



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 PETITION and PUBLIC HEARING

DATE: August 17, 2022
TO: Applicant and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: HLA Engineering & Land Surveying Inc. – Eric Herzog
FILE NUMBER: RWV#002-22
LOCATION: 609 S Front St.
TAX PARCEL NUMBER(S): 191319-34413, 191319-34414
DATE OF APPLICATION: July 13, 2022
DATE OF COMPLETENESS: July 13, 2022

PROJECT DESCRIPTION Proposal to vacate 10 ft. of public right of way directly under an existing building at 609 S. Front St.

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: Manufacturing playground equipment (plastic products and assembly)
2. Level of Development: N/A
3. Infrastructure and public facilities: The subject property is able to be served by public streets, water, sewer, garbage collection, etc.
4. Characteristics of development: The Right-of-Way petition is being processed under YMC 14.21.

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: Manufacturing playground equipment (plastic products and assembly)
2. Density of Development: N/A
3. Availability and adequacy of infrastructure and public utilities: The subject property is able to be served by public streets, water, sewer, garbage collection, etc.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING Your views on this proposal are welcome. All written comments received by 5:00 p.m. on **September 5, 2022**, will be considered prior to issuing the recommendation to the Hearing Examiner. This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for **September 8, 2022 at 9:00 a.m.**, in the City of Yakima Council Chambers, City Hall, 129 N. 2nd St., Yakima, WA. Any person desiring to express their views on the matter is invited to attend the hearing to provide testimony. Please reference file numbers (RWV#002-22) and applicant's name (HLA Engineering and Land Surveying – Eric Herzog) in any correspondence you submit. The City Council shall decide whether or not to vacate the right-of-way. The hearing examiner will conduct the required public hearing and make a recommendation to the City Council. Any party wishing to be informed of the time, date, and place of the City Council meeting for the proposed vacation should submit a written request to the City of Yakima Planning Division. You can mail your comments to:

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

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

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 contact Albert Miller, Assistant Planner, at (509) 576-6772, or email to: albert.miller@yakimawa.gov.

Enclosed: Land Use Application, Petition, Vicinity Map, Record of Survey, and a Written Narrative



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AVISO DE PETICION Y AUDIENCIA PÚBLICA

FECHA OTORGADA: 17 de agosto, 2022
PARA: Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: HLA Engineering & Land Surveying Inc. –Eric Herzog
No. DE ARCHIVO: RWV#002-22
UBICACIÓN: 609 S. Front St.
No. DE PARCELA(S): 191319-34413, 191319-34414
FECHA DE APLICACIÓN: 13 de julio, 2022
FECHA DE APLICACIÓN COMPLETA: 13 de julio, 2022

DESCRIPCIÓN DEL PROYECTO: Propuesta para desocupar 10 pies de la vía pública ubicado abajo de un edificio con dirección de 609 S. Front St.

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: Fabricación de equipos para parques infantiles (productos de plástico y montaje)
2. Nivel de desarrollo: N/A
3. Infraestructura e instalaciones públicas: La propiedad puede ser servida por calles públicas, agua, drenaje, recolección de basura, etc.
4. Características del desarrollo: La propuesta para desocupar una porción de la vía pública esta siendo procesada bajo YMC 14.21.

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

1. El tipo de uso terrenal: Fabricación de equipos para parques infantiles (productos de plástico y montaje)
2. Densidad del desarrollo: N/A
3. Disponibilidad y adecuación de infraestructura y servicios públicos: La propiedad puede ser servida por instalaciones públicas.

AVISO DE AUDIENCIA PÚBLICA: Sus opiniones sobre esta propuesta son bienvenidas. Todos los comentarios recibidos por escrito antes de las 5:00 p.m. el **5 de septiembre, 2022** serán considerados antes de emitir la recomendación al Examinador de Audiencias. Esta propuesta requiere una audiencia pública con registro abierto con el Examinador de Audiencias. Por lo tanto, una audiencia pública se llevara a cabo el **8 de septiembre, 2022 comenzando a las 9:00 a.m.** en el Ayuntamiento de la Ciudad de Yakima ubicado en el 129 N 2nd Street, Yakima, WA. Se le invita a cualquier persona que desee expresar sus opiniones sobre este caso a asistir a la audiencia pública o a presentar comentarios por escrito. Por favor de hacer referencia al número de archivo (RWV#002-22) o al nombre del solicitante (HLA Engineering and Surveying –Eric Herzog) en cualquier correspondencia que envíe. El Concejo Municipal decidirá si desocupar o no la vía pública. El Examinador de Audiencias llevara a cabo la audiencia pública requerida y hará una recomendación al Concejo Municipal. Cualquier persona que desee ser informada de la hora, fecha y el lugar de la junta pública del Concejo Municipal para la petición propuesta deberá solicitarlo por escrito a la División de Planificación de la Ciudad de Yakima. Por favor de enviar sus comentarios sobre esta propuesta a:

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



AVISO DE LA DECISIÓN/RECOMENDACIÓN FINAL: Después de la audiencia pública, el Examinador de Audiencias emitirá su recomendación dentro de diez (10) días hábiles. Cuando la recomendación 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: Aplicación de Uso Terrenal, Petición, Mapa, Record of Survey, y Narrativa

JUL 13 2022

REC'VD FAXED
 PAID FYI



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:	Eric Herzog, PLS, HLA Engineering and Land Surveying, Inc.						
	Mailing Address:	2803 River Road						
	City:	Yakima	St:	WA	Zip:	98902	Phone:	(509) 966-7000
	E-Mail:							

2. Applicant's Interest in Property:	Check One:	<input type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____
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3. Property Owner's Information (If other than Applicant):	Name:	Johnathan Petuchowski, Columbus Cascade Company, LLC						
	Mailing Address:	300 Marconi Blvd, Suite 103						
	City:	Colimbus	St:	OH	Zip:	43215	Phone:	(614) 531-9602
	E-Mail:							

4. Subject Property's Assessor's Parcel Number(s): 191319-34413 and -34414

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

6. Property Address: 609 South Front Street

7. Property's Existing Zoning:
 SR R-1 R-2 R-3 B-1 B-2 HB SCC LCC CBD GC AS RD M-1 M-2

8. Type Of Application: (Check All That Apply)
 Right-of-Way Vacation Other: _____ Other: _____

PART II – SUPPLEMENTAL APPLICATION, PART III – REQUIRED ATTACHMENTS, & PART IV – NARRATIVE
SEE ATTACHED SHEETS

PART V – CERTIFICATION

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

	Date	7/7/22
Property Owner's Signature		

	Date	7/7/22
Applicant's Signature		

FILE/APPLICATION(S)# **RWV # 002-22**

DATE FEE PAID: 7/13/2022	RECEIVED BY: A. Firth	AMOUNT PAID: 1385.00	RECEIPT NO: 02-22-002115
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CITY OF YAKIMA
CODE ADMIN.DIVISION

JUL 13 2022

REC'VD FAXED
 PAID FYI

JULY 7, 2022

HLA PROJECT: 22090S

LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED

THAT PORTION OF THE RIGHT OF WAY FOR NORTH FRONT STREET AS DEDICATED ON THE PLAT OF NORTH YAKIMA, NOW YAKIMA, AS RECORDED IN VOLUME "A" OF PLAT, PAGE 10, AND RERECORDED IN VOLUME "E" OF PLATS, PAGE 1, RECORDS OF YAKIMA COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF SAID RIGHT OF WAY LYING ADJACENT TO LOTS 9 THROUGH 16, BLOCK 17, OF SAID PLAT, AS MEASURED PERPENDIULAR TO THE WEST LINE OF SAID LOTS.

RECEIVED

'22 AUG -1 P2:41

CITY OF YAKIMA
 CODE ADMIN. DIVISION
 JUL 13 2022
 REC'VD
 PAID
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 FYI

YAKIMA CITY CLERK

PETITION NO. 22-07
 CITY OF YAKIMA, WASHINGTON
 PETITION TO VACATE STREET OR ALLEY


To the City Council of the City of Yakima, Washington.

Comes now the undersigned petitioners and, pursuant to RCW Chapter 35.79, now respectfully show:

The undersigned petitioners request that the following described street, alley or portion thereof, located in the City of Yakima, be vacated pursuant to RCW 35.79 (*provide legal description below, or attach to petition if lengthy*).

Each of the undersigned petitioners is the owner of an interest in real estate abutting on the above-described area. The undersigned petitioners constitute owners of more than two-thirds of said abutting property.

Wherefore, petitioners pray that proceedings be heard hereon for the vacation of said area in the manner prescribed by RCW Ch. 35.79.

Columbus Cascade Company, LLC	300 Marconi Blvd., Colu,bus, OH 43215	
Owner	Address	
	<u>7/1/2022</u>	100%
Signature	Date	Ownership %

_____	_____	
Owner	Address	
_____	_____	_____
Signature	Date	Ownership %

_____	_____	
Owner	Address	
_____	_____	_____
Signature	Date	Ownership %

(If there are more property owners than what is room for please attach a separate list of property owners abutting the right-of-way to be vacated as well as their address, percentage of frontage on the right-of-way, and signature with date and the total ownership percentage of the property owners participating in this vacation)

Project Name: COLUMBUS CASCADE COMPANY LLC

Site Address: 609 S FRONT ST

File Number(s): RWV#002-22

Proposal: Proposal to vacate 10 ft of public right of way directly under an existing building at 609 South Front Street.



VICINITY MAP



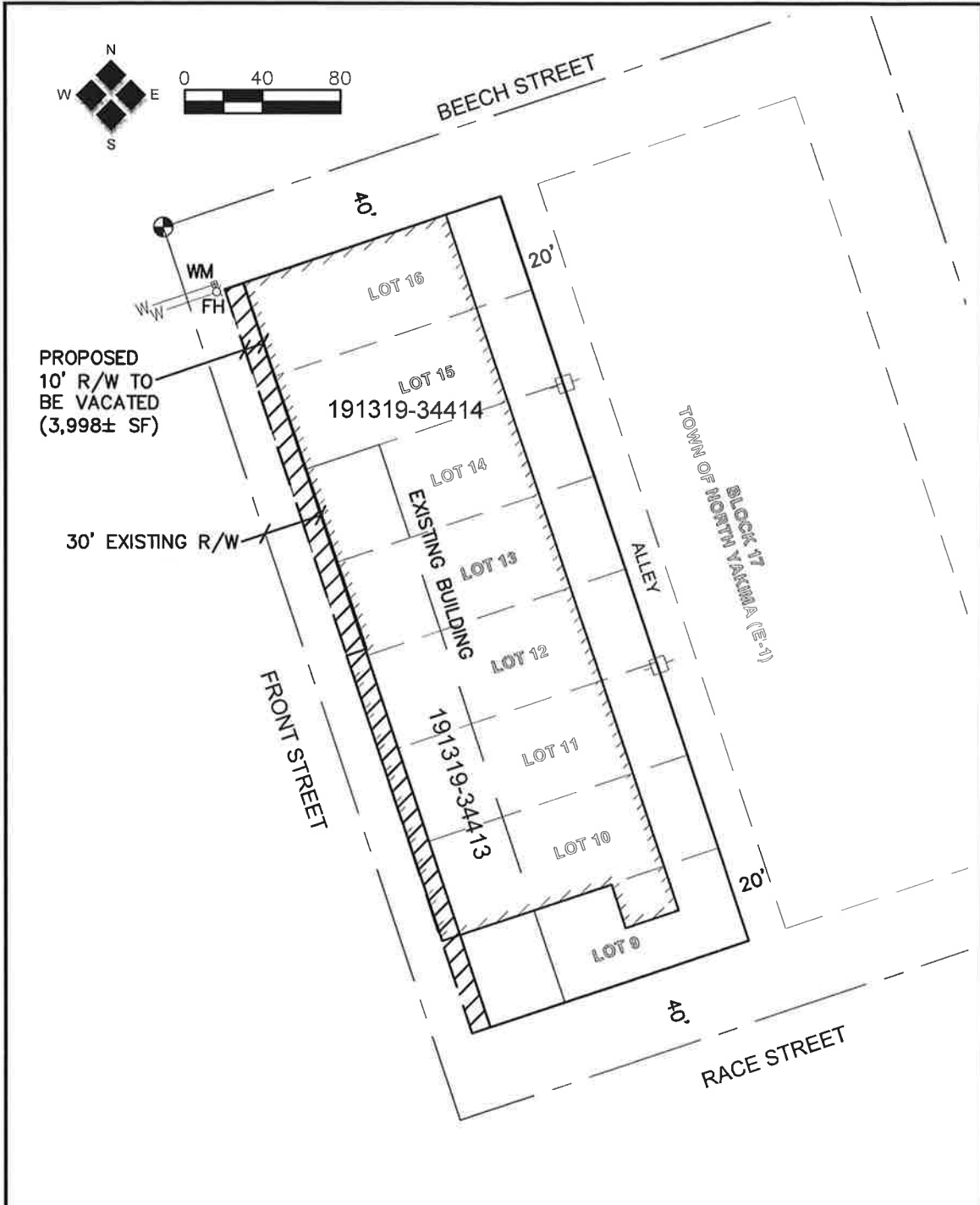
Map Disclaimer: Information shown on this map is for planning and illustration purposes only. The City of Yakima assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any action taken, or action not taken by the user in reliance upon any maps or information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

Date Created: 8/17/2022



JUL 13 2022

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P: PROJECTS/2022/22090/22090.DWG



HLA

Engineering and Land Surveying, Inc.

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

**RIGHT-OF-WAY VACATION
EXHIBIT MAP**

COLUMBUS CASCADE COMPANY, LLC
CITY OF YAKIMA, YAKIMA COUNTY, WASHINGTON

JUL 13 2022

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CITY OF YAKIMA
PLANNING DIVISION



Supplemental Application For:
RIGHT-OF-WAY VACATION

PART II - LOCATION

1. VICINITY - LOCATION OF RIGHT-OF-WAY TO BE VACATED:

10-feet of South Front Street right of way adjacent to tax parcels 191319-34413 and -34414.

2. LEGAL DESCRIPTION OF THE RIGHT-OF-WAY TO BE VACATED: (Attach if lengthy)

See Attached.

PART III - APPLICATION INFORMATION

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

A. What is the public benefit, reason for, and limitations of the proposed right-of-way vacation?

These is a portion of the existing building within the right of way. We are proposing to vacate the right of way lying under the building.

B. Does the vacation deny sole access to a public street for any property?

No. This is a partial right of way vacation request.

C. Is the proposal consistent with existing plans of the City? (Petitions should be consistent with the Six-year Transportation Improvement Plan, the Urban Area Comprehensive Plan and other official City Plans and policies)

There are no plans for improvements to South Front Street.

D. Is the vacation appropriate with existing zoning and land use? (Vacation of Right-of-Ways should be appropriate with existing and anticipated development in the area, based upon zoning, current use and long-range plans)

There are no plans for change of use at this time.

E. Are there any public or franchised utilities in the right-of-way to be vacated and if so, will they be relocated?

There are no public or franchised utilities in the right of way to be vacated.

F. Please choose one:

- I have enclosed an appraisal of the property to be vacated I am electing to have the City of Yakima Planning Division determine the value of the property to be vacated per YMC 14.21.070.

PART IV - REQUIRED ATTACHMENTS

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

2. PETITION TO VACATE STREET OR ALLEY REQUIRED (attached)

3. TITLE REPORT

4. SURVEY OF THE AREA TO BE VACATED

5. APPRAISAL OF THE PROPERTY (an appraisal is required unless the applicant elects to have the City determine the value of the property to be vacated in accordance with YMC 14.21.070)

6. ENGINEERING PLAN (may be required to indicate how the curb, gutter and other physical features will be treated after the vacation is enacted.)

7. TRAFFIC ANALYSIS (A traffic analysis prepared by a Certified Engineer, which describes the impact to the City transportation network of the closure of the right-of-way, may be required depending on the right-of-way being vacated. As a result of that analysis, a Traffic Study may also be required)