



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: September 29, 2023
TO: Applicant and Adjoining Property Owners
FROM: Joan Davenport, AICP, Community Development Director
APPLICANT: Yakima Housing Authority (P.O. Box 1447, Yakima, WA 98907)
FILE NUMBER: NCF#003-23, ADJ#018-23
LOCATION: Vicinity of S. 9th St. & E. Spruce St.
TAX PARCEL NUMBER(S): 191319-14483 & -14485
DATE OF APPLICATION: August 15, 2023
DATE OF COMPLETENESS: September 25, 2023

PROJECT DESCRIPTION Proposed expansion of a nonconforming multifamily development in order to add 18 dwelling units and 28 parking spaces, and administrative adjustment to increase the maximum lot coverage from 60 percent to 72 percent, 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: Multifamily Development (13+ DU/NRA) is not a permitted use in the R-1 zoning district.
2. Level of Development: 18 additional dwelling units (for a total of 38 dwelling units)
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: Multifamily Development (13+ DU/NRA) is not a permitted use in the R-1 zoning district.
2. Density of Development: Approximately 18.88 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.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING Your views on this proposal are welcome. This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for October 26, 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 (NCF#003-23, ADJ#018-23) and applicant's name (Yakima Housing Authority) 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: 29 de septiembre, 2023
PARA: Solicitante y Propietarios Adyacentes
DE: Joan Davenport, AICP, Directora de Desarrollo Comunitario
SOLICITANTE: Yakima Housing Authority (P.O. Box 1447, Yakima, WA 98907)
No. DE ARCHIVO: NCF#003-23, ADJ#018-23
UBICACIÓN: Vicinity of S. 9th St. & E. Spruce St.
No. DE PARCELA(S): 191319-14483 & -14485
FECHA DE APLICACIÓN: 15 de agosto, 2023
FECHA DE APLICACIÓN COMPLETA: 25 de septiembre, 2023

DESCRIPCIÓN DEL PROYECTO: Propuesta para una ampliación de un desarrollo multifamiliar no conforme para agregar 18 unidades de vivienda y 28 espacios de estacionamiento, y ajuste administrativo para aumentar la cobertura máxima del lote del 60 por ciento al 72 por ciento, en la zona 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: El desarrollo multifamiliar (13+ DU/NRA) no es un uso permitido en la zona R-1.
2. Nivel de desarrollo: 18 unidades de vivienda adicionales (para un total de 38 unidades de vivienda)
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: El desarrollo multifamiliar (13+ DU/NRA) no es un uso permitido en la zona R-1.
2. Densidad del desarrollo: Aproximadamente 18.88 unidades de vivienda por acre residencial.
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. 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 **28 de octubre, 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#003-23, ADJ#018-23) o al nombre del solicitante (Yakima Housing Authority) 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 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

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: Multifamily Development (13+DU/NRA)

Expansion of a nonconforming structure

How is the structure nonconforming: _____

2. SIZE OR INCREASE OF EXPANSION: .4 acres

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

Multifamily Dwelling (*): 13+ DU/NRA

4. WILL THE PROPOSED CHANGE:

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

5. IS THE NEW USE OR CHANGE IN USE PROPOSED

- Yes No A nonconforming structure occupied by a Class (1) or Class (2) use or a single-family dwelling or duplex?
- Yes No A Class (1) or (2) use in that particular district?
- Yes No Similar in character and hours to the operation and the use approved or existing?

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 .4 acres will of above referenced parcel will be utilized to extend the current non- conforming use of northern neighboring parcel 191319-14483. The referenced site will add 18 units and 28 parking stalls to the currently unused grass space. The current zoning is R-1, at both this and northern neighboring parcel. The northern neighboring parcel currently houses 20 units and 38 parking stalls (a non conforming use). The request is to extend the non conforming use of multifamily housing south to utilize the .40acres of empty lot space. The site will also under go a BLA to utilize some of the Northern parcel to maximize use of the space, making parcel 191319-14438 .64 acres at completion. Units will look similar in size and style to the northern neighbor, ensuring all other development standards of the district are in compliance.
3. WRITTEN NARRATIVE: (Please submit a <i>separate written response</i> 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

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PLANNING DIV.**

Non-Conforming Use Application
Section III – Written Narrative.

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AUG 15 2023

CITY OF YAKIMA
PLANNING DIV.

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

The proposed improvements of parcel 131319-14483 are compatible with the northern neighboring parcel. The intention is to extend like housing south to infill the unused parcel. The northern neighboring parcel is zoned R1 however the zoning was established after its construction completion. The request would be to extend the current non-conforming use south. The proposed site is also compatible with other neighboring parcels, as it too will provide housing.

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

The expansion of the non-conforming use will not affect public health, safety or welfare. Its only intention is to add approximately 18 multifamily housing units on the unused parcel, improving its use for those in need of housing and reduce unused space within city limits.

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

The addition of multifamily houses has not resulted in depression of neighboring properties, there have been numerous studies to this effect and the contrary is true, the improvement of this lot will likely provide an increase value to neighboring properties, as there will no longer be an empty, unused lot nearby.

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

Prior to the zoning ordinance being set in place these two parcels were purchased by YHA. The northern property was built upon with the understanding that the southern parcel would be improved upon at a later time. After the zoning ordinance, the area was deemed for R1 use, and the northern property set as an allowed non-conforming use. The southern property is in need of improvements and the extension of the multifamily housing from the northern parcel should be allowed since that was its intention at purchase and allowed at that time.

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 hardship is that the use changed after purchase, the northern parcel is allowed to maintain as multifamily and therefore so should the proposed property. The Yakima Housing Authority prides itself on following its mission to create strong communities through safe and affordable housing and ask that we may continue to serve the valley by installing like housing units to the south of the allowed use. The public will continue to benefit from YHA owned apartments as they are well maintained and safe.



Supplemental Application For:
ADMINISTRATIVE ADJUSTMENT
YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.10
CITY OF YAKIMA PLANNING DIV.

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

60% ± 72% = 12%
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)

Multifamily Dwelling (*): 13+ DU/NRA

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)

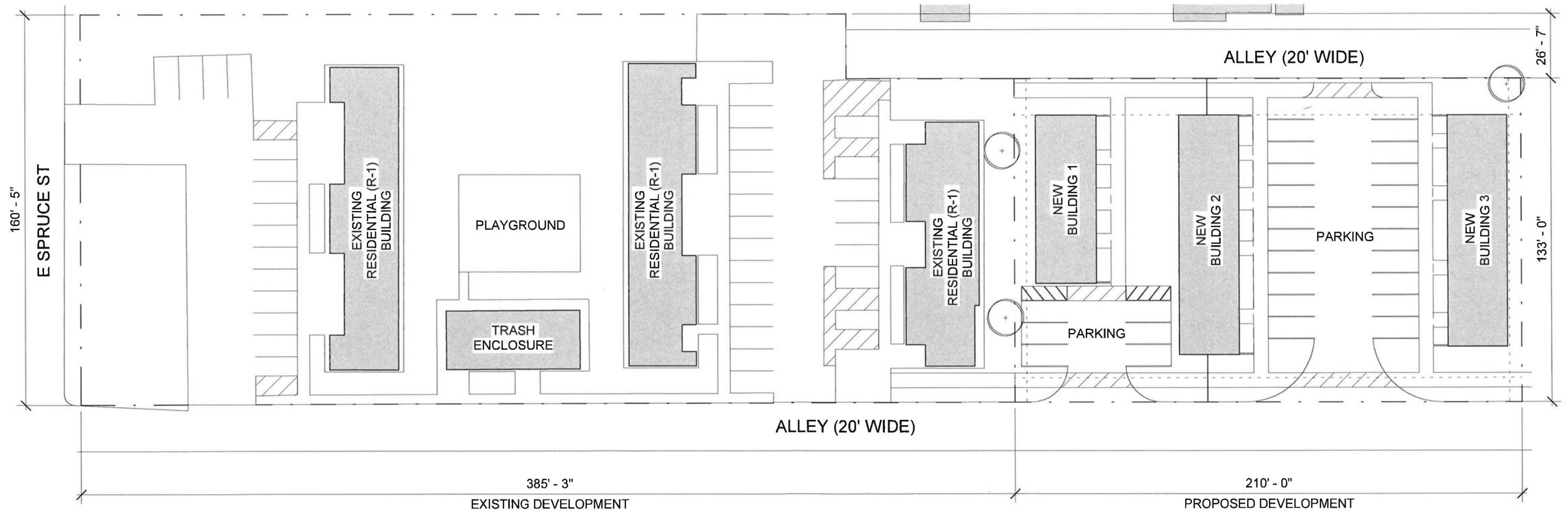
- 1. How would the strict enforcement of the current standard affect your project?
2. How is the proposal compatible with neighboring properties?
3. How is your proposal consistent with current zoning of your property?
4. How is your proposal consistent with uses and zoning of neighboring properties?
5. How is your proposal in the best interest of the community?

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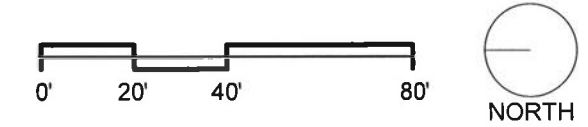
SEP 18 2023

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LOT COVERAGE CALCS	
EXISTING DEVELOPMENT	
LOT AREA	59,773 SF
BUILDING AREA	10,335 SF
IMPERVIOUS SITE AREA (MINUS BUILDING AREA)	24,209 SF
LOT COVERAGE	$(10,335 + 24,209) / 59,773 = 57.7\%$
NEW DEVELOPMENT	
LOT AREA	27,921 SF
BUILDING AREA	6,572 SF
IMPERVIOUS SITE AREA (MINUS BUILDING AREA)	13,545 SF
LOT COVERAGE	$(6,572 + 13,545) / 27,921 = 72.0\%$



1 FULL DEVELOPMENT SITE PLAN
A1.0a 1" = 40'-0"



Project Name: YAKIMA HOUSING AUTHORITY

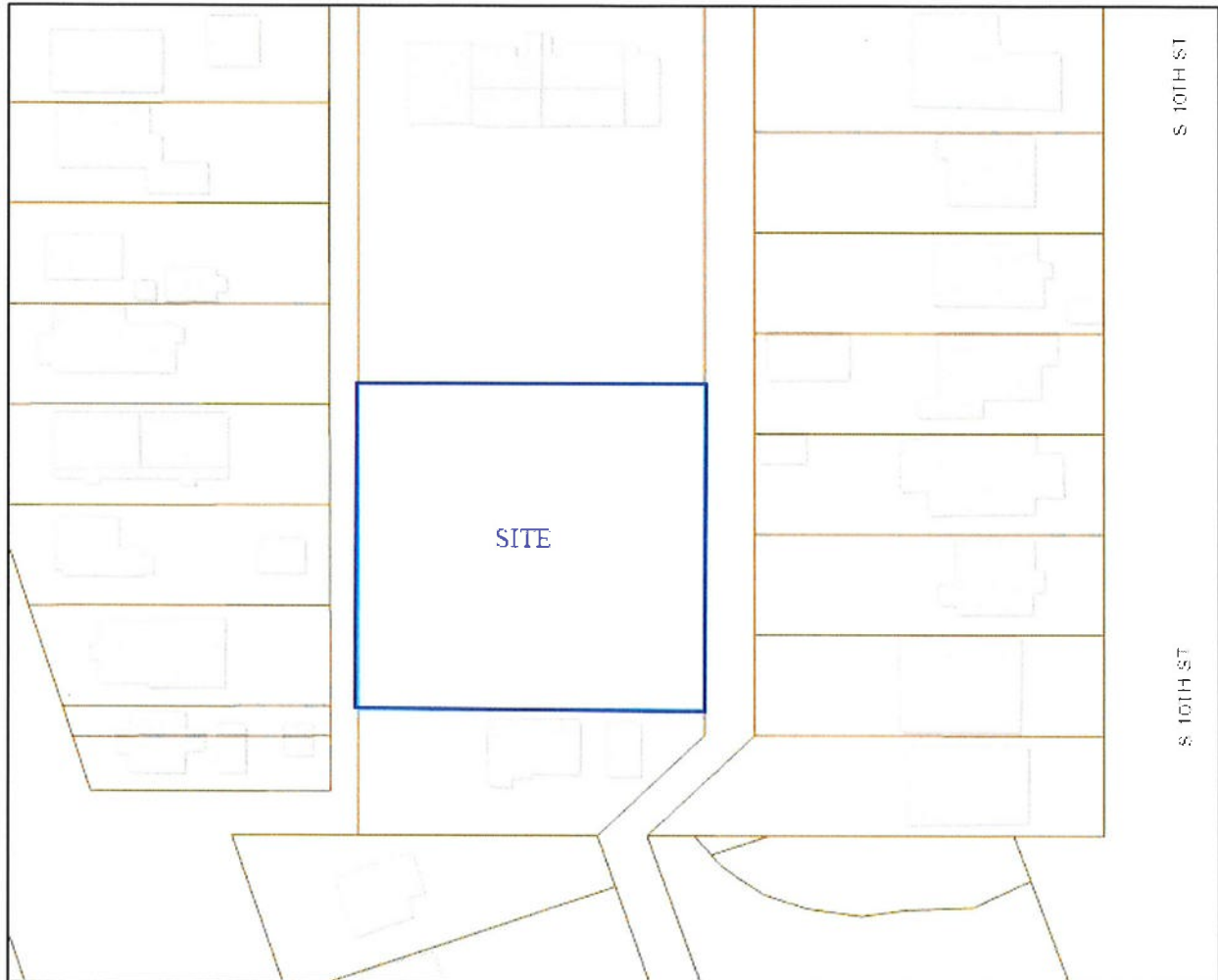
Site Address: S 9TH ST/SPRUCE ST

File Number(s): NCF#003-23, ADJ#018-23

Proposal: Proposed expansion of a nonconforming multifamily development in order to add 18 dwelling units and 28 parking spaces, and administrative adjustment to increase the maximum lot coverage from 60 percent to 72 percent, 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: 9/29/2023

