



**KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22**

**Yakima City Council
Closed Record Public Hearing
September 6, 2022**

EXHIBIT LIST

Applicant:	Kinloch Borton Enterprises LLC
File Numbers:	PLP#004-22, SEPA#009-22
Site Address:	S 96 th Ave & Occidental Rd
Staff Contact:	Eric Crowell, Senior Planner

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KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER AA

Yakima Planning Commission's Recommendation

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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

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YAKIMA PLANNING COMMISSION

**RECOMMENDATION TO THE YAKIMA CITY COUNCIL
FOR
PRELIMINARY LONG PLAT
PLP#004-22 & SEPA#009-22**

July 27, 2022

WHEREAS, on April 18, 2022, applications for a Preliminary Long Plat were submitted by Kinloch Borton Enterprises LLC, for the subdivision of one parcel totaling approximately 32.93 acres into four single-family residential lots and one tract (a further subdivision of PSP#004-21, which created nine lots), in the Single-Family Residential (R-1) zoning district, parcel number 171336-44411; and

WHEREAS, the applications were considered complete for processing on May 18, 2022, and public notice was provided, in accordance with the provisions of YMC Ch. 16.10, on May 20, 2022; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on June 22, 2022, which was not appealed (City File SEPA#009-22); and

WHEREAS, the proposed Application conforms with the City of Yakima Zoning Ordinance, Subdivision Ordinance, and other applicable land use regulations; and

WHEREAS, under the provisions of YMC Ch. 14.20, the Yakima Planning Commission (YPC) is responsible for the review of a preliminary long plat application and for recommending the approval, modification or denial of each request; and

WHEREAS, on July 13, 2022, the Yakima Planning Commission held an open record public hearing, to consider the application for a four-lot single-family subdivision known as Apple Tree Phase 1C (PLP #004-22), to hear testimony from the public and provide a recommendation to the Yakima City Council; and

WHEREAS, the staff report presented by Senior Planner Eric Crowell recommended approval of the proposed four-lot preliminary plat, subject to conditions; and

WHEREAS, based on testimony received at the July 13, 2022 public hearing, the Yakima Planning Commission has recommended approval of the plat, subject to conditions.

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Now therefore, the Yakima Planning Commission presents the following findings of fact, conclusions, and recommendation to the Yakima City Council:

APPLICATION #: PLP#004-22, SEPA#009-22
APPLICANT: Kinloch Borton Enterprises LLC
APPLICANT ADDRESS: 2550 Borton Rd., Yakima, WA 98903
PROJECT LOCATION: Vicinity of Occidental Rd. & S. 96th Ave.
PARCEL(S): 171336-44411

I. FINDINGS OF FACT:

- A. The applicant requests to subdivide the subject parcel into four single-family lots and one tract, a further subdivision of PSP#004-21, which created nine lots.
- B. The subject parcel is approximately 32.93 acres in size and is surrounded by agricultural and residential uses and zoning.
- C. No testimony was received at the public hearing except for that of the applicant.
- D. The City of Yakima Planning Division provided a detailed staff report to the Planning Commission for review during its July 13, 2022 public hearing, with the recommendation of APPROVAL of the proposed subdivision.
- E. **Subsection 14.20.100 (A)(1)—Consistency with the provisions of the City's Urban Area Zoning Ordinance:** The proposed preliminary plat would be consistent with the intent and character of the Single-Family Residential (R-1) zoning district set forth in YMC § 15.03.020 (B). The single-family residential district is intended to:
 - 1. Establish new residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents of, this district, which may include duplexes and zero lot lines if established during the subdivision process;
 - 2. Preserve existing residential neighborhoods for detached single-family dwellings free from other uses to ensure the preservation of the existing residential character, and serve the residents of this district; and
 - 3. Locate moderate-density residential development, up to seven dwelling units per net residential acre, in areas served by public water and sewer system.

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

This zone is intended to afford single-family neighborhoods the highest level of protection from encroachment by potentially incompatible nonresidential land uses or impacts. Nonresidential uses within these zones are not allowed; except for public or quasi-public uses, which will be required to undergo extensive public review and will

have all necessary performance or design standards assigned to them as necessary to mitigate potential impacts to adjacent residences.

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

F. Subsection 14.20.100 (A)(2)—Consistency with the provisions of the Comprehensive Plan: The Goals and Policies that apply to this designation and proposed land use are as follows:

- Goal 2.3. Residential uses. Preserve and enhance the quality, character and function of Yakima's residential neighborhoods.
 - Policy 2.3.1 (B). Standard single family. Continue to allow for detached single family dwellings in residential districts.
 - Policy 2.3.3. Create walkable residential neighborhoods with safe streets and good connections to schools, parks, transit, and commercial services.
 - Policy 2.3.3 (A). Construct sidewalks along all new residential streets.
 - Policy 2.3.3 (C). Promote small block sizes to ensure good connectivity and reduced walking distances between residences and schools, parks, and services. Specifically:
 - Low density residential: Blocks between 400–800 feet long are appropriate.
 - Mixed residential: Blocks between 300–660 feet long are appropriate.
 - Provide for through public through block connections for large residential blocks.
 - Commercial and mixed-use designations: Configure development to provide pedestrian connections at 300 to 660 feet intervals. Configure development to provide vehicular connections at 600 to 1,320 feet intervals. Allow flexibility for private internal streets to meet connectivity objectives.
- Goal 2.6. Community design. Promote compatible high quality development that enhances the character and identity of Yakima.
 - Policy 2.62 (A). Recognize that the character of public rights-of-way play a role in determining community character. Wherever feasible, promote complete streets and incorporate streetscape improvements, such as way-finding signs, lighting, public art, enhanced landscaping and street furniture, to enhance community character.
- Goal 5.2. Preserve and improve existing residential neighborhoods.

- Policy 5.2.1. Invest in and improve quality of life in existing neighborhoods.
- Goal 5.4. Encourage design, construction, and maintenance of high quality housing.
 - Policy 5.4.3. Encourage development of well-designed new housing in coordination with population growth employment growth, and transportation goals.
 - Policy 5.4.7. Promote complete streets and trails to interconnect Yakima's neighborhoods and promote walkability.

G. **Subsection 16.06.020 (B)—Consistency Analysis:** The following analysis involves the consistency of the preliminary plat with applicable development regulations, or in the absence of applicable regulations, the adopted Comprehensive Plan as mandated by the State Growth Management Act and the Yakima Municipal Code. During project review, neither the City nor any subsequent reviewing body may re-examine alternatives to, or hear appeals on, the following items identified in these conclusions except for issues of code interpretation:

1. The type of land use contemplated by the proposal: a residential development in the R-1 zoning district 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.
2. The level of development: the lot size and contemplated density will not exceed the allowable level of development in the Single-Family Residential (R-1) zoning district since the proposed lot sizes satisfy the zoning ordinance requirements.
3. The availability and adequacy of infrastructure and public facilities: The additional infrastructure that will be provided at the applicant's expense will ensure that adequate infrastructure and public facilities are available for the proposed preliminary 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: Consideration of specific development standards relating to lot size, access, potable water, sewage disposal and other features of the proposed preliminary plat have been discussed in detail within the staff report. With the recommended conditions, the proposed preliminary plat would be consistent with the development standards of applicable City ordinances.

II. **CONCLUSIONS**

- A. The Yakima Planning Commission has jurisdiction to recommend to the Yakima City Council the approval of a proposed preliminary plat pursuant to Section 14.20.100 of the subdivision ordinance;

- B. Notice of the public hearing sent on May 20, 2022, was given in accordance with applicable requirements;
- C. The SEPA Determination of Nonsignificance (DNS) for this proposed preliminary plat was issued on June 22, 2022, and became final without any appeal;
- D. The proposed preliminary plat was reviewed and approved for traffic concurrency under the Transportation Capacity Management Ordinance on May 16, 2022;
- E. The proposed preliminary plat complies with the goals and objectives of the 2040 Comprehensive Plan, the intent and purpose of the R-1 zoning district, the provisions of the Urban Area Zoning Ordinance, Subdivision Ordinance, and Title 12 Development Standards, including Ch. 12.08 Transportation Capacity Management.
- F. The proposed preliminary plat is in compliance with the consistency requirements of Subsection 16.06.020 (B) of the Yakima Municipal Code.
- G. With the recommended conditions, the proposed preliminary plat as described in the application narrative and preliminary plat received April 18, 2022, is in compliance with the City's Urban Area Comprehensive Plan, subdivision ordinance and zoning ordinance; makes appropriate and adequate 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 school grounds or additional planning features that assure safe walking conditions for students who walk to and from school; and serves the public use and interest.

III. RECOMMENDATION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Yakima Planning Commission draft findings of fact and forward a recommendation of approval to the Yakima City Council. The motion carried unanimously.

The Planning Commission of the City of Yakima, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Yakima APPROVE the proposed Preliminary Long Plat for PLP#004-22, and subject to the following conditions:

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

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

- C. All lots shall be provided with public sewer service according to YMC Title 12 standards. Prior to final plat approval written verification from the City of Yakima Engineering Department must be provided to the Planning Division indicating that all sewer extensions have been completed and inspected or financially secured;
- D. A minimum eight-foot-wide public utility easement shall be provided adjacent to all public road rights-of-way;
- E. Easements for new and/or future utilities shall be a minimum of 16 feet in width, provided that the width of easements for buried utilities will be twice the depth of the planned excavation;
- F. All public and private utilities shall be located underground, with the exception of telephone boxes and such similar structures;
- G. All public and private utilities to be located within public road rights-of-way must be constructed prior to the start of road construction;
- H. All interior roads on the preliminary plat shall be constructed with curb, gutter, sidewalks on both sides of the street, and street lighting in accordance with YMC Ch. 12.06, Standard Detail R5, and WSDOT Curb and Sidewalk Plans F-10.12-03;
- I. An excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but will cost 150 percent of the restoration fee with no PCI discount;
- J. All frontage improvements shall be completed or bonded for prior to long plat approval. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements;
- K. At the discretion of the City Engineer, the owner may bond for required frontage improvements or enter into a deferral agreement for future participation in the cost of any frontage and/or roadway improvement of Local Improvement District (LID) which is constructed abutting the owner's property. The bond or deferral agreement shall be executed and recorded prior to or as part of approval of the plat;
- L. Fire hydrants shall be placed at the locations specified by the Building Codes, Planning Division, and the Yakima Fire Department. All lots must be provided with adequate fire flow;
- M. All permits required by the Yakima Regional Clean Air Authority shall be obtained;
- N. Soil sampling shall be conducted prior to development under the Model Toxics Control Act in accordance with Department of Ecology standards;
- O. Streetlights shall be installed per the direction of the Engineering Division;

- P. This plat shall be subject to the following notes, which must be placed on the face of the plat:
1. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Yakima Building Codes Division is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.
 2. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site;
- Q. Irrigation approval is required, and shall be shown on the face of the final plat;
- R. A current title report covering the subject property must accompany the final long plat;
- S. Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year;
- T. In accordance with YMC § 14.20.230, the City shall not issue any building permits until a copy of the recorded long plat is submitted; and
- U. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.

SIGNED this 27th day of July, 2022.

By: _____

Jacob Liddicoat, Chair
Yakima Planning Commission

KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER A

Staff Report

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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

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**CITY OF YAKIMA PLANNING DIVISION'S
FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION
for
REQUEST FOR PRELIMINARY LONG PLAT
File Numbers: PLP#004-22 & SEPA#009-22**

APPLICANT: Kinloch Borton Enterprises LLC
APPLICANT ADDRESS: 2550 Borton Rd., Yakima, WA 98903
PROJECT LOCATION: Vicinity of Occidental Rd. & S. 96th Ave.
TAX PARCEL NUMBER: 171336-44411
DATE OF REQUEST: April 18, 2022
DATE OF RECOMMENDATION: July 13, 2022
STAFF CONTACT: Eric Crowell, Senior Planner

I. DESCRIPTION OF REQUEST:

Preliminary long plat (further subdivision of PSP#004-21, which created nine lots) to create four single-family lots and one tract, in the R-1 zoning district.

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 April 18, 2022.
2. The application was deemed complete for processing on May 18, 2022.
3. The applications are being processed under YMC Ch. 14.20 for Subdivision, and YMC Ch. 6.88 for SEPA Environmental Review.
4. Pursuant to YMC Ch. 1.42, the Planning Commission has the authority to make a decision on matters prescribed by YMC Title 14.
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:
 - a. The subject property was posted with a land use action sign on May 12, 2022.

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- 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 May 20, 2022.
 - c. The 20-day public comment period for SEPA ended on June 9, 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 nine lots. A Determination of Non-Significance (DNS) was issued on June 22, 2022, and was not appealed.

B. Transportation Concurrency: The applicant applied for Transportation Concurrency (TCO#005-22) on April 18, 2022, and was approved for Concurrency on May 16, 2022. The development will not exceed the PM peak hour capacity of the city arterial system and reserve capacity exists on all impacted arterial streets.

C. Current Zoning and Land Use:

- 1. The subject property is approximately 32.93 acres, is zoned Single-Family Residential (R-1), and is current vacant.
- 2. The main purpose of the Yakima Urban Area Zoning Ordinance (UAZO) is to implement the Yakima Urban Area Comprehensive Plan and promote the general health, safety and welfare of the present and future inhabitants of the Yakima Urban Area. YMC § 15.03.020 (B) provides that the purpose of the Single-Family Residential District is intended to:
 - a. Establish new residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents of, this district, which may include duplexes and zero lot lines if established during the subdivision process;
 - b. Preserve existing residential neighborhoods for detached single-family dwellings free from other uses to ensure the preservation of the existing residential character, and serve the residents of this district; and
 - c. Locate moderate-density residential development, up to seven dwelling units per net residential acre, in areas served by public water and sewer system.

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

This zone is intended to afford single-family neighborhoods the highest level of protection from encroachment by potentially incompatible nonresidential land

uses or impacts. Nonresidential uses within these zones are not allowed; except for public or quasi-public uses, which will be required to undergo extensive public review and will have all necessary performance or design standards assigned to them as necessary to mitigate potential impacts to adjacent residences.

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

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

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

D. Development Services Team Review: A Development Services Team (DST) Review was held on May 3, 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 the Plat is as follows:

Lot 1	2208 S. 96th Ave.	Lot 3	2212 S. 96th Ave.
Lot 2	2210 S. 96th Ave.	Lot 4	2214 S. 96th Ave.

2. Engineering
 - a. This project requires Title 8 and 12 improvements, including but not limited to the following:
 - i. YMC 8.60 and 12.05 – New curb, gutter and sidewalk, and storm drainage, shall be installed on S. 96th Ave. along all lot frontages, Occidental Rd. along Lot 4, and the proposed street extension between proposed lots 2 and 3. New sidewalk shall be constructed per standard detail R5, including approved ADA ramp at intersections. Street section shall conform to standard detail R3.
 - ii. YMC 8.64 –Residential driveway approaches are required which meets the requirements of this chapter and standard detail R4. Driveway width shall be a maximum of 20 feet.

- iii. YMC 8.72 – An excavation and street break permit shall be obtained for all work within the public right of way.
 - iv. YMC 12.02 – Easements shall be established per this chapter.
 - v. YMC 12.06.020 – Right of way – S. 96th Ave. is classified as Residential, requiring a total of 50 feet of right-of-way (25 feet half width). Occidental Ave. is classified as a Minor Arterial requiring a total of 80 feet of right of way (40 feet half width). New street extension off of S. 96th Ave. shall have a total of 50 feet of right of way. Applicant shall determine existing right-of-way width and dedicate adequate right-of-way to meet the required width.
 - vi. YMC 12.06.080 – Street lighting – Street lights shall be installed and 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.
 - vii. YMC 15.06.065 – No driveway approach on a local access street may be located closer to the street intersection corner than thirty feet as measured from the property line at the corner.
- b. An ENG permit is required for all civil work to be performed on site.
 - c. All improvements and shall be completed prior to Certificate of Occupancy.
- 3. Nob Hill Water Association
 - a. Owner/developer will need to contact Nob Hill Water with signed engineered plans of proposed development in order to work up water design and cost estimate for project.
 - 4. Department of Ecology
 - a. Historical aerial photos indicate your project is located on property that was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Under the Model Toxics Control Act (Chapter 173-340 WAC), prior to issuing a SEPA determination your project is required to conduct soil sampling. Results should be submitted to Ecology at: formerorchards@ecy.wa.gov.
 - b. If sampling indicates elevated levels of lead and arsenic, cleanup will be required prior to occupancy. Portions of the property that will remain vacant or in agricultural use do not require cleanup; however, those areas must be physically isolated and designated not for regular use by property occupants. The Department of Ecology has created Model Remedies for lead and arsenic pesticide contamination in historical orchards of Central Washington.

The Model Remedies document is available at
<https://apps.ecology.wa.gov/publications/documents/2109006.pdf>

- c. Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards. Ecology can provide free initial sampling as well as free technical assistance for your project.
- d. Please contact Frost Smith, at (509) 406.5157, for further information or to schedule your initial sampling.

E. Applicable Law

1. YMC § 15.05.030 (A): Creation of new lots—Subdivision requirements: Table of Subdivision Requirements: Pursuant to YMC § 15.05.030 (A), this table establishes basic development criteria for lot size and width that must be met when reviewing an application for a new subdivision. For detached single-family dwelling construction in the R-3 zoning district, the required minimum lot size is 6,000 square feet.
2. YMC § 15.05.055 (1): New development improvement standards: Fire apparatus access roads for multiple-family residential developments and one- or two-family residential developments shall be subject to the provisions of Sections D106 and D107, respectively, of Appendix D of the International Fire Code (2009 Edition). Additionally, such residential developments shall be subject to the requirements of Section D105 of Appendix D, International Fire Code (2009 Edition), pertaining to aerial fire apparatus roads, as applicable. All provisions of the International Fire Code referenced above are hereby adopted and incorporated herein by this reference, as now existing or as hereafter amended and adopted by the city. Minimum requirements for the primary and secondary access will be at least twenty feet wide, unobstructed, paved lanes.
3. YMC § 12.02.010: Establishment of easements: Public utility easements shall be established for the location of new and proposed public utility lines serving new land divisions and land development. Public utility easements shall also be established across the front of new lots and redeveloped lots to provide future utility access as determined necessary by the city engineer. Public utility easements shall be dedicated (granted) at the time that subdivision and/or land use approval is granted.
4. YMC § 12.02.020: Easement location and width: Eight-foot-wide utility easements shall be dedicated along the front of each lot in subdivisions and short subdivisions. Easements for new and/or future utility lines shall be a minimum of eight feet in width, or twice the buried depth of the utility, whichever is greater.
5. YMC § 12.03.010: Sewer service required: Pursuant to YMC § 12.03.010, all new lots and development shall be served by a sanitary sewer line located adjacent to the lot or development site.

6. YMC § 12.03.040: Minimum sewer size: The minimum size for public sewer lines is eight inches in diameter.
7. YMC § 12.03.070: Side sewer service: Each building containing sanitary facilities shall be served by a separate private side sewer line from a public main. Branched side sewers serving multiple buildings and properties shall not be permitted. Single side sewers serving multi-unit buildings are permitted.
8. YMC § 12.03.090: Gravity flow required: Sewer lines shall be designed for gravity flow operation. Lift stations and force mains (pressurized lines) shall be limited to those locations and circumstances where they are consistent with the comprehensive sewer plan and are the preferable short-term solution to service of the development site and other properties in the vicinity.
9. YMC § 12.04.010: Water service required: All new lots and development shall be served by a public water supply line maintained by the city of Yakima, Nob Hill Water Company, or other water purveyor, and located adjacent to the lot or development site. The water line shall be capable of providing sufficient flow and pressure to satisfy the fire flow and domestic service requirements of the proposed lots and development as approved by the city engineer in cooperation with the code administration manager and water irrigation division manager.
10. YMC § 12.04.020: Water line extension required: Water lines shall be extended to the point where the adjoining property owner's responsibility for further extension begins. This typically requires extension across the street or easement frontage of the developing property. In some cases it will require dedication of an easement and a line extension across the property or extension along two or more sides of the developing property. Extensions will be consistent with and implement the city's adopted water comprehensive plan.
11. YMC § 12.04.040: Minimum size and material standards: New water lines in the city of Yakima water system shall be constructed of Class 52 ductile iron and shall be a minimum of eight inches in diameter. Improvements and additions to the Nob Hill Water Company system shall conform to the requirements of Nob Hill Water Company.
12. YMC § 12.05.010: Sidewalk installation required: Sidewalks shall be installed along both sides of all new, improved, and reconstructed streets. Projects which repair small portions of or maintain existing street shall not be considered "improvement" for the purpose of this section and shall not trigger the requirements of this section. Sidewalks shall also be installed across the frontage of all newly developed or redeveloped lots where feasible.
13. YMC § 12.06.010: Street types, functional classification: The Yakima urban area comprehensive plan, and/or the West Valley neighborhood plan, designates the functional classification of the principal arterial, minor arterial and collector streets and establishes their functional classification. All other streets are classified as local residential access.
14. YMC § 12.06.030: Design standards, adjustment of standards: ... Final design of street improvements is subject to approval by the city engineer. The city

engineer, at his discretion, is authorized to adjust these standards as necessary to facilitate the construction of new streets and improvement of existing streets. Projects which repair small portions of or maintain existing streets shall not be considered "improvements" for the purposes of this section.

15. YMC § 12.06.070: Provision of street curbing: Barrier curbs shall be installed along all public streets. Rolled mountable curbs may be permitted along residential access streets. Curb design shall be consistent with the standards of the city engineer.
16. YMC § 12.06.080: Street lighting: A street light shall be installed at each street intersection and at mid block if the block exceeds five hundred feet in length. Street lights shall meet the design and placement standards of the city engineer. Lighting improvements shall become the property of the city of Yakima upon installation and will thereafter be maintained by the city.
17. YMC § 14.05.200 (A-B): Allowance of bond in lieu of actual construction of improvements prior to approval or short plat or final plat: The subdivision or short subdivision applicant may, as an alternative to actual construction of any required improvements, provide a surety bond or other secure method providing for and securing to the city the actual construction of required improvements within a specified period of time and expressed in a bond or other appropriate instrument establishing such security. Any bond or other method of securing actual construction of required improvements shall specify the improvements covered and the schedule for completion.

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

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

F. Yakima Comprehensive Plan 2040

1. Defined: Low Density Residential provides for low density residential development.

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

IV. **SUBDIVISION FINDINGS:**

A. Background and Processing:

1. The subject property is currently vacant, is approximately 32.93 acres in size, has a Future Land Use designation of Low Density Residential, and is zoned Single-Family Residential (R-1).
2. Pursuant to RCW Ch. 58.17, YMC § 1.42.030 and YMC § 14.20.100, the City of Yakima Planning Commission 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. Within ten working days of the conclusion of a hearing, unless the applicant agrees to a longer period in writing, the Planning 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. Access Required: All proposed lots have at least the minimum of 20 feet of lot frontage upon a public road in accordance with YMC § 15.05.020 (H).
2. Lot Size: The preliminary plat indicates that lot sizes will range from 9,893 square feet to 10,351 square feet. All proposed lots meet or exceed the minimum requirement of 6,000 square feet for detached single-family homes in accordance with Table 5-2 of Ch. 15.05.
3. Lot Width: Table 5-2 of Ch. 15.05 requires a minimum lot width for the R-1 zoning district of 50 feet, and all proposed lots meet or exceed the minimum requirement.
4. Lot Coverage: Table 5-1 of Ch. 15.05 limits the maximum lot coverage permitted in the R-1 zoning district to 60 percent, and all proposed lots meet or exceed the minimum requirement.

5. Setbacks: Table 5-1 of Ch. 15.05 identifies the required setbacks for development within the R-1 zoning district. All lots within the proposed plat shall meet the required setbacks as follows:

Location	From Centerline of Right-of-Way	From Property Line
Front, S. 96th Ave.	45 feet	20 feet
Rear	N/A	15 feet
Side (internal)	N/A	5 feet
Side, Occidental Rd.	50 feet	10 feet
Side, future ROW	40 feet	10 feet

Because the portion of Tract A that will be accessed via S. 96th Ave. will presumably be dedicated as public right-of-way in the future to serve additional phases, the side yard setbacks for the southern property line of Lot 2 and the northern property line of Lot 3 shall be the standard side yard setbacks for that of a local access street; otherwise that tract shall fully utilize the above table as appropriate.

6. Maximum Building Height: Table 5-1 of Ch. 15.05 limits the maximum building height for development within the R-1 zoning district to 35 feet.
7. Sidewalk: Curb, gutter, and sidewalk shall be installed along S. 96th Ave. and Occidental Rd. for the extent of the subdivision's frontage.
8. Density: With a density of approximately 0.12 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 in the R-1 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 32.93 acres into four residential lots and one tract.
 - b. Net residential density excluding streets calculated per YMC § 15.05.030
 - Four dwelling units / 32.93 = 0.12 dwelling units per net residential acre
9. Streets/Dedication of Right-of-Way: Adequate right-of-way shall be dedicated as necessary in order for the distance from the centerline of S. 96th Ave. to be 25 feet and for the distance from the centerline of Occidental Rd. to be 40 feet.

C. Development Standards:

1. Frontage Improvements
- a. Street lighting shall meet the design and placement standards of the city engineer. Lighting improvements shall become the property of the City of Yakima upon installation and will thereafter be maintained by the city.

- b. Pursuant to Ch. 8.72, an excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but will cost 150 percent of the restoration fee with no PCI discount.
- 2. Wastewater
 - a. Sewer is available along the site's entire S. 96th Ave. frontage.
 - 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 § 12.04.010.
 - b. Water is served by the Nob Hill Water Association, and is currently installed along the entirety of S. 96th Ave. except for the frontage of Lot 2 and part of the frontage of Lot 1.
- 4. Irrigation
 - a. All of the subject parcels are located within the Yakima-Tieton Irrigation District and therefore irrigation district approval is required upon the final plat.

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

E. Subdivision Ordinance

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

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

residents in accordance with the standards in the zoning ordinance without additional open spaces.

3. Drainage systems: Drainage system facilities will be provided in accordance with state and local regulations including the City of Yakima Municipal Code and the Eastern Washington Storm Water Manual.
4. Streets, alleys, and other public ways: The subject property has frontage upon Occidental Rd. and S. 96th Ave.
5. Water supplies: Public water is required to be used for domestic and fire flow purposes. Water is available to the site from Nob Hill Water Association via Occidental Rd. and S. 96th Ave.
6. Sanitary waste disposal: Public sewer is required to service all lots within the subject development.
7. Parks and playgrounds: Open space, parks, recreation, and playgrounds are located approximately within 3.1 miles of this subdivision due to the proximity of West Valley Park.
8. Sites for schools: Cottonwood Elementary School is located approximately 1.8 miles from this subdivision, West Valley Middle Level Campus is located approximately 2.4 miles from this subdivision, while West Valley High School is located approximately 1.6 miles away.
9. Sidewalks: Curb, gutter, and sidewalk shall be installed along the site's S. 96th Ave. and Occidental Ave. frontages for the extent of the subdivision.
10. Public Transit: Yakima Transit Routes 2 and 5 pass the intersection of S. 72nd Ave. and W. Washington Ave. approximately 1.9 miles northeast of the subdivision.
11. Serves the public interest and use: This proposed four-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.

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. CONCLUSIONS:

- A. The Planning Commission has jurisdiction (RCW Ch. 58.17, YMC §§ 1.42.030, and 14.20.100).

- B. This recommendation is based upon a project narrative and site plan received April 18, 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-1 zoning district.
 - 2. All necessary public facilities are available to serve the site.
 - 3. This proposal is consistent with existing development regulations for this location.
- E. A Determination of Nonsignificance (DNS) was issued on June 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-1 zoning district, the provisions of the Urban Area Zoning Ordinance, Subdivision Ordinance, and Title 12 Development Standards, including 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.

VI. RECOMMENDATION:

The Planning Division recommends that this subdivision known as "Apple Tree Phase 1C," file number PLP#004-22, 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, sidewalks on both sides of the street, and street lighting in accordance with YMC Ch. 12.06, Standard Detail R5, and WSDOT Curb and Sidewalk Plans F-10.12-03;
- I. An excavation and street break permit shall be obtained for all work within the public right-of-way. Roads less than five years old can be cut, but will cost 150 percent of the restoration fee with no PCI discount;
- J. All frontage improvements shall be completed or bonded for prior to long plat approval. Civil engineering plans for public improvements shall be approved prior to bonding for public improvements;
- K. At the discretion of the City Engineer, the owner may bond for required frontage improvements or enter into a deferral agreement for future participation in the cost of any frontage and/or roadway improvement of Local Improvement District (LID) which is constructed abutting the owner's property. The bond or deferral agreement shall be executed and recorded prior to or as part of approval of the plat;
- L. Fire hydrants shall be placed at the locations specified by the Building Codes, Planning Division, and the Yakima Fire Department. All lots must be provided with adequate fire flow;
- M. All permits required by the Yakima Regional Clean Air Authority shall be obtained;
- N. Soil sampling shall be conducted prior to development under the Model Toxics Control Act in accordance with Department of Ecology standards;
- O. Streetlights shall be installed per the direction of the Engineering Division;
- P. This plat shall be subject to the following notes, which must be placed on the face of the plat:
 - 1. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Yakima Building Codes Division is

responsible for the confirmation or reassignment of addresses at the time of building permit issuance.

2. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site;
- Q. Irrigation approval is required, and shall be shown on the face of the final plat;
- R. A current title report covering the subject property must accompany the final long plat;
- S. Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year;
- T. In accordance with YMC § 14.20.230, the City shall not issue any building permits until a copy of the recorded long plat is submitted; and
- U. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.

KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER B

Maps

[illegible]

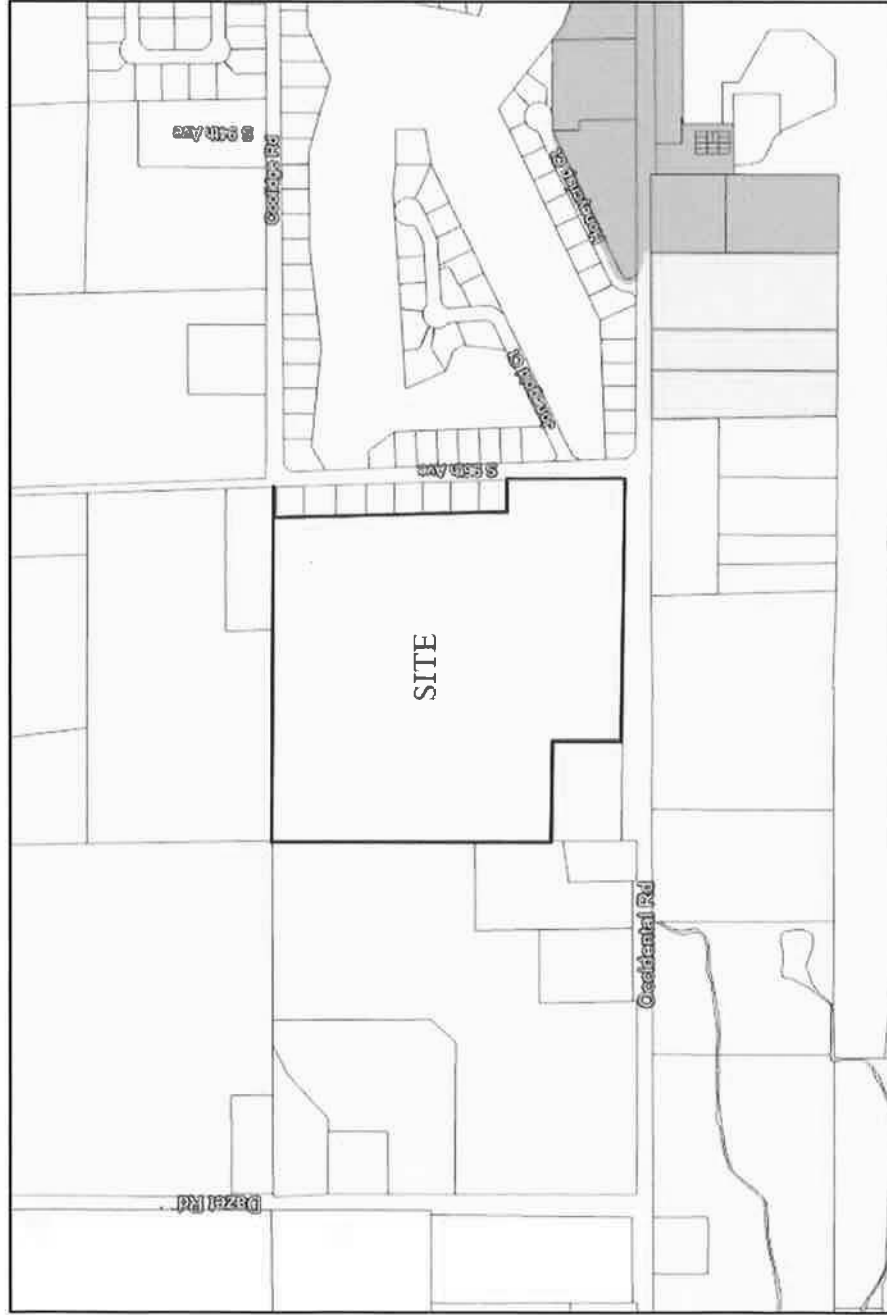
Project Name: KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C"

















Site Address: S 96TH AVE & OCCIDENTAL RD

File Number(s): PSP#004-22, SEPA#009-22



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 |
|  | SOC Small Convenience Center |
|  | LCC Large Convenience Center |
|  | CBD Central Business District |
|  | GC General Commercial |
|  | M-1 Light Industrial |
|  | M-2 Heavy Industrial |
|  | RD Regional Development |
|  | AS Airport Support |



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

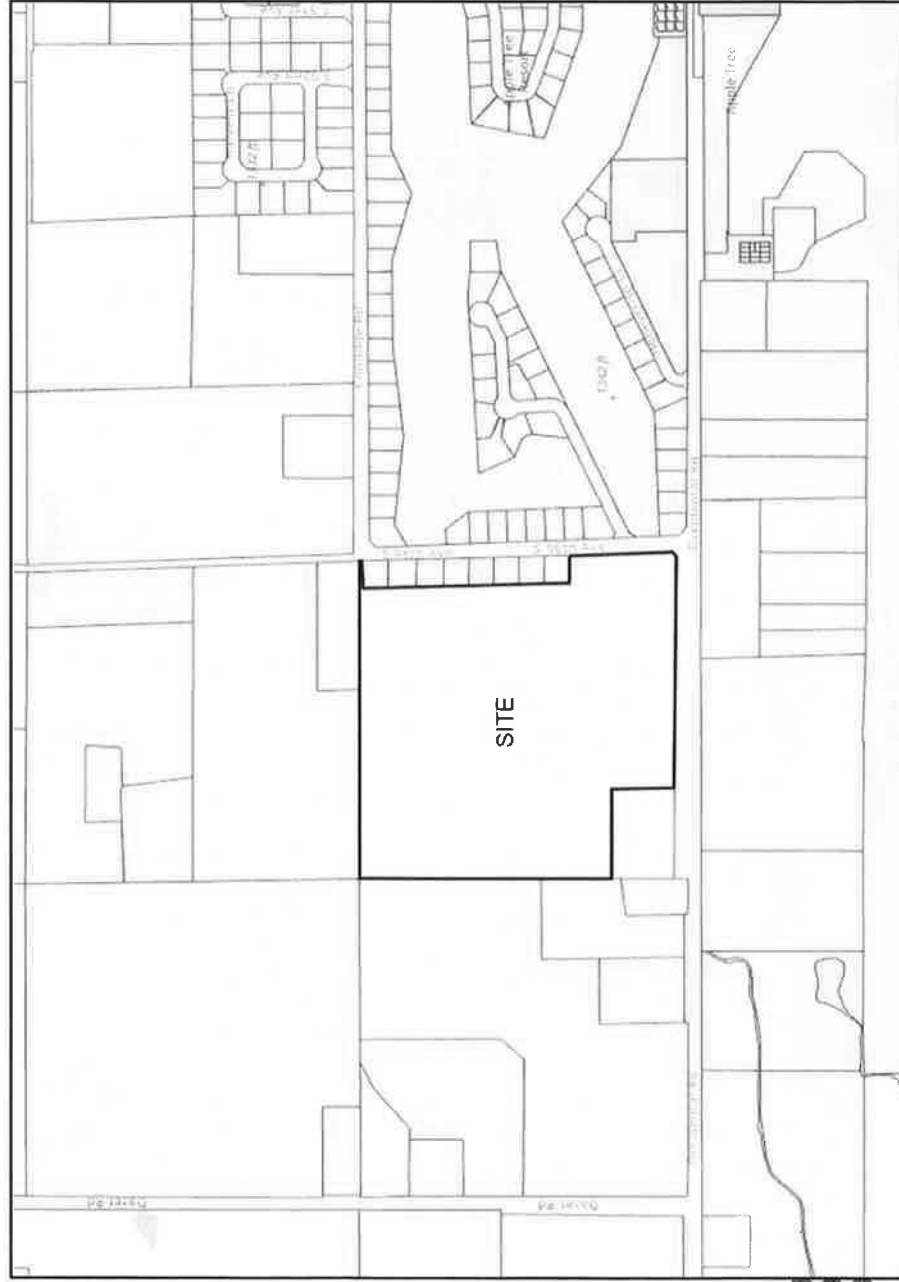
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INDEX

* B-2

Project Name: KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C"
Site Address: S 96TH AVE & OCCIDENTAL RD
File Number(s): PSP#004-22, SEPA#009-22



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

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B-2



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: 7/5/2022

Project Name: KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C"
Site Address: S 96TH AVE & OCCIDENTAL RD
File Number(s): PSP#004-22, SEPA#009-22



AERIAL MAP



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Map Disclaimer: Information shown on this map is for planning and illustration purposes only. The City of Yakima assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any action taken, or action not taken by the user in reliance upon any maps or information provided herein.
Date Created: 7/5/2022



Project Name: KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C"

Site Address: S 96TH AVE & OCCIDENTAL RD

File Number(s): PLP#004-22, SEPA#009-22

Proposal: Proposed preliminary short plat to create four residential lots in the R-1 zoning district.



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: 4/26/2022



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KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER C

Site Plan

[illegible]

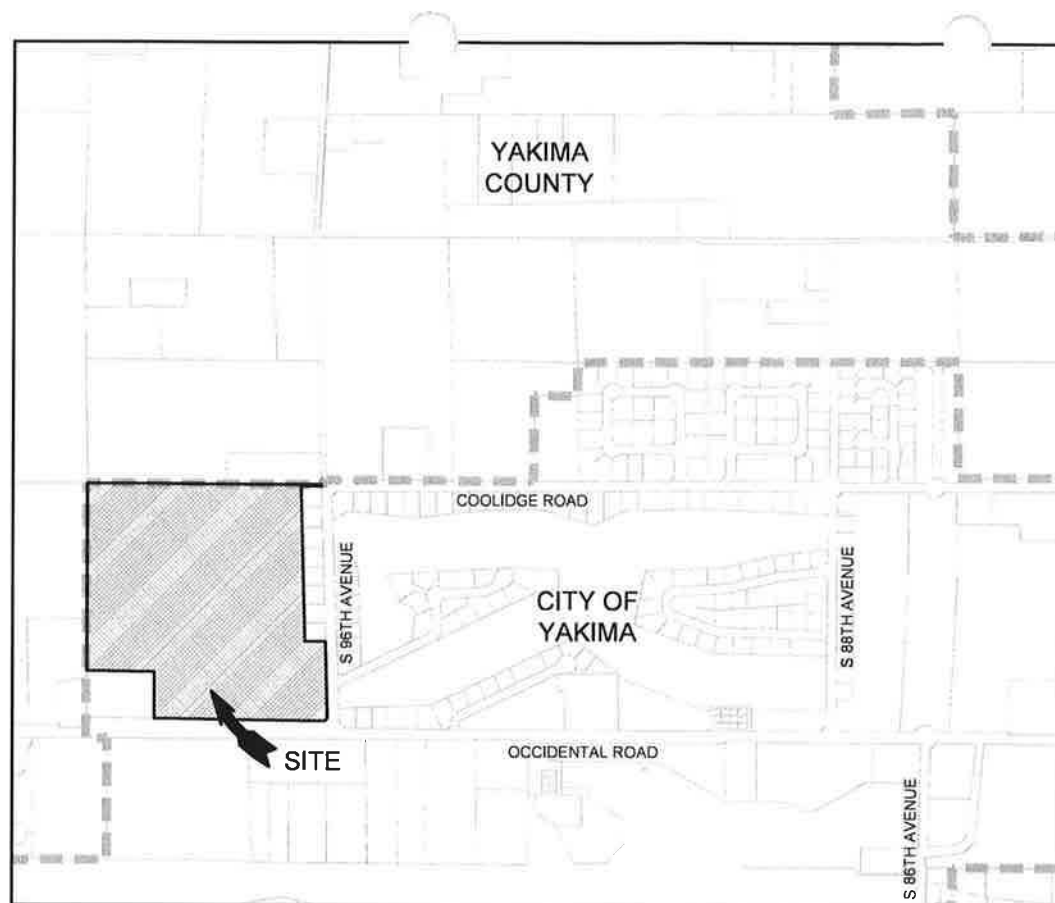
RECEIVED
APR 18 2022
CITY OF YAKIMA
COMMUNITY DEVELOPMENT



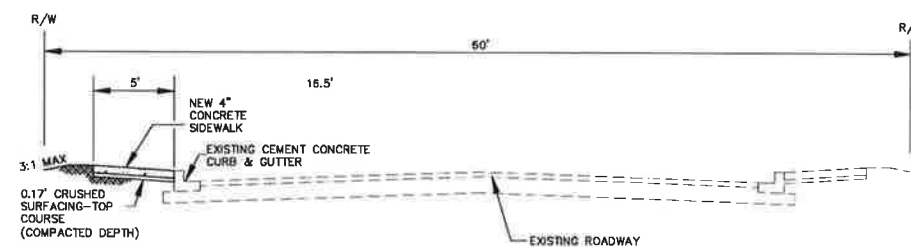
LOT 2 OF THAT SHORT PLAT RECORDED UNDER AUDITOR'S FILE
NUMBER 8119281, RECORDS OF YAKIMA COUNTY, WASHINGTON.

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C-1

PARCEL NO. 171336-44411



VICINITY MAP
N.T.S.



CITY OF YAKIMA - RESIDENTIAL SECTION
NOT TO SCALE

ENGINEER

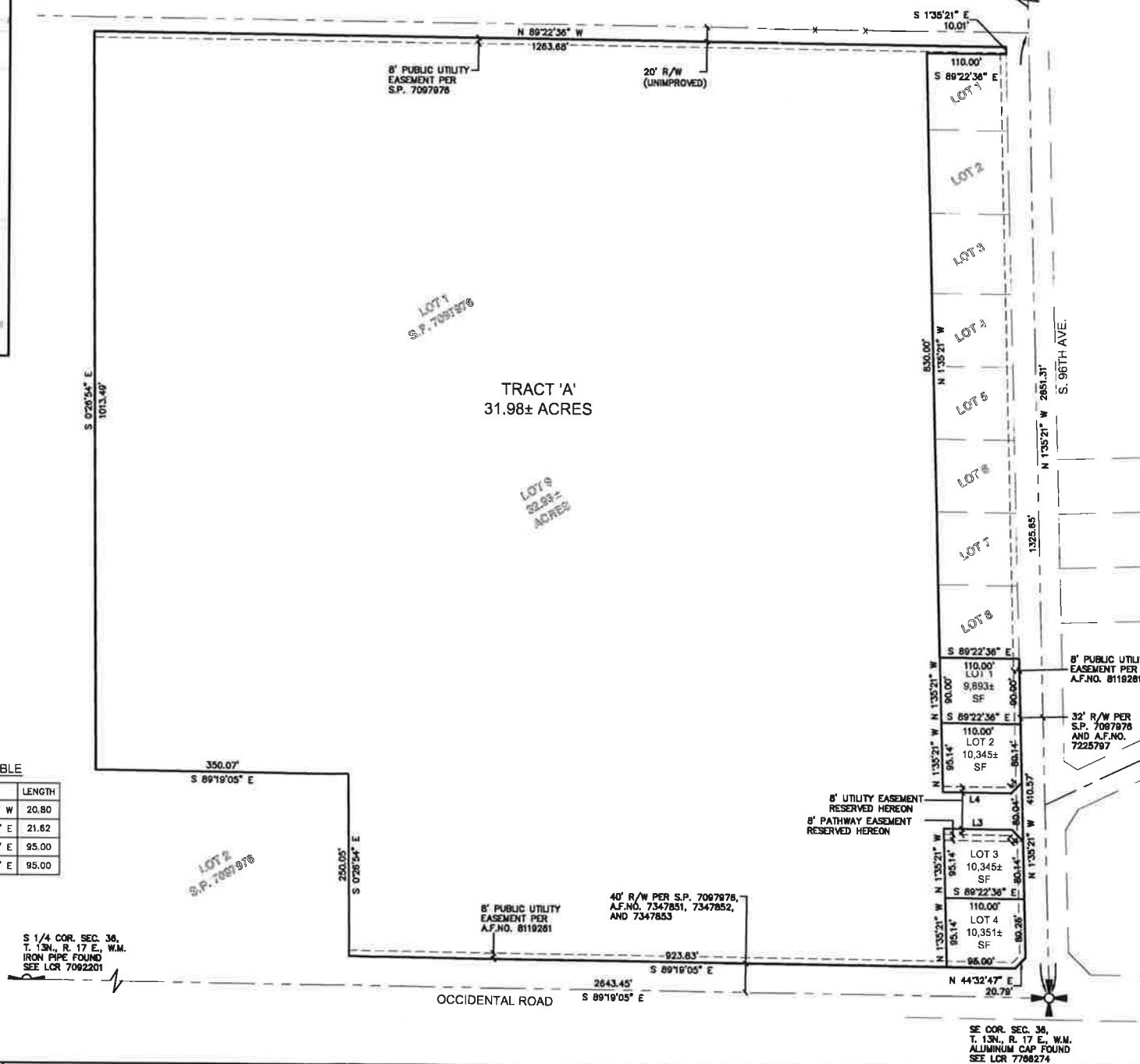
HLA ENGINEERING & LAND
SURVEYING, INC.
2803 RIVER ROAD
YAKIMA, WA 98902
MIKE HEIT, PE
(509) 966-7000

DEVELOPER

APPLE TREE CONSTRUCTION, LLC
2550 BORTON ROAD
YAKIMA, WA 98903
JOHN BORTON (509) 945-3715
DUANE ROGERS (509) 930-2406
JON KINLOCH (509) 945-3712

LINE	BEARING	LENGTH
L1	S 44°31'02" W	20.80
L2	S 45°28'58" E	21.62
L3	S 89°22'36" E	95.00
L4	S 89°22'36" E	95.00

S 1/4 COR. SEC. 36,
T. 13N., R. 17 E., W.M.
IRON PIPE FOUND
SEE LCR 7092201



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



		JOB NUMBER: 21059	DATE: 4-18-22
		FILE NAMES: DRAWING: 21059.dwg	
		CHECKED BY:	MRH/TD
		ENTERED BY:	AJH
	REVISION	DATE	

KINLOCH BORTON ENT.
APPLE TREE PHASE 1C PLAT
CITY OF YAKIMA, YAKIMA COUNTY, WASHINGTON

PRELIMINARY PLAT

SHEET
1
OF
1

KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER D

DST Review

[illegible]



CITY OF YAKIMA PLANNING DIVISION

DST COMMENTS SUBMITTED IN SMARTGOV

Project Name: KINLOCH BORTON ENTERPRISES LLC

"PLAT OF APPLE TREE PHASE 1C"

File Number: PLP#004-22, SEPA#009-22, TCO#005-22

Workflow	DST - NOB HILL WATER	DST COMMENTS	OWNER/DEVELOPER WILL NEED TO CONTACT NOB HILL WATER WITH SIGNED ENGINEERED PLANS OF PROPOSED DEVELOPMENT IN ORDER TO WORK UP WATER DESIGN AND COST ESTIMATE FOR PROJECT.	05/03/2022	kirsten.mcperson@yakimawa.gov
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D-5



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

May 6, 2022

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

From: Glenn Denman, Building Official

Re: DST Comments: PLP#004-22, S 96th Avenue and Occidental

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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DATE: July 5, 2022
TO: Eric Crowell, Senior Planner
FROM: Mike Shane, Water/Irrigation Engineer
RE: PLP#004-22 — S 96TH AVE & OCCIDENTAL RD (Parcel #17133644411) -
KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE
1C"

Project Description – Proposed preliminary long plat for a prior short plat to create four residential lots and one tract in the R-1 zoning district.

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

YMC 8.60 and 12.05 – New curb, gutter and sidewalk, and storm drainage, shall be installed on S. 96th Ave. along all lot frontages, Occidental Rd. along Lot 4, and the proposed street extension between proposed lots 2 and 3. New sidewalk shall be constructed per standard detail R5, including approved ADA ramp at intersections. Street section shall conform to standard detail R3.

YMC 8.64 –Residential driveway approaches are required which meets the requirements of this chapter and standard detail R4. Driveway width shall be a max. of 20’.

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

YMC 12.02 – Easements shall be established per this chapter.

YMC 12.06.020 – Right of way – S. 96th Ave. is classified as Residential, requiring a total of 50’ of right of way (25’ half width). Occidental Ave. is classified as a Minor Arterial requiring a total of 80’ of right of way (40’ half width). New street extension off of S. 96th Ave. shall have a total of 50’ of right of way. Applicant shall determine existing right of way width and dedicate adequate right of way to meet the required width.

YMC 12.06.080 - Street lighting - Street lights shall be installed and 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.

YMC 15.06.065 - No driveway approach on a local access street may be located closer to the street intersection corner than thirty feet as measured from the property line at the corner.

An ENG permit is required for all civil work to be performed on site.

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

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D-3**



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

April 29, 2022

To: City of Yakima Planning Division

From: Lisa Maxey, Permit Project Coordinator

Re: Preliminary Addressing for PLP#004-22

Proposed preliminary long plat (Apple Tree Phase 1C) for a prior short plat to create four residential lots and one tract.

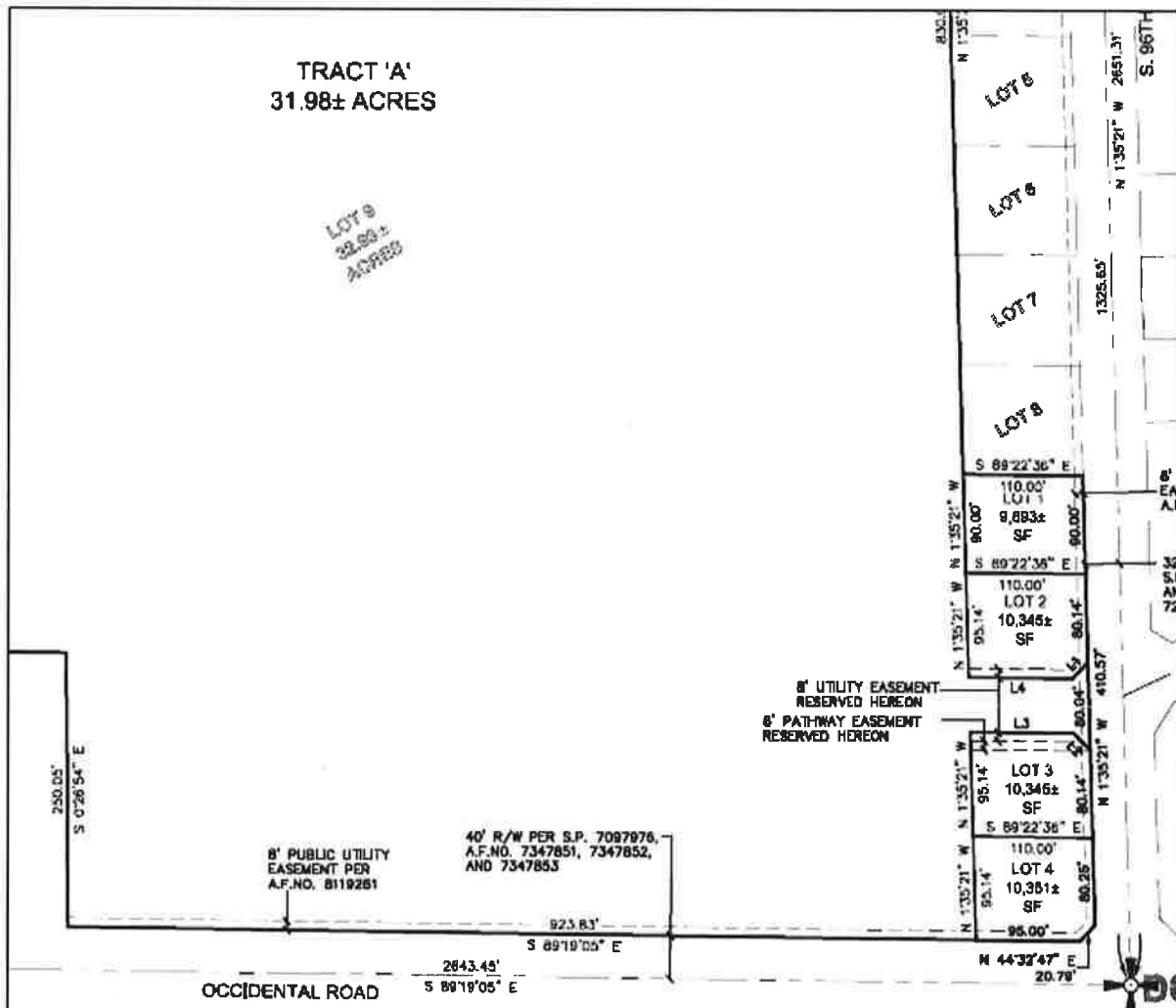
Vicinity of S 96th Ave & Occidental Rd – Parcel No. 171336-44411

Preliminary Addressing for this Proposal:

Lot 1: 2208 S 96th Ave Lot 3: 2212 S 96th Ave

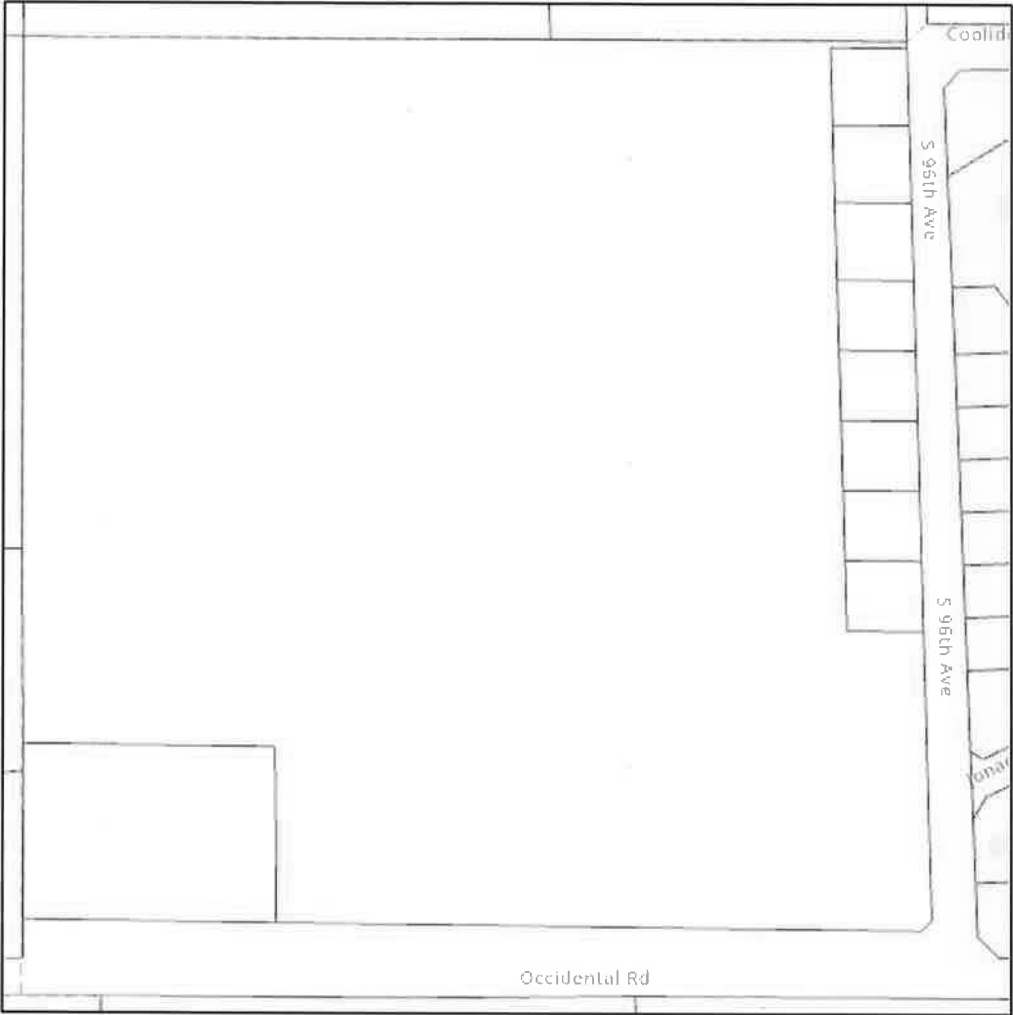
Lot 2: 2210 S 96th Ave Lot 4: 2214 S 96th Ave

Proposed Configuration:



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Existing Configuration:





City of Yakima Development Services Team
Request For Comments
April 29, 2022

To:	City of Yakima Development Services Team
From:	Eric Crowell, Senior Planner
Subject:	Request for Comments
Applicant:	Kinloch Borton Enterprises LLC
File Numbers:	PLP#004-22, SEPA#009-22
Location:	Vicinity of Occidental Rd. & S. 96th Ave.
Parcel Number(s):	171336-44411
DST MEETING DATE:	5/3/2022

Proposal

Preliminary long plat (further subdivision of PSP#004-21, which created nine lots) to create four single-family lots and one tract, in the R-1 zoning district.

Please review the attached application and site plan and prepare any written comments you might have regarding this proposal. This project will come up for discussion at the weekly DST meeting to be held **May 3, 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.

Comments:

Contact Person

Department/Agency

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D-1

KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22


EXHIBIT LIST

CHAPTER E

Application

[illegible]

RECEIVED
 APR 18 2022
 CITY OF YAKIMA
 COMMUNITY DEVELOPMENT



LAND USE APPLICATION
 CITY OF YAKIMA, DEPARTMENT OF COMMUNITY DEVELOPMENT
 129 NORTH SECOND STREET, 2ND FLOOR, YAKIMA, WA 98901
 PHONE: (509) 575-6183 EMAIL: ask.planning@yakimawa.gov

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

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

This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV - CERTIFICATION are on this page. PART II and III contain additional information specific to your proposal and MUST be attached to this page to complete the application.


PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	KINLOCH BORTON ENTERPRISES, LLC			
	Mailing Address:	2550 Borton Rd.			
	City:	Yakima	St:	WA	Zip: 98903 Phone: (509) 945-3712
	E-Mail:	Jon.Kinloch@Appletreeresort.com			
2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____
3. Property Owner's Information (If other than Applicant):	Name:				
	Mailing Address:				
	City:		St:		Zip: _____ Phone: () _____
	E-Mail:				
4. Subject Property's Assessor's Parcel Number(s): 171336-44411					
5. Legal Description of Property. (if lengthy, please attach it on a separate document) See Attached.					
6. Property Address: Unassigned					
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 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.



 Property Owner's Signature

4/11/22

 Date

 Applicant's Signature

 Date

FILE/APPLICATION(S)#

PLP#004-22 SEPA#009-22

DATE FEE PAID:	RECEIVED BY:	AMOUNT PAID:	RECEIPT NO:
4/18/2022	online	\$950.00	CR 22-001094

LEGAL DESCRIPTION

LOT 9 OF THAT SHORT PLAT RECORDED UNDER AUDITOR'S FILE NUMBER 8119261,
RECORDS OF YAKIMA COUNTY, WASHINGTON.

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

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PART II - APPLICATION INFORMATION

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

KINLOCH BORTON ENTERPRISES, LLC
2550 Borton Rd.
Yakima, WA 98903

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

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

3. NAME OF SUBDIVISION: Apple Tree Phase 1C

4. NUMBER OF LOTS AND THE RANGE OF LOT SIZES: 4 single family lots, 9,893 sf to 10,351 sf

5. SITE FEATURES:

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

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

N/A

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

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

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

7. OTHER INFORMATION:

A. Distance to Closest Fire Hydrant: along S. 96th Avenue

B. Distance to Nearest School (and name of school): 2,500 ft, West Valley High School

C. Distance to Nearest Park (and name of park): 6,500 ft, West Valley Park

D. Method of Handling Stormwater Drainage: Underground infiltration

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

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

PART III - REQUIRED ATTACHMENTS

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

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

3 ENVIRONMENTAL CHECKLIST (required):

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


Property Owner Signature (required)

4/11/22
Date



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

YAKIMA MUNICIPAL CODE CHAPTER 6.88

PURPOSE OF CHECKLIST

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

INSTRUCTIONS FOR APPLICANTS

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

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

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

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

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

1. **Name Of Proposed Project (If Applicable):** Preliminary Plat of Apple Tree No.4 – Phase 2

2. **Applicant's Name & Phone:** Kinloch Borton Enterprises, LLC (509) 945-3712

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3. **Applicant's Address:** 2550 Borton Rd., Yakima, WA 98903

APR 18 2022

4. **Contact Person & Phone:** Jon Kinloch, (509) 945-3712

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

5. **Agency Requesting Checklist:** City of Yakima

6. **Date The Checklist Was Prepared:** April 3, 2022

7. **Proposed Timing Or Schedule (Including Phasing, If Applicable):** The Plat of Apple Tree Phase 1C will be developed in one phase, and anticipate construction starting in Summer, 2022.

8. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:** This SEPA is in conjunction with a Preliminary Plat Application for Apple Tree Phase 1C and construction of the proposed residential buildings. The remaining property will remain in orchard.

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal: None are known to exist.

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: None are known to exist.

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 - SEPA Determination.

City of Yakima - Building Permit Approval.

City of Yakima - Plan review and approval, and construction approval for municipal facilities constructed by private parties

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.):

This proposed plat will subdivide approximately 32.93 acres into 4 single family lots, and one tract. The single-family lot sizes will vary in size from approximately 9,893 square feet to 10,351 square feet. The orchard tract will be 31.98 acres. The lots will have frontage onto the S. 96th Avenue.

Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will all be contained on-site in drain rock envelopes for underground infiltration.

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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.:

Preliminary Plat of Apple Tree Phase 1C is located at the northwest corner of the intersection of Occidental Rd. and S. 96th Avenue. A portion of Section 36, Township 13 North, Range 17 E., W.M.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

Space Reserved for
Agency Comments

1. Earth

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>a. General description of the site (✓ one):</p> <p><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 1.5 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 onsite soils at the plant site. The USDA Soil Conservation Service (SCS) indicated the primary soil for the site is a Harwood Loam which is a CL-CG or A-6 soil type. The remainder of the site is a mixture of Esquatzel Silt Loam, which is a ML or A-4 soil type, Gorst Loam, which is a CL or A-6 soil type, and Kittitas Silt Loam, which is a ML or A-4 soil type. The Harwood Loam and Kittitas Silt Loam are considered prime farmland. The Harwood Loam and Gorst Loam are considered prime farmland if irrigated.</p>	<p>RECEIVED</p> <p>APR 18 2022</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.</p> <p>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.</p> <p>The project consists of usual and normal embankment construction for new streets and building lots. As it applies to the entire project area, there is significant grading proposed for street construction and lot development expected. No fill is proposed and no net increase or decrease in quantity of material is anticipated. Earthwork quantities will be determined during the design phase of the development. Source of fill will be from on-site excavations or from approved/permittted borrow site.</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)?</p> <p>Apple Tree Phase 1C 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:</p> <p>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>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>RECEIVED</p> <p>APR 18 2022</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</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 Regional Clean Air Agency regulatory requirements. The contractor may be required to use dust control measures such as watering of the construction area to eliminate wind-borne erosion if a problem arises. The contractor will also be required to clean mud and dust from public roadways as necessary. In addition, construction equipment will be well maintained to prevent excessive exhaust emissions.</p>	
<p>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 or stream on the site. There are existing irrigation/decoration ponds immediately east of the property on the golf course.</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. There will be no work over or in any of the bodies of water. The new construction will occur approximately 450' west of the closest irrigation pond.</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. According to FEMA FIRM map number 53077C1009E the site does not lie within the 100-year floodplain.</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>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments																										
<p>b. Ground:</p> <p>1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known. The proposal will not withdraw or discharge to ground water. Domestic water supply is proposed from the Nob Hill Water which has deep source water wells.</p> <p>2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.</p> <p>Waste materials will not be discharged from any source into the ground. The projects will be connected to City of Yakima public sanitary sewer.</p>	<p>RECEIVED</p> <p>APR 18 2022</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</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 surface retention and infiltration facilities, or underground infiltration facilities. Stormwater from homes will be directed onto landscaped areas on each residential lot. Accepted BMP engineering practices for stormwater drainage systems will be implemented to collect and manage the surface and runoff water impacts.</p>																											
<p>4. Plants:</p> <p>a. Check (✓) types of vegetation found on the site:</p> <table border="0"> <tr> <td>Deciduous Tree:</td> <td><input type="checkbox"/> Alder</td> <td><input type="checkbox"/> Maple</td> <td><input type="checkbox"/> Aspen</td> <td><input checked="" type="checkbox"/> Other</td> </tr> <tr> <td>Evergreen Green:</td> <td><input type="checkbox"/> Fir</td> <td><input type="checkbox"/> Cedar</td> <td><input type="checkbox"/> Pine</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Shrubs</td> <td><input checked="" type="checkbox"/> Grass</td> <td><input type="checkbox"/> Pasture Crop Or Grain</td> <td><input type="checkbox"/> Other</td> </tr> </table> <table border="0"> <tr> <td>Wet Soil Plants:</td> <td><input type="checkbox"/> Cattail</td> <td><input type="checkbox"/> Buttercup</td> <td><input type="checkbox"/> Bullrush</td> <td><input type="checkbox"/> Skunk Cabbage</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td>Water Plants:</td> <td><input type="checkbox"/> Milfoil</td> <td><input type="checkbox"/> Eelgrass</td> <td><input type="checkbox"/> Water Lily</td> <td><input type="checkbox"/> Other</td> <td></td> </tr> </table> <p>Other Types Of Vegetation:</p> <p>b. What kind and amount of vegetation will be removed or altered? The development will be cleared of existing natural occurring pasture grasses and trees where necessary for the construction of the street, utility improvements, and home construction.</p> <p>c. List threatened or endangered species known to be on or near the site. There are no listed endangered or threatened plants on the project site or within the general project vicinity.</p>		Deciduous Tree:	<input type="checkbox"/> Alder	<input type="checkbox"/> Maple	<input type="checkbox"/> Aspen	<input checked="" type="checkbox"/> Other	Evergreen Green:	<input type="checkbox"/> Fir	<input type="checkbox"/> Cedar	<input type="checkbox"/> Pine	<input type="checkbox"/> Other		<input type="checkbox"/> Shrubs	<input checked="" type="checkbox"/> Grass	<input type="checkbox"/> Pasture Crop Or Grain	<input type="checkbox"/> Other	Wet Soil Plants:	<input type="checkbox"/> Cattail	<input type="checkbox"/> Buttercup	<input type="checkbox"/> Bullrush	<input type="checkbox"/> Skunk Cabbage	<input type="checkbox"/> Other	Water Plants:	<input type="checkbox"/> Milfoil	<input type="checkbox"/> Eelgrass	<input type="checkbox"/> Water Lily	<input type="checkbox"/> Other
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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>d. 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>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>RECEIVED APR 18 2022 CITY OF YAKIMA COMMUNITY DEVELOPMENT</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>	


DOC.
INDEX

E-2

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
b. Noise	
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.	
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. 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. 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.	RECEIVED APR 18 2022 CITY OF YAKIMA COMMUNITY DEVELOPMENT
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.	
8. Land and Shoreline Use	
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.	
b. Has the site been used for agriculture? If so, describe. The site has been used agriculturally for fruit production.	
c. Describe any structures on the site. There is currently no residential home on the Apple Tree Phase 1C site.	
d. Will any structures be demolished? If so, what? None.	
e. What is the current zoning classification of the site? R-1.	
f. What is the current comprehensive plan designation of the site? R-1.	
g. If applicable, what is the current shoreline master program designation of the site? Not applicable.	
h. Has any part of the site been classified as an "environmentally sensitive" area? If so specify. No part of the site has been classified as an "environmentally sensitive" area.	
i. Approximately how many people would reside or work in the completed project? Approximately 11 people (2.7 people per home) would reside in the completed project.	
j. Approximately how many people would the completed project displace? None	
k. Proposed measures to avoid or reduce displacement impacts, if any. Not applicable.	
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. The project meets the current and future land use plans of the City of Yakima.	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
9. Housing a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Approximately 4 single family lots will be created. b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. None. c. Proposed measures to reduce or control housing impacts, if any: Not applicable.	
10. Aesthetics a. What is the tallest height of any proposed structures, not including antennas; what are the principal exterior building materials proposed? Most likely less than 35 feet in max height. Principal building materials will consist of stone, brick, stucco, wood. b. What views in the immediate vicinity would be altered or obstructed? None known. c. Proposed measures to reduce or control aesthetic impacts, if any: Apple Tree Phase 1C will reflect the style and quality of the Apple Tree Resort. Restrictive covenants will require fences and landscaping to be in harmony with the community and neighboring properties. Compliance with zoning and building code regulations regarding building height, lot coverage and setbacks will also be in effect.	RECEIVED APR 18 2022 CITY OF YAKIMA COMMUNITY DEVELOPMENT
11. Light and Glare a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Typical and normal residential and residential security night lighting from dusk until dawn. 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. c. What existing off-site sources of light or glare may affect your proposal? None. 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.	
12. Recreation a. What designated and informal recreational opportunities are in the immediate vicinity? Apple Tree Golf Course is located immediately adjacent to the property. A community pool, cabana are located in the adjacent Apple Tree Subdivision. b. Would the proposed project displace any existing recreational uses? If so, describe. No. c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None needed.	
13. Historic and Cultural Preservation	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<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>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. South 96th Avenue abuts Apple Tree Phase 1C on the east and is just north of Occidental Road. The development will access South (6th avenue. Apple Tree Phase 1C will not access Occidental Road. See attached preliminary plat drawing.</p> <p>b. Is site currently serviced by public transit? If not, what is the approximate distance to the nearest transit stop? No. The nearest bus stop is located at Nob Hill and South 72nd Avenue, approximately 2 miles to the east.</p> <p>c. How many parking spaces would the completed project have? How many would the project eliminate? None</p> <p>In Apple Tree Phase 1C, each homesite will have a minimum of 2 off-street parking spaces. No parking spaces will be eliminated.</p>	<p>RECEIVED</p> <p>APR 18 2022</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</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). No.</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>Based upon the Tenth Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, a single family residential project (Land Use 210) is anticipated to generate approximately 9.57 vehicle trips per weekday per residence. That equates to approximately 38 vehicle trips per day for (50% entering and 50% exiting).</p> <p>The estimated volume during the A.M. peak hour (7:00 a.m. to 9:00 a.m.) of adjacent street traffic (S. 96th Avenue) is 0.74 trips per single residence or 3 trips (25% entering, 75% exiting). The estimated volume during the P.M. peak hour (4:00 p.m. to 6:00 p.m.) of adjacent street traffic is 1.01 trips per single-family residence or 4 trips (63% entering, 37% exiting).</p>	

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)	Space Reserved for Agency Comments
<p>g. Proposed measures to reduce or control transportation impacts, if any: No measures are planned. Primary access will be provided via one gated entrance from South 96th Avenue.</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</u>, septic system, other.</p>	
<p>b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity, which might be needed. 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>RECEIVED</p> <p>APR 18 2022</p> <p>CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>C. SIGNATURE (To be completed by the applicant.)</p>	
<p>The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.</p> <p> Digitally signed by Michael R Heit Date: 2022.04.18 17:12:20 -07'00'</p>	
<p>Property Owner or Agent Signature</p>	<p>Date Submitted</p>
<p>PLEASE COMPLETE SECTION "D" ON THE NEXT PAGE IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW</p>	

D. SUPPLEMENT SHEET FOR NONPROJECT ACTIONS (To be completed by the applicant.) (DO NOT USE THE FOLLOWING FOR PROJECT ACTIONS)	Space Reserved For Agency Comments
<p>Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities that would likely result from the proposal and how it would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.</p>	
<p>1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? The proposal will not increase discharges to water, air, release toxic or hazardous substances, or increase noise pollution.</p>	
<p>Proposed measures to avoid or reduce such increases are: This question is not applicable.</p>	
<p>2. How would the proposal be likely to affect plants, animals, fish, or marine life? The proposal will not create any adverse impacts on plants, animals, fish or marine life.</p>	
<p>Proposed measures to protect or conserve plants, animals, fish, or marine life are: This question is not applicable.</p>	
<p>3. How would the proposal be likely to deplete energy or natural resources? The proposal will not deplete energy or natural resources other than through normal building operations of commercial businesses.</p>	
<p>Proposed measures to protect or conserve energy and natural resources are: Energy efficient measures will be installed wherever practicable; for instance, water efficient fixtures will be used.</p>	<p>RECEIVED APR 18 2022 CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<p>4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? The proposal will not affect any sensitive areas or areas designated for governmental protection.</p>	
<p>Proposed measures to protect such resources or to avoid or reduce impacts are: This question is not applicable.</p>	
<p>5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? The proposal will not affect land or shoreline use.</p>	
<p>Proposed measures to avoid or reduce shoreline and land use impacts are: This question is not applicable.</p>	
<p>6. How would the proposal be likely to increase demands on transportation or public services and utilities? The proposal will have a slight increase of daily trips above the original road use, however the increase can be accommodated by the existing surface streets which were constructed to accommodate heavy traffic from surrounding land uses.</p>	
<p>Proposed measures to reduce or respond to such demand(s) are: No negative impacts are anticipated.</p>	
<p>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. The proposal is not known to conflict with local, state, or federal laws protecting the environment.</p>	

RECEIVED

APR 18 2022

City of Yakima, Washington

TRANSPORTATION CAPACITY ANALYSIS

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

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: KINLOCH BORTON ENT, LLC **Project Address:** Unassigned

Contact Person: John Kinloch

Mailing Address: 2550 Borton Rd.

Yakima, WA 98903 **Parcel No(s):** 171336-44411

Please fill out the appropriate column for your proposed use:

For RESIDENTIAL Use:	For COMMERCIAL Use:	For INDUSTRIAL Use:
Housing Type* Single-Family (Single-Family, Apartments, etc)	Describe Use*	Describe Use*
Special Population* (Nursing Homes, etc)	Gross Floor Area	Gross Floor Area
Other* (Group Home, Daycare, Church, etc.)	Parking Spaces (Required/Provided)	Parking Spaces (Required/Provided)
Number of Units 4	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 #: TCO#005-22			
DATE FEE PAID: 4/18/22	RECEIVED BY: online	AMOUNT PAID: \$250.00	RECEIPT NO: CR-22-001094

PROJECT DESCRIPTION TRAFFIC CONCURRENCY

This proposed plat will subdivide approximately 32.93 acres into 4 single family lots, and one tract. The single-family lot sizes will vary in size from approximately 9,893 square feet to 10,351 square feet. The orchard tract will be 31.98 acres. The lots will have frontage onto the S. 96th Avenue.

Access to the plat will be from driveways off South 96th Avenue. Nob Hill Water will serve the lots with domestic water. City of Yakima sewer will serve the sewerage needs. Storm water will all be contained on-site in drain rock envelopes for underground infiltration.

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

RECEIVED

APR 18 2022

CITY OF YAKIMA
COMMUNITY DEVELOPMENT

KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER F
Public Notices

DOC INDEX #	DOCUMENT	DATE
F-1	Land Use Action Installation Certificate	05/13/2022
F-2	Notice of Decision for Transportation Concurrency	05/16/2022
F-3	Determination of Complete Application	05/18/2022
F-4	Notice of Application, Environmental Review & Public Hearing F-4a: Affidavit of Publication of Legal Ad F-4b: Press Release Distribution Email F-4c: Parties and Agencies Notified F-4d: Affidavit of Mailing	05/20/2022
F-5	Notice of Determination of Non-Significance (DNS) F-5a: Press Release Distribution Email F-5b: Parties and Agencies Notified F-5c: Affidavit of Mailing	06/22/2022
F-6	YPC Agenda and Hearing Sign-in Sheet (Agenda & Packet Distribution Lists)	07/13/2022
F-7	Notice of Yakima Planning Commission Recommendation (See DOC INDEX#AA-1 for YPC Recommendation) F-7a: Parties and Agencies Notified F-7b: Affidavit of Mailing	07/29/2022
F-8	Letter of Transmittal to City Clerk: City Council Hearing (Mailing Labels, Plat Plan, Vicinity Map)	08/02/2022

CITY OF YAKIMA, PLANNING DIVISION

LETTER OF TRANSMITTAL

I, Eva Rivera, 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 Kinloch Borton "Apple Tree Phase 1C" 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 2nd day of August, 2022



Eva Rivera
Planning Technician

Received By: _____



Date: _____

8/2/22

DOC.
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18133133425
APPLE TREE CONSTRUCTION CO LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133421
APPLE TREE CONSTRUCTION
COMPANY
2550 BORTON RD
YAKIMA, WA 98903

17133644406
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644408
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

18133132007
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133442
APPLE TREE PARTNERSHIP
8804 OCCIDENTAL RD
YAKIMA, WA 98903

18133133446
APPLE TREE RESORT DEVELOPMENT
CO
2550 BORTON RD
YAKIMA, WA 98903

17120112004
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644402
KINLOCH BORTON ENTERPRISES LLC
2581 BORTON RD
YAKIMA, WA 98903

17133644403
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644405
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644409
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644410
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644411
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

18133134532
NEUMANN LIVING TRUST
9506 COOLIDGE RD
YAKIMA, WA 98903

17133641401
NORTH 40 REAL ESTATE LLC
9202 OCCIDENTAL RD
YAKIMA, WA 98903

17133641402
NORTH 40 REAL ESTATE LLC
9202 OCCIDENTAL RD
YAKIMA, WA 98903

17133642403
TWO BLUFFS LLC
2550 BORTON RD
YAKIMA, WA 98903

17133643007
TWO BLUFFS LLC
2550 BORTON RD
YAKIMA, WA 98903

17133643402
TWO BLUFFS LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644404
BRETT ANTHONY & ASHLEIGH MARIE
KILGORE
9204 JONAGOLD CT
YAKIMA, WA 98903

18133133416
BRIAN K & KARI A JENNINGS
9503 OCCIDENTAL RD
YAKIMA, WA 98908

18133133418
BRYAN E & NANCY L KRAUSE
2207 S 96TH AVE
YAKIMA, WA 98903

18133133423
CAROLYN RAMSEY
2109 96TH AVE
YAKIMA, WA 98908

17133644407
JASON MICHAEL & KELLIE MARIE
HATFIELD
2108 S 96TH AVE
YAKIMA, WA 98903

18133134533
JERALD T & PHILENE A MCDONALD
9508 COOLIDGE RD
YAKIMA, WA 98903

17120112401
JEWEL LARSON
9600 OCCIDENTAL RD
YAKIMA, WA 98903

18133133424
KATHRYN E EMMENEGGER
2107 S 96TH AVE
YAKIMA, WA 98903

18133133417
KENNETH HENRY SMITH
9505 OCCIDENTAL RD
YAKIMA, WA 98908

18133133422
KHALIL ABDELRAHMAN
2111 S 96TH AVE
YAKIMA, WA 98903

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Rtnd
6/29/22

18133133419
MARILEE J SWENSSON
2205 S 96TH AVE
YAKIMA, WA 98908

18133134534
MEAGAN ABEYTA
5304 RICHEY RD
YAKIMA, WA 98908

18133133415
MICHAEL CAPPELLETTI
9501 OCCIDENTAL RD
YAKIMA, WA 98908

18133133420
PETER R JR & SHIRLEY N YOUNG
2203 S 96TH AVE
YAKIMA, WA 98908

17120121001
RENEE KINGSBORO
10004 OCCIDENTAL RD
YAKIMA, WA 98903

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

17133643006
ROBB & BRYNN JACOBS
10001 OCCIDENTAL RD
YAKIMA, WA 98903

37
Total Parcels - Kinloch Borton Enterprises
- PSP#004-22, SEPA#009-22, TCO#005-
22

MIKE HEIT
HLA ENGINEERING & SURVEYING INC
2803 RIVER RD
YAKIMA, WA 98902

Ntc Council Hearing

Hearing: 09/06/2022

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Ahtanum Irrigation District
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bethb@ahatanum.net

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Yakima School District
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Yakima Valley Museum
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keithk@wasteconnections.com

Yakima-Tieton Irrigation District
Sandra Hull
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Yakima, WA 98908

Naches Cowiche Canal Association
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Yakima, WA 98909
NachesCowicheCanal@gmail.com

SEPA REVIEWING AGENCIES
UPDATED 07/13/2022

Type of Notice: Ntc Council hearing
File Number: PLP#004-22
Date of Mailing: Hearing 09/06/2022

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In-House Distribution E-mail List		Revised 07/21/2022
Name	Division	E-mail Address
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Silvia Corona	Clerk's Office	Silvia.Corona@yakimawa.gov
Lisa Maxey	Code Administration	Lisa.Maxey@yakimawa.gov
Glenn Denman	Code Administration	Glenn.Denman@yakimawa.gov
John Zabell	Code Administration	John.Zabell@yakimawa.gov
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
Eva Rivera	Planning	Eva.rivera@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 (Subdivision notices ONLY)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

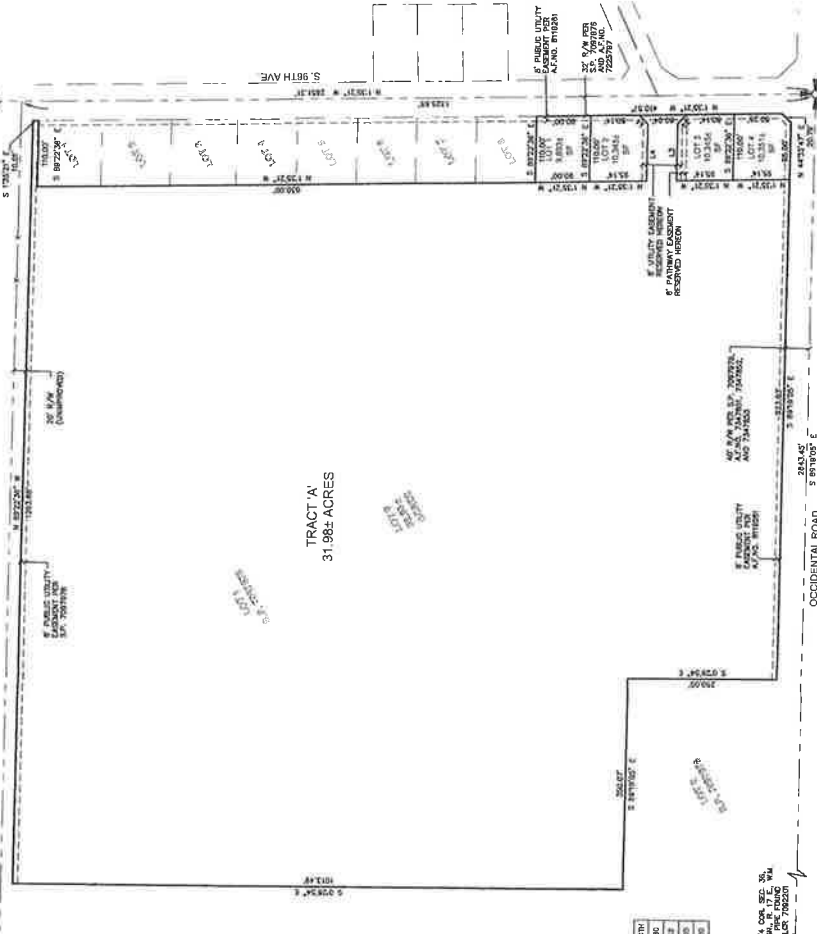
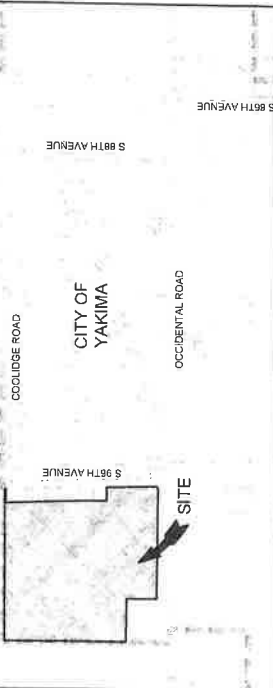
Additional Parties of Record or Interested Parties Notified		
Name	Address	E-mail
Jon Kinloch		Jon.Kinloch@appletrceeresort.com
Mike Heit		mheit@hlacivil.com

Type of Notice: Council Hearing
File Number(s): PLP# 004-22
Date of ~~Mailing~~ ^{Hearing}: 09/06/2022

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PRELIMINARY PLAT OF "APPLE TREE PHASE 1C"

(A PORTION OF THE SE 1/4, SECTION 36, TOWNSHIP
13 NORTH, RANGE 17 EAST, W.M.)



LINE TABLE

LINE	BEARING	LENGTH
1-1	S 84°27'00" E	21.00
1-2	S 87°22'00" E	13.00
1-3	S 87°22'00" E	13.00
1-4	S 87°22'00" E	13.00

CITY OF YAKIMA - RESIDENTIAL SECTION
NOT TO SCALE

ENGINEER
H/A ENGINEERING & LAND
SURVEYING, INC.
2803 RIVER ROAD
YAKIMA, WA 98902
MIKE HEIT, PE
(509) 966-7000

DEVELOPER
APPLE TREE CONSTRUCTION, LLC
2550 BORTON ROAD
YAKIMA, WA 98903
JOHN BORTON (509) 945-3715
DUANE ROGERS (509) 930-2406
JON KINLOCH (509) 945-3712



2803 River Road
Yakima, WA 98902
509 966 7000
Fax 509 965 3800
www.hla civil.com



REVISION	DATE	CHECKED BY:	ENTERED BY:	MRH/TDF	ALA

JOB NUMBER: 21059
DATE: 4-18-22
FILE NAME: 21059.dwg
DRAWING: 21059.dwg

KINLOCH BORTON ENT.
APPLE TREE PHASE 1C PLAT
CITY OF YAKIMA, YAKIMA COUNTY, WASHINGTON

PRELIMINARY PLAT

SHEET 1 of 1

PARCEL 171336-44411

LEGAL DESCRIPTION
LOT 1 OF THAT SUBDIVISION OF THE SE 1/4, SECTION 36, TOWNSHIP 13 NORTH, RANGE 17 EAST, W.M., BEING THE SAME AS SHOWN ON THE PLAT OF THE CITY OF YAKIMA, WASHINGTON, DATED 10/1/2011, AND AS SHOWN ON THE PLAT OF THE CITY OF YAKIMA, WASHINGTON, DATED 10/1/2011.



RECEIVED
CITY OF YAKIMA
APR 23 2022
COMMUNITY DEVELOPMENT

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Project Name: KINLOCH BORTON ENTERPRISES, LLC / PLAT OF
"APPLE TREE PHASE 1C"

Site Address: S 96TH AVE & OCCIDENTAL RD

File Number(s): PLP#004-22, SEPA#009-22

Proposal: Proposed preliminary short plat to create four residential lots in the R-1 zoning district.



VICINITY MAP



DOC.

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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: 4/26/2022



Rivera, Eva

From: Rivera, Eva
Sent: Tuesday, August 02, 2022 1:08 PM
To: Claar Tee, Sonya
Cc: Rivera, Eva
Subject: Mailing for City Council Hearing - Apple Tree Phase 1C - PLP#004-22
Attachments: In-House Distribution E-mail List_updated 07.21.2022; SEPA Reviewing Agencies E-mail Distribution List_Updated 07.21.2022; Local Media List _07.21.2022

Hello Sonya – on August 1st City Council set **September 6th** as the public hearing date for Kinloch Borton “Apple Tree Phase 1C”.

Please provide the City Council public 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/project representative:

E-mail

Jon.kinloch@appletree.com

mheit@hlacivil.com



Eva Rivera
Planning Technician
Phone: 509-575-6261
eva.rivera@yakimawa.gov

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.

AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#004-22, SEPA#009-22

**KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE
PHASE 1C"**

S 96TH AVE & OCCIDENTAL RD

I, Eva Rivera, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Yakima Planning Commission's Recommendation to City Council**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, all parties of record, and all property owners of record within a radius of 300 feet of subject property; that said property owners are individually listed on the mailing list retained by the Planning Division, and that said notices were mailed by me on the 29th day of **July, 2022**.

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



Eva Rivera

Planning Technician

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18133133425
APPLE TREE CONSTRUCTION CO LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133421
APPLE TREE CONSTRUCTION
COMPANY
2550 BORTON RD
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17133644406
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18133132007
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133442
APPLE TREE PARTNERSHIP
8804 OCCIDENTAL RD
YAKIMA, WA 98903

18133133446
APPLE TREE RESORT DEVELOPMENT
CO
2550 BORTON RD
YAKIMA, WA 98903

17120112004
KINLOCH BORTON ENTERPRISES LLC
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17133644402
KINLOCH BORTON ENTERPRISES LLC
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17133644410
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17133644411
KINLOCH BORTON ENTERPRISES LLC
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YAKIMA, WA 98903

18133134532
NEUMANN LIVING TRUST
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YAKIMA, WA 98903

17133641401
NORTH 40 REAL ESTATE LLC
9202 OCCIDENTAL RD
YAKIMA, WA 98903

17133641402
NORTH 40 REAL ESTATE LLC
9202 OCCIDENTAL RD
YAKIMA, WA 98903

17133642403
TWO BLUFFS LLC
2550 BORTON RD
YAKIMA, WA 98903

17133643007
TWO BLUFFS LLC
2550 BORTON RD
YAKIMA, WA 98903

17133643402
TWO BLUFFS LLC
2550 BORTON RD
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YAKIMA, WA 98903

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17120112401
JEWEL LARSON
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YAKIMA, WA 98903

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18133133417
KENNETH HENRY SMITH
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YAKIMA, WA 98908

18133133422
KHALIL ABDELRAHMAN
2111 S 96TH AVE
YAKIMA, WA 98903

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Rtnd
6/29/22

18133133419
MARILEE J SWENSSON
2205 S 96TH AVE
YAKIMA, WA 98908

18133134534
MEAGAN ABEYTA
5304 RICHEY RD
YAKIMA, WA 98908

18133133415
MICHAEL CAPPELLETTI
9501 OCCIDENTAL RD
YAKIMA, WA 98908

18133133420
PETER R JR & SHIRLEY N YOUNG
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10004 OCCIDENTAL RD
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17120112006
RICHARD S & C RENEE WAGNER
9408 OCCIDENTAL RD
YAKIMA, WA 98903

17133643006
ROBB & BRYNN JACOBS
10001 OCCIDENTAL RD
YAKIMA, WA 98903

37
Total Parcels - Kinloch Borton Enterprises
- PSP#004-22, SEPA#009-22, TCO#005-
22

MIKE HEIT
HLA ENGINEERING & SURVEYING INC
2803 RIVER RD
YAKIMA, WA 98902

Ntc OK YPO Rec.
PLP#004-22, SEPA#009-22
Sent 07/29/2022

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In-House Distribution E-mail List		Revised 07/21/2022
Name	Division	E-mail Address
Jaime Vera	Air Terminal	Jaime.Vera@yakimawa.gov
Silvia Corona	Clerk's Office	Silvia.Corona@yakimawa.gov
Lisa Maxey	Code Administration	Lisa.Maxey@yakimawa.gov
Glenn Denman	Code Administration	Glenn.Denman@yakimawa.gov
John Zabell	Code Administration	John.Zabell@yakimawa.gov
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
Eva Rivera	Planning	Eva.rivera@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 (Subdivision notices ONLY)	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

Type of Notice: Ntc of Rec.
File Number(s): DLR#004.22
Date of Mailing: 07/29/22

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Rivera, Eva

From: Rivera, Eva
Sent: Friday, July 29, 2022 11:21 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; Linos, Irene; Markham, Aaron; Matthews, Archie; Maxey, Lisa; Meloy, Randy; Murray, Matthew; Preston, Bill; Riddle, Dan; Rivera, Eva; Rodriguez, Jeremy; Schafer, Scott; Shane, Mike; Story, Gregory; Watkins, Sara; Zabell, John
Cc: Crowell, Eric
Subject: YPC RECOMMENDATION - KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C" - PLP#004-22,SEPA#009-22
Attachments: NTC OF RECOMMENDATION - Kinloch Borton - AppleTree Phase 1C - PLP#00422pdf

Good morning-

Attached is the YPC Recommendation for 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!



Eva Rivera
Planning Technician
Phone: 509-575-6261
eva.rivera@yakimawa.gov

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.



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 THE YAKIMA PLANNING COMMISSION'S
RECOMMENDATION TO THE YAKIMA CITY COUNCIL**

DATE: July 29, 2022
TO: Applicant, Adjoining Property Owners & Parties of Record
SUBJECT: Notice of the Yakima Planning Commission's Recommendation
to
the Yakima City Council
FILE #(S): PLP#004-22, SEPA#009-22
APPLICANT: Kinloch Borton Enterprises, LLC
**PROJECT
LOCATION:** Vicinity of Occidental Road & S. 96th Ave

On July 27, 2022 the City of Yakima Planning Commission rendered their written recommendation on **PLP#004-22 and SEPA#009-22**. A proposed preliminary long plat to subdivide approximately 32.93 acres into 4 single-family lots and one tract in the R-1 zoning district.

A copy of the Planning Commission's Findings and Recommendation is enclosed.

The Planning Commission'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.

A handwritten signature in black ink, appearing to read "Eva Rivera".

Eva Rivera
Planning Technician

Date of Mailing: **July 29, 2022**

Enclosures: Planning Commission's Recommendation

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HEARING DATE: Wednesday, July 13, 2022



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PUBLIC HEARINGS:

A - Kinloch Barton Enterprises "Plat of Apple Tree Phase 1C"

PLP#004-22, SEPA#009-22

S 96th Avenue & Occidental Road

[illegible]



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/ypc/

CITY OF YAKIMA PLANNING COMMISSION
Yakima City Hall Council Chambers
129 N 2nd Street, Yakima, WA 98901

July 13, 2022
3:00 p.m. – 5:00 p.m.

YPC MEMBERS:

Chair Jacob Liddicoat, Vice-Chair Lisa Wallace, Leanne Hughes-Mickel,
Robert McCormick, Mary Place, Colleda Monick, and Frieda Stephens
City Council Liaison: Soneya Lund

CITY PLANNING STAFF:

Joan Davenport (Community Development Director), Joseph Calhoun (Planning Manager),
Eric Crowell (Senior Planner), Albert Miller (Assistant Planner), and
Rosalinda Ibarra (Administrative Assistant)

AGENDA

- I. Call to Order**
- II. Roll Call**
- III. Introduction: New Planning Commissioner Frieda Stephens**
- IV. Staff Announcements**
- V. Approval of Meeting Minutes of June 22, 2022**
- VI. Public Hearing – “Plat of Apple Tree Phase 1C”**
 - Applicant: Kinloch Borton Enterprises LLC
 - File Numbers: PLP#004-22, SEPA#009-22
 - Site Address: S 96th Avenue & Occidental Road
 - Request: Proposed preliminary long plat for a prior short plat to create four residential lots and one tract in the R-1 zoning district.
- I. Public Comment**
- II. Other Business**
- III. Adjourn**

Next Meeting: July 27, 2022

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The meeting will also be recorded and posted on the Y-PAC website.
Visit the Yakima Planning Commission webpage for more information, including agenda packets and minutes.



Yakima Planning Commission - Agenda & Packet Distribution List

KINLOCH BORTON ENTERPRISES "PLAT OF APPLE TREE PHASE 1C" PLP#004-22, SEPA#009-22

AGENDA PACKET: YPC MEMBERS, STAFF & APPLICANT/REPRESENTATIVE/OWNER

Jacob Liddicoat (YPC Chair)	jake@3dyakima.com
Joseph Calhoun (Planning)	joseph.calhoun@yakimawa.gov
Leanne Hughes-Mickel (YPC)	leanne.mickel@me.com
Lisa Wallace (YPC Vice-Chair)	lisakwallace@hotmail.com
Michael Brown (YPAC)	michael.brown@yakimawa.gov
Mary Place (YPC)	placeml@charter.net
Rob McCormick (YPC)	rob@mccormickaircenter.com
Rosalinda Ibarra (Com Dev)	rosalinda.ibarra@yakimawa.gov
Sara Watkins (Legal)	sara.watkins@yakimawa.gov
Soneya Lund (Council Liaison)	soneya.lund@yakimawa.gov
Colleda Monick (YPC)	colledamonick@gmail.com
Frieda Stephens (YPC)	sstrlite39@hotmail.com
Kinloch Borton Enterprises c/o Jon Kinloch	Jon.kinloch@appletreresort.com
HLA Engineering & Surveying c/o Mike Heit	mheit@hlacivil.com

AGENDA ONLY: PARTIES OF RECORD/INTERESTED PARTIES

Name	Address	E-mail Address
------	---------	----------------

Date Distributed: 07/06/2022

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#004-22, SEPA#009-22

KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C"

S 96TH AVE & OCCIDENTAL RD

I, Irene Linos, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Determination of Non-Significance (DNS)**; a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant, parties of record, listed SEPA agencies and all property owners of record within a radius of 300 feet of subject property; that said property owners are individually listed on the mailing list retained by the Planning Division; and that said notices were mailed by me on this 22nd day of June, 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

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18133133425
APPLE TREE CONSTRUCTION CO LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133421
APPLE TREE CONSTRUCTION
COMPANY
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COMPANY LLC
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APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

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APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
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APPLE TREE PARTNERSHIP
8804 OCCIDENTAL RD
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CO
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17120112004
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18133133422
KHALIL ABDELRAHMAN
2111 S 96TH AVE
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YAKIMA, WA 98903

37
Total Parcels - Kinloch Borton Enterprises
- PSP#004-22, SEPA#009-22, TCO#005-
22

MIKE HEIT
HLA ENGINEERING & SURVEYING INC
2803 RIVER RD
YAKIMA, WA 98902

NTC of DWS
PLP#004-22, Sepa#009-22
Sent 06/22/2022

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Ahtanum Irrigation District
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bethb@ahtanum.net

Cascade Natural Gas
8113 W Grandridge Blvd
Kennewick, WA 99336

Century Link
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Charter Communications
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SEPA REVIEWING AGENCIES
_UPDATED 04/13/2022

Type of Notice: NTC of DWS
File Number: PLP #004-22, Supp #004-22
Date of Mailing: 06/22/2022

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F-5b

From: NoReply@ecy.wa.gov
Sent: Wednesday, June 22, 2022 12:08 PM
To: Ask Planning
Subject: SEPA record published

The SEPA admin reviewed and published SEPA record number 202203138, "PLAT OF "APPLE TREE PHASE 1C"".
Lead Agency File Number: SEPA#009-22, PLP#004-22, TCO#005-22.
It will now be available to the public.

From: Amber Johnson
Email: separegister@ecy.wa.gov
Phone number: (509) 723-5677

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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
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Rosalinda Ibarra	Community Development	Rosalinda.Ibarra@yakimawa.gov
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Dan Riddle	Engineering	Dan.Riddle@yakimawa.gov
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Irene Linos	Planning	Irene.Linos@Yakimawa.gov
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Randy Meloy	Wastewater	Randy.Meloy@yakimawa.gov
Dave Brown	Water/Irrigation	David.Brown@yakimawa.gov
Mike Shane	Water/Irrigation	Mike.Shane@yakimawa.gov

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

Additional Parties of Record or Interested Parties Notified		
Name	Address	E-mail

Type of Notice: SEPA Determination
File Number(s): PLP#004-22, SEPA#009-22
Date of Mailing: 6/22/2022

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Linos, Irene

From: Linos, Irene
Sent: Wednesday, June 22, 2022 9:40 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; Linos, Irene; 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; Linos, Irene; 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 Gonseth; 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 Sanchey; 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; 'jon.kinloch@appletreresort.com'; 'mheit@hlacivil.com'
Subject: NOTICE OF DNS_KINLOCH BORTON ENTERPRISES, LLC / PLAT OF "APPLE TREE PHASE 1C" - PLP#004-22, SEPA#009-22
Attachments: NOTICE OF DNS_KINLOCH BORTON ENTERPRISES, LLC PLAT OF APPLE TREE PHASE....pdf

Good morning,

Attached is a Determination of Non significance regarding the above-entitled project. If you have any questions about this proposal please contact assigned planner Eric Crowell at Eric.Crowell@Yakimawa.gov



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

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

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

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

PROJECT DESCRIPTION: Preliminary long plat (further subdivision of PSP#004-21, which created nine lots) to create four single-family lots and one tract, in the R-1 zoning district.

LOCATION: Vicinity of Occidental Rd. & S. 96th Ave.

PARCEL NUMBER: 171336-44411

PROPONENT: Kinloch Borton Enterprises LLC

PROPERTY OWNER: Kinloch Borton Enterprises LLC

LEAD AGENCY: City of Yakima

FILE NUMBERS: PLP#004-22, SEPA#009-22

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.

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

Responsible Official: Joan Davenport

Position/Title: SEPA Responsible Official

Phone: (509) 575-6183

Address: 129 N. 2nd Street, Yakima, WA 98901

Date: June 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: **July 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.

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PLP#004-22, SEPA#009-22 & TCO#005-22

Kinloch Borton Enterprises LLC/ Plat of Apple Tree Phase 1C
Vicinity of S 96th Ave & Occidental Road

I, Rosalinda Ibarra, 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 20th 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.



Rosalinda Ibarra
Administrative Assistant

DOC.
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18133133425
APPLE TREE CONSTRUCTION CO LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133421
APPLE TREE CONSTRUCTION
COMPANY
2550 BORTON RD
YAKIMA, WA 98903

17133644406
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644408
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

18133132007
APPLE TREE CONSTRUCTION
COMPANY LLC
2550 BORTON RD
YAKIMA, WA 98903

18133133442
APPLE TREE PARTNERSHIP
8804 OCCIDENTAL RD
YAKIMA, WA 98903

18133133446
APPLE TREE RESORT DEVELOPMENT
CO
2550 BORTON RD
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17120112004
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17133644402
KINLOCH BORTON ENTERPRISES LLC
2581 BORTON RD
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17133644403
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
YAKIMA, WA 98903

17133644405
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
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17133644409
KINLOCH BORTON ENTERPRISES LLC
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17133644410
KINLOCH BORTON ENTERPRISES LLC
2550 BORTON RD
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17133644411
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18133134532
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17133641401
NORTH 40 REAL ESTATE LLC
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17133641402
NORTH 40 REAL ESTATE LLC
9202 OCCIDENTAL RD
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17133642403
TWO BLUFFS LLC
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17133643007
TWO BLUFFS LLC
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18133133415
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NTC of App, Sepu & YPC Henry
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5-26-2022

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SEPA REVIEWING AGENCIES
_UPDATED 04/13/2022

Type of Notice: NTC of Spo, SEPA, and YPC Hearing

File Number: PLP#004-22, Sepa #009-22

Date of Mailing: 5-20-2022

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From: NoReply@ecy.wa.gov
Sent: Friday, May 20, 2022 11:57 AM
To: Ask Planning
Subject: SEPA record published

The SEPA admin reviewed and published SEPA record number 202202499, "PLAT OF "APPLE TREE PHASE 1C"."
Lead Agency File Number: SEPA#009-22, PLP#004-22, TCO#005-22.
It will now be available to the public.

From: Gwen Clear
Email: separegister@ecy.wa.gov
Phone number: (509) 571-5321

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Pacific Power Attn: Estimating Department (Subdivision notices ONLY)	500 N Keys Rd, Yakima, WA 98901	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Parties of Record or Interested Parties Notified		
Name	Address	E-mail

Type of Notice: Notice of Application, SEPA, and YPC Hearing
File Number(s): PLP#004-22, SEPA#009-22
Date of Mailing: 5-20-2022

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From: Ibarra, Rosalinda
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; Linos, Irene; 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; Linos, Irene; 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 Gonseth; 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 Sanchey; 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; Davido, Sean; El Mundo; El Sol de Yakima; Fannin, John; KAPP TV News; 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 Valley Business Times; YPAC - Randy Beehler; Al Rose; Colleda Monick; Jacob Liddicoat; Leanne Hughes-Mickel; Lisa Wallace; Lund, Soneya; Mary Place; Rob McCormick
Cc: Crowell, Eric
Bcc: "Jon.kinloch@appletreresort.com"; "mhelt@hlaclivil.com"; Ask Planning
Subject: NOTICE OF APPLICATION, SEPA, YPC HEARING - Kinloch Borton "Plat of Apple Tree Ph1C" - PLP#004-22, SEPA#009-22
Date: Friday, May 20, 2022 11:31:08 AM
Attachments: image001.png
NTC OF APPLICATION, SEPA, YPC HEARING - KinlochBorton- AppleTree Ph1C -pdf
image003.png

Attached is a Notice of Application, SEPA, and YPC Hearing for 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



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MAY 23 2022

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El Sol de Yakima

AFFIDAVIT OF PUBLICATION

Rosalinda Ibarra
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.

05/20/2022

Agent JACKIE CHAPMAN Signature Jackie Chapman

Subscribed and sworn to before me on May 20, 2022
Lisa M. Driggs
(Notary Signature) Notary Public in and for the State of Washington, residing at Yakima

Publication Cost: \$288.60
Order No: 30292
Customer No: 23222
PO #:



Publication Cost: \$288.60
Order No: 30292
Customer No: 23222
PO #:

**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 5/20/2022; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** Kinloch Borton Enterprises, LLC (2550 Borton Rd., Yakima, WA 98903); **FILE NUMBER:** PLP#004-22, SEPA#009-22; **PROJECT NAME:** Plat of Apple Tree Phase 1C; **LOCATION:** Vicinity of Occidental Rd. & S. 96th Ave.; **TAX PARCEL NUMBER(S):** 171336-44411; **DATE OF APPLICATION:** 4/18/2022; **DATE OF COMPLETENESS:** 5/18/2022; **PROJECT DESCRIPTION:** Preliminary long plat (further subdivision of PSP#004-21, which created 9 lots) to create 4 single-family lots and one tract, in the R-1 zoning district; **DETERMINATION OF CONSISTENCY:** Pursuant to YMC § 16.06.020(A), the project considerations are determined to be consistent with applicable development regulations, as follows: (1) The type of land use: Preliminary Long Plat for 4 single-family lots; (2) Level of Development: 4 single-family lots on 32.93 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 4 single-family lots; (2) Density of Development: Approximately 0.12 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. **NOTICE OF ENVIRONMENTAL REVIEW:** This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Yakima, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Yakima has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) per WAC § 197-11-355. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination will be mailed to parties of record and entities who were provided this notice and may be appealed pursuant to YMC § 6.88.170. **Required Permits:** The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, Grading Permit **Required Studies:** N/A **Existing Environmental Documents:** None **Development Regulations for Project Mitigation and Consistency Include:** the State Environmental Policy Act, the Yakima Urban Area Zoning Ordinance, YMC Title 12—Development Standards, and the Yakima Urban Area Comprehensive Plan. **REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING:** Your views on this proposal are welcome. All written comments received by 5:00 p.m. on **June 9, 2022**, will be considered prior to issuing the recommendation. This request requires that the Yakima Planning Commission hold an open record public hearing, which is scheduled for **July 13, 2022 at 3:00 p.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#004-22, SEPA#009-22) and applicant's name (Kinloch Borton Enterprises 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 Planning Commission will issue its 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 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.

(30292) May 20, 2022

**CITY OF YAKIMA
NOTICE OF PUBLIC HEARING**

DATE: 5/20/2022; **FROM:** Joan Davenport, AICP, Community Development Director; **APPLICANT:** Kinloch Borton Enterprises, LLC (2550 Borton Rd., Yakima, WA 98903); **FILE NUMBER:** PLP#004-22, SEPA#009-22; **PROJECT NAME:** Plat of Apple Tree Phase 1C; **LOCATION:** Vicinity of Occidental Rd. & S. 96th Ave.; **TAX PARCEL NUMBER(S):** 171336-44411; **DATE OF APPLICATION:** 4/18/2022; **DATE OF COMPLETENESS:** 5/18/2022; **PROJECT DESCRIPTION** Preliminary long plat (further subdivision of PSP#004-21, which created 9 lots) to create 4 single-family lots and one tract, in the R-1 zoning district; **DETERMINATION OF CONSISTENCY** Pursuant to YMC § 16.06.020(A), the project considerations are determined to be consistent with applicable development regulations, as follows: (1) The type of land use: Preliminary Long Plat for 4 single-family lots; (2) Level of Development: 4 single-family lots on 32.93 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 4 single-family lots; (2) Density of Development: Approximately 0.12 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. **NOTICE OF ENVIRONMENTAL REVIEW** This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Yakima, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Yakima has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) per WAC § 197-11-355. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination will be mailed to parties of record and entities who were provided this notice and may be appealed pursuant to YMC § 6.88.170. **Required Permits:** The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, Grading Permit **Required Studies:** N/A **Existing Environmental Documents:** None **Development Regulations for Project Mitigation and Consistency Include:** the State Environmental Policy Act, the Yakima Urban Area Zoning Ordinance, YMC Title 12—Development Standards, and the Yakima Urban Area Comprehensive Plan. **REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING** Your views on this proposal are welcome. All written comments received by 5:00 p.m. on **June 9, 2022**, will be considered prior to issuing the recommendation. This request requires that the Yakima Planning Commission hold an open record public hearing, which is scheduled for **July 13, 2022 at 3:00 p.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#004-22, SEPA#009-22) and applicant's name (Kinloch Borton Enterprises 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 Planning Commission will issue its 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 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.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

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

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

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE: May 20, 2022
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: Kinloch Borton Enterprises, LLC c/o Jon Kinloch (2550 Borton Rd., Yakima, WA 98903)
FILE NUMBER: PLP#004-22, SEPA#009-22
PROJECT NAME: Plat of Apple Tree Phase 1C
LOCATION: Vicinity of Occidental Rd. & S. 96th Ave.
TAX PARCEL NUMBER(S): 171336-44411
DATE OF APPLICATION: April 18, 2022
DATE OF COMPLETENESS: May 18, 2022

PROJECT DESCRIPTION Preliminary long plat (further subdivision of PSP#004-21, which created nine lots) to create four single-family lots and one tract, in the R-1 zoning district.

DETERMINATION OF CONSISTENCY Pursuant to YMC § 16.06.020(A), the project considerations are determined to be consistent with applicable development regulations, as follows:

1. The type of land use: Preliminary Long Plat for four single-family lots
2. Level of Development: Four single-family lots on 32.93 acres
3. Infrastructure and public facilities: The subject property is able to be served by public streets, water, sewer, garbage collection, etc.
4. Characteristics of development: Four single-family homes on lots ranging from 9,893 square feet to 10,351 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 four single-family lots
2. Density of Development: Approximately 0.12 dwelling units per net residential acre
3. Availability and adequacy of infrastructure and public utilities: The subject property is able to be served by public facilities.

NOTICE OF ENVIRONMENTAL REVIEW This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Yakima, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Yakima has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) per WAC § 197-11-355. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination will be mailed to parties of record and entities who were provided this notice and may be appealed pursuant to YMC § 6.88.170.

Required Permits: The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, Grading Permit

Required Studies: N/A

Existing Environmental Documents: None

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

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REQUEST FOR WRITTEN 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. All written comments received by 5:00 p.m. on **June 9, 2022**, will be considered prior to issuing the final SEPA determination. This request requires that the Planning Commission hold an open record public hearing, which is scheduled for **July 13, 2022 at 3:00 p.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#004-22, SEPA#009-22) and applicant's name (Kinloch Borton Enterprises 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 Planning Commission will issue its 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: 20 de mayo, 2022
PARA: Agencias de Revisión Ambiental, Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: Kinloch Borton Enterprises, LLC c/o Jon Kinloch (2550 Borton Rd., Yakima, WA 98903)
No. DE ARCHIVO: PLP#004-22, SEPA#009-22
NOMBRE DEL PROYECTO: Plat of Apple Tree Phase 1C
UBICACIÓN: Vecindad de Occidental Rd. & S. 96th Ave.
No. DE PARCELA(S): 171336-44411
FECHA DE APLICACIÓN: 18 de abril, 2022
FECHA DE APLICACIÓN COMPLETA: 18 de mayo, 2022

DESCRIPCIÓN DEL PROYECTO: Propuesta preliminar para subdividir (aún más el proyecto de PSP#004-21, que creo nueve lotes) una parcela y crear cuatro lotes unifamiliares y una extensión, en la zona residencial R-1.

DETERMINACIÓN DE LA CONSISTENCIA Conforme al Código Municipal YMC §16.06.020(A), las consideraciones del proyecto se determinan consistentes con las siguientes normas aplicables:

1. El tipo de uso terrenal: Subdivisión preliminar para cuatro lotes unifamiliares
2. Nivel de desarrollo: Cuatro lotes unifamiliares en 32.93 acres
3. Infraestructura e instalaciones públicas: La propiedad puede ser servida por calles públicas, agua, drenaje, recolección de basura, etc.
4. Características del desarrollo: Cuatro viviendas unifamiliares en lotes que miden desde 9,893 pies cuadrados hasta 10,351 pies cuadrados.

Conforme al Código Municipal YMC §16.06.020(B), los reglamentos de desarrollo y las consideraciones del plan comprehensivo son coherentes, de la siguiente manera:

1. El tipo del uso terrenal: Subdivisión preliminar para cuatro lotes unifamiliares
2. Densidad del desarrollo: Aproximadamente 0.12 unidades de vivienda por acre residencial
3. Disponibilidad y adecuación de infraestructura y servicios públicos: La propiedad puede ser servida por instalaciones públicas.

AVISO DE REVISIÓN AMBIENTAL: Esto es para notificar a las agencias con jurisdicción y experiencia ambiental y al público que la Ciudad de Yakima, Division de Planificación, se establece como la agencia principal, de acuerdo con la Ley Estatal de Política Ambiental de Washington (SEPA) bajo WAC §197-11-928 para la revisión de este proyecto. La Ciudad de Yakima ha revisado el proyecto propuesto para posibles impactos ambientales adversos y espera emitir una Determinación de No-Significancia (DNS) para este proyecto conforme al proceso DNS opcional en WAC § 197-11-355. La propuesta puede incluir medidas de mitigación bajo los códigos aplicables y el proceso de revisión del proyecto puede incorporar o requerir medidas de mitigación independientemente de si se prepara un EIS (Declaración de Impacto Ambiental). Una copia de la determinación de umbral posterior se enviara a las personas y agencias que comentaron y que recibieron este aviso, y se puede apelar de acuerdo con el Código Municipal de Yakima YMC § 6.88.170.

Permisos Requeridos: Los siguientes permisos/aprobaciones locales, estatales, y federales pueden o serán necesarios para este proyecto: Permiso de Construcción, Permiso de Nivelación Terrenal

Estudios Requeridos: N/A

Documentos Ambientales Existentes: Ninguno

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Los Reglamentos de Desarrollo para la Mitigación y Consistencia de Proyectos Incluyen: La Ley Estatal de Política Ambiental de Washington, La Ordenanza de Zonificación del Área Urbana de Yakima, Los Estándares de Desarrollo del Título 12, y el Plan Integral del Área Urbana de Yakima.

SOLICITUD DE COMENTARIOS ESCRITOS 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 **9 de junio, 2022** serán considerados antes de emitir la decisión final sobre esta solicitud. Esta propuesta requiere una audiencia pública con registro abierto con la Comisión de Planificación. Por lo tanto, una audiencia pública se llevara a cabo el **13 de julio, 2022 comenzando a las 3:00 p.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#004-2, SEPA#009-22) o al nombre del solicitante (Kinloch Borton Enterprises 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 RECOMENDACIÓN FINAL: Después de la audiencia pública, la Comisión de Planificación emitirá su recomendación dentro de diez (10) días hábiles. Cuando la recomendación 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, Lista de SEPA, 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

May 18, 2022

FILE NUMBER: PLP#004-22, SEPA#009-22
APPLICANT: Kinloch Borton Enterprises, LLC c/o Jon Kinloch
APPLICANT ADDRESS: 2550 Borton Rd., Yakima, WA 98903
PROJECT LOCATION: Vicinity of Occidental Rd. & S. 96th Ave.
TAX PARCEL NO: 171336-44411
DATE OF REQUEST: April 18, 2022
SUBJECT: Notice of Complete Application

Mr. Kinloch:

The application for your Preliminary Long Plat for the vicinity of Occidental Rd. and S. 96th Ave. was received on April 18, 2022. As of May 18, 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 6.88.090.

The Development Services Team (DST) held a meeting on May 3, 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 May 20, 2022 and the comment period will end on June 9, 2022.
2. A public hearing for your project is scheduled with the Yakima Planning Commission to take place in the City of Yakima Council Chambers on July 13, 2022.

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

Sincerely,

Eric M. Crowell

Eric Crowell
Senior Planner

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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 16, 2022

John Kinloch
Kinloch Borton Ent., LLC
2550 Borton Road
Yakima, WA, 98903

Subject: Notice of Decision for Transportation Concurrency – TCO#005-22
ITE Trip Generation Code 210 – Single Family Homes

John,

Enclosed is the Transportation Concurrency Analysis Decision for the proposed Apple Tree Phase 1C, on S. 96th Avenue, within the City of Yakima, Washington. This development has been APPROVED for Concurrency Analysis. Concurrency review determined that reserve capacity is available on all impacted arterial streets. Concurrency review does not evaluate impact to local access streets or street intersections. This review does not include safety or site design issues which will be addressed at the project review level of zoning and SEPA. This review concluded that the proposed development will not exceed the capacity of the arterial street system and reserve capacity exists on all impacted arterial streets.

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

Sincerely,

Bill Preston, PE
City Engineer

Enclosure

Cc: Planning
TC File

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**City of Yakima, Washington
Engineering Division
Transportation Concurrency Analysis
TCO#005-22**

Date of Review: May 16, 2022
Review Prepared by: Robert Washabaugh, P.E., Supervising Traffic Engineer
Proposed Development: Apple Tree Phase 1C
Subject Address: S. 96th Avenue
ITE Land Use: 210 – Single Family Homes

Expected Net PM Peak Hour Trip Generation: 4 PM Peak Hour Trips
Average Daily Weekday Trips: 38

Summary of Impact:

The applicant, Kinloch Borton Ent., LLC, proposes to construct four single family homes, in the vicinity of S. 96th Avenue, within the City of Yakima, Washington. Traffic from this new development is proposed to enter/exit the Arterial Street system on Occidental Road. City of Yakima Administrative procedures for Concurrency Analysis use the PM Peak hour trip of the adjacent street for the selected ITE use code. Based upon local data, City of Yakima Traffic Volumes for PM Peak Hour is assessed as 8.7% of total Average Daily Traffic (ADT). Peak hour reserve capacity includes any vehicle trips previously assigned under the Concurrency Ordinance. City of Yakima Transportation Concurrency assesses arterial street segment capacity only and does not address intersection capacity.

Seg #:	Street Segment	From - To	ADT	Year of Count	Pk Hr Capacity	Pk. Hr Vol. (8.7% ADT)	Pk Hr Reserve Cap.	V/C	LOS	Project Pk Hr Trips	Total Pk Hr Vol. With TCO	Pk Hr Reserve Cap. After TCO	V/C with TCO	LOS with TCO
1	Occidental	80th to 96th Ave	3,100	2007	1600	270	1330	0.17	A	4	274	1326	0.17	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.



CITY OF YAKIMA
LAND USE ACTION INSTALLATION
CERTIFICATE

RECEIVED
MAY 13 2022
CITY OF YAKIMA
PLANNING DIV.

File Number:	PLP #004-22/SEPA #009-22
Applicant/Project Name:	Apple Tree LC
Site Address:	96th & Occidental
Date of Posting:	5/12/22
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).

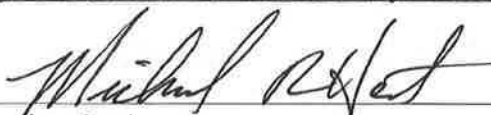
☐ Land Use Action Sign is installed in an alternate location on the site.

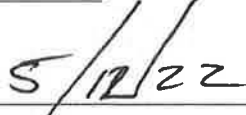
Note: this alternate location (if not pre-approved by the Planning Manager) may not be acceptable by the Planning Division and is subject to relocation (at the owner's expense) to a more visible site on the property.


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.


Applicant's Signature


Date


Applicant's Name (Please Print)


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.

RECEIVED

MAY 13 2022

CITY OF YAKIMA
PLANNING DIV.

LAND USE ACTION
PROPOSED
FOR THIS SITE
Callout the City of Yakima
909-655-6100

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RECEIVED

MAY 13 2022

CITY OF YAKIMA
PLANNING DIV.



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KINLOCH BORTON ENTERPRISES LLC
"PLAT OF APPLE TREE PHASE 1C"
PLP#004-22, SEPA#009-22

EXHIBIT LIST

CHAPTER G

Public /Agency Comments

[illegible]



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

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JUN 07 2022

**CITY OF YAKIMA
PLANNING DIV.**

June 7, 2022

Eric Crowell
Community Development
City of Yakima
129 North 2nd Street
Yakima, WA 98901

Re: SEPA Register 202202499, SEPA#009-22, PLP#004-22, TCO#005-22

Dear Eric Crowell:

Thank you for the opportunity to comment during the Optional Determination of Non Significance process for the Apple Tree Phase 1C subdivision, proposed by Kinlock Borton Enterprises, LLC. We have reviewed the documents and have the following comments.

TOXICS CLEAN-UP

Thank you for the opportunity to comment on your proposed project.

Historical aerial photos indicate your project is located on property that was occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Under the Model Toxics Control Act (Chapter 173-340 WAC), prior to issuing a SEPA determination your project is required to conduct soil sampling. Results should be submitted to Ecology at: formerorchards@ecy.wa.gov.

If sampling indicates elevated levels of lead and arsenic, cleanup will be required prior to occupancy. Portions of the property that will remain vacant or in agricultural use do not require cleanup; however, those areas must be physically isolated and designated not for regular use by property occupants. The Department of Ecology has created Model Remedies for lead and arsenic pesticide contamination in historical orchards of Central Washington. The Model Remedies document is available at

<https://apps.ecology.wa.gov/publications/documents/2109006.pdf>

Compliance with a Model Remedy ensures your project meets the minimum standards of the

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Eric Crowell
June 7, 2022
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JUN 07 2022

CITY OF YAKIMA
PLANNING DIV.

Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

Ecology can provide free initial sampling as well as free technical assistance for your project.

Please contact **Frost Smith**, at (509) 406.5157, for further information or to schedule your initial sampling.

Sincerely,

Tricia Sawyer

Tricia Sawyer on behalf of Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov

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