise is expected from the typical residential maintenance equipment, i.e. lawn mowers, leaf blowers, power trimmers, snow blowers, etc. during daylight hours.</p>	
<p>3. Proposed measures to reduce or control noise impacts, if any: No adverse noise impacts are anticipated; however, we propose to restrict construction to 7:00 a.m. to 7:00 p.m.. In addition, we will comply with the City of Yakima and Yakima County Noise Ordinance, as it applies to this project.</p>	
<p>8. Land and Shoreline Use</p>	
<p>a. What is the current use of the site and adjacent properties? The project area consists of unused open land. There is open land located immediately to the north and east of the subject parcel. Residential homes are located to the all sides of the subject property.</p>	
<p>b. Has the site been used for agriculture? If so, describe. The site has not been used for agriculturally for fruit production. The site has been used to pasture cows or grow alfalfa. The site is a historic pasture and the land was tested for arsenic during previous development and shown to be below the thresholds of concern.</p>	
<p>c. Describe any structures on the site. There is currently no structures on the Anderson Park - Phase 4 site.</p>	
<p>d. Will any structures be demolished? If so, what? No.</p>	
<p>e. What is the current zoning classification of the site? R-1.</p>	
<p>f. What is the current comprehensive plan designation of the site? R-1.</p>	
<p>g. If applicable, what is the current shoreline master program designation of the site? Not applicable.</p>	
<p>h. Has any part of the site been classified as an "environmentally sensitive" area? If so specify. There a 100 year floodplain across the south of the property.</p>	
<p>i. Approximately how many people would reside or work in the completed project? Approximately 81 people (2.7 people per home) would reside in the completed project.</p>	
<p>j. Approximately how many people would the completed project displace? None</p>	
<p>k. Proposed measures to avoid or reduce displacement impacts, if any. Not applicable.</p>	
<p>l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: The current zoning for these properties is determined that the properties are suitable for uses permitted in the respective single family zoning district.</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>9. Housing</p> <p>a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Approximately 30, middle income, single family housing units will be created.</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: Not applicable.</p>	<p style="text-align: center;">RECEIVED FEB 07 2022 CITY OF YAKIMA PLANNING DIV.</p>
<p>10. Aesthetics</p> <p>a. What is the tallest height of any proposed structures, not including antennas; what are the principal exterior building materials proposed? Less than 35 feet in max height. Principal building materials will consist of stone, brick, stucco, wood.</p>	
<p>b. What views in the immediate vicinity would be altered or obstructed? None known.</p> <p>c. Proposed measures to reduce or control aesthetic impacts, if any: The proposed buildings will be similar in appearance as neighboring buildings to further control aesthetic impacts. Compliance with zoning and building code regulations regarding building height, lot coverage and setbacks will also be in effect.</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? Typical and normal residential security night lighting from dusk until dawn.</p> <p>b. Could light or glare from the finished project be a safety hazard or interfere with views? The light or glare is not expected to pose any safety hazards or interfere with any views.</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: Proposed street lighting, security lighting, and possible accent lighting will be directed downward throughout the development. Encourage the use of lowest necessary wattage.</p>	
<p>12. Recreation</p> <p>a. What designated and informal recreational opportunities are in the immediate vicinity? West Valley Junior High School lies a 5,800 feet to the northwest of the subject property and recreational activities take place at the school fields. City of Yakima owned park West Valley Park at South 80th Avenue lies 7,300 feet to the northwest of the subject property and recreational activities take place at the park fields. Other known recreational activities in the general area consist of fishing, biking, golfing and walking/jogging.</p> <p>b. Would the proposed project displace any existing recreational uses? If so, describe. No.</p> <p>c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None needed.</p>	

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>13. Historic and Cultural Preservation</p> <p>a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. According to the Department of Archaeology & Historic Preservation's (DAHP) Washington Information System for Architectural and Archeological Records Data (WISAARD), there are no registered properties within or adjacent to the project limits.</p> <p>b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural important known to be on or next to the site. There are no known landmarks or evidence of historic, archaeological, scientific, or other cultural significance located on or near the site.</p> <p>c. Proposed measures to reduce or control impacts, if any: There are no known impacts, therefore no measures are proposed. If, during construction, artifacts are found, then work within the area will cease and the proper authority will be notified.</p>	<p style="text-align: right;">RECEIVED FEB 07 2022 CITY OF YAKIMA PLANNING DIV.</p>
<p>14. Transportation</p> <p>a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. The proposed Anderson Park - Phase 4 development has frontage along Occidental Avenue to the north. The development has two access points to Occidental Avenue. See site plan.</p> <p>b. Is site currently serviced by public transit? If not, what is the approximate distance to the nearest transit stop? Yes, nearest transit stop is 3,000 feet to the north along Washington Avenue.</p> <p>c. How many parking spaces would the completed project have? How many would the project eliminate? None</p> <p>In Anderson Park - Phase 4, each homesite will have a minimum of 2 off-street parking spaces. There will be on-street parallel parking along the public roadway within the development. No parking spaces will be eliminated.</p>	
<p>d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). The proposed development has frontage along Occidental Avenue, which will need to be extended as part of the Anderson Park - Phase 4 project. The development has two access points to Occidental Avenue, and will have public internal roads throughout the subdivision.</p> <p>See attached preliminary plat drawing.</p> <p>A Traffic Impact Analysis (TIA) was prepared as part of the of the previously proposed 660 apartments on the adjacent property combined with the 35 lot Anderson Estates plat located north of Occidental. The MDNS associated with TIA required a traffic signal to be constructed at the intersection of Occidental Avenue and South 64th.</p>	
<p>e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No.</p>	
<p>f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.</p> <p>In Anderson Park - Phase 4, based upon the Ninth Edition (2012) of the Institute of Transportation Engineers (ITE) Trip Generation Manual, a single family residential project (Land Use 210) is anticipated to generate approximately 9.57 vehicle trips per weekday per residence. That equates to approximately 287 vehicle trips per day for (50% entering and 50% exiting).</p>	<p style="text-align: right;">DOC. INDEX # <u>E-2</u></p>

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>The estimated volume during the A.M. peak hour (7:00 a.m. to 9:00 a.m.) of adjacent street traffic (Occidental Avenue) is 0.74 trips per residence or 22 trips at full build-out of all homesites (25% entering, 75% exiting). The estimated volume during the P.M. peak hour (4:00 p.m. to 6:00 p.m.) of adjacent street traffic is 1.01 trips per residence or 30 trips at full build-out of all homesites (63% entering, 37% exiting).</p>	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">FEB 07 2022</p> <p style="text-align: center;">CITY OF YAKIMA PLANNING DIV.</p>
<p>g. Proposed measures to reduce or control transportation impacts, if any: No measures are planned. Occidental Avenue will have frontage improvements and the service level was designed to accommodate traffic loads from within the development.</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, health care, schools, other)? If so, generally describe:</p> <p>The project will have probable incremental increased demand for fire and police protection, public safety services and schools could be anticipated, relative to the potential population increase.</p>	
<p>b. 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. Water from Nob Hill Water and Sewer from the City of Yakima are available to serve the property and would be extended to serve new buildings.</p>	
<p>16. Utilities</p>	
<p>a. Circle utilities currently available at the site: <u>electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.</u></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. Answered above</p> <p>Domestic Water: Nob Hill Water Association Sanitary Sewer: City of Yakima Refuse: City of Yakima or private company Power: Pacific Power Telephone: Qwest or Charter Irrigation: Ahtanum Natural Gas: Cascade Natural Gas Company</p>	
<p>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>Property Owner or Agent Signature</p>	<p>Date Submitted</p>
<p style="text-align: center;">PLEASE COMPLETE SECTION "D" ON THE NEXT PAGE IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW</p>	

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CITY OF YAKIMA
 CODE ADMIN. DIVISION
 FEB 07 2022
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City of Yakima, Washington
TRANSPORTATION CAPACITY ANALYSIS

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

APPLICATION INFORMATION

Applicant Name: Cottonwood Partners, LLC **Project Address:** LOWER AHTANUM/53RD
Contact Person: Lew Miller
Mailing Address: P.O. Box 8335
Yakima, WA 98908 **Parcel No(s):** 181204-22002

Please fill out the appropriate column for your proposed use:

For RESIDENTIAL Use:	For COMMERCIAL Use:	For INDUSTRIAL Use:
Housing Type* <u>Single-Family</u> <i>(Single-Family, Apartments, etc)</i>	Describe Use* _____	Describe Use* _____
Special Population* _____ <i>(Nursing Homes, etc)</i>	Gross Floor Area _____	Gross Floor Area _____
Other* _____ <i>(Group Home, Daycare, Church, etc.)</i>	Parking Spaces _____ <i>(Required/Provided)</i>	Parking Spaces _____ <i>(Required/Provided)</i>
Number of Units <u>30</u>	Number of Employees _____	Number of Employees _____

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

Project Description: See Attached.

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

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

FILE/APPLICATION #: <u>TCO#003-22</u>			
DATE FEE PAID: <u>2/7/22</u>	RECEIVED BY: <u>a. Firth</u>	AMOUNT PAID: <u>250-</u>	RECEIPT NO: <u>CR-22-000308</u>

Uploaded to SG

PROJECT DESCRIPTION TRAFFIC CONCURRENCY

The Plat of Anderson Park – Phase 4 will subdivide approximately 7.88 acres into 30 single family lots. The lot sizes vary in size from approximately 7,021 square feet to 10,838 square feet. The lots will have frontage onto a public roadway that will be constructed as part of this project. The lots will have frontage onto a public roadway, which will need to be improved as part of this project. The project will be constructed in a single phase.

Access to the plat will be from extensions off Occidental Avenue. Nob Hill Water will serve the lots with domestic water, and City of Yakima Sewer will serve the sewerage needs. Storm water will all be contained on-site in retention swales, or underground infiltration.

There are no existing surface bodies of water within the development.

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LEGAL DESCRIPTION

The west 505.86 feet of Government Lot 4, Section 4, Township 12 North, Range 18 East, W.M.

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**COTTONWOOD PARTNERS LLC “PLAT OF ANDERSON
PARK PHASE 4”
PLP#002-22, SEPA#003-22, CAO#001-22**

EXHIBIT LIST

**CHAPTER F
Public Notices**

DOC INDEX #	DOCUMENT	DATE
F-1	Land Use Action Installation Certificate	03/10/2022
F-2	Determination of Complete Application	03/25/2022
F-3	<p style="text-align: center;">Notice of Application, Environmental Review & Public Hearing</p> <p>F-3a: Legal Ad F-3b: Press Release and Distribution Email F-3c: Parties and Agencies Notified F-3d: Affidavit of Mailing</p>	03/25/2022
F-4	<p style="text-align: center;">Notice of Mitigated Determination of Non-Significance (MDNS)</p> <p>F-4a: Parties and Agencies Notified F-4b: Affidavit of Mailing</p>	04/22/2022
F-5	Notice of Decision for Transportation Concurrency	05/05/2022
F-6	HE Agenda and Sign-In Sheet (Agenda & Packet Distribution Lists)	05/12/2022
F-7	<p style="text-align: center;">Notice of Hearing Examiner’s Recommendation and Decision (See DOC INDEX#AA-1 for HE Recommendation and Decision)</p> <p>F-7a: Parties and Agencies Notified F-7b: Affidavit of Mailing</p>	05/31/2022
F-8	Letter of Transmittal to City Clerk: City Council Hearing (Mailing Labels, Vicinity Map)	05/31/2022

CITY OF YAKIMA, PLANNING DIVISION

LETTER OF TRANSMITTAL

I, Rosalinda Ibarra, 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 Cottonwood Partners, LLC "Plat of Anderson Park Phase 4" including labels for SEPA Reviewing Agencies.
2. E-mail distribution lists for In-House, SEPA Reviewing Agencies, Local Media, and Interested Parties and Parties of Record.
3. Site Plan and Vicinity Map

Signed this 31st day of May, 2022



Rosalinda Ibarra
Administrative Assistant

Received By: Sonya Claar Tee

Date: 5/31/22

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1813334006
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5903 OCCIDENTAL RD
YAKIMA, WA 98903

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2803 River Rd
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205 N 86TH AVE
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Total Parcels_Cottonwood Partners - PLP#002-
22, SEPA#003-22, CAO#001-22 & TCO#003-22

Ray Novobielski
200 Abbess Ln
Yakima, WA 98908

*Ntc of City Council hearing
Hearing date: 7/5/2022*

**DOC.
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Ahtanum Irrigation District
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Yakima-Tieton Irrigation District
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Naches Cowiche Canal Association
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SEPA REVIEWING AGENCIES
_UPDATED 04/13/2022

Type of Notice: Notice of City Council Hearing
File Number: PLP#002-22, SEPA#003-22, CAG#001-22
Date of ^{hearing} Mailing: 07/05/2022

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In-House Distribution E-mail List		Revised 05/02/2022
Name	Division	E-mail Address
Jaime Vera	Air Terminal	Jaime.Vera@yakimawa.gov
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Suzanne DeBusschere	Code Administration	Suzanne.DeBusschere@yakimawa.gov
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Rosalinda Ibarra	Community Development	Rosalinda.Ibarra@yakimawa.gov
Bill Preston	Engineering	Bill.preston@yakimawa.gov
Dan Riddle	Engineering	Dan.Riddle@yakimawa.gov
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Jeremy Rodriguez	Fire	Jeremy.Rodriguez@yakimawa.gov
Sara Watkins	Legal	Sara.Watkins@yakimawa.gov
Archie Matthews	ONDS	Archie.Matthews@yakimawa.gov
Joseph Calhoun	Planning	Joseph.Calhoun@yakimawa.gov
Irene Linos	Planning	Irene.Linos@Yakimawa.gov
Matt Murray	Police	Matthew.murray@yakimawa.gov
Scott Schafer	Public Works	Scott.Schafer@yakimawa.gov
Leovardo Cruz	Refuse	Leovardo.Cruz@yakimawa.gov
Randy Layman	Refuse	Randy.Layman@yakimawa.gov
Gregory Story	Transit	Gregory.Story@yakimawa.gov
James Dean	Utilities	James.Dean@yakimawa.gov
Dana Kallevig	Wastewater	Dana.Kallevig@yakimawa.gov
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 <i>(Subdivision notices ONLY)</i>	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Parties of Record or Interested Parties Notified		
Name	Address	E-mail
Ray Novobielski	200 Abbess Ln	RayNovobielski@gmail.com
Reed Pell		RepHousing@hotmail.com

Type of Notice: Ntc of City Council Hearing
 File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22
 Date of ^{hearing} Mailing: 07/05/2022

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Ibarra, Rosalinda

From: Ibarra, Rosalinda
Sent: Tuesday, May 31, 2022 3:49 PM
To: Claar Tee, Sonya
Cc: Linos, Irene
Subject: RE: Mailing for City Council Hearing - Anderson Park Phase 4 - PLP#002-22, SEPA#003-22, CAO#001-22

Sonya – please add the following e-mails when you send out the public hearing notice:

- mheit@hlcivil.com
- lw_mllr@yahoo.com

Thank you!

Rosalinda Ibarra
Community Development Administrative Assistant



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.

From: Ibarra, Rosalinda
Sent: Tuesday, May 31, 2022 12:11 PM
To: Claar Tee, Sonya <Sonya.ClaarTee@yakimawa.gov>
Cc: Linos, Irene <Irene.Linos@yakimawa.gov>; Ibarra, Rosalinda <Rosalinda.Ibarra@yakimawa.gov>
Subject: Mailing for City Council Hearing - Anderson Park Phase 4 - PLP#002-22, SEPA#003-22, CAO#001-22

Hello Sonya – City Council will set July 5th as the public hearing date for Cottonwood Partners, LLC “Plat of Anderson Park Phase 4”.

Please provide the hearing notice to the attached e-mail distribution lists:

- In-House Distribution
- SEPA Reviewing Agencies
- Local Media List

Please also e-mail the notice to the following parties of record/interested parties:

- raynovobielski@gmail.com
- rcphousing@hotmail.com

Mailing labels and maps will be brought to your shortly.

Thank you!

Rosalinda Ibarra
Community Development Administrative Assistant

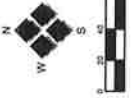
City of Yakima | Planning Division
129 North 2nd Street, Yakima WA 98901
p: (509) 575-6183 ◊ f: (509) 575-6105



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PRELIMINARY PLAT OF "ANDERSON PARK" - PHASE 4

(A PORTION OF THE NW 1/4, SECTION 4, TOWNSHIP
12 NORTH, RANGE 18 EAST, W.M.)



PLAT OF ANDERSON PARK PH 3 A.F.NO. 811390

CURVE	DELTA	RADIUS	LENGTH	CHORD	DIRECTION	CHORD LENGTH
C1	89°30'30"	20.00	31.55	5.44	S 84°24'44" E	28.17
C2	89°28'30"	20.00	31.58	5.44	N 89°14'18" E	28.42
C3	109°28'33"	25.00	47.59	8.24	N 84°18'27" W	42.61
C4	73°23'30"	25.00	24.15	5.24	S 24°13'37" W	23.17
C5	89°23'30"	20.00	31.55	5.44	S 84°24'44" E	28.17
C6	89°23'30"	20.00	31.58	5.44	N 89°14'18" E	28.42
C7	109°28'33"	25.00	47.59	8.24	N 84°18'27" W	42.61
C8	73°23'30"	20.00	24.15	5.24	S 24°13'37" W	23.17

LINE	BEARING	LENGTH
12	S 24°13'37" W	4.88

DOC. INDEX # C-1

RECEIVED
FEB 07 2022
COMM

ANDERSON PARK - PHASE 4
COTTONWOOD PARTNERS, LLC.
YAKIMA COUNTY, WASHINGTON

LOB NUMBER: 21036
DATE: 1-24-22
FILE NAMES: 21036.DWG
DRAWING:

DESIGNED BY:	MRP	MOH
ENTERED BY:		



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

HILA
Engineering and Land Surveying, Inc.

DOC. INDEX # F-8

PRELIMINARY PLAT

Project Name: COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PHASE 4"

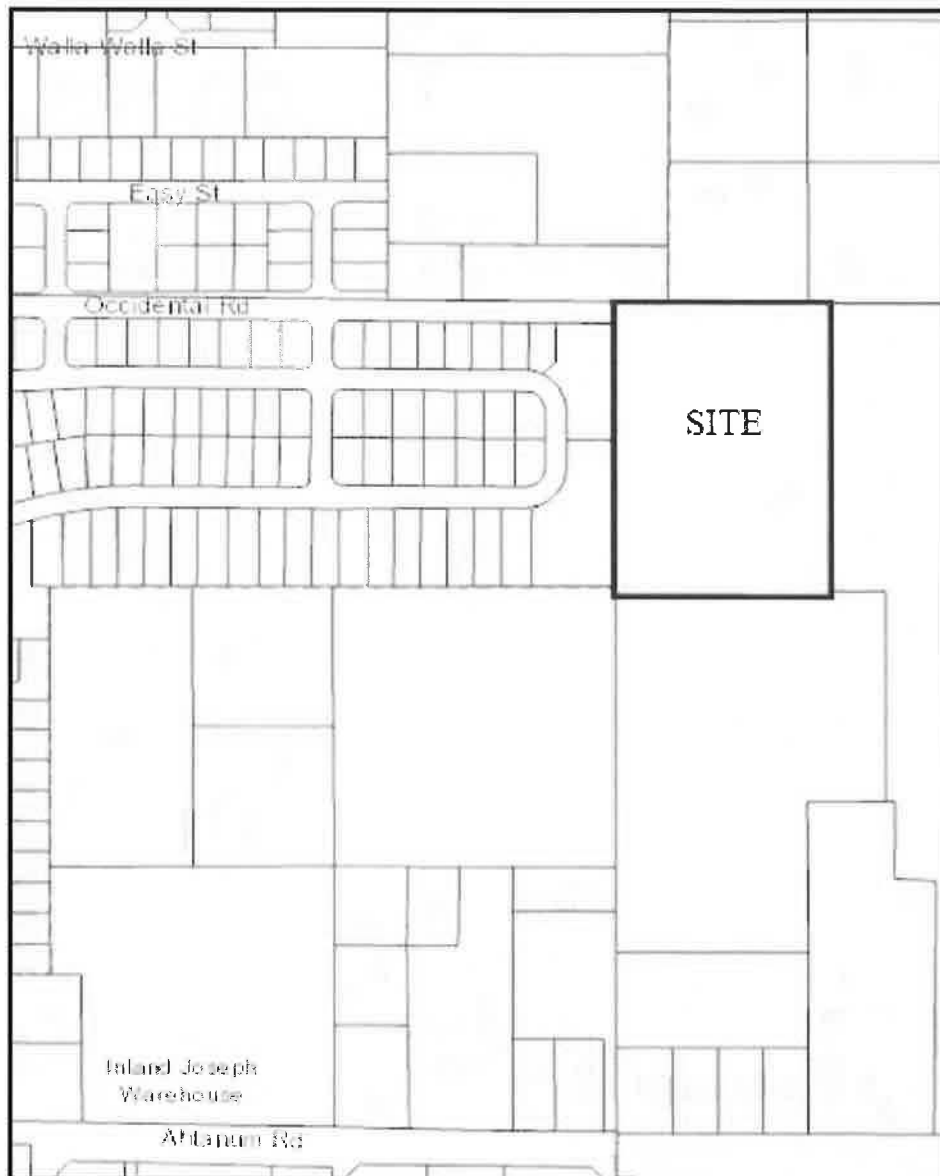
Site Address: LOWER AHTANUM/53RD

File Number(s): PLP#002-22, SEPA#003-22, CAO#001-22 & TCO#003-22

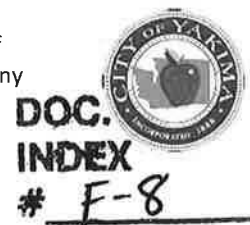
Proposal: Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots. The site is located in the R-1 zoning district and is located partially within the floodplain.



VICINITY MAP



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: 4/22/2022



AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#002-22, SEPA#003-22, CAO#001-22

COTTONWOOD PARTNERS LLC / "PLAT OF ANDERSON PARK PH 4"
OCCIDENTAL RD & S 58TH AVE

I, Irene Linos, 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 31st day of May, 2022.

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



Irene Linos

Department Assistant I

DOC.
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F-7b

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COTTONWOOD PARTNERS LLC
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TRAMMELLS BAR 71 RANCH LLC
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23
Total Parcels_Cottonwood Partners - PLP#002-
22, SEPA#003-22, CAO#001-22 & TCO#003-22

Ray Novobielski
200 Abbess Ln
Yakima, WA 98908

NTC HE REC
PLP#002-22, SEPA#003-22, CAO#001-22
05-31-2022

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In-House Distribution E-mail List

Revised 05/02/2022

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Glenn Denman	Code Administration	Glenn.Denman@yakimawa.gov
John Zabell	Code Administration	John.Zabell@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
Bill Preston	Engineering	Bill.preston@yakimawa.gov
Dan Riddle	Engineering	Dan.Riddle@yakimawa.gov
Aaron Markham	Fire	Aaron.markham@yakimawa.gov
Jeremy Rodriguez	Fire	Jeremy.Rodriguez@yakimawa.gov
Sara Watkins	Legal	Sara.Watkins@yakimawa.gov
Archie Matthews	ONDS	Archie.Matthews@yakimawa.gov
Joseph Calhoun	Planning	Joseph.Calhoun@yakimawa.gov
Irene Linos	Planning	Irene.Linos@Yakimawa.gov
Matt Murray	Police	Matthew.murray@yakimawa.gov
Scott Schafer	Public Works	Scott.Schafer@yakimawa.gov
Leovardo Cruz	Refuse	Leovardo.Cruz@yakimawa.gov
Randy Layman	Refuse	Randy.Layman@yakimawa.gov
Gregory Story	Transit	Gregory.Story@yakimawa.gov
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Dana Kallevig	Wastewater	Dana.Kallevig@yakimawa.gov
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 <i>(Subdivision notices ONLY)</i>	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Parties of Record or Interested Parties Notified

Name	Address	E-mail
Ray Novobielski	200 Abbess Ln	RayNovobielski@gmail.com
Reed Pell		RcpHousing@hotmail.com

Type of Notice: **Notice of Hearing Examiner's Recommendation**

File Number(s): **PLP#002-22, SEPA#003-22, CAO#001-22**

Date of Mailing: **05-31-2022**

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From: Ibarra, Rosalinda
Sent: Tuesday, May 31, 2022 3:45 PM
To: 'mheit@hlacivil.com'; 'lw_mlr@yahoo.com'
Cc: Linos, Irene
Subject: FW: NOTICE HE RECOMMENDATION PLP#002-22, SEPA#003-22, CAO#001-22
Attachments: NOTICE HE RECOMMENDATION-PLP#002-22,SEPA#003-22, CAO#001-22.pdf

Attached is a Notice of the Hearing Examiner's Recommendation on the above- entitled project. 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



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.

From: Linos, Irene
Sent: Tuesday, May 31, 2022 11:17 AM
To: Brown, David <David.Brown@yakimawa.gov>; Calhoun, Joseph <Joseph.Calhoun@YAKIMAWA.GOV>; Contreras, Pedro <Pedro.Contreras@YAKIMAWA.GOV>; Corona, Silvia <Silvia.Corona@yakimawa.gov>; Davenport, Joan <Joan.Davenport@yakimawa.gov>; Dean, James <James.Dean@yakimawa.gov>; DeBusschere, Suzanne <suzanne.debusschere@yakimawa.gov>; Denman, Glenn <Glenn.Denman@yakimawa.gov>; Doan, Tony <Tony.Doan@YAKIMAWA.GOV>; Ibarra, Rosalinda <Rosalinda.Ibarra@yakimawa.gov>; Kallevig, Dana <Dana.Kallevig@yakimawa.gov>; Layman, Randy <Randy.Layman@yakimawa.gov>; Linos, Irene <Irene.Linos@yakimawa.gov>; Markham, Aaron <aaron.markham@yakimawa.gov>; Matthews, Archie <Archie.Matthews@yakimawa.gov>; Maxey, Lisa <Lisa.Maxey@YAKIMAWA.GOV>; Meloy, Randy <Randy.Meloy@yakimawa.gov>; Murray, Matthew <matt.murray@yakimawa.gov>; Preston, Bill <Bill.Preston@yakimawa.gov>; Riddle, Dan <Dan.Riddle@yakimawa.gov>; Rodriguez, Jeremy <Jeremy.Rodriguez@yakimawa.gov>; Schafer, Scott <Scott.Schafer@yakimawa.gov>; Shane, Mike <Mike.Shane@yakimawa.gov>; Story, Gregory <Gregory.Story@yakimawa.gov>; Watkins, Sara <Sara.Watkins@YAKIMAWA.GOV>; Zabell, John <John.Zabell@yakimawa.gov>
Cc: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>; 'Raynovobielski@gmail.com' <Raynovobielski@gmail.com>; 'Rcphousing@hotmail.com' <Rcphousing@hotmail.com>
Subject: NOTICE HE RECOMMENDATION PLP#002-22, SEPA#003-22, CAO#001-22

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

Thank you!



Irene Linos
Department Assistant I
City of Yakima Planning Division
(509) 575-6183

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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
RECOMMENDATION TO THE YAKIMA CITY COUNCIL**

DATE: May 31, 2022
TO: Applicant, Adjoining Property Owners and Parties of Record
SUBJECT: Notice of the Hearing Examiner’s Recommendation
FILE #(S): PLP#002-22, CAO#001-22, SEPA#003-22
APPLICANT: Cottonwood Partners, LLC / Plat of Anderson Park Phase 4”
PROJECT LOCATION: Vicinity of Occidental Road and South 58th Avenue

On May 26, 2022, the City of Yakima Hearing Examiner rendered their recommendation on **PLP#002-22, CAO#001-22, SEPA#003-22**, for a 30-lot single-family residential preliminary long plat on 7.88 acres located in the vicinity of Occidental Road & South 58th Avenue to be known as “Anderson Park Phase 4”. The applications were reviewed at an open record public hearing held on May 12, 2022.

Enclosed is a copy of the Hearing Examiner’s Recommendation. The Hearing Examiner’s Recommendation will be considered by the Yakima City Council in a public hearing to be scheduled. The City Clerk will notify you of the date, time and place of the public hearing.

For further information or assistance, you may contact Senior Planner Eric Crowell at (509) 576-6736 or email to: eric.crowell@yakimawa.gov

Eric M. Crowell

Eric Crowell
Senior Planner

Date of Mailing: **May 31, 2022**
Enclosures: Hearing Examiner’s Recommendation

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Gary M. Cuillier
ATTORNEY AT LAW

314 N. SECOND STREET
YAKIMA, WASHINGTON 98901

(509) 575-1800
FAX: (509) 452-4601

May 26, 2022

Rosalinda Ibarra
Yakima City Planning Division
129 North 2nd Street
Yakima, WA 98901-2613

RECEIVED
MAY 26 2022
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

Re: Cottonwood Partners, LLC: PLP#002-22, CAO#001-22, SEPA#003-22 For a 30-Lot Single-Family Residential Preliminary Long Plat on 7.88 Acres Located in the Vicinity of Occidental Road and South 58th Avenue to be Known as: "Anderson Park Phase 4"

Dear Rosalinda,

Enclosed is the Hearing Examiner's Recommendation relative to the above-entitled matter and my statement for the time involved.

If you have any questions, please give me a call. Thank you.

Yours very truly,



GARY M. CULLIER

GMC: vs
Enclosure
Cc: Karri Espinoza
Pat Spurgin

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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, May 12, 2022
Yakima City Hall Council Chambers – 129 N 2nd Street, Yakima, WA
Beginning at 9:00 a.m.**

- I. CALL TO ORDER**
- II. INTRODUCTION**
- III. PUBLIC HEARINGS**

**A. COTTONWOOD PARTNERS
“PLAT OF ANDERSON PARK PH 4”**

**02/07/2022 PLP#002-22
 CAO#001-22
 SEPA#003-22**

PLANNER: Eric Crowell

ADDRESS: Lower Ahtanum / S 53rd Ave

REQUEST: Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots. The site is located in the R-1 zoning district and is located partially within the floodplain.

IV. ADJOURNMENT

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



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

**INCLUDE APPLICANT & PROPERTY
OWNER(S)**

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Joseph Calhoun
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Yakima County Commissioners
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lw_mllr@yahoo.com

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Bill Preston
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Yakima County Planning Manager
Thomas Carroll
Thomas.Carroll@yakimawa.gov

Binder Copy / For the Record / File

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**Hearing Examiner AGENDA ONLY
Distribution List – 06/17/2021**

Add Interested – Parties of Record

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Fire Chief – Aaron Markham
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Yakima, WA 98907-1749

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Yakima, WA 98902

Phil Lamb
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Yakima, WA 98901

Yakima Assoc. of Realtors
Gov. Affairs Committee
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Yakima, WA 98902-1165

KCYU-FOX 68
David Okowski
1205 West Lincoln Ave.
Yakima, WA 98902

Pacific Power
Mike Paulson
500 N. Keys Rd.
Yakima, WA 98901

Office of Rural FWH
Marty Miller
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Yakima, WA 98902

Yakima School Dist. #7
Superintendent
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Yakima, WA 98902

Business Times
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Yakima, WA 98907

Yakima Valley C.O.G.
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Yakima, WA 98901

KIT-KATS Radio
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KIMA TV
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Yakima, WA 98901

KNDO TV
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Yakima, WA 98902

Yakima Herald-Republic
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Yakima, WA 98909

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Yakima, WA 98901

Gary Cuillier
314 N. 2nd Street
Yakima, WA 98901

Maud Scott
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Ray Novobielski
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raynovobielski@gmail.com

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DEPARTMENT OF UTILITIES AND ENGINEERING

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

May 5, 2022

Lew Miller
Cottonwood Partners, LLC
P.O. Box 8335
Yakima, WA 98908

Subject: Notice of Decision for Transportation Concurrency – TCO#003-22
ITE Trip Generation Code 210 – Single Family Homes

Lew,

Enclosed is the Transportation Concurrency Analysis Decision for the proposed development of Anderson Park – Phase 4, in the vicinity of Occidental Avenue and 53rd 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

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**City of Yakima, Washington
Engineering Division
Transportation Concurrency Analysis
TCO#003-22**

Date of Review: May 5, 2022
 Review Prepared by: Robert Washabaugh, P.E., Supervising Traffic Engineer
 Proposed Development: Anderson Park – Phase 4
 Subject Address: Occidental Avenue/53rd Avenue
 ITE Land Use: 210 – Single Family Homes

Expected Net PM Peak Hour Trip Generation: 30 PM Peak Hour Trips
 Average Daily Weekday Trips: 286

Summary of Impact:

The applicant, Cottonwood Partners, LLC, proposes to construct 30 single family homes, in the vicinity of Occidental Avenue and 53rd Avenue, within the City of Yakima, Washington. Traffic from this new development is proposed to enter/exit the Arterial Street system on 64th 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	64th Avenue	Washington to Occidental	5,823	2007	1600	507	1093	0.32	A	19	526	1074	0.33	A
2	64th Avenue	Occidental to Ahtanum	6,767	2021	1600	589	1011	0.37	A	10	599	1001	0.37	A
3	Occidental	64th Ave to 80th	3,455	2007	1600	301	1299	0.19	A	1	302	1298	0.19	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.

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

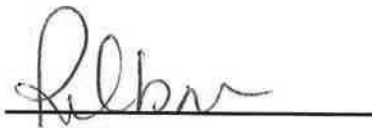
RE: SEPA#003-22 (PLP#002-22)

Cottonwood Partners "Anderson Park Phase 4"

Lower Ahtanum / 53rd Avenue

I, Rosalinda Ibarra, as an employee of the Yakima City Planning Division, have dispatched through the United States Mails, a **Notice of Mitigated Determination of Non-Significance (MDNS)**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant and all property owners of record within a radius of 300 feet of subject property, listed SEPA agencies and all parties of record, 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 22nd day of April, 2022.

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

Administrative Assistant

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18133334006
LORI M BILLUPS
5903 OCCIDENTAL RD
YAKIMA, WA 98903

18133334407
MICHAEL W & ROXANNE M BRADY
5709 WALLA WALLA ST
YAKIMA, WA 98903

18133334009
LINDA CURLEE
5805 OCCIDENTAL RD
YAKIMA, WA 98903

18133334004
FRANCIS A & PAULA MOORE
5909 OCCIDENTAL RD
YAKIMA, WA 98903

18133334304
SHANNON N & PAUL NEEDHAM
5507 WALLA WALLA ST
YAKIMA, WA 98903

18133334408
TERESA ROCHA
5609 WALLA WALLA ST
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YAKIMA, WA 98908

18120511416
COTTONWOOD PARTNERS LLC
PO BOX 8353
YAKIMA, WA 98908

18120511417
COTTONWOOD PARTNERS LLC
PO BOX 8353
YAKIMA, WA 98908

18120511418
COTTONWOOD PARTNERS LLC
PO BOX 8353
YAKIMA, WA 98908

18120511414
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2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511415
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511419
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511420
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511472
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511473
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511474
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511475
HAYDEN HOMES LLC
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18120423005
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YAKIMA, WA 98903

18120514402
NOVOBIELSKI SURVIVORS TRUST
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18120421010
TRAMMELLS BAR 71 RANCH LLC
205 N 86TH AVE
YAKIMA, WA 98908

23
Total Parcels_Cottonwood Partners - PLP#002-
22, SEPA#003-22, CAO#001-22 & TCO#003-22

Ray Novobielski
200 Abbess Ln
Yakima, WA 98908

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WA State Governor's Office of Indian Affairs
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Commissioners.web@co.yakima.wa.us

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Jason.Earles@co.yakima.wa.us

Yakima County Water Resources Division
Nathan Paris
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nathan.paris@co.yakima.wa.us

WA State Department of Health, Office of
Drinking Water
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SEPA REVIEWING AGENCIES
_UPDATED 04/13/2022

Type of Notice: MDNS
File Number: SEPA#003-22 (PLP#002-22)
Date of Mailing: 4/22/22

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In-House Distribution E-mail List

Revised 04/01/2022

Name	Division	E-mail Address
Jaime Vera	Air Terminal	Jaime.Vera@yakimawa.gov
Silvia Corona	Clerk's Office	Silvia.Corona@yakimawa.gov
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Glenn Denman	Code Administration	Glenn.Denman@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 (<i>Subdivision notices ONLY</i>)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Type of Notice:

MDNS

File Number(s):

SEPA#003-22 (PLP#002-22)

Date of Mailing:

04/22/2022

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From: Ibarra, Rosalinda
Sent: Friday, April 22, 2022 11:32 AM
To: Brown, David; Calhoun, Joseph; Contreras, Pedro; Corona, Silvia; Davenport, Joan; Dean, James; DeBusschere, Suzanne; Denman, Glenn; Doan, Tony; Ibarra, Rosalinda; Kallevig, Dana; Layman, Randy; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Murray, Matthew; Preston, Bill; Riddle, Dan; Rodriguez, Jeremy; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John; Ahtanum Irrigation District - Beth Brulotte; Cawley, Marc; Greater Yakima Chamber of Commerce; Henne, Dennis; Ibarra, Rosalinda; Nob Hill Water Association - Bob Irving; Office Rural Farmworker Housing - Marty Miller; United States Postal Service - David James; US Army Corp Engineers - David Moore; Vera, Jaime; WA State Dept Agriculture - Kelly McLain; WA State Dept Archaeology Historic Pres - SEPA; WA State Dept Commerce - Review Team; WA State Dept Ecology - CRO SEPA; WA State Dept Ecology - Former Orchards; WA State Dept Ecology - Lori White; WA State Dept Ecology - SEPA Unit; WA State Dept Energy Facility Site Eval - Stephen Posner; WA State Dept Fish and Wildlife - Eric Bartrand; WA State Dept Fish and Wildlife - Scott Downes; WA State Dept Fish and Wildlife - SEPA; WA State Dept Fish and Wildlife - Team Yakima; WA State Dept Health - Jamie Gardipe; WA State Dept Health - Kelly Cooper; WA State Dept Health - SEPA ; WA State Dept Natural Resources - SEPA Center; WA State Dept Social Health Svcs - Larry Covey; WA State Dept Transportation- South Central Region; WA State Dept Transportation - Paul Gonth; WA State Dept Transportation Aviation - Max Platts; WA State Parks and Recreation - Jessica Logan; West Valley School District - Joe Connolly; West Valley School District - Peter Finch; Yakama Bureau of Indian Affairs - Rocco Clark; Yakama Bureau of Indian Affairs - Trudy Pinkham; Yakama Nation Environmental Mgmt Program - Elizabeth Sanchez; Yakama-Klickitat Fisheries Project - John Marvin; Yakama-Klickitat Fisheries Project - John Marvin; Yakima County Building Dept - Marivel Garcia; Yakima County Commissioners; Yakima County Health District; Yakima County Health District - Ryan Ibach; Yakima County Planning Division - Jason Earles; Yakima County Planning Division - Thomas Carroll; Yakima County Public Services - Lisa Freund; Yakima County Water Resources Div - Nathan Paris; Yakima County Water Resources Div - Troy Havens; 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; Yakima Valley Trolleys; Yakima Waste Systems - Keith Kovalenko
Cc: Crowell, Eric; 'mhait@hlacivil.com'; 'lw_mllr@yahoo.com'; 'raynovobielski@gmail.com'
Subject: NOTICE OF MDNS - Cottonwood Partners "Anderson Park Ph 4" - SEPA#003-22 (PLP#002-22)
Attachments: MDNS - Cottonwood Ptnrs-Anderson Park Ph4 - PLP#002-22, SEPA#003-22.pdf

Attached is a Mitigated Determination of Non Significance (MDNS) regarding the above-entitled project. 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 ◊ 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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From: NoReply@ecy.wa.gov
Sent: Friday, April 22, 2022 11:38 AM
To: Ask Planning
Subject: Your SEPA Record Has Been Submitted!

The Department of Ecology has received a new SEPA record from Yakima City at Yakima City of with a File Number of: SEPA#003-22, PLP#002-22, CAO#001-2.
Your record is being reviewed by an administrator.

From: Yakima City
Email: ask.planning@yakimawa.gov
Phone number: (509) 575-6261

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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

**WASHINGTON STATE ENVIRONMENTAL POLICY ACT
MITIGATED DETERMINATION OF NONSIGNIFICANCE
CITY OF YAKIMA, WASHINGTON
April 22, 2022**

PROJECT DESCRIPTION: Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-1 zoning district and partially within the floodplain.

LOCATION: Vicinity of Occidental Rd. & S. 58th Ave.
PARCEL NUMBER: 181204-22002
PROPONENT: HLA Engineering & Surveying on behalf of Cottonwood Partners LLC
PROPERTY OWNER: Cottonwood Partners LLC
LEAD AGENCY: City of Yakima

FILE NUMBERS: *PLP#002-22, SEPA#003-22, CAO#001-22*

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.

FINDINGS, CONCLUSIONS AND IDENTIFIED ENVIRONMENTAL IMPACTS, AND MITIGATION MEASURES: This Mitigated Determination of Nonsignificance (MDNS) is hereby conditioned upon the following mitigated measures, as authorized under WAC 197-11-660 and Yakima Municipal Code YMC § 6.88.160, and the Yakima Urban Area Comprehensive Plan, which contains goals, policies, and regulations which provide substantive authority to require mitigation under the State Environmental Policy Act (SEPA).

I. FINDINGS

A. Project History

1. This subdivision is the eastward extension of Anderson Park, which was originally approved under PLP#002-19.
2. The subject parcel was annexed under ANX#001-21, which the Boundary Review Board made effective on March 22, 2022.
3. On February 7, 2022, HLA Engineering & Surveying on behalf of Cottonwood Partners LLC submitted a Preliminary Long Plat (PLP#002-22), Environmental Review (SEPA#003-22), and Critical Areas Review (CAO#001-22) requesting approval for a 30-lot subdivision located in the vicinity of Occidental Rd. and S. 58th Ave. in the Single-Family Residential (R-1) zoning district.

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Yakima
An America City
2015
1994

B. Development Services Team (DST) Comments

1. On March 29, 2022, the Yakima County Flood Control Zone District (FCZD) provided written comments (edited for brevity; emphasis that of the agency) which stated:

a. LOMR Comments:

Given the impending finalization of the LOMR Operation and Maintenance Plan by the City of Yakima, the FCZD recommends providing the approved Operation and Maintenance plan either at the time of sale or at the time of permitting. This would provide awareness to the purchaser/developer of the requirement of maintaining flood carrying capacity in the channel which includes periodic inspection, maintenance, and reporting responsibilities.

Staff Response: The Maintenance Plan will be provided to the applicant and made available for future developers. A plat note will also be required, consistent with previous subdivisions in the area.

b. Flood Safety Concerns:

*The core FEMA requirement for communities participating in the National Flood Insurance Program is to ensure proposed building sites will be reasonably safe from flooding (44 CFR 60.3(a)(3)). Based on the subject line proposal before the city, it appears that the floodway channel described in the above section is now proposed to be developed into a city street "Cottonwood Place" to serve the development of Anderson Park Phase IV. Based on the information provided, this street proposes to isolate three residences from emergency services during a flood, as the floodway is reserved for the deepest and fastest flowing waters which create hazardous ingress and egress routes during an emergency. This puts first responders at risk when performing evacuations or if they are called for a non-flood related emergency during a flood. The development also proposes to place six building pads directly adjacent to this high hazard zone. This approach is counter-intuitive to wise and sustainable floodplain management which aims to reduce risk to existing property owners while preventing this new imposed risk onto future owners. **This proposal would directly expose future citizens to harm from a natural disaster and appears to violate FEMA regulations (44 CFR 60.3(a)(3)).***

Based on hydraulic modeling submitted to the County as part of the LOMR process, the floodway channel is expected to carry flow at events larger than the 10-year flood and would likely carry flows during more frequent and usual events as the proposed road location is in the low point of the channel.

Staff Response: In accordance with YMC § 15.27.403 (Methods of reducing flooding losses), the approved LOMR resulted in the floodplain being channelized through proposed residential streets while elevating the building site to mitigate flooding risks to residential properties. Pursuant to YMC § 15.27.411 (H), roads and bridges may be permitted within the floodway, subject to certain standards which shall be submitted by the applicant prior to final plat approval.

c. 2040 Comprehensive Plan Conflicts:

Review of the City of Yakima's Comprehensive Plan 2040 finds this proposal in conflict with:

- *Transportation Goal 6.1: Develop an integrated and balanced transportation system that provides safe, efficient, and reliable multimodal transportation.*
- *Natural Environment Goal 9.3: Manage floodplains to protect public health and safety, and to support ecological function.*
- *Natural Environment Policy 9.3.2: Ensure adequate protection of life and property from flood events in floodways and floodplains through application of appropriate limitations on and mitigation requirements for development, and implementation of comprehensive Flood Hazard Management Plans, when available.*
- *Natural Environment Policy 9.3.5: Within frequently flooded areas, encourage and support the retention of natural open spaces or land uses, such as parks, that can maintain important hydrologic function with minimal risk to property damage from floodwaters.*

Staff Response: The lots in the subdivision and adjacent rights-of-way that are within the floodway shall comply with the requirements of YMC § 15.27.411.

d. **Staff Note:** The next section, "Ahtanum-Wide Hollow Comprehensive Flood Hazard Management Plan Conflicts," lists applicable recommendations from *The Ahtanum-Wide Hollow Comprehensive Flood Hazard Management Plan* (CFHMP). It reiterates concerns about "the three parcels without safe ingress or egress," claims that the "proposal places pollutant generating surfaces and potentially stormwater infrastructure directly in the floodway or floodplain," and recommends that the bridge cross be modified and the culverts be replaced at the S. 64th Ave. crossing. The Planning Division acknowledges these concerns; no off-site improvements will be required at S. 64th Ave. as part of this subdivision.

e. **Plat Language Suggestion:**

The Anderson Park Plat contains the language below which the FCZD recommends be incorporated into future plats (or similar language):

Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.

No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain

and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.

Staff Response: This will be a final plat condition listed in the Planning Division's recommendation.

Inclusion of the final Operation and Maintenance Plan mentioned above should be considered as part of the plat note if possible, or at minimum communicated to the buyer/builder.

Staff Response: Once it is finalized, this will be made available to the applicant.

f. Opportunities for Future Flood Risk Reduction in the Vicinity:

The existing S. 64th Avenue crossing of Spring Creek is undersized and creates a significant backwater, split flows and roadway overtopping at the base flood discharge (1% annual exceedance probability flow or "100-year flood"). Through recommendations by the FCZD and implementation by the developer, the floodway grading approved in the Anderson Park Development LOMR was designed to accommodate the full 100-year flow with little rise to the BFE if the 64th Avenue crossing is improved. This action would remove many residences from the special flood hazard area and have a net fiscal benefit to the community. The subject line proposal conflicts with the vision of future flood risk reduction for which the groundwork has been laid and previously agreed upon.

Staff Response: This subdivision is a continuation of the Anderson Park development, and its public rights-of-way follow the channelization of the approved floodplain map revision similar to that of Phase 3.

g. Comments from the Yakima County Floodplain Administrator:

During the Anderson Park LOMR process, the Yakima County Floodplain Administrator signed off on the community support letter to allow the changes to the flood insurance rate map to take place. This was based on the understanding that the combination of revisions made to the original site plan of Anderson Park and the future possibility of improving the 64th Avenue crossing enabled a significant flood risk reduction to the community. Yakima County will not support this development as proposed should it require a county signature for a map revision that is substantially inconsistent with that original understanding.

Staff Response: The applicant has not indicated that a further map revision will be requested.

C. Public Comments

1. During the public comment period, no comments from the public were received.

II. CONCLUSIONS:

- A. Environmental Review was required as this subdivision is being proposed to create more than nine residential lots.

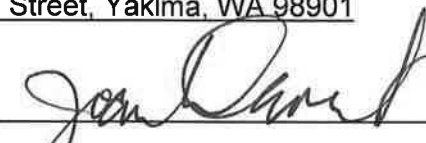
- B. The lots in the subdivision and adjacent rights-of-way that are within the floodway/ floodplain shall comply with the requirements of YMC Ch. 15.27, Part Four – Flood Hazard Areas.
- C. While other public agency comments were received during the comment period, they were not relevant to the SEPA portion of the project, and will instead be integrated into the Planning Division’s recommendation to the Hearing Examiner.

III. REQUIRED MITIGATION MEASURES:

- A. All applicable requirements for development in the floodway/floodplain shall be provided by the applicant prior to Final Plat Approval, in accordance with YMC Ch. 15.27, Part Four – Flood Hazard Areas; and
- B. The final plat shall include the following notes:
 - 1. Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.
 - 2. No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.

This MDNS is issued under WAC 197-11-355. There is no further comment period on the MDNS.

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

Date: April 22, 2022 Signature 

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

No later than: **May 6, 2022.**
 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.

AFFIDAVIT OF MAILING

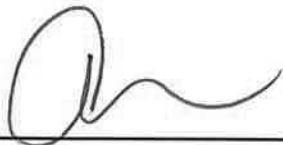
STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#002-22, SEPA#003-22, CAO#001-22 & TCO#003-22
Plat of Anderson Park "Phase 4"
Lower Ahtanum Rd. / 53rd Ave

I, Analilia Núñez, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Application, Environmental Review, and Public Hearing**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, all property owners of record within a radius of 300 feet of subject property, and SEPA reviewing agencies; that said parties are individually listed on the mailing list retained by the Planning Division, and that said notices were mailed by me on the 25th day of March, 2022.

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

DOC.
INDEX
F-3d

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18133334004
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18120511417
COTTONWOOD PARTNERS LLC
PO BOX 8353
YAKIMA, WA 98908

18120511418
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18120511415
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511419
HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756

18120511420
HAYDEN HOMES LLC
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REDMOND, OR 97756

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18120511474
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REDMOND, OR 97756

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23
Total Parcels_Cottonwood Partners - PLP#002-
22, SEPA#003-22, CAO#001-22 & TCO#003-22

ntc of App, SEPA, TCO
sent 3/25/22

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Dana Kallevig, Utility Project Manager
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SEPA REVIEWING AGENCIES_updated
01/26/2022

Type of Notice: NOTICE OF Application: Public Hearing

File Number: PLY#002-22, SEPA#003-22, CAD#004-22; P20

Date of Mailing: 3/25/22 # 003-20

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Revised 02/04/2022

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Type of Notice: Notice of Appl Public Hearing
File Number(s): PLP#002-22, SEPA# 003-22, CAD#001-22,
Date of Mailing: 3/25/22 TZ#003-22

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Nunez, Analilia

From: Nunez, Analilia
Sent: Friday, March 25, 2022 4:03 PM
To: Brown, David; Calhoun, Joseph; Contreras, Pedro; Corona, Silvia; Davenport, Joan; Dean, James; DeBusschere, Suzanne; Denman, Glenn; Doan, Tony; Ibarra, Rosalinda; Kallevig, Dana; Layman, Randy; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Miller, Albert; Murray, Matthew; Nunez, Analilia; Preston, Bill; Riddle, Dan; Rodriguez, Jeremy; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John; Gary Cuillier; Pat Spurgin (pds@spurginlawoffice.com); 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; RCDR - Maria DJ Rodriguez; Tu Decides - Albert Torres; West Valley School District - Angela Watts; Yakima Herald - Business; Yakima Herald Republic Newspaper; Yakima School District - Stacey Locke; Yakima School District - Trevor Greene; Yakima Valley Business Times; YPAC - Randy Beehler; 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 -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; Nob Hill Water - Bob Irving; Office of Rural & Farmworker Housing - Marty Miller; US Army Corps of Engineers - David Moore; USPS - David James; 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 - Dr. Peter Finch; WVSD - Joe Connolly; Yakama Bureau of Indian Affairs - Rocco Clark; Yakama Bureau of Indian Affairs - Trudy Pinkham; Yakama Nation Environmental Management Program - Elizabeth Sanchez; Yakama-Klickitat Fisheries - John Marvin; Yakama-Klickitat Fisheries Project - John Marvin; Yakima County Commissioners; Yakima County Flood Control District - Nathan Paris; 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 Valley Museum - Peter Arnold, Exec Director; Yakima Valley Trolleys; Yakima Waste Systems - Keith Kovalenko
Cc: Crowell, Eric; 'mheit@hlacivil.com'; 'lw_mllr@yahoo.com'
Subject: NOTICE OF APPLICATION_Cottonwood Partners - PLP#002-22, SEPA#003-22, CAO# 001-22 & TCO
Attachments: NOTICE OF APPLICATION_Cottonwood Partners - PLP#002-22, SEPA#003-22, CAO....pdf

Attached is a Notice of Application, Environmental Review and Public Hearing regarding the above-entitled project. If you have any questions about this hearing, please contact assigned planner Eric Crowell at eric.crowell@yakimawa.gov

AFFIDAVIT OF PUBLICATION

Analilia Núñez
City Of Yakima Planning
129 N 2Nd Street
Yakima WA 98901

STATE OF WASHINGTON, COUNTIES OF YAKIMA

The undersigned, on oath states that he/she is an authorized representative of Yakima Herald-Republic, Inc., publisher of Yakima Herald-Republic and El Sol de Yakima, of general circulation published daily in Yakima County, State of Washington. Yakima Herald-Republic and El Sol de Yakima have been approved as legal newspapers by orders of the Superior Court of Yakima County.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

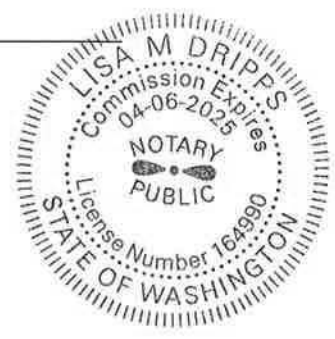
03/25/2022

Agent JACKIE CHAPMAN Signature Jackie Chapman

Subscribed and sworn to before me on March 25, 2022
Lisa M. Driggs

(Notary Signature) Notary Public in and for the State of Washington, residing at Yakima

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**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 3/25/2022; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** HLA Engineering & Surveying Inc. on behalf of Cottonwood Partners LLC (2803 River Rd., Yakima, WA 98902); **FILE NUMBER:** PLP#002-22, SEPA#003-22, CAO#001-22; **LOCATION:** Vicinity of Occidental Rd. & S. 58th Ave.; **TAX PARCEL NUMBER(S):** 181204-22002; **DATE OF APPLICATION:** 2/7/2022; **DATE OF COMPLETENESS:** 3/25/2022; **PROJECT DESCRIPTION** Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-1 zoning district and partially within the floodplain. **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: Preliminary Long Plat for 30 single-family lots; (2) Level of Development: 30 single-family lots on 7.88 acres; (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: Preliminary Long Plat for 30 single-family lots; (2) Density of Development: Approximately 5.51 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 **April 14, 2022**, 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 **May 12, 2022 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (PLP#002-22, SEPA#003-22, CAO#001-22) and applicant's name (Cottonwood Partners LLC) in any correspondence you submit. You can mail your comments to: **Joan Davenport, AICP, Community Development Director, City of Yakima, Department of Community Development, 129 N. 2nd St.; Yakima, WA 98901.** **NOTICE OF RECOMMENDATION** Following the public hearing, the Hearing Examiner will issue his recommendation 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, Senior Planner, at (509) 576-6736, or email to: eric.crowell@yakimawa.gov.

(25426) March 25, 2022

Public Notices

Public Notices

**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 3/25/2022; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** HLA Engineering & Surveying Inc. on behalf of Cottonwood Partners LLC (2803 River Rd., Yakima, WA 98902); **FILE NUMBER:** PLP#002-22, SEPA#003-22, CAO#001-22; **LOCATION:** Vicinity of Occidental Rd. & S. 58th Ave.; **TAX PARCEL NUMBER(S):** 181204-22002; **DATE OF APPLICATION:** 2/7/2022; **DATE OF COMPLETENESS:** 3/25/2022; **PROJECT DESCRIPTION** Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-1 zoning district and partially within the floodplain. **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: Preliminary Long Plat for 30 single-family lots; (2) Level of Development: 30 single-family lots on 7.88 acres; (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: Preliminary Long Plat for 30 single-family lots; (2) Density of Development: Approximately 5.51 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 **April 14, 2022**, 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 **May 12, 2022 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (PLP#002-22, SEPA#003-22, CAO#001-22) and applicant's name (Cottonwood Partners LLC) in any correspondence you submit. You can mail your comments to: **Joan Davenport, AICP, Community Development Director, City of Yakima, Department of Community Development, 129 N. 2nd St.; Yakima, WA 98901.** **NOTICE OF RECOMMENDATION** Following the public hearing, the Hearing Examiner will issue his recommendation 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, Senior Planner, at (509) 576-6736, or email to: eric.crowell@yakimawa.gov.

(25426) March 25, 2022

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DEPARTMENT OF COMMUNITY DEVELOPMENT

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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, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE: March 25, 2022
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: HLA Engineering & Surveying on behalf of Cottonwood Partners LLC
FILE NUMBER: PLP#002-22, SEPA#003-22, CAO#001-22
LOCATION: Vicinity of Occidental Rd. & S. 58th Ave.
TAX PARCEL NUMBER(S): 181204-22002
DATE OF APPLICATION: February 7, 2022
DATE OF COMPLETENESS: March 25, 2022

PROJECT DESCRIPTION Preliminary long plat to subdivide approximately 7.88 acres into 30 single-family residential lots, located in the R-1 zoning district and partially within the floodplain.

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: Preliminary Long Plat for 30 single-family lots
2. Level of Development: 30 single-family lots on 7.88 acres
3. Infrastructure and public facilities: The subject property is able to be served by public streets, water garbage collection, etc.
4. Characteristics of development: 30 single-family homes on lots ranging from 6,841 square feet to 13,342 square feet

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: Preliminary Long Plat for 30 single-family lots
2. Density of Development: Approximately 5.51 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, Critical Areas Permit, Traffic Concurrency

Required Studies: N/A

Existing Environmental Documents: None

Development Regulations for Project Mitigation and Consistency Include: the State Environmental Policy Act, the Yakima Urban Area Zoning Ordinance, YMC Title 12—Development Standards, and the Yakima Urban Area Comprehensive Plan.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING 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.

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All written comments received by 5:00 p.m. on **April 14, 2022**, will be considered prior to issuing the final SEPA determination. This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for **May 12, 2022 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (PLP#002-22, SEPA#003-22, CAO#001-22) and applicant's name (Cottonwood Partners LLC) in any correspondence you submit. You can mail your comments to:

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

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

The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 North 2nd Street, Yakima, Washington. If you have questions regarding this proposal, please call Eric Crowell, Senior Planner, at (509) 576-6736, or e-mail to eric.crowell@yakimawa.gov.

Enclosed: Narratives, Project Descriptions, SEPA Checklist, Site Plan, 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, REVISIÓN AMBIENTAL, Y AUDIENCIA PÚBLICA

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: 25 de marzo, 2022
PARA: Agencias de Revisión Ambiental, Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: HLA Engineering & Surveying Inc. por parte de Cottonwood Partners LLC
No. DE ARCHIVO: PLP#002-22, SEPA#003-22, CAO#001-22
UBICACIÓN: Vecindad de Occidental Rd. & S. 58th Ave.
No. DE PARCELA(S): 181204-22002
FECHA DE APLICACIÓN: 7 de febrero, 2022
FECHA DE APLICACIÓN COMPLETA: 25 de marzo, 2022

DESCRIPCIÓN DEL PROYECTO: Revisión de subdivisión preliminar para subdividir aproximadamente 7.88 acres y crear 30 lotes residenciales para viviendas unifamiliares localizados en la zona residencial R-1 y están parcialmente en la llanura inundable.

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: Subdivisión preliminar para 30 lotes residenciales unifamiliares
2. Nivel de desarrollo: 30 lotes residenciales unifamiliares en 7.88 acres
3. Infraestructura e instalaciones públicas: La propiedad puede ser servida por calles públicas, agua, drenaje, recolección de basura, etc.
4. Características del desarrollo: 30 lotes residenciales unifamiliares de aproximadamente 14,500 a 33,274 pies cuadrados en tamaño.

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: Subdivisión preliminar para 30 lotes residenciales unifamiliares
2. Densidad del desarrollo: Aproximadamente 5.51 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 §197-11-926 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: Revisión del Uso Terrenal, Permiso de Construcción, Permiso de Áreas Críticas, Concurrencia de Tránsito

Estudios Requeridos: N/A

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Documentos Ambientales Existentes: Ninguno

Los Reglamentos de Desarrollo para la Mitigación y Consistencia de Proyectos Incluyen: La Ley Estatal de Política Ambiental de Washington, El Código 2015 Internacional de Construcción, 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 Y AVISO DE AUDIENCIA PÚBLICA: 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 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 **14 de abril, 2022** serán considerados antes de emitir la decisión final sobre esta solicitud. Esta propuesta requiere una audiencia pública con registro abierto con el Examinador de Audiencias. Por lo tanto, una audiencia pública se llevara a cabo el **12 de mayo, 2022** comenzando a las **9:00 a.m.** en el Ayuntamiento de la Ciudad de Yakima ubicado en el 129 N 2nd Street, Yakima, WA. Se le invita a cualquier persona que desee expresar sus opiniones sobre este caso a asistir a la audiencia pública o a presentar comentarios por escrito. Por favor de hacer referencia al número de archivo (PLP#002-22, SEPA#003-22, CAO#001-22) o al nombre del solicitante (Cottonwood Partners LLC) en cualquier correspondencia que envíe. Por favor de enviar sus comentarios sobre esta propuesta a:

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

AVISO DE LA DECISIÓN/RECOMENDACIÓN FINAL: Después de la audiencia pública, el Examinador de Audiencias emitirá su decisión o recomendación dentro de diez (10) días hábiles. Cuando la decisión final sea emitida, una copia será enviada a las personas que mandaron comentarios o que recibieron este aviso.

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, Plan de Sitio, Mapa

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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

March 25, 2022

FILE NUMBER: PLP#002-22, SEPA#003-22, CAO#001-22
APPLICANT: HLA Engineering & Surveying Inc. c/o Mike Heit
APPLICANT ADDRESS: 2803 River Rd., Yakima, WA 98902
PROJECT LOCATION: Vicinity of Occidental Rd. & S. 58th Ave.
TAX PARCEL NO: 181204-22002
DATE OF REQUEST: February 7, 2022
SUBJECT: Notice of Complete Application

Mr. Heit:

The application for your Preliminary Long Plat and Critical Areas Review for the vicinity of Occidental Rd. and S. 58th Ave. was received on February 7, 2022. As of March 25, 2022, your application is considered **complete** as required by the City of Yakima's Municipal Code (YMC) and site plan checklist, as referenced in YMC §§ 14.20.030 and 15.27.308.

The Development Services Team (DST) held a meeting on February 22, 2022 to review your project. 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 March 25, 2022.
2. A public hearing for your project is scheduled with the City of Yakima Hearing Examiner to take place in the City of Yakima Council Chambers on May 12, 2022.

For any questions regarding this matter, please contact me at eric.crowell@yakimawa.gov.

Sincerely,

Eric Crowell
Senior Planner

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CITY OF YAKIMA
LAND USE ACTION INSTALLATION
CERTIFICATE

RECEIVED
MAR 10 2022
CITY OF YAKIMA
COMMUNITY DEVELOPMENT

File Number:	SEPA#003-22 / PLP#002-22
Applicant/Project Name:	Anderson Park Phase 4
Site Address:	Lower Ahltaum / 53rd
Date of Posting:	3/10/22
Land Use Sign ID#(s):	

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.

Michael R Heit
Applicant's Signature

3/10/22
Date

Michael R Heit
Applicant's Name (Please Print)

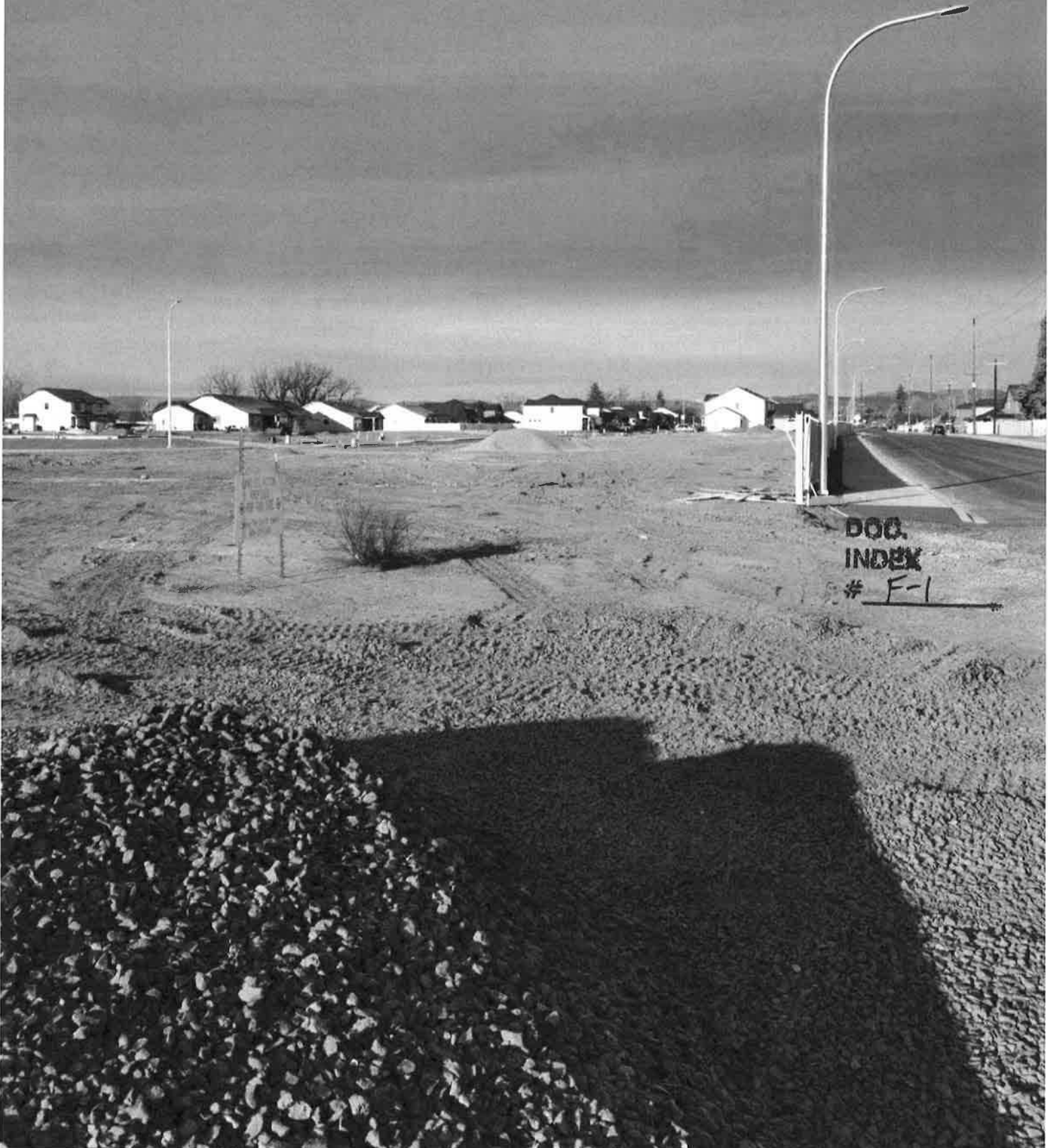
509-966-7000
Applicant's Phone Number

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.

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MAR 10 2022

CITY OF YAKIMA
COMMUNITY DEVELOPMENT



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MAR 10 2022

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COMMUNITY DEVELOPMENT



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MAR 10 2022

CITY OF YAKIMA
COMMUNITY DEVELOPMENT



LAND USE ACTION
PROPOSED
FOR THIS SITE
Contact The City Of Yakima
509-575-6183

RECEIVED

MAR 10 2022

CITY OF YAKIMA
COMMUNITY DEVELOPMENT



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Crowell, Eric

From: Jessica Lally <Jessica_Lally@Yakama.com>
Sent: Thursday, April 28, 2022 3:22 PM
To: Crowell, Eric; Davenport, Joan
Cc: Casey Barney; Corrine Camuso; Gregg Kiona; Kate Valdez; Noah Oliver; DAHP SEPA (DAHP)
Subject: Re: NOTICE OF APPLICATION_Cottonwood Partners - PLP#002-22, SEPA#003-22, CAO# 001-22 & TCO (DAHP Project Tracking # 2022-04-02208)

Thank you Eric,

I reviewed the material you sent. We concur with DAHP's recommendations that this is high risk and an archaeological survey should be completed.

Jessica Lally
Yakama Nation Archaeologist
Cultural Resources Program
509-865-5121 x4766

From: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>
Sent: Wednesday, April 13, 2022 8:21 AM
To: Jessica Lally; Davenport, Joan
Cc: Casey Barney; Corrine Camuso; Gregg Kiona; Kate Valdez; Noah Oliver; DAHP SEPA (DAHP)
Subject: RE: NOTICE OF APPLICATION_Cottonwood Partners - PLP#002-22, SEPA#003-22, CAO#001-22 & TCO (DAHP Project Tracking # 2022-04-02208)

Jessica,

See attached.

Eric M. Crowell
Senior Planner
City of Yakima
129 N. 2nd St.
Yakima, WA 98901
(509) 576-6736
eric.crowell@yakimawa.gov



From: Jessica Lally [mailto:Jessica_Lally@Yakama.com]
Sent: Friday, April 08, 2022 1:29 PM
To: Davenport, Joan <Joan.Davenport@yakimawa.gov>; analilia.nunez@yakimawa.gov
Cc: Crowell, Eric <Eric.Crowell@YAKIMAWA.GOV>; Casey Barney <Casey_Barney@Yakama.com>; Corrine Camuso <Corrine_Camuso@Yakama.com>; Gregg Kiona <Gregg_Kiona@Yakama.com>; Kate Valdez



AHTANUM IRRIGATION DISTRICT

10705 Gilbert Rd Ste B, Yakima, Washington 98903-9203
Phone (509) 249-0226 ~ Fax (509) 249-0233

RECEIVED

April 8, 2022

APR 11 2022

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

City of Yakima Planning Division
Attention: Joan Davenport, AICP
129 North Second Street - 2nd Floor
Yakima, Washington 98901

Subject: PLP#002-22 SEPA#003-22 Cottonwood Partners LLC (Anderson Park Phase 4)
Parcel 181204-22002

Dear Ms. Davenport:

We are responding to the Notice of Application dated March 25, 2022 concerning the above-mentioned long plat application.

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

If any further information is required, you can contact us at (509) 249-0226.

Sincerely,

AHTANUM IRRIGATION DISTRICT

George D. Marshall

George D. Marshall, Stream Patrolman

GM:bab

Cc: Cottonwood Partners, LLC
HLA Engineering and Land Surveying Inc. (Tim Fries/Mike Heit)

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APR 08 2022

CITY OF YAKIMA
PLANNING DIV.Allyson Brooks Ph.D., Director
State Historic Preservation Officer

April 8, 2022

Joan Davenport
Community Development Director
City of Yakima
129 North 2nd Street
Yakima, Wa98901

In future correspondence please refer to:
Project Tracking Code: 2022-04-02208
Property: City of Yakima_Anderson Park Phase 4 (SEPA#003-22)
Re: Survey Requested

Dear Joan Davenport:

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

Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to Bachelor Creek, a resource that may have been important to Native Americans and/or settlers in the past. 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 and a report be produced prior to ground disturbing activities. This report should meet DAHP's Standards for Cultural Resource Reporting.

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any



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communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

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

Sincerely,



Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov

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Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • www.co.yakima.wa.us

LISA H. FREUND – Director

March 29, 2022

Joan Davenport, AICP
Community Development Director
City of Yakima, Department of Community Development
129 North Second Street, Yakima, Washington 98901

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APR 04 2022

CITY OF YAKIMA
PLANNING DIV.

SUBJ: File No.: PLP#002-22, SEPA#003-22, CAO#001-22 – Cottonwood Partners

Dear Joan,

Yakima County, at the request of its constituents formed the Countywide Flood Control Zone District (FCZD) in 1998 to carry out planning for flood risk management and flood hazard reduction within the County's boundary and cities therein. The FCZD was active in creation of the effective flood insurance rate maps and revision thereto through the Anderson Park LOMR in this area, as well as the Ahtanum Wide Hollow Comprehensive Flood Hazard Management Plan. The subject line proposal was reviewed by the FCZD that herein identifies conflicts related to the recently revised Special Flood Hazard Area requirements associated with LOMR Case No. 20-10-1163P, public health and safety, as well as several adopted planning documents.

LOMR Comments:

A recently constructed flood control facility composed of stream channelization, floodplain and floodway grading of properties to the west including parcel 181204-22002 is identified in this development proposal along the current city-county boundary line.

Through the flood insurance rate map revision process, both the City of Yakima and Yakima County sponsored the Anderson Park Development conditional letter of map revision (CLOMR) application following coordination with the FCZD. The purpose was to implement site plan revisions aiming to reduce flood risk to current and future residents in this development and neighboring areas. The CLOMR was approved on March 25, 2020, by FEMA. Following completion of the proposed grading and channelization and certification thereof, FEMA issued a letter of

map revision (LOMR) which revised the Flood Insurance Study Report and Flood Insurance Study Map effective September 7, 2021, with the requirement of sponsorship by the communities; the City of Yakima and Yakima County.

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.

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The LOMR obligates both communities to ensure that flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. As such, Yakima County and the City of Yakima have jointly drafted a maintenance agreement for this facility which includes a portion of property in this proposed development. The FCZD was under the impression that this stream channelization would be designated and maintained as a more natural open channel as it has existed in the past to maintain the required flood-carrying capacity. In a letter dated December 12, 2021, from Yakima County to the Chief Clerk of the Boundary Review Board, it was recommended that the annexation should include an understood commitment by the City of Yakima and Yakima County to jointly ensure that diligent monitoring and necessary maintenance is performed on this flood control facility including access for such purposes. Such an agreement might place maintenance and reporting responsibilities on the homeowner or a representative association while allowing periodic joint inspection by the communities to ensure the LOMR requirement is being met.

Given the impending finalization of the LOMR Operation and Maintenance Plan by the City of Yakima, the FCZD recommends providing the approved Operation and Maintenance plan either at the time of sale or at the time of permitting. This would provide awareness to the purchaser/developer of the requirement of maintaining flood carrying capacity in the channel which includes periodic inspection, maintenance, and reporting responsibilities.

Flood Safety Concerns:

The core FEMA requirement for communities participating in the National Flood Insurance Program is to ensure proposed building sites will be reasonably safe from flooding (44 CFR 60.3(a)(3)). Based on the subject line proposal before the city, it appears that the floodway channel described in the above section is now proposed to be developed into a city street "Cottonwood Place" to serve the development of Anderson Park Phase IV. Based on the information provided, this street proposes to isolate three residences from emergency services during a flood, as the floodway is reserved for the deepest and fastest flowing waters which create hazardous ingress and egress routes during an emergency. This puts first responders at risk when performing evacuations or if they are called for a non-flood related emergency during a flood. The development also proposes to place six building pads directly adjacent to this high hazard zone. This approach is counter-intuitive to wise and sustainable floodplain management which aims to reduce risk to existing property owners while preventing this new imposed risk onto future owners. **This proposal would directly expose future citizens to harm from a natural disaster and appears to violate FEMA regulations (44 CFR 60.3(a)(3)).**

Based on hydraulic modeling submitted to the County as part of the LOMR process, the floodway channel is expected to carry flow at events larger than the 10-year flood and would likely carry flows during more frequent and usual events as the proposed road location is in the low point of the channel.

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Water Quality and Stormwater Concerns:

The proposed development plans to use newly constructed roadways to convey flood flows from Spring Creek Tributary 1 through the site. Retaining and treating stormwater on-site for events up to the 25-year storm is required by City Code. As stated above, the floodway channel is expected to carry flow at more frequent and usual flood events; not just the 100-year and larger events. Informational 10- and 25-year flood inundation maps have been attached to this letter. These maps document conditions prior to the LOMR, but flow in this area is still expected under existing conditions for these events. City Code also requires stormwater measures within the floodplain be avoided to the extent possible - 7.83.130(4)(d). The FCZD requests a copy of the Stormwater Plan due to the unusual nature of this proposal and impact on downstream County properties. If the stormwater plan is still under review, please provide the current draft of the plan.

According to the City's 2040 Transportation System Plan, local sources of transportation revenue primarily fund administration, maintenance, and operational uses. That plan recognized an increase in maintenance expenses from \$2.6M in 2000 to \$4.4M in 2014, while administration and operations expenses have been relatively flat. The city should be aware of the potential flood damages and increased road and stormwater facility maintenance as part of proposals that place roads in floodplains or floodways.

2040 Comprehensive Plan Conflicts:

Review of the City of Yakima's Comprehensive Plan 2040 finds this proposal in conflict with:

- Transportation Goal 6.1: Develop an integrated and balanced transportation system that provides safe, efficient, and reliable multimodal transportation.
- Natural Environment Goal 9.3: Manage floodplains to protect public health and safety, and to support ecological function.
- Natural Environment Policy 9.3.2: Ensure adequate protection of life and property from flood events in floodways and floodplains through application of appropriate limitations on and mitigation requirements for development, and implementation of comprehensive Flood Hazard Management Plans, when available.
- Natural Environment Policy 9.3.5: Within frequently flooded areas, encourage and support the retention of natural open spaces or land uses, such as parks, that can maintain important hydrologic function with minimal risk to property damage from floodwaters.

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We would hope the City keeps its stated commitment to regulate development in or around floodplains and floodways to ensure compatibility with surrounding properties, and to prevent an increase in risk to upstream or downstream neighbors or the natural functions of floodplains.

Ahtanum-Wide Hollow Comprehensive Flood Hazard Management Plan Conflicts:

The Ahtanum-Wide Hollow Comprehensive Flood Hazard Management Plan (CFHMP) was completed in 2012 by the FCZD, with the assistance of an advisory committee, which included citizens, stakeholders (irrigation companies/districts), staff members of the cities within the Yakima Valley (the City of Yakima and Union Gap), Yakama Nation, and members of affected agencies.

The CFHMP was adopted by the Yakima City Council on October 15th, 2013, with the intent to serve as an advisory complement to other city of Yakima planning endeavors, including Plan 2025 and the City of Yakima's development regulations with some provisos.

Below is a list of some applicable recommendations from the CFHMP:

High Priorities

- IS-5: Modify bridge crossing design to reduce flooding and maintenance on case-to-case basis.
 - *Applicable to the floodplain crossing on S. 64th Ave, which the extra conveyance in Anderson Park was designed to accommodate*
- IS-7: Provide 10- and 25-year flood extent maps to show chronic flooding areas where actions such as infrastructure sizing and siting, proposed development and redevelopment can be designed to guide flood hazard reduction.
 - *See attached pre-LOMR 10- and 25-year floodplain*
- PR-1: Ensure drainage infrastructure is properly sited, sized and designed to minimize flood effects from stormwater run-off. This includes establishing the relationship between flooding and stormwater and determining detention/retention and other stormwater standards.
 - *This proposal places pollutant generating surfaces and potentially stormwater infrastructure directly in the floodway and/or floodplain*
- PR-3: Incorporate floodplain and economic impacts into SEPA for subdivision layouts floodplain development (losses, damages, safety, insurance, response and recovery) from the planning to the project level, especially in urban and urbanizing areas.

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- PR-13: Use SEPA and Comprehensive Plan Policies and Goals to address flood issues/impacts associated with larger scale proposed developments where current zoning, subdivision or building standards are not sufficient to mitigate flood risk.
- PR-14: Implement NPDES Regional stormwater to limit run-off up to 100-yr flood. Ensure floodplains and floodways are identified on final plat maps – included would be text identifying effective map date and disclosure regarding fact that the maps will change over time. Also consider including identification of riverine Critical Areas buffer on plats.
 - *It appears the plat map portion of this recommendation has been incorporated*

Medium Priorities

- PR-20: Identify areas that are “islands” surrounded by floodplain and develop standards to limit density, provide emergency access and consider transportation networks within the context of surrounding area.
 - *Relevant to the three parcels without safe ingress or egress*
- PR-22: Ensure existing flood policies in the Yakima Urban Area Comprehensive Plan are implemented through ordinances and local jurisdiction land use decisions.
 - *Relevant to the Comp Plan section in this letter*
- PR-28: Reduce risks through subdivision development standards to minimize new structures in harm’s way (5.1.A [15C-11])
 - *Integrate protection of floodplain functions improvement/flood hazard reduction into subdivision platting process (5.1.A [8C-5])*
- MM-15: Explore additional funding methods for mitigation or reduce environmental effects (including flooding) from existing roads or other infrastructure.
 - *Consider for the 64th avenue crossing*
- PO-11: Yakima County Flood Control Zone District to provide technical assistance and comments regarding flood hazards and infrastructure design.
 - *Purpose of this letter*

Low Priorities

- PR-36: New traffic generating developments should be located outside of floodplains.
 - *This proposal is in conflict*
- ST-20: Culverts: Replace old culverts with higher capacity culverts based on flood risk.
 - *Consider for the 64th avenue crossing*

Plat Language Suggestion:

The Anderson Park Plat contains the language below which the FCZD recommends be incorporated into future plats (or similar language):

Portions of the Plat of Anderson Park shown hereon may fall within the 1% annual chance (100-Year) floodplain and floodway limits shown on current Flood Insurance Rate Maps. Floodplain and floodway information is subject to change as a result of future FEMA Map revisions and/or amendments.

No structure, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the (100-year) floodplain or floodway established by the Federal Emergency Management Agency (FEMA) without the approval of the City of Yakima Community Development Director and in accordance with the City of Yakima Municipal code critical areas ordinance. The property owner shall keep the 100-year floodplain and floodway traversing his/her property free of debris which would impede the function of the floodplain or floodway.

Inclusion of the final Operation and Maintenance Plan mentioned above should be considered as part of the plat note if possible, or at minimum communicated to the buyer/builder.

Opportunities for Future Flood Risk Reduction in the Vicinity:

The existing S. 64th Avenue crossing of Spring Creek is undersized and creates a significant backwater, split flows and roadway overtopping at the base flood discharge (1% annual exceedance probability flow or "100-year flood"). Through recommendations by the FCZD and implementation by the developer, the floodway grading approved in the Anderson Park Development LOMR was designed to accommodate the full 100-year flow with little rise to the BFE if the 64th Avenue crossing is improved. This action would remove many residences from the special flood hazard area and have a net fiscal benefit to the community. The subject line proposal conflicts with the vision of future flood risk reduction for which the groundwork has been laid and previously agreed upon.

Comments from the Yakima County Floodplain Administrator:

During the Anderson Park LOMR process, the Yakima County Floodplain Administrator signed off on the community support letter to allow the changes to the flood insurance rate map to

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take place. This was based on the understanding that the combination of revisions made to the original site plan of Anderson Park and the future possibility of improving the 64th avenue crossing enabled a significant flood risk reduction to the community. Yakima County will not support this development as proposed should it require a county signature for a map revision that is substantially inconsistent with that original understanding.

Thank you for the opportunity to comment on this proposal.

Sincerely,



Troy Havens, PE, CFM
Water Resources Manager
(509)574-2300
Troy.havens@co.yakima.wa.us

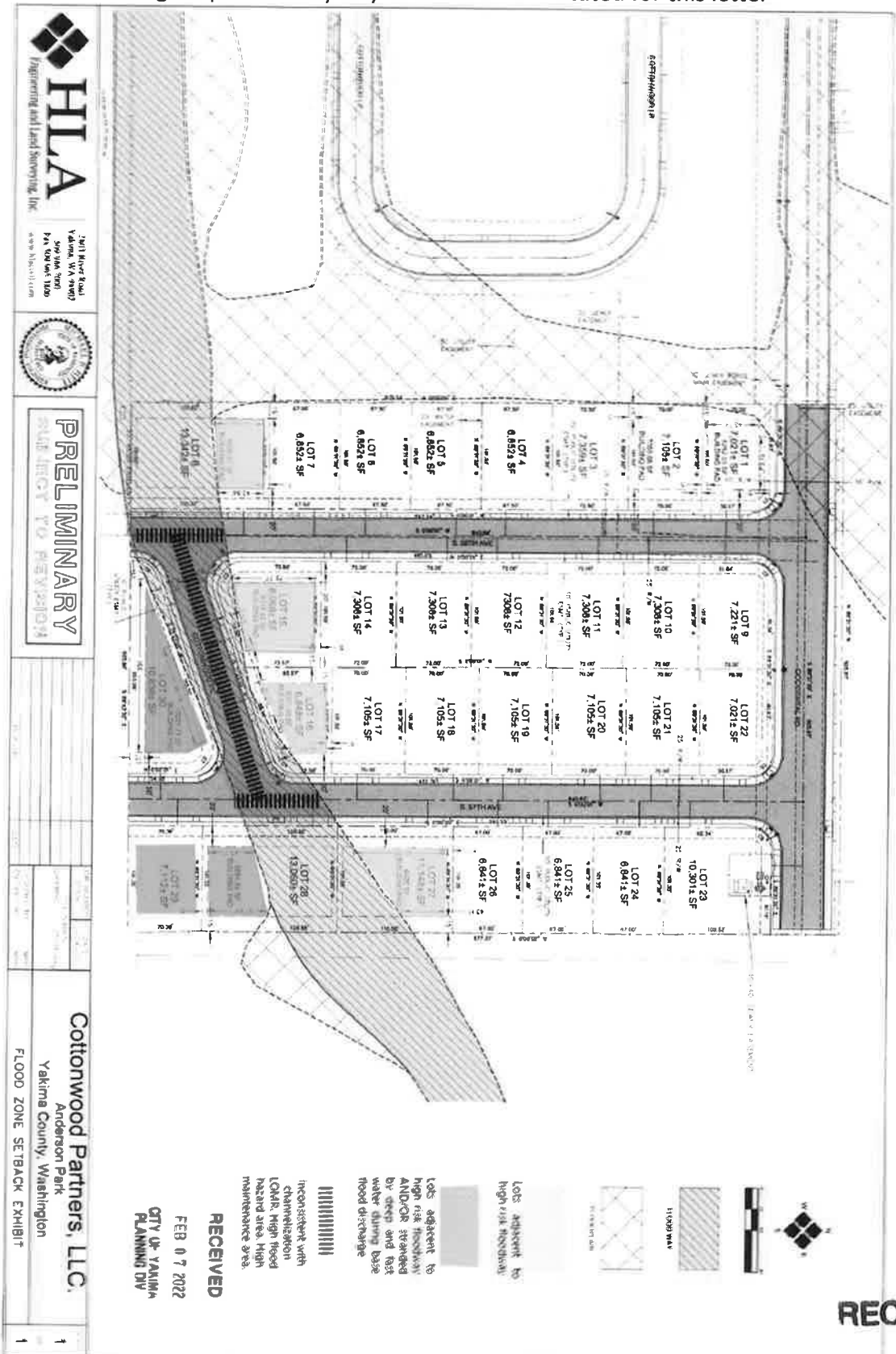
Encl: Annotated Site Plan
10- and 25-year pre-LOMR flood inundation maps

Cc: David Haws, PE, CFM, Yakima County Floodplain Administrator
Joseph Calhoun, Manager, City of Yakima Planning Division

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PLANNING DIV.

Figure provided by City of Yakima – Annotated for this letter



2011 First Blvd
 Yakima, WA 98902
 P.O. Box 100
 509-249-1100
 www.hla.com



PRELIMINARY
 SUBJECT TO REVISION

Cottonwood Partners, LLC.
 Anderson Park
 Yakima County, Washington
 FLOOD ZONE SETBACK EXHIBIT

