



DEPARTMENT OF COMMUNITY DEVELOPMENT

Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

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

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

NOTICE OF APPLICATION AND PUBLIC HEARING

DATE: December 16, 2022
TO: Applicant and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: BOR Architecture PLLC on behalf of Educational Service District 105
FILE NUMBER: CL3#003-22, ADJ#034-22
LOCATION: 401 S. 12th Ave.
TAX PARCEL NUMBER(S): 181324-34018, -34019, -034021, -34026, & -34041
DATE OF APPLICATION: November 7, 2022
DATE OF COMPLETENESS: December 13, 2022

PROJECT DESCRIPTION Proposal to establish a learning academy and skill-based therapy program for K-5 students, and an administrative adjustment to increase the lot coverage from 80 percent to 91.4 percent, in the B-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: Elementary and Middle School is a Class (3) use in the B-1 zoning district.
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 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: Elementary and Middle School is a Class (3) use in the B-1 zoning district.
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 facilities.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING Your views on this proposal are welcome. All written comments received by 5:00 p.m. on January 5, 2023, will be considered prior to issuing the recommendation. This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for January 12, 2023 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 (CL3#003-22, ADJ#034-22) and applicant's name (Educational Service District 105) in any correspondence you submit. You can mail your comments to:

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

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

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

Enclosed: Narratives, Project Descriptions, Site Plan, and Vicinity Map





DEPARTAMENTO DE DESARROLLO COMUNITARIO

Joan Davenport, AICP, Directora

Division de Planificación

Joseph Calhoun, Gerente

129 Norte Calle 2ª, 2º Piso, Yakima, WA 98901

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AVISO DE APLICACIÓN 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: 16 de diciembre, 2022
PARA: Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: BOR Architecture PLLC por parte de Educational Service District 105
No. DE ARCHIVO: CL3#003-22, ADJ#034-22
UBICACIÓN: 401 S. 12th Ave.
No. DE PARCELA(S): 181324-34018, -34019, -34021, -34026, & -34041
FECHA DE APLICACIÓN: 7 de noviembre, 2022
FECHA DE APLICACIÓN COMPLETA: 13 de diciembre, 2022

DESCRIPCIÓN DEL PROYECTO: Una propuesta para establecer una academia de aprendizaje y un programa de terapia basado en habilidades para estudiantes de K-5 grado y un ajuste administrativo para aumentar la cobertura del lote del 80 por ciento al 91.4 por ciento en la zona B-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: La escuela primaria y secundaria es un uso de Clase (3) en la zona B-1.
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 se adherirá a todas las normas de desarrollo del título 12 y del título 15.

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

1. El tipo del uso terrenal: La escuela primaria y secundaria es un uso de Clase (3) en la zona B-1.
2. Densidad del desarrollo: N/A
3. Disponibilidad y adecuación de infraestructura y servicios públicos: La propiedad puede ser servida por instalaciones públicas.

SOLICITUD DE COMENTARIOS ESCRITOS Y 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 enero, 2023 serán considerados antes de emitir la decisión final sobre esta solicitud. Esta propuesta requiere una audiencia pública con registro abierto con el Examinador de Audiencias. Por lo tanto, una audiencia pública se llevará a cabo el **jueves 12 de enero, 2023** 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 (CL3#003-12, ADJ#034-22) o al nombre del solicitante (Educational Service District 105) en cualquier correspondencia que envíe. Por favor de enviar sus comentarios sobre esta propuesta a:

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

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

El archivo que contiene la aplicación completa está disponible para inspección pública en la Oficina de Planificación de la Ciudad de Yakima en el 129 al Norte la Calle 2da, Yakima, WA.

Si tiene cualquier pregunta sobre esta propuesta, puede contactar a la Oficina de Planificación al (509) 575-6183 o por correo electrónico al: ask.planning@yakimawa.gov

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



Supplemental Application For:
TYPE (3) REVIEW
YAKIMA URBAN AREA ZONING ORDINANCE, YMC CHAPTER 15.15

PART II – LAND USE DESIGNATION

1. PROPOSED LAND USE TYPE: (As listed on YMC § 15.04.030 Table 4-1 Permitted Uses)

Schools: Elementary and Middle

PART III - ATTACHMENTS INFORMATION

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

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

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

PART IV - WRITTEN NARRATIVE: Please submit a written response to the following questions. Use a separate sheet of paper if necessary.

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

Reference the attached Written Narrative

2. How is the proposal compatible to neighboring properties?

Reference the attached Written Narrative

3. What mitigation measures are proposed to promote compatibility?

Reference the attached Written Narrative

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

Reference the attached Written Narrative

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

Reference the attached Written Narrative

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

Reference the attached Written Narrative

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

PART IV – WRITTEN NARRATIVE

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

Educational Service District 105 Background:

Educational Service District (ESD) 105, based in Yakima Washington, supports the learning success of more than 66,000 students who attend the 25 public school districts and more than 20 state-approved private and tribal schools they serve in South Central Washington. As a service agency, their purpose is to meet the expressed needs of local school districts by coordinating and conducting cooperative programs that benefit the educational needs of the young people in the four counties they serve.

Educational Service Districts are public entities that were created by the state of Washington in 1969 to provide cooperative services to local school districts. The expressed purpose of ESDs is to assure equal educational opportunities for all by: providing services to school districts to ensure equity in educational opportunities and providing cooperative and informational services to local school districts.

As one of nine ESDs in the state of Washington, ESD 105 carries out liaison activities between local school districts, the Washington State Office of Superintendent of Public Instruction, the Legislature and the State Board of Education.

ESD 105 implements and manages programs and cooperatives that help schools save money while providing access to services they may not be able to offer on their own. Programs are developed based on the needs of the school districts. Effective resource leveraging capabilities allow pooling of public and private support to secure new resources for the region.

Project Proposal:

ESD 105, recently purchased the existing property and buildings at 401 S. 12th Avenue and 1120-1024 West Spruce Street to repurpose them to house the Newbridge Learning Academy and Skill Based Therapy programs as described below:

Main Building: 401 South 12th Avenue (Approximately 7,000 sf)
Newbridge Learning Academy & Skill Based Therapy (SBT)

Annex Building: 1120-1024 West Spruce Street (Approximately 3,800 sf)

Future expansion of Newbridge Learning Academy & Skill Based Therapy (SBT) and/or similar programs.

Newbridge Learning Academy - The program is designed to address the behavioral and academic needs of students with emotional and behavioral challenges that exceed the school's resources to support. The Newbridge program is for students with identified disabilities and who demonstrate primary learning needs in the social-emotional skills domain. They may need specially designed instruction to strengthen their academic skills and/or possibly their functional life skills, but their primary identified need is in the area of social-emotional. The program will consist of three classrooms with a maximum of ten students per classroom, for a maximum of thirty total students. The remainder of the spaces will provide accessory uses to support the students, staff and administration in the program.

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Skill Based Therapy (SBT) is a program that provides 1:1 therapy for students that have disabilities and extreme behaviors. Students are transported by the school districts and engage in therapy for 2 to 3 hours daily. Skills-based therapies aim to extinguish problematic thoughts and behaviors and to provide students with a toolkit of adaptive skills to moderate and manage previously difficult situations. The therapy rooms are staffed with one Board Certified Behavior Analyst and two behavior techs. The program will consist of two therapy rooms and two offices.

The ages of the students participating in the programs range from Kindergarten to 5th Grade.

Hours of operations are anticipated to be Monday through Friday, 7:30 am to 4:30 pm. The Newbridge Learning Academy and Skills Based Therapy programs both follow the school calendars. However, there could be limited summer hours at the school district's request.

Typically, the school districts transport students to and from the programs, using school buses, vans, or small buses. Parents may also transport their students directly.

Drop-off and pick-up times will be 8:30 am and 3:40 pm daily, Monday through Friday.

Student drop-off and pick-up via busses would be curbside along 12th Avenue, with a direct walkway accessing the building. Student drop-off and pick-up via vans and personal vehicles will occur in the south parking lot, in the parking stalls adjacent to the building.

The existing property has 56 onsite parking stalls and 9 on street stalls along Spruce Street, north of the Annex Building. The proposed project would take up to 16 parking stalls from the west side of the site to create a space for a fenced outdoor play area for the programs. This would leave 40 onsite parking stalls and 9 on street stalls. Using Chapter 15.06 Off-Street Parking Standards, for Primary, Elementary School use, only 15 stalls would be required.

2. *How is the proposal compatible to neighboring properties?*

The design and appearance of the building exterior will remain unchanged, with the only site revision being providing a fenced outside play area in lieu of parking on the west side of the lot.

Properties located directly adjacent to proposal property:

North (Across West Spruce Street) – Yakima Professional Center (Medical & Law Offices, Hair Salons, Massage Spa, Architect Offices, Interior Design Office, Health & Wellness Studio, etc.)

East (Across alley) – Sunlight Law (Legal Office) & Family Health Care (Medical Office)

South (Across parking lot) – Yakima Worker Care (Medical Office)

West (Across 12th Avenue) - Yakima Pediatrics (Medical Office)

3. *What mitigation measures are proposed to promote compatibility?*

The design and appearance of the building exterior will remain unchanged, with the only site revision being providing a fenced outside play area in lieu of parking on the west side of the lot.

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

The property is currently zoned B-1 Professional Business. The proposed program may be an allowed Class 3 use in the B-1 zoning, after a Type 3 review and hearing. The use "Community Services, Schools: Elementary and Middle" is only allowed as a Class 3 use in; SR (Suburban Residential); R-1 (Single-Family Residential); R-2 (Two-Family Residential); R-3 (Multifamily Residential); B-1 (Professional Business); B-2 (Local Business); CBD (Central Business) districts and is a Class 1 use only in GC (General Commercial) district, per Yakima Municipal Code Title 15, Yakima Urban Area Zoning Ordinance, Chapter 15.04 Permitted Land Uses.

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

The proposed project is the repurposing of a vacant building originally constructed for use as an Eye Clinic. Neighboring property uses within a one-block distance include numerous medical and dental offices, law offices, a massage spa, a body piercing studio, hair salons, spas, architect offices, interior design office, health & wellness studio and a youth ministries center. The design and appearance of the building exterior will remain unchanged, with the only site revision being providing a fenced outside play area in lieu of a portion of parking stalls on the west side of the lot. The proposed project is not anticipated to have significant effects on the surrounding neighborhood. The proposed project property along with the neighboring properties are all zoned B-1 (Professional Business). The proposed project may be an allowed Class 3 use in the B-1 zoning, after a Type 3 review and hearing.

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

This proposal is in the best interest of the community because it will fill an essential need to address the behavioral and academic needs of students throughout our community dealing with emotional and behavioral challenges that exceed the school's resources to support, for all of South Central Washington. This new facility will serve the community for generations.



Supplemental Application For:
ADMINISTRATIVE ADJUSTMENT
YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.10

PART II - APPLICATION INFORMATION

1. TYPES OF ADMINISTRATIVE ADJUSTMENTS (√ at least one)

- SETBACKS: Front _____ Side _____ Rear _____
- SIGNS: Height _____ Size _____
- FENCES LOT COVERAGE SITESCREENING
- PARKING OTHER

2. AMOUNT OF ADJUSTMENT

80% Lot Coverage	±	91.4 % Lot Coverage	=	14.25 % Increase
Zoning Ordinance Standard		Proposed Standard		Adjustment

PART III – LAND USE DESIGNATION & REQUIRED ATTACHMENTS

1. PROPOSED USE TYPE (As listed on Table 4-1 Permitted Land Uses – See YMC § 15.04.030)

Schools: Elementary and Middle

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

PART IV - WRITTEN NARRATIVE: (Please submit a written response to the following questions)

1. How would the strict enforcement of the current standard affect your project?

The existing lot coverage of the property is 91.4%. The proposed project will not increase the lot coverage footprint on the property. Strict enforcement of the current standard would require elimination of existing parking areas to make room for increased impervious areas.

2. How is the proposal compatible with neighboring properties? Have other adjustments been granted nearby?

The design and appearance of the building exterior will remain unchanged, with the only site revision being providing a fenced outside play area in lieu of parking on the west side of the lot. A majority of the neighboring properties have similar lot coverage with limited pervious surface areas.

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

The property is currently zoned B-1 Professional Business. The proposed program may be an allowed Class 3 use in the B-1 zoning, after a Type 3 review and hearing.

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

The design and appearance of the building exterior will remain unchanged, with the only site revision being providing a fenced outside play area in lieu of a portion of parking stalls on the west side of the lot. The proposed project is not anticipated to have significant effects on the surrounding neighborhood. The proposed project property along with the neighboring properties are all zoned B-1 (Professional Business). The proposed project may be an allowed Class 3 use in the B-1 zoning, after a Type 3 review and hearing.

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

The proposed project is the repurposing of a vacant building. This proposal is in the best interest of the community because it will fill an essential need to address the behavioral and academic needs of students throughout our community dealing with emotional and behavioral challenges that exceed the school's resources to support, for all of South Central Washington. This new facility will serve the community for generations.

B-1 ZONING

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Project Address
401 South 12th Avenue

Lot Coverage

Total Site Area: 40,738 sf
Previous Area: 3,495 sf (8.6%)
Lot Coverage per Table 5.1: 80% maximum
Existing (Actual) Lot Coverage: 91.4%
*Request for Administrative Adjustment

Parking Area Landscaping

Area of Parking Stalls: 7,784 sf
Area of Adjacent Landscaping: 1,570 sf
10% of Parking Stall Area to be Landscaped:
7,784 sf x 0.10 = 778sf
Existing (Actual) Area of Adjacent Landscaping:
1,570 sf
% of Parking Stall Area Landscaped: 1,570 sf /
7,784 sf = 20.2% (exceeds 10% minimum)

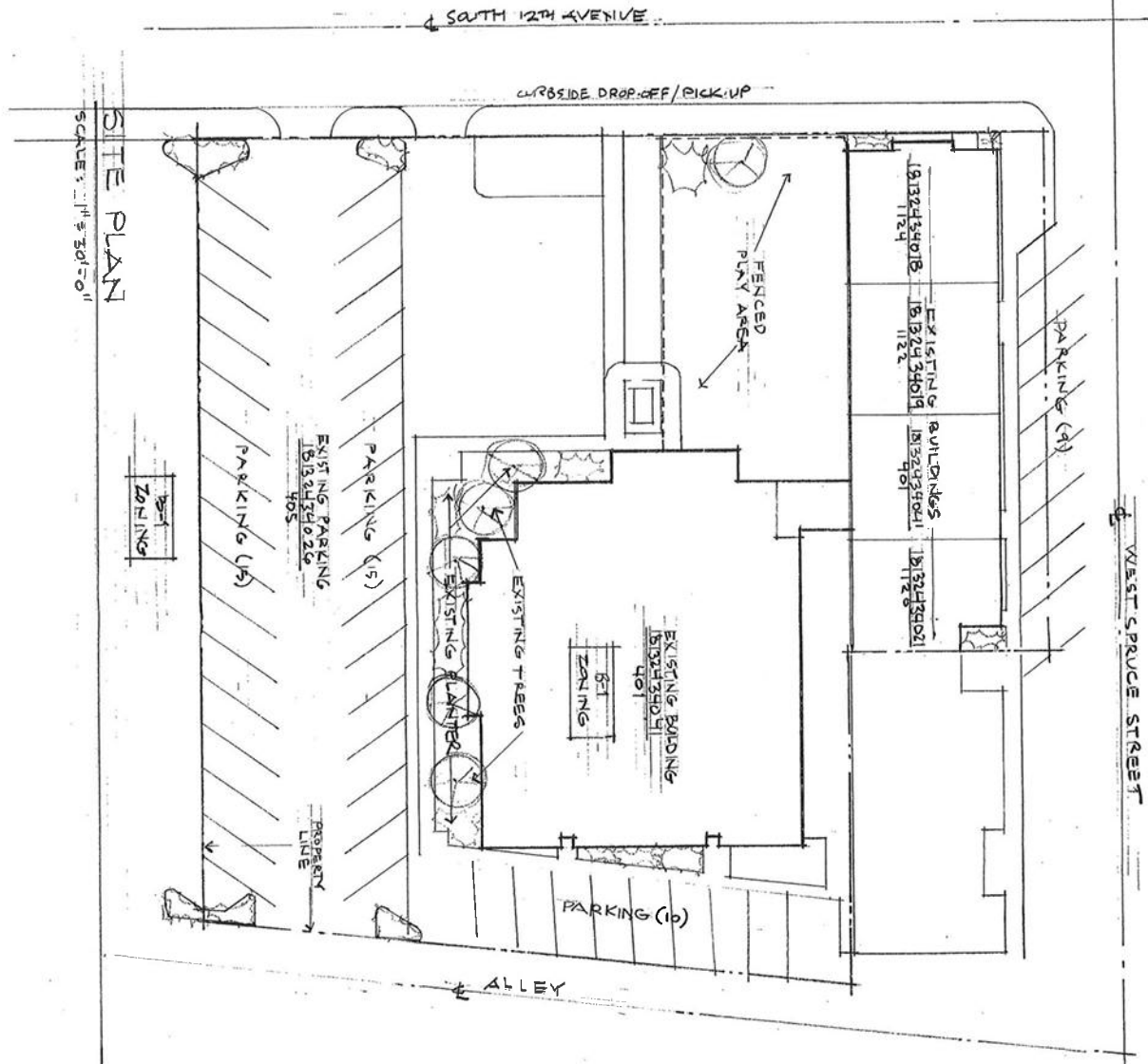
B-1 ZONING

Trees at Parking Area

1 Tree Required for Every 15 Parking Stalls
Existing Parking Stalls: 40
Required Trees: 40 stalls / 1 Tree per 15 stalls
= (2.67) 3 Trees
Existing Trees Adjacent to Parking Stalls: 5
Trees (exceeds 3 minimum)

Required Parking

Per Table 6.1, Primary/Elementary Schools: 3
spaces per Classroom
Number of Classrooms: 5
Required Parking: 3 stalls per Classroom x 5
Classrooms = 15 Stalls
Existing (Actual) Provided Parking: 40 Stalls
(exceeds 15 minimum)



B-1 ZONING

SOUTH 12TH AVENUE

CURBSIDE DROP-OFF/PICK-UP

PARKING (4)

EXISTING BUILDINGS
1B13243401B 1124
1B13243401A 1124
1B13243401 401
1B13243402 1124

FENCED PLAY AREA

EXISTING BUILDING
1B13243401 401
B-1 ZONING

EXISTING TREES

EXISTING LANDSCAPING

PARKING (5)

EXISTING PARKING
B13243402A 405

PARKING (6)

SCALE: 1/4" = 30'-0"

SITE PLAN

B-1 ZONING

WEST SPENCE STREET

Project Name: EDUCATIONAL SERVICE DISTRICT 105

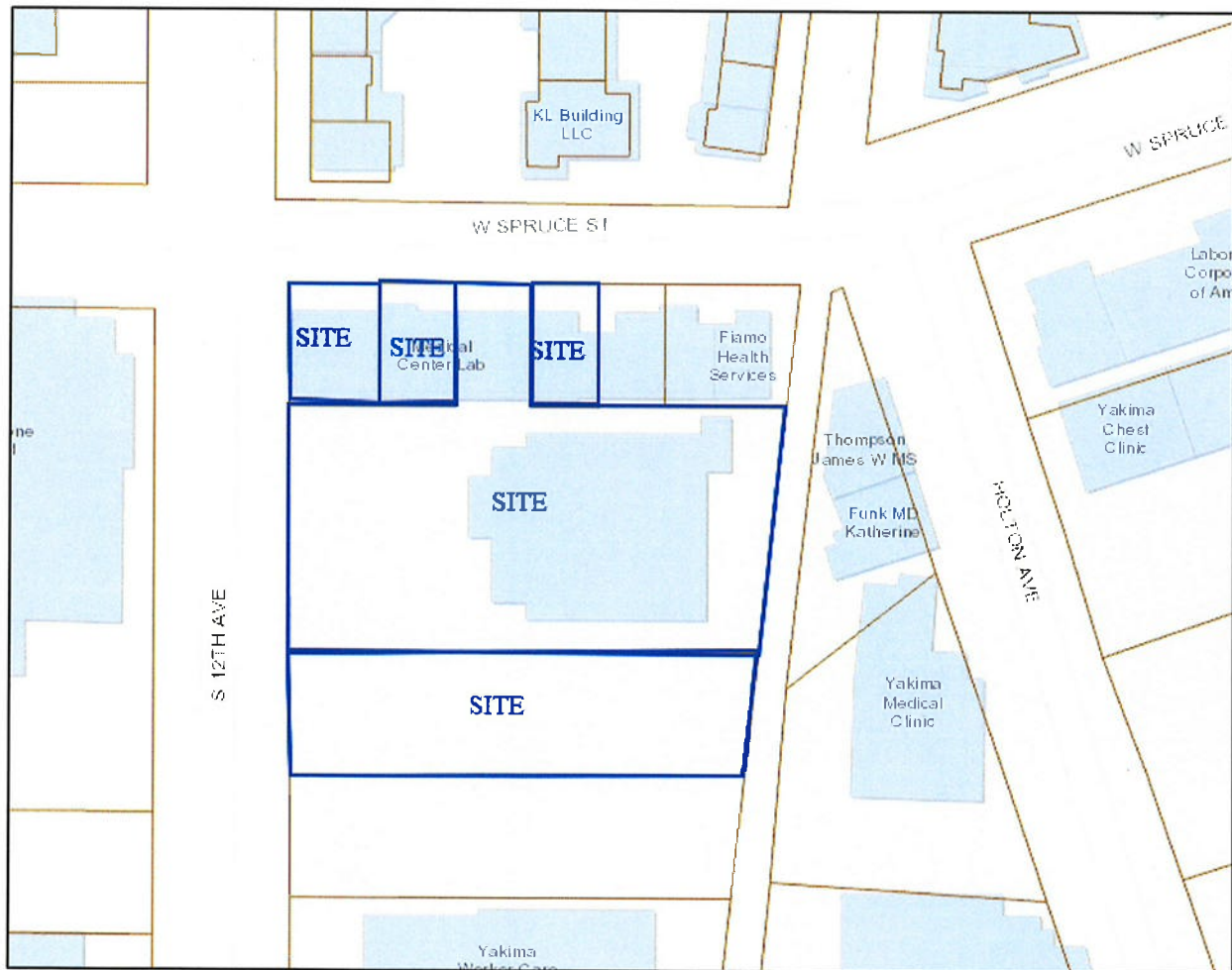
Site Address: 401 S 12 AVE

File Number(s): CL3#003-22

Proposal: Proposal to establish a learning academy in the B-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: 11/8/2022

