



*Planning Division*

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

*(509) 575-6183 • Fax (509) 575-6105*

*www.buildingyakima.com • www.yakimawa.gov/services/planning/*

**NOTICE OF APPLICATION AND HEARING**

**DATE:** December 12, 2012  
**TO:** Applicant and Adjoining Property Owners  
**FROM:** Steve Osguthorpe, AICP, Community Development Director  
**SUBJECT:** CL3#008-12

**NOTICE OF APPLICATION**

The City of Yakima Department of Community Development has received a Type 3 Review application from Traditional Designs Inc, on behalf of Akin Center Theatre. The applicant has requested zoning review and approval to locate a daycare and vocational school for performing arts at 1610 S. 24<sup>th</sup> Avenue within an existing 11,340 sq. ft. building that has a 44 stall parking lot. The subject property is zoned Professional Office (B-1).

**NOTICE OF PUBLIC HEARING**

This Type 3 conditional land use application requires that the Hearing Examiner hold a public hearing prior to rendering a decision on the land use application. This public hearing has been scheduled for Thursday, January 24, 2013, beginning at 9:00 a.m., in the Council Chambers, City Hall, 129 N 2nd Street, Yakima, WA. Any person desiring to express their views on this matter is invited to attend the public hearing or to submit their written comments to: City of Yakima, Planning Division, 129 N 2nd St., Yakima, WA 98901.

**REQUEST FOR WRITTEN COMMENTS**

Your views on the proposal are welcome. Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its possible environmental impacts. All written comments received by **January 2, 2013**, will be considered prior to issuing the Final SEPA Determination. Written comments on the Type (3) Review will be accepted through the hearing date. Your comments on this project may be mailed to:

Steve Osguthorpe, AICP, Community Development Director  
City of Yakima Planning Division  
129 North 2<sup>nd</sup> Street  
Yakima, WA 98901

or e-mail your comments to: [jeff.peters@yakimawa.gov](mailto:jeff.peters@yakimawa.gov)

Please reference the applicant's name or file number(s) in your correspondence:  
Akin Center Theatre – CL3#008-12

The file containing the complete application for this proposal is available for public review at the City of Yakima Planning Division, 2nd floor City Hall, 129 North 2nd Street, Yakima, Washington. If you have any questions on this proposal, please call Jeff Peters, Associate Planner at (509) 575-6163 or e-mail at: [jeff.peters@yakimawa.gov](mailto:jeff.peters@yakimawa.gov).

Encl: Narratives, Site Plans and Mailing Map



Supplemental Application For:

# TYPE (3) REVIEW

YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.14 & 15.15

## PART II - APPLICATION INFORMATION

1. PROPOSED LAND USE TYPE: (Must be taken from YMC Ch. 15.04, Table 4-1)

*VOCATIONAL School*

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2. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY: (Attach if lengthy)

*SEE Attached*

NOV 28 2012

**CITY OF YAKIMA  
PLANNING DIV.**

## PART III - APPLICATION INFORMATION

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

4. WRITTEN NARRATIVE: (Please submit a written response to the following questions)

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

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

## PART IV - WRITTEN NARRATIVE

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

*SEE Attached FOR A-F*

B. How is the proposal compatible to neighboring properties?

C. What mitigation measures are proposed to promote compatibility?

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

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

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

Note: if you have any questions about this process, please contact us City of Yakima, Planning Division, 129 N. 2nd St., Yakima, WA or 509-575-6183

Revised 02-11

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**CITY OF YAKIMA  
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- A.) Melody Lane Academy  
Dance, Music and Acting classes Monday –Thursday  
From 4:00 pm – 9:00 pm  
Pre-school Monday – Friday 9:00 am – 3:00 pm  
Center Theater
- Friday 7:30 – 11:00
  - Saturday 2:00 – 4:30 and 7:30 -11:00
  - 18-30 Show Dates Per Year

B.) The neighbors to the south is The Yakima athletic club and Yakima urology, and to the north is an ex-TV station, and to the west is a soon to be apartment complex, and to the east is the cemetery.

C.) No Mitigation is proposed.

D.) It is allowed with a type 3 Review. This project will only improve the area, as this building has been for sale for a year.

E.) This project will not interfere or conflict with other uses in the area.

F.) Melody Lane Academy provides a opportunity for our local kids to get involved in the arts. There is no other facility like this in the valley.

B. How is the proposal compatible to neighboring properties?

The adjoining properties are a cemetery to the east, Yakima Athletic Club (YAC) to the south, to the west is undeveloped property that an apartments are in planning for, to the north is an office building is that's of sale have a business next door instead of a building for sale would be better for them.

This building was for sale for years and was under utilized for years before that so any development will ad new life to the area that as been stagnant for years. The building was built in 1979. The building does not meet modern office building space of today. As well the building location does not lend its self to office space as it sets wall off the road. The existing building lends its self very well for its proposed uses for the building. This will enhance the area by having a locally owned and operated business in the area. The location of the building of this use is not a down side as it's a destination business.

Some adjoining property owner are in support of this project.

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

This proposal is consistent with current B-1 zoning of property In that is allowed with a type 3 review. Furthermore this project will give new life to an area that has been under utilized an in grave need of a new direction for years. We have support of some neighbors and think the neighborhood would be improved by this project.

We feel this is a neighborhood is in transition if you look at what is planned the area and what has been done over the last few years. Area facilities are office in M-1, new retail planned off Washington ave. and apartments planned to the west. I think this area may need to be rezoned to GC to promote further development of the area. All of these facilities have required reviews or zoning changes to make this area a desirable location for business development.

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DEC 0 6 2012

**RECEIVED**



RETURN ADDRESS:

*Akin Center Theatre  
1610 S. 24th Ave  
Yakima, WA 98902*

FILE# 7748579  
YAKIMA COUNTY, WA  
12/23/2011 10:45:59AM  
DEED  
PAGES: 3  
FIDELITY TITLE COMPANY

**COUNTY EXCISE TAX**

DATE DEC 23 2011  
PAID \$ 14,249.20  
REC. NO. 424204  
BY J. Sanford  
Yakima County Treasurer's Office

Recording Fee: 64.00

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**CITY OF YAKIMA  
PLANNING DIV.**

**STATUTORY WARRANTY DEED**

Grantor(s): 1) APPLE VALLEY BROADCASTING, INC.  
Grantee(s): 1) AKIN CENTER THEATRE, LLC  
Abbreviated Legal Description: Ptn NE ¼ NW ¼, Sec 35, Twn 13 N, Rng 18, EWM  
Entire Legal Description on Pages 1 & 2  
Assessor's Tax Parcel ID#: 181335-21025  
Reference No.: n/a

*JA 80163*

THE GRANTOR, **APPLE VALLEY BROADCASTING, INC., a Washington corporation**, for a valuable consideration, convey and warrant to **AKIN CENTER THEATRE, LLC, a Washington limited liability company**, the following described real estate, situated in the County of Yakima, State of Washington:

That portion of the Northeast ¼ of the Northwest ¼ of Section 35, Township 13 North, Range 18, E.W.M., described as follows:

Beginning at the Northeast corner of said subdivision;  
thence South 0°00' West along the East line of said subdivision 621.37 feet;  
thence North 88°32'30" West 312.45 feet;  
thence South 0°00' West 175.00 feet to the true point of beginning;  
thence South 88°07' West 281.06 feet;  
thence South 0°00' West 220.30 feet;  
thence North 88°07' East 540.28 feet to the East line of said subdivision;  
thence North 0°00' East along said East line 220.30 feet to a point bearing North 88°07' East from the true point of beginning;  
thence South 88°07' West 312.52 feet to the true point of beginning;

EXCEPT that portion thereof conveyed to the City of Yakima by instrument recorded under Auditor's File Number 2214074;

AND EXCEPT that portion of the Northeast ¼ of the Northwest ¼ of Section 35, Township 13 North, Range 18, E.W.M., described as follows:

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PLANNING DIV.

Commencing at the Northeast corner of said subdivision;  
thence South along the East line thereof 998.45 feet;  
thence South 88°07' West 593.58 feet to the true point of beginning;  
thence North 88°07' East 144.12 feet;  
thence North 0°00' East 40.00 feet;  
thence North 89°28' West 144.42 feet to a line bearing North 0°00' East from the true  
point of beginning;  
thence South 0°00' West 46.08 feet to the true point of beginning.

Situated in Yakima County, State of Washington.

SUBJECT TO:

- (1) Liability for future annual assessments and/or charges by reason of inclusion within the boundaries of by City of Yakima and Horticulture Pest & Disease Control District;
- (2) Right of way and secondary easement granted to Pacific Power and Light Company for lines and appurtenances, the specific location of which is not disclosed, granted by instrument recorded April 26, 1948, in Volume 455 of Deeds, under Auditor's File Number 1207945;
- (3) Right to make necessary slopes for cuts or fills upon property herein described as granted to City of Yakima by Deed recorded in Volume 455 of Deeds, under Auditor's File Number 2214075;
- (4) Right of way and secondary easement granted to Pacific Power and Light Company for lines and appurtenances, the specific location of which is not disclosed, granted by instrument recorded August 13, 1974, in Volume 928 of Official Records, under Auditor's File Number 2361965;
- (5) Matters disclosed on Survey map prepared by Don Wilton Surveying and filed on December 20, 2006, under Auditor's File Number 7541249, records of Yakima County, Washington; and
- (6) Rights reserved in federal patents, state or railroad deeds, building or use restrictions general to the area, zoning regulations, easements, conditions, restrictions, reservations, rights of way, covenants and other servitudes appearing of record or existing in fact over or upon the property, together with encroachments, claims of adverse possession, prescriptive easements or boundary line disputes visible by inspection or which would be disclosed by survey, and any future adjudication of surface water rights by any federal or state proceeding.

DATED this 01<sup>st</sup> day of December, 2011.

APPLE VALLEY BROADCASTING,  
INC., a Washington corporation

By: Elizabeth M. Burns  
Title: President

By: Richard M. Burns  
Title: Asst Secretary / Board Counsel

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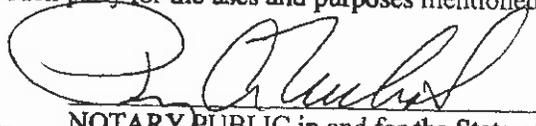
NOV 28 2012

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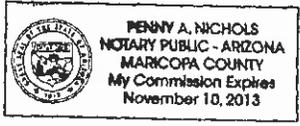
STATE OF ~~WASHINGTON~~ ARIZONA  
County of ~~Yakima~~ Maricopa )  
: ss.

I certify that I know or have satisfactory evidence that Elizabeth M. Burns  
and Richard R. Burns signed this instrument, on oath stated that he/she/~~they~~  
was/~~were~~ authorized to execute the instrument and acknowledge it as the President and  
Asst. Secretary respectively, of APPLE VALLEY BROADCASTING, INC., a Washington  
General Counsel Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in  
the instrument.

Dated: December 21st 2011.



NOTARY PUBLIC in and for the State of  
Arizona Washington, residing at Phoenix.  
My commission expires: 11/10/13.

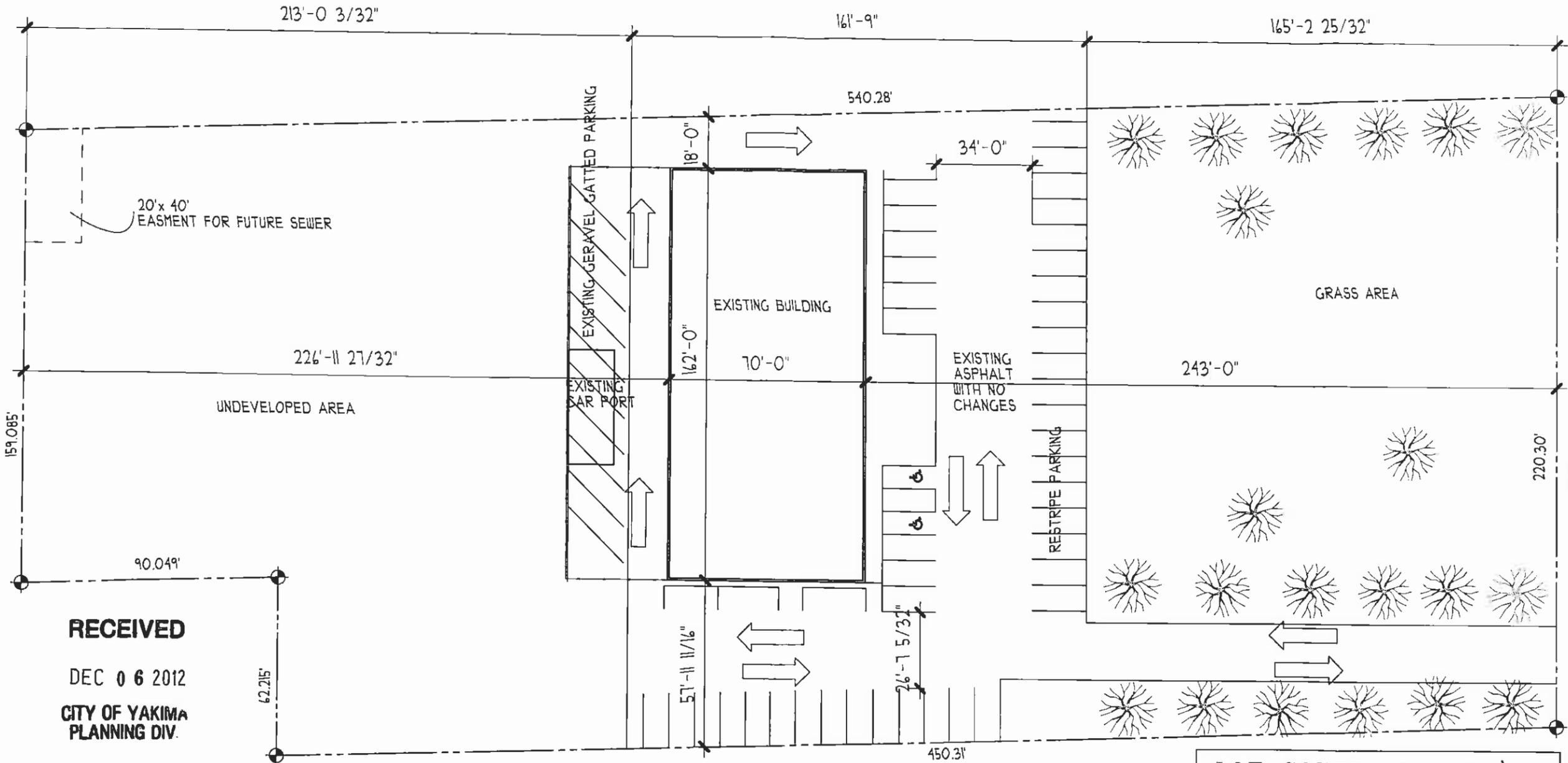


STATUTORY WARRANTY DEED

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NOTE: THERE IS NO EXTERIOR CHANGES TO OUT SIDE OR TO ACCESS OR ASPHALT OF ANY KIND

ORIGINAL TRACINGS OF THESE PRINTS ARE THE PROPERTY OF TRADITIONAL DESIGN. REPRODUCTION OF THESE PLANS IN ANY FORM WILL SUBJECT PARTY VIOLATING THIS OWNERSHIP TO CIVIL COURT ACTION. ALL CHANGES SHALL BE VERIFIED WITH DESIGNER BEFORE CONSTRUCTION. VERIFY ALL DIMENSIONS ON JOB SITE AND REPORT ANY DISCREPANCIES TO BUILDING DESIGNER.



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 DEC 06 2012  
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HOURS AND DAYS OPERATION	PARKING CALCULATIONS
MONDAY-THURSDAY 4 PM TO 9 PM DANCE 9 AM TO 4 PM SCHOOL 9 PM TO 9 PM OFFICE	VOCATIONAL SCHOOL 11,340/400 = (29) SPACES REQ. PER SCHOOL 2 TEACHERS = (2) SPACES REQ. PRE SCHOOL 20 KIDS / 6 = (4) SPACES REQ.
	(35) TOTAL NUMBER SPACES REQ. (44) TOTAL NUmEBER OF SPACES PROVIDED

7,900 SQ. FT. PARKING SPACES  
 5,600 SQ. FT. LANDSCAPING WITH IN 24' OF PARKING  
 10% OF PARKING AREA



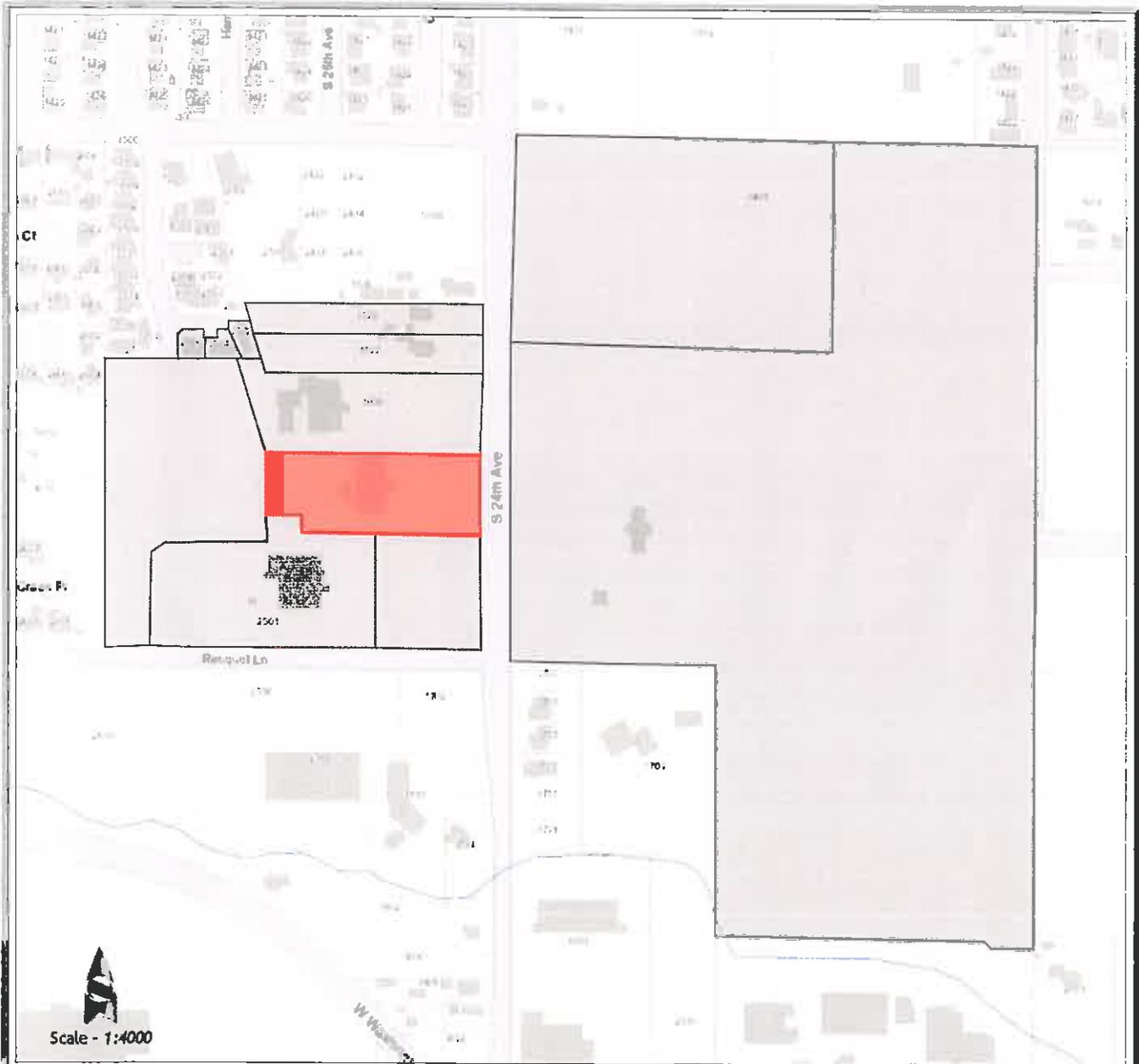
LOT COVERAGE CALC'S	
PARCEL: # 18133521025 ADDRESS: 1610 S 24TH AVE	
113,360	- TOTAL LOT AREA
27,340	- ASPHALT AREA
11,340	- BUILDING & COVERED AREAS
( 34.1% )	38,680 - TOTAL COVERAGE
( 65.9% )	74,680 - TOTAL LANDSCAPING

**SITE PLAN**  
 SCALE : 1" = 40'

CUSTOM DESIGN FOR:  
 MELODY LANE  
 (509) 833-5519

**TRADITIONAL DESIGNS INC.**  
 (COMMERCIAL AND RESIDENTIAL DESIGN)  
 410 W. CHESTNUT YAKIMA WA.  
 (509) 452 - 7604 OR 961-7958

DATE: 3/28/12	PLAN# SP-12018
REVISED	SHEET NUMBER
1	SP
2	
3	
4	
5	
6	



### City of Yakima, Washington

File Number: **CL3#008-12**

Applicant: **Traditional Designs Inc.**  
Owner: **Akin Center Theatre LLC**

Request: **Operate a vocational school for Melody Lane  
Performing Arts in the B-1 zoning district.**

Location: **1610 South 24th Avenue**

Parcel Number(s): **18133521025**



*Subject Area Site*



*Property Notification Area*

### **NOTIFICATION OF LAND USE APPLICATION**

Contact City of Yakima Planning Division at 509-575-6183  
City of Yakima - Geographic Information Services - Wednesday, November 28, 2012



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.