



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: May 3, 2023
TO: Applicant and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: Hordan Planning Services (410 N. 2nd St., Yakima, WA 98901) for Jeffery Baker
FILE NUMBER: NCF#001-23, ADJ#007-23
LOCATION: 1205 S. 18th St.
TAX PARCEL NUMBER(S): 191329-13448
DATE OF APPLICATION: April 19, 2023
DATE OF COMPLETENESS: April 28, 2023

PROJECT DESCRIPTION Proposed expansion of a nonconforming maintenance and repair shop in order to construct a 2,800 square foot storage building, and administrative adjustment to reduce the number of required parking spaces from six spaces to zero, in the RD 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: Maintenance and Repair Shops is not a permitted use in the RD zoning district.
2. Level of Development: Expansion of nonconforming use shall conform with YMC Ch. 15.19
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: Maintenance and Repair Shops is not a permitted use in the RD zoning district.
2. Density of Development: Expansion of nonconforming use shall conform with YMC Ch. 15.19
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 This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for **May 25, 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. Written comments may be submitted up to the date of the hearing. Please reference file numbers (NCF#001-23, ADJ#007-23) and applicant's name (Baker) 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: 3 de mayo, 2023
PARA: Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: Hordan Planning Services (410 N. 2nd St., Yakima, WA 98901) por parte de Jeffery Baker
No. DE ARCHIVO: NCF#001-23, ADJ#007-23
UBICACIÓN: 1205 S. 18th St.
No. DE PARCELA(S): 191329-13448
FECHA DE APLICACIÓN: 19 de abril, 2023
FECHA DE APLICACIÓN COMPLETA: 28 de abril, 2023

DESCRIPCIÓN DEL PROYECTO: Propuesta de expansión de un taller de mantenimiento y reparación no conforme con las normas, para construir un edificio de almacenamiento de 2,800 pies cuadrados y ajuste administrativo para reducir la cantidad de espacios de estacionamiento requeridos de seis espacios a cero, en la zona RD.

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: Talleres de Mantenimiento y Reparación no es un uso permitido en la zona RD.
2. Nivel de desarrollo: La expansión del uso no conforme se ajustará a YMC Ch. 15.19
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: Talleres de Mantenimiento y Reparación no es un uso permitido en la zona RD.
2. Densidad del desarrollo: La expansión del uso no conforme se ajustará a YMC Ch. 15.19
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: 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 **25 de mayo, 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 (NCF#001-23, ADJ#007-23) o al nombre del solicitante (Baker) 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:
**CHANGE OR EXPANSION OF A
 NONCONFORMING USE OR STRUCTURE**
 YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.19

CITY OF YAKIMA
 PLANNING DIV.

PART II - APPLICATION INFORMATION

1. TYPE OF PROPOSED ACTION: (✓check at least one)

Change from one nonconforming use to another nonconforming use

Proposed Use: _____

Expansion of a nonconforming use

Nonconforming use being expanded: Auto Maintenance and Repair Shop / construct new storage bldg.

Expansion of a nonconforming structure

How is the structure nonconforming: _____

2. SIZE OR INCREASE OF EXPANSION: 48' x 60' = 2,880 sq. ft.

3. EXISTING USE: (Must Be Taken From YMC Ch. 15.04, Table 4-1)

Automotive Maintenance and Repair Shops



4. WILL THE PROPOSED CHANGE:

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Increase residential density? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Increase the amount of required parking by more than 10% or 20 spaces? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Increase/decrease use/structure by more than 50% (includes previous modifications) of the existing use or structure? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Change or modify any special condition previously imposed under Class (1), (2), or (3) Review? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Increase the height of any structure? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Adversely reduce the amount of existing landscaping or the amount or location of required landscaping? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Add a drive-thru or include hazardous materials? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Expand an existing non-conforming use (except provided for in YMC § 15.19.080) or render a structure non-conforming? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Increase the degree of nonconformity of the structure? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Comply with all other development standards of the district in which it is located? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Create or materially increase any adverse impacts or undesirable effects? |

5. IS THE NEW USE OR CHANGE IN USE PROPOSED

- | | | |
|---|--|---|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | A nonconforming structure occupied by a Class (1) or Class (2) use or a single-family dwelling or duplex? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | A Class (1) or (2) use in that particular district? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Similar in character and hours to the operation and the use approved or existing? |

APR 19 2023

CITY OF YAKIMA
PLANNING DIV.

PART III - REQUIRED ATTACHMENTS

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

2. **DESCRIPTION:** A description of the location, size, and type of modification is required.

The proposal is to construct a 2,880 square foot (48' x 60') storage building near the northeast corner of the subject property. The structure will be constructed of metal to a height of approximately 16 feet.

The building will be used for storage of vehicles, tools/equipment and other miscellaneous items that need to be stored indoors.

3. **WRITTEN NARRATIVE:** (Please submit a *separate written response* to the following questions)

- A. Explain how are the proposal and associated improvements compatible with neighboring land uses.
- B. Explain how the expansion or change is not contrary to the public health, safety, or welfare.
- C. Explain how the proposal will not significantly depress the value of nearby properties.
- D. Explain how the use or structure was lawful at the time of its inception.
- E. Explain how the significance of the hardship on the applicant is more compelling than, and reasonably overbalances, any benefit the public may derive from denial of the relief requested.

4. **FOR PREVIOUSLY APPROVED USES AND STRUCTURES:** A copy of the Final Site Plan previously approved with proposed modification must be submitted.

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

NARRATIVE

A. Explain how are the proposal and associated improvements compatible with neighboring land uses.

The proposal and associated improvements are compatible with neighboring land uses because the new storage shop is associated with an existing commercial business within an established commercial area. This general neighborhood has been slowly changing from older residential uses into large commercial and industrial-type land uses. This proposal helps strengthen the existing commercial neighborhood land uses while providing the necessary relief to add an accessory use to the existing commercial business.

This proposal specifically will be compatible with neighboring land uses because it meets required setbacks and has been designed to have the “door openings” located on the west side of the building to prevent activities associated with the structure from disrupting surrounding land uses.

B. Explain how the expansion or changes is not contrary to the public health, safety, or welfare.

The proposed expansion is not contrary to the public health, safety or welfare because the proposed expansion benefits the public by creating a storage building, built to code, that will place unsightly miscellaneous items currently stored outdoors, within an enclosed building.

C. Explain how the proposal will not significantly depress the value of nearby properties.

The proposal will not significantly depress the value of nearby properties because this proposal enhances nearby properties by removing items stored outside to an indoor structure. The proposal also benefits surrounding properties by enhancing the value because the proposed improvement will be new which increases the value of the subject and surrounding properties.

D. Explain how the use or structure was lawful at the time of its inception.

The primary use of the property is an automotive maintenance and repair shop. The business was started in 2001 when the property was zoned Central Business District Support (CBDS). Automotive maintenance and repair shops were a Class 1 Review in 2001 per Table 4-1 – Permitted Land Uses.

E. Explain how the significance of the hardship on the applicant is more compelling than, and reasonably overbalances, any benefit the public may derive from denial of the relief requested.

The applicant hardship is more compelling than, and reasonably overbalances, any benefit the public may derive from denial of the relief requested because the applicant has established a very successful automotive maintenance and repair business at this location. He, and his location, are very well known in the community as he is a well-respected and highly trained mechanic that is very much in demand. Since 2001, he has been able to add onto the original structure due to the increase in business and clients know where he is located. The proponent also has a substantial amount of money invested in this particular location as well as the surrounding area.

In addition to this site, the proponent also owns three properties abutting this business on the south, east and north sides (191329-13405, 13407 & 12011). Over the years, the applicant has acquired these properties that were in very poor repair, fixed them up, and now provides housing for some of his family members. So, in short, blighted areas of this neighborhood have been obtained by the applicant and he has created a surrounding oasis that meets his business and family needs. Based on the above, there would be a substantial hardship on the applicant if it were necessary to move from his established historical site and start his business at another location.



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

$$\begin{array}{rcccl} 6 & & \pm & 0 & = & 6 \\ \text{Zoning Ordinance Standard} & & & \text{Proposed Standard} & & \text{Adjustment} \end{array}$$

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)

Automotive Maintenance and Repair Shops



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?
Strict enforcement of the current standards would require the construction of 6 new parking spaces for a storage shed that is to be used as an accessory structure. This storage shed will not be used by anyone, except the owner and his employees, so there is no need to provide 6 additional parking spaces. The owner and his employees currently use some of the 13 parking spaces which are already provided by the primary use. The number of existing parking spaces is adequate for both the primary use and proposed accessory storage shed.

2. How is the proposal compatible with neighboring properties? Have other adjustments been granted nearby?
The proposal is compatible with the neighboring properties because the building has been designed to have the openings on the west side of the building, thus, opening into the interior of the property. This will keep any adverse activities and noise away from adjoining properties which will promote compatibility between land uses. The property owner is not aware of any other administrative adjustments being granted nearby.

3. How is your proposal consistent with current zoning of your property?
The property is zoned Regional Development District (RD). This zoning district is intended to promote commercial activities. This proposal is commercial which promotes and supports existing commercial land uses within the described zoning district. Specifically, YMC 15.03.020M - Regional Development -- indicates that the district contains "..... land uses including retail sales and service establishments." This business is a service establishment which meets that intent of the zoning district was originally sited at this location based on that premise.

4. How is your proposal consistent with uses and zoning of neighboring properties?
The proposal is consistent with uses and zoning of neighboring properties because the immediate area is a mixture of commercial, residential, public and educational land uses, all located within a commercial zoning district. The addition of an accessory structure is not likely to even be noticed, as it lies east, and behind, existing structures on the subject property that are associated with this proposal. Residential land uses in the immediate area are currently located within an existing commercial zoning district and are aware of the commercial activities which are occur around them. Thus, they may not be as affected by commercial activity, compared to those living in a residentially zoned areas.

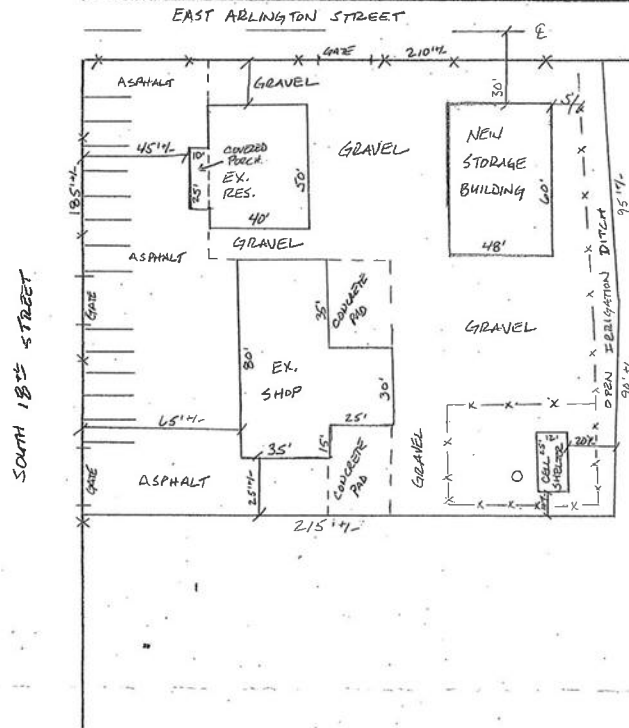
5. How is your proposal in the best interest of the community?
This proposal is in the best interest of the community because it permits an existing business to remain at its present location where the property owner has made substantial improvements to the subject property and generally cleaned-up prior nuisances on abutting properties he has purchased. The business owner, and the business's physical location, are a first-class operation that are well known and well respected. It is his desire to remain at this location for these reasons. The addition of this storage shed will keep unsightly items from being exposed to the elements and placed indoors, to keep the site in a well organized manner.



REQUIRED ATTACHMENT:

SITE PLAN

Note: Producing the site plan from this template is preferred, however, the template can be substituted for your own medium. (computer aided is acceptable.)



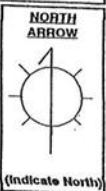
RECEIVED
 APR 19 2023
 CITY OF YAKIMA
 PLANNING DIV.

LOT COVERAGE CALCULATION	
a) Footprint(s) of Existing Structure(s)	10100 SQ FT
b) Building Addition/New Structure(s) Footprint(s)	2880 SQ FT
c) Paved Area(s) (Driveways, Walkways, patios, etc.) Total	13200 SQ FT
d) Proposed Paved Area(s)	0 SQ FT
e) Total Impervious Surface (a+b+c+d = e)	22180 SQ FT
f) Lot Size	38,233 SQ FT
g) Lot Coverage (e/f x 100 = g)	58 %

PARKING CALCULATION (Reference Table 6-1 of the Urban Area Zoning Ordinance)	
a) <u>6</u> space(s) required	
b) <u>0</u> space(s) provided	

LOT INFORMATION	
Parcel #(s)	191329-13418
Site Address	1205 S. 18th ST
Zoning	R2
Legal Description (brief)	GOODWINS 5 ACRE TRACTS, LOT 4

MAP SCALE: (Please use the given scale, however, in some circumstances a different scale may work better.)
CHECK ONE
 Preferred Scale: 1 inch on the map = 20 feet on the ground
 Custom Scale: 1 inch = 50'
 * Template tie marks are 1 inch apart



Produced by (print) BILL HORDAN
 Date: 4-18-23

BACKGROUND INFORMATION	
Applicant Name	HORDAN PLANNING SERVICES
Site Address	410 N. 2nd ST. YAKIMA, WA 98901
Mailing Address	SAME AS ABOVE
Contact Person	BILL HORDAN
Contact Phone:	() 249-1919
Applicant Signature	<u>BH</u>

Project Name: JEFFERY BAKER

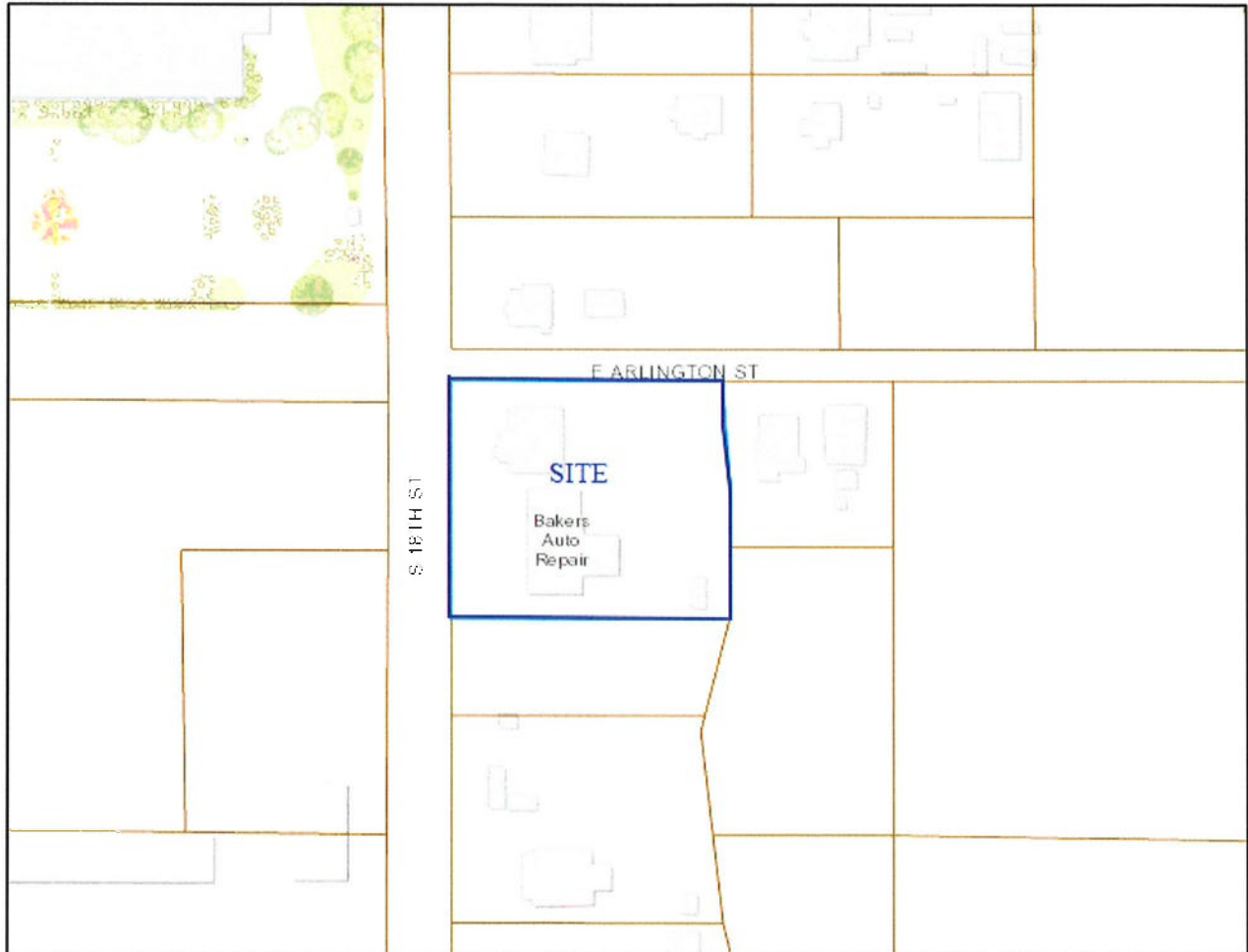
Site Address: 1205 S 18TH ST

File Number(s): NCF#001-23, ADJ#007-23

Proposal: Proposed Expansion of a nonconforming use to construct a 2880 sq. ft. storage building and an adjustment to the parking standard of 6 to 0, in the RD 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: 4/20/2023

