

Zillah Lakes Planned Development

Final Planned Development Plan

December 20, 2017 as modified March 4, 2022

Introduction

The Zillah Lakes Planned Development Plan is proposed as an amendment to an earlier approved Planned Development for the project site. The property is zoned Commercial Tourism (C-T) with the Planned Development Overlay. Development of the project is expected to generally conform to the intent and requirements of the C-T zone except as modified by the Planned Development Plan. Although residential development is not currently a permitted use in the C-T zone it is allowed by the Planned Development Overlay in mixed use planned developments.

Character of the Proposed Development

~~About 35~~ **Approximately 40** percent of the project will consist of commercial development, focused on traveler oriented commercial land uses but also to include community and neighborhood commercial land use. Modifications proposed by this amendment more specifically delineates the commercial and residential and recreational parts of the development, with commercial located primarily in the southern and eastern parts of the property centered on Vintage Valley Parkway and adjacent to Interstate 82. Commercial development, originally conceived as a brew-pub, but which could become a resort hotel or other commercial land use is also planned on Yakima Valley Highway in the northern part of the site.

The remaining part of the site is residential, resort and recreational consisting of 247 residential lots, ~~six~~ **three**-hole golf course, park, open space, constructed lakes and a stream corridor created by the Konewock and Buena Irrigation Ditches. This part of the site is primarily in the west and north and is accessed from both Yakima Valley Highway and Vintage Valley Parkway.

As a part of the project approval process, the site underwent a substantial SEPA environmental review and is governed by a Mitigated Determination of Nonsignificance (MDNS) issued by the City of Zillah on January 20, 2006. It is the intent of this plan to incorporate the measures determined to be necessary to mitigate significant environmental impacts, although some modifications are necessary due to new information and changes in circumstances that have occurred since its issuance. This is as reflected in an updated MDNS, issued as a final SEPA document on October 2, 2017. Also as a part of the SEPA environmental review process, studies were conducted to address traffic impacts, wetland and stream corridor restoration.

The completed portion of the Zillah Lakes development consists of 68 residential lots in Phase 1, along with 8 lots for resort, commercial and community use. Since this phase has already been recorded and is substantially developed, it is not included in the current application and is incorporated into this plan by reference, meaning that no changes to the phase are being made. It

does have an influence on the remainder of the project to which it is interconnected and shares amenities. Phase 1 is included in the totals used to calculate land use distribution and density. Existing improvements of the rest of the site include the golf course (as modified by the current plan), constructed lakes, the stream corridor that passes through the site, a pre-existing barn and residence being used by an employee of the golf course for caretaking and maintenance purposes, partially constructed Barbee Court – a private access street providing future access to several phases and several trails and gravel roads used for maintenance, golf course access and pedestrian use.

Planning Objectives

The Zillah Lakes Planned Development is a residential and resort community built around man-made recreational lakes and ~~six-hole golf course~~¹ common open space. Most home sites and townhomes feature lake, or golf course or open space views. The focal point of the residential portion of the planned development is the currently existing town center. Vintage Valley Parkway would be the focal point for the commercial and residential areas that front on it and Buena Road.

The principal objective is to develop a quality destination and year-round community taking advantage of the climate, topographic features and amenities of this location and the small-town charm of Zillah. The development combines destination resort amenities, second homes and year-round owned residences. It is expected to appeal to residents of Seattle, Portland and other metropolitan areas attracted by the climate and the wine country experience of the open vistas, agricultural character, hills and mountains surrounding the Yakima Valley, wineries and recreational opportunities.

A new principal objective is to better define and separate the Vintage Valley Parkway commercial center from residential and recreational areas. While the current plan provided a more distinct boundary between residential and commercial land uses, further refinement of this distinction is proposed. Under the current plan, there are still some incursions of commercial into residential areas that are not optimal in terms of compatibility and character. This does not refer to the existing mixed use of the town center in Phase One, but rather better delineation of the commercial area on Vintage Valley Parkway. This is to be done by eliminating planned residential development of commercial tracts, moving the edges of the commercial properties farther from the neighborhoods and putting streams and lake shorelines in open space tracts rather than commercially designated areas.

Specific project modifications to meet the identified objectives of the modified plan include the following:

- 1. Tracts ‘G’ and ‘H’ are no longer being used for residential use.**
- 2. Tract GC3 is being changed to Tract ‘T’ for commercial development where it fronts on Vintage Valley Parkway, with the part bordering on existing residential phases being designated Residential.**

¹ The golf course is designed to provide for nine-holes by repeating play on three golf holes.

3. That part of Tract 'E' located north of the stream and including the entire stream buffer is being changed from Commercial to Open Space.
4. Tract 'I' is being changed from Commercial to Open Space.
5. Part of Tract 'D', bordering on Buena Road is being changed from Commercial to Open Space and will become part of the Phase 9 open space area. The part of Tract 'D' that will remain commercial will be oriented to Vintage Valley Parkway rather than Buena Road.
6. The north boundaries of Tracts 'F', 'G' and 'H' are to be shifted away from the vegetative buffer for the stream so that the stream and its buffer are entirely on open space and park tracts to the north.

Secondary objectives:

1. Complement the design and style of Phase 1 development.
2. Offer accommodations, supplies, services and recreational opportunities to the traveling public and to surrounding residents. This includes services and opportunities that may not come to mind when referring to tourism but that bring in customers from outside of the City and benefit the community economically.
3. Bring the plan up to date with changes that have occurred since the initial concept. Most significantly, Vintage Valley Parkway is being improved as a City collector street with its alignment being changed from that originally proposed.
4. Make improvements in site layout that better accommodate open space, recreational areas and natural systems on the project site.
5. Develop the site to accommodate development, parking, storm drainage and access to open areas.
6. Incorporate the completed site development, environmental review documents and past City approval decisions for the planned development with modifications and update to address changes in development plans, new information and changes in circumstances.

Factors that determine proposed scheme

The project builds upon a planned development concept begun over a decade ago by others. That plan did not include a master plan but aspects of the project have been documented or are apparent from site development. Since the planned development is now partially developed. Phase One is not a part of this Planned Development Plan, but acknowledged by this plan with proposed development designed to be complementary using the same or similar design elements such as street design, architectural elements and the existing community center as the focal point.

Residential development is designed around the golf course, **open space** and constructed lakes. **De-emphasizing the golf course results in its being less of a factor that determines the**

proposed scheme. The constructed lakes continue to be a factor and the stream through which the Buena Irrigation Ditch flows is a feature, physical barrier and an amenity and has an influence on project design.

Highways and arterial streets, existing and proposed, surround the development site and are primary determinants in locating the commercial elements. These include Yakima Valley Highway to the north, Buena Road (and Highway 22) to the west and Interstate 82 to the south. The project site lies between and will have access to two interchanges on Interstate 82: Buena Road (Highway 22) and North Meyers Road / First Street. The currently planned alignment of Vintage Valley Parkway through the southern part of the site provides the primary commercial corridor through the project site. Its alignment, having been relocated from that originally proposed, influences golf course and open space layout.

Proposed commercial and multiple family residential areas provide a transition from the primarily single-family residential elements of the project and the commercial elements. The project is being designed to ensure that residential areas of the site are not negatively impacted by commercial or industrial uses on or off of the proposed site. This is accomplished by providing a more distinct boundary between primarily residential and primarily commercial areas and through the use of buffers, artificial and natural

Site and building design principles

Buildings would be constructed in a manner that is consistent with the character of the existing development. Buildings on residential lots will be one to two stories and not expected to exceed 35 feet in height. Buildings in the commercial corridor on Vintage Valley Parkway are generally not expected to exceed the maximum 50-foot building height of the C-T zone, although it may be possible for a hotel to exceed this height limitation in order to accommodate the type and number of units being provided.

It is intended that the design and character of residential buildings and streetscapes are to be consistent with that of Phase 1 development. The current CC&R's provide for the establishment of an Architectural Review Committee and guidelines such as building height, limits on exposed foundations and architectural integration of decks and appurtenances. There are no stated requirements for architectural style, although the committee is given the authority to approve construction materials and colors of exterior building surfaces. The site is located in Zillah's Tuscan Design District 1, an area designated by the City as being subject to the "Old World" design theme. Conformance is required of mixed use planned developments and requires City approval of design features.

Residential units in Phase 1 typically have stone fascia and wooden exterior design features. Since standards are already in place in City code and the existing CC&R's, the following principles are intended to conform to those standards, rather than creating new standards that may conflict with them. The New CC&R's will include building design requirements similar to those existing for Phase 1.

1. Residential buildings will be constructed in a manner that is consistent with those currently existing. Likewise, private streetscapes will also be consistent, although standard street light poles will be used outside of the Phase 1 core.

2. All buildings will be subject to building and zoning codes. Past approval of the buildings in Phase 1 that are located in the City's Tuscan District 1 indicates that their design is consistent with City standards.
3. The Architectural Review Committee provided for by the CC&R's will be relied upon to consider neighborhood tastes and consistency and to allow for City requirements.
4. Conformance to building heights, lot coverage, setbacks and other standards from the Zillah Development Code and this plan.

Present Ownership

The owner and developer of the property is Hemphill Brothers, Inc. Areas of the current planned development that are not substantially owned by Hemphill Brothers are not part of this application. Excluded areas include Phase 1, properties on the northeast side of the I-82 Buena Road interchange owned by WIVY, LLC and two parcels labeled 'Tracts B & C' on the preliminary plat, that front upon and access Buena Road. The areas that are not included in this plan will continue to be subject to the provisions and requirements of the current Planned Development Overlay until modified by the City or property owners. This plan has no direct effect on them although it is intended to complement the principles of the existing planned development (to the extent that they have been documented) and the existing land uses.

Proposed Pattern of Ownership

It is intended that ownership of all of the properties in the development will be conveyed to others, although the principals may continue to have an interest in some of them. Lots will be purchased by residents and investors, many of whom will live on them year-round while others will occupy them part-time as second homes. Some of them may be rented. Timeshare units are not allowed except as part of a resort or hotel on one of the commercial tracts. This will be reflected in the CC&R's for the development.

Commercial tracts are to be sold to developers, investors or business entities to develop in accordance with this plan. Some properties may be made available to public entities (an existing example is the Yakima County Sheriff substation in Phase 1).

Ownership and Management of Community Facilities

Community facilities consist of the golf course, lakes and stream corridor, parks and undeveloped open space areas and private streets and trails. The existing barn may become a community facility. Ownership and management of community facilities is to be by one or more homeowner or property owner associations. However, the golf course may be owned and managed separately by the developer or other entity.

Description of Natural Setting

The physical character of the site is mostly flat, surrounded by low bluffs with orchards and vineyards to the north and wooded areas along the Yakima River to the south. Higher hills of the shrub-steppe provide a more distant backdrop and behind them, the more distant Cascades crowned by the snow-covered peaks of Mount Adams and Mount Rainier. The development site enhances these characteristics with artificial lakes, golf course and restored stream corridor.

The Konewock Irrigation Ditch enters the site at the northern boundary and the Buena Ditch enters at the western boundary. The Buena Ditch combines with two smaller agricultural drains that enter across the northern boundary and flows through a dug ditch through the property. The combined Buena Ditch and Konewock tailwater leaves the site through culverts under I-82.

The Buena Ditch is shown by Washington Department of Natural Resources mapping to be a Type F stream (fish habitat) while the Konewock Ditch is shown as “unknown”². However, further analysis in the technical documents prepared for Corps of Engineers permitting requirements indicate that these streams are not used by anadromous fish. On page 5 of the Zillah Lakes Mitigation and Enhancement Plan is the following statement:

“Anadromous fish are excluded from the irrigation ditches at both upstream and downstream ends. Small species of resident fish likely use the ditches during periods when water flows.”

Under Section 2.5, on page 17 is the following statement:

“No special status wildlife or fish species are known or suspected to use the project site for breeding or foraging. An assessment of federally listed threatened and endangered species and essential fish habitat was prepared for the project site and submitted to the Corps on February 9, 2007.”

These streams have associated natural and constructed wetlands that have been delineated and mapped along with natural buffer areas as shown on the site plan and preliminary plat.

There are eight lakes on the site, including three lakes in the “Lake” tract, one of which is only partially completed. One or two of the smaller lakes may need to be partially or completely filled to accommodate Vintage Valley Parkway improvement. The area of the tract containing the three largest lakes, which are connected in a way that could result in them being considered a single lake is 19.2 acres. Completion of the last lake is scheduled for Phase 12, although it could occur sooner.

Part of the site west of Fountain Boulevard is in an area mapped and designated under the National Flood Insurance Program (NFIP) as a Zone ‘A’ or non-detailed 100-year floodplain. This is associated with a drainage that comes from the hills to the north, crossing the site in a generally northeast to southwest direction. It then terminates at the elevated freeway ramps of Interstate 82. As a non-detailed feature, the base flood elevations have not been determined and the limits of the floodplain are generalized and probably not depicted accurately by NFIP mapping.

² This was disclosed in the September 8, 2006 JARPA form submitted to the City and also circulated to the Washington Department of Fish and Wildlife and U.S. Army Corps of Engineers

Project Information

Number & Types of Structures

Residential

The development proposes 247 residential lots, in addition to the 68 residential units in Phase 1. Residential development consists of 172 new lots for detached single-family residences and 75 lots for common wall townhomes with each unit located on a separately subdivided lot in fee-simple ownership. The latter units will be connected along “zero lot-lines” in groups of between two and four residential units per structure.

~~Tracts ‘G’ and ‘H’ located on Vintage Valley Parkway are to be developed for multiple family residential use, probably townhomes, similar to those in other development phases. Other types of ownership are possible for these units, but for the purposes of this plan, they are being referred to as condominium townhomes.~~

~~No construction plans have been developed for these tracts, so the number of units developed has not been precisely determined. Taking the length of the frontage of the two tracts on Vintage Valley Parkway and comparing the number of units with those in other phases, i.e., assuming the same building widths and setbacks, an estimated 35 to 40 units would be expected, although this may be conservative and it may be possible to fit more units in this area. An estimate of up to 50 dwelling units is being used for the purposes of this plan, but is not binding provided that the following limitations will be observed:~~

- ~~1. Building height not to exceed the maximum specified in the C-T zone.~~
- ~~2. Required buffer widths from the stream corridor will be met.~~
- ~~3. Sufficient parking will be provided to standards of the Zillah development code.~~
- ~~4. Lot coverage and setbacks from exterior lot lines to the Zillah development code.~~

~~The planned number of residential dwelling units totals 297 including both the proposed subdivided lots and up to 50 condominium units on Tracts G and H. Adding the 68 existing Phase 1 lots, residential development totals 365 units. The current development plan is broken down by the number of residential townhouse units in each development phase:~~

Phase 2: Five two-unit townhomes	10	Phase 8: condominium townhomes	50
Phase 4: Four two-unit townhomes	8	Phase 9:	22
Phase 6: Five two-unit townhomes	13	Phase 12:	22
One three-unit townhome			
Cumulative + Phase 1 Units	<u>55</u>		<u>149-99</u>

The cumulative number of townhome units shown above include the 24 approved and completed units in Phase 1 and the existing duplex in the Fountain Boulevard short plat, which for the purposes of this plan is being included in the number of Phase 2 units. The total number of these “multi-family” units comes to 55 before the completion of Vintage Valley Parkway. An additional 94 townhome units would be developed following Vintage Valley Parkway completion.

Commercial

The type and number of commercial buildings has not been determined and will be based on market conditions, developer objectives and City regulatory constraints. The zoning standards of the C-T zone will apply except where those standards are being modified by this plan.

Community and Other Types of Structures

In addition to community buildings that could be allowed on any of the proposed commercial tracts either under this plan or as allowed by the C-T zone, open spaces and community tracts may have structures such as restroom and recreational buildings and lift or pumping stations associated with utility functions of the development. If appropriate, they may be located on the tracts that are set aside for private streets and off-street parking.

The existing barn on the site, located on Tract 'I' is considered to be an integral part of development character and it may be converted to community use, although Tract 'I' is part of the commercial area of the planned development. The tract may also be used for other community purposes, such as recreational purposes or maintenance facilities. A currently existing manufactured home being used as a residence for a property caretaker will be removed and not replaced as part of the development plan.

Lot Size and Density

The Zillah Municipal Code generally does not limit density except using minimum lot size and lot coverage standards although it indicates that low density development is generally seven dwelling units per acre or less (ZMC 17.14.010(A)), moderate density development is between seven and twelve units per acre (ZMC 17.14.010(B)) and that high-density development is 13 dwelling units or more, *net* density (ZMC 17.14.010(C)). None of these are standards that are imposed directly on the C-T zoning district or Planned Development Overlay and there are no density standards in the comprehensive plan.

The original development proposal for Zillah Lakes was for housing density of 5 dwelling units per acre based on 300 single family lots, 335 duplex, townhome and zero lot line parcels and 196 apartment units.³ This comes out to a total of 831 dwelling units. The density calculation does not include a proposed 120 to 150 unit assisted living facility, probably because it was being considered a commercial land use. Accounting for the 28% of land area estimated for homes and “miscellaneous parking” the net density was slightly less than 14 dwelling units per acre.

The proposed number of dwelling units was reduced in subsequent versions of the plan. The number of units considered to not have significant environmental impacts (with mitigation) by the January 20, 2006 MDNS was 652 single family and common wall units. Under this plan, the

³ November 22, 2005 SEPA Environmental Checklist for “Zillah Lakes” prepared by Zillah Prairie, LLC, p. 3 B.1.g.

number of residential lots is reduced further to 315, while the amount of commercial land is increased from about 25% to 35% of the total area.

As currently proposed, the net density is about 7 dwelling units per acre. This includes the common wall units which have an average density of 13 dwelling units per acre and single-family lots with about 6 dwelling units per acre. The common wall units would be considered high density development under the Zillah Code definition while the single-family development would fall under the definition of low density.

The gross residential density of the Zillah Lakes Planned Development is expected to be about 2.5 dwelling units per acre assuming maximum residential build-out and excluding commercial tracts from the calculation. Overall, the residential portion of the project provides a low gross density and is consistent with the Planned Development Overlay due to the amount of open space being provided.

Proposed residential lot sizes are as follows:

Single-family detached: 6,000 to 6,600 sq. ft.
Exterior common-wall townhome lots: 2,975 sq ft
Interior common-wall townhome lots: 2,550 sq ft

Many of the lots, especially detached single-family lots are larger. The 6,000-square foot minimum lot size is for detached single-family lots where on-street parking is being provided rather than separate off-street parking areas. The smaller lot size accommodates the additional street width using a smaller lot depth and setback, as measured from the front property line.

Townhome lot sizes are based on two to four 30-foot-wide units attached on zero lot lines with five-foot side setbacks from the exterior side units. This results in 35-foot-wide lots for exterior units and 30-foot-wide lots for interior units.

The following table provides a comparison of the size of the combined lots as proposed with a townhome structure on a single lot meeting the minimum lot size requirements for two and multiple-family dwellings in the R-3 zone:

Two Unit (duplex) Townhome	5,950 sq ft.	Duplex lot in R-3 zone:	8,000 sq ft
Three Unit (triplex) Townhome	8,500 sq ft	Triplex lot in R-3 zone:	8,000 sq ft
Four Unit Townhome	11,050 sq ft	R-3 multifamily lot for four units:	8,000 sq ft

Common and Private Open Space

Common open space consists of the lakes, golf course, a park and other open space areas. The project is configured to provide most lots with either frontage on the golf course, lake or other open space areas. Commercial tracts are within 1,000 feet of the golf course, open space areas or one of the smaller lakes on the site.

Open space comprises more than 30 percent of the total site area. "Usable" open space, calculated to include at minimum, the golf course, park and lake tracts make up about 25 percent.

Golf Course Design

The golf course is being redesigned to provide a more defined transition from commercial to residential recreational parts of the site. ~~While it is being relocated mostly north of the main lake, it is also being extended farther to the east to provide for a par 5 golf hole with a length of more than 450 yards.~~ The course is being designed with ~~six~~ **three** holes and will provide for nine holes of play by repeating play on ~~three~~ of them.

Community Parks/Amenities

Besides the golf course and Phase 1 amenities, community amenities include a park in Phase 12, two boat launches in Phases 3 and 11 respectively, a network of walking trails, the lakes themselves and other open space areas. Improvements that may occur in open space areas ~~or in commercial Tract 4~~ include associated structures such as restroom buildings, picnic shelters, gazebos, benches, etc. Also, additional swimming pools may be provided in these areas along with sports courts such as tennis courts, baseball, soccer or football fields. Specific locations are not being identified by this plan in order to give future homeowners the opportunity to decide how these amenities are to be provided.

The stream buffer on both sides of the Buena and Konewock Ditches will remain natural as required. The existing barn on the property may be kept in community ownership or it may be developed for commercial use. The manner in which it is used to be determined at the time of development based on needs and feasible options at that time. Possibilities include a community or recreation center. ~~The plan would allow for accessory small scale commercial use of the facility for such as a coffee stand, delicatessen or exercise facility.~~

The park in Phase 12 may be improved and made available for use by residents sooner. Likewise, the first hole of the golf course is proposed for modification before the open space tract in which it is located is actually platted during Phase 9. Both improvements will be located in the separate tract making up the remainder of the undeveloped subdivision upon completion and recording of each phase.

Landscaping

Open space areas such as the park and the golf course will be landscaped in a manner appropriate to their use (such as grass turf). The lake shores and buffer areas on the stream corridor are not necessarily landscaped but maintained in natural vegetation and controlled for noxious weeds as necessary.

Landscaping standards are provided for in the existing CC&R's include giving priority to natural vegetation and xeriscape landscaping and requiring minimum numbers, types and sizes of trees on residential lots. Similar landscaping standards for individual lots will be established by new restrictive covenants for the development. Residential street frontages in the townhome phases are to be similar in type and appearance as that of the residential street frontages in Phase 1. Phases consisting entirely of detached single family residential lots will have owner maintained landscaping typical of single-family residential neighborhoods. Drainage bioretention swales along street frontages will have to be maintained as required using easements and restrictive covenants.

Buffers are required where residential areas border non-residential zoning districts, arterial streets and where non-residential construction is across the street from or adjacent to a residential zone. These buffering requirements are to be met as follows:

- a. Residential areas border non-residential zoning districts across Yakima Valley Highway, which is not designated as an arterial by Yakima County, although it is a major street. A glare screen is to be installed on the guardrail in the right-of-way for Yakima Valley Highway under an agreement with Yakima County. Since ultimate approval of this improvement is made by the County, rather than the City, it is requested that it only be required if allowed by the County.
- b. For the most part, residential areas of the planned development are already buffered from commercial areas within the planned development by the stream corridor and open space tracts. The exceptions are for short distances in Phases 3 and 6 that border on commercial tract Y, the boundary between Tract J and Phase 5 ~~and where Tract G borders Tract F~~. In each of these locations, a minimum 10-foot-wide planting strip will be established at the time of development on the adjoining commercial tract. ~~In the case of Tracts F and G, the planting strip may be on either tract or split between them.~~
- c. Residential areas border on Vintage Valley Parkway, a collector street, ~~in two locations: where Phase 5 residential lots front on the street and on the street frontages of Tracts G and H. Ten-foot-wide planting strips will be provided at the time of development along the frontages of Tracts G and H.~~ The option of using six-foot high fences or walls is proposed along with typical residential landscaping on the side yards of the two Phase 5 residential lots that front on Vintage Valley Parkway with a reduction of the normally required side setback to accommodate them. They will be set back sufficiently from the street corners so as not to impair sight distance.
- d. Non-residential areas are across the street from or bordering on a residential zone on the east side of Tract Y and along the slope above Tracts K and L. A ten-foot-wide planting strip will be provided on the east side of Tract Y as a part of its development. The remainder of this slope is 30 to 40 feet in height and as such already provides a substantial buffer from existing residential land uses above the slope. Much of the length of this slope borders the golf course.

Open space and site screening buffers are shown along with parking areas on Figure 2.

Streets and Circulation

The Mitigated Determination of Nonsignificance (MDNS) limits development to 264 residential dwelling units and requires additional traffic analysis for the development of additional units and any commercial development. As a new street that should be able to accommodate the type of development being proposed, it is recommended that the City use its traffic concurrency review process to determine if additional traffic analysis is necessary for new commercial development having direct access to Vintage Valley Parkway.

Private street designs are depicted in Figures 1-1 through 1-3. As required by Condition #4 of the November 20, 2017 City Council approval decision, all streets will have sidewalks and streetlights. “No Parking” signs will be installed in T-turnarounds (hammer-heads). In order to accommodate storm water, border curbs may be used rather than rolled curbs on short street cul de sacs such as Bumping Lake Court, Blue Lake Court, Roosevelt Lake Court, Rock Lake Court and Bonnie Lake Court.

Vintage Valley Parkway is a City urban collector street that will extend across the site from the west end of the currently improved part of the street to Buena Road. Its improvement includes new roadway, barrier curb and gutter, sidewalks with ADA ramps (where needed), storm drainage improvements and street lighting. Widening of Buena Road for right turn lane is included. These improvements are on the City of Zillah Transportation Improvement Program for 2017 to 2022 and scheduled to begin in 2020. As such the improvements are considered to satisfy the concurrency requirements of the Growth Management Act to the extent that they are necessary to allow development to proceed.

New right-of-way for Vintage Valley Parkway will be presented for review and approval by the City during the first development phase where its alignment is being relocated. Once the new right-of-way has been dedicated the existing right-of-way will be vacated. The new street alignment will be located entirely on Zillah Lakes property with adequate ingress/egress to the adjacent WIVY property.

Access to Surrounding Road Network

On final completion of the development of this property, most of the direct access will be to Vintage Valley Parkway, a City street and via the completed Fountain Boulevard intersection to County maintained Yakima Valley Highway. When extended through the site, Vintage Valley Parkway will

connect 1st Street and the west Zillah interchange of Interstate 82 with the Buena Road – Highway 22 interchange. Residential phases will have access to both Vintage Valley Parkway and Yakima Valley Highway beginning with Phase 5.

Tract Y would access a City street being developed as part of a residential subdivision to the east, which in turn has direct access to Yakima Valley Highway and in the future, other City streets.

Parking

A combination of on and off-street parking will be provided that include the minimum number of off-street parking spaces per residential lot as required by the Zillah development code and either on-street parking or designated parking areas on the streets that are too narrow to provide for it.

The development code sets minimum off-street parking standards of two spaces per dwelling unit for one and two-family dwellings (ZMC 17.22.020(I)(1)). For multiple family dwellings an additional guest space is required for each five units. Although not required for the duplex common wall townhome units because they are two rather than multiple family dwellings, this more restrictive standard is being met in all of the common wall townhome phases due to additional parking being provided in parking tracts.

Private streets in most phases are to be 35 feet in width within a 40-foot right-of-way to accommodate a ten-foot-wide parking lane on one side of the street. Private streets that remain at 30 feet in width will have parking supplemented by 11 dedicated parking lots scattered throughout the project site (Figure 2). These streets include Barbee Court, Vialago Parkway in Phase 3, Lake Roosevelt Court, Badger Lake Court and the short cul-de-sac streets.

Each lot in the development is provided with two off-street parking spaces. Most lots will have garage space for two vehicles. This brings the total off-street parking to at least four spaces per dwelling unit.⁴ As follows, the total number of parking spaces (excluding garage spaces) for those phases for which off-street parking will be provided in separate parking tracts:

Phase	Dwelling Units	Minimum Off-Street Parking	Parking Tract Spaces(1)	Total Parking
Two (2)	10	20	16	36
Six (2)	13	26	40	66
Four (2)	8	16	0	16
Three	21	42	33	75
Five	86	172	23	195
Nine	23	46	23	69
Eleven	20	40	13	53
Twelve	36	72	44	116
Overflow Parking			82	82

1. Number of spaces are approximate, especially for later phases
2. Phases 2, 4 and 6 combined have 31 dwelling units, require 62 off-street parking spaces, and provide 36 parking tract spaces for a total of 118 parking spaces

⁴ The purpose of this statement is to describe the type and amount of off-street parking that is being provided. It is not intended for garage parking to be required as a development standard.

Parking for commercial development and ~~multiple-family residential tracts G and H~~ will be to City parking standards under the development code. No reduction in standards are proposed by this development plan. This is not intended to rule out requests by future developers for adjustments or variances as allowed by code.

Pedestrian Routes/Trails

Pedestrian access includes sidewalks on one or more sides of all streets and pathways connecting various parts of the open space including existing crossings of the lakes and stream corridor. The internal pathway network is mostly in place and consists of existing dirt tracks and gravel pathways.

Emergency Vehicle Access/Temporary Access

An existing temporary access extends from Yakima Valley Highway at Tract 'Y' to Barbee Court. This will become a permanent hard surfaced public access open to the public during the first new development phase. From that point, a 20-foot-wide gravel surfaced roadway will provide a gated connection for emergency access to Vialago Way. These improvements are to allow for the development of Phases 3, 4 and 6 consistent with Fire Code requirements until a permanent secondary connection is made to Vintage Valley Parkway, expected to occur during Phase 5. Once these phases gain access to Vintage Valley Parkway, the temporary access road between Barbee Court and Vialago Way will be abandoned.

Badger Lake Court and Sunrise Drive cul-de-sacs will have circular turnarounds to better facilitate emergency vehicle access and maneuvering. Other cul-de-sacs will have T-turnarounds (hammer heads) designed to Fire Code standards.

Utilities

City sewer and water service is currently extended westerly from the City to Phase 1 through a combination of easements and the existing right-of-way for Vintage Valley Parkway. When the right-of-way is realigned as planned, utility easements will be established in the present sewer and water service alignment. Additional sewer and water lines will be extended from the existing main lines to serve the proposed phases. As allowed by ZMC 17.26.030(B)(5)(d), some of the utility easements are being included within the access easements as joint use easements. They are designated as public service easements.

Irrigation

The property has seven shares of water from the Konnewock Irrigation District at 49.5 gallons per minute per share and 14.5 shares from the Buena Irrigation District at 52 gallons per minute (plus or minus) for a total of 2.45 cubic feet per second. This water service is provided from April to October with intermittent flows at other times of the year. Irrigation will be provided by a community wide irrigation delivery system to each residential and commercial site and all developed open space areas.

Stormwater

Stormwater management for this project is consistent with low impact development principles in many respects: narrower streets, large areas of open space, minimal use of structures such as catch basins. Also, the use of swales for the collection and treatment of storm water and open space for stormwater retention. Site grading is designed to promote storm water drainage to flow away from the lake and toward the golf course and other open space areas.

All storm water is to be managed on -site. Stormwater drainage improvements are to be phased to correspond to site development. Private streets except for Barbee Court are to be constructed with drainage swales in easements either on one or both sides of the street. Stormwater will be diverted to the golf course, park and other open space areas as needed per the specifications of the storm water plan. Barbee Court is to be constructed with a 2-foot-wide by 2-foot-deep rock drain envelope on the uphill side to intercept runoff. On the downhill side, the street is designed to direct runoff to five-foot-wide grassy swales located between each of the townhome structures across adjacent lots to the golf course. The swales contain grassed bio-infiltration retention areas hydroseeded with blue/rye grass seed mix using native soil to establish grass and irrigated.⁵ Provisions to protect swales located on residential lots are to be included in the CC&R's.

Residential lots are designed and graded with swales to keep stormwater from discharging into the lakes. Commercial tracts will provide for storm drainage with retention on-site as they are developed. Vintage Valley Parkway will have its own storm management system developed and maintained by the City.

Illumination

Street light specifications and locations were established by a lighting plan prepared for part of the development site. Street lights are to be located in the required locations in the areas that are shown by this plan except that farther from the community center of Phase 1, less decorative light poles are being proposed. As required by Condition #4 of the City Council November 20, 2017 approval decision, all new streets will have streetlights.

Schedule of Development

The schedule of development of broad segments based on the following major events: 1) completion and partial build-out of Phase One and 2) improvement of Vintage Valley Parkway through the site. As a result of these events, phasing consists of existing Phase One, which is not part of this planned development plan; Phases Two, Three and Six which can occur now as previously approved by the currently effective 2014 preliminary plat; Phases Four and Five and Seven and Eight which are dependent on the construction of Vintage Valley Parkway and future Phases Nine through Twelve.

Existing Phases

Existing phases consist of Phases One through Ten as shown on the face of the approved 2014 preliminary plat, new lots created or reconfigured by boundary line adjustments and the approved but as of yet unrecorded Fountain Boulevard Short Plat. Phase One is completed. Phases Two, Three and Six will be developed first because they do not require connection to Vintage Valley

⁵ Cross-sections of swales along internal streets are shown on the face of the preliminary plat.

Parkway. Later phases are dependent on the completion of Vintage Valley Parkway; they bring the number of residential units over the number that requires additional traffic study or they cannot be completed feasibly until later because of distance from existing sewer and water lines.

New Phases

The approved 2014 preliminary plat identifies ten phases, then defines Phase Eleven as all areas within the project and portions of Tract 'X' around it as subject to further adjustment and additional phasing when the final alignment for Vintage Valley Parkway has been determined. The current lot configuration for the residential phases is not substantially different from that shown on the 2014 preliminary plat, although there are some changes.

Nevertheless, the current plan has revised the numbering of project phases to reflect the order in which it is anticipated that they will be completed, including renumbering some of the first ten phases of the 2014 preliminary plat. This is also being done to meet the condition of approval that requires City review and approval of changes to proposed phasing. Under the new phasing plan, Phases Two, Three and Six are essentially the same as that approved on the 2014 preliminary plat. Phases Nine through Eleven consist of the original phases Two through Ten, but are numbered differently. Phases Four, Five, Seven and Eight either consist of Phase Eleven areas of the plat or are otherwise new phases.

This is as shown in the following table, which includes Phase One solely to document the total number of dwelling units in the completed development.

Phase	Dwelling Units	Preliminary Plat	Anticipated Completion	Required Completion
One	68	Completed	--	--
Two	10	2014	2018	2021
Three	21	2014	2018	2021
Four	8	New	2018	2022
Five	86	New	2021	2022
Six	13	2014	2018	2021
Seven	0	New	2021	2022
Eight	50 0	New	2021	2022
Nine	23	2014	2021	2021
Ten	30	2014	2021	2021
Eleven	20	2014	2021	2021
Twelve	36	New	2022	2022

Phase 1: This phase has been completed and is partially built out. It also includes those areas that have been incorporated into Phase 1 lots by boundary line adjustment, including the parcels developed or being developed for the community center, Sheriff precinct office and other commercial lots. For clarification, this phase is considered to include all of the lots in Phase 1 including in their entirety, but not limited to, the following Yakima County tax parcels:

201122-34484
201122-34489

201122-34485
201122-34491

201122-34487

Also in Phase 1 and excluded from this plan is the original Lot 81 from that phase, which was merged with a portion of the surrounding tract in 2012 to create a separate parcel and is now being re-established by the Fountain Boulevard Short Plat. As of the date of this report, this lot is shown by the County Assessor as a part of tax parcel 201122-34481, although only the part labeled Lot 81 is considered to be in Phase 1 with the rest of the short plat covered by this plan. Fountain Boulevard itself is also entirely in Phase 1 and excluded from the Planned Development Plan.

Phases 2, 3 and 6: Phase 2 consists of eight common wall duplex-townhouse lots on the south side of Barbee Court and two of the four lots created by short plat with access to Fountain Boulevard and Barbee Court; Phase 3 has 21 detached single family residential lots on Vialago Parkway. Phase 6 consists of 12 common wall duplex and triplex-townhouse lots and commercial Tract Y. Phase 2 also includes two of the three golf course tracts and merger of Lot 'B' of the short plat with the golf course and other open space. The golf course is being realigned and necessary improvements are expected to be completed prior to or concurrent with this phase.

Phase 4: This is a new phase consisting of 8 duplex townhome lots on Barbee Court with direct access to Fountain Boulevard that do not require a second access to Vintage Valley Parkway.

Phases 9 through 12: These are the residential phases located west of Fountain Boulevard and it is expected that they will be developed last. They include open space, golf course and park tracts. The residential lots in Phases 9 through 12 bring the total number of residential lots above 264, which as required by the MDNS, triggers further traffic analysis before final plat recording. This is projected to happen in Phase 11.

Vintage Valley Parkway Phases

Phases Five, Seven and Eight are dependent on the completion of Vintage Valley Parkway, either because they require direct access to it or in order to comply with Fire Code requirements for a second access. They include the reconfigured lots of the original Phase 11, the realignment of golf holes and new commercial and open space areas. Phase 5 consists of the 35 single-family lots that were shown as Phases 4 and 5 by the 2014 preliminary plat and an additional 52 lots.

Golf Course and Open Space Tracts: In general, the golf course, park, and open space tracts are to be established along with the adjacent phases. Two of the three Golf Course tracts are in Phase Two, but the third tract is in Phase Nine. Since the golf course is now developed and in use, the portion of the course located west of Fountain Boulevard will partly occupy the larger tract with the remaining undeveloped phases until the development of that Phase.

Zillah Lakes Planned Development
Schedule of Development & Phasing Plan

		<u>Cumulative</u>
Phase 1 Residential Lots:	68	Residential Lots: 68
Common Wall Lots:	(24)	Common Wall Lots: (24)
Commercial/Community Lots & Tracts:	8	Commercial/Community Lots & Tracts: 8
		76
Phase 2 Residential Lots:	10	Residential Lots: 78
Common Wall Lots:	(10)	Common Wall Lots: (34)
Golf Course/Open Space Tracts	2	Golf course/Open Space Tracts: 2
		88
Phase 3 Residential Lots:	21	Residential Lots: 99
		Common Wall Lots: (34)
		Commercial & Community Lots & Tracts: 8
		Golf course/Open Space Tracts: 2
		109
Phase 4 Residential Lots:	8	Residential Lots: 107
Common Wall Lots:	(8)	Common Wall Lots: (42)
		Commercial & Community Lots & Tracts: 8
		Golf Course/Open Space Tracts: 2
		117
Phase 5 Residential Lots:	86	Residential Lots: 193
Commercial/Community Lots & Tracts:	1	Common Wall Lots: (42)
Golf Course/Open Space Tracts:	1	Commercial & Community Lots & Tracts: 9
		Golf Course/Open Space Tracts: 3
		205
Phase 6 Residential Lots:	13	Residential Lots: 206
Common Wall Lots:	(13)	Common Wall Lots: (55)
Commercial/Community Lots & Tracts:	1	Commercial & Community Lots & Tracts: 10
		Golf Course/Open Space Tracts: 3
		219
Phase 7 Commercial/Community Lots & Tracts:	7	Residential Lots: 206
		Common Wall Lots: (55)
		Commercial & Community Lots & Tracts: 17
		Golf Course/Opens Space Tracts: 3
		226
Phase 8 Commercial/Community Lots & Tracts:	6 8	Residential Lots: 206
Multiple Family Residential Tracts:	2	Common Wall Lots: (55)
		Multiple Family Residential Tracts: 2
		Commercial & Community Lots & Tracts: 23 25
		Golf Course/Open Space Tracts: 3
		234

Phase 9 Residential Lots:	23	Residential Lots:	229
Common Wall Lots:	(22)	Common Wall Lots:	(77)
Golf Course/Open Space Tracts:	2	Multiple Family Residential Tracts:	2
		Commercial & Community Lots & Tracts:	23 25
		Golf Course/Open Space Tracts:	5
			259
Phase 10 Residential Lots:	30	Residential Lots:	259
		Common Wall Lots:	(77)
		Multiple Family Residential Tracts:	2
		Commercial & Community Lots & Tracts:	23 25
		Golf Course/Open Space Tracts:	5
			289
Phase 11 Residential Lots:	21	Residential Lots:	280
		Common Wall Lots:	(77)
		Multiple Family Residential Tracts:	2
		Commercial & Community Lots & Tracts:	23 25
		Golf Course/Open Space Tracts:	5
			310
Phase 12 Residential Lots:	35	Residential Lots:	315
Common Wall Lots:	(22)	Common Wall Lots:	(99)
Golf Course/Open Space Tracts:	2	Multiple Family Residential Tracts:	2
		Commercial & Community Lots & Tracts:	23 25
		Golf Course/Open Space Tracts:	7
			347

All Phases: Single Family Lots:	216	
Common Wall Lots:	<u>99</u>	
Residential Lots:		315
Commercial/Community Lots & Tracts:	23 25	
Multiple Family Residential Tracts:	2	
Golf Course/Open Space Tracts:	7	
Parking Tracts:	<u>13</u>	
Total Lots & Tracts:	360	
Multiple-Family Condominium Units:		<u>50</u>
Total Dwelling Units:	365 315	

Reconciliation with Preliminary Plat

Total Lots and Tracts:	360	315 Residential Lots
Less Phase 1 Lots:	-76	-68
Less Fountain Blvd Short Plat:	<u>-2</u>	<u>-2</u>
	282	245

Land Use and Distribution

Zillah Lakes Planned Development Land Use Distribution

Land Use Category	Acreage	Percent of Total
Phase 1	14.94 acres	6.6%
Residential	42.52 acres	18.9%
Single-Family Detached	28.57 acres	
Common Wall Townhomes	5.79 acres	
Condominium Townhomes	8.16 acres	
Commercial	79.99 acres	35.5%
Tract Y Commercial	2.32 acres	
Tract I	0.98 acre	
Vintage Valley Commercial	76.69 acres	
Recreation / Open Space	70.65 acres	31.4%
Golf Course	34.05 acres	
Park	4.33 acres	
Lake	19.2 acres	
Other Open Space	13.07 acres	
Other	17.14 acres	7.6%
Parking/Boat Launch Areas	2.4 acres	
Streets	14.74 acres	
	225.24 acres	100%

Regulatory

Under the Planned Development Overlay standards of ZMC 17.30, planned developments are permitted in any zone. Mixed use planned developments may be proposed in commercial and industrial zones and many of the development standards, such as density, minimum lot frontage and setbacks are as designated by the City Council, as part of their consideration of the planned development plan and application. A minimum of 10 percent of usable open space is required in mixed use planned developments and a maximum building height of 50 feet, although the City Council may grant a waiver to this standard. Any combination of land uses is permitted in mixed use planned developments with the exception that no land uses that are only permitted in an industrial zone may be allowed in a commercial zone.

It is assumed that future land owners will have the ability to reduce or modify development standards of the C-T zone, using allowed administrative adjustment, variance or other modification procedures and that the modification procedures to change this plan or planned development requirements may also be used.

Consistency with the Intent of the C-T Zone

The Commercial-Tourist (C-T) zone is established to provide areas for commercial establishments which generally offer accommodations, supplies, services or recreational opportunities for the travelling public. Such zones shall be located on or near interchanges, state highway intersections or along any generally recognized tourist route (ZMC 17.14.010(F)). While this intent statement does not provide for full-time permanent residential development, ZMC 17.30.090 allows mixed use planned developments in commercial and industrial zones and planned developments are permitted in all zones in the City limits by ZMC 17.30.030.

The Planned Development Plan is consistent with the intent of the C-T zone in that it has the objective of offering accommodations, supplies, services or recreational opportunities for the traveling public. To the extent that some of the land uses are more specifically intended for full-time residents of the development is justified by the residential component of the project allowed in the C-T zone for a mixed use planned development. Some of the commercial land uses that are proposed, such as assisted living, medical and educational land uses are consistent because of their potential to serve a larger population than that of just the city and for that reason would benefit from a location adjacent to Interstate 82.

Permitted Uses and Development Standards

Permitted Uses:

The original planned development proposed the following broad categories of land uses:

- Single-family, detached residences
- Multiple-family dwellings (apartments)
- Attached single-family dwellings, townhouses, duplexes
- Golf course, including pro shop, club house, driving range
- Commercial tourism

Montessori School
Assisted living community
Outlet mall
Brew pub
Community Center

Proposed residential land uses are as follows with corresponding footnotes:

Residential areas: Phases 2 – 6 & 9 – 12.

Attached/detached single-family dwellings, townhouses (Footnote 1)
Vacation rentals (Footnote 2)
Home occupations (Footnote 2)
Family in-home day care (Footnote 3)
Golf course, including pro shop, club house, driving range (Footnote 4).
Public or private parks and playgrounds (Footnote 5).
Sports courts and fields such as baseball, soccer, football (Footnote 5).
Swimming pool.
Community Center.
Maintenance facilities including shop, vehicle and equipment storage associated with permitted recreational and/or community land uses (Footnote 4).
Non-commercial gardens, fruit growing, floriculture, horticulture, grape vines, fruit trees, including community gardens and non-commercial greenhouses (Footnote 6).
Non-commercial recreational and meeting building with or without manager's office.
Structures ordinarily appurtenant to public or private recreational facilities (toilets, picnic shelters, etc.) (Footnote 5).
Café, delicatessen, coffee shop (Footnote 7).
Gym, exercise facility (Footnote 7).
Limited retail sales (Footnote 7).

Residential Areas: ~~Tracts G & H, Phase 8~~

~~Attached single family dwellings, multiple family/townhomes~~
~~Vacation rentals (Footnote 2)~~
~~Home occupations (Footnote 2)~~
~~Family in-home day care (Footnote 3)~~
~~Public or private parks and playgrounds (Footnote 9).~~
~~Sports courts and fields such as baseball, soccer, football (Footnote 9).~~
~~Swimming pool (Footnote 9).~~
~~Community Center (Footnote 9).~~
~~Maintenance facilities including shop, vehicle and equipment storage associated with permitted recreational and/or community land uses (Footnote 9).~~
~~Non-commercial gardens, fruit growing, floriculture, horticulture, grape vines, fruit trees, including community gardens and non-commercial greenhouses (Footnote 9).~~
~~Non-commercial recreational and meeting building with or without manager's office (Footnote 9).~~
~~Structures ordinarily appurtenant to private recreational facilities (toilets, picnic shelters, etc.) (Footnote 9).~~
~~Café, delicatessen, coffee shop (Footnote 9).~~
~~Gym, exercise facility (Footnote 9).~~

~~Limited retail sales (Footnote 9).~~

Commercial Areas: Tracts E through F H and J through S T. Tracts ~~L and Y.~~

All permitted uses in C-T zone (Footnote 8)

Catering

Time-share or fractional vacation rentals (Footnote 10).

Assisted living

Nursing, convalescent, retirement home / hospice –respite home

Hospital

Spa

Pet shops & kennels including animal training

Outlet mall

Fuel station; travel plaza – with or without large truck parking

Offices and office buildings

Concert hall / amphitheater

School

College, technical school, training center

Church, place of worship

Youth and adult camps

Winery, brew pub; tasting rooms for beer, wine and/or spirits.

Vineyards accessory to a winery.

Farmers market.

Visitor center with or without associated retail sales.

Park & ride parking lots.

Electric vehicle charging station

Recreational centers, including but not limited to: bowling alley, disc golf, baseball/softball fields, basketball, volley ball courts

Drive-in movie theater

RV park / campground

Heavy equipment adventure company

Footnotes:

1. As shown or designated on the approved preliminary plat.
2. Permitted in residential areas except as limited or if prohibited by the CC&R's.
3. As defined by RCW 43.215.010(1)(c); permitted as residential home occupation except as limited or if prohibited by the CC&R's.
4. Permitted on golf course and open space tracts and Tracts ~~'I' and 'Y'.~~
5. Permitted only on open space tracts ~~and Tract 'I'.~~
6. Vineyards on open space tracts ~~and Tract 'I'~~ may be harvested for commercial use.
7. As accessory to a community center.
8. Permitted outright, by conditional use permit or by special property use permit as required by ZMC 17.14.040.
- ~~9. As accessory use to multiple family residential complex.~~
10. As part of an otherwise permitted hotel or resort.

Development Standards:

Development standards are based on the standards of the underlying C-T zone as modified to allow for proposed development.

1. Building and lot configuration as shown on the approved site plan / preliminary plat for the planned development is controlling. Where lots that are on the plan do not meet all of these development standards, they are still considered to be permitted.
2. For any future development or modifications of lots or tracts under this plan, the approved development standards apply unless the planned development is modified or where allowed, an adjustment, variance or other modification is obtained.

Figures 4-1 through 4-3 depict the setback standards for the typical residential lot types. These setbacks are as follows, except as shown otherwise on the approved site plan / preliminary plat:

Residential Lots:

Front: 20 feet from right-of-way, 30 feet from right-of-way for single-family lots on rights-of-way that have widths that do not accommodate on-street parking.

Side: 5 feet for detached single-family lots and from exterior lot lines for townhomes. Zero setback for interior townhome lot lines. 20 to 30 feet from street rights-of-way, 30 feet from right-of-way for single-family lots on rights-of-way that do not accommodate on-street parking.

Lakefront lots: 10 feet from the edge of lake or property line, whichever is greater.
Residential lots fronting on Vintage Valley Parkway: Setback standards of underlying C-T zone, except for fence or wall.

Rear: 10 feet.

Lakefront lots: 20 feet from the edge of lake or property line, whichever is greater.

Commercial Lots:

All setback standards from underlying C-T zone.

Lot coverage standards are expected to meet or exceed the 90 percent standard of the C-T zone which is proposed as the standard for interior townhouse lots. All other residential lots: 70 percent.

Lot width / lot frontage standards are generally 35 feet for exterior townhouse lots (lots for the units at either end of a townhome structure – this would be all lots for duplexes), 30 feet for interior lots and 60 feet for detached single-family lots. For flagpole lots, irregular lots or lots that front on curved street sections or turnarounds, the lot width is to be measured at the front setback line for that lot.

Building heights are 35 feet for residential lots and 50 feet for commercial tracts, except as follows:

A waiver is requested under ZMC 17.30.090(E) to allow hotels in commercial phases to exceed the 50-foot height limitation under certain specified circumstances. The decision would be made by the City using the following criteria:

1. It is demonstrated that exceeding the height limitation is beneficial in provide lodging facilities or residential units in a manner that is consistent with this plan and typical building designs for the lodging industry or for the type of residential construction being proposed.
2. That the increase in building height would add no more than one story to any building from that which would be permitted if the building height standard were met.

Minimum lot sizes for residential lots are as follows, except that any lot shown on the approved preliminary plat that falls below these minimums is considered to be in conformance. Minimum lot sizes for commercial tracts are as required in the C-T zone by the Zillah Municipal Code.

Single-family detached: 6,000 sq. ft.

Exterior common-wall townhome lots: 2,975 sq ft

Interior common-wall townhome lots: 2,550 sq ft

Off-Street Parking Standards (based on ZMC 17.22.020(l)(a-c)):

Single-family detached residential – 2 spaces per lot

Two-family townhomes: 2 spaces per dwelling unit / 2 spaces per lot

Three & four-family townhomes: 2 spaces per dwelling unit/ 2 spaces per lot (guest parking to be accommodated by parking tracts being provided throughout the development)

~~Multiple-family condominium development of Tracts G and H: 2 spaces per dwelling unit + 1 guest space per 5 dwelling units.~~

Commercial tract development: conformance to ZMC 17.22.020 unless adjusted or modified at the time of development.

Fence Height Standards:

Fences or walls up to six feet in height are allowed on the side yards of the Phase 5 residential lots where they front on Vintage Valley Parkway to provide for buffering of those lots. The fence or wall shall not encroach on the right-of-way or extend into vision triangles.

Recreational screens exceeding six feet in height but not to exceed 10 feet area allowed if needed on the golf course frontage of Vintage Valley Parkway or the property line with Tracts J or K.

Deviations from Zoning Ordinance Standards

The primary deviations from zoning ordinance development standards are to accommodate the smaller permitted residential lot sizes and the narrower private streets. This is compensated for by the open space, recreational areas and walking paths being provided in the development.

Minimum lot width is reduced from 75 feet for residential lots. Cul-de-sac length exceeds 500 feet and block length exceeds 1,000 feet in some locations. This is necessary to configure the lots around the lakes, golf course tracts and stream corridor.

When the minimum area of the lots that contain a single townhome structure are combined, it is greater than the minimum lot size of the R-3 zone for an equivalent multiple-family structure except that the two-family townhome lots total 5,950 square feet, which is less than the equivalent 8,000 square foot duplex lot. With minimum areas of 6,000 to 6,600 square feet, the detached single family residential lots are smaller than the 7,000-square foot minimum lot size in Zillah's three urban residential zones.

Other development standards are equal to or only slightly different from the standards of the underlying zoning district. For example, the front and side setbacks being proposed from private streets are mostly higher than the residential standards from the Zillah development code. This justifies not having corner lots with extra width.

City Regulatory Requirements and SEPA Compliance:

The approval decisions for the project include the February 7, 2006 Planning Commission decision for the planned development and the October 14, 2014 hearing examiner decision for the preliminary plat. They both have conditions that were added by the City Council and both incorporated the measures from the January 20, 2006 Mitigated Determination of Nonsignificance (MDNS).

The current approval decisions include the October 25, 2017 approval decision of the Hearing Examiner as modified by the City Council on November 20, 2017 and the October 2, 2017 MDNS which incorporates the mitigation measures of the January 20, 2006 MDNS, with some changes. The following discussion addresses the earlier approval requirements updates and modifications from the 2017 decisions in bold italic text. The current required conditions and mitigation measures are included as an attachment to the Final Development Plan as Exhibit 'A'.

Planning Commission and Hearing Examiner Decisions (excluding SEPA mitigation):

1. The phasing, number and type of units are being modified by this plan. Changes to proposed phasing to be reviewed and approved by the City as required by Condition 9 of the Planning Commission decision.

The City Council approved the modifications of phasing as described in this plan.

2. Through preliminary plat phasing, development has and will continue to occur before dedicated right-of-way is provided for Vintage Valley Parkway. This is justified by the inclusion of the improvement of Vintage Valley Parkway through the site on the City's Six Year Transportation Improvement Program. When completed, this planned and funded street improvement will provide dedicated and improved access to Buena Road and the currently improved portion of Vintage Valley Parkway. Access to Yakima Valley Highway is already being provided.

Right-of-way for Vintage Valley Parkway will be dedicated in the next final plat phase. These conditions have been met due to Vintage Valley Parkway having been completed.

3. It is requested that Conditions 13 and 15 of the Planning Commission decision requiring additional traffic studies for commercial development and for Phases 3 and beyond no longer be required because the phasing as now proposed is not the same (Phases 1 through 3 now have 99 residential lots rather than 220 lots as originally proposed. Under the current plan, the number of residential lots does not reach 220 until Phase 9). Condition 13 should be removed because it is redundant, having already been required by the MDNS. The MDNS requirement for traffic studies after 264 dwelling units and for commercial development (amended as proposed below) sufficiently addresses traffic impacts.

Conditions 13 and 15 from the 2006 decision have been removed.

4. Clarification of the final plat note required by Condition 31'c' of the Planning Commission decision is requested:
 - a. ***Rear*** structural setbacks on, or for lake front properties shall be 20 feet from the property line, or edge of lake, whichever is greater.

Setbacks of 20 feet limited to rear lot lines on the lakefront, and side setbacks of 10 feet required.

5. No part of the lake is being used or proposed to be used for storm water drainage, so it is requested that Condition 39 of the Planning Commission decision no longer be required.

This is no longer a requirement.

6. Condition 40, added by the City Council on February 27, 2006 requires an earthen berm, six-foot-high barrier fence and fast-growing trees to be installed in conjunction with phased development of Vintage Valley Parkway. It does not specify where these improvements are to be made although indications are that it was intended to provide a screen where Vintage Valley Parkway was originally proposed bordering Interstate 82. Since this is no longer the alignment of that street, it is requested that the condition not be required and that landscaping be required as described in this plan.

Since a small part of Vintage Valley still borders Interstate 82, this improvement may be required, although it can now be modified or waived if agreed to by the Department of Transportation. This is in #6 of the “Modified Hearing Examiner Conditions of Approval”.

7. Condition 11 requiring purchase of Parcel 201127-13002 from the City; Condition 16 specifying improvements of the intersection of Yakima Valley Highway and Barbee Road; and Condition 35 requiring background water temperature information for the Buena Ditch have all been completed.

These conditions have been removed.

SEPA Mitigation (January 20, 2006 MDNS):

1. Mitigation Measure 3 requires private roadway tracks (Sic.) to be designed to accommodate future public roadway sections. Roadway tracts are being designed to be consistent with those approved for Phase 1.
2. Mitigation Measure 4b requires Vintage Valley Parkway and connecting private roadways to be designed and constructed with gravel base, apparently to serve as emergency access roads. This was to be completed prior to final approval for Phase 1 but was not. If Vintage Valley Parkway had been improved in this manner it would have resulted in an unnecessary improvement due to its subsequent re-alignment. In addition to being unnecessary, it could have resulted in adverse environmental impacts including wasted resources used in its construction and the surfacing of areas that might have otherwise remained un-surfaced. This along with the requirement having not been met during Phase 1 should be considered new information. This plan provides for emergency vehicle access routes where they are needed.
3. Improvement of Vintage Valley Parkway as required by Mitigation Measures 4c and 4d will be done according to the development schedule in this plan. In terms of sequencing, this is not believed to be a significant deviation from the requirements of these two measures.
4. It is requested that Mitigation Measure 6 be modified to require compliance with the concurrency requirements of ZMC 17.10 for commercial development and multiple-family residential development of Tracts G and H, with direct access to Vintage Valley Parkway rather than requiring a traffic study and that for this development the condition be a requirement of building permit rather than final plat approval. The changes in circumstances that warrant this modification include the improvement of Vintage Valley Parkway as a collector street by the City and the adoption in 2009 of the City's concurrency regulations. New information is that under the current project design, it is not possible to know the type of commercial development that would be located on each of the commercial tracts or its level of impact at the time of final plat approval.

Traffic concurrency and impact requirements are in #3, “Modified Hearing Examiner Conditions of Approval”.

All of the mitigation measures that require improvement of Vintage Valley Parkway have been satisfied due to the street having been completed.

Traffic mitigation required for multiple-family residential development of Tracts G & H would no longer apply and there would be no resulting significant environmental impacts because it is no longer being proposed.

5. As a Phase 1 requirement, the golf course was designed to accommodate and disburse flood waters from the 100-year floodplain. However, the extent to which it will actually accomplish this cannot be determined until the completion of further floodplain analysis. Other measures to accommodate and disburse floodwaters may be identified that are more effective or it may be determined that the need to utilize the golf course for this purpose is not necessary.

The de-emphasis on golfing means that these measures would apply to the more limited area being used for that purpose. Other open space area would continue to function in the same manner as the golf course.

6. Mitigation measures that have been completed or that are no longer applicable include those completed during Phase 1 development (except as already noted); improvement of the Yakima Valley Highway intersection with Barbee Road (Measure 4a); traffic studies for commercial development in Phase 1 and the Brew Pub in Phase 6 (Measure 6); update of the City of Zillah Water Comprehensive Plan (Measure 3); preparation and submittal to Department of Ecology of a JARPA and wetland delineation (Measure 2); issuance of Hydraulic Project Approval (Measure 2), although it is recognized that additional HPA issuance may be required in the future for certain improvements; access obtained and title vested from Sunnyside Valley irrigation District, and acquisition of City owned property (Measure 3).

Final Development Plan

Exhibit 'A' attached, contains all of the conditions of approval and mitigation measures that are currently in effect as a result of the modified and updated decisions made in 2014 and 2017. It consists of the following:

1. Modified Hearing Examiner Conditions of Approval (1 – 13).
2. Required (SEPA) Mitigation Measures
 - a. Traffic (1 – 9)
 - b. Water and Sewer (1 – 2)
 - c. Wetlands and Watercourses (1 – 4)
 - d. Hydrogeologic (1 – 2)
 - e. Storm Water (1 – 2)
 - f. Grading Plan (1)
 - g. Air Quality (1)
 - h. Floodplain (1 – 3)
 - i. Archaeological and Cultural Resources (1)
 - j. Other Mitigation Measures (1 – 2)
3. Conditions of Approval (1 – 38).